



# WORLD HEALTH ORGANIZATION

FIFTY-SEVENTH WORLD HEALTH ASSEMBLY  
Provisional agenda item 18.2

A57/29  
25 March 2004

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## Rules of Procedure of the World Health Assembly: amendment to Rule 72

### Report by the Secretariat

1. At its 112th session the Executive Board adopted resolution EB112.R1 amending several of its rules of procedure and recommending a resolution to the Health Assembly which proposes inter alia to amend Rule 72 of the Health Assembly's Rules of Procedure, so as to change the majority required to appoint the Director-General. The recommended resolution also deals with gender inequality in the texts contained in the *Basic Documents*, following the approach taken in other international organizations of the United Nations system.
2. The resolution adopted by the Board was in response to resolution WHA54.22 in which the Health Assembly requested the Board to review its working methods in order to ensure that they are effective, efficient and transparent, and to ensure improved participation of Member States in its proceedings. As requested by the Health Assembly, the Board established an open-ended working group to consider the question in depth.
3. The proposed change to Rule 72 arose from a review by the Ad hoc open-ended working group to review the working methods of the Executive Board of the process for nomination of the Director-General. Article 31 of the WHO Constitution provides that the Director-General shall be appointed by the Health Assembly on the nomination of the Board. Rule 52 of the Board's Rules of Procedure sets forth the nomination process in the Board<sup>1</sup> and Rules 108 and 110 of the Health Assembly's Rules of Procedure set forth the appointment process for the Director-General in the Health Assembly upon receiving the Board's nomination. The majority required for nomination of a candidate as Director-General by the Board, and for the decision by the Health Assembly on whether to accept the Board's nomination, is currently dealt with in general terms in Rule 43 and Rule 73 of the Rules of Procedure of the Board and of the Health Assembly, respectively. In each case the decision is to be taken by a majority of those present and voting.
4. However, the open-ended group considered that, although the nomination of a candidate as Director-General could remain as a decision taken by a majority of the members present and voting in the Board, the decision by the Health Assembly whether to accept the nomination should be subject to more than just a majority of the Member States present and voting. The Board accepted the group's proposal to recommend to the Health Assembly that it amend Rule 72 of the Health Assembly's Rules of Procedure so as to include "the appointment of the Director-General" as one of the questions listed in that rule requiring a two-thirds majority of the Members present and voting.

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<sup>1</sup> See also Rule 109 of the Rules of Procedure of the World Health Assembly.

**ACTION BY THE HEALTH ASSEMBLY**

5. The Health Assembly is invited to consider the draft resolution contained in resolution EB112.R1.

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