

Report of the Programme, Budget and Administration Committee of the Executive Board

1. The thirty-fifth meeting of the Programme, Budget and Administration Committee was held in Geneva from 19 to 21 January 2022 and chaired by the Hon. Nickolas Steele (Grenada).¹ The Committee adopted its agenda² after deleting both item 3.6, as there were no proposed amendments to the Financial Regulations and Financial Rules, and the second bullet point under item 3.10, as membership of the Independent Expert Oversight Advisory Committee would be considered by the Executive Board. The Committee also agreed its programme of work.

2. In his opening remarks, the Director-General said that the resources made available by Member States and other donors, combined with the incredible efforts of the WHO workforce worldwide, had enabled the Organization to implement a far larger Programme budget 2020–2021 than originally adopted, allowing it not only to respond to the pandemic of coronavirus disease (COVID-19), but also to pursue its work to help countries to tackle myriad health challenges such as strengthening health systems, increasing vaccination coverage and addressing the determinants of health.

3. Success on the priorities of the Programme budget 2022–2023 and the Thirteenth General Programme of Work, 2019–2023 were dependent upon the right quantity and quality of funding, and for that reason the coming budget cycle involved an increase in funding. Indeed, both the Independent Panel for Pandemic Preparedness and Response and the Independent Expert Oversight Advisory Committee had recognized that the way in which WHO was financed was not sustainable and must change. The Member States also took the issue of flexible and sustainable financing very seriously, as funding shortfalls undermined the ability to plan for the long term and destabilized the workforce. WHO experts would far rather work to support countries and develop guidance; instead, however, they spent significant amounts of time fundraising.

4. In its report to the 150th session of the Executive Board,³ the Working Group on Sustainable Financing recommended that assessed contributions should be increased stepwise to 50% of the approved base Programme budget by the biennium 2028–2029; he hoped that both the Committee and the Executive Board would support that proposal, as such an increase would represent a huge return on investment for all Member States.

5. The Director-General further explained that a second major issue before the Committee was the prevention of and response to sexual exploitation, abuse and harassment (PRSEAH). The Organization's position was clear: it had zero tolerance for sexual exploitation, abuse and harassment, and was committed to taking prompt action whenever such behaviour occurred. In response to allegations

¹ The list of participants is available in document EBPBAC35/DIV./1.

² Document EBPBAC35/1.

³ Document EB150/30.

directed at its staff during the tenth outbreak of Ebola virus disease in the Democratic Republic of the Congo, the Secretariat had announced the establishment of an Independent Commission of Inquiry – the first time that such an approach had been taken in the United Nations system, offering, he hoped, a model for the future. Within two weeks of receiving the report of the allegations of sexual exploitation and abuse established to examine those allegations, the Secretariat had drawn up the WHO Management Response Plan and work was currently being performed to carry out the more than 150 activities outlined therein. That said, the changes required under the Plan would take time and resources to implement, and an extra US\$ 50 million had therefore been allocated for PRSEAH in the proposed increase to the Programme budget 2022–2023.

Agenda item 2. Matters for information or action by the Committee

2.1 Report of the Independent Expert Oversight Advisory Committee (Document EBPBAC35/2)

6. The Chair of the Independent Expert Oversight Advisory Committee presented the report commending, in particular, the ongoing work to strengthen cybersecurity and data analytics.

7. The Programme, Budget and Administration Committee expressed its appreciation for the work of the Advisory Committee and supported the recommendations contained in its report, encouraging the Secretariat to build on the progress made in the areas of cybersecurity and data analytics.

8. In that regard, the Chair of the Advisory Committee noted that strengthening cybersecurity represented a specific and one-off strategic investment on the part of the Organization that needed to be accompanied by a framework to measure its success, thus enabling WHO to evaluate more easily the return on investment of such activities.

9. Regarding cybersecurity, the Secretariat confirmed its commitment to developing a business case to support increased investment in that area.

10. In respect of data analytics, the Secretariat outlined the progress made following the establishment of the World Health Data Hub and the importance of the triple billion dashboard in helping to track achievement against the triple billion targets and the Sustainable Development Goals.

11. In a follow-up to the Advisory Committee's review of the Regional Office for the Eastern Mediterranean and the country office of Jordan, the Regional Director for the Eastern Mediterranean provided an overview of the key challenges faced by the Region and highlighted the actions being taken to tackle them.

12. On the question of the shortage of space for staff at WHO headquarters linked to the ongoing Geneva buildings renovation strategy, the Secretariat clarified that given the current restrictions put in place in response to the pandemic of COVID-19 and the requirement for members of the workforce not engaged in business continuity activities to telework remotely, the reduced availability of office space had not posed an issue. Flexible working arrangements would be applied as restrictions were lifted and more staff returned to campus.

13. In response to the Committee's questions regarding the status of implementation of previous recommendations of the Independent Expert Oversight Advisory Committee, the Secretariat confirmed that a tool had been designed to identify, track and report on such matters. The Secretariat was looking at to how best to update WHO Member States on implementation in the future.

The Committee noted the report of the Independent Expert Oversight Advisory Committee. It further proposed, as guidance for the Secretariat's implementation of existing mandates, that the Secretariat should continue its work to implement the recommendations contained in the report, in particular the benchmarking of the budgetary levels of enabling functions as a proportion of the overall budget across the United Nations system, and should report on those matters at future meetings.

Agenda item 3. Matters for review by, and/or recommendation to, the Executive Board

3.1 Financing and implementation of the Programme budget 2020–2021 and outlook on financing of the Programme budget 2022–2023 (Document EB150/27)

14. The Secretariat provided the Committee with an update on the financing and implementation of the Programme budget 2020–2021 as at 31 December 2021, noting that final figures for 2020–2021 would be provided in the WHO Results Report and the audited financial statements, which would be submitted for consideration by the Seventy-fifth World Health Assembly in May 2022.

15. The Committee welcomed the improved financing of the approved programme budget and the increased funding obtained from the core voluntary contributions and thematic funds. The Secretariat expressed its gratitude to the Member States and other donors for the continued support committed to all budget segments.

16. The Committee noted with concern the persistent uneven financing in support of certain programme budget results, especially those relating to strategic priority 3 (One billion more people enjoying better health and well-being), and across major offices, and the continued heavy reliance on earmarked contributions. It stressed the importance of the ongoing discussion on funding sustainability. At the same time, the Committee commended the steps taken by Secretariat to address the issue through various mechanisms, including the Resource Allocation Committee and the Contributor Engagement Management system.

17. In response to the Committee's comments, the Secretariat noted that the Contributor Engagement Management system ensured that every donor agreement was visible across the entire Organization, and that the Resource Allocation Committee had pledged that 80% of the funding it distributed would be directed towards the regions, to address the funding imbalance across the three levels of the Organization. The fact that a large percentage of contributions were received late made it difficult to provide staff members with long-term contracts; this raised issues of staffing predictability that affected implementation.

18. The Secretariat reiterated its commitment to highly active resource mobilization efforts, noting the 15 new Member State donors brought into the COVID-19 appeal, and innovations such as the COVID-19 Solidarity Response Fund, which had attracted funding from new sources, including the general public. However, such funds were not predictable and more sustainable financing was needed for the long-term.

19. In response to the Committee's comments on the level of detail presented in the report, the Secretariat confirmed that further information (such as implementation by expenditure type, by type of fund) was contained in the audited financial statements. It also drew the Committee's attention to the detailed budget and financing information made available via WHO's programme budget web portal and refreshed on a quarterly basis.

20. In terms of the Programme budget 2022–2023, the Secretariat described the outlook as promising, with a projected funding level at 87%.

The Committee recommended that the Executive Board note the report; it further proposed, as guidance for the Secretariat's implementation of existing mandates, that the Secretariat should:

(a) continue taking steps to improve the persistent uneven financing across programme budget results and major offices;

(b) submit a report analysing options for correcting the protracted inequitable distribution of resources across the three levels of the Organization.

3.2. Programme budget 2022–2023 (Documents EB150/28 and EB150/29)

21. The Secretariat introduced document EB150/28, explaining that the proposed budget increase amounting to US\$ 484.4 million was aligned with the costing of resolution WHA74.4 (2021) and, additionally, included a sum of US\$ 50 million to strengthen accountability, compliance and risk management within WHO, with a special focus on reinforcing the prevention of and response to sexual exploitation, abuse and harassment (PRSEAH). The proposed budget revision set out in the report reflected the recommendations made by the various review bodies and panels; the largest share of the proposed budget revision was for regional and country offices.

22. The Committee welcomed the report and expressed its appreciation for the additional information provided in the Secretariat's presentation. In addition, it called for Member States collectively to strengthen the Organization, which was executing an increasingly demanding mandate. Moreover, the Committee welcomed WHO's commitment to tackling the issue of PRSEAH. At the same time, while supporting the proposed revision of the budget, it stressed that the increased budget should be sustainably financed.

23. The Committee asked for more details on the budget costing and the programmatic elements, with the view that the Secretariat should submit a revised version for consideration by the Seventy-fifth World Health Assembly, with consultations on the revision to be conducted with Member States prior to that meeting.

24. A comment was also made regarding the need for an analysis of possible efficiencies that could be made to generate savings under the revised programme budget, and to give further consideration to what the overall costs of transparency and accountability would be in an Organization the size of WHO, to ensure that those functions were adequately provided for.

25. The Secretariat agreed to present an updated draft of the proposed revision of the Programme budget 2022–2023, which would include: (i) a more detailed costing of the proposed revision; and (ii) indicative additional investments in respect of strategic priorities 1 and 3, and pillar 4.

26. The Secretariat undertook to report to Member States on efficiencies, in line with the ongoing United Nations reform exercise. The Director-General reaffirmed WHO's commitment to accountability and transparency, both of which were critical elements of WHO transformation, and invited the Member States to work with the Secretariat to identify concrete actions that would enhance that area of work.

Extending the Thirteenth General Programme of Work, 2019–2023 to 2025

27. The Secretariat presented document EB150/29 on extending the Thirteenth General Programme of Work, 2019–2023 to 2025, emphasizing that it offered an opportunity to close the gap in achieving the triple billion targets and health-related Sustainable Development Goals, including by implementing the lessons learned from the COVID-19 pandemic.

28. The Committee expressed support for the extension, while requesting further information on the financial and operational implications, particularly in respect of strategic priorities 1 and 3, and pillar 4. It also suggested that as part of the extension, efforts should be made to quantify the direct and indirect impacts of the COVID-19 pandemic on general population health.

29. In that regard, the Secretariat confirmed that progress made towards the triple billion targets and the health-related Sustainable Development Goals would be reflected in the triple billion dashboard. It was working to quantify the impact of the COVID-19 pandemic on general population health, including achievement of the health-related Sustainable Development Goals, and would share the results of that exercise with Member States in due course.

The Committee recommended that the Executive Board note the reports contained in documents EB150/28 and EB150/29 and adopt the draft resolution contained in document EB150/29; it further proposed, as guidance for the Secretariat's implementation of existing mandates, that the Secretariat should:

- **conduct consultations with Member States on the revision of the Programme budget 2022–2023 prior to the Seventy-fifth World Health Assembly; and**
- **present more details on the costing, programmatic elements and analysis of possible efficiencies to generate savings in respect of the revised Programme budget 2022–2023 to the Seventy-fifth World Health Assembly.**

3.3 Sustainable financing: report of the Working Group (Document EB150/30)

30. The Chair of the Working Group on Sustainable Financing presented its report and noted that, although the Working Group had reached a consensus on several recommendations, lack of time had prevented it from finalizing, for example, its work on finding consensus on the proposal put forward by its Bureau to fund 50% of the base budget segment by stepwise increases in assessed contributions over eight years, starting from the biennium 2024–2025.

31. The Committee thanked the Chair of the Working Group for the substantial progress made to date and endorsed the Working Group's conclusion that the status quo with regard to the Organization's funding model was not acceptable. It noted that the discussion of sustainable financing had to go hand in hand with that of governance reform, and that enhancing budget discipline, accountability and transparency was integral to achieving sustainable financing.

32. In the Committee's discussions, comments were made on the need to be sensitive to the financial burden on Member States at a time of continued financial constraint resulting in part from the COVID-19 pandemic; at the same time, other comments expressed support for the Working Group's recommendations. The Committee was in agreement that progress on the issue was vital if the Organization was not to lose its position as the leading global health organization.

33. The Committee also expressed general support for a proposal to extend the Working Group's mandate until the Seventy-fifth World Health Assembly. Also, total commitment was expressed to exploring a middle ground solution on the outstanding issues for the agreement of all Member States, and active participation in and full support for the Working Group were pledged, should the latter's mandate be extended.

34. The Chair of the Working Group noted the commitment of Member States to sustain the current momentum towards finding solutions to this long-standing challenge, observing that failure to reach a consensus would be tantamount to maintaining the status quo and would put WHO in a position of vulnerability, limiting its ability to meet its own objectives and the Sustainable Development Goals.

35. The Director-General emphasized the need for the Member States to find the middle ground without losing momentum, and reaffirmed the full commitment of the Secretariat to further enhancing accountability and transparency. He urged Member States to continue working to improve sustainable financing in parallel with the Organization's efforts to make progress on governance, transparency and accountability issues.

The Committee recommended that the Executive Board note the report and provide guidance on the way forward, building on the draft recommendations set forth in that document. The Committee further noted the commitment of Member States to make progress on the issue of sustainable financing, including through the proposal that the Executive Board consider extending the mandate of the Working Group on Sustainable Financing with a view to having it report to the Seventy-fifth World Health Assembly, through the thirty-sixth meeting of the Programme, Budget and Administration Committee, acting on behalf of the Executive Board.

3.4 Scale of assessments 2022–2023 (Document EB150/31)

36. The Secretariat presented the report on the scale of assessments 2022–2023.

The Committee recommended that the Executive Board note the report and adopt the draft resolution contained therein.

3.5 Status of collection of assessed contributions, including Member States in arrears in the payment of their contributions to an extent that would justify invoking article 7 of the Constitution: situation in respect of 2020 (Document EB150/32)

37. The Secretariat presented the report on the status of collection of assessed contributions.

38. The Committee highlighted the importance of all Member States continuing to pay their contributions to ensure that the Organization could achieve its results, even in times of financial constraint.

The Committee recommended that the Executive Board note the report and adopt the draft resolution contained therein.

3.7 Prevention of sexual exploitation, abuse and harassment (Documents EB150/33 and EB150/34)

39. The Subcommittee for the Prevention and Response to Sexual Exploitation, Abuse and Harassment of the Independent Oversight and Advisory Committee for the WHO Health Emergencies Programme and the Secretariat presented their respective reports, together with an explanation and breakdown of the US\$ 50 million budget allocated for the prevention of and response to sexual exploitation, abuse and harassment.

40. The Committee thanked the Secretariat and the Subcommittee for the two reports. It recognized the action taken so far by the Director-General in response to the report of the Independent Commission on the allegations of sexual abuse and exploitation during the response to the tenth Ebola outbreak in the Democratic Republic of the Congo. It appreciated the recent establishment within WHO of a department for the prevention of and response to sexual exploitation, abuse and harassment (PRSEAH).

41. The Committee supported the allocation of the initial core budget of US\$ 50 million to finance an Organization-wide approach to the prevention of and response to sexual exploitation, abuse and harassment. The Committee strongly encouraged the Secretariat to pursue the implementation plan for the WHO Management Response Plan. It supported all the recommendations contained in the Subcommittee's report and urged the Secretariat to implement them in a timely fashion by integrating them into the Management Response Plan. The Committee particularly highlighted its support for the survivor- and victim-centred approach in cases of sexual exploitation, abuse and harassment (SEAH). In that connection, it requested more information on the victims' assistance fund that had been put in place.

42. Sexual exploitation and abuse were more likely to occur in circumstances where gender and power dynamics combined. The Committee therefore emphasized that the required institutional culture change must come from greater equality of opportunity, with more women in leadership positions, especially in emergency operations. The Committee noted the Secretariat's aim to make every effort to conclude investigations into cases of alleged sexual exploitation, abuse and harassment within 120 days. It stressed that any policy was weak if it did not include consequences and underscored the importance of eliminating any degree of perceived impunity.

43. The Committee strongly emphasized the importance of accountability in matters of SEAH. Reporting must be possible without fear of reprisal, and a policy of zero tolerance for inaction applied. Senior management is responsible for building trust and accountability within the Organization and must promote a culture of transparency. It requested regular updates from the Secretariat on progress made in addressing SEAH and recommended that the Secretariat reinforce its risk management, compliance and investigation functions.

44. The Secretariat reaffirmed its commitment to transparency and accountability and to a zero-tolerance SEAH policy. It informed the Committee that the victims' assistance fund was designed to support rehabilitation of victims, not to provide compensation. The initial US\$ 50 million funding allocated to PRSEAH would need to strengthen the capacity of the Organization across its three levels with recruitment of PRSEAH experts in regional offices and a range of countries.

45. The Director-General assured the Committee that the senior management team accepted responsibility for creating a culture of transparency and accountability. Zero tolerance would be the principal basis for the Organization's SEAH policy. However, although bringing perpetrators to account was necessary, priority must be given to the prevention of SEAH.

The Committee recommended that the Executive Board note the reports; it further proposed, as guidance for the Secretariat's implementation of existing mandates, that the Secretariat should:

- build solid and effective internal justice and control systems managing all risks, including SEAH and other serious misconduct, and including investigation, reporting systems and victim support, using a victim/survivor-centred approach;
- review previous recommendations on SEAH and compliance and applicable United Nations Joint Inspection Unit recommendations, implement risk management strategies, provide regular updates on progress and continue to engage actively with Member States, entities of the United Nations system, and other international actors and institutions;
- henceforth, ensure committed and sustainable capacity and funding for PRSEAH, allied with clarity, transparency, and strong oversight in its use;
- pursue a policy of zero tolerance and ensure that accountability for PRSEAH is clearly defined and that capacity and systems are built to meet the challenges;
- further strengthen efforts for better gender balance and improved geographical distribution, particularly at senior management level and in emergency operations within the Organization;
- provide, ahead of the Seventy-fifth World Health Assembly, an updated implementation plan for the Management Response Plan that integrates the above-mentioned recommendations of the Programme, Budget and Administration Committee, and those of the report of the Subcommittee for the Prevention and Response to Sexual Exploitation, Abuse and Harassment of the Independent Oversight and Advisory Committee for the WHO Health Emergencies Programme.

3.8 Evaluation: update and proposed workplan for 2022–2023 (Document EB150/35)

46. The Secretariat presented the report, providing an update on implementation of the 2020–2021 evaluation workplan across the three levels of the Organization, together with information on the proposed workplan for 2022–2023.

47. The Committee thanked the Secretariat for the update, commended its work and supported the proposed workplan for 2022–2023, which touched on many critical issues. The Committee requested clarifications on certain points. Those included: the possibility of translating summaries of evaluations into the official languages of the Organization; management follow-up to the recommendations of the evaluation of the use of consultants and Agreements for the Performance of Work (APWs); the reasons for carrying over certain evaluations from the previous biennium into the current biennium (2022–2023); and the status of the evaluation of WHO's global action plan on antimicrobial resistance. The Committee noted that any thematic programme evaluation should span the three levels of the Organization. The Committee welcomed the planned evaluations that related to the transformation agenda, and wished to know whether the workplan was achievable within the time frame, given its ambitious scope, and whether it was adequately financed. The Committee welcomed the evaluation on gender, equity and human rights, underscoring its importance and cross-cutting nature, and urged the Secretariat to adopt

and implement the recommendations in a timely manner. It was suggested that future relevant evaluations should consider including analysis of the effects of the digital divide in countries. The Committee also welcomed the synthesis of seven country programme evaluations, which provided lessons to enhance WHO country offices' performance and impact.

48. It was noted that the proposed two-year extension of the Thirteenth General Programme of Work, 2019–2023 could provide an excellent opportunity to conduct a comprehensive evaluation of that Programme of Work, with a view to learning lessons that could inform the development of the next general programme of work. It was further suggested that the proposed evaluation of the contribution of data and delivery to the implementation and impact of the Thirteenth General Programme of Work and WHO transformation should focus on the health measurement framework of the Thirteenth General Programme of Work, including: the availability of health data; the analytical and estimation approaches and methods used where data were not available; the role of Member States and partners in handling the data concerned; and the means to strengthen Member States' partnership and health information capacities and their impact. Regarding a possible evaluation of WHO's response to the COVID-19 pandemic, the Secretariat suggested synthesizing lessons from the various COVID-19-related evaluations and reviews to inform the Working Group on Strengthening WHO Preparedness and Response to Health Emergencies.

49. In response, the Secretariat assured the Committee that the possibility of translating summaries of evaluation results would be given consideration. It noted that for country programme evaluations planned for 2020–2021, the COVID-19 pandemic had prevented travel missions essential for the completion of evaluations. The Secretariat informed the Committee that the evaluation of the global action plan on antimicrobial resistance had been completed and that a management response was being finalized. It also noted that a number of planned evaluations would collectively provide lessons and insights into the evolution of transformation. The Secretariat was confident that the workplan for 2022–2023 could be completed within its time frame. Regarding resourcing of the evaluation function, the Secretariat informed the Committee that its allocated budget had been increased for headquarters and regional offices for 2022–2023. Future budget and staffing increases would be made in accordance with the "best-in-class" study.

50. The Secretariat emphasized that very high priority was being given to gender, equity and human rights. Evaluation findings and recommendations had already been carefully reviewed across the different levels of the Organization, a management response plan had been developed and implementation of various evaluation recommendations had been initiated. To strengthen the organizational capacity for and coherence of this cross-cutting work, a dedicated department was being established and the three-level network of focal points was being galvanized. The existing team on gender, equity and human rights was currently working to develop a strategy and action plan, and related policies.

51. In response to a request for continued timely follow-up to recommendations and support for organizational learning, the Committee was informed that prior to every May session of the governing bodies a consolidated substantive document of all management responses to evaluations was uploaded to the public WHO evaluation office website. In addition, the Secretariat had developed new approaches for organizational learning, including a mechanism enabling senior management to review priority cross-cutting, recurrent, systemic issues and their root causes in order to develop innovative solutions and track progress. A new best-in-class internal digital platform for managing and tracking recommendations and their management responses from many sources was in final testing and would soon be rolled out.

The Committee recommended that the Executive Board note the report and approve the Organization-wide evaluation workplan for 2022–2023. It further proposed, as guidance for the Secretariat’s implementation of existing mandates, that the Secretariat should:

- take into consideration suggestions for refining the scope of the planned evaluation of the contribution of data and delivery to the implementation and impact of the Thirteenth General Programme of Work and WHO transformation;
- translate evaluation summaries into the official languages of the United Nations; and
- continue to involve regional and country offices in evaluations.

3.9 Engagement with non-State actors

- **Report on the implementation of the Framework of Engagement with Non-State Actors** (Document EB150/38)

52. The Committee received its sixth annual report on the Framework of Engagement with Non-State Actors (FENSA), which included updates from all WHO regions.

53. The Committee recognized the firm basis for strengthening engagement provided by the Framework and noted the need to expand and strengthen engagements with a positive impact on public health, while balancing risks against expected benefits.

54. The report showed that the COVID-19 pandemic had continued to result in a substantial increase in requests for engagement with non-State actors. The Committee supported the Secretariat’s efforts to develop more streamlined means of engaging with non-State actors during emergencies and called for prompt due diligence and risk assessments to be conducted in such situations.

55. The Committee stressed the importance of ensuring the coherent and consistent implementation of the Framework of Engagement with Non-State Actors across all three levels of the Organization. It welcomed the launch of the internal “Demystifying FENSA” initiative to strengthen common understanding of the Framework as an enabling policy, and the reactivation of the FENSA Focal Point network to ensure a streamlined approach to mitigating potential risks and facilitating learning across the Organization.

56. In response to the Committee’s questions regarding the status of additional strategies to encourage engagement with non-State actors, in particular with private sector and nongovernmental organizations (including civil society), to advance public global health, the Secretariat noted that the COVID-19 pandemic had strengthened dialogue with non-State actors and had presented new opportunities for deepening engagement. The Secretariat would provide further updates on progress made in that regard in due course.

- **Non-State actors in official relations with WHO** (Documents EB150/39 and EB150/39 Add.1)

57. The Committee was informed that the non-State actors in official relations with WHO included nongovernmental organizations, international business associations and philanthropic foundations that have had and continue to have sustained and systematic engagement furthering the public health mandate of the Organization.

58. The Committee noted that due diligence had been performed on all non-State actors in official relations with WHO, and that past and proposed future plans for collaboration with 72 entities had been reviewed within the current triennial renewal period. Two additional entities whose review had been deferred following the decision of the Board at its 148th session¹ had also been reviewed. It was proposed to confirm the renewal of the status of 71 of the 74 non-State actors reviewed. The list of the 71 non-State actors was provided to the Committee.

59. Four complete applications had been received from non-State actors requesting admission into official relations and had been reviewed to ensure that the established criteria and requirements including due diligence as set out in the Framework, were met. The four entities – Global Healthcare Information Network C.I.C., International Generic and Biosimilar Medicines Association, The Rockefeller Foundation, and Women in Global Health, Inc – fulfilled the established criteria and were presented for consideration.

60. It was proposed that the review of two entities be deferred to the 152nd session of the Executive Board in January 2023 in order not to compromise the existing collaboration with the non-State actors concerned. The two entities were The Albert B. Sabin Vaccine Institute, Inc. and International Association of Cancer Registries.

61. In respect of two further entities, International Food Policy Research Institute and Medicines for Europe, it was proposed that official relations be discontinued to enable future opportunities for engagement to be explored.

The Committee recommended that the Executive Board note the report contained in document EB150/38 and adopt the decision contained in document EB150/39.

3.10 Independent Expert Oversight Advisory Committee

• Terms of reference (Document EB150/43)

62. The Chair of the Independent Expert Oversight Advisory Committee described the review process of the Independent Expert Oversight Advisory Committee's terms of reference as mandated by the Programme Budget and Administration Committee at its thirty-fourth meeting.² In particular, he highlighted the extensive informal consultations undertaken with Member States.

63. The Committee thanked the Independent Expert Oversight Advisory Committee and expressed strong support for its work. Further, it conveyed broad support for the proposed revised terms of reference, which further clarified the Advisory Committee's mandate.

64. In addition, the Committee suggested that the time frame for review of the terms of reference be specified under paragraph 7 of the revised text, and that three to five years was the usual review periodicity. The Committee invited the Independent Expert Oversight Advisory Committee to continue to enhance its review of internal audit, and to define the anti-fraud and anti-corruption function and its scope.

¹ See decision EB148(8) (2021).

² See document EB149/2.

65. The Committee advised caution regarding the Independent Expert Oversight Advisory Committee's relationship with the work of the External Auditor (paragraph 4(g) of the Advisory Committee's revised terms of reference) in order to ensure the full independence of the External Auditor. The Committee stressed the importance for the Advisory Committee to play a coordination role regarding the workplans of the External and Internal Auditors, without limiting their action. Confirmation was given that the Advisory Committee, as an audit body itself, would fully respect the independence of the function of the External Auditor.

66. The Committee also raised the issue of whether the expertise of the Independent Expert Oversight Advisory Committee, which lay primarily in the field of finance and auditing, equipped it to undertake an advisory role in the field of PRSEAH. In his reply, the Chair of the Advisory Committee confirmed that Independent Expert Oversight Advisory Committee would restrict its interventions on PRSEAH to oversight of the implementation of the WHO Management Response Plan and the appropriate implementation of approved WHO policies. Moreover, should the Advisory Committee require specific expertise to support its work, it was able to engage outside experts.

67. The Committee welcomed paragraph 10(d) of the Advisory Committee's revised terms of reference, which provided for the involvement of a panel for selecting new members of the Advisory Committee, and it encouraged the Director-General to further define the composition of such a panel.

68. The Secretariat thanked the Committee for its guidance and support, stressing the need for the Secretariat to operationalize the revised text when required, thus addressing the final questions raised by Member States.

The Committee recommended that the Executive Board review, and confirm its agreement to, the revised terms of reference of the Independent Expert Oversight Advisory Committee, as amended by the Programme, Budget and Administration Committee, through the adoption of the following draft decision:

The Executive Board, having considered the report on the revised terms of reference of Independent Expert Oversight Advisory Committee;¹ and having considered the report of the Programme, Budget and Administration Committee of the Executive Board,²

Decided to confirm its agreement to the terms of reference of the Independent Expert Oversight Advisory Committee as amended by the Programme, Budget and Administration Committee and contained in the Annex to the latter Committee's report to the Executive Board.²

3.11 Statement by the representative of the WHO staff associations (Document EB150/INF./3)

3.12 Report of the Ombudsman (Documents EB150/INF./4 and EB150/INF./5)

3.13 Human resources: update (Document EB150/45)

¹ Document EB150/43.

² Document EB150/5.

3.14 Amendments to the Staff Regulations and Staff Rules (Documents EB150/46 Rev.1 and EB150/46 Add.1)

3.15 Report of the International Civil Service Commission (Document EB150/47)

69. The representative of the staff associations stated that the WHO workforce had continued to show great dedication and commitment to delivering the Organization's mandate during the COVID-19 pandemic, while teleworking remotely and facing increasingly heavy workloads. Under such circumstances, it was vital for the Secretariat to place an even greater focus on the mental, psychological and emotional well-being of the workforce, and to continue to develop guidelines for the return to the office that took regional and country level epidemiological assessments into consideration.

70. With regard to mental health and duty of care in general, more effort should be made to support the mental health of the workforce, especially those who had faced or were facing issues of harassment. Action should also be taken to increase the number of counsellors available and guarantee equal access to medical treatment for all participants in the staff health insurance, regardless of their location.

71. The establishment of the Global Board of Appeal had been a welcome development. Ensuring equal access to justice for all staff was essential and additional resources should be allocated to uphold the efficient and effective functioning of the internal justice system.

72. Following the global mobility policy simulation, the Secretariat should share with staff the findings of and feedback on that exercise. Linking career progression with mobility would have an impact on career development; it was therefore important for the Secretariat to establish a standardized and unified policy mechanism that would pave the way for sustained and tailored career growth.

73. The Committee paid tribute to the commitment and hard work of all WHO staff in the current unprecedented circumstances. It also recognized the commendable efforts of the WHO staff associations on behalf of the WHO workforce. The past two years had taken a heavy toll on staff mental health and well-being. In that regard, the Committee encouraged the Secretariat to provide staff across the three levels of the Organization with greater access to good-quality counselling and mental health services.

74. The Committee welcomed the open and positive engagement between WHO senior management and staff and commended the efforts of the Director-General to promote dialogue and transparency, including through regular meetings with the staff associations.

75. The Ombudsman presented the report and recommendations contained in document EB150/INF./4, providing several examples of how Member State interest in the Ombudsman's work could bring real and positive change to WHO and lead to even closer interaction between the Committee and the Office of the Ombudsman and Mediation Services. At the same time, however, the continuing COVID-19 pandemic was still taking a toll on staff health and well-being, and on team cohesion. Senior management should consider new efforts to motivate and encourage staff members, fostering an inclusive and open working environment in which colleagues were not afraid to speak up. Noting that more progress needed to be made towards embedding the principles enshrined in the WHO Values Charter in decision-making processes and training programmes, he also recommended that further efforts should be made to place staff members, particularly at the country level, at the centre of that process. Innovative ideas should be explored – for instance, the development of a network of focal points across all levels of the Organization.

76. The Committee acknowledged that most of the recommendations made in past reports had been implemented or were in the process of being implemented, including those on preventing harassment and addressing abusive conduct. It expressed concern about the protection of staff well-being and mental health in the light of the COVID-19 pandemic and asked for the Secretariat to share best supervisory practices with managers in line with the relevant recommendation of the Ombudsman.

77. In reply to other comments, the Ombudsman stated that issues identified by the Ombudsman in previous reports had been exacerbated by the pandemic, with managers in some cases micromanaging staff or communicating less effectively via virtual platforms. The pandemic had also led to a new trend, namely exhaustion or burnout as a result of a heavier workload. The Ombudsman's report encompassed fewer statistics than previous reports because, while professional ombudspersons had been recruited at various regional offices, they had only recently taken up their positions and were therefore unable to provide a full year's worth of data. It had been deemed inappropriate for the report to reflect only activities at headquarters. While the number of staff members contacting the Ombudsman's office at headquarters had fallen slightly, from 329 in 2019 to 323 in 2020 and 296 in 2021, it remained very high compared with other entities of the United Nations system and severely strained the office's resources, as there were only two ombudspersons.

78. The Secretariat presented the reports contained in documents EB150/45, EB150/46 Rev.1 and EB150/47. It stressed the importance of the mental health of the workforce for the Organization, especially during the COVID-19 pandemic, and highlighted the actions being taken to address the issue.

79. The Committee thanked the Secretariat for the reports and reiterated its support for the current pillars of the human resources strategy (attracting talent, retaining talent, fostering an enabling working environment). It commended the actions taken to improve gender parity among staff, in particular at the senior management level. In that context, it was suggested that the broader subject of gender equity might be made a regular item on the Committee's agenda in an effort towards mainstreaming gender equity in all WHO programmes.

80. The Committee expressed concern that a number of countries remained non- or underrepresented in the workforce, and that the number of consultants hired and senior management positions created had increased in recent years. The Secretariat described efforts being made to attract candidates from non- and underrepresented countries, including the involvement of regional offices, many of which also conducted their own outreach activities. As far as consultants were concerned, the Secretariat explained that the new, recently issued policy on consultants provided guidance on the distinction between staff and non-staff functions, set time limits for consultancies, and included procedures for advertisement and vetting of candidates, allowing for a review of whether the skills and expertise being sought were already available in-house. In relation to the increase in senior positions, the Director-General stressed the importance of examining the underlying rationale for the creation of such positions.

81. The Secretariat confirmed that the resolutions submitted to the Committee introduced amendments to the Staff Regulations and Staff Rules that aligned with the Report of the International Civil Service Commission for 2021 and the United Nations General Assembly resolution 76/240 of 24 December 2021. The Secretariat also provided a summary of important aspects of the resolution and the Commission's report, particularly with respect to: post adjustment matters; cost-of-living surveys in Geneva and other headquarters duty stations; changes to the education grant sliding reimbursement scale and lump sum boarding amounts; and conditions of service in the field.

82. The Committee highlighted the key role played by the International Civil Service Commission in the United Nations system and encouraged the Secretariat to continue following its guidelines. Moreover, it invited the Secretariat to pursue its efforts to strengthen the country offices and conduct a

workforce review across the three levels of the Organization. In addition, the Committee invited the Secretariat to provide updates on PRSEAH activities in future reports.

83. In reply to comments made, the Secretariat explained that the mobility simulation exercise had just been concluded and that the audit of performance management was moving ahead; the results of both would be shared as soon as possible.

84. Regarding the employment of persons with disabilities, the Secretariat explained that the new policy issued in January 2022 provided for reasonable accommodation at the time of recruitment/selection and during employment; it also established a fund to support the related costs. Regarding mandatory training on PRSEAH, the Secretariat clarified that the figures provided in the report indicated the compliance rate during the specified timeline, adding that that follow-up activities were conducted for cases of non-compliance with a view to ensuring 100% compliance.

The Committee recommended that the Executive Board note the reports contained in documents EB150/45, EB150/46 Rev. 1 and EB150/47 and adopt the three draft resolutions contained in document EB150/46 Rev.1. It further proposed, as guidance for the Secretariat's implementation of existing mandates, that the Secretariat should:

- **provide updates on the number of staff members requesting the Ombudsman's services and the action taken by the Secretariat to address related issues;**
- **make further efforts to incorporate the WHO Values Charter into initiatives to transform its institutional culture;**
- **pursue its efforts to improve geographical distribution and gender balance within its workforce, with a particular focus on increasing the representation of women at the P-4 level and above, and in emergency operations management positions;**
- **report on geographical distribution and gender balance in respect of consultants in future reports;**
- **keep working towards 100% compliance in mandatory training on PRSEAH;**
- **further invest in the mental health and well-being of its workforce; and**
- **implement the new policy on employment of persons with disabilities.**

Agenda item 4. Adoption of the report and closure of the meeting

85. The Committee adopted its report.

ANNEX

REVISED TERMS OF REFERENCE OF THE INDEPENDENT EXPERT OVERSIGHT ADVISORY COMMITTEE

PURPOSE OF THE COMMITTEE

1. The Independent Expert Oversight Advisory Committee (“the Committee”) serves in an expert advisory capacity providing independent expert advice to the Executive Board, through its Programme, Budget and Administration Committee, on fulfilling its governance responsibilities, including ensuring the integrity of WHO’s financial reporting and the effectiveness of its internal control systems, risk management, accountability functions and governance processes.
2. The Committee aims to add value by strengthening accountability and governance within WHO.
3. The Committee shall advise the Director-General, the Executive Board and the Programme, Budget and Administration Committee of the Executive Board, upon request, on issues within its mandate.

FUNCTIONS

4. The specific responsibilities of the Committee include, reviewing the following matters for WHO as a whole, and providing advice on them to the Executive Board through the Programme, Budget and Administration Committee.
 - (a) Internal audit: staffing, resources and performance of the internal audit function and the appropriateness of its independence, including: providing advice on the selection and performance of the Head of the Office of Internal Oversight Services to the Director-General; reviewing and approving the oversight workplan of the Office of Internal Oversight Services and ensuring its coordination with the plans of other oversight entities; and monitoring the timely, effective and appropriate implementation of all audit findings and recommendations.
 - (b) Evaluation: the staffing, resources and performance of the evaluation function, including providing advice to the Director-General on the selection and performance of the Head of the Evaluation Unit, and on the biennial workplan for evaluation activities; and monitoring the timely, effective and appropriate implementation of all evaluation recommendations.
 - (c) Enterprise risk management, internal controls and compliance: the effectiveness of WHO’s internal control, compliance and enterprise risk management systems, including: (i) related internal governance practices, resources and staffing; (ii) reviewing management’s assessment of key organizational risk exposures; (iii) reviewing the overall Statement of Internal Control in the financial statements; and (iv) identifying material weaknesses and related compliance issues, as well as corrective action plans.
 - (d) Anti-fraud and anti-corruption: the effectiveness of WHO’s established systems and of the measures taken by the Organization to prevent, detect and respond to fraud and corruption.

- (e) Financial statements: the integrity of WHO's audited financial statements, including social health insurance, and transmitting reports by the External Auditor to WHO management and the Executive Board, after having discussed with them the draft audited financial statements.
- (f) Accounting: the appropriateness of accounting policies, standards and disclosure practices, and any changes and risks in those policies; and changes to the Financial Regulations and Financial Rules.
- (g) External audit: **with due consideration for the independence of the External Auditor's functions**, the External Auditor's workplan and reports, including any comments for consideration by the External Auditor in the independent determination of the workplan and reports, and their coordination with the audit plan of the Office of Internal Oversight Services. The Committee may, upon request, provide advice to the World Health Assembly on the appointment of the External Auditor, covering, for example, the cost and scope of the services to be provided, External Auditor's fees, and extension of the audit work or additional work required of the External Auditor. The Committee may also monitor the timely, effective and appropriate implementation of all audit findings and recommendations of the External Auditor.
- (h) Values and ethics: the systems established by WHO to maintain and promote international civil service values and ethical principles, adherence to high standards of integrity and ethical conduct, and specifically, processes to manage individual conflicts of interest and retaliation.
- (i) Allegations of inappropriate activity: the process for handling and investigating significant allegations, including allegations against the Director-General.
- (j) Restrictions on the scope of oversight activities: any difficulties encountered by the External Auditor and the Office of Internal Oversight Services in the course of their oversight activities, such as restrictions on the scope of their work, access to required information or insufficient resources to fully carry out the work.
- (k) To conduct an annual self-assessment of its performance and report thereon through the Programme, Budget and Administration Committee to the Executive Board.
- (l) To prepare a report on its activities, conclusions and recommendations for submission by the Chair of the Committee through the Programme, Budget and Administration Committee to the Executive Board and World Health Assembly.

AUTHORITY

5. The Committee shall have all the necessary authority to fulfil its responsibilities, including access to information, records, facilities and staff. The Committee shall receive the same access to privileged and confidential information as is afforded to the External Auditor under the Financial Regulations of the World Health Organization. Management shall provide updates to the Committee in a timely manner.
6. The Head of the Office of Internal Oversight Services, the Head of the Evaluation Unit, the Head of the Office of Compliance, Risk Management and Ethics and the External Auditor shall have unrestricted and confidential access to the Committee.
7. The Executive Board, the Director-General and the Committee shall take the necessary actions to ensure a periodic review of these terms of reference **every three to five years**. Any proposed amendment

shall be submitted through the Programme, Budget and Administration Committee to the Executive Board for approval.

8. The Committee, as an advisory body, has no management decision-making responsibility, executive authority or other operational responsibilities.

9. The Committee shall provide an open avenue of communication between it, the External Auditor, the Office of Internal Oversight Services, the Office of Compliance, Risk Management and Ethics, the Evaluation Unit and management, and shall meet separately with these parties at least annually.

COMPOSITION AND SELECTION

10. The composition of the Committee and the qualifications of its members shall be as follows:

- (a) The Committee shall comprise five members of integrity and objectivity and who have proven competencies and experience in senior positions in the areas covered by these terms of reference.
- (b) Membership of the Committee shall be balanced, as far as is practicable, in terms of the presence of nationals of developed and developing countries, and members' public and private sector experience and gender. Due regard shall be paid to equitable geographical representation. There shall be no more than one member from any WHO Member State.
- (c) At least one member shall be selected on the basis of his or her qualifications and experience as a senior oversight professional or senior financial manager in the United Nations system or in another international organization. Members should have recent and relevant financial experience.
- (d) The process for selection of members of the Committee shall involve a selection panel. A sitting member selected by the Committee shall advise the panel as necessary.
- (e) Following consultations with Member States, the Director-General shall propose to the Executive Board candidates for membership of the Committee. Members of the Committee shall be appointed by the Executive Board.
- (f) Since the role of the Committee is to provide objective advice, members shall remain independent of the Secretariat and the Executive Board, and shall be free of any real or perceived conflict of interest.
- (g) Members of the Committee shall:
 - (i) not hold positions with companies that maintain a business relationship with WHO or otherwise engage in activities that might impair, or appear to impair, their independence in carrying out their functions as members of the Committee;
 - (ii) not currently be, or have been within the five years prior to appointment on the Committee, employed or engaged in any capacity by WHO or a WHO Executive Board delegation, or have an immediate family member working for, or having a contractual relationship with, WHO or a WHO Executive Board delegation;

- (iii) not be eligible for any employment with WHO for at least five years immediately following the last day of his or her tenure on the Committee.
- (h) Committee members shall serve in their personal capacity and shall not seek or accept instructions in regard to their work on the Committee from any government or other authority internal or external to WHO.
- (i) All members will be required to sign a declaration of interest and a confidentiality agreement in accordance with WHO practice in this respect.
- (j) To undertake their role effectively, members of the Committee should collectively possess recent and relevant knowledge, skills and senior level experience in the following areas:
 - (i) finance and financial reporting;
 - (ii) auditing, investigations and evaluation;
 - (iii) organization governance and accountability structures;
 - (iv) enterprise risk management and anti-fraud/anti-corruption;
 - (v) senior level management experience; and
 - (vi) the organization, structure and functioning of the United Nations system and/or other intergovernmental organization.
- (k) Members shall have or acquire an understanding of the objectives of WHO, its mission, governance and accountability structure and the rules governing it.

TERM OF OFFICE

- 11. Members of the Committee shall be appointed for a term of three years, renewable for a second and final term of three years.
- 12. The Chair of the Committee shall be selected by its members for a period of two years. If the Chair is unable to attend the meeting, the members present shall elect an acting Chair.
- 13. A member of the Committee may resign his or her membership by giving notice in writing to the Executive Board and the Director-General.

ADMINISTRATIVE ARRANGEMENTS

- 14. The following arrangements shall apply:
 - (a) Members of the Committee will provide their services pro bono.
 - (b) Members of the Committee shall receive a daily subsistence allowance and shall be entitled to reimbursement of travel expenses to attend sessions in accordance with the WHO procedures applying to members of the Executive Board. Members of the Committee residing in the Canton

of Geneva or neighbouring France shall be reimbursed reasonable costs for meals and other expenses while attending meetings.

(c) The Committee shall meet at least three times per year. The exact number of meetings per year will depend on the agreed workload and the most appropriate timing for consideration of specific matters to be determined by the Committee. It may meet by videoconference or teleconference.

(d) The Committee shall establish an annual workplan to ensure that its responsibilities and stated objectives for the period are effectively addressed. The workplan for the year shall be shared with the WHO Secretariat, and, through the Programme, Budget and Administration Committee, with the Executive Board.

(e) The quorum for the Committee is three members. Generally, the Committee shall work on the basis of consensus. Where consensus cannot be reached, decisions shall be arrived at by a majority of the members taking part in a meeting.

(f) The Director-General, the Chef de Cabinet, the Head of the Office of Internal Oversight Services, the Head of the Evaluation Unit, the Assistant Director-General for Business Operations, the Comptroller, the Head of the Office of Compliance, Risk Management and Ethics, or their representatives, shall attend meetings when invited by the Committee. Other WHO officials with functions relevant to the items on the agenda may likewise be invited. The External Auditor may also attend the meetings when invited by the Committee.

(g) All confidential documents and information submitted to, or obtained by, the Committee shall remain confidential unless otherwise determined. Members of the Committee shall acknowledge this obligation in writing at the time of their appointment.

(h) Except as provided for in its terms of reference, the Committee shall, *mutatis mutandis*, be guided by the Rules of Procedure of the Executive Board concerning the conduct of business and the adoption of decisions.

(i) The Committee may obtain independent counsel or have recourse to other outside experts; related expenditures not covered by the Committee's budget shall be subject to the appropriate approval, through established procedures.

(j) The Chair of the Committee may inform the Executive Board at any time of any serious governance issue which, in his or her view, requires attention.

(k) Members of the Committee shall be held harmless in providing independent advice and will be indemnified from actions taken against them as a result of activities performed in the course of exercising their responsibilities as members of the Committee, as long as such activities are performed in good faith and with due diligence.

(l) The WHO Secretariat shall provide Secretariat support to the Committee.

(m) As part of onboarding activities, incoming members shall receive a comprehensive induction into WHO, similar to that arranged for new Executive Board Members prior to their first meeting.

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