

WORLD HEALTH  
ORGANIZATIONFIFTH WORLD HEALTH ASSEMBLYCOMMITTEE ON ADMINISTRATION,  
FINANCE AND LEGAL MATTERSORGANISATION MONDIALE  
DE LA SANTÉA5/AFL/6 ✓  
9 May 1952

ORIGINAL: ENGLISH

FIRST REPORT OF THE LEGAL SUB-COMMITTEE TO THE  
COMMITTEE ON ADMINISTRATION, FINANCE AND LEGAL MATTERS

The Legal Sub-Committee met on 9 May 1952.

Representatives of the following Members were present: Austria, Belgium, Ceylon, Denmark, Egypt, France, Germany, Greece, India, Indonesia, Iran, Israel, Italy, Netherlands, New Zealand, Pakistan, Saudi Arabia, Sweden, Switzerland, United Kingdom, United States of America.

Mr. W.W. Mason (New Zealand) was elected Chairman, Mr. H.B. Calderwood (United States of America) Vice-Chairman, and Mrs. M.V. Biemond (Indonesia) Rapporteur.

In view of the urgency of reporting on item 7.2 the Legal Sub-Committee presents its opinion on this matter to the Committee on Administration, Finance and Legal Matters apart from its conclusions on the other questions referred to it.

5. Item 7.2: Further study of the organizational structure and administrative efficiency of the Organization with particular reference to the frequency of Assembly sessions

The Sub-Committee considered the application of Article 73 of the Constitution and Rule of Procedure 103.

With regard to the requirement that the text of proposed amendments be communicated to Member States six months in advance of their consideration by the Health Assembly, after discussion a majority of the Sub-Committee decided that, from the point of view of the legal interpretation of Article 73 of the Constitution, this requirement has not been met. The Sub-Committee consequently

recommends to the Committee on Administration, Finance and Legal Matters that the following resolution be proposed to the Health Assembly:

"The Fifth World Health Assembly,

Considering that the time limit imposed by Article 73 of the Constitution for the presentation in the form of definite texts of amendments to the Constitution has not been respected,

IS OF OPINION that the Fifth World Health Assembly is not in a position to examine proposals contained in Executive Board Resolution EB9.R53 and the documents issued subsequent to that resolution."