

# **Matters emanating from the Agile Member States Task Group on Strengthening WHO's Budgetary, Programmatic and Financing Governance**

## **Proposals for improving the effectiveness of the WHO governing bodies**

**Report by the Director-General**

### **BACKGROUND**

1. In February 2023, the Executive Board at its 152nd session decided, in decision EB152(16), to endorse the Secretariat implementation plan on reform.<sup>1</sup> In respect of the area of governance, the plan included a request to the Secretariat to develop an options paper reviewing best practices in governance and oversight across the United Nations system and other multilateral organizations, and to formulate options for improving the effectiveness of the WHO governing bodies, for decision by Member States. In response to the request, in August 2023 the Secretariat conducted a survey among relevant entities within the United Nations system.<sup>2</sup>

2. The present report outlines options, formulated as proposals, to improve the effectiveness of the WHO governing bodies, taking into account the results of the survey as well as discussions and guidance provided by Member States during the three meetings of the Agile Member States Task Group on strengthening WHO's budgetary, programmatic and financing governance, and the follow-up work of the Task Group. The present report should be read in conjunction with the report by the former co-facilitators of the Task Group, which specifically relates to proposals to reform the Executive Board and the Programme, Budget and Administration Committee of the Executive Board.<sup>3</sup> The proposals outlined in the present report aim to address the challenges set forth below.

(a) Member States should actively engage in the development of the general programme of work as WHO's overarching strategy. Any global strategies that are subsequently adopted by the governing bodies should be considered as part of the implementation of the general programme of work, rather than as new streams of work that are added on an ad hoc basis.

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<sup>1</sup> See the summary records of the Executive Board at its 152nd session, fourteenth meeting.

<sup>2</sup> Available on the Member States portal web page ([https://cdn.who.int/media/docs/default-source/documents/about-us/accountability/review-of-best-practices-for-improving-governance\\_8-nov-2023.pdf?sfvrsn=fe377083\\_1](https://cdn.who.int/media/docs/default-source/documents/about-us/accountability/review-of-best-practices-for-improving-governance_8-nov-2023.pdf?sfvrsn=fe377083_1), accessed 23 November 2023)

<sup>3</sup> Document EB154/34.

(b) Governing body agendas are too long and based almost exclusively on previous mandates and standing items, leaving an insufficient amount of time for forward-looking strategic discussion and debate.

(c) Redundancies between governing bodies should be reduced, including clarification of the division of labour among the Standing Committee on Health Emergency Prevention, Preparedness and Response, the Programme, Budget and Administration Committee, the Executive Board and the Health Assembly, which would lead to greater efficiencies.

(d) An explicit process is needed whereby the governing bodies carefully consider the programmatic and financial implications for the Secretariat of draft resolutions and decisions proposed for adoption by the Executive Board or Health Assembly.

(e) The Health Assembly adopts approximately 18 resolutions and 25 decisions each year, many of which mandate reports on progress. These “progress reports” amount to approximately 600 words apiece and are considered only by the Health Assembly,<sup>1</sup> often reflecting solely on implementation efforts by the Secretariat, and are discussed towards the end of the meeting in a rushed manner. Approaching progress reports in a different way would allow the Organization to take stock of implementation more fully by including the efforts not only of the Secretariat but also of Member States and other stakeholders.

(f) The volume of governing body documentation has become unmanageable both for delegations to review in advance of governing body meetings and for the Secretariat to produce on time in all official languages.

(g) The schedule of informal consultations on draft resolutions and decisions has become unmanageable, with consultations often running back-to-back from early in the morning until late in the evening for weeks in the lead-up to governing body meetings, and with no guarantee that consensus will have been reached prior to the opening of the meeting. Smaller delegations in particular do not always have the capacity to participate actively in the numerous consultation processes.

(h) Proposals for draft resolutions and decisions should be considered by the Executive Board prior to submission to the Health Assembly, such that they benefit from fuller discussion, analysis and assessment.

(i) Chairs of governing body meetings should manage deliberations efficiently and encourage discussion on the most strategic matters in order to guide governing body meetings to a successful conclusion.

(j) Regular briefings, information sharing and training sessions should be institutionalized to reinforce the integrity and transparency of governing body processes.

3. In view of these challenges, the following proposals are presented for consideration by Member States. In reviewing these proposals, Member States are encouraged to consider whether they agree with the proposals and whether any additional options should be included, as well as a phased approach in respect of implementation.

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<sup>1</sup> See resolution WHA67.2 (2014).

## **PROPOSALS TO IMPROVE THE EFFECTIVENESS OF THE WHO GOVERNING BODIES**

### **A. Establishment of a new committee of the Executive Board on technical matters**

4. It is proposed that under Rule 18 of the Rules of Procedure of the Executive Board of the World Health Organization, a new committee would be established to consider and provide recommendations on technical matters to the Executive Board and Health Assembly in the same way that the Programme, Budget and Administration Committee does in respect of programme planning, monitoring and evaluation, and financial and administrative matters. The new committee would discuss all substantive reports by the Director-General that fall outside the mandate of the Programme, Budget and Administration Committee.

5. The new committee would meet in mid-January and be followed by the Programme, Budget and Administration Committee, allowing for the reports of both committees to be finalized and processed in January. The Executive Board would meet in early February.

6. The new committee would consider proposals for draft resolutions and decisions on technical matters and examine, in particular, their relationship to the general programme of work. The Programme, Budget and Administration Committee would subsequently consider any associated reports on the financial and administrative implications for the Secretariat of resolutions and decisions proposed for adoption by the Executive Board or Health Assembly, in line with its mandate.<sup>1</sup> The Executive Board or Health Assembly would focus its discussions on the recommendations provided in the reports of the new committee and the Programme, Budget and Administration Committee.

7. Any recommendations requiring action and follow-up by the Secretariat could be reflected in draft resolutions or decisions proposed by the new committee for consideration by the Executive Board or Health Assembly, as appropriate. In this way, mandates to the Secretariat would be clearly articulated and formally adopted by the governing bodies, and progress in their implementation would be systematically monitored and reported.

### **B. Development of agendas**

8. Under this proposal, the agenda of the Executive Board would continue to be developed in line with Rule 8 of its Rules of Procedure, and the agenda of the Health Assembly would continue to be developed in line with Rule 5 of the Rules of Procedure of the World Health Assembly. For the benefit of the reader, the text of the two Rules is reproduced in paragraphs 9 and 10 below.

9. Rule 8 of the Rules of Procedure of the Executive Board of the World Health Organization states that:

The Director-General shall draw up a draft provisional agenda for each session of the Board, which shall be circulated to Member States and Associate Members within four weeks after the closure of its previous session. Any proposal for the inclusion on the agenda of any item under (c),

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<sup>1</sup> The new committee and the Programme, Budget and Administration Committee would support the Executive Board to carry out its mandate, as contained in resolution EB121.R1 (2007), in which the Board decided “to review resolutions introduced during sessions of the Board with a view to ensuring that they contain a realistic time limit for validity, an appropriate provision for review, follow up and reporting on implementation, that they are concise, focused and action oriented, and that policy, programmatic and financial implications are taken into account”.

(d) and (e) of Rule 9 shall reach the Director-General not later than 12 weeks after circulation of the draft provisional agenda or 10 weeks before commencement of the session, whichever is earlier. The provisional agenda of each session shall be drawn up by the Director-General in consultation with the Officers of the Board, on the basis of the draft provisional agenda and any proposals received under the second paragraph of this Rule. Where the Director-General and the Officers find it necessary to recommend the deferral or exclusion of proposals received under the second paragraph of this Rule, the provisional agenda shall contain an explanation for such recommendation. An annotated provisional agenda, together with any recommendations referred to in the fourth paragraph of this Rule shall be dispatched with the notice of convocation to be sent in accordance with Rule 5 or Rule 6, as the case may be.

10. Rule 5 of the Rules of Procedure of the World Health Assembly states that:

The Board shall include on the provisional agenda of each regular session of the Health Assembly inter alia: (a) the annual report of the Director-General on the work of the Organization; (b) all items that the Health Assembly has, in a previous session, ordered to be included; (c) any items pertaining to the budget for the next financial period and to reports on the accounts for the preceding year or period; (d) any item proposed by a Member or by an Associate Member; (e) subject to such preliminary consultation as may be necessary between the Director-General and the Secretary-General of the United Nations, any item proposed by the United Nations; (f) any item proposed by any other organization of the United Nations system with which the Organization has entered into effective relations. The Board may recommend to the World Health Assembly the deferral of any item under (d), (e) and (f) above. Any proposal for inclusion on the provisional agenda of any item under (d), (e) and (f) above shall be accompanied by an explanatory memorandum that shall reach the Director-General no later than four weeks before the commencement of the session of the Board at which the provisional agenda of the Health Assembly is to be prepared.

11. The agenda of the Programme, Budget and Administration Committee would continue to be based largely on items that appear on the agendas of the Executive Board and Health Assembly and fall within its mandate.<sup>1</sup> The new committee of the Executive Board would follow the same practice.

12. In developing the provisional agenda of the Executive Board, the Officers of the Board would be reminded that, under Rule 8 of its Rules of Procedure, the provisional agenda is to be drawn up by the Director-General in consultation with the Officers of the Board.<sup>2</sup> The Officers could play a more active role to ensure that any proposals for items were strategic in nature and relevant to the general programme of work. The Officers would be further reminded of the criteria for inclusion of proposed items on the provisional agenda,<sup>3</sup> namely proposals that either address a global public health issue or involve a new subject within the scope of WHO, or an issue that represents a significant public health burden, as well as of the respective roles of the governing bodies and regional committees.<sup>4</sup> In particular, it would be pointed out that regional committees are better placed to take up matters of an exclusively regional

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<sup>1</sup> According to the terms of reference for the Programme, Budget and Administration Committee of the Executive Board, the Committee acts on behalf of the Executive Board, to examine, provide advice and make comments or recommendations on certain matters directly to the Health Assembly.

<sup>2</sup> See Rule 8 of the Rules of Procedure of the Executive Board of the World Health Organization.

<sup>3</sup> See resolution EB121.R1 (2007).

<sup>4</sup> Article 50 of the Constitution of the World Health Organization outlines the functions of the regional committees.

character, which may include, for example, outlining specific details for the regional implementation of global strategies and action plans.

13. The memorandum for proposing new agenda items should utilize the template with the criteria against which the proposals will be considered by the Officers of the Board.

14. To strengthen the effectiveness of the functioning of the Officers of the Board, terms of reference could be developed to provide clarity to the Officers in respect of their role and responsibilities. The terms of reference could include the need for a quorum for each meeting of the Officers of the Board.

15. When Member States are invited to propose agenda items, a rolling agenda could be circulated at the same time to provide clarity on when certain items are due to be discussed by, and reported back to, the governing bodies.

16. The Chair of the Executive Board, in consultation with the Secretariat, could propose a limit on the number of items and sub-items to be included on the agenda of a session of the Board. The Secretariat would indicate the limit when inviting proposals for new agenda items and when the Officers of the Board considered the proposals.

### **C. The Executive Board**

17. Under this proposal, the Board would focus discussion on the reports of its committees, rather than taking up and rediscussing each agenda item individually. The Chairs of the committees would be invited to present their reports and the outcomes of the discussions on each of the agenda items that fell within the respective mandates of the committees. The Board would have the opportunity to decide whether it concurred. It would then take action on any proposed draft resolutions or decisions, as appropriate.

18. The Board would devote more time to strategic discussion, such as on emerging global policy trends and cross-cutting issues.

### **D. Health Assembly**

19. It is proposed that the Health Assembly focus its discussion on the outcomes of the Executive Board and any committee meetings held following the January session of the Board, rather than taking up technical and administrative matters individually. As the supreme decision-making body of WHO, the Health Assembly would thus be action oriented and provide more opportunities for strategic discussion and engagement.

### **E. Documentation**

20. It is proposed that the deadline for the receipt of documentation be revised such that documents would have to be posted on the web at least three weeks in advance of a session of the Executive Board. This would require amending Rule 5 of the Rules of Procedure of the Executive Board. A proposal is contained in the Annex to this document for consideration.

21. In instances where the documentation was late, the Chair of the Executive Board, in consultation with the Director-General, might recommend the postponement of the relevant agenda item to the following session of the Board, taking into consideration the type of documentation, such as whether it had been delayed owing to Member State consultations.

22. Documentation word limits would be strictly applied and any supplementary information would be provided on the website of the relevant technical unit.
23. Governing body documents referred to in a draft resolution or decision would be reproduced and cross-referenced in the annex(es) to the draft resolution or decision for easy identification.
24. A comprehensive annual report by the Director-General could be published in advance of the Health Assembly to support debate in the relevant meetings.

#### **F. Management of the meetings**

25. The Chair is responsible for directing discussions and according the right to speak within certain time limits. In relation to statements that exceed the time limits, the Chair may propose that speakers' microphones be turned off automatically.
26. In addition to Member States, the Secretariat should adhere to time limits for its statements.

#### **G. Effective participation in governing body processes and meetings**

27. It is proposed that Member States receive improved support to engage effectively in governing body processes through the provision of up-to-date information, regular briefings and training/induction sessions, for Member States, Officers of the Executive Board and members of the committees of the Board, on the processes and procedures that ensure equity and integrity in the governing bodies.
28. In line with decisions EB152(15) (2023) and WHA76(18) (2023), the Secretariat will strengthen and make more user-friendly the use of existing and new information technology tools, including through the governing bodies digital transformation project as described in document EB154/33 Add.2.
29. Under this proposal, travel entitlements for Officers of governing body meetings would be managed in a more equitable and predictable manner. At present, travel support is not provided for either the President or the Officers of the Health Assembly. However, travel support is provided for the Chair of the Executive Board, based on the travel entitlements of the Director-General, and for the other members of the Executive Board, based on the travel entitlements of WHO staff members, which include per diem payments at a rate equivalent to the United Nations standard per diem. Recently, travel support has also been provided, upon request, for members of the Bureau of the Intergovernmental Negotiating Body to draft and negotiate a WHO convention, agreement or other international instrument on pandemic prevention, preparedness and response to participate in formal in-person meetings. However, the same entitlement has not been extended to the Officers of any other intergovernmental process.

## **ACTION BY THE EXECUTIVE BOARD**

30. The Executive Board is invited to consider the proposals outlined in the report and provide guidance on those proposals that can be taken forward by the Secretariat without a decision by the governing bodies. The Executive Board is further invited to consider the following draft decision for those proposals that require decision by Member States:

The Executive Board, having considered the report by the Director-General on proposals for improving the effectiveness of the WHO governing bodies,<sup>1</sup> decided:

- (1) to request the Director-General, in consultation with Member States and taking into account paragraphs 4, 5, 6 and 7 of document EB154/33 Add.1, to develop the draft terms of reference for a new committee of the Executive Board, for consideration by the Board at its 156th session in 2025, to enable the Board, should it so wish, to establish the new committee at the same session;
- (2) to update the memorandum for proposing new items for inclusion on the provisional agenda of the Executive Board in line with paragraph 13 of document EB154/33 Add.1. The Director-General is requested to provide the updated memorandum in preparation for the 156th session of the Board in 2025;
- (3) to request the Director-General to prepare, in consultation with Member States and taking into account paragraphs 12, 13 and 14 of document EB154/33 Add.1, draft terms of reference to strengthen the effectiveness of the functioning of the Officers of the Executive Board, for consideration by the Board at its 156th session in 2025;
- (4) to mandate the Chair of the Executive Board, in consultation with the Director-General, to impose a limit on the number of items and sub-items to be included on the agenda of each session of the Board, starting from its 156th session;
- (5) to revise the deadline for the receipt of documentation such that documents are to be posted on the web at least three weeks in advance of a session of the Executive Board;
- (6) on the basis of paragraph 5 above, and in accordance with Rule 64 of the Rules of Procedure of the Executive Board, to amend Rule 5 of the aforementioned Rules of Procedure, as outlined in the Annex, with the amendment to come into effect immediately following the closure of the Board's 154th session;
- (7) to mandate the Chair of the Executive Board to propose the postponement of agenda items with late documentation, starting from the 156th session of the Board.

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<sup>1</sup> Document EB154/33 Add.1.

ANNEX

**AMENDMENT TO RULE 5 OF THE RULES OF PROCEDURE  
OF THE EXECUTIVE BOARD**

*Rule 5*

The Board shall hold at least two sessions a year. It shall determine at each session the time and place of its next session.

Notices convening the Board shall be sent by the Director-General eight weeks before the commencement of a regular session to the members of the Board, to Member States and Associate Members and to the organizations referred to in Rule 4 invited to be represented at the session.

Documents for the session shall be dispatched by the Director General ~~not less than six weeks at~~ **least three weeks** before the commencement of a regular session of the Board. They shall be made available in electronic form in the working languages of the Board on the internet site of the Organization.

Documents for the session should conform to the functions of the Board and contain the information required by Rule 21 and clear recommendations for Board action.

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