
A list of reference documents as well as of the relevant rules of procedure and other legal provisions

Report by the Secretariat

1. The Working Group of Member States on the Process and Methods of the Election of the Director-General of the World Health Organization met in Geneva from 27 to 29 April 2011. To inform deliberations at the second session, the Director-General was requested to provide, inter alia, a list of reference documents as well as relevant rules of procedure and other legal provisions.¹
2. The Secretariat has prepared the following list.

I. REFERENCE DOCUMENTS

- (i) **Basic reference documents on the process of nomination and appointment of the Director-General**

World Health Assembly document

A56/INF.DOC./8 Director-General

Executive Board documents

EB128/27 Election of the Director-General of the World Health Organization: Report by the Secretariat

EB120/30 Director-General and Deputy Director-General of the World Health Organization: review of matters arising from the special and 118th sessions of the Executive Board: Report by the Secretariat

EB119/INF.DOC./1 Director-General: nomination for the post: Note by the Legal Counsel

¹ See document A64/41, subparagraph 21(c).

Executive Board resolution

EB120.R19 Director-General and Deputy Director-General of the World Health Organization: review of matters arising from the special and 118th sessions of the Executive Board

(ii) Other reference documents

World Health Assembly documents

A63/39 The election of the Director-General of the World Health Organization: Report by the Secretariat

A62/33 The election of the Director-General of the World Health Organization: Report by the Secretariat

SSA1/INF.DOC./1 Director-General: Note by the Legal Counsel

World Health Assembly resolutions

SSA1.1 Appointment of the Director-General

SSA1.2 Contract of the Director-General

WHA56.2 Appointment of the Director-General

WHA56.3 Contract of the Director-General

Executive Board documents

EB122/17 Director-General of the World Health Organization: Report by the Secretariat

EB121/4 Director-General and Deputy Director-General of the World Health Organization: report in accordance with resolution EB120.R19: Report by the Secretariat

Executive Board resolutions

EB128.R14 Election of the Director-General of the World Health Organization

EB97.R10 WHO response to global change: report of the ad hoc group (see EB119/INF.DOC./1)

Executive Board decision

EB100(7) Implementation of Rule 52 of the Rules of Procedure of the Executive Board: nomination for the post of Director-General (see EB119/INF.DOC./1)

United Nations documents

A/64/903 Report of the Ad Hoc Working Group on the Revitalization of the General Assembly (8 September 2010)

A/63/959 Report of the Ad Hoc Working Group on the Revitalization of the General Assembly (10 September 2009)

A/62/952 Report of the Ad Hoc Working Group on the Revitalization of the General Assembly (8 September 2008) and A/62/952/Add.1 Report of the Ad Hoc Working Group on the Revitalization of the General Assembly (12 February 2009)

A/61/483 Revitalization of the work of the General Assembly: Report of the Secretary-General (2 October 2006)

A/60/999 Report of the Ad Hoc Working Group on the Revitalization of the General Assembly (5 September 2006)

A/50/24 Report of the Open-ended High-level Working Group on the Strengthening of the United Nations System, Annex II (paragraph 19) (23 July 1996)

Procedure for Appointing the U.N. Secretary-General, Informal Factsheet from the UN Secretariat (February 2006), http://apps.who.int/gb/edg/pdf_files/Ref-docs/UN-refdocs/Feb2006%20SGE%20Factsheet-Procedure%20for%20Appointing%20SG.pdf

United Nations resolutions

A/RES/64/301 Revitalization of the work of the General Assembly (14 October 2010)

A/RES/60/286 Revitalization of the General Assembly, Annex, Cluster II (9 October 2006)

A/RES/51/241 Strengthening of the United Nations system (22 August 1997)

A/RES/11/1 Terms of Appointment of the Secretary-General (24 January 1946)

Other United Nations documents

JIU/REP/2009/8 Selection and conditions of service of Executive Heads in the United Nations System Organizations. Geneva, Joint Inspection Unit, United Nations, 2009.

The “Wisnumurti Guidelines” for Selecting a Candidate for Secretary-General (31 December 1996), http://apps.who.int/gb/edg/pdf_files/Ref-docs/UN-refdocs/Wisnumurti.guidelines.pdf

II. RELEVANT RULES OF PROCEDURE AND OTHER LEGAL PROVISIONS

(i) World Health Organization

Constitution of the World Health Organization

Article 31 of the Constitution: “The Director-General shall be appointed by the Health Assembly on the nomination of the Board on such terms as the Health Assembly may determine.” ...

Rules of Procedure of the World Health Assembly

Rule 107: “Whenever the office of Director-General is vacant or notice is received of a pending vacancy, the Board shall, at its next meeting, make a nomination which shall be submitted to the next session of the Health Assembly.” ...

Rule 108: “The Health Assembly shall consider the Board’s nomination at a private meeting and shall come to a decision by a secret ballot.”

Rule 109: “Should the Health Assembly reject the Board’s nomination, the Board shall submit a fresh proposal as soon as circumstances permit, ...” ...

Rule 110: “The contract of appointment shall be approved by the Health Assembly and shall be signed jointly by the Director-General and by the President of the Health Assembly acting in the name of the Organization.”

Rule 111: “In any case where the Director-General is unable to perform the functions of his office, or in the case of a vacancy in such office, the senior officer of the Secretariat shall serve as Acting Director-General, subject to any decision by the Board.”

Rules of Procedure of the Executive Board of the World Health Organization

Rule 48: ... “The nomination of the Director-General shall be decided by secret ballot in accordance with Rule 52.” ...

Rule 52: “At least six months before the date fixed for the opening of a session of the Board at which a Director-General is to be nominated, the Director-General shall inform Member States that they may propose persons for nomination by the Board for the post of Director-General.

Any Member State may propose for the post of Director-General one or more persons, submitting with the proposal the curriculum vitae or other supporting information for each person. Such proposals shall be sent under confidential sealed cover to the Chairman of the Executive Board, care of the World Health Organization in Geneva (Switzerland), so as to reach the headquarters of the Organization not less than two months before the date fixed for the opening of the session.

The Chairman of the Board shall open the proposals received sufficiently in advance of the session so as to ensure that all proposals, curricula vitae and supporting information are translated into all official languages, duplicated and dispatched to all Member States one month before the date fixed for the opening of the session.

If no proposals have been received by the deadline referred to in the second paragraph of this Rule, the Director-General shall immediately inform all Member States of this fact and that they may propose persons for nomination in accordance with this Rule, provided such proposals reach the Chairman of the Board at least two weeks prior

to the date fixed for the opening of the session of the Board. The Chairman shall inform Member States of all such proposals as soon as possible.

All members of the Board shall have the opportunity to participate in an initial screening of all candidatures in order to eliminate those candidates not meeting the criteria proposed by the Board and approved by the Health Assembly.

The Board shall decide, by a mechanism to be determined by it, on a short list of candidates. This short list shall be drawn up at the commencement of its session, and the selected candidates shall be interviewed by the Board meeting as a whole as soon as possible thereafter.

The interviews should consist of a presentation by each selected candidate in addition to answers to questions from members of the Board. If necessary, the Board may extend the session in order to hold the interviews and make its selection. The Board shall fix a date for the meeting at which it shall elect a person by secret ballot from among the candidates on the short list.

For this purpose each member of the Board shall write on his ballot paper the name of a single candidate chosen from the short list. If no candidate obtains the majority required, the candidate who obtains the least number of votes shall be eliminated at each ballot. If the number of candidates is reduced to two and if there is a tie between these two candidates after three further ballots, the procedure shall be resumed on the basis of the short list originally established at the commencement of the balloting.

The name of the person so nominated shall be announced at a public meeting of the Board and submitted to the Health Assembly.”

(ii) United Nations

Charter of the United Nations, Article 97

General Assembly of the United Nations Rules of Procedure, Rule 141

Provisional Rules of Procedure of the Security Council (S/96/Rev.7), Rule 48
Report of the Preparatory Commission of the United Nations, PC/20,
section 2B (23 December 1945), implementation of Article 97, <http://documents-dds-ny.un.org/doc/UNDOC/GEN/NL4/600/01/pdf/NL460001.pdf?OpenElement>

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