

Note for the Record

Informal virtual meeting of the Director-General with the Officers of the Executive Board on 6 December 2021

Participants

Dr Patrick Amoth (Kenya), Chair of the Executive Board

Ms Carla Moretti (Argentina), Vice-Chair

Dr Clemens Martin Auer (Austria), Vice-Chair

Observers

Mr Vimarsh Aryan, First Secretary, Permanent Mission (India), Regional Coordinator for the South East Region

Dr Wooram KIM, Director, Ministry of Health and Welfare (Republic of Korea)

Ms Minyoung CHOI, Interpreter, Ministry of Health and Welfare (Republic of Korea)

Mr Jiwon KIM, Political Affairs Advisor, Permanent Mission (Republic of Korea)

Secretariat

Ms Jane Ellison, Executive Director, External Relations and Governance

Dr Timothy Armstrong, Director, Governing Bodies (GBS)

Mr Derek Walton, Legal Counsel

Ms Gina Veal, Unit Head, Governance, GBS

Ms Egle Granziera, Senior Legal Officer, Office of the Legal Counsel

Mr Jude Osei, Unit Head, Protocol, GBS

Mr Nicolas Ashforth, Senior Editor, GBS

Mr Carmen Savelli, External Relations Officer, Governance, GBS

Ms Denise Cipriotti, External Relations Officer, Governance, GBS

Ms Patricia Durand Stimpson, Protocol Assistant, GBS

Ms Laurence Vercammen, Protocol Assistant, GBS

PURPOSE OF THE INFORMAL MEETING

1. The Officers of the Executive Board met informally with the Secretariat on 6 December 2021. The meeting was held virtually, using video conference technology. The following were unable to attend: the first Vice-Chair, Dr Wahid Majrooh (Afghanistan), the second Vice-Chair, Mr Kim Ganglip (Republic of Korea) and the Rapporteur, Mr Zahid Maleque (Bangladesh).

2. Before opening the meeting, the Chair sought the guidance of the Secretariat. As a number of Officers had not been able to attend, were the Officers still in a position to make recommendations? The Officers heard from the Legal Counsel that as they were in an informal meeting, they were not bound to respect any particular rules of procedure. It was agreed that following their discussions, the Officers would consult with Board members in writing before making proposals to the wider membership of the Board.

3. Welcoming the Officers and other attendees, the Chair referred to the difficult global public health context in which the meeting was taking place. The world was witnessing worrying trends in the fight against the pandemic of coronavirus (COVID-19), with case numbers increasing in certain areas and the Omicron variant of SARS-CoV-2 (B.1.1.529) representing a potential threat. Nevertheless, the Secretariat was to be congratulated on the recent successful Second special session of the World Health Assembly and the momentous decision it had adopted, launching an intergovernmental process to negotiate an instrument to govern pandemic preparedness and response.

4. The meeting had been called in order to discuss four matters, namely: proposed format of EB150; a proposal for the management of the EB150 agenda; follow-up to the EB retreat; and the proposed place of any deferred items on the forward-looking agenda of the Executive Board. The Chair also proposed that the Chair of the Working Group on Sustainable Financing brief the Officers on expected outcomes of the Working Group's next meeting and on its report to EB150.

PROPOSED FORMAT OF EB150

5. At the request of the Chair, the Director, Governing Bodies set out the following three options that could be used for the format of the EB150:

- the same hybrid modalities as those used at the Second special session of the World Health Assembly;
- a restricted hybrid modality, in which only EB members would be physically present in the auditorium, with all other delegates participating by means of the virtual platform;
- a fully virtual meeting.

6. In view of the worrying epidemiological trends currently being witnessed, the Director-General had sought the guidance of the Division of Health Emergencies Preparedness and Response. The advice received was that the second option should be chosen. In that way, equity among participants could be preserved, while limiting the meeting's "epidemiological footprint".

7. The Legal Counsel provided additional information on the legal considerations to be borne in mind in deciding between the different options. The process of electing the next Director-General was now under way and the January session of the Executive Board would nominate candidates for the post of Director-General. Although only one candidate had been proposed for nomination, a formal vote was nevertheless required, by means of a secret ballot.

8. Should the normal arrangements for the organization of EB150 be precluded by limitations to physical meetings, the Executive Board had already decided, through decision EB149(5) (2021), that "the nomination of candidates for the position of Director-General shall take place in accordance with the contingency arrangements decided by the Executive Board, through a written silence procedure, based on a proposal by the Officers of the Board, following consultation with all Member States."

9. In view of those considerations, two main options were available.

- The EB members could attend physically in Geneva and be present in the meeting room, carrying out the secret ballot in the normal way, using the ballot box in the room.
- The EB members could attend physically in Geneva, but rather than all being in the same room at the same time, members could place their vote in the ballot box by means of an appointments system, going into the room one by one.

10. Where members were unable to attend in person, special procedures could be agreed allowing for members to be represented by their permanent mission. In the case of the two members without national

representation in Geneva, they could either appoint to replace them a member of a diplomatic mission of their country to a neighbouring European country or a member of another diplomatic mission in Geneva.

11. The Secretariat proposed that the special procedures should provide for the vote to take place in the normal way, but that, if it became necessary, the Officers could propose in advance of the January Board that an appointments system be used, and that the proposal could be confirmed by EB150 at its opening session.

12. In their comments the Officers expressed support for encouraging physical meetings and recommended using the second option for the format of EB150.

13. The Secretariat undertook to capture the Officers' recommendations in draft special procedures that would set up rules of procedures for the conduct of a hybrid meeting at EB150 and set out arrangements for a secret ballot. All Member States would be consulted on the proposals, following which a silence procedure would be initiated.

PROPOSAL FOR THE MANAGEMENT OF THE EB150 AGENDA

14. The Secretariat explained that with 55 items and subitems the agenda of EB150 was long and dense, including a number of time-consuming subjects, such as revision of the programme budget, sustainable financing, election of the Director-General and emergency preparedness. Experience had shown that a maximum of six items per day could be dealt with by the governing bodies. The extent of the difficulties faced in managing the agenda the six-day session of EB150 became clear when that rule of thumb was applied.

15. A number of options were available for enabling the Board to complete its agenda.

- Thematically similar items could be taken up together, with speakers providing comments on multiple subjects. In particular, the approach could be used for subjects already considered by the Programme, Budget and Administration Committee of the Executive Board.
- Speaking times could be reduced.
- Additional sessions could be employed, with a third session added on certain days, possibly starting the initial session at an earlier hour.

16. In their comments, the Officers expressed support for combining items and making use of additional sessions. They reminded the Secretariat of the importance of carrying forward the request made by EB members at their recent retreat that they should not be subject to any restrictions on speaking time. They recognized, however, that it would be important for EB members to exercise self-discipline in that regard.

17. The Chair requested the Secretariat to consider how best the two options supported by the Officers could be applied and to share a proposal with the Officers.

FOLLOW-UP TO THE EB RETREAT

18. The Secretariat detailed the points arising from the recent EB retreat, noting that the request that EB members' interventions should not be limited had already been mentioned in the earlier discussion. The Secretariat was fully aware of EB members' wishes on the matter, although it was recalled that at the retreat it had been recognized that non-EB members should have a reduced speaking time. In that regard, guidance would be welcomed from the Officers on time limits to be applied to non-members, intergovernmental organizations and non-State actors.

19. The other principal proposal from the retreat was that future retreats should be organized on an annual basis, perhaps involving collaboration between the Secretariat and the Officers or a working group of interested EB members. The Secretariat was currently working on a proposal to take that idea forward.

20. In their comments, the Officers expressed support for the idea of holding annual EB retreats. The point was made that consideration would need to be given to timing. Would the retreat be held towards the end of the year or earlier, for example, just before the Health Assembly? The latter option would be in line with current efforts to strengthen the strategic role of the Executive Board, showing that the Board was not simply doing “business as usual”. The Secretariat was requested to discuss the matter with the Director-General so that the best time for the retreat could be chosen.

21. The Secretariat undertook to consult the Director-General and to form a steering committee to develop an agenda for the next retreat.

FORWARD LOOKING AGENDA OF THE EXECUTIVE BOARD AND PROPOSED PLACE OF ANY DEFERRED ITEMS

22. The Secretariat mentioned that when the Officers had met in September 2021 to draw up the Provisional agenda of EB150, one item had been deferred “to a future meeting”. The item in question, entitled “Strengthening Rehabilitation in Health Systems” had been proposed by the Governments of Colombia, Israel, Kenya and Rwanda. Although it concerned an important subject, there had not been space to include it on the agenda of EB150.

23. As part of the Secretariat’s work on the forward-looking planning schedule of agenda items, which identified items expected to appear on future agendas of the Executive Board, it had been noticed that there would be an item on disability on the agenda of EB152 – a thematically related subject. The Secretariat was therefore proposing that the proposed additional item should be placed on the agenda of EB152, thus ensuring that an important matter could be taken up by the governing bodies in the near future.

24. The Officers agreed to the proposal.

BRIEFING FROM THE CHAIR OF THE WORKING GROUP ON SUSTAINABLE FINANCING

25. The Chair of the Working Group confirmed that at its next meeting the Working Group would discuss a draft of its report to EB150. As part of the preparation of that draft, Member States had been invited to contribute their suggestions for the Working Group’s recommendations to EB150. Eighty-five delegations had responded in writing, of which 75 had called for an ambitious proposal on increasing assessed contributions. The key element in the draft report would therefore be a proposal to increase assessed contributions so that they represent 50% of the programme budget. He pointed out, nevertheless, that the increase was lower than that recommended in its report by the Independent Panel for Pandemic Preparedness and Response, which had called for two thirds of WHO’s base segment to come from assessed contributions. Moreover, it was not proposed to impose the increase immediately, but rather to apply it progressively over a six-year period starting from 2024, with the 50% target to be reached in the biennium 2028–2029. This change constituted an overall increase of US\$ 1.6 billion in assessed contributions – perfectly feasible for 194 Member States. Nevertheless, difficult conversations lay ahead.

26. The zero draft report did not contain a draft resolution for EB150; it would be for Member States to carry forward the initiative by tabling their own draft resolution or decision. The process would end in May 2022 with a final decision on the subject on the part of the Seventy-fifth World Health Assembly.

27. In their comments, the Officers recognized the importance of strengthening WHO, while expressing a range of views on the proposed increase. It was stated that the proposed increase in assessed contributions

could have been more ambitious, particularly when viewed against the cost of the current COVID-19 pandemic. Others pointed to the challenge that such an increase would pose for middle-income countries and the whole-of-government approach that would be needed in order to implement the change successfully in the medium to long term.

28. There were also expressions of satisfaction that the proposal was part of the effort to do things differently – responding to a harsh lesson taught by the current pandemic. Efforts in that area were now bearing fruit, as evidenced by the following: the consensus reached on the intergovernmental negotiating body at the Second special session of the World Health Assembly; the establishment of the Berlin Hub; the report of the Working Group on Sustainable Financing; and the initiative on the Standing Committee on Pandemic and Emergency Preparedness and Response.

29. It was agreed that the EB Chair would discuss with the Chair of the Working Group how best the work could be taken forward.

ANY OTHER BUSINESS

30. The Officers heard that the proposal on the establishment of the Standing Committee on Pandemic and Emergency Preparedness and Response was being finalized and that informal consultations with Member States would be held on 10 December. Among other things it was proposed that the Standing Committee should hold its first meeting before the Seventy-fifth World Health Assembly in May 2022. If EB150 decided to establish the Standing Committee, it would be necessary to choose a Chair of that body from among the Vice-Chairs of the EB.

31. At the request of the Chair, the Legal Counsel explained that the most attractive option would be for EB150 to make the choice described above. For that to happen, informal consultations would be required, initially among the Officers, to check on their availability and relative suitability for the task. The best outcome would be the Officers to submit a single name, which would avoid EB150 having to hold an election. On the advice of the Legal Counsel, the EB Chair undertook to organize the informal consultations under his auspices.

32. The Officers also heard that the current evolution of the COVID-19 pandemic imposed urgent decisions on the Organization that could not wait for the conclusion of ongoing processes. Given their responsibility for strengthening the role of the EB, the Officers needed to encourage rapid discussions on a number of elements.

33. The Secretariat undertook to provide the Officers in due course with proposed options for ensuring that EB150 was empowered to discuss the additional priority issues in the area of pandemic response.

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