

Opening of the session and adoption of the agenda

Special procedures

Report by the Director-General

1. In the light of the current global epidemiological situation, and following a decision taken by the Executive Board through a written silence procedure, the 150th session of the Executive Board will be held in a hybrid format.
2. As a consequence of the above, special procedures need to be put in place to regulate the conduct of the 150th session of the Executive Board so that the Board can pursue its work in such a hybrid format. This report is intended to enable the Board to take a decision in that regard. The special procedures are set out in the Annex to the draft decision below. These special procedures will also apply to the thirty-fifth meeting of the Programme, Budget and Administration Committee of the Executive Board.

ACTION BY THE EXECUTIVE BOARD

3. In view of the foregoing, the Board is invited to consider the following draft decision.

The Executive Board having considered the report on special procedures,¹ decided to adopt the special procedures set out in the Annex to this decision in order to regulate the conduct of hybrid meetings of the 150th session of the Executive Board, opening on 24 January 2022 and closing no later than 29 January 2022.

¹ Document EB150/2.

ANNEX

SPECIAL PROCEDURES TO REGULATE THE CONDUCT OF HYBRID MEETINGS OF THE 150TH SESSION OF THE EXECUTIVE BOARD

RULES OF PROCEDURE

1. The Rules of Procedure of the Executive Board shall continue to apply in full, except to the extent that they are inconsistent with these special procedures, in which case the Executive Board's decision to adopt these special procedures shall operate as a decision to suspend the relevant Rules of Procedure to the extent necessary, in accordance with Rule 63 of the Rules of Procedure of the Executive Board.¹

ATTENDANCE

2. Members of the Executive Board (and another delegate of the Executive Board member's delegation) will, where possible, be physically present in Geneva for the purposes of the session.

3. Attendance by members of the Executive Board who, for any reason, cannot be physically present in Geneva for the purposes of the session, as well as other members of their delegations, Member States not represented on the Board and Associate Members, as well as Observers, invited representatives of the United Nations and of other participating intergovernmental organizations, and non-State actors in official relations with WHO shall be provided for through secured access to videoconference or other electronic means allowing representatives to hear other participants and to address the session remotely.

4. It is understood that delegates physically present in Geneva for the purposes of the session are deemed to be duly authorized to speak and vote on behalf of their respective delegations.

QUORUM

5. It is understood that virtual attendance of members of the Executive Board shall be taken into account when calculating the presence of a quorum, except for the purposes of a secret ballot vote, in which case the presence of a quorum shall be calculated in accordance with paragraphs 11 and 15 below, respectively.

ADDRESSING THE EXECUTIVE BOARD

6. Members of the Executive Board, Member States not represented on the Board and Associate Members, as well as Observers, invited representatives of the United Nations and of other participating intergovernmental organizations and, at the invitation of the presiding officer, non-State actors in official relations with WHO, shall be provided with the opportunity to take the floor.

7. Members of the Executive Board shall also have the opportunity, if they so wish, to submit individual pre-recorded video statements. Member States not represented on the Board and Associate Members shall also have the opportunity, if they so wish, to submit individual pre-recorded video statements of no more than three minutes, and regional and group statements of no more than

¹ This will affect notably the relevant provisions of the following Rules of Procedure of the Executive Board as they appear in the 49th edition of Basic documents: Rule 51 (show of hands vote) and Rules 56–61 (secret ballot and elections).

four minutes. Observers and invited representatives of the United Nations and of other participating intergovernmental organizations shall also have the opportunity, if they so wish, to submit individual pre-recorded video statements of no more than two minutes. Pre-recorded video statements should be submitted in advance of the opening of the session. The video statements so submitted shall be broadcast at the hybrid session in lieu of a live intervention and will form part of the official records of the session.

8. Any Member State wishing to raise a point of order or exercise a right of reply in relation to either an oral or a pre-recorded video statement made at the Executive Board should signal their intention to do so. It is understood that, in accordance with well-established practice, any right of reply to either an oral or a pre-recorded video statement shall be exercised at the end of the relevant day.

MEETINGS

9. All meetings of the Executive Board shall be held in public, unless otherwise decided by the Executive Board or provided by the Rules of Procedure of the Executive Board. Hybrid public meetings of the Board shall be broadcast on the WHO website, in line with usual practice. Hybrid private meetings of the Board shall be webcast to members of the Executive Board, their alternates and advisers, and to only one representative of each Member State not represented on the Board and of each Associate Member who may attend without the right to participate.

DECISION-MAKING

10. All decisions of the 150th session of the Executive Board should, as far as possible, be taken by consensus. In any event, given the hybrid nature of the session, no decision shall be taken by a show of hands vote; nor shall any decision be taken by secret ballot, with the exception of the secret ballot vote to be conducted under the item entitled "Post of Director-General".

11. In the event that a vote is required, and with the exception of a secret ballot vote to be conducted under the item entitled "Post of Director-General", voting shall take place by roll-call. In such a case and in line with normal practice, should any delegate, whether physically present or virtually connected, fail to cast a vote for any reason during the roll-call, that delegate shall be called upon a second time after the conclusion of the initial roll-call. Should the delegate fail to cast a vote on the second roll-call, the delegation concerned shall be recorded as absent.

12. The secret ballot vote to be conducted under the item entitled "Post of Director-General" shall be conducted in person among the members of the Executive Board and other delegates duly authorized to speak and vote on behalf of their respective delegations who are physically present. For these purposes, delegations of members of the Executive Board may include, inter alia, persons who are members of the diplomatic representation of the Member State concerned in Geneva or elsewhere. Such delegations may also include persons who are not nationals of the Member State concerned, including members of the diplomatic representations of other Member States, provided that such persons are not already accredited at the 150th session of the Executive Board as part of another delegation. The quorum for the conduct of the vote shall be calculated only on the basis of physical presence for the vote.

PROGRAMME, BUDGET AND ADMINISTRATION COMMITTEE

13. The special procedures to regulate the conduct of hybrid meetings of the 150th session of the Executive Board set out above shall apply mutatis mutandis to hybrid meetings of the Programme, Budget and Administration Committee of the Executive Board, taking into consideration the composition of the Committee, with the following exceptions: (i) deliberations of the Programme,

Budget and Administration Committee in hybrid meetings shall be based on consensus; (ii) only Member States and observers as identified in decision EB146(5) (2020) may attend meetings of the Programme, Budget and Administration Committee; and (iii) regarding speaking by observers, in exceptional cases where the Chair determines that the efficient and effective conduct of the Committee's business will not be affected in any way, the Chair may, as appropriate, invite observers to make interventions with respect to items on the agenda that are of particular concern to them or relevant to their mandate.

CONTINGENCY ARRANGEMENTS

14. In the event that limitations to physical meetings preclude the holding of the 150th session of the Executive Board and/or the thirty-fifth meeting of the Programme, Budget and Administration Committee in a hybrid format, the respective Chairs, following consultation with the Director-General, shall so inform their members. In such cases, these special procedures shall apply *mutatis mutandis* to the virtual meetings of the 150th session of the Executive Board and of the thirty-fifth meeting of the Programme, Budget and Administration Committee.

15. In the event that the 150th session of the Executive Board is held in a fully virtual format, for the purposes of the secret ballot vote to be conducted under the item entitled "Post of Director-General", members of the Board (or another delegate of the Executive Board member's delegation) shall nonetheless be invited to visit in person the room at WHO headquarters in Geneva, where the vote is being conducted, one by one at a specified time to cast their vote individually. In these circumstances, the appointed tellers would observe the whole voting process, which would also be broadcast to the members of the Executive Board, their alternates and advisers, and to one representative of each Member State not represented on the Board and of each Associate Member. The quorum for such a vote shall be calculated only on the basis of physical presence in the room where the vote is taking place at any point during which voting remains open.

16. In the event that the public health situation precludes the holding of the secret ballot vote in accordance with either paragraph 11 or paragraph 15, the Executive Board shall decide on such further contingency arrangements as may be appropriate.

SCOPE OF THESE SPECIAL PROCEDURES

17. The procedures set out above are adopted for the purpose of the 150th session of the Executive Board and the thirty-fifth meeting of the Programme, Budget and Administration Committee only, as exceptional measures to enable the work of the Organization to continue during the extraordinary situation arising from the coronavirus disease (COVID-19) pandemic. They should not be considered as setting a precedent for future sessions of the Executive Board or meetings of the Programme, Budget and Administration Committee.

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