



PAN AMERICAN HEALTH ORGANIZATION
WORLD HEALTH ORGANIZATION



40th SESSION OF THE SUBCOMMITTEE ON PLANNING AND PROGRAMMING OF THE EXECUTIVE COMMITTEE

Washington, D.C., USA, 20-22 March 2006

Provisional Agenda Item 7

SPP40/6 (Eng.)
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PROGRESS REPORT OF THE WORKING GROUP ON STREAMLINING THE GOVERNANCE MECHANISMS OF PAHO

The Director is pleased to transmit to the Subcommittee on Planning and Programming the Progress Report on the first meeting of the Working Group on Streamlining the Governance Mechanisms of PAHO.

**CHAIRMAN'S REPORT TO THE 40th SPP
ON THE FIRST MEETING OF THE WORKING GROUP ON
STREAMLINING THE GOVERNANCE MECHANISMS OF PAHO**

In response to Decision CE137(D5) of the Executive Committee of the Pan American Health Organization (PAHO), an open-ended Working Group on Streamlining the Governance Mechanisms of PAHO was established. The first meeting of this group was held on 5 and 6 December 2006 attended by delegates from Argentina, Barbados, Brazil, Canada, Costa Rica, Cuba, Mexico, and the United States of America, with Canada as its Chairman.

Terms of Reference and Methodology

The Working Group first agreed on its Terms of Reference,¹ followed by agreement on the agenda, methodology, and timetable to be adopted for 2006. It was also agreed that all working documents and comments from the Working Group members would be placed on the Organization's special web site in the original language and a translation would follow.

Additionally, it was agreed that as part of its final package, the Working Group would prepare a draft resolution which would concisely outline its recommendations to facilitate the Executive Committee's work. Any ensuing draft resolutions would be placed on the Organization's web site. Member States were urged to submit their specific positions and/or suggestions which would be posted on the web site.

Reform and Simplification of the Subcommittee on Planning and Programming (SPP)

With regard to the Subcommittee on Planning and Programming, the Group agreed that over the past few years, the Subcommittee had addressed a wide range of activities including an analysis of substantive health topics, consideration of visibility issues, discussion on the procedures and planning issues, and analysis of the budgetary processes. There was a consensus that the functions of the Subcommittee require reformulation along the lines of the newly constituted Program, Budget, and Administration Committee of WHO.

It was recommended that the Subcommittee cease to act as the first review body for *all* the technical health issues to be discussed by the Governing Bodies, in order to concentrate more on the programmatic and results-based aspects of the budget, and the evaluation of budget implementation.

A Subcommittee on Program, Budget, and Administration (SPBA) was proposed; its actual composition has not yet been finalized. Among some of the points still to be discussed is whether the three representatives nominated by the Director should be

¹ See Annex.

Executive Committee Members, or should come from those countries not presently sitting on the Committee.

Reform and Simplification of the Subcommittee on Women, Health, and Development

The working group also examined the role, functions, composition, membership, and frequency of meetings of the Subcommittee on Women, Health, and Development. While applauding the work already accomplished on gender and health by this advisory committee, and being cognizant of the rapidly changing environments and emerging priorities/health issues, the Working Group recommended that this Subcommittee be dissolved. At the same time, the Group felt that the technical aspects of women's health might be included in the overall report to the Executive Committee and in addition suggested that a Technical Advisory Group (TAG) could be constituted to ensure that women's health issues remain an important policy and programmatic focus for the Organization. These details will be further discussed and agreed upon at the upcoming meeting.

Review of the Standing Committee on Nongovernmental Organizations

This item was not undertaken, but left for discussion by the Working Group at its next meeting on 23 and 24 March 2006. In preparation for this discussion, the following documents were placed on the web site:

- Prospects for Pan American Health Organization Collaboration with Nongovernmental Organizations (Document SPP34/4, 22 February 2000).
- Final Report of the 34th SPP, which includes discussions on the aforementioned document (Document SPP34/FR, 31 March 2000).
- Annual reports to the Executive Committee on the Standing Committee meetings on NGOs in official relations with PAHO, 2000-2005.
- Resolution CE132.R9, which called for an improved evaluation protocol to be used by the Standing Committee on Nongovernmental Organizations (2003).
- List of NGOs in Official Relations with PAHO, 2000-2005.
- List of attendance by NGOs at Directing Council meetings.
- Institutional Matrix on NGO/CSO Relations.

Rules of Procedure of the Governing Bodies

Issues discussed with respect to the Rules of Procedure pertained to: (i) new requirements for more timely posting of background documents in advance of meetings of the Governing Bodies; (ii) strategies to ensure greater participation of the Member States in the committee meetings and in tabling of resolutions. It was agreed the Working Group would look at the details of the Rules of Procedure on 23 and 24 March 2006.

Process of Election of the Director of the Pan American Sanitary Bureau

When discussing the Rules of Procedure of the Pan American Sanitary Conference governing the election of the Director, the Working Group noted that Rules

56 and 57 are far less precise than those of WHO, the Regional Offices of WHO, the Inter-American Development Bank, the Organization of American States, and the Inter-American Institute for Cooperation on Agriculture. Discussion focused on alternative approaches to render the pre- and post- election process of the PAHO Regional Director more explicit, transparent, and equitable for internal and external candidates.

Specific issues discussed included:

- the pros and cons of a secret or open ballot.
- how to ensure an equal playing field for both external and internal candidates.
- whether a paid leave of absence should be granted to all internal candidates for a three- month period prior to the election.
- whether to limit the use of the 5% discretionary funds prior to and after the election.
- aspects of WHO's election procedures, such as the open publication and translation of résumés of all candidates, and establishment of a deadline for the declaration of candidates.
- whether all candidates should be offered an opportunity to attend an "open forum" to table their platform and qualifications for the job, and to receive and answer questions from the floor.

A related issue discussed was the need to also have clearly written job descriptions and a more transparent selection process for the other senior staff in the Organization. The Working Group reiterated the importance of providing an equitable opportunity for all Member States to have candidates for consideration, ensuring greater regional and cultural diversity.

It was decided that each delegate would seek their Government's final opinion on the various points discussed, and would send their comments to the Chairman for posting on the web site. A chart containing the various methodologies of selected international organizations for the election of the Director was subsequently developed and posted on the web site for further discussion.

Pending Issues

Still to be discussed are: finalization of the recommendations pertaining to the election of the Director; the role and function of the Standing Committee on non-governmental organizations; clarification of some of the rules of procedure; and PAHO's relationship to other interministerial meetings, such as the Health and Environment Ministers of the Americas (HEMA) and Inter-American Meeting, at the Ministerial Level, on Health and Agriculture (RIMSA).

Annex



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WORKING GROUP OF THE EXECUTIVE COMMITTEE ON STREAMLINING THE GOVERNANCE MECHANISMS OF PAHO

First Meeting

Washington D.C., USA, 5-6 December 2005

SPP40/6 (Eng.)
Annex

SUMMARY NOTES ON THE FIRST MEETING OF THE WORKING GROUP ON STREAMLINING THE GOVERNANCE MECHANISMS OF PAHO* 5-6 December 2005

Agenda

The agenda as contained in Document CE/WGG1/1 was adopted.

Terms of Reference

The following Terms of Reference contained in Document CE/WGG1/3 were adopted, with the inclusion of a supplementary item on Review of the Standing Committee on Nongovernmental Organizations:

- (1) To prepare recommendations on:
 - (a) the reform and simplification of the Subcommittee on Planning and programming (SPP), and the Subcommittee on Women, Health, and Development.
 - (b) review of the Standing Committee on Nongovernmental Organizations
 - (c) the process of election of the Director of the Pan American Sanitary Bureau, and
 - (d) the improvement of the rules of procedure of the Governing Bodies.
- (2) To report on its work to the 40th session of the Subcommittee on Planning and Programming, and present its recommendations to the 138th session of the Executive Committee.

* This Summary Notes should be read in conjunction with the Summary Records of the First Meeting of the Working Group on Streamlining of the Mechanisms of Governance of PAHO.

Methodology and Timetable

The Working Group agreed that during its First Meeting they would try to come to a consensus on those items that were identified as fundamental, i.e. the subcommittees and the mechanisms for the election of the Director of the Pan American Sanitary Bureau (PASB).

The Chairman would then circulate to participants of the First Meeting, for their review, draft Terms of Reference for the new Subcommittee on Program, Budget and Administration; a draft resolution on the evolution of the Subcommittee on Women, Health, and Development; and a proposed process for the election of the Director of the PASB.

After the documentation mentioned above is reviewed by the participants of the First Meeting, the Chair will transmit it to all Member States to elicit their comments. Comments received from Member States will be posted on the Working Group's web site in the original language; the other languages will be posted as soon as translations become available.

Submissions by Member States will be reviewed by the Chair, and a compilation of the submissions will be made, posted on the web site, and distributed to all Member States to solicit their views.

A progress report will be presented to the 40th Session of the Subcommittee on Planning and Programming (SPP) to be held from 20 to 22 March 2006, in Washington, D.C.

The Working Group will hold its Second Meeting on 23 and 24 March 2006, in Washington, D.C.

According to the progress achieved, the Working Group will consider holding a meeting in Geneva on the margins of the World Health Assembly, on 27 and 28 May 2006.

As requested by the Executive Committee (Decision CE137(D5)), the Working Group will present its recommendations to the 138th Session of the Executive Committee in June 2006. A draft resolution will also be presented to CE138 for its consideration.

Constitutional/Procedural Issues

The Legal Counsel of PAHO was asked by the Chairman to guide the Working Group on each of the relevant items on the agenda.

Reform and Simplification of the Subcommittee on Planning and Programming

The review of the SPP focused on: (a) transforming the Subcommittee into the organ of the Executive Committee which will be empowered to review and make recommendations to the Executive Committee on matters of program, budget, and administration; (b) preparing new terms of reference; (c) reviewing its composition; and (d) looking into the frequency and timing of the meetings.

The Working Group recommended that the SPP should be renamed “Subcommittee on Program, Budget and Administration.”

The following Terms of Reference for the Subcommittee were proposed:

1. Nature

The Subcommittee on Program, Budget and Administration is an auxiliary advisory body of the Executive Committee with responsibility for aspects of Program Budget, and Administration.

2. Functions

The Subcommittee has the following functions:

2.1 To review and, as appropriate, make recommendations to the Executive Committee on the following:

- the Strategic Plan for the Work of the PASB
- the program budget and performance and assessment reports
- evaluation of programs and initiatives
- the Interim Financial Report, the Financial Report, and audited financial statements, together with the report of the External Auditor.
- the audit plans of the External and Internal Auditors and any reports submitted by them to the Executive Committee
- the Reports of the Joint Inspection Unit
- the Secretariat’s responses to the matters referred to above
- other financial and administrative matters on the proposed agenda for the next session of the Executive Committee, and
- any other matter assigned to it by the Executive Committee.

Reform and Simplification of the Subcommittee on Women, Health, and Development (WHD)

The Working Group, while strongly supporting the issue of women's health and while acknowledging the level of success the Subcommittee has achieved so far, questioned its current relevance given its 24-year lifespan. The Group agreed that this Subcommittee should be ended, but that the issue of women's health and the work that the Subcommittee was doing continue in some fashion to ensure that there is both representation from different countries and that there is a continuation of the specific substantive area. A proposal was to recast the Subcommittee as a Technical Advisory Group (TAG) to achieve its goals, and to inform regularly (every 2 to 3 years) the Member States and the Governing Bodies on the progress to date.

Process of the Election of the Director of the PASB

Outcome of Discussions of the Working Group:

A job description for the post of Director needs to be prepared.

Criteria for selection of the Director is to be established (Bill Kean will provide background from WHO Headquarters and the Regional Office for Africa).

A three-month period preceding the election of paid leave should be given for internal candidates, which includes the incumbent Director if seeking reelection.

Non-recruitment, for employment in the Organization, of Delegates at the Conference where the election of the Director takes place. [Mexico will prepare a detailed proposal]

A three-month freeze preceding the election on official travel of internal candidates should be instituted.

A freeze on the use of "discretionary funds" immediately before or after the election will be instituted (the Secretariat has been requested to provide more information on the discretionary items before the suggestion is endorsed). The Legal Counsel will provide internal delegation-of-authority documents and the contracting manual.

An open forum for candidates to provide their platforms and give the opportunity for countries to pose questions, would take place in the ambit of the Executive Committee in its session preceding the Conference (logistics pending).

The issue of a secret ballot versus an open ballot is pending consultation.

Job descriptions for the Deputy Director, Assistant Director, and Director of Administration are to be prepared, and discussion should take place on the method of recruitment.

Proposals and Recommendations for the Process of Election

At least six months before the date fixed for the opening of a session of the Pan American Sanitary Conference at which a Director is to be elected, the Director shall inform Member States that they may submit candidatures for the post of Director.

Any Member State may propose one or more persons for the post of Director, submitting with the proposal the curriculum vitae or other supporting information for each person. Such proposals should reach the Headquarters of the Organization no later than the cut-off date of three months before the date fixed for the opening of the Conference.

The President of the Executive Committee shall open the proposals received sufficiently in advance of the Conference 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 six weeks before the date fixed for the opening of the Conference.

If there are more than five candidates, the Conference shall decide, by a mechanism to be determined by it, on a short list of candidates. This short list shall be drawn up before the commencement of the Conference.

The following proposal was received, in writing, from Cuba [to be discussed at the Second Meeting of the Working Group]:

“All Member States attending the Conference shall have the opportunity to participate in an initial screening of all candidatures in order to eliminate those candidates not meeting the criteria for serving as Director”.

Rule 56

Existing 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 to 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. 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”.

[Note: The Working Group discussed the issue of secret ballot versus open ballot, but did not reach an agreement.]

Amendment to Rule 56 Proposed by Cuba (in writing)

The Conference shall elect the Director by secret ballot in conformity with Article 21, paragraph A, of the Constitution. “For this purpose each Member State 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”.

Review of the Rules and Procedures

The Secretariat circulated an information document, highlighting some Rules of Procedure that may need adjustment. There may also be other rules the Working Group may wish to look at.

Rule 33 refers to the role of the General Committee of the Directing Council/Pan American Sanitary Conference. In recent experience, the responsibility of the General Committee, has been limited. The Committee decides the place and time of all of the meetings, determines the order of the day, and sets the time of adjournment. Taking into account the role of the General Committee at the World Health Assembly, perhaps it may be found useful to redefine its role and make the General Committee a working committee.

Rules 7 and 8 relate to how the agenda for a Governing Body session is prepared. The Secretariat wishes to address the period between the sending-out of the proposed agenda and the actual opening of the meeting. During this period oftentimes Member States request additional agenda items, and the Secretariat needs to know precisely how to handle supplementary agenda items.

The role of the Rapporteur. The proposal presented had to do with the procedures to be implemented in the presentation of resolutions, basically the drafting and presentation of resolutions.

The Working Group felt that the three items identified needed further discussion at the next meeting of the Working Group; therefore, it requested the Secretariat to provide additional background material that will enable them to discuss the issues more fully.

Members of the Working Group suggested that another issue to be considered is that of the timing for the posting of background documents that would allow countries a proper period of time to thoroughly read, analyze, and review them. They were also concerned about the length of the documents, which sometimes is unmanageable for the countries to read.

Relationships Between Nongovernmental Organizations and PAHO

The Working Group agreed to analyze the topic of Official Relationship Between Nongovernmental Organizations and PAHO. Nevertheless, due to time constraints, this topic will be considered at its Second Meeting. The Working Group identified the possibility of adding the issue of engagement of civil society, but there was insufficient time and it was beyond its mandate.

Background Documentation

The Working Group requested that the following documentation be made available on the Group's web site before its Second Meeting:

Final Report of the Working Group on PAHO in the 21st Century
Report of the Joint Inspection Unit
Criteria for Selection of the Director-General of WHO
Background documentation on Technical Advisory Groups
Background documentation on voting procedures for election of the Director in various organizations
Matrix of Different Processes for Institutional Change in the PASB
Any written inputs that countries wish to make (Countries are encouraged to send their contributions, which will be posted on the Group's web site for other countries to see their comments.)

Other Matters

The Working Group requested the Secretariat to provide, for consideration at its Second Meeting, information of PAHO's relation to other interministerial bodies, i.e. RIMSA and HEMA.

Comments on Summary Notes from participants of the first meeting

Comments from Argentina

Regarding the reform and simplification of the Subcommittee on Women, Health, and Development, it was stated that this had been a success, as the Women, Health, and Ethnicity Unit had been created, and most of the issues that the Subcommittee had dealt with had been taken up by the countries. In fact, it was mentioned that many of the Ministries of Health and even the Governments had created organizational units or institutional designs devoted to the issue of women, health, and development.

Regarding the process for electing the Director of PASB, from the statement “*it is necessary to prepare a post description for the position of Director*” it is not clear to me whether this task would be the responsibility of the Working Group or the Secretariat.

It could perhaps be proposed that the ideas emerging from the deliberations of the working group serve as the underpinnings of the proposal to modify the process for electing the Director that will be submitted to the countries for consideration.

Regarding the mention of *discretionary funds*, I recall and consider timely the comment of the Delegate of Cuba, who proposed clarification of what these funds consist of, since all funds should be clearly identified in the Organization’s Program Budget, and there is no reason to have discretionary funds. I think that mentioning these funds is unhealthy for the Organization, since there is no such thing. Otherwise, we will continue to fuel the idea of an organization that makes decisions of a discretionary nature.

Regarding a freeze on travel, there is a need to specify trips financed by the Organization, since if an internal candidate from the Organization were on leave, there would be no conflict of interests if, taking advantage of that leave and using personal or country resources, that candidate traveled to elicit support from a particular government

Concerning an open vs. a closed or secret ballot, it would perhaps be appropriate to mention that it was proposed that the arguments in support of each position be put in writing, so that the countries can know the rationale behind them.

Comments from Cuba

Process of Election of the Director of PAHO

1. At least six months before the date indicated for the opening of the Pan American Sanitary Conference, the current Director of PASB will inform the Member States that they may present candidacies for the position of Director of the PASB.

2. Any Member State may nominate one or more persons for the position of Director, accompanying each proposal with the résumé of the candidate or other relevant documentation.
3. The nominations will be sent three months before the opening of the Pan American Sanitary Conference that will select the new Director.
4. One month and a half before the conference, the Director of PASB will send the Member States the résumés and complementary documentation corresponding to the nominations received.
5. In the event nominations are not received sufficiently in advance to be communicated to the Member States on the first day of the Pan American Sanitary Conference, an alphabetical list of the candidates proposed by the Member States present and eligible to vote will be prepared.
6. All Member States attending the Conference may participate in the Executive Committee's initial pre-selection of all the candidates in order to rule out those considered not to meet the criteria for serving as Director General of PAHO.
7. If there are more than five candidates, a short list will be drawn up and the selected candidates will be interviewed by the plenary session of the Conference, before the session in which the selection is to be made.
8. The interviews will consist in a presentation by the candidates, who will explain how they intend to lead the Organization. They will also answer any questions posed by the Member States.
9. The selection will take place in a session of the Pan American Sanitary Conference through the voting by secret ballot of the Member States eligible to vote.
10. If none of the candidates obtains the necessary majority, in each round the one with the least votes will be eliminated. If the number of candidates is reduced to two and after three rounds there is tie between them, the same procedure will be followed, with the initial short list used at the beginning of the voting.

Comments from the United States of America

On the Subcommittee on Women, Health and Development, the United States also suggested that women's health issues could simply be mainstreamed and treated like any other technical health issue. This might be simpler than establishing a TAG.

On the Rules and Procedures: the United States believes that, to the greatest extent possible, all substantive matters should go through the Executive Committee before

going to the Directing Council. Such a process would parallel the Executive Board process in the WHO. The United States would like this motion reflected in the summary report of the working group and to be discussed further at the 2nd meeting.

Participants who had no comments on the Summary Notes

Barbados, Brazil, Costa Rica and Mexico.
