

# **WHO reform processes, including the transformation agenda, and implementation of United Nations development system reform**

## **Report of the Executive Board Chairperson on the outcome of the informal consultation on governance reform**

### **Report by the Director-General**

1. At its 144th session in January 2019, the Board considered the summary and proposed way forward submitted by the Chairperson of the Executive Board concerning the informal consultations on governance reform held on 13 and 14 September and 23 and 24 October 2018.<sup>1</sup>
2. The Board then adopted a decision,<sup>2</sup> which, inter alia, recommended that the Seventy-second World Health Assembly adopt a series of amendments to its Rules of Procedure in order to:
  - (a) amend the procedure for the preparation of the agenda of the Health Assembly by the Board and recommend a word-count limit for the explanatory memorandum referred to in the proposed amendment to Rule 5 of its Rules of Procedure;
  - (b) clarify the time limits for introducing draft resolutions and/or decisions to the Health Assembly;
  - (c) align the terminology used in its Rules of Procedure with that used in the Framework of Engagement with Non-State Actors.
3. The Board also recommended that the Seventy-second World Health Assembly decide that resolutions and decisions should provide for clear reporting requirements.
4. The proposed amendments to the Rules of Procedure of the World Health Assembly, reflect those set out in the Chairperson's summary and proposed way forward,<sup>3</sup> and are listed in the Annex to the present report.

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<sup>1</sup> Document EB144/34 and the summary records of the Executive Board at its 144th session, fourteenth meeting, section 1.

<sup>2</sup> Decision EB144(3).

<sup>3</sup> Document EB144/34, Annex.

## **ACTION BY THE HEALTH ASSEMBLY**

5. The Health Assembly is invited to adopt the following draft decision recommended by the Executive Board in decision EB144(3):

The Seventy-second World Health Assembly decided:

- (1) to amend Rules 5, 11, and 12 of the Rules of Procedure of the World Health Assembly as set out in the Annex to document A72/51, in accordance with Rule 119 of the Rules of Procedure of the World Health Assembly, with effect from the closure of its Seventy-second session; and to recommend that the explanatory memorandum referred to in the third paragraph of Rule 5 of the Rules of Procedure of the World Health Assembly, as amended, be limited to 500 words;
- (2) to amend Rule 48 of the Rules of Procedure of the World Health Assembly as set out in the Annex to document A72/51, in accordance with Rule 119 of the Rules of Procedure of the World Health Assembly, with effect from the closure of its Seventy-second session;
- (3) to amend the definitions at the beginning of the Rules of Procedure of the World Health Assembly, Rules 3, 14, 19, 22, the heading between Rule 43 and Rule 44, and Rule 47 of the Rules of Procedure of the World Health Assembly as set out in the Annex to document A72/51, in accordance with Rule 119 of the Rules of Procedure of the World Health Assembly, with effect from the closure of its Seventy-second session;
- (4) that resolutions and decisions should provide for clear reporting requirements, including reporting cycles of up to six years, with biennial reports, unless otherwise advised by the Director-General.

ANNEX<sup>1</sup>

**PROPOSED AMENDMENTS TO THE RULES OF PROCEDURE  
OF THE WORLD HEALTH ASSEMBLY**

**Paragraph 1 of the draft decision – Preparation of the agenda of the Health Assembly by the Executive Board**

Current version	Proposed amended version
<p style="text-align: center;"><i>Rule 5</i></p> <p>The Board shall include in the provisional agenda of each regular session of the Health Assembly inter alia:</p> <p>(a) the annual report of the Director-General on the work of the Organization;</p> <p>(b) all items that the Health Assembly has, in a previous session, ordered to be included;</p> <p>(c) any items pertaining to the budget for the next financial period and to reports on the accounts for the preceding year or period;</p> <p>(d) any item proposed by a Member or by an Associate Member;</p> <p>(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;</p> <p>(f) any item proposed by any other organization of the United Nations system with which the Organization has entered into effective relations.</p>	<p style="text-align: center;"><i>Rule 5</i></p> <p>The Board shall include <del>on</del> in the provisional agenda of each regular session of the Health Assembly inter alia:</p> <p>(a) the annual report of the Director-General on the work of the Organization;</p> <p>(b) all items that the Health Assembly has, in a previous session, ordered to be included;</p> <p>(c) any items pertaining to the budget for the next financial period and to reports on the accounts for the preceding year or period;</p> <p>(d) any item proposed by a Member or by an Associate Member;</p> <p>(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;</p> <p>(f) any item proposed by any other organization of the United Nations system with which the Organization has entered into effective relations.</p> <p><b>The Board may recommend to the World Health Assembly the deferral of any item under (d), (e) and (f) above.</b></p> <p><b>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.</b></p>

<sup>1</sup> Deletions are shown with strikethrough; insertions are shown in bold.

Current version	Proposed amended version
<p><i>Rule 11</i></p> <p>Unless the Health Assembly decides otherwise in case of urgency, proposals for new activities to be undertaken by the Organization may be placed upon the supplementary agenda of any session only if such proposals are received at least six weeks before the date of the opening of the session, or if the proposal is one which should be referred to another organ of the Organization for examination with a view to deciding whether action by the Organization is desirable.</p>	<p><i>Rule 11</i></p> <p>Unless the Health Assembly decides otherwise in case of urgency, proposals for new activities to be undertaken by the Organization may be placed upon the supplementary agenda of any session only if such proposals are received at least six weeks before the date of the opening of the session, or if the proposal is one which should be referred to another organ of the Organization for examination with a view to deciding whether action by the Organization is desirable. <b>Any such proposal shall be accompanied by an explanatory memorandum.</b></p>
<p><i>Rule 12</i></p> <p>Subject to the provisions of Rule 11 regarding new activities and to the provisions of Rule 96, a supplementary item may be added to the agenda during any session, if upon the report of the General Committee the Health Assembly so decides, provided that the request for the inclusion of the supplementary item reaches the Organization within six days from the day of the opening of a regular session or within two days from the day of the opening of a special session, both periods being inclusive of the opening day.</p>	<p><i>Rule 12</i></p> <p>Subject to the provisions of Rule 11 regarding new activities and to the provisions of Rule 96, a supplementary item may be added to the agenda during any session, if upon the report of the General Committee the Health Assembly so decides, provided that the request for the inclusion of the supplementary item reaches the Organization <del>within</del> <b>no later than</b> six days <del>from the day of</del> <b>prior to</b> the opening of a regular session or <del>no later than within</del> two days <del>from the day of</del> <b>prior to</b> the opening of a special session, <del>both periods being inclusive of the opening day.</del> <b>Any such request shall be accompanied by an explanatory memorandum.</b></p>

**Paragraph 2 of the draft decision – Time limits for tabling draft resolutions and/or decisions to the Health Assembly**

Current version	Proposed amended version
<p><i>Rule 48</i></p> <p>Formal proposals relating to items of the agenda may be introduced until the first day of a regular session of the Health Assembly and no later than two days before the opening of a special session. All such proposals shall be referred to the committee to which the item of the agenda has been allocated, except if the item is considered directly in a plenary meeting.</p>	<p><i>Rule 48</i></p> <p>Formal proposals relating to items of the agenda <b>should</b> <del>may</del> be introduced <b>at least fifteen days before the opening of a regular session of the Health Assembly and may, in any event, be introduced not later than</b> <del>until</del> the first day of a regular session of the Health Assembly and no later than two days before the opening of a special session. All such proposals shall be referred to the committee to which the item of the agenda has been allocated, except if the item is considered directly in a plenary meeting.</p>

**Paragraph 3 of the draft decision – Alignment of the terminology used in the Rules of Procedure of the World Health Assembly with that used in the Framework of Engagement with Non-State Actors**

Current version	Proposed amended version
<p>Note: Whenever any of the following terms appear in these Rules, reference shall be as indicated below:</p> <p>“Constitution – to the Constitution of the World Health Organization”</p> <p>“Organization” – to the World Health Organization</p> <p>“Health Assembly” – to the World Health Assembly</p> <p>“Board” – to the Executive Board</p> <p>“Members” – to Members of the World Health Organization</p> <p>“Associate Members” – to Associate Members of the World Health Organization</p> <p>“Financial period” – to a period of two consecutive calendar years beginning with an even-numbered year.</p>	<p>Note: Whenever any of the following terms appear in these Rules, reference shall be as indicated below:</p> <p>“Constitution – to the Constitution of the World Health Organization”</p> <p>“Organization” – to the World Health Organization</p> <p>“Health Assembly” – to the World Health Assembly</p> <p>“Board” – to the Executive Board</p> <p>“Members” – to Members of the World Health Organization</p> <p>“Associate Members” – to Associate Members of the World Health Organization</p> <p>“Financial period” – to a period of two consecutive calendar years beginning with an even-numbered year.</p> <p><b>“Official relations” – to a privilege that the Executive Board may grant to nongovernmental organizations, international business associations and philanthropic foundations in accordance with the Framework of Engagement with Non-State Actors.</b></p>
<p><i>Rule 3</i></p> <p>Notices convening a regular session of the Health Assembly shall be sent by the Director-General not less than sixty days and notices convening a special session not less than thirty days before the date fixed for the opening of the session, to Members and Associate Members, to representatives of the Board and to all participating intergovernmental and non-governmental organizations admitted into relationship with the Organization invited to be represented at the session. The Director-General may invite States having made application for membership, territories on whose behalf application for associate membership has been made, and States which have signed but not accepted the Constitution to send observers to sessions of the Health Assembly.</p>	<p><i>Rule 3</i></p> <p>Notices convening a regular session of the Health Assembly shall be sent by the Director-General not less than sixty days and notices convening a special session not less than thirty days before the date fixed for the opening of the session, to Members and Associate Members, to representatives of the Board and to all participating intergovernmental <del>and non-governmental organizations admitted into relationship</del> <b>organizations and nongovernmental organizations, international business associations and philanthropic foundations in official relations</b> with the Organization<sup>a</sup> invited to be represented at the session. The Director-General may invite States having made application for membership, territories on whose behalf application for associate membership has been made, and States which have signed but not accepted the Constitution to send observers to sessions of the Health Assembly.</p>

Current version	Proposed amended version
<p style="text-align: center;"><i>Rule 14</i></p> <p>Copies of all reports and other documents relating to the provisional agenda of any session shall be made available on the Internet and sent by the Director-General to Members and Associate Members and to participating intergovernmental organizations at the same time as the provisional agenda or not less than six weeks before the commencement of a regular session of the Health Assembly; appropriate reports and documents shall also be sent to nongovernmental organizations admitted into relationship with the Organization in the same manner.</p>	<p style="text-align: center;"><i>Rule 14</i></p> <p>Copies of all reports and other documents relating to the provisional agenda of any session shall be made available on the Internet and sent by the Director-General to Members and Associate Members and to participating intergovernmental organizations at the same time as the provisional agenda or not less than six weeks before the commencement of a regular session of the Health Assembly; appropriate reports and documents shall also be sent to <del>nongovernmental organizations admitted into relationship</del> <b>nongovernmental organizations, international business associations and philanthropic foundations in official relations</b> with the Organization in the same manner.</p>
<p style="text-align: center;"><i>Rule 19</i></p> <p>Plenary meetings of the Health Assembly will, unless the Health Assembly decides otherwise, be open to attendance by all delegates, alternates and advisers appointed by Members, in accordance with Articles 10–12 inclusive of the Constitution, by representatives of Associate Members appointed in accordance with Article 8 of the Constitution, and the resolution governing the status of Associate Members, by representatives of the Board, by observers of invited non-Member States and territories on whose behalf application for associate membership has been made, and also by invited representatives of the United Nations and of other participating intergovernmental and non-governmental organizations admitted into relationship with the Organization.</p> <p>In plenary meetings the chief delegate may designate another delegate who shall have the right to speak and vote in the name of his delegation on any question. Moreover, upon the request of the chief delegate or any delegate so designated by him the President may allow an adviser to speak on any particular point.</p>	<p style="text-align: center;"><i>Rule 19<sup>b</sup></i></p> <p>Plenary meetings of the Health Assembly will, unless the Health Assembly decides otherwise, be open to attendance by all delegates, alternates and advisers appointed by Members, in accordance with Articles 10–12 inclusive of the Constitution, by representatives of Associate Members appointed in accordance with Article 8 of the Constitution, and the resolution governing the status of Associate Members, by representatives of the Board, by observers of invited non-Member States and territories on whose behalf application for associate membership has been made, and also by invited representatives of the United Nations and of other participating intergovernmental <b>organizations and nongovernmental organizations, international business associations and philanthropic foundations in official relations</b> <del>and non-governmental organizations admitted into relationship with the Organization.</del></p> <p>In plenary meetings the chief delegate may designate another delegate who shall have the right to speak and vote in the name of his delegation on any question. Moreover, upon the request of the chief delegate or any delegate so designated by him the President may allow an adviser to speak on any particular point.</p>

Current version	Proposed amended version
<p style="text-align: center;"><i>Rule 22</i></p> <p>(a) Each Member, Associate Member and participating intergovernmental and invited non-governmental organization shall communicate to the Director-General, if possible fifteen days before the date fixed for the opening of the session of the Health Assembly, the names of its representatives, including all alternates, advisers and secretaries.</p> <p>(b) The credentials of delegates of Members and of the representatives of Associate Members shall be delivered to the Director-General, if possible not less than one day before the opening of the session of the Health Assembly. Such credentials shall be issued by the Head of State or by the Minister for Foreign Affairs or by the Minister of Health or by any other appropriate authority.</p>	<p style="text-align: center;"><i>Rule 22<sup>c</sup></i></p> <p>(a) Each Member, Associate Member, <del>and</del> participating intergovernmental <b>organization</b> and <del>invited non-governmental organization</del> <b>nongovernmental organization, international business association and philanthropic foundation in official relations</b> shall communicate to the Director-General, if possible fifteen days before the date fixed for the opening of the session of the Health Assembly, the names of its representatives, including all alternates, advisers and secretaries.</p> <p>(b) The credentials of delegates of Members and of the representatives of Associate Members shall be delivered to the Director-General, if possible not less than one day before the opening of the session of the Health Assembly. Such credentials shall be issued by the Head of State or by the Minister for Foreign Affairs or by the Minister of Health or by any other appropriate authority.</p>
<p style="text-align: center;"><i>Heading between Rule 43 and Rule 44</i></p> <p style="text-align: center;">PARTICIPATION OF REPRESENTATIVES OF ASSOCIATE MEMBERS AND OF INTERGOVERNMENTAL AND NON-GOVERNMENTAL ORGANIZATIONS AND OF OBSERVERS OF NON-MEMBER STATES AND TERRITORIES</p>	<p style="text-align: center;"><i>Heading between Rule 43 and Rule 44</i></p> <p style="text-align: center;">PARTICIPATION OF REPRESENTATIVES OF ASSOCIATE MEMBERS, <del>AND OF</del> INTERGOVERNMENTAL AND <del>NON-</del> <del>GOVERNMENTAL</del> ORGANIZATIONS, <b>NON- STATE ACTORS IN OFFICIAL RELATIONS,</b> <del>AND OF</del> OBSERVERS OF NON-MEMBER STATES AND TERRITORIES</p>
<p style="text-align: center;"><i>Rule 47</i></p> <p>Representatives of non-governmental organizations with which arrangements for consultation and co-operation have been made, in accordance with Article 71 of the Constitution, may be invited to attend plenary meetings and meetings of the main committees of the Health Assembly and to participate without vote therein in accordance with those arrangements, when invited to do so by the President of the Health Assembly or by the chairman of a main committee, respectively.</p>	<p style="text-align: center;"><i>Rule 47</i></p> <p>Representatives of <del>non-governmental organizations</del> <b>nongovernmental organizations, international business associations and philanthropic foundations in official relations</b> <del>with which arrangements for consultation and co-operation have been made, in accordance with Article 71 of the Constitution,</del> may be invited to attend plenary meetings and meetings of the main committees of the Health Assembly and to participate without vote therein in accordance with <b>the Framework of Engagement with Non-State Actors</b> <del>these arrangements</del>, when invited to do so by the President of the Health Assembly or by the chairman of a main committee, respectively.</p>

<sup>a</sup> In the process of issuing the next edition of *Basic documents*, the Secretariat may add a reference to the pages of *Basic documents* that reproduce the text of the Framework of Engagement with Non-State Actors.

<sup>b</sup> Note that amendments to this Rule, relating to voting in plenary meetings pursuant to decision EB143(7), are proposed in the draft decision contained in document A72/52.

<sup>c</sup> Note that amendments to this Rule, relating to electronic submission of credentials pursuant to decision EB143(7), are proposed in the draft decision contained in document A72/52.