

REGULATIONS FOR EXPERT ADVISORY PANELS AND COMMITTEES¹

INTRODUCTION

Efficiency, as well as economy, makes it necessary to limit the number of experts participating in discussions on any given subject; on the other hand, it is difficult, in a small group of experts, to obtain adequate representation of the various branches of knowledge which bear upon its subject, and of the diversified forms of local experience and trends of thought prevailing in the various parts of the world.

These apparently conflicting requirements may be reconciled by giving expert committees, whenever desirable, flexible membership.

This may be done by setting up advisory panels of experts conversant with all the required branches of knowledge and forms of experience needed to cover adequately a particular subject and providing adequate geographical representation.

From these panels will be drawn the members of the expert committees, selection being made according to the agenda of each meeting.

The following regulations are, therefore, based on the above principles.

1. DEFINITIONS

1.1 An expert advisory panel consists of experts from whom the Organization may obtain technical guidance and support within a particular subject, either by correspondence or at meetings to which the experts may be invited.

1.2 A member of an expert advisory panel is an expert appointed by the Director-General who undertakes to contribute by correspondence technical information on developments in his or her field, and to offer advice as appropriate, spontaneously or upon request.

1.3 An expert committee is a group of expert advisory panel members convened by the Director-General for the purpose of reviewing and making technical recommendations on a subject of interest to the Organization.

¹ Text adopted by the Thirty-fifth World Health Assembly (resolution WHA35.10), in replacement of the regulations adopted by the Fourth World Health Assembly. Amendments were adopted at the Forty-fifth, Forty-ninth, Fifty-third and Fifty-fifth World Health Assemblies (decision WHA45(10), resolution WHA49.29, resolution WHA53.8 and resolution WHA55.24, respectively).

1.4 A member of an expert committee is an expert appointed by the Director-General to serve at any particular meeting of that committee.

2. AUTHORITY TO ESTABLISH EXPERT ADVISORY PANELS AND COMMITTEES

2.1 An expert advisory panel may be established by the Director-General in any field as and when required by the development of the Organization's programme. It is established for the Organization as a whole and shall be utilized at whatever level of operation its guidance and support are needed. An expert advisory panel may be disestablished by the Director-General at his discretion when its guidance and support are no longer required.

2.2 The Director-General shall report to the Executive Board on the establishment or disestablishment of expert advisory panels and on their membership.

2.3 The World Health Assembly and the Executive Board have authority under Articles 18(e) and 38 of the Constitution of the Organization to establish and dissolve expert committees.

2.4 The Director-General shall include in his biennial programme budget such proposals for expert committee meetings as he deems necessary.

3. EXPERT ADVISORY PANELS – MEMBERSHIP AND PROCEDURES

3.1 Any person possessing qualifications and/or experience relevant and useful to the activities of the Organization in a field covered by an established expert advisory panel may be considered for appointment as a member of that panel after consultations with the national authorities concerned. Information on all appointments made to these panels shall be circulated to all Member States. The Director-General shall encourage developing countries to send nominations for the panels.

3.2 In the selection of members of expert advisory panels the Director-General shall consider primarily their technical ability and experience, but he shall also endeavour to ensure that the panels have the broadest possible international representation in terms of diversity of knowledge, experience and approaches in the fields for which the panels are established. He/she shall encourage nomination of experts from developing countries and from all regions and shall be helped in this task by Regional Directors.

3.3 Members of expert advisory panels shall be appointed for such period as the Director-General may determine, but not exceeding four years.

3.3.1 At the expiration of that period, the appointment shall end. However, the Director-General may renew the appointment when such renewal is warranted by specific programme requirements. Renewals of appointments should be fixed for periods of up to four years.

3.3.2 The appointment shall also end if the panel is disestablished. It may also be terminated at any time by the Director-General if the interests of the Organization so require. The Director-General shall report to the Executive Board on any such early termination of appointment.

3.4 Members of expert advisory panels do not receive any remuneration from the Organization. However, when attending meetings by invitation of WHO, they shall be entitled, in accordance with the administrative regulations of the Organization, to reimbursement of travelling expenses and to a daily living allowance during such meetings.

4. EXPERT COMMITTEES – MEMBERSHIP AND PROCEDURES

Selection, Appointment and Term of Office of Members

4.1 The Director-General shall establish the number of experts to be invited to a meeting of an expert committee, determine its date and duration, and convene the committee.

4.2 As a general rule, the Director-General shall select from one or more expert advisory panels the members of an expert committee on the basis of the principles of equitable geographical representation, gender balance, a balance of experts from developed and developing countries, representation of different trends of thought, approaches and practical experience in various parts of the world, and an appropriate interdisciplinary balance. The membership of expert committees shall not be restricted by consideration of language, within the range of languages of the Organization.

4.3 Members of an expert advisory panel who are not invited to a particular meeting of an expert committee of interest to them may at their request attend as observers, if so authorized by the Director-General, but shall do so at their own expense.

4.4 Organizations of the United Nations system, as well as nongovernmental organizations in official relations with WHO, may be invited to send representatives to expert committee meetings in which they are directly interested.

4.5 To ensure balanced geographical representation, consultants and temporary advisers assigned to assist an expert committee shall be selected, as

far as possible, from countries not represented on the committee's membership.

International Status of Members

4.6 In the exercise of their functions, the members of expert advisory panels and committees shall act as international experts serving the Organization exclusively; in that capacity they may not request or receive instructions from any government or authority external to the Organization. Furthermore, they shall disclose all circumstances that could give rise to a potential conflict of interest as a result of their membership of an expert committee, in accordance with the mechanisms established by the Director-General for that purpose.

4.7 They shall enjoy the privileges and immunities envisaged in Article 67(b) of the Constitution of the Organization and set forth in the Convention on the Privileges and Immunities of the Specialized Agencies and in Annex VII thereof.

Agenda

4.8 The Director-General, or his representative, shall prepare the draft agenda for each meeting and transmit it in reasonable time to the members of the committee and of the Executive Board, and to Members of the Organization. An expert committee, unless formally so requested, may not deal with questions of administrative policy. The agenda shall include any subject, within the terms of reference of the committee, proposed by the Health Assembly, the Executive Board or the Director-General.

4.9 In order to provide members of an expert committee with the broadest possible information on the subjects under discussion, the terms of reference and annotated agenda of the meeting shall be supplied in advance to members of expert advisory panels who are conversant with these subjects but have not been invited to the meeting. They may also be invited to provide written contributions and may receive the principal working documents.

Expert Sub-committees

4.10 For the study of special problems a committee may suggest the establishment, temporarily or permanently, of specialized sub-committees, and may make suggestions as to their composition. A committee may also suggest the establishment of joint sub-committees consisting of specialists in its own technical field and of specialists in another field whose collaboration it considers necessary for the success of its work. The Health Assem-

bly, or the Executive Board, shall decide whether such sub-committees shall be established, and whether singly or jointly with other committees or sub-committees of the Organization.

4.11 The rules governing the functions of committees, the appointment of their members, the election of their chairmen and vice-chairmen, secretaryship and agenda shall, *mutatis mutandis*, apply to sub-committees. Membership of a committee does not in itself entitle an expert to participate in the proceedings of any of its sub-committees.

Reports on Meetings of Committees

4.12 For each meeting an expert committee shall draw up a report setting forth its findings, observations and recommendations. This report shall be completed and approved by the expert committee before the end of its meeting. Its conclusions and recommendations shall not commit the Organization and should be formulated in such a way as to advise the Director-General on future programme activities without calling upon him to use the staff, services or funds of the Organization in any specified way. If the committee is not unanimous in its findings, any divergent views shall be recorded in or appended to the report. Signed contributions may not be included in the text of the expert committee's report or in its annexes.

4.13 The text of an expert committee report may not be modified without the committee's consent. The Director-General may direct to the attention of the chairman of an expert committee any statement of opinion in its report that might be considered prejudicial to the best interests of the Organization or of any Member State. The chairman of the committee may, at his discretion, delete such statement from the report, with or without communicating with members of the expert committee, or, after obtaining their written approval, may modify the statement. Any difficulty arising out of a divergence of views between the Director-General and the chairman of the committee shall be referred to the Executive Board.

4.14 The Director-General shall be responsible for authorizing the publication of reports of expert committees. Nevertheless, the Director-General may communicate the report directly to the Health Assembly if, in his opinion, it contains information or advice urgently required by that body.

4.15 The Director-General may publish or authorize the publication of any document prepared for an expert committee, with due recognition of authorship if applicable.

Reports on Meetings of Sub-committees

4.16 The above provisions (paragraphs 4.12-4.15) shall apply to reports on meetings of sub-committees, except that the report of a sub-committee or joint sub-committee shall be submitted through the Director-General to the parent committee or committees. Nevertheless, the Director-General may communicate the report of a sub-committee directly to the Executive Board or to the Health Assembly if, in his opinion, it contains information or advice urgently required by either of those bodies.

Venue of Meetings of Committees

4.17 Meetings of expert committees shall normally be held at headquarters in order to provide overall technical guidance. They may also be convened at regional level, to deal with problems of a predominantly regional character, or at country level, if the health problems under consideration are essentially country-specific. Meetings of such expert committees shall be planned in a coordinated manner so as to complement those convened at headquarters, avoid duplication, and ensure maximum effectiveness and coherence in their work.

4.18 The above provisions (paragraphs 4.1-4.15) shall be applicable, *mutatis mutandis*, to expert committees that meet at the regional or country level. The Director-General may delegate the necessary authority to the Regional Directors.

Rules of Procedure

4.19 Expert committees and sub-committees shall conduct their proceedings in accordance with the Rules of Procedure set forth in the annex to these regulations.

Joint Committees and Sub-committees

4.20 The selection and appointment of expert advisory panel members designated by the Director-General to serve on a joint committee or sub-committee convened by the Organization in conjunction with other organizations shall also be governed by these regulations. In this selection, account shall be taken of the technical and geographical balance that is desirable for the joint committee or sub-committee as a whole.

4.21 Members of expert advisory panels appointed by the Director-General to such joint committees and sub-committees shall retain complete freedom of opinion and expression. Therefore their participation in any collective

decision which may entail administrative, financial or moral responsibility for another participating organization does not commit the Organization.

4.22 Members of expert advisory panels representing the Organization on any joint committee or sub-committee shall report to the Director-General on their participation. This report shall be supplementary to the collective report of the joint committee or sub-committee itself.

Reporting to the Executive Board

4.23 The Director-General shall submit to the Executive Board a report on meetings of expert committees held since the previous session of the Board. It shall contain his observations on the implications of the expert committee reports and his recommendations on the follow-up action to be taken, and the texts of the recommendations of the expert committee shall be annexed. The Executive Board shall consider the report submitted by the Director-General and address its comments to it.

5. ENTRY-INTO-FORCE

5.1 These regulations shall apply as from the date of their approval by the Health Assembly.

Annex

RULES OF PROCEDURE FOR EXPERT COMMITTEES

PRIVATE NATURE OF MEETINGS

Rule 1

The meetings of expert committees shall normally be of a private character. They cannot become public except by the express decision of the committee with the full agreement of the Director-General.

QUORUM

Rule 2

The discussions of an expert committee shall be valid:

- (a) if at least two-thirds of its members are present; and
- (b) if, unless otherwise authorized by the Director-General, a representative of the Director-General is also present.

CHAIRMAN, VICE-CHAIRMAN AND RAPPOREUR

Rule 3

The expert committee shall elect, from among its members, a chairman to direct its debates, a vice-chairman to replace the chairman if necessary, and a rapporteur.

SECRETARYSHIP

Rule 4

1. In accordance with Article 32 of the Constitution of the Organization, the Director-General is ex officio secretary of all expert committees. He may delegate those functions to a technical officer competent in the subject concerned.
2. The Director-General, or his representative, may at any time make either oral or written statements to the committee concerning any question under consideration.
3. The Director-General, or his representative, shall determine the time and place of the meeting and shall convene the committee.
4. The committee's secretariat, composed of the secretary and of staff members, consultants and temporary advisers, as required, shall assist the chairman, the rapporteur and the members of the committee.

AGENDA

Rule 5

1. The secretary of the meeting shall prepare the draft agenda, submit it to the Director-General for approval, and transmit it to the members of the committee together with the letter of invitation to the meeting.
2. The agenda shall include any subject within the terms of reference of the committee proposed by the Health Assembly, the Executive Board or the Director-General.

VOTE

Rule 6

Scientific questions shall not be submitted to a vote. If the members of a committee cannot agree, each shall be entitled to have his personal opinion reflected in the report; this statement of opinion shall take the form of an individual or group report, stating the reasons why a divergent opinion is held.

CONDUCT OF BUSINESS

Rule 7

Save as provided in Rule 6 above, the chairman shall be guided by the provisions of the Rules of Procedure of the Executive Board on the conduct of business and voting in the committee in so far as this may be necessary for the accomplishment of the work of the committee.

REPORTS

Rule 8

The expert committee shall draw up and approve its report before the closure of its meeting.

WORKING LANGUAGES

Rule 9

1. The working languages of the expert committee shall be English and French. The Secretariat shall make such arrangements as are necessary to provide for interpretation from and into the other official languages of the Health Assembly and the Executive Board.
 2. For expert committees held at regional or country level, working languages of that region other than English and French may be chosen as the committee's working languages; arrangements may be made for interpretation from and into other languages as required.
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