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

1. The thirty-eighth meeting of the Programme, Budget and Administration Committee was held in Geneva from 17 to 19 May 2023 and was chaired by Ms Aishath Rishmee (Maldives).¹ The Committee adopted its agenda² with the deletion of the following items: 3.6, Special arrangements for settlement of arrears; 3.7, Assessment of new Members and Associate Members; 4.5, Amendments to the Staff Regulations and Staff Rules; and under item 4.6, the first bullet point on Proposals for WHO to host formal partnerships.

2. In his opening remarks, the Director-General placed the focus on three themes that were to be discussed by the Committee: sustainable financing for the WHO programme budget; the work of the Agile Member States Task Group; and the Organization's efforts to confront the issue of prevention of and response to sexual exploitation, abuse and harassment. He commended the Member States' historic decision, taken at the Seventy-fifth World Health Assembly, to increase assessed contributions to a level of 50% of the base budget,³ and hoped that a further decision would be taken to adopt the proposed replenishment mechanism that would be presented to the Seventy-sixth World Health Assembly.⁴ Clearly, the Organization would work to earn the trust of Member States through greater and more transparent accountability and was already well advanced in operationalizing the implementation plan elaborated by the Agile Member States Task Group. US\$ 100 million had been allocated to implementing that plan. Regarding action on preventing and responding to sexual exploitation, abuse and harassment, the Organization was continuing to apply its policy of zero tolerance and was strengthening its incident management processes to reduce the backlog of cases and deal with incoming cases. The Office of Internal Oversight Services was being reinforced accordingly. Further action had also been taken to deal with issues concerning financial fraud, including the installation of key performance indicators to track progress made in that regard.

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

2.1 Independent Expert Oversight Advisory Committee: annual report (Document EBPBAC38/2)

3. The Chair of the Independent Expert Oversight Advisory Committee presented that Committee's report and the Committee thanked the Advisory Committee for its work.

¹ The list of participants is available in document EBPBAC38/DIV./1.

² Document EBPBAC38/1.

³ Decision WHA75(8) (2022).

⁴ See document A76/32.

4. The Committee reflected that the process for handling and investigating potential allegations against Directors-General should make express reference to, inter alia, Article 37 of the WHO Constitution, the Code of Ethics, the International Civil Service Commission's *Standards of Conduct for the International Civil Service*¹ as well as the rules and procedures of WHO's governing bodies.
5. Regarding the process for handling potential allegations against the Executive Head, in reply to a request by the Committee for further clarification of the way forward, the Chair of the Independent Expert Oversight Advisory Committee explained that, as Member State consensus on certain elements of the draft procedures could not be reached, the process as presented in the Advisory Committee's report summarized areas of both agreement and divergence.
6. The Committee welcomed the report, highlighting that further consultations would be needed to fully ascertain Member States' views. In that regard, the Secretariat took note of the request to hold those additional consultations, with the help of the co-facilitators of the Agile Member States Task Group on Strengthening WHO's Budgetary, Programmatic and Financing Governance.
7. In addition, the Advisory Committee would continue to examine the alignment of the process for handling potential allegations against the Director, WHO Office of Internal Oversight Services with best United Nations system-wide practice, and to consider further elaboration of that process.
8. Recognizing the role played by the Advisory Committee in the appointment of the External Auditor, the Committee said that it would welcome a comparative analysis of the process for the appointment of the External Auditor across the United Nations agencies and would appreciate receiving reports on the conclusions of that analysis at its future meetings.
9. With regard to risk management, the Committee took note of the recently published risk management strategy and looked forward to its implementation.
10. Some Member States proposed that the Secretariat should explore the possibility of holding dedicated briefing sessions on the conclusions of the Advisory Committee's meetings to allow for more in-depth discussions on complex topics.

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.

The Committee requested the Independent Expert Oversight Advisory Committee to conduct a comparative United Nations system-wide analysis of the process for the appointment of the External Auditor, and to report back to the Committee with recommendations and conclusions.

¹ Standards of Conduct for the International Civil Service. New York: International Civil Service Commission; 2013 (<https://icsc.un.org/>, accessed 20 May).

The Committee also recommended that the Executive Board should adopt the following draft decision:

The Executive Board,

Having considered the report of the Programme, Budget and Administration Committee,¹

Decided:

(1) to request the former co-facilitators of the Agile Member States Task Group on Strengthening WHO's Budgetary, Programmatic and Financing Governance to hold informal consultations with Member States on the process of handling and investigating potential allegations against WHO Directors-General, building on the revised proposal and flowchart contained in Annex A of document EBPBAC38/2, and to report on the outcome of those consultations to the Executive Board at its 154th session, through the thirty-ninth meeting of the Programme Budget and Administration Committee;

(2) to request the Independent Expert Oversight Advisory Committee to continue to work with the Secretariat to elaborate on the existing provisions of the charter of the WHO Office of Internal Oversight Services governing the process for investigating Directors of the Office for potential allegations of misconduct, as necessary to describe a full and appropriate end-to-end process to be followed in such cases.

2.2 Accountability overview (Documents EBPBAC38/3 and EBPBAC38/4)

- Progress towards achieving the United Nations System-wide Action Plan on Gender Equality and the Empowerment of Women in 2022 (Document EBPBAC38/4)**

11. The Secretariat presented an overview of documents EBPBAC38/3 and EBPBAC38/4. In addition, the Regional Director for South-East Asia provided an overview of the Regional Office's activities to promote accountability, transparency, compliance and efficiency among country offices.

12. With regard to document EBPBAC38/3, the Committee welcomed the progress made towards enhancing WHO's accountability functions. The establishment by the Secretariat of a consolidated recommendation management and tracking platform demonstrated its commitment to greater organizational accountability and transparency. The Committee welcomed the Organization's increased investigative capacity and urged the Secretariat to undertake a holistic review of the Office of Internal Oversight Services to better fulfil the Office's mandate, including by further improving investigation mechanisms and case-handling procedures, in line with the relevant request from the Executive Board at its 152nd session. The Committee welcomed the ongoing work to develop a comprehensive framework, with related policies and procedures to prevent and respond to all forms of misconduct, including: the development of the new strategy on preventing and responding to sexual misconduct; a new policy on prevention against retaliation; and a new code of ethics. It urged the Secretariat to ensure that new policies and procedures relating to ethical behaviour and misconduct take into consideration the diverse range of the Organization's workforce, collaborating organizations and WHO collaborating

¹ Document EB153/2.

centres – in particular, its affiliated workforce in emergency contexts and non-contracted stakeholders. The Committee highlighted the importance of strengthening organizational accountability at the country level.

13. In terms of the organizational risks requiring a specific focus and strengthened coordination and coherence across the Organization's accountability functions over the coming year, the Committee recommended that efforts be made to reduce organizational risks including reputational risks at the country level, and risks of corruption and fraud.

14. With regard to document EBPBAC38/4, the Committee welcomed the progress made towards achieving the United Nations System-wide Action Plan on Gender Equality and the Empowerment of Women (UN-SWAP). It urged the Secretariat to maintain the topic as a stand-alone item on the agendas of future Committee meetings and to pursue the Organization's efforts to take the lead on gender parity in the United Nations system. The Organization should prioritize the achievement of gender parity at all levels of the Organization, closing the gender gap in P5 positions, ensuring equal representation in the P6 to D2 categories, and reaching gender parity among WHO Representatives and among candidates on the roster for head of country office positions. The Secretariat should fill as soon as possible vacant positions in the department working on gender, diversity, equity and human rights. The Committee agreed that at least one high-level transformative outcome on gender equality and women's empowerment should be included in the next general programme of work. Specifically, it requested the Secretariat to share with Member States the letter from UN-Women containing recommendations for WHO's implementation of UN-SWAP.

15. In response to a question raised on unsubstantiated allegations of misconduct, the Office of the Legal Counsel advised that the current framework to prevent and respond to misconduct already contained measures governing false or malicious reporting, which was in and of itself a form of misconduct. Reports that were unsubstantiated but had not been maliciously filed did not constitute misconduct and therefore entailed no consequences for the person having alleged misconduct. Such cases would simply be closed.

The Committee noted the reports contained in documents EBPBAC38/3 and EBPBAC38/4; it further proposed, as guidance for the Secretariat's implementation of existing mandates, that the Secretariat should:

- (a) maintain three-level performance against, and implementation of, UN-SWAP as a standing item on the Committee's agenda;**
- (b) prioritize the achievement of gender parity at senior management levels and among WHO Representatives;**
- (c) strengthen gender mainstreaming, gender empowerment and gender parity as they are critical for the prevention of and response to sexual exploitation, abuse and harassment;**
- (d) continue to monitor and report on the progress made in the implementation of recommendations related to organizational accountability;**
- (e) strengthen country-level accountability; and**
- (f) ensure that the periodic external quality assessments planned for WHO's audit and investigation functions in 2023 are properly scoped to identify any further regulatory or**

procedural gaps, in line with the request from the Executive Board at its 152nd session to carry out a holistic review of the WHO Office of Internal Oversight Services to ensure that the Office is equipped to fulfil its mandate.

2.3 Compliance, risk management and ethics: annual report (Document EBPBAC38/5)

16. The Secretariat outlined the recent work undertaken, including moves to counter fraud and corruption, and underlined the dynamic nature of risk management and mitigation.

17. The Committee welcomed the information provided on the draft enterprise risk management strategy, the challenges in operationalizing that strategy and the issues surrounding the formulation of a risk appetite statement. It further expressed its appreciation of the Secretariat's actions to strengthen accountability at all levels of the Organization.

18. The Committee raised several concerns. The matters covered included: the absence of dedicated risk management resources for countries with graded emergencies; the lack of knowledge about compliance; the need for better tracking of enrolment in, and compliance with, WHO mandatory training – especially in the areas of ethics, harassment, sexual misconduct, and abuse of authority, fraud and corruption, including for non-staff contract holders; and the apparently long timetable for implementing the proposed risk management strategy.

19. The Secretariat assured the Committee that the principal risks, the risk management strategy and the risk appetite statement were dynamic documents, whose updates would be submitted to Member States for consideration every year and whose operationalization was already under way. It further explained that the lack of resources for implementing the relevant policies highlighted the need for ensuring sustainable funding to the Organization as emphasized by the various ongoing Member State-led processes.

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

- (a) continue to work on the draft enterprise risk management strategy, especially aspects relating to implementation at country level, awareness raising and training;**
- (b) continue to expand its mandatory training and improve communication strategies in the area of compliance;**
- (c) improve its tracking of enrolment in, and completion of, mandatory training modules for WHO non-staff personnel; and**
- (d) establish norms for processes as well as standardized tools.**

2.4 Reports of the Joint Inspection Unit (Document EBPBAC38/6)

20. The Chair of the Joint Inspection Unit addressed the Committee and commended WHO's high implementation rate of Joint Inspection Unit recommendations, which was above the United Nations system average. She also noted that the engagement of the Committee and the Secretariat with the Joint Inspection Unit were models for the United Nations system in effectively deliberating and responding to findings and recommendations in Joint Inspection Unit reports, and she recognized the WHO Secretariat's innovative consolidated tracking system and dashboard for recommendations from various

sources, including the Joint Inspection Unit. The Joint Inspection Unit had seen its budget reduced, following which a United Nations General Assembly resolution had clarified and reiterated the appropriate process for considering the Unit's budget as set out in its statute. She called on Member States to support the re-establishment of the Unit's funding at the United Nations General Assembly and Chief Executives Board at originally requested levels.

21. The Secretariat introduced the report, which summarized three different Joint Inspection Unit reviews from 2021: Review of the management of implementing partners in United Nations system organizations;¹ Review of the ethics function in the United Nations system;² and Business continuity management in United Nations system organizations.³

22. The Committee noted WHO's above average implementation rate of Joint Inspection Unit recommendations (82% versus the United Nations average of 72%) and welcomed the update provided in the report on the recommendations on oversight and ethics.

23. In response to questions raised concerning the reports on the management of implementing partners and on the ethics function, the Secretariat informed the Committee that WHO was updating its assurance activities for implementing partners, and already utilized practices that were harmonized with United Nations best practice. It also noted that expertise within the Independent Expert Oversight Advisory Committee regarding oversight of the ethics function was covered under paragraphs 4(h) and 10(a) of the latter Committee's updated terms of reference.⁴

24. The Committee expressed support for the adequate funding of the Joint Inspection Unit to allow it to carry out its important function.

The Committee noted the report; it further proposed, as guidance for implementing existing recommendations directed to the Secretariat, that the Secretariat should continue to pay close attention to the implementation of recommendations contained in Joint Inspection Unit reports and proceed to fully implement the Unit's recommendations when appropriate, including recommendations to strengthen the management of implementing partners.

The Committee further proposed that the Executive Board should request the Secretariat to give due attention to consideration of further implementation of recommendation 2 from the Joint Inspection Unit's 2021 review of the ethics function in the United Nations system (document JIU/REP/2021/5) by amending the Independent Expert Oversight Advisory Committee's terms of reference, at the next appropriate opportunity, to incorporate and make express reference to ethics among the Committee's required collective experience.

¹ Document JIU/REP/2021/4.

² Document JIU/REP/2021/5.

³ Document JIU/REP/2021/6.

⁴ See document EB150/2022/REC/1, Annex 5.

Agenda item 4. Matters for review by, and/or recommendation to the Executive Board

4.1 Matters emanating from the Agile Member States Task Group on Strengthening WHO's Budgetary, Programmatic and Financing Governance (Document EB153/4)

25. One of the co-facilitators of the Agile Member States Task Group on Strengthening WHO's Budgetary, Programmatic and Financing Governance presented an overview of the Task Group's past and proposed future activities, of the 11 recommendations of the Task Group recommended for adoption by the Seventy-sixth World Health Assembly and of the proposals and two draft decisions set out in document EB153/4.

26. The Committee thanked the co-facilitators for their tireless efforts in support of the Task Group's work. It welcomed the progress made in developing and negotiating the proposals, as requested in decision EB152(15) (2023), relating to: (a) costing and presentation of new initiatives meeting certain financial thresholds to the Executive Board and the Committee; (b) a template and recommended timeline for the submission of resolutions and decisions to the governing bodies; and (c) reform of the Executive Board and the Committee. The co-facilitator noted that the proposal to decide on a contemporary acceptable lead time for publication of reports in all official languages ahead of meetings of the governing bodies required additional work before its submission to the Executive Board at its 154th session.

27. The Committee expressed support for the continued role of the co-facilitators in guiding informal consultations on the Task Group's recommendations.

The Committee recommended that the Executive Board should note the report and adopt the two draft decisions contained in document EB153/4.

4.2 Implications of decision EB152(29) (2023) (Document EB153/5)

28. The Committee considered a report on the implications of decision EB152(29) (2023) on involvement of non-State actors in WHO's governing bodies.

The Committee recommended that the Executive Board should note the report.

4.3 Evaluation: annual report (Document EB153/6)

29. The Evaluation Office introduced its annual report, including centralized and decentralized evaluations. For decentralized evaluations it was noted that there was no system for their planning and documentation, nor was there a system for tracking management responses.

30. The Committee welcomed the considerable progress made in implementing the WHO evaluation policy in the biennium 2022–2023, including the implementation framework, and acknowledged the challenges that the Office faced, particularly for decentralized evaluations. Formal evaluations played a central role in prioritizing programmes. Sharing and learning from the findings of evaluations was an important principle for improving the culture of learning at all levels and improving effectiveness. Inclusion of lessons learnt and examples in the annual report would be helpful.

31. In particular, the Committee welcomed the evaluation of the Thirteenth General Programme of Work, 2019–2025, which would assess WHO's contribution at country level and, as indicated by the Evaluation Office, contribute to the elaboration of the Fourteenth General Programme of Work.

32. The Evaluation Office assured the Committee that it would separately develop materials to illuminate the lessons learnt and the impact of WHO's activities. It recognized the value of organizational learning. It was analysing evaluations funded by specified voluntary contributions together with decentralized evaluations. Some of the approved evaluations in the workplan would be completed soon. With regard to gender equality and geographical representation, the Office had initially encountered difficulties in recruiting from balanced rosters of consultants but was continuing to broaden its net.

The Committee recommended that the Executive Board should note the report; it further proposed, as guidance for the Secretariat's implementation of existing mandates, that the Evaluation Office should conduct a comparative study of evaluation functions and coverage across entities of the United Nations system that are comparable to WHO in size or structure and, together with recommendations to strengthen the independence, credibility and use of the evaluation function, submit a report of the findings of the study to the Programme, Budget and Administration Committee at its fortieth meeting in May 2024.

4.4 Statement by the representative of the WHO staff associations (Document EB153/INF./1)

33. Speaking on behalf of the staff associations of WHO, the International Agency for Research on Cancer, the Regional Office for the Americas, the Pan American Health Organization and UNAIDS, the representative of the staff associations delivered a statement highlighting the key areas of concern to staff. These included the following: contractual modalities and the fact that staff members on successive temporary appointments of short duration were placed in a precarious situation; post adjustments and unpredictability of take-home pay, in particular at regional and country levels and in duty stations with volatile economies; the draft mobility policy; and delays in investigations other than those into allegations of sexual misconduct. The representative of the staff associations emphasized the importance of Member States being aware of the need for sustainable financing to solve problems for which solutions existed but that required a timely resolution. With regard to the draft mobility policy, the representative of the staff associations indicated that there was a clear preference among staff for managed mobility rather than mandatory mobility.

34. The Committee thanked the representative of the staff associations for his statement and commended all members of the workforce for their work, noting the need for the Secretariat to continue to make every effort to support staff well-being.

4.6 Hosted partnerships

- **Report on hosted partnerships** (Document EB153/7)
- **Review of hosted partnerships** (Document EB153/8)

35. The Committee expressed appreciation for the existing WHO-hosted partnerships and suggested that the Secretariat might consider, in view of the discussions at the current meeting, how to ensure that WHO's ethical standards applied also to them. Member States expressed particular gratitude for the recent work of the European Observatory on Health Systems and Policies.

36. The Secretariat also expressed appreciation for the hosted partnerships and assured the Committee that all the staff members concerned had WHO contracts and were therefore bound by the same standards of ethical conduct.

The Committee recommended that the Executive Board should note the reports contained in documents EB153/7 and EB153/8.

Agenda item 5. Adoption of the report and closure of the meeting

37. The Committee adopted its report.

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