

# **Follow-up on the report of the Working Group on the election of the Director-General of the World Health Organization**

## **Report by the Director-General**

1. The Executive Board at its 134th session noted the attached report.<sup>1</sup>

### **ACTION BY THE HEALTH ASSEMBLY**

2. The Health Assembly is invited to take note of the report.

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<sup>1</sup> See the summary records of the Executive Board at its 134th session, tenth meeting, section 2, and eleventh meeting, section 1 (document EB134(2014/REC/2)).





**World Health  
Organization**

**EXECUTIVE BOARD  
134th session  
Provisional agenda item 11.5**

**EB134/43  
10 January 2014**

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## **Follow-up on the report of the Working Group on the election of the Director-General of the World Health Organization**

### **Report by the Director-General**

1. The Sixty-sixth World Health Assembly, by resolution WHA66.18, revised several aspects of the process of nomination and appointment of the Director-General. It also requested the Director-General to consolidate a description of the overall process for the election of the Director-General in a single draft reference document with a view to submitting it, through the Executive Board, for the consideration of the Sixty-seventh World Health Assembly.
2. The request of the Health Assembly was in response to the fact that the overall process for the nomination and appointment of the Director-General has been revised several times since the late 1990s and that its various phases, components and guiding principles are scattered across multiple resolutions and reports, some of which have been superseded in whole or in part by later resolutions and decisions of the governing bodies.
3. The purpose of consolidating the various components and phases of the process of the nomination and appointment of the Director-General is therefore two-fold: (1) facilitating the understanding and management of the process by Member States and the Secretariat; and (2) facilitating a consideration by the Board and the Health Assembly of whether some further revision of certain aspects of the process is necessary in advance of the nomination and appointment of the next Director-General. In this connection, the attention of the Board is drawn to the text underlined in paragraphs 17 and 18 below, which contain proposals for the Board's consideration.
4. This report breaks down the overall process of the nomination and appointment of the Director-General into phases, starting with the announcement by the Director-General of the opening of the candidature phase and ending with the appointment of the Director-General by the Health Assembly. At the same time, it should be understood that some components of the current process as revised by the Sixty-sixth World Health Assembly cut across or are not tied to specific steps or phases, in particular the application of the Code of Conduct for the Election of the Director-General of the World Health Organization, the obligations applicable to all WHO staff members and in particular those who have been presented as candidates, or the use of the criteria that the candidates nominated by the Executive Board should fulfil.

5. The relevant decisions and documents are as follows:

- Article 31 of the Constitution
- Rule 52 of the Rules of Procedure of the Executive Board, as amended by resolution EB132.R13
- Rules 70, 70*bis* and 106–112 of the Rules of Procedure of the World Health Assembly, as amended, in relevant part, by resolution WHA66.18
- The Board's decision EB100(7) and the report of the Director-General to the Board at its 100th session (document EB100/5)
- Resolution EB120.R19
- Resolution WHA65.15
- Resolution EB132.R13
- Resolution WHA66.18.

For the ease of reference of Member States, the documents mentioned above are available at the following web address: <http://apps.who.int/gb/dgnp/>.

## **CODE OF CONDUCT FOR THE ELECTION OF THE DIRECTOR-GENERAL<sup>1</sup>**

6. The Code of Conduct seeks to improve the overall election process by emphasizing the following basic principles: due regard to the principle of equitable geographical representation; fairness; equity; transparency; good faith; dignity, mutual respect and moderation; non-discrimination; and merit. The Code is a political understanding reached by Member States and is expected to be observed and respected by Member States and candidates. It recommends desirable behaviour and seeks to increase the fairness, credibility, openness and transparency of the election procedure, thereby increasing the legitimacy of both the process and its outcome. Member States and the Secretariat are responsible for making the Code publicly known and easily accessible.

7. Pursuant to the Code of Conduct, Member States have the right to promote the candidates they propose, and candidates may conduct their own election campaigns. When campaigning, however, Member States and candidates should abide by the Constitution, rules of procedure, and relevant resolutions and decisions. Additionally, the Code imposes several requirements on both Member States and candidates, and it applies to all campaign activities until the appointment of the Director-General by the Health Assembly. For instance, both Member States and candidates must act in good faith, keeping in mind the objectives of promoting equity, openness, transparency and fairness. They must also encourage and promote communication and cooperation among one another during the entire election process, and they should consider disclosing their campaign activities (such as meetings, workshops or visits) and communicating them to the Secretariat; information so disclosed will be posted on a dedicated page on the WHO website. The Code further requires Member States

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<sup>1</sup> For the full text of the Code of Conduct, see Annex 1 of resolution WHA66.18.

and candidates to conduct campaigns with respect and preserve the integrity of the election process. They must avoid disrupting or impeding the campaign activities of other candidates; slanderous or libellous campaign statements or representations; and the improper influence of the election process by accepting instructions from, or making promises in favour of, any person or entity, or exchanging favours or financial benefits as a quid pro quo for support.

8. With regard to financial support, the Code encourages Member States proposing a candidate to disclose grants or aid given to other Member States during the previous two years, in order to ensure transparency and mutual confidence among Member States. Member States that have proposed candidates are also called on to facilitate meetings between their candidates and other Member States, if requested; these meetings should be at conferences or other events involving different Member States, not on a bilateral basis. Campaign-related travel should be limited in order to avoid excessive expenditure that could lead to inequality and undermine the chances of candidates who cannot afford the same level of expenditure. Accordingly, existing mechanisms (for example, sessions of the regional committees, Executive Board and Health Assembly) should be used for meetings and campaign-related activities. However, candidates should not combine official travel and campaigning activities.

9. As regards the time period for its applicability, the Code refers to “candidates” and is applicable to the “whole election process as well as electoral campaign activities ... whenever they take place”. In this context, “candidate” may be taken as referring to an individual who has been proposed for the post of Director-General by a Member State or who has been nominated by the Executive Board, in accordance with Rule 52 of the Rules of Procedure of the Executive Board, or any individual who has announced his or her candidacy or has expressed an intention to be a candidate but who has not yet been formally proposed by a Member State.

10. The Code’s specific impact on the various steps of the election process besides electoral campaigns is detailed below.

## **PHASES OF THE ELECTION PROCESS**

### **Opening of the period for the submission of candidatures**

11. In accordance with Rule 52 of the Rules of Procedure of the Executive Board as amended by resolution EB132.R13, at least nine months before the date fixed for the opening of a Board session at which a nomination for the post of Director-General will take place, the Director-General shall inform Member States that they may propose persons for nomination by the Board. Assuming that the Board will continue to meet each year in late January, that information must therefore be provided by late April of the previous year. Such proposals shall be sent under confidential sealed cover to the Chairman of the Executive Board, care of the World Health Organization in Geneva, so as to reach WHO headquarters not less than four months before the date fixed for the opening of the Board’s session.

12. For that purpose, the Director-General dispatches to all Member States a communication that will include the following elements.

- The standard form for curriculum vitae<sup>1</sup> that must be used by Member States proposing candidates as the sole document to be submitted. The curriculum vitae shall be limited to 3500 words and shall also be submitted in electronic format.
- A reminder to Member States proposing candidates that their proposal must contain a statement to the effect that they and the candidates pledge to observe the provisions of the Code of Conduct.
- A notice that, after the dispatch of all relevant material to Member States in accordance with Rule 52 of the Rules of Procedure of the Executive Board (as amended by resolution EB132.R13), the Secretariat will open on the WHO website a password-protected web forum open to all Member States and candidates who request to participate, and a request that Member States proposing candidates indicate whether the latter wish to participate in such web forum.
- A further notice that the Secretariat will post on the WHO website information on all candidates who so request, including the curricula vitae received from Member States, their contact information and links to their personal websites if applicable; and a request that Member States proposing candidates indicate whether the latter wish to have that information posted on the WHO website.

### **Closing of the period for the submission of candidatures**

13. After the expiry of the deadline for candidatures, that is not less than four months before the date fixed for the opening of the session of the Board – in other words, normally by late September – the Chairman of the Board will open the proposals and verify that they have also been submitted electronically and that they respect the limit of 3500 words. The Secretariat will translate into WHO's official languages and duplicate the proposals and curricula vitae. Three months before the opening of the session of the Board – normally, in late October – the Director-General dispatches the proposals and curricula vitae to all Member States.

14. The Secretariat will, as soon as possible after the deadline for the submission of candidatures, post on the WHO website the names of those candidates proposed. As soon as possible thereafter, the Secretariat will also post on the WHO website in all official languages the curricula vitae and contact information of candidates who have so requested, including any links to their personal websites.

15. The Director-General shall request candidates to undergo a medical examination and to have a completed WHO medical examination form brought to the attention of the Director, WHO Health and Medical Services in order to ensure that candidate nominated has the good physical condition required of all staff members of WHO (pursuant to resolution EB120.R19).

### **Web forum**

16. As indicated in paragraphs 11 and 12 above, the Director-General shall inform Member States, with the communication inviting them to submit names of candidates, that she will open on the WHO website, after the dispatch to Member States of the names and curricula vitae of candidates, a

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<sup>1</sup> Resolution WHA66.18, operative paragraphs 3 and 4 and Annex 3.

password-protected web forum open to all Member States and candidates who request to participate. In that communication the Director-General will also request that Member States proposing candidates indicate whether the latter wish to participate in such web forum.

17. As soon as possible after the deadline for the submission of candidatures, the Secretariat will open on the WHO website the password-protected web forum. As the Code of Conduct does not clarify the duration of the web forum and in order not to overlap with the candidates' forum referred to below, it is proposed that that web forum be closed in advance of the opening of the candidates' forum. The exact dates for the web forum could be decided by the Executive Board at the May session preceding the nomination.

18. However, because there will be no interviews of the nominated candidates during the Health Assembly, Member States may be interested in asking them specific questions. For this purpose, the password-protected web forum could be made available again on the WHO website to Member States and candidates who so request during the period between the session of the Executive Board that decides the nomination and the Health Assembly that considers the Board's nomination. The open-ended nature of paragraph 11 of section B.II of the Code of Conduct would allow this. A decision on this matter, and the dates of the web forum, could be taken by the Executive Board at the session during which it makes the nomination.

### **Candidates' forum<sup>1</sup>**

19. The Executive Board at the session in May that follows the opening of the period for the submission of candidatures will formally convene the candidates' forum established by resolution WHA66.18 and decide its date. The candidates' forum will be held not less than two months before the opening of the session of the Board at which the nomination is due to be made, that is normally by late November. The aim of the candidates' forum is to provide "a non-decision-making platform for candidates" and to be a "self-standing event preceding the Board" in which Member States and Associate Members of WHO will participate. The forum shall last no more than three days, and is intended to complement the Board's interview process.

20. As detailed in Annex 2 of resolution WHA66.18, the candidates' forum will be chaired by the Chairman of the Board with the support of the officers of the Board. Each candidate will be permitted to make a presentation of up to 30 minutes, which will be followed by a question-and-answer session so that the duration of the interview shall be 60 minutes. The interview order shall be determined by lot, and the forum shall decide, upon the proposal of the Chairman, on the detailed arrangement for the interviews. Participating Member States and Associate Members may prepare questions for each candidate, and the questions to be asked will be drawn by lot by the Chairman. For Member States and Associate Members unable to attend, the forum will be broadcast on a password-protected website. The candidates' forum will not be convened in the event that only one person has been proposed for the post of Director-General.<sup>2</sup>

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<sup>1</sup> Document EB132/29 and resolution WHA66.18, operative paragraph 2 and Annex 2.

<sup>2</sup> Rule 52, paragraph 3, Rules of Procedure of the Executive Board.

## **Nomination by the Executive Board**

21. During a Board's session, all meetings related to the nomination of the Director-General are convened as "open meetings," within the meaning of Rules 7(b) of the Rules of Procedure of the Executive Board. In particular, they are open to members of the Board, their alternates and advisers, one representative of each Member State not represented on the Board and of each Associate Member without the right to participate, and the Secretariat. No official record shall be made.<sup>1</sup>

22. The consideration by the Board takes place in five phases.

### **I.**

23. All members of the Board shall have the opportunity to participate in an initial screening of all candidates in order to eliminate those candidates not meeting the criteria proposed by the Board and approved by the Health Assembly.<sup>2</sup> This first step is undertaken by the Board early in the session, normally on the second morning. Board members assess candidates against the criteria approved by resolution WHA65.15 while continuing to consider the "paramount importance of professional qualifications and integrity and the need to pay due regard to equitable geographical representation, as well as gender balance" that the resolution also specifies. Board members will have at their disposal the curricula vitae presented in the standardized format mentioned above.

24. The criteria decided upon by the Health Assembly are the following:

- (a) a strong technical background in a health field, including experience in public health;
- (b) exposure to and extensive experience in international health;
- (c) demonstrable leadership skills and experience;
- (d) excellent communication and advocacy skills;
- (e) demonstrable competence in organizational management;
- (f) sensitivity to cultural, social and political differences;
- (g) strong commitment to the mission and objectives of WHO;
- (h) good health condition required of all staff members of the Organization; and
- (i) sufficient skill in at least one of the official working languages of the Executive Board and the Health Assembly.

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<sup>1</sup> Rule 7 of the Rules of Procedure of the Executive Board; see also document EB130/INF.DOC./1, at paragraphs 4 and 8.

<sup>2</sup> Rule 52 of the Rules of Procedure of the Executive Board, paragraph 5.



25. A candidate is excluded at this stage if there is consensus in the Board that he or she does not meet the criteria.<sup>1</sup> The Director, Health and Medical Services at WHO headquarters reports to the Chairman of the Board about the candidates' fulfilment of criterion (h), and the Chairman informs the Board accordingly.<sup>2</sup> If there is no consensus on exclusion, the nomination process moves to the next stage, namely the determination of a short list.<sup>3</sup>

## II.

26. In the case that more than five candidates have been proposed, the Board shall draw up a short list of five candidates, "underscoring the paramount importance of professional qualifications and integrity and paying due regard to equitable geographical representation and gender balance."<sup>4</sup> This short list is determined through one or more secret ballots, during which members must vote for the number of candidates equal to the number of places on the shortlist, that is to say five.<sup>5</sup> Candidates with the lowest number of votes and those receiving less than 10% of the ballots cast are eliminated until there are only five candidates remaining.<sup>6</sup> Ballots containing more or fewer than five names are invalid; if there are only five or fewer candidates, there is no need for this stage of the process.<sup>7</sup> The shortlist is established during the first open meeting on the second day, after the initial screening of all candidates.

## III.

27. The candidates presented, or those shortlisted, are interviewed by the Board as a whole as soon as possible.<sup>8</sup> The interviews are held a few days after the first open meeting in order to give time to selected candidates who are not in Geneva to travel there. (To give an example, at the 111st session of the Board (20–28 January 2003), the first open meeting was held on Tuesday, 21 January and the interviews were held on Monday, 27 January.) The day for the interviews is fixed in consultation with the Chairman, and the candidates' travel expenses to Geneva are covered for purposes of attending the

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<sup>1</sup> Document EB100/5, paragraph 9, states: "In the absence of a consensus on whether certain candidates meet the criteria, the Board may feel that consideration of this issue would best be continued when it determines the short list ...". See also document EB119/INF.DOC./1, paragraph 9: "The Board previously agreed (decision EB100(7)) that the first stage should be limited to determining whether there is a consensus on one or more candidates not meeting the criteria set by the Board."; and document EB132/29, paragraph 23: "The Board thus far has proceeded on the basis of whether there was consensus that any candidate did not meet the criteria contained in resolution EB97.R10 in light of the curriculum vitae and other supporting information provided by nominating Member States".

<sup>2</sup> Resolution EB120.R19, paragraph 1 and document EB130/INF.DOC./1, paragraph 9.

<sup>3</sup> Document EB130/INF.DOC./1, paragraph 10: "In the absence of a consensus on one or more candidates not meeting the criteria ... the handling of this issue is to be combined with the next stage of drawing up the short list, which is limited to five candidates in accordance with decision EB100(7)."

<sup>4</sup> Rule 52 of the Rules of Procedure of the Executive Board, paragraph 6, as amended by resolution EB132.R13, and decision EB100(7), paragraph 2; see also resolution WHA65.15, operative paragraph 1: "due regard shall be paid to the principle of equitable geographical representation in the overall process of nomination, election and appointment of the Director-General ... being mindful at the same time ... that the paramount consideration of the necessity of securing the highest standard of efficiency, competence and integrity in the election and appointment of the Director-General shall be maintained".

<sup>5</sup> Rule 52 of the Rules of Procedure of the Executive Board, paragraphs 8 and 9, as amended by resolution EB132.R13; document EB130/INF.DOC./1, paragraph 11; and decision EB100(7), paragraph 4 (which cites Rule 83 of the Rules of Procedure of the World Health Assembly).

<sup>6</sup> Decision EB100(7) and document EB100/5.

<sup>7</sup> Documents EB130/INF.DOC./1, paragraph 10 and document EB100/5, paragraph 13.

<sup>8</sup> Rule 52 of the Rules of Procedure of the Executive Board, paragraph 6.

interview.<sup>1</sup> Each interview lasts not more than 60 minutes, divided equally between a 30-minute oral presentation of the candidate's vision of future priorities for WHO, an analysis of current problems facing it, and suggested solutions; and a 30-minute question-and-answer period.<sup>2</sup>

28. Unlike the other steps described in this section, the detailed modalities for the interview have not been laid out in the Rules of Procedure or resolutions of the Executive Board but have been decided by the Board at each nomination during the open meeting, at the proposal of the Chairman. However, the same modalities have been consistently followed by the Board since 1998 and similar modalities have been introduced by some regional committees for the nomination of the regional directors, as a result of the harmonization of rules and practices in the context of WHO's reform. It may thus be appropriate to summarize the main modalities in the present report for the sake of clarity and transparency:

- The order in which candidates are interviewed is drawn by lot at the end of the first open meeting on the second day of the Board's session, so that they can be informed in advance.
- The Secretariat times the presentation by candidates through a traffic light system. The light remains green for 25 minutes, then turns to amber and turns to red after the allotted 30 minutes have expired, at which point the Chairman requests the candidate to terminate his or her statement.
- Before the beginning of the oral presentation by each candidate, the Secretariat distributes to each Board member a paper on which the member may write one question for the candidate in any official language of the Board. The paper should also identify the member posing the question.
- At the end of the presentation, the Secretariat collects the papers into a box and hands them to the Chairman. The Chairman draws a question at random and reads it to the candidate, disclosing which member is asking the question. The 30 minutes allotted for this part of the interview start running when the Chairman reads the first question.
- Candidates have up to three minutes to respond to each question.
- This part of the interview is also timed by traffic lights. One set of traffic lights times the 30 minutes; the light turns from green to amber after 25 minutes and to red upon expiry of the 30 minutes. The second set of traffic lights measures the time allotted for each question; the light turns on when the candidate begins his or her response, remains green for the entire three minutes, and turns red when the three minutes are up, at which point the Chairman will request the candidates to terminate his or her response to each question.
- The Chairman will ask as many questions as possible within the time allotted for the question-and-answer period. If there are not enough questions to fill the whole duration of the 30 minutes allotted, the candidate will have the possibility of delivering an additional oral presentation until the 30 minutes have been exhausted.<sup>3</sup>

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<sup>1</sup> Document EB100/5, paragraph 14.

<sup>2</sup> Decision EB100(7), at paragraph 5. See also document EB132/29, at paragraph 29 (the "Health Assembly has decided that some of the existing procedures, such as those involving secret ballot, short listing, voting and interviewing of candidates have proven to be useful and effective and should be continued. Those aspects of Rule 52 and of the separate decisions implementing them in details should therefore remain as they currently stand.")

<sup>3</sup> Document EB130/INF.DOC./1, paragraph 12.

**IV.**

29. The Board shall fix a date for the meeting at which it shall nominate three persons by secret ballot from among the candidates presented, or those on the short list if one was established. In the exceptional circumstances in which the nomination of three candidates is not practicable, for instance when there are only one or two candidates, the Board may decide to nominate fewer than three candidates.<sup>1</sup> The vote is normally held the day after the interviews. A vote by secret ballot is required by the provisions of Rule 52 of the Board's Rules of Procedure, even in cases in which there is one candidate.

30. Paragraph 9 of Rule 52 of the Rules of Procedure of the Executive Board, as amended by resolution EB132.R13, states that "For the purpose of nominating three candidates, each member of the Board shall write on his ballot paper the names of three candidates, chosen from the short list. Those candidates obtaining in the first ballot the majority required shall be elected. If the number of candidates obtaining such majority is less than the number of places to be filled, the candidate having received the least number of votes shall be eliminated at each ballot. If two candidates tie for the least number of votes, a separate ballot shall be held between them and the candidate receiving the least number of votes shall be eliminated. The same mechanism shall apply, *mutatis mutandis*, when the Board decides to nominate fewer than three candidates." For purposes of calculating the majority, invalid ballots and abstentions are not counted.<sup>2</sup>

31. The names of the person or persons nominated by the Board shall be announced at a public meeting of the Board and submitted to the Health Assembly.<sup>3</sup>

**V.**

32. In addition to submitting the nomination at the following Health Assembly, the Board must propose a "draft contract establishing the terms and conditions of appointment, salary and other emoluments attached to the office."<sup>4</sup> For this purpose, the Board will have before it a draft that reflects previous contracts.<sup>5</sup> The contract's duration is set at five years, with eligibility for reappointment for only one additional term.<sup>6</sup>

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<sup>1</sup> Rule 48 of the Rules of Procedure of the Executive Board (which states that "nomination of the Director-General shall be decided by secret ballot in accordance with Rule 52") and resolution WHA65.15, paragraphs 1(b) (the "Executive Board will nominate three candidates for the Health Assembly's consideration for the appointment of the Director-General") and 1(c) ("in exceptional circumstances ... the Executive Board may decide to nominate less than three candidates for consideration by the Health Assembly"). See also Rules of Procedure of the Executive Board Rule 52, paragraph 8.

<sup>2</sup> See Rule 42 of the Rules of Procedure of the Executive Board: "members abstaining from voting shall be considered as not voting.", and document EB130/INF.DOC./1, paragraph 13.

<sup>3</sup> Rule 52 of the Rules of Procedure of the Executive Board, paragraph 10, as amended by resolution EB132.R13.

<sup>4</sup> Rule 107 of the Rules of Procedure of the World Health Assembly.

<sup>5</sup> Document EB130/INF.DOC./1, at paragraph 14.

<sup>6</sup> Rule 106 of the Rules of Procedure of the World Health Assembly. Details regarding the terms of the contract can be found in document EB130/3; see also document EB130/INF.DOC./1, paragraph 14.

### **Appointment by the Health Assembly**

33. The Health Assembly considers the nominations at a private meeting and reaches a decision by secret ballot.<sup>1</sup> The appointment is normally conducted on its third or fourth day (Wednesday or Thursday). Specific procedural rules apply, depending on whether the Board nominates one, two or three persons.

34. If the Board nominates three persons:

(a) If in the first ballot a candidate obtains a majority of two thirds or more of the Members present and voting, this will be considered a clear and strong majority and that candidate will be appointed Director-General. If no candidate obtains the required two-thirds majority, the candidate having received the least number of votes shall be eliminated. If two candidates tie for the least number of votes, a separate ballot shall be held between them and the candidate receiving the least number of votes shall be eliminated.

(b) In the subsequent ballot, a candidate will be appointed Director-General if he or she obtains a two-thirds or greater majority of the Members present and voting, a result that will be considered a clear and strong majority.

(c) If no candidate receives the majority indicated in subparagraph (b), a candidate will be appointed Director-General if he or she receives in the subsequent ballot a majority of the Member States of the World Health Organization or more, which will be considered a clear and strong majority.

(d) If no candidate receives the majority indicated in subparagraph (c), a candidate will be appointed Director-General if he or she receives in the subsequent ballot a majority of the Members present and voting, which will be considered a clear and strong majority.

35. If the Board nominates two persons:

(a) A candidate will be appointed Director-General if he or she obtains a majority of two thirds or more of the Members present and voting, which will be considered a clear and strong majority.

(b) If no candidate receives the majority indicated in subparagraph (a), a candidate will be appointed Director-General if he or she receives in the subsequent ballot a majority of the Member States of the World Health Organization or more, which will be considered a clear and strong majority.

(c) If no candidate receives the majority indicated in subparagraph (b), a candidate will be appointed Director-General if he or she receives in the subsequent ballot a majority or more of the Members present and voting, which will be considered a clear and strong majority.

36. *If the Board nominates one person*, the Health Assembly shall decide by a two-thirds majority of the Members present and voting.

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<sup>1</sup> Rule 108 of the Rules of Procedure of the World Health Assembly, as amended by resolution WHA66.18, Annex 4.

37. With respect to the majorities required, the Health Assembly in resolution WHA66.18 amended Rule 70 of the Rules of Procedure of the World Health Assembly and added Rule 70*bis*. Rule 70 no longer includes a reference to the “election of the Director-General” as an important question requiring “a two-thirds majority of the Members present and voting.” Rather, Rule 70*bis* now addresses the election by stating that the Director-General of the World Health Organization shall be elected by a clear and strong majority of Members present and voting as set forth in Rule 108 of these Rules of Procedures.

38. Once the Director-General is appointed, the contract of appointment is then approved by the Health Assembly and signed jointly by the Director-General and the President of the World Health Assembly, acting in the name of WHO, in accordance with Rule 110 of the Rules of Procedure of the World Health Assembly.

39. One point that the Health Assembly may wish to consider is whether to maintain the current date for the entry into duty of the Director-General, namely 1 July. That date, from a governance point of view, is placed between the Health Assembly and the sessions of the regional committees that open the cycle of meetings of the governing bodies of WHO. A newly appointed Director-General, therefore, has the possibility of being engaged from the beginning of that cycle. On the other hand, a date of 1 July leaves the newly appointed Director-General with little more than one month for taking up his or her new functions and for a handover with the outgoing Director-General. Even though executive heads, including the current Director-General, have encountered situations with a short period of transition, the Health Assembly may consider it appropriate to allow for a longer transition period and consequently move forward the date of entry into duty of a new Director-General.

### **Internal candidates**

40. WHO staff members who are “candidates” within the scope of the Code of Conduct are subject to the obligations and limitations deriving from the Staff Regulations and Staff Rules, as recalled by the Code of Conduct. Those obligations and limitations remain applicable after their nomination by the Board and until the appointment by the Health Assembly.

41. The overriding principle is that the interests of WHO must always be placed above the interests of the candidate. The candidate is expected to observe the highest standards of ethical conduct, consistent with the principles of integrity, loyalty and discretion. Internal candidates should strive to avoid any appearance of impropriety in their conduct.

42. Candidates must clearly separate their continuing WHO functions from their candidacy. This involves avoiding any overlap between campaign activities and work for WHO, or even a perception of such an overlap. Candidates must not place themselves in a position of potential conflict of interest. Conflicts of interest include circumstances in which, directly or indirectly, it could appear that they have benefited improperly from being a staff member who is a candidate for an elected WHO position, or that a third party could benefit improperly if the internal candidate were to be elected. It is also of great importance that no organizational resources be used in any manner by a staff member in the expectation of becoming a candidate, or when he or she becomes a candidate.

43. The Code of Conduct envisages the possibility for the Director-General to place an internal candidate on special leave under Staff Rule 650. Under that Rule, special leave with full, partial or no pay may be granted by the Director-General at the request of a staff member; the Director-General may at her initiative place a staff member on special leave with full pay if she considers such leave to be in the interest of the Organization. The sole precedents for applying Rule 650 to candidates for the

post of Director-General have been during the nomination process in 2006, when two internal candidates were placed on leave with full pay after having exhausted their annual leave entitlement. This approach could limit the financial liability of WHO and facilitate the granting of special leave when required.

**ACTION BY THE EXECUTIVE BOARD**

44. The Board is invited to take note of this report, to provide comments and guidance on the clarity and completeness of the description of the process of election of the Director-General, and to consider the proposals in paragraphs 17 and 18.

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