VIRTUAL WORKING GROUP ON GOVERNANCE AND MECHANISMS TO SUPPORT IMPLEMENTATION

REQUEST FOR ELECTRONIC FEEDBACK
TOPIC: SUBSIDIARY AND AD HOC BODIES

Submission by the World Health Organization

30 November 2020

• Whether there is a need for subsidiary and ad hoc expert bodies
• How such bodies would be established and by whom
• Who would participate in such bodies
• What role would such bodies play
• What responsibilities would such bodies have and to whom
• Other relevant issues raised in SAICM/IP.4/2, Section VI.E, paragraphs 1 –2

There are two places in the consolidated text that directly address subsidiary bodies and their possible functions. These sections need to be considered together, along with the RoP, to avoid inconsistency/duplication and ensure that the desired result is achieved.

The functions of the ICCM are set out in Section A paragraph 1, and include “(ix) to establish subsidiary bodies as it finds necessary in accordance with the rules of procedure”. This gives the ICCM broad scope to set up subsidiary bodies. Section E sets out a narrower set of possible functions, while (as per Section A) also requiring a decision of a later conference to set up any bodies.

An ad hoc expert body, if established by the ICCM, would report to the ICCM and therefore wouldn’t it be a subsidiary body?

Rule 23 of the RoP sets out the arrangements for subsidiary bodies, and rule 3 the participation. Section E can be used to augment the RoP where they are seen to be insufficient. For example, Section E paragraph 2 sets out some expectations regarding participation. As well as geographical balance, it is important to have sectoral and stakeholder participation pertinent to the terms of reference of the body, and (where relevant) procedures for conflicts of interest.

Examples of topics for bodies that can already be foreseen in line with the consolidated text are: indicators, reporting and issues of concern.

WHO supports the submission of the ILO regarding sectoral participation as well as conflict of interest procedures. In addition, WHO practice is to separate the provision of scientific advice by independent experts from the process of stakeholder consultation.