

8.1 Evaluation annual report

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In focus

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Background

LGBT Item

See [PHM report](#) of the discussion of the LGBT item at EB133.

A footnote on the provisional agenda for EB136 referred to Decision [EB133\(1\)](#) 'Deletion of agenda item' from May 2013:

The Executive Board decided:

(1) to delete item 6.3 from its provisional agenda;

(2) to request the Director-General to hold informal consultations with Member States from all regions with a view to reaching consensus on the title and content of that item;

(3) to include an item in the draft provisional agenda of the Executive Board at its 134th session, with no title and a footnote referring to the present decision, on the understanding that the final title and content of the item will reflect the outcome of the informal consultations by the Director-General.

(Second meeting, 29 May 2013)

See also the [PHM commentary](#) on LGBT issue health issues, prepared for the discussion at EB133, before it was expunged.

Smallpox

DG was authorised to set up expert group to report on the risks of biosynthesis of smallpox from sequence data (see [discussion at WHA67](#)). Not currently on the EB137 agenda.

PHM Comment

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Notes of discussion at EB137

Documents:

- [EB137/1 Rev.1 Corr.1](#) Provisional Agenda:
- [EB137/1 \(annotated\) Rev.1](#) Provisional Agenda (Annotated)

Chair: proposes that EB deletes 9.2 amendment on staff regulations and staff rules

USA: I can assure your skills are a leader and mediator of the chairman, I am speaking on the footnote of the proposed agenda, thanks to the DG, we appreciate the personal efforts and engagements of all delegated from all regions, after consultation with interested delegation suggest to remove this footnote and USA with Thailand and other interested delegations compose work group and issue a new document. Delete footnote, Thailand and USA propose to form WG to develop new proposal

Liberia: this is a technical arena charged with responsibility of taking care of people who need care, we should have nothing to do with religious concerns. We should make no reference to anybody's sexual orientation in matters of health, irrespective of what you do in secret or in public. If you are ill, we take care of you!

Pakistan: congrats to chairman, on behalf of EMRO supports USA proposal, group form for WG should be open ended

Saudi Arabia: Congrats Mme Chairman, we align with statement from our colleagues of Pakistan.

Brasil: Congrats chair, we trust in your capacity of finding consensus in every issue we raise. We would like to keep the footnote of EB. Delete if we collectively agree on a decision. Proposition made by US for a WG is a good one, but we need to have on the table either a decision or we need to maintain a footnote. Trust in DG to carry discussion forward, good spirit, good will. Keep footnote, or, decision of building this open-ended work group.

Canada: wants to commend work of DG, consultation across regions to try to important issue, access to health services by everyone regardless sexual orientation. Happy to hear MS are happy to work on WG should be open ended, to take place and to conclude as soon as possible, if removing footnote is a way to lift equitation. As Argentina we want the pressure to be there still. Process and timelines to be clarified. This is an important dialogue. If removing the footnote is a way to lift hesitation to carry one this dialogue, so be it. But we want to keep the pressure up so that people come to the table, for this working group to come together ASAP.

DRC: Congrats Chair, you deserve it! The DRC supports proposal by US to leave the footnote.

Eritrea: Thank you chair, congratulations, aligns with Liberia on behalf of AFRO and support deletion of the footnote and formation of open ended group.

Argentina: Thank you chair, congrats. We are certain of your excellent leadership. Thanks for honour of being vice-chair. In principle we would like to reassert that right to health is an essential human right, particularly in populations facing discrimination whose right are infringed. Res 52/6 on LGBT we supported, including other resolutions on UHC. We are concerned that the smallest alarm such as a footnote in the agenda can be by mistake deleted! This needs to not occur. An open-ended work group should continue to work on this issue - and in the meantime we would like NOT to delete the footnote in this or other future sessions.

Malta: On behalf of Europe, congrats for election. We regret not having had opportunity to discuss this topic during EB. Express commitment to move forward on constructive way. For keeping footnote, in the spirit that EU and MS would like to support proposal made by USA for creation of WG to work on this future agenda item. Outline of such WG as outlined of Canada. Important to deal with this topic from health perspective.

Thailand: from your long experience in WHO we hope for successful EB, finishing today! My mom always says "be obedient to ladies and you will always be safe". But as a new member please be nice to me. Mme, we spent several hours discussing this issue previous EB. Thailand would like to support proposal made by Canada, USA, and many others - and for the spirit of peace, we should move ahead.

Dominican: thank you chair, we would like to congratulate you too, we also would like to endorse the position of USA and Canada on creating a working group to create a position, MS and WHO shouldn't feel any taboo in taking up access health to everyone. WHO must not feel any taboo in taking up health of any vulnerable groups - we MUST take up this type of problem.

Russia: Good morning dear colleagues, Mme chair, Russian Fed congrats you on your election to this very important office. As far as question under discussion, according to our medical laws, provision of health care must be guaranteed irrespective of affiliation to any sexual orientation or other ethnic/other group.

New Zealand: for inclusiveness so supports proposal by USA and Canada, but for proposal to go ahead then no objection for maintaining footnote

Egypt: Thank you chairperson, congratulations, regarding the item on discussion we align with Liberia and Pakistan we agree deletion of the footnote, this subject has been source of dissent, and we have passed half hour trying to proceed and it failed, I doubt any future working group will be able to solve the problem, we must seek to stay clear away from any cases that will remain vague and out of consensus. We fully agree to deletion of footnote, this subject has been a source of dissent. We shall not be able to solve this dissent at this present sitting - any future groups won't be able to solve the problem either, i doubt. Cultural issue that are not an object of consensus.

Albania: Your passion knowledge and expertise will guide us well. We align with statement from Malta. Move ahead. Open-ended group is most effective.

Kazakhstan: congrats, support establishment of WG and agree with Malta, open ending decision to be reached it will be likely to be accepted by everyone

Jordan: Thank you Mme Chairperson. Congrats on election, we support. I associate the position of Jordan with that delivered by Pakistan, echoed by Saudi Arabia and Egypt. The working group to be established should be open-ended.

DG: before I respond let me congratulate. While I listen to MS, it is interesting. Actually USA made two proposal in the intervention deletion of FN and have small informal group. many support this if WG open ending.

Deletion of footnote AND have a SMALL informal group. Others say we support, as long as open-ended. Different positions by either keeping or deleting footnote. Good news, you spent less than 1hr, last time more than 5 hrs, so it is 80% improvement. I suppose you always want me to propose way forward.

Chair: I want to protect you, because I don't want MS to say that YOU asked to delete the footnote. I want to hear from Secretariat.

Secretariat: 2 positions. US: informal group, that will work in consultation with DG in informal way. Some propose more formal group - in that case subject to rules of the board. US proposal is INFORMAL process, informal group of states working towards consensus and endorsement of proposals.

UK: congrats, echo Thailand, aligns with Malta/EU, we need to move forward though, supports proposal of informal cross region WG. Keeping footnote, compromise is viable option for UK. Support proposal of INFORMAL cross-region discussion group endorsed by EB, rather than setting up formal group - if that means keeping the footnote OK.

DG: Listening to UK, we are going back to EB133 decision. At that time, decision to KEEP the footnote and conduct regional consultation in INFORMAL work group. So do other MSs agree with this, which is keeping the status quo? Until we find consensus in our working group and then we get back to you.

Andorra: congrats. vice chair. Regarding issue supports UK, issue needs deep discussion with open spirit and large participation of all regions, good way for going ahead with work

Chair: So proposal of INFORMAL WG.

USA: It is because we know that there is a lot of sensitivity that we thought footnote should be removed. Important nuance to move this ahead. This issue is important, we have been through enough EBs with no consensus on this footnote, and it no longer serves the purpose that we

sought out 3 years ago by putting it on EB agenda. So we hope deleting it will be constructive to pushing dialogue forward.

Russia: informal WG with regional representation means the secretariat to participate, supports open ending WG and that would mean that more members would be able to participate, position is that any decision to be taken has to be discussed by EB

Liberia: I don't really know where we are. If there is a member country who wants to discriminate against LGBT they should not mess with rest of MS. We should get rid of this discussion. We should not waste our time on this issue. We should form a small working group to discuss this further.

Egypt: thank you chair, I asked for the floor before Liberia but Liberia said it all, as USA mentioned we have been going into circles for 3 years now, I don't think there is consensus over having a working group, it is not formal versus informal group, if it is formal we need to deal on the terms of reference too!. It is not a question of formal vs informal. Formal group means we must agree on modalities of discussion.

Brasil: We express our absolute support of declaration made by Russian Federation. The discussion in this EB is important. We want to recognise the need to move forward, we want to have more clear from the secretariate how things are going to be. If informal group - how are we going to bring the result back? There are procedural aspects that the secretariat must bring back to us.

Chair: we have had a proposal for informal group and another dropping the item we need to have a vote over this; we have two MS asking for the floor.

Zimbabwe: Thank you chair. I congratulate you. With regards to this agenda item, I have been privileged to sit through in 2013 when this footnote was discussed. I agree here with USA that footnote is not serving its purpose. Was to instruct DG to continue discussing with MS informally to find consensus and once found, show the way forward. Now, there is even a level of mistrust as to the intentions. Some issues, must be discussed at regional level. If no consensus, then we must respect MS, and regions. It is a good way to move forward. It should be an informal group, so that it can come up with its terms of reference. For most African countries, we are available for consultations. (Phone rings & Chair Precious asks her to please turn her phone off) Zim: Sorry Mme DG,umm Chair.....she is also the DG in South Africa! Otherwise supports USA proposal

Zambia: thank you chair, we congratulate, we aligns with AFRO region supporting USA proposal, get rid of the footnote and get an informal working group, this is a compromise position because we didn't want to discuss this topic at all. Compromised position from African position, as we did not want to discuss this issue at all.

Ecuador: Thanks chair. Congrats. We are concerned at the way the agenda item, if not the issue itself, is being handled. As LGBT health is a HR issue, corresponds to health for all. If we

are to agree on health equity with a universal health coverage approach, improving LGBT health is based on not marginalising them, not sweeping them to the edges and making them invisible. I believe with the footnote being erased that is what we are doing. We ask the footnote be maintained.

Libya: good morning, chair I sincerely hope that every time I speak in the EB room session, I don't want anyone to cry, I want to congratulate you bottom of my heart, your name is Precious and you are precious I noticed how you are so great how you move here and there to reach consensus, we support the proposal made by USA and we align ourselves with Liberia, we sincerely hope the informal open ended working group will result in hopped up results.

You are named Precious and you really are precious. From the GVAP resolution, though I am blind, I noticed that you are so great at bringing about consensus. Whenever there is the word consensus, look for Precious! Wants informal open-ended group.

Malta: Apologies for taking floor 2nd time. Consensus in the room, that need for further discussion in open-ended working group. Concerns: how will deliberations come back to EB so that this important item not lost.

Congo: Thank you chair, we congratulate you, we wanted not to speak on this but it's taking time and it's our first time to speak, its technical group and we are not supposed not to go in circles which makes me disappointed, what we would like to know what the method behind this consultation is going to be, we urge the secretariat to help us to get further clarity on this, we have been a lot on the same point of agenda, if we went on like this my disappointment will be deepened.

Secretariat: Thank you chair. So - as I said, the approach of an informal group means the EB endorses the approach, that consensus will go through a group. Open-ended: all delegations can participate. But informality means not subject to rules of chair appointed by EB etc, they find their own facilitators chairs if need, its own modalities. How would the group report back? One possibility is for EB to provide aids: meeting room, documents if requested, etc. and perhaps reporting back - consensus fed back at further EB. Would not be a PBAC type of body, very formalised, would be up to member states to define.

Chair: If I understand - informal open-ended working group, with reporting mechanism back to EB. Group choses own working methods and terms of reference. That group comes back to DG when are ready to report back. So the item is removed. Is that an acceptable option.

Brasil: I think we are almost there but not yet. We agree with this informal group. We understand must talk - but as it is a group not on regular basis, and Secretariate not part of group if only by request. So we would request maintaining of the footnote - ensuring that discussion will come back on this issue.

Chair: i propose issue of maintaining the footnote on agenda as separate discussion.

Egypt: we agreed on the working group, but we forgot what is the topic that working group is supposed to discuss.

Chair: the working group - perhaps we can refer back to previous EBs. That is the base of discussions that will take place. The DG will consult MS was what was decided.

Canada: Thank you chair. Perhaps short term compromise. Pause on this. Ask USA Thailand and any other interested MS can meet to sketch out the procedural aspects, what timelines we hope to achieve, define broad lines, and reporting back. I do not think we could offer already terms of reference.

Chair: OK - proposal?? Informal meeting alongside EB and report back after lunch??

Liberia: I would like to propose to kill it, we don't have to come back to this again. I would like to propose a vote, to throw out this agenda item, for ever!!

Chair: Tolerance please.

South Africa: supports chair's proposal, as a compromise.

DG: the chair has proposed a way forward before discussing Canadian proposal, we listen to chair's proposal first if it meets the expectations if it works lets pick it. Is that OK with Canada? Canada is nodding.

Canada: nods.

DPRK (Democratic People's Republic of Korea): My delegation did not intend to intervene. We agree with Russia and Liberia on this subject. My delegation suggests we give up on discussing this issue, as it is not even part of the agenda. It was deleted from the initial request! Those who wish to discuss, please do so outside of this formal meeting. Let's stop discussion.

UK: I congratulate you chair for concluding, we would share with DG that we would like to see that now agreed and we move to next item on the agenda.

Chair: Item was on the agenda. But proposal is that footnote to item should be removed and followed by open-ending WG that will be reporting to EB.

Brasil: Thank you for your proposal, very reasonable. We want to lay down what will be the results and considerations.

Chair: I am going to request that this be written in a formal manner - taking into account Brazil's request. Acceptable? Egypt, can I use the gavel? I have been told this is a gavel!

(Assembly laughs)

Egypt: on reporting back whoever we are going to ask to facilitate this exercise, the report has to be accurate on which members taking which direction it has to be quantitative not qualitative

results, not just the word consensus we need more of numbers. Jordan, Congo, Liberia, etc. are not part of consensus, though this word is being used right left and center.

Brasil: we can achieve consensus Egypt if we talk. Chair, I would just like to hear final text.

Secretariat: not so elegant I was trying to write while listening, EB decided to first delete the footnote on the item of adoption of agenda, second: to support working *towards* consensus (stresses TOWARDS) through formation of informal open ended working group, ask the DG to support the Working group and report to the EB, this seems the three main elements I could write.

Russia: Thank you. Obviously we have been discussing a long time, but please no gavel to my head! If we have no consensus as to setting the group at all...then there will be no consensus! What's the point in setting the group up in the first place?! Liberia etc have been very clear.

Namibia: We support the proposal by Secretariat - happy to see Africa as Chair, but not only Africa, Mother Africa! We are wasting time, wishes to see discussion end.

Dominican Republic: It's good to speak with examples to illustrate when HIV, now the majority of countries has legislations to protect these people, these people are again discriminated and segregated, if we health in terms of rights, we doesn't mean we don't have the duty to pick up this items, so the same happens with these persons, we should take this issue make the working group and countries who want to share in it they can, consensus doesn't mean unanimity but it's matter of vote.

DPRK: The procedure and question of clarification - my delegation understood that this question is NOT on the agenda. Maybe it is on the provisional agenda, but not on the official one. So if my understanding is right, let's stop and go on.

Secretariat: This is unusual situation - item proposed on 33rd session. As a compromise to it being deleted, board agreed to a footnote - for further sessions of EB, with in the meantime consultations with EB. Sort of a placeholder in the agenda, so that discussions underway with DG can go on in parallel.

Gambia: bit scared and worried while many people in developing and developed countries die, this institution should take care of health of only one group of people. Unnecessarily criticized by the rest of the world for the ebola outbreak. We are now deviating, what we need to do. My proposal is we suspend this topic and bring it to next EB. focus to other issues really affecting the globe. CDC in Africa [is more relevant]. Concern and fear around all issue. This should come on day 2 of next EB. We are now diverting. People are doing things on their own! I have a lot of concerns and fears on this issue. I think we should bring this to next EB, and on day 2!

Chair: we already have one first proposal - and now you are bringing a 2nd one. Can you wait on yours, so we can evaluate this 1st proposal, and decide yes or no, and then we go on to further proposals if needed.

Gambia: we are deviating, people have gone their way, talking about polio, meningitis ebola, we don't even know what is happening in our health systems, we are technical health arm. While we are going the WHO way, people are going another way! We are technical health arm. This is my opinion.

Egypt: Any informal consults we do should not be seen as slipping an item on the agenda. So the consultations in my opinion are intended to see if the EB can get our positions closer or not. My personal position is that probably NOT - yet we are ready to give it a chance. Meanwhile I do not think that any discussion in this working group will force anything onto any government. If you feel there is any discrimination in your country, please take the appropriate action in YOUR country. I am perplexed by DG reporting back to EB however - it should be the chairperson from these informal consultations that reports back!

Thailand: I look at my watch and 80% time reduction is now close to 60%, new record to be made in this issue. Proposal Brazil: first to consider proposal summarized by Secr (Gianluca) on the 3 items, otherwise we go with Canadian proposal to have informal discussion and come back after lunch. But to finish the thing today

Chair: thanks

Namibia: I was hoping you give floor to Brazil first. As part of proposal from secretariat, in so far as Brazil's initial request for formal decision is taken care of. Brasil?

Brazil: here we are discussing not procedures but people's health and rights. Brazil wants to recognize that proposal made by Libya maybe

Argentina: endorse position of Brazil, this is a human rights issue

Malta: on behalf of EU, we endorse the proposal made by Secretariat

Secr: the Executive Board decided (1) to delete footnote; (2) support further work to be conducted through informal open ending WG of MS; will put economic org; (3) request chair (Brazil proposal) WG to report on progress of WG to EB138; (4) to request DG to support the work of WG.

Chair: is this acceptable?

Egypt: for this delegation it is not acceptable, it would be acceptable to report on the outcome of the group not the progress, this is not a standing working group.

Liberia: for the record we don't want this topic again to be opened forever, this is wasting our time call it majority or whatever but not consensus.

Chair: this concludes the item

Brazil: we have a doubt, we are not sure about language stated in the end, report to be made in the end or on the progress? the progress is needed for us

Thailand: the secretariat print out this proposal circulate it and try to reach consensus if not we proceed with Canadian proposal where we have consensus over lunch and we go on this again in the afternoon.

Chair: proposes to continue with the work of EB going to next item. We are not discussing agenda item, on provisional agenda there was Mycetoma. the report of secretariat on this issue is contained in http://apps.who.int/gb/ebwha/pdf_files/EB137/B137_11-en.pdf

EB137/11

Asks for consensus to include Mycetoma

Egypt: with your permission and acceptance of EB, we would like to hear from delegation of Sudan on this item.

Sudan: Mycetoma is a disfiguring disease, high morbidity, traumatic inclusion of certain fungi or bacteria in subcutaneous tissue. among 20-40 yo, manual workers farmers most affected. A lot of social and economic consequences on pop affected. Amputation? stigma, disability. Latitude involved. 2013 burden india, etc list of countries affected. includes 4 regions and continents of the world. due to many implications of this disease on PH. trying to bring this disease to attention of EB to include this mycetoma resolution in WHA69 this coming year, part of neglected tropical disease, need to involve countries and stakeholders. Implement prevention and control measures. This will foster ...in recognition of disease.

Chair: strict rules on traffic light rules and time-keeping. No long statements allowed

Sudan: item proposed for WHA68

Confusion

Chair: confirmed we have additional item on the agenda mycetoma. going back to agenda, now to 3 item adoption of the agenda, 2 mycetoma item adopted as amended

Gambia: we want to have agenda approved including mycetoma item,

This item suspended pending informal discussions around LGBT

Discussion resumed in Meeting 2

Team has met over lunch re LGBT footnote: number of delegations who participated decided to delete footnote, to support new work conducted through open ended WG, inform chair on work progress and report to EB138?

Proposed: delete footnote, 2nd informal open-ended meeting of group of states, 3rdly request that chair of this informal meeting reports at EB139 (? I hear 139??), Secretariat to support work

Proposal accepted (but not formalised as a decision); agenda approved; item concluded