

RIGHTS AND OBLIGATIONS OF ASSOCIATE MEMBERS AND OTHER TERRITORIES

1. Health Assembly and Executive Board¹

Whereas Article 8 of the Constitution of the World Health Organization provides that the nature and extent of the rights and obligations of Associate Members shall be determined by the Health Assembly, and

Whereas there is need for further study in connexion with Articles 8 and 47 of the Constitution of the rights and obligations in regional organizations of Associate Members and of territories or groups of territories which are not responsible for the conduct of their international relations and which are not Associate Members,

The First World Health Assembly

RESOLVES

1. that Associate Members shall have the right:

(i) to participate without vote in the deliberations of the Health Assembly and its main committees;

(ii) to participate with vote and to hold office in other committees or sub-committees of the Assembly, except the General Committee, the Committee on Credentials, and the Nominations Committee²;

(iii) to participate equally with Members, subject to the limitation on voting in paragraph (i) above, in matters pertaining to the conduct of business of meetings of the Assembly and its committees, in accordance with Rules 48 to 68, and 83 to 84, of the Rules of Procedure of the Assembly;

(iv) to propose items for inclusion in the provisional agenda of the Assembly;

(v) to receive equally with Members all notices, documents, reports and records;

(vi) to participate equally with Members in the procedure for convening special sessions;

¹ Text adopted by the First World Health Assembly on 21 July 1948 (*Off. Rec. Wld Hlth Org.*, 13, 100, 337). (The numbers of the Rules of Procedure mentioned in paragraph 1 (iii) have been changed to agree with the revised version of the Rules as reproduced on p. 121.)

² The Committee on Nominations was abolished by virtue of resolution WHA61.11.

2. that Associate Members shall have the right, equally with Members, to submit proposals to the Executive Board, and to participate, in accordance with regulations established by the Board, in committees established by it, but they shall not be eligible for membership on the Board;

3. that Associate Members shall be subject to the same obligations as Members, except that the difference in their status shall be taken into account in determining the amount of their contribution to the budget of the Organization;

4. that the Executive Board be requested to submit a report with recommendations to the next Health Assembly, taking into account Article 47 of the Constitution and any comments or recommendations from Members and from regional organizations concerning the rights and obligations in regional organizations of Associate Members and of territories or groups of territories which are not responsible for the conduct of their international relations and which are not Associate Members, the report to be transmitted to the Members at least two months in advance of the convening of the Assembly.

2. Regional Organizations¹

The Second World Health Assembly,

Having regard to Articles 8 and 47 of the Constitution; and

Having regard to paragraph 4 of the resolution of the First World Health Assembly concerning the rights and obligations of Associate Members;² and

Having regard to the reports of the Executive Board at its second and third sessions;³ and

Having regard to a statement⁴ concerning the Pan American Sanitary Organization,⁵

RESOLVES AS FOLLOWS:

1. For the purposes of Article 47 of the Constitution, States Members in a region shall be deemed to be those States Members having their seat of government within the region;

¹ Text adopted by the Second World Health Assembly on 30 June 1949 (resolution WHA2.103). The rights and obligations of Associate Members were further considered by the Fifth, Sixth, Seventh, Ninth and Tenth World Health Assemblies, and by the Executive Board at its ninth, tenth, eleventh, thirteenth, fifteenth and nineteenth sessions but have remained unchanged. The relevant resolutions will be found in the *Handbook of Resolutions and Decisions of the World Health Assembly and the Executive Board*, Volume I, section 6.2.2. As regards participation in the Regional Committee for Africa of Members not having their seat of government within the Region, see resolution WHA28.37.

² See above.

³ *Off. Rec. Wld Hlth Org.*, **14**, 26, 54; **17**, 17.

⁴ *Off. Rec. Wld Hlth Org.*, **21**, 384.

⁵ Renamed "Pan American Health Organization" by decision of the XV Pan American Sanitary Conference, September-October 1958.

2. Those States Members not having their seat of government within the region, which (a) either by reason of their Constitution consider certain territories or groups of territories in the region as part of their national territory, or (b) are responsible for the conduct of the international relations of territories or groups of territories within the region, shall participate as Members of the regional committee, in which case they shall have all the rights, privileges and obligations of Member States in the region, but with only one vote for all the territories or groups of territories in the region, as defined in (a) and (b) above;

3. (1) Territories or groups of territories in the region which are not responsible for the conduct of their international relations, whether Associate Members or otherwise, may participate in regional committees, in accordance with Articles 8 and 47 of the Constitution;

(2) Associate Members shall have all rights and obligations in the regional organizations, with the exception that they will have no vote in plenary meetings of the regional committee, nor in subdivisions dealing with finance or constitutional matters;

(3) Representatives of Associate Members should be qualified by their technical competence in the field of health and should be chosen from the native population in accordance with Article 8 of the Constitution;

(4) In the case of territories not responsible for the conduct of their international relations and not Associate Members, the rights and obligations in (2) above shall apply subject to consultation between the States Members in a region – as defined in paragraph 1 above – and the Members or other authority having responsibility for the international relations of these territories;

(5) In recommending any additional appropriation under Article 50(f) of the Constitution, the regional committee shall take account of the difference in status between States Members, on the one hand, and Associate Members and other territories or groups of territories not responsible for the conduct of their international relations, on the other;

4. In view of the statement made by the Director of the Pan American Sanitary Organization¹ and of the fact that integration between PASO and WHO is still in process, the application of the above recommendation in the American Region shall await the completion of these negotiations for such integration;

¹ *Off. Rec. Wld Hlth Org.*, 21, 384.

5. The Executive Board should keep under review the implementation of these decisions and submit to the Fifth World Health Assembly,¹ at the latest, a report thereon in order that that Assembly might determine what, if any, modifications might be required in the above decisions in the light of experience.

¹ See footnote 1 on p. 20.