

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

1. The thirty-seventh meeting of the Programme, Budget and Administration Committee was held in Geneva from 25 to 27 January 2023 and chaired by Ms Aishath Rishmee (Maldives).<sup>1</sup> The Committee adopted its agenda<sup>2</sup> and agreed its programme of work.
2. In his opening remarks, the Director-General emphasized the crucial work on the financial future of the Organization, most significantly implementation of the Programme budget 2022–2023 and development of the Proposed programme budget 2024–2025, which would be the first to benefit from the agreed increase in assessed contributions. He welcomed the work of the Agile Member States Task Group on Strengthening WHO’s Budgetary, Programmatic and Financing Governance with its recommendations for long-term improvements in reform, prevention of and response to sexual abuse and harassment, new web-based information portals and a new replenishment process for consideration by Member States. Efforts were also under way to improve impact at country level, and he would continue to report to Member States on progress. He was heading an agile, proactive and fast-responding WHO, committed to implementing plans approved by Member States.

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

#### **2.1 Report of the Independent Expert Oversight Advisory Committee (Document EBPBAC37/2)**

3. The Chair of the Independent Expert Oversight Advisory Committee introduced the Advisory Committee’s report, highlighting its advisory role and stressing the decision-making authority of the governing bodies. He acknowledged the progress made in the complex area of prevention of and response to sexual exploitation, abuse and harassment (PRSEAH).
4. The Programme, Budget and Administration Committee welcomed the report, and its timely availability, expressing support for its various recommendations and underlining the value of the emphasis on improved transparency and efficiency. It appreciated the role of the Advisory Committee in monitoring the implementation of the management response plan for PRSEAH and related investigations, stressing the need for openness, transparency and confidentiality in that area. It also welcomed the positive observations on the visit to the Regional Office for South-East Asia and the Country Office in India and the effectiveness of internal controls in that region, which represent a best practice in the Organization.

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<sup>1</sup> The list of participants is available in document EBPBAC37/DIV./1.

<sup>2</sup> Document EBPBAC37/1.

5. The Committee appreciated the Advisory Committee's work on the process of handling and investigating significant allegations, including allegations against the Executive Head of the Organization, in particular the standardization of the approach and the alignment with best practices in the United Nations system. The Advisory Committee explained that the process reflects best practices from other organizations, and that it would be further refined in the light of Member States' comments and suggestions, with the final version to be submitted to the thirty-eighth meeting of the Programme, Budget and Administration Committee in 2023.

6. In reply to an intervention by a Member State, the Chair of the Advisory Committee confirmed the importance of having an effective risk management system in order to be able to prevent fraud. In that respect, the Secretariat reassured Member States of its commitment to continue focusing on risk management and on addressing principal risks globally.

7. The Chair of the Advisory Committee commented that the Advisory Committee was committed to monitoring more closely audit recommendations that remained open, their root causes and mitigating actions. He also confirmed that the analysis of the enabling functions would be included in the agendas of future meetings of the Advisory Committee.

8. On the concern over the number of surveys in the Organization, the Secretariat confirmed that it was seeking to rationalize and consolidate surveys.

9. A request was made by a Member State for regular briefings to be organized on matters being considered by the Advisory Committee.

10. Finally, the Regional Director for South-East Asia thanked the Advisory Committee for its visit and observations. She further presented the regional programmatic achievements, made despite the existing challenges, before reiterating her full commitment to continue strengthening accountability, transparency and compliance.

11. During the related discussion under agenda item 3.10, a Member State requested that the Advisory Committee develop a process for handling and investigating significant, potential allegations against the Director, Office of Internal Oversight Services, as a complement to the Committee's work to develop a process related to allegations against the Executive Head of the Organization, standardizing its recommended approach in alignment with best practices in the United Nations system. Similar to the work under way on finalizing a process for the handling of potential allegations against the Executive Head of the Organization, this process is expected to be undertaken with input from Member States, with a final version submitted for consideration at future meetings of the governing bodies.

**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 continue its work to finalize the process for handling potential allegations against the Executive Head of the Organization.**

**The Committee also requested the Independent Expert Oversight Advisory Committee to initiate work to develop the process for handling potential allegations against the Director, Office of Internal Oversight Services, drawing as appropriate from existing processes in**

other relevant United Nations fora and Member State input, with an initial draft to be delivered to the thirty-eighth meeting of the Programme, Budget and Administration Committee in 2023.

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

#### **3.1 Financing and implementation of the Programme budget 2022–2023 and outlook on financing of the Programme budget 2024–2025 (Document EB152/26)**

12. The Secretariat presented the status of the Programme budget 2022–2023 updated to 31 December 2022. The situation had improved in terms of financing and implementation since document EB152/26 had been issued, including of the base segment, which nevertheless remained underfinanced.

13. The Committee thanked the Secretariat for the information and level of detail provided. While acknowledging the progress made towards better allocation of resources, especially at the country level, it remained concerned at the persistent uneven financing among major offices and outcomes, and at the underfinancing of the base segment. The Committee noted that further efforts were required to improve the situation, and that those efforts must take account of the need to continue applying the principles of accountability, compliance and risk management. Several Member States noted that unearmarked and sustainable financing was key to addressing the uneven allocation of resources.

14. In reply to questions raised by the Committee, the Secretariat said that the main explanation for the uneven financing was the extremely tight earmarking of the funds it received. Moreover, the increase in the Programme budget 2022–2023 had had a negative impact on the figures at regional and country office levels, where the bulk of the increase had been allocated.

15. In reply to a question regarding the increase in staff cost, the Secretariat explained that the budget increase had led to a rise in operations over the biennium, with a concomitant increase in staff costs, albeit to a proportionately lower extent.

16. The Secretariat further observed that the majority of the resources allocated to the emergency operations and appeals segment of the budget was used for procurement and technical support, especially at country level, and that only about 10% was allocated to staffing. The assessment of the WHO Health Emergencies Programme indicated that the Programme's implementation was expected to be on track.

17. The Director-General added that the quality of the funding received by the Organization was crucial and that many of the issues highlighted by the Member States could be resolved if more of the funding was flexible. In that respect, he noted that Member States' agreement to an increase in assessed contributions would make all the difference, and he renewed his appreciation for decision WHA75(8) (2022) in that regard.

**The Committee recommended that the Executive Board note the report. It proposed, as guidance for the Secretariat's implementation of existing mandates, that the Secretariat should pursue its efforts to improve the persistent uneven financing across programmes, major offices and levels of the Organization, including by distributing undistributed funds.**

### 3.2. Proposed programme budget 2024–2025 (Document EB152/27)

18. The Secretariat presented the draft Proposed programme budget for the next biennium, which had been prepared through a consultative and participatory approach, including a strengthened country prioritization process that had resulted in a greater focus on the country level.

19. The Committee commended the approach to the development of the Proposed programme budget 2024–2025 and acknowledged that strengthened country priority-setting was a key element of the process.

20. The Committee commended the increase of budget allocation to the country level and requested the Secretariat to consider a further increase. In that regard, the Secretariat confirmed its commitment to strengthen country offices while making sure, at the same time, to safeguard the normative functions that were being performed, especially at the regional and headquarters levels. Furthermore, the requested sharp increase of the budget allocation to the country level would only be possible gradually over time, as demonstrated by the trend across the past few bienniums. Additionally, the budget increase to the country offices should be accompanied by its full financing, according to country priorities.

21. The Committee welcomed the launch of the new digital platform providing detailed information in support of the draft budget, and noted that Member States would need time to evaluate it, proposing a cut-off date of 10 February 2023 for feedback. The Secretariat acknowledged that additional details under the platform are forthcoming and undertook to provide that information. It was observed that the budget document should include clear references and links to the information contained in the platform, as appropriate.

22. Concerns were expressed about some budget imbalances, especially for strategic priority 3, which Member States stated was under-prioritized. The Secretariat promised to work with the regional offices to see whether adjustments were possible.

23. The Secretariat thanked Member States for the extensive feedback and comments and confirmed that the draft of the Programme budget would be further improved based on the Member States' guidance, including in respect of topics such as new initiatives, which need further consultation and priority-setting. The budget would be reviewed for better alignment with priorities and greater impact in countries, the narrative (including language) would be updated and the expected results summarized, and the digital platform would be further improved. The Secretariat also confirmed that the consultative process on the Proposed programme budget would continue in the coming weeks. The Secretariat confirmed its earlier commitment to provide further breakdowns of the budget figures after the operational planning phase towards the end of 2023.

24. The Secretariat thanked all the donors for making the implementation of the current Programme budget possible and for considering support for the Proposed programme budget.

**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) finalize the priority-setting exercise and further develop the Proposed programme budget to achieve greater impact in countries;**

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- (b) continue the consultative process on the Proposed programme budget during the intersessional period;
  - (c) allow time for Member States to study and provide feedback on the programme budget digital platform by 10 February 2023; and
  - (d) circulate to Member States the next draft of the Proposed programme budget 2024–2025 in a timely manner to allow proper consideration of the proposed budget ahead of the Seventy-sixth World Health Assembly, and include clear references and links to the information contained in the platform in the budget document, as appropriate.

### 3.3 Thirteenth General Programme of Work, 2019–2025 (Document EB152/28)

25. The Secretariat presented the outcome of the consultations with Member States on the report of the Director-General on extending the Thirteenth General Programme of Work, 2019–2023 (GPW 13) to 2025. It noted with satisfaction that WHO's five priorities and the Proposed programme budget 2024–2025 were better aligned with the GPW 13 triple billion strategy. The Secretariat was working to intensify support to countries and had adopted a more strategic, data-driven, delivery-for-impact approach to enhance effectiveness. It would continue to use the WHO results framework to track progress towards GPW 13 targets, and to inform WHO's annual results report.

26. The Committee, noting that the extension had been aimed at strengthening country capacities to accelerate progress towards attaining the triple billion targets and the health-related Sustainable Development Goals, commended the general progress made in that direction. It was nevertheless concerned that implementation was lagging in some areas, notably in relation to universal health coverage. It encouraged the Secretariat, working with Member States and implementing partners, to step up its support for each country's health priorities and to continue using a bottom-up, data-driven delivery approach to accelerate impact at country level during the period of recovery from the pandemic of coronavirus disease (COVID-19). The delivery dashboard set out in the report would improve programmatic accountability, but the Secretariat should also establish quantitative acceleration scenarios to better prioritize, plan and implement programmes that lead to resilient health systems.

27. The Committee observed that tracking progress towards the universal health coverage billion target needed attention and acceleration. The Secretariat should prepare a plan with timelines to improve and update the impact measurement and related indicators, in particular the universal health coverage index, and propose new indicators.

28. Responding to the Committee's comments, the Secretariat said that it would draw up a plan to improve impact measurement that would take into account new indicators – for example, nutrition, mental health and the impact of climate change and conflicts on health – to be included in the results framework. It would also update estimates of the triple billion targets and health-related Sustainable Development Goals in the light of the impact of COVID-19 and make them available through the World Health Data Hub. The plan to improve impact measurement would be drafted by May 2023 so that consultations could be carried out in 2024 with a view to informing the development of the next general programme of work. Strengthened capacity at country and regional offices was critically important to GPW 13 implementation, and the delivery-for-impact approach would help enhance monitoring and management based on country priorities, and enable the use of resources to close gaps.

**The Committee recommended that the Executive Board note the report and adopt the outcomes of the consultations with Member States on the report of the Director-General on**

**extending GPW 13 to 2025. It further proposed, as guidance for the Secretariat's implementation of existing mandates, that the Secretariat should:**

- (a) provide further guidance on the alignment of WHO's five priorities with the GPW 13 strategy and the strategic direction of the Proposed programme budget 2024–2025;**
- (b) step up support for countries and strengthen WHO regional and country offices with a view to monitoring and managing country needs; and**
- (c) prepare a plan to improve impact measurement indicators in consultation with Member States.**

### **3.4 Matters emanating from the Working Group on Sustainable Financing**

- Report of the Agile Member States Task Group on Strengthening WHO's Budgetary, Programmatic and Financing Governance (Documents EB152/33, EB152/33 Add.1 and EB152/33 Add.2)**

29. The co-facilitators of the Agile Member States Task Group provided an overview of the report and proposed draft decision.

30. The Committee commended the work of the Task Group and welcomed its report, noting that the report and the Secretariat implementation plan on reform are complementary. The Task Group's recommendations on enhancing transparency, accountability, compliance and efficiency are vital to improving the Organization's performance and present a solid basis for reform. The Committee also welcomed a number of innovations to the conduct of the governing bodies already being trialled by the Chair of the Executive Board, and encouraged these processes to be well coordinated. Moving forward with the reform activities and recognizing the need for a more stable and flexible source of funding for WHO, the Secretariat must support implementation of the recommendations of the Task Group and those of the Secretariat's implementation plan simultaneously. Some Member States referred to the budget proposal to be submitted to and considered for approval by the Seventy-sixth World Health Assembly and the decision of the Seventy-fifth World Health Assembly<sup>1</sup> to include in the budget proposal a targeted first increase in assessed contributions. Member States will need to work hand in hand with the Secretariat, acknowledging that, in particular, the implementation of the recommendations of the Task Group are a joint effort. In that regard, regular information to and consultation with Member States was requested.

31. The Committee noted the request that the implementation of the recommendations of the Task Group and the Secretariat's implementation plan be monitored through the Executive Board and its Programme, Budget and Administration Committee.

32. The Committee stressed the importance of WHO support, especially when countries faced multiple challenges including natural disasters, food insecurity, negative effects of climate change, conflicts, health emergencies and other crises. For that reason, it supported a strengthened and reformed Organization with sustainable and flexible financing.

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<sup>1</sup> Decision WHA75(8) (2022).

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**The Committee recommended that the Executive Board note the report contained in document EB152/33 and adopt the draft decision contained in document EB152/33 Add.1; it further recommended that the Executive Board should:**

**(a) call for close collaboration and communication between Member States and the Secretariat in implementing the agreed recommendations of the Task Group, including by facilitating informal consultations on decisions and proposals to be prepared for consideration by the Executive Board at its 153rd session, as well as the Secretariat implementation plan on reform; and**

**(b) mandate that the Programme, Budget and Administration Committee be regularly engaged in supporting monitoring of the recommendations of the Task Group and the actions contained in the Secretariat implementation plan on reform after the Seventy-sixth World Health Assembly.**

**The Committee proposed, as guidance for the Secretariat's implementation of existing mandates, that the Secretariat should provide regular reporting on progress achieved in the implementation of the reforms proposed by the Task Group, including through the Programme, Budget and Administration Committee, the Executive Board, the Health Assembly and information sessions.**

- **Secretariat implementation plan on reform** (Documents EB152/34 and EB152/34 Add.1)

33. The Secretariat provided an overview of the implementation plan on reform, which had been prepared in response to decision WHA75(8) (2022).

34. The Committee welcomed the report and its identification of robust actions across the seven key reform areas that are within the sole remit of the Secretariat, and recognized the complementarity of the plan with the recommendations contained in the report of the Agile Member States Task Group on Strengthening WHO's Programmatic, Financial and Budgetary Governance.<sup>1</sup> While recognizing that the implementation plan was a living document, which had been informed by consultations with Member States, the Committee requested further information on the cadence of reporting for some of the indicators and the frequency with which the plan would be reviewed and adjusted. The Committee suggested identifying high-level, concrete and achievable indicators to measure the longer term impact of the plan, together with timelines going beyond 2025, where appropriate. It expressed concerns over cost efficiencies regarding an action that proposed possible visits to country offices by Executive Board members. Some Committee members also called for a clearer link to the three-year strategy on preventing and responding to sexual exploitation, abuse and harassment. Some Member States expressed a desire for the Secretariat to provide updated language in the general comments section for Action 32 in Annex 1 in order to clarify the intent of that Action. The Secretariat expressed its intention to respond to the concerns shared by the Member States and to update future versions of the plan accordingly.

35. The Secretariat acknowledged that the plan was a living document that would be updated periodically, based on implementation progress and emerging needs, and that would respond to the inputs and suggestions coming from Member States. Reporting frequency would be at an appropriate level to allow Member States to follow progress and provide feedback accordingly. The implementation

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<sup>1</sup> Document EB152/33.

plan is ambitious, and its intent is to deliver an agile, high-performance and accountable organization that can react and respond to the needs of Member States.

36. The Director-General informed the Committee that WHO would play its part in ensuring that the implementation plan delivered on its promise. He noted that the strengthening of WHO country offices was essential to increasing support to regions and countries, based on their priorities. He informed the Committee that in addition to the Secretariat implementation plan on reform, a group of WHO Representatives was currently drafting a plan of action to reinforce country offices that the Secretariat would soon be able to share with Member States for comment. The latter plan would include timelines and costings giving the medium- and long-term investments necessary, with a 100-day implementation timeline after completion of the plan.

**The Committee recommended that the Executive Board note the report contained in document EB152/34 and endorse the Secretariat implementation plan on reform, which is a living document; it further proposed, as guidance for the Secretariat's implementation of existing mandates, that the Secretariat should:**

- (a) ensure close monitoring and measurement of the impact of the plan, providing updates and reports on progress to the Health Assembly through the Executive Board and the Programme, Budget and Administration Committee to enable Member States to assess progress and provide feedback;**
  - (b) provide timelines for relevant actions included in the plan that go beyond 2025;**
  - (c) delete Action 17 in Annex 1 of the implementation plan concerning proposed visits by Executive Board members to WHO country offices;**
  - (d) reinstate the column in the presentation of the plan showing the responsible business owners of the proposed actions; and**
  - (e) ensure linkages of the implementation plan on reform with the three-year strategy on PRSEAH.**
- Sustainable financing: feasibility of a replenishment mechanism, including options for consideration (Document EB152/35)**

37. The Secretariat presented an overview of the report.

38. The Committee acknowledged WHO's need for more flexible, predictable and sustainable financing and considered that a replenishment mechanism provided a possible solution, especially for chronically underfunded areas of the Organization's programme budget. Appreciating the Secretariat's assessment confirming the feasibility of the six key principles recommended by the Working Group on Sustainable Financing, and which the Seventy-fifth World Health Assembly had stipulated be in place for a replenishment mechanism, the Committee supported further development by the Secretariat of that financing option. There was broad support for basing the technical strategy for a WHO replenishment mechanism on the general programme of work, although some Member States proposed basing it on one or two cycles of the programme budget instead, thereby ensuring alignment with the priorities and objectives of the Organization, recognizing the concerns of the Secretariat regarding the potential demands of a frequent replenishment process. The Committee also considered whether the overall



funding envelope for a replenishment mechanism should be based on the base segment of the programme budget, minus approved assessed contributions.

39. The Committee strongly reaffirmed that, in moving forward on this option, the replenishment mechanism should be fully aligned with the six principles identified in the recommendations of the Working Group on Sustainable Financing, adopted by the Seventy-fifth World Health Assembly, with a particular focus on full compliance of donors with the Framework of Engagement with Non-State Actors, as mentioned by several members. The Secretariat was encouraged to further examine replenishment mechanisms established by other global health organizations and analyse the advantages and disadvantages of the various systems, without losing sight of WHO's unique status in the global health architecture as an intergovernmental agency.

40. The Committee requested more information on how the replenishment mechanism could be implemented, including on timelines and frequency, and on its relationship to WHO's other sources of financing. Emphasis was placed on governance and oversight, with the Committee strongly supporting the governing bodies oversight function when moving forward.

41. The Secretariat agreed that the proposed system should be ambitious, in line with the Organization's mandate. The current appeal processes for health emergencies and polio eradication would continue, with the replenishment mechanism focused only on the base budget. A decision about the mechanism by the Seventy-sixth World Health Assembly would be desirable, in the light of the 12-month period estimated for the potential development of a mechanism and taking into consideration the expected time frames for the replenishment events of other global health organizations. Intersessional consultations with Member States before the Health Assembly in May 2023 would be arranged to discuss key aspects of the replenishment mechanisms and map out the stages of future action.

42. The Director-General assured the Committee that the Secretariat would address the issues it had raised and would follow its advice and suggestions. Replenishment funding would be flexible – the independence of the Organization, and its capacity to direct its support where needed, depended on that. The combination of an increase in assessed contributions and the introduction of a replenishment mechanism would represent a huge step towards allowing the Organization to fulfil its mandate and to support the achievement of the triple billion targets, Sustainable Development Goal 3 and the other health-related Goals.

**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) further explore details on a potential way forward with a WHO replenishment mechanism for continued consideration by Member States; and**
- (b) consult with Member States on the specific time frame and funding envelope, based on the base segment of the programme budget to be used in a replenishment mechanism.**

### 3.5 Scale of assessments for 2024–2025 (Document EB152/29)

43. The Committee considered the report, which provided an update on the scale of assessments for 2024–2025.

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

### 3.6 Prevention of sexual exploitation, abuse and harassment (Document EB152/31)

#### 3.10 Human resources (Documents EB152/48 Rev.1 and EB152/48 Rev.1 Add.1)

44. The Director-General updated the Committee on the Secretariat's implementation of the WHO Management Response Plan for the prevention of, and response to, sexual exploitation, abuse and harassment (PRSEAH) since the publication of document EB152/48 Rev.1. He provided the Committee with current information that indicated that more than 90% of the Plan's activities had been completed. The Director-General noted that the first pillar – the shift to a survivor- and victim-centred approach – had been put in place, thanks inter alia to the establishment of the WHO Survivor Assistance Fund, and he indicated that he was establishing a victim and survivor support function. He further advised that good progress had also been made on both the second pillar, which focused on workforce accountability and engagement, and the third pillar, with changes being made to WHO structures and culture with a view to ensuring that zero tolerance was a reality, not just a slogan. In addition, the Director-General reported that the three-year strategy on PRSEAH (2023–2025) had been launched in January 2023 and the new policy on preventing and addressing sexual misconduct would come into force in February 2023.

45. The Committee welcomed the progress made towards full implementation of the Management Response Plan and the adoption of a victim/survivor-centred approach. It sought clarification on actions that had not yet been completed. It noted that the number of complaints had increased and called for their timely follow-up. The relevant procedures should be fine-tuned and end-to-end processes designed so as to ensure that the investigation and disciplinary process was not to the detriment of victims' rights and included accountability measures. The Committee also welcomed the three-year strategy and invited the Secretariat to develop a related implementation plan and a comprehensive accountability framework. It highlighted the importance of enhancing work with implementing partners on PRSEAH and of strong collaboration among United Nations agencies and with national governments.

46. The Chair of the Independent Expert Oversight Advisory Committee considered that the rise in the number of complaints reflected an open organization but that the need for accountability remained even after completion of case investigations. The Secretariat had to analyse and strengthen all the steps in the process. He clarified the importance of the recommendation to strengthen the Secretariat's human resource function as this is needed to improve the post-investigation phase of the management of sexual misconduct cases.

47. The Secretariat, responding to the Committee's comments and questions, said that the few activities under the Management Response Plan that had not been completed (12 activities, comprising 8% of the total implementation) were in some cases very complex or pending the outcomes of ongoing investigations being conducted by the United Nations Office of Internal Oversight Services. The ultimate aim was to create a small pool of dedicated expertise at WHO headquarters able to provide support to full-time dedicated PRSEAH staff and part-time focal points in the regional and country

offices. Around 70% of the budget for that area of work is allocated to the regional and country levels. The Secretariat acknowledged the need for greater engagement with governments and that gaps in country-level services for victims and survivors need to be addressed. The Secretariat would also scale up its work on PRSEAH with WHO implementing partners. Regarding investigations of sexual misconduct, in order to avoid new backlogs, it would work to stabilize the structure put in place and resource it with appropriate skill sets, introduce greater rigour to the intake process, and update standard operating procedures. The Organization has a robust system in place to prevent retaliation and protect complainants.

48. The Director-General assured the Committee that the Secretariat was in no way complacent. It attached particular importance to the introduction of an accountability framework and would give further thought to the re-examination of past complaints, given the lessons that could potentially be learned.

49. On the reform of the WHO Office of Internal Oversight Services (document EB152/48/Rev.1), the Director-General said that the changes introduced had increased staff confidence in the systems in place, as evidenced by the tripling in the number of people coming forward with complaints. The backlog of SEAH cases had been cleared and the Office was currently working on cases in real time. The Secretariat nevertheless requested one final extension of the suspension of Financial Rule XII, 112.1, in part, until the 153rd session of the Executive Board, in order to enable the Office to vigorously address the backlog of misconduct cases.

50. The Committee expressed strong support for the reform measures introduced to date but noted that the suspension of a financial rule was an extraordinary measure requiring careful consideration. It recognized that compelling reasons may presently exist for granting the additional extension and thus agreed to the Secretariat's request, but stressed that it would not be willing to do so again.

51. Member States emphasized that it is primarily the responsibility of the Secretariat to address issues of mismanagement and misconduct and to ensure accountability where appropriate.

52. The Secretariat confirmed that it would undertake a holistic review of the Office of Internal Oversight Services and report as requested to the Committee's next meeting. That commitment was echoed by the Director-General.

53. The Chair of the Independent Expert Oversight Advisory Committee confirmed that the Advisory Committee's terms of reference were broad enough to encompass formulating procedures and processes for handling potential allegations against the Director of Internal Oversight Services and that it would engage in such a review with a view to ensuring that the WHO procedures and processes were harmonized with those of other United Nations agencies. Regarding the process for investigating potential allegations against the Executive Head, the Advisory Committee was currently considering the comments and suggestions made by the Member States and intended to submit a final version of the process soon for discussion at the next meeting of the Programme, Budget and Administrative Committee.

**The Committee recommended that the Executive Board note the reports contained in documents EB152/31 and EB152/48 Rev.1, and adopt the draft decision set out in document EB152/48 Rev.1; it further proposed, as guidance for the Secretariat's implementation of existing mandates, that the Secretariat should:**

**(a) encourage Member States to engage more closely in the Secretariat's efforts to safeguard against any form of sexual misconduct, and to build trust in the reporting and**

investigation system, particularly in countries where WHO has a presence, by strengthening dialogue, reporting and training;

(b) strengthen gender-based violence referral systems in countries where WHO had a presence, operations and programmes, notably by providing support for national systems and prioritizing engagement with governments and stakeholders at the country level;

(c) mobilize predictable resources for PRSEAH work, especially in high-risk contexts such as health and humanitarian emergencies, by allocating sustainable funding supplemented by voluntary contributions for high-risk contexts (integrated into emergency health work) and through harmonization of efforts with other agencies of the United Nations system, mainstreaming PRSEAH into WHO's four pillars and ensuring the sustainability of PRSEAH mechanisms; and

(d) undertake a holistic review of the Office of Internal Oversight Services, including its regulatory framework, WHO Financial Rules and the process for handling investigations of potential allegations against the Director of the Office of Internal Oversight Services, and propose necessary amendments to ensure that the Office is equipped to fulfil its mandate. The Secretariat should also review the appropriate application of established investigation procedures with clear methodology, review mechanisms, measurements, revised as necessary, and report on the steps taken to measure progress at the next meeting of the Programme, Budget and Administrative Committee in May 2023.

### 3.7 Engagement with non-State actors

- **Report on the implementation of the Framework of Engagement with Non-State Actors** (Document EB152/39)
- **Non-State actors in official relations with WHO** (Documents EB152/40 and EB152/40 Add.1)

54. The Secretariat introduced the two documents.

55. The Committee acknowledged both the many contributions of non-State actors to the improvement of public health globally and the work of the Secretariat in implementing the Framework of Engagement with Non-State Actors. It appreciated the efforts made to ensure greater participation of young people, whose contribution was vital. Additional efforts should be made to involve civil society, with further meetings in intersessional periods. The level of input of non-State actors, solely at governing body meetings, was inadequate; further meetings at global and regional levels between sessions would strengthen engagement. Although it encouraged greater engagement of non-State actors, it cautioned against their involvement in WHO's decision-making. Following the example of one Region, measures needed to be taken to protect the involvement of non-State actors in difficult situations, balancing respect for rules and actual conditions.

56. The Committee noted the risks of interference in public health from the tobacco industry's acquisition of pharmaceutical companies, with a rapid increase in entities with links to that industry being observed. It looked forward to the publication of the second edition of WHO's guide for staff on engagement with non-State actors.

57. The Committee asked how the Secretariat tracked engagement of non-State actors in order to improve transparency and engagement, how the discrepancies in levels of engagement between regional offices were being handled, what processes were used to identify high-risk engagements, and how many cases had required senior management guidance.

58. The Committee expressed concern about the process of implementing the Framework, in which barriers had been observed and at the same time, recognized the role of the Framework in protecting the Organization from undue interference. It needed a transparent report on the process of approval of non-State actors.

59. The Secretariat recognized the importance of strategic engagement at the three levels of the Organization and of an enabling policy that provided a firm basis for strengthening involvement of non-State actors. It was prioritizing and strengthening engagements with a positive impact on public health, while balancing risks against expected benefits, and was making significant strides towards reinforcing a constructive and positive approach for such engagements in line with the provisions of the Framework. The document under consideration had been drafted in October 2022; since then, the Director-General had introduced an initiative to reinforce platforms and reduce the silos between the different levels. The Secretariat would continue to improve implementation, building on comments made, and would submit a report on improvements to the Committee at its thirty-ninth meeting in January 2024.

60. The Secretariat reported that in 2022 seven cases had been referred to the FENSA Proposal Review Committee for senior management's guidance, either because of their complexity with different actors and roles involved or because they challenged major elements of the Framework, such as raising conflicts of interest and engagement with tobacco industry. It noted that non-engagement was also a risk.

61. With regard to non-State actors in official relations with WHO, the Committee noted that the Secretariat had reviewed collaboration during the period 2020–2022 and proposed renewing official relations with 62 entities. It agreed to the deferral of the review of the International Rescue Committee, Inc. to the Executive Board at its 154th session in January 2024.

62. The Committee also noted that the Secretariat proposed discontinuation of official relations with the following entities: Health On the Net Foundation, International Association of Cancer Registries, International Insulin Foundation and International Women's Health Coalition Inc.

63. Further, the Committee noted the proposal to accept the request for admission into official relations, after review and due diligence, from The Carter Center, Inc. and NCD Alliance.

**The Committee recommended that the Executive Board note the reports in documents EB152/39 and EB152/40 and adopt the draft decision contained in document EB152/40.**

### **3.8 Statement by the representative of the WHO staff associations** (Document EB152/INF./2)

64. The representative of the WHO staff associations presented the statement, highlighting as areas of concern: a respectful working environment; the internal justice system; conditions of work; mental health and staff health insurance; and support to staff whose salaries were diminished as a result of currency devaluation.

65. The Committee thanked the staff associations for the role they played in supporting WHO staff across the world and in bringing problems identified to the attention of management. It expressed strong support for the efforts made by management to support the mental health of staff. In that connection, the Committee welcomed the recent changes to WHO Staff Health Insurance rules related to mental health benefits. It also expressed support for the suggestion that an office like the Office of Staff Legal Assistance, or a staff legal counsellor, could be established at each regional office.

66. The Secretariat stressed that staff were the Organization's greatest asset and that it was adopting tools for mental health support being used across the United Nations system to meet the needs of staff and their dependants.

67. On the internal justice system, it further explained that senior management was committed to tracking and monitoring progress on the implementation of the recommendations resulting from the recent review, and was supporting the development of a new tool to track the end-to-end process related to investigations and thus ensure accountability for timely actions and decisions.

68. Finally, on the issues linked to staff salaries, the Secretariat explained that it was supporting a number of interventions with the International Civil Service Commission and other United Nations organizations, and was working with senior management from across the Organization to find viable solutions, considering the economic realities on the ground.

### **3.9 Report of the Ombudsman** (Documents EB152/INF./3 and EB152/INF./4)

69. The WHO Ombud gave an overview of the report and highlighted three aspects of the approach taken by her Office: acting to ensure justice through informal resolution; caring for all members of WHO's workforce; and making a respectful workplace a reality.

70. The Committee stressed the importance of the Office of the Ombud in promoting WHO's values of respect, integrity, tolerance and non-discrimination. It appreciated the efforts made by the Office to reinforce internal justice and supported the focus given in the report to informal resolution of workplace issues. It acknowledged the need to build the staff's trust in such mediation. To that end, the role of the facilitator was crucial, and it was stressed that mediation should be confidential. The Committee also noted the suggestion that decision-making authority could be expanded and asked whether the recommendation of the internal justice review to appoint a staff relations officer (staff legal advisor) was being operationalized.

71. The Secretariat informed the Committee that the implementation plan for the recommendations of the review of the internal justice system included the establishment of an office of legal assistance or a staff relationship officer position in line with the practice of other international organizations in order to support staff members in their claims while also promoting informal resolution.

### **3.10 Human resources: update** (Documents EB152/47 and EB152/47 Add.1)

### **3.11 Report of the International Civil Service Commission** (Document EB152/50)

### **3.12 Reform of the global internship programme** (Document EB152/51)

### 3.15 Amendments to the Staff Regulations and Staff Rules (Documents EB152/49 and EB152/49 Add.1)

72. The Secretariat provided a comprehensive overview of the various human resources management initiatives described in its reports. Among the many achievements, the Secretariat highlighted that by December 2022 there was overall gender parity in the WHO workforce, with the proportion of female staff exceeding 50%. It further summarized the key decisions taken by the United Nations General Assembly in resolution 77/256 A–B, adopted at its seventy-seventh session in December 2022. These updates are available on the WHO website.<sup>1</sup> It confirmed that the information on which the draft resolutions in document EB152/49<sup>2</sup> were based was confirmed by the United Nations General Assembly in resolution 77/256 A–B.

73. The Committee welcomed the detailed information and its inclusion in the Programme budget portal.

74. In addition, it expressed its appreciation for the work being done by the Secretariat, especially in the area of staff health and well-being. Further, it was pleased with the reactivation of the Global Internship Programme, inviting the Secretariat to review the eligibility criteria to expand the candidate pool, and to continue its efforts to achieve equality in the geographical representation of interns, towards the target of having 50% of interns from low- and middle-income countries.

75. The Committee commended the achievement of gender parity in the WHO workforce and in particular, the improvement in the category of Heads of WHO Country Offices in countries, territories and areas over the past five years. Nevertheless, it expressed concerns at the continuing low proportion of women in P6, D1 and D2 grades as well as at the P4 grade and above and the imbalance between headquarters, regional and country offices.

76. The Committee also noted with concern the fact that some Head of Country Office posts were vacant in key vulnerable countries and sought further information about the filling of posts. In addition, it raised concerns about the slow progress in geographical representation and the recent decrease in the number of staff members in the professional and higher categories from low- and middle-income countries.

77. To help to address this issue, the Committee invited the Secretariat to explore ways for Member States to provide support in attracting talent in particular geographical areas.

78. The Committee welcomed the introduction of mandatory training on PRSEAH and urged 100% completion as a first step towards the targeted cultural change in the Organization.

79. The Committee enquired about the increase in the use of consultants and individuals employed under other contractual arrangements. For the human resources update, it requested that the report refer only to countries and not regions within them.

80. The Director-General highlighted the fact that the many initiatives in the human resources management area had been launched in the context of the WHO transformation. He made commitments to improving the gender balance in the categories of staff where gaps remain and to adopting a

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<sup>1</sup> Available at [https://apps.who.int/gb/e/e\\_eb152.html](https://apps.who.int/gb/e/e_eb152.html) (accessed 28 January 2023).

<sup>2</sup> Some Member States noted that the term “birthing mother/parent” proposed in the amendments to the Staff Rules was not found in the report of the International Civil Service Commission for 2022 (document A/77/30).

gender-neutral title for the Ombudsman. He also stressed the importance of the newly launched Young Professional Programme, which would be expanded to provide additional career opportunities for young people.

81. In further response to questions and comments, the Secretariat explained, with regard to mobility, that its simulation exercise had provided lessons learned and recommendations that would be used to inform its implementation plan and timeline.

82. In addition, it noted that all new policies related to PRSEAH would be reflected in due course in the content of existing mandatory training programmes.

83. With regard to the use of consultants, sustainable financing, improvements in staff recruitment processes and improvements in workforce planning would support a reversal in the trend towards greater use of such contractual arrangements.

84. Concerning the housing allowance for the Director-General (Annex 1 of document EB152/47), the Secretariat confirmed that the proposal was in line with the practice in other comparable specialized agencies in the United Nations system, further to the due diligence that it had undertaken.

**The Committee recommended that the Executive Board note the reports and adopt the draft decision contained in document EB152/48 Rev.1, the draft resolution contained in document EB152/47 and the two draft resolutions contained in document EB152/49. It further proposed, as guidance for the Secretariat's implementation of existing mandates, that the Secretariat should:**

- (a) **make further efforts to fill key positions as Heads of WHO Country Offices in countries, territories and areas;**
- (b) **pursue its efforts to improve geographical distribution and gender parity, with a particular focus on increasing the geographical representation and gender balance at the highest grades;**
- (c) **review of the eligibility criteria for accessing the Global Internship Programme;**
- (d) **keep working towards a 100% completion rate in mandatory training on PRSEAH;**
- (e) **facilitate any action required by WHO's governing bodies to formally adopt the amendments to the International Civil Service Commission statute regarding post adjustment multipliers at the Seventy-sixth World Health Assembly and subsequently implement them as soon as possible.**

### **3.13 Update on the Infrastructure Fund**

- **Geneva buildings renovation strategy** (Document EB152/32)

85. The Committee considered a report providing an update on the implementation of the Geneva buildings renovation strategy.

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



### 3.14 Amendments to the Financial Regulations and Financial Rules (Document EB152/30)

86. The Secretariat presented the proposed changes to the Financial Regulations and Financial Rules, which would ensure that they were fit for purpose, enhanced accountability and reflected WHO's current operating model.

87. Noting that the proposed changes had been reviewed by the Independent Expert Oversight and Advisory Committee and External Auditor, the Committee expressed its support for the amendments as proposed by the Secretariat as they were in alignment with practice across the United Nations system. In relation to the application of Article 7 of the Constitution, where two options were presented, the Committee agreed that more consultation with Member States would be required, with a view to considering adoption by the Seventy-sixth World Health Assembly through the thirty-eighth meeting of the Programme, Budget and Administration Committee.

88. In reply to questions raised in relation to the streamlining of the Rules that govern the Working Capital Fund and internal borrowing, the Secretariat clarified that the amendments limited the ability of the Director-General to issue awards up to the approved budget and subject to available funds, which together with the Secretariat's risk management practices, provided the necessary control to ensure that finances were not stretched beyond available means.

89. The level of the Working Capital Fund was established by the Health Assembly. The level of that Fund and the amount of internal borrowing together were at present significantly below the threshold of 25% of the assessed contributions for the biennium established in Rule 104.5. The proposed amendment had no financial effect. Should there be a need to adjust the level of reserves necessary for working capital and the regulations that govern them in the future, the Secretariat would revert to the Programme, Budget and Administration Committee and the Executive Board, as needed.

90. On the amendment regarding physical inventories, that would enable the Secretariat, where appropriate, to take advantage of risk-based approaches and technological advances in verifying assets, as physical verification might not be always possible due to safety and security risks faced by staff and auditors.

91. In response to a question from Member States on managing the risks associated with the proposed Regulation 8.4 on multiyear agreements and commitments, the Secretariat observed that its activities and the funding provided did not start and stop neatly within a biennium, thus requiring multi-year commitments. Risks were managed in line with all financing agreements and liabilities, requiring financing before entering into commitments and assessing the risk with each donor. Reporting was being enhanced to provide transparency on multiyear agreements and liabilities in the preceding year's financial statements and would be further enhanced in the 2022 financial statements.

**The Committee recommended that the Executive Board note the report and recommend to the Health Assembly the adoption of the amendments to the Financial Regulations and Financial Rules, with the removal of point (e) in proposed revised Rule 111.2.**

**In relation to the application of Article 7 of the Constitution, the Committee recommended that the Executive Board should request the Secretariat to hold consultations with Member States on the proposed options for consideration and adoption by the Seventy-sixth World Health Assembly, through the thirty-eighth meeting of the Programme, Budget and Administration Committee of the Executive Board.**

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

92. The Committee adopted its report.

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