



PAN AMERICAN HEALTH ORGANIZATION
WORLD HEALTH ORGANIZATION



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STREAMLINING THE GOVERNANCE MECHANISMS OF THE PAN AMERICAN HEALTH ORGANIZATION

The Executive Committee, at its 136th Session, adopted Decision CE136(D3) which requested the Secretariat to present to its 137th Session a proposal for establishing a working group to formulate and make recommendations for streamlining the governance mechanisms of the Organization. The present document provides background on the matter, outlines a process of work, and proposed terms of reference for the functioning of the Working Group, so the Executive Committee deliberates and decides on its composition, its remit and a work plan.

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Introduction

1. There is a growing trend worldwide of strengthening governance mechanisms in the public sector, both at national and international level. New visions regarding the role and responsibilities are emerging of public institutions including greater expectations in terms of accountability and transparency.

2. Streamlining the governance mechanisms and managerial processes of the public sector is central to the modernization of national and international institutions. Since the past decade, the United Nations system has been progressively engaged in various processes of reform, in order to respond to its mandates and improve its performance to better serve its Member States. . All of this calls for strengthening the institutions conformed by Member States so joint action and cooperation can be maximized.

Streamlining the Governance Mechanisms of the Pan American Health Organization

3. On taking office in 2003, the Director of PASB initiated a process of Organization renewal and strengthening in response to the new external environment influencing the work of the Organization and to the internal managerial challenges of the institution.

4. The 44th Directing Council of PAHO, in September 2003, adopted Resolution CD44.R14 establishing a Working Group to review PAHO's situation in the 21st century.

5. In December 2003, the Director of PASB requested the Joint Inspection Unit (JIU) of the United Nations to conduct a review of the administration and management in PAHO.

6. The 136th Session of the Executive Committee recommended to the 46th Directing Council the adoption of a resolution on the process of institutional strengthening of the Pan American Sanitary Bureau, considering the various processes that have examined the work of PAHO with the goal of better meeting the needs of the Member States: the Working Group on PAHO in the 21st century, the institutional change within PASB, the work of the Internal Oversight Services, and the special report of the External Auditor.

7. The Executive Committee at its 136th session adopted Decision CE136(D3) which requests the Secretariat to present to its 137th Session a proposal on the process of streamlining the governance mechanisms of the Organization. Particular referral is made to: (a) the reform and simplification of the Subcommittee on Planning and Programming

(SPP) and the Subcommittee on Women, Health, and Development, (b) the process of election of the Director of the Pan American Sanitary Bureau, and (c) improvement of the rules and procedures of the Governing Bodies, taking into account the recommendations made in the report of the Working Group on PAHO in the 21st Century, the deliberations of the Subcommittee on Planning and Programming, the deliberations and recommendations of the Subcommittee on Women, Health, and Development, the note of the Joint Inspection Unit and the deliberations of the 136th Session of the Executive Committee.

Reform and Simplification of the Subcommittee on Planning and Programming (SPP), and of the Subcommittee on Women, Health and Development

8. The review of the Subcommittees has been proposed in the reports of the Working Group on PAHO in the 21st Century, the Subcommittee on Planning and Programming, the Subcommittee on Women, Health, and Development, and the Joint Inspection Unit of the United Nations.

9. It is noted also that the Executive Board of the World Health Organization has recently reviewed the roles and functions of its committees, namely the Program Development Committee, the Administration, Budget and Finance Committee, and the Audit Committee. It also reviewed other committees and panels, such as the Standing Committee on Nongovernmental Organizations (NGOs). After this review, the Executive Board, at its 114th session in May 2004, decided to abolish the three aforementioned committees and merge them in one single committee: the Program, Budget, and Administration Committee (Resolution EB114.R4).

Process of Election of the Director of PASB

10. In one of its recommendations, the Working Group on PAHO in the 21st Century identified the need for a more formal and transparent process for selecting candidates for the top senior posts of the Organization. It is important to bear in mind that the current process for electing the Director of the PASB is defined by the Constitution of PAHO and the Rules of Procedure of the Pan American Sanitary Conference. The issue needs to be examined and specific recommendations will have to be approved by the Directing Council before a new election takes place.

Improvement Procedures of the Governing Bodies

11. In order to improve the efficiency and responsiveness of the Governing Bodies, it has been proposed that the Working Group of the Executive Committee could review some of the rules of procedure regarding the meetings of the Governing Bodies. For example, in order to give Member States and the Director more flexibility when

presenting resolutions, taking into consideration discussions before and during the meetings, it may be appropriate to review the present procedure.

Working Group of the Executive Committee on Streamlining the Governance Mechanisms of PAHO

12. During the 136th Session of the Executive Committee, the President noted that both the Subcommittee on Planning and Programming and the Subcommittee on Women, Health, and Development had discussed the possibility of reviewing their respective roles and functions and the frequency of their meetings.

13. It was also proposed that a Working Group of the Executive Committee should be established for formulating recommendations for strengthening the governance mechanisms of the Organization, taking into account the governance recommendations submitted by the Working Group on PAHO in the 21st Century, as well as those of the two subcommittees. It was also suggested that this working group should examine the Organization's governance processes in order to ensure that they were functioning optimally. In particular, it was suggested that the process for the election of the Director should be looked at in detail. Members emphasized that the working group should have a clear mandate and terms of reference and that the expected outcomes of its work should also be clearly stated.

14. The Director pointed out that there were certain issues relating to the rules of procedure of the Governing Bodies that needed to be addressed, notably the procedure for consideration of resolutions. She proposed that the working group should also examine those issues.

15. It was brought to the attention of the Executive Committee that the Executive Board of the World Health Organization (WHO) had recently undertaken a similar review of its working methods. Based on this previous experience, it was suggested that the Working Group of the Executive Committee on streamlining the governance mechanisms of the Organization should clearly identify the tasks to be undertaken and set a timetable for their completion. It could then bring its recommendation to the attention of the 47th Directing Council and give the Secretariat a clear mandate for action.

16. A timetable was proposed regarding a working group on governance issues. Recommendations regarding the subcommittees of the Governing Bodies, the election of the Director of the Pan American Sanitary Bureau, and improvement of the rules of procedure of the Governing Bodies made by such a group would have to be approved by the 47th Directing Council in 2006. Accordingly, the group would formulate its recommendations and submit them to the 138th Session of the Executive Committee in

June 2006. The Committee would then forward the recommendations to the 47th Directing Council for final approval in September 2006.

17. The Executive Committee in its 137th Session needs to discuss the scope and terms of reference of the proposed Working Group for streamlining of governance mechanisms of PAHO. Initially, Argentina, Canada, Costa Rica, and Cuba have expressed interest in being members of this group.

18. The Working Group will make recommendations regarding the following: (a) reform and simplification of the Subcommittees, (b) the process of election of the Director of the Pan American Sanitary Bureau, and (c) improvement and strengthening of the rules and procedures of the Governing Bodies.

19. In accordance with the definition of open-ended committees in WHO (Rule 16 of WHO Executive Board), the Working Group will be open-ended and composed of all interested Member States of the Organization. The Chairman, and any other officer deemed necessary, shall be determined by the Executive Committee or, in the absence thereof, by the Working Group itself, respecting the principles of equitable geographical representation, gender balance, and balanced representation of developing and developed countries.

20. In order to organize its work efficiently, the Working Group will have to define its working methods, timetable, participants, and governance mechanisms in its first meeting, before the end of 2005.

21. It is proposed that a Chairman will be elected from among the Members of the Executive Committee.

22. The Working Group will give priority to the use of electronic communications as the principal method of exchange of information and documents. It will also take advantage of regular technical or Governing Bodies meetings for organizing its own sessions.

23. The Working Group will be presenting a progress report during the 40th Session of the Subcommittee on Planning and Programming and the 138th Session of the Executive Committee, and a final report to the 47th Directing Council.

24. The Secretariat will provide its support through:
- Coordinating its assistance with the Chairman of the Working Group.
 - Financing the participation in meetings of the Working Group for the core group of countries currently members of the Executive Committee.
 - Participating in the meetings of the Working Group.
 - Sharing any useful documentation, in particular on similar processes in WHO, as background for the Group's work.
 - Establishing a specific link on the PAHO Web site (under Governing Bodies), where all submissions and reports will be posted. This Web site will be public and accessible to anyone visiting the PAHO Web site.
 - Establishing an electronic address for transmitting information among members of the Working Group, and with the Secretariat.
 - Translation of documents in PAHO's official languages, when required.
25. The Executive Committee at its 137th Session is asked to discuss the matter, define, and approve the terms of reference of the Working Group for streamlining the governance mechanisms of PAHO, and agree on a process and timetable for the functioning of this working group.

Annex

BACKGROUND INFORMATION

Reform and Streamlining of the Subcommittee on Planning and Programming (SPP), and of the Subcommittee on Women, Health, and Development

Report of the Working Group on PAHO in the 21st Century

1. The Organization exercises its governance through the Pan American Sanitary Conference (PASC), the Directing Council, and the Executive Committee. The Executive Committee has three advisory bodies: the Subcommittee on Planning and Programming; the Subcommittee on Women, Health, and Development; and the Standing Committee on Nongovernmental Organizations (NGOs). As has occurred recently in other organizations, there is a need to review the functions, cycle, and composition of the subcommittees of the Executive Committee, in order to streamline their operation while ensuring good governance.
2. To improve communication within the Governing Bodies and among Member States, the Working Group has recommended that PAHO should involve the Member States in the design and implementation of policies, plans, and programs of the Organization to ensure their active participation in PAHO's activities.
3. Additionally, the Working Group stated that PAHO should also provide Member States with data on its operational, managerial, and financial practices. The Working Group has suggested that PAHO should establish either (a) a Standing Audit and Evaluation Committee comprised of the head of the current internal auditing office of the Organization, along with elected representatives from among the Member States, Associates Members, and the Bureau, or (b) a Program, Budget, and Administration Committee as it exists in WHO.
4. It has been proposed that this committee should conduct performance reviews in order to assess productivity, quality of service, efficiency, and cost-effectiveness, as well as establish criteria for measuring impact, outcome, and success of programs in addition to expenditure review.
5. The recommendation also calls for this committee to formalize the links between financial reporting and effective evaluation through the simultaneous production of an evaluation report for the relevant program-budget period.

6. The Working Group on PAHO in the 21st Century has recommended as well that PAHO should review its relationship with nongovernmental organizations and hold special sessions and for civil society organizations to discuss the necessary changes regarding the Standing Committee on NGOs, and that PAHO should also encourage Member States to include specialists from other sectors in their delegations to meetings of the Governing Bodies.

Report of the Subcommittee on Planning and Programming

7. The Subcommittee agreed that the conclusions and recommendations of the Working Group on PAHO in the 21st Century should be incorporated in the roadmap for institutional change.

Report of the Subcommittee on Women, Health, and Development

8. During the 21st Session of the Subcommittee on Women, Health, and Development, it was suggested that there is a need to reexamine the role and functions of the Subcommittee. Several years earlier, the Executive Committee had discussed the question of what the Subcommittee's future role should be vis-à-vis the Governing Bodies. At that time, the Members of the Committee had all agreed that the Subcommittee should remain in existence as a forum with the participation of Member States, that could keep issues relating to gender and health on the agenda.

9. The Director indicated in that meeting that it would be useful to take a fresh look at the Subcommittee's functions and terms of reference. The Subcommittee, as originally conceived, was an advisory body to the Executive Committee on matters relating to the situation and health of women.

10. The Subcommittee endorsed the suggestion of reexamining the functions of the Subcommittee. It was proposed that a small working group be formed to review the terms of reference of the Subcommittee and submit recommendations to the Executive Committee concerning the Subcommittee's future. It was also pointed out that the Working Group on PAHO in the 21st Century offered an additional opportunity for exploring ways of further enhancing the Organization's work in regard to gender issues.

11. The Subcommittee on Women, Health, and Development agreed to recommend to the Executive Committee that a working group be formed to review the framework and terms of reference of the Subcommittee. This review would examine the role, functions, composition, membership, and frequency of the Subcommittee's meetings. The Working Group would be comprised of the Member States of the Executive Committee that participated in this Subcommittee, a sister agency, the Gender and Health Unit, and

another PASB technical unit, and could carry out consultations with other countries, other agencies, and representatives of civil society.

12. The recommendation was made to the Director to establish institutional mechanisms to develop and evaluate a plan of action for the execution of the policy, including (a) mechanisms for consultation that include the formation of an external advisory group; (b) a network of internal focal points, including the country offices; and (c) a system for performance monitoring and accountability by senior management to the Director and by the Director to the Governing Bodies.

Report of the Joint Inspection Unit of the United Nations

13. The Joint Inspection Unit (JIU) has been reviewing the implementation of results-based management (RBM) in PAHO and has presented its report to the 46th Directing Council.

14. In reviewing the governance role exercised by Member States with respect to the planning, programming, budgeting, monitoring and evaluation process, the inspectors noted that the Subcommittee on Planning and Programming (SPP) meets for three days every March to review policy proposals, programs and resource allocation. A review of the agenda and summary notes of these meetings disclosed that a number of substantive issues that have no financial or programmatic implications are presented for information purposes, and further, are included in the agenda of the Executive Committee or the Directing Council. Therefore, other than for the consideration of a few budgetary issues, the value added versus the cost of organizing such meetings is questionable. In the inspectors' view the role of the SPP could be enhanced by assigning further advisory and oversight responsibilities to it.

15. The JIU recommended (recommendation # 2) that, in order to internalize the concept and practice of RBM within the Organization, the Director of PASB should propose a clear division of responsibilities for all actors involved in the implementation of RBM, namely Member States, the Secretariat, and oversight bodies, both internal and external. In so doing, the Directing Council's approval should be sought to assign further advisory and oversight responsibilities to the Subcommittee on Planning and Programming.

16. The inspectors expressed that there is no follow-up system to ensure implementation of the oversight recommendations. In this connection, the creation of an Oversight Committee at PAHO could be a positive step. Building on the experience of the private sector, several United Nations organizations have established in recent years or are in the process of establishing oversight committees composed of representatives of Member States and experienced managers from outside the Organization. These

oversight committees follow-up on the implementation of oversight recommendations, help to ensure oversight independence from management and increase the effectiveness of the oversight function. In the inspectors' opinion, PAHO Member States should exercise a more robust role in overseeing the oversight function without interfering in the administration of the Secretariat or exercising micromanagement. As already mentioned, the SPP could exercise the role of an Oversight Committee to which the Director of PAHO should regularly report on the implementation of the decisions of the legislative organs and the recommendations of the external and internal oversight bodies.

17. The JIU recommended (recommendation # 12) that the Director of PAHO should request the approval of the Governing Bodies to give instructions so that the Subcommittee on Planning and Programming acts as Oversight Committee in overseeing the effectiveness of the oversight function in line with the guidelines set up above.

Review of Committees at WHO

18. In Resolution WHA54.22 (May 2001), the World Health Assembly requested the Executive Board to conduct a review of its working methods, and those of its subsidiary bodies, in order to ensure that they are effective, efficient, and transparent, and to ensure improved participation of Member States in its work, including working groups and drafting committees.

19. The review included various committees of the Executive Board, namely, the Program Development Committee, the Administration, Budget and Finance Committee, and the Audit Committee. It also covered other committees and panels, such as the Standing Committee on NGOs.

20. After this review, the Executive Board, at its 114th session, decided to abolish the three aforementioned committees and merge them to one single committee, called the Program, Budget, and Administration Committee (Resolution EB114.R4).

Process of Election of the Director of PASB

PAHO Constitution

21. Article 21, paragraph A, of the PAHO Constitution establishes that PAHO shall have a Director of the PASB, elected at the Pan American Sanitary Conference by the vote of a majority of the Governments of the Organization. The Director shall hold office for a period of five years and may not be reelected more than once.

22. The Bureau shall have a Deputy Director and an Assistant Director appointed by the Director with the approval of the Executive Committee.

Rules of Procedure of the Pan American Sanitary Conference

23. Pursuant to Rule 56, the Conference shall elect the Director by secret ballot, in conformity with Article 21, paragraph A, of the Constitution. Before voting is begun, Members and Associate Members that wish to do so may nominate any person they deem suitable for the post, but no official list of candidates shall be drawn up, no eligibility requirements shall be established, and votes may be cast for a person whether nominated or not.

24. If in the first two ballots no person receives the majority required, two further ballots restricted to the two candidates receiving the largest number of votes in the second of the unrestricted ballots shall be taken.

If no candidate receives the majority required, two unrestricted and two restricted ballots shall be taken alternately until a candidate is elected.

Process of Election of the Director-General of WHO (Rule 52 – Executive Board)

25. At least six months before the date fixed for the opening of a session of the Board at which a Director-General is to be nominated, the Director-General shall inform Member States that they may propose persons for nomination by the Board for the post of Director-General.

26. Any Member State may propose for the post of Director-General one or more persons, submitting with the proposal the curriculum vitae or other supporting information for each person. Such proposals shall be sent under confidential sealed cover to the Chairman of the Executive Board, care of the World Health Organization in Geneva (Switzerland), so as to reach the Headquarters of the Organization not less than two months before the date fixed for the opening of the session.

27. The Chairman of the Board shall open the proposals received sufficiently in advance of the session so as to ensure that all proposals, curricula vitae and supporting information are translated into all official languages, duplicated and dispatched to all Member States one month before the date fixed for the opening of the session.

28. If no proposals have been received by the deadline referred to in the second paragraph of this Rule, the Director-General shall immediately inform all Member States of this fact and that they may propose persons for nomination in accordance with this Rule, provided such proposals reach the Chairman of the Board at least two weeks prior

to the date fixed for the opening of the session of the Board. The Chairman shall inform Member States of all such proposals as soon as possible.

29. All members of the Board shall have the opportunity to participate in an initial screening of all candidatures in order to eliminate those candidates not meeting the criteria proposed by the Board and approved by the Health Assembly.

30. The Board shall decide, by a mechanism to be determined by it, on a short list of candidates. This short list shall be drawn up at the commencement of its session, and the selected candidates shall be interviewed by the Board meeting as a whole as soon as possible thereafter.

31. The interviews should consist of a presentation by each selected candidate in addition to answers to questions from members of the Board. If necessary, the Board may extend the session in order to hold the interviews and make its selection. The Board shall fix a date for the meeting at which it shall elect a person by secret ballot from among the candidates on the short list.

32. For this purpose each member of the Board shall write on his ballot paper the name of a single candidate chosen from the short list. If no candidate obtains the majority required, the candidate who obtains the least number of votes shall be eliminated at each ballot. If the number of candidates is reduced to two and if there is a tie between these two candidates after three further ballots, the procedure shall be resumed on the basis of the short list originally established at the commencement of the balloting.

33. The name of the person so nominated shall be announced at a public meeting of the Board and submitted to the Health Assembly.

Election Processes for the Regional Directors of WHO

Regional Office for Africa (AFRO)

34. The Director-General of WHO will send a note to the Member States, six months before the beginning of the Regional Committee, regarding the election. Each Member State may submit the names of one or two persons from within the Region, accompanied by their curricula vitae. Those proposals from Member States to the Director-General must be received not less than 12 weeks before the Regional Committee.

35. The Regional Director in office is not required to be nominated by a Member State. The Director-General informs Member States of the names of the candidates, not less than 10 weeks before the Regional Committee. In case there are no candidates, a list would be established by the members present in the Regional Committee. If there are more than five candidates, the Regional Committee will establish a short list. The election takes place in a private meeting of the Regional Committee, after interviewing the candidates (no more than five), and by secret ballot.

Regional Office for the Eastern Mediterranean (EMRO), Regional Office for South-East Asia (SEARO), and Regional Office for the Western Pacific (WPRO)

36. The Director-General of WHO will send a note to the Member States, six months before the beginning of the Regional Committee, regarding the election. Each Member State may submit the names of one or more persons from within the Region (only one person in SEARO), accompanied by information on qualifications and experience. Those proposals from Member States to the Director-General must be received not less than 12 weeks before the Regional Committee. The Regional Director in office is not required to be nominated by a Member State.

37. The Director-General informs Member States of the names of the candidates, not less than 10 weeks before the Regional Committee. If there are no candidates, a list would be established by the members present in the Regional Committee. If there are more than five candidates, the Regional Committee will establish a short list. The election takes place in a private meeting of the Regional Committee, by secret ballot.

Regional Office for Europe (EURO)

38. At its session preceding the election, the Regional Committee appoints a Regional Search Group (RSG) composed of three members from delegations attending the session. The Director-General of WHO will send a note to the Member States 11 months before the beginning of the Regional Committee, regarding the election. Each Member State may submit the names of one or more persons, accompanied by information on their qualifications and experience. The proposals from Member States to the Director-General must be received not less than seven months before the Regional Committee (an extension is possible if required by the RSG). The Regional Search Group actively looks for suitable candidates, within the proposal deadline. The Regional Director in office is not required to be nominated by a Member State, but has to inform that he will be a candidate 11 months before the election.

39. The Director-General informs the RSG of the names of the candidates, not more than two weeks after the deadline that Member States had to transmit their proposals.

The RSG may convene all candidates to make oral presentations, if it deems it desirable, at a meeting to which all Member States are invited.

40. The Director-General informs Member States of the names of the candidates, not less than 10 weeks before the Regional Committee. At the same time, the RSG confidentially transmits to Member States an evaluation report of all candidates and an unranked short list of no more than five candidates that most likely meet the required criteria. The election takes place in a private meeting of the Regional Committee, by secret ballot.

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