

WORLD HEALTH  
ORGANIZATIONORGANISATION MONDIALE  
DE LA SANTÉSEVENTH WORLD HEALTH ASSEMBLYA7/2 ✓  
12 March 1954

Provisional agenda item: 15

ORIGINAL: ENGLISH

AMENDMENTS TO THE CONSTITUTION OF THE WORLD HEALTH ORGANIZATION  
ON MEMBERSHIP OF THE EXECUTIVE BOARD

Item proposed by the Governments of Belgium, France, Italy and  
the United Kingdom of Great Britain and Northern Ireland

The Director-General has the honour to draw the attention of the Seventh World Health Assembly to the following proposals for amendment of the Constitution of the World Health Organization so as to increase the number of persons designated to serve on the Executive Board. The texts of the proposed amendments were communicated to Members and Associate Members of the Organization under date of 3 November 1953 in compliance with Article 73 of the Constitution.<sup>1</sup>

1. LETTER FROM THE BELGIAN GOVERNMENT DATED 26 OCTOBER 1953, RECEIVED ON 28 OCTOBER 1953\*

"In accordance with the wish expressed by the Belgian Minister for Foreign Affairs, I have the honour to inform you that the Belgian Delegation to the World Health Assembly associates itself with the proposal for the amendment of the WHO Constitution as put forward by the United Kingdom delegation.

The proposed amendment would be as follows:

Article 24, first line: replace the word "eighteen" by the words "twenty-four".

Article 25: to be deleted and replaced by: 'These Members shall be elected for three years and may be re-elected; of the twelve Members elected by the first session of the Assembly following the entry into force of the present amendment to the Constitution increasing the number of Executive Board Members from eighteen to twenty-four, two shall serve for a term of one year and the others for a term of two years, as determined by lot'.

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<sup>1</sup> By Circular Letter No. 34.1953 L 2-6 Constitution

\* Unofficial translation from the French

In accordance with the provisions of the regulations in force, I shall be glad if you will place this proposal on the agenda of the next World Health Assembly."

2. LETTER FROM THE FRENCH GOVERNMENT DATED 30 OCTOBER 1953, RECEIVED ON 30 OCTOBER 1953\*

"On the instructions of my Government, I have the honour to request you, in application of Article 73 of the World Health Organization Constitution, to bring to the notice of all the Member States of the Organization and of all Associate Members, the proposals for the amendment of the above-mentioned Constitution, as set out hereunder, and to place this question on the agenda of the Seventh World Health Assembly.

The French Government considers that the number of persons (eighteen) designated to serve on the Executive Board no longer constitutes a reasonable proportion in view of the present considerable number of Member States. Numerous problems would be solved to the general satisfaction and to the advantage of the Organization if the number of Executive Board members could be increased.

For this reason, the French Government proposes that Article 24 of the Constitution of the World Health Organization be amended as follows: the word "eighteen" in the first line of the said Article to be replaced by the words "twenty-four". If this amendment were adopted, the Article in question would read as follows:

Article 24 The Board shall consist of twenty-four persons designated by as many Members. The Health Assembly, taking into account an equitable geographical distribution, shall elect the Members entitled to designate a person to serve on the Board. Each of these Members should appoint to the Board a person technically qualified in the field of health, who may be accompanied by alternates and advisers.'

The French Government takes this opportunity also to propose the deletion of the second provision of Article 25 which no longer has any "raison d'être". Should the proposed amendment be adopted the Article in question would read as follows:

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\* Unofficial translation from the French

'Article 25 These Members shall be elected for three years and may be re-elected.'

I would be grateful if at the same time you would prepare a draft resolution for submission to the Seventh World Health Assembly providing for the adoption of transitional measures so that, should the proposed amendment be accepted, the passage from one system to the other may be effected without difficulty, and for any necessary adaptation of existing regulations once the proposed amendment was in force."

3. LETTER FROM THE ITALIAN GOVERNMENT DATED 2 NOVEMBER 1953, RECEIVED ON 2 NOVEMBER 1953\*

"On the instructions of my Government and in application of Article 73 of the Constitution of the World Health Organization, I have the honour to request you to inform all Member States of the Organization, and all Associate Members, of the Italian Government's wish to include on the agenda of the Seventh World Health Assembly a proposal to increase the number of Members of the Executive Board.

In this connexion, the Italian Government proposes that in Article 24 of the Constitution the word "eighteen" be replaced by the words "twenty-four".

My Government considers this amendment to the Constitution necessary in view of the large number of Member States, and so that there may be greater continuity in the Board's work and a more equitable distribution of seats. This would contribute to the strengthening of ties between WHO Member States, and would constitute an important factor in the achievement of the Organization's aims."

4. LETTER FROM THE GOVERNMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND DATED 21 OCTOBER 1953, RECEIVED ON 2 NOVEMBER 1953

"I am directed by Mr. Secretary Eden to state that Her Majesty's Government understand that the French Government have communicated with you regarding the provisions of Article 24 of the Constitution of the World Health Organization, which

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\* Unofficial translation from the French

defines the Executive Board of the Organization as consisting of eighteen persons, and have made a proposal that this number should be increased to twenty-four.

I am to state that Her Majesty's Government have also had this subject under consideration, and having regard to the considerable increase in the total membership of the Organization they are of opinion that the membership of the Board should be raised.

I am therefore formally to propose the following changes in Articles 24 and 25 of the Constitution:

Article 24 In the first line, for "eighteen" substitute "twenty-four".

Article 25 Delete, and substitute:

'These Members shall be elected for three years and may be re-elected, provided that of the twelve Members elected at the first Session of the Health Assembly held after the coming into force of the amendment to the Constitution increasing the membership of the Board from eighteen to twenty-four the terms of two Members shall be for one year and the terms of two Members shall be for two years, as determined by lot.'

WORLD HEALTH  
ORGANIZATIONORGANISATION MONDIALE  
DE LA SANTÉSEVENTH WORLD HEALTH ASSEMBLYA7/2 Add. 1 ✓  
5 May 1954

Provisional agenda item: 15

ORIGINAL: ENGLISH

AMENDMENT TO THE CONSTITUTION OF THE WORLD HEALTH  
ORGANIZATION ON MEMBERSHIP OF THE EXECUTIVE BOARDNote by the Director-General

1. In considering the proposed amendment to the WHO Constitution regarding the membership of the Executive Board, the Seventh World Health Assembly may wish to have the following information concerning the membership of the Executive Board of the World Health Organization and similar bodies of other international organizations.

2. Specific references to discussions concerning WHO Executive Board

2.1 The size of the membership of the Executive Board of the World Health Organization was first discussed in 1946 by the Technical Preparatory Committee for the International Health Conference, when that Committee prepared a document entitled "Proposals for the Constitution of the World Health Organization",<sup>1</sup> for consideration by the International Health Conference. While a Sub-Committee of the Technical Preparatory Committee had initially suggested that the number of the members of the Board should be nine to fifteen,<sup>2</sup> the Committee agreed on the following wording concerning the composition of the Executive Board:<sup>3</sup>

2.1.1 "The Board should be composed of a fixed number of (not less than twelve and not more than eighteen) persons designated by as many Member States ...." leaving it to the International Health Conference to decide ultimately on the number.

2.2 At the International Health Conference, several proposals were put forward which suggested that the number of persons serving on the Executive Board should be

<sup>1</sup> Off.Rec.Wld Hlth Org. 1, Annex 23, pages 69 etc.

<sup>2</sup> Off.Rec.Wld Hlth Org. 1, page 33

<sup>3</sup> Off.Rec.Wld Hlth Org. 1, Annex 23, page 72

14 (Chinese proposal)<sup>1</sup> or 18 (proposals of Iran,<sup>2</sup> USSR, Ukraine and Byelorussia<sup>3</sup>). In the course of the debate, having been asked why he advocated the number of fourteen, the delegate from China stated "that the members of the Board, chosen according to the principle of geographic representation ought not to be too numerous, as this might make the work of the Board more difficult".<sup>4</sup> The delegate from Australia stated that he "thought it would be wise to stick to the number of eighteen which had been put to the test at San Francisco, for instance, where eighteen delegates had represented fifty-one nations".<sup>5</sup> The Conference finally decided that the Board should be composed of 18 persons.

2.3 In connexion with the discussion of the election of the members of the Executive Board during the First World Health Assembly, the Italian Delegation addressed a letter to the ~~President~~ of the Assembly by which it requested that

2.3.1 "The Executive Board be instructed to study the possibility of modifying the Constitution of the World Health Organization so that the Executive Board shall consist of more than 18 members, the exact number to be dependent upon the ratifications which will be deposited in future, in such a way that the Members represented on the Board shall be one-third of all Members of the Organization; ....."

2.4 Upon recommendation of the Legal Committee the First World Health Assembly adopted a resolution [WHA1.69] by which it transmitted this letter to the Executive Board for consideration in connexion with its study of the question of the annual nomination and election of members of the Board pursuant to the resolution of 12 July 1948 of this Assembly.

2.5 At its second session, the Executive Board "(1) did not consider it desirable to amend the Constitution as suggested, (2) decided that in any case such an amendment would not meet the immediate problem, because of the unavoidable delay imposed by the procedural conditions required, and (3) was therefore of the opinion that the proposal of the Italian delegation should not be adopted".<sup>6</sup> The Executive

<sup>1</sup> ECOSOC Document E/H/AF/W.8

<sup>2</sup> ECOSOC Document E/H/AF/W.15

<sup>3</sup> ECOSOC Document E/H/AF/W.17

<sup>4</sup> ECOSOC Document E/H/AF/W.41 page 3

<sup>5</sup> ECOSOC Document E/H/AF/W.41 page 3

<sup>6</sup> Off.Rec.Wld Hlth Org. 14, Annex 20, page 66

Board therefore recommended to the Health Assembly [resolution EB2.R24] "that Chapter VI of the Constitution be preserved".<sup>1</sup>

2.6 The Second World Health Assembly in resolution WHA2.80 adopted the above-mentioned report of the Executive Board.

3. As concerns the size of the membership of the Executive Board, Council or Governing Body respectively of other international organizations, the position is as follows:\*

3.1 As concerns the FAO Council

3.1.1 The FAO Conference at its Sixth Session in 1952 discussed a suggestion that there should be an increase in the number of members of the FAO Council which Article V of the Constitution fixes at eighteen, and instructed the Council to consider the subject further and make appropriate recommendations to the Conference.

3.1.2 At its Fifteenth and Sixteenth Sessions the Council examined the question in detail and decided to recommend to the Conference that the number of seats should not exceed one-third of the total number of Members of the Organization, without regard to whether that number was an exact multiple of three. Specifically, the Council recommended that its membership should consist of a minimum of eighteen and a maximum of twenty-four Members, and that, since the Membership of the Organization was then 68, the number of Members of the Council should be increased to twenty-two but if the Membership increased to 69, the Council should be increased to twenty-three seats. There would be no further change until Membership of the Organization totalled 72, when the number of seats in the Council would be increased to twenty-four. A reduction in the Membership of the Organization would involve a corresponding decrease in the number of Council Members in the manner outlined above.

3.1.3 Commission III of the Seventh Session in 1953 of the FAO Conference which examined the question of increase in the number of Council's seats, came to the

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<sup>1</sup> Off.Rec.Wld Hlth Org. 14, page 29

\* A table showing the total Membership of other international organizations and the membership of their Executive Board, Council or Governing Body is appended to this document;

conclusion that it would be a more simple method to have a flat increase from 18 to 24. This would have the virtue of retaining a figure which is an exact multiple of three, one of the matters considered by the Council earlier. Secondly, it would avoid the invention of any formula which would require the Council membership to be adjusted at perhaps fairly short intervals as the size of the Membership of the Organization itself varied.

3.1.4 The FAO Conference at its Seventh Session in 1953 adopted this solution and decided that the membership of the Council should be increased from the figure of 18 to 24, and decided further to amend the Constitution and the Rules of Procedure of the Organization accordingly.

### 3.2 As concerns the ILO Governing Body

3.2.1 At its Thirty-Sixth Session (June 1953) the International Labour Conference adopted an "Instrument for the Amendment of the Constitution of the International Labour Organisation" according to which the Governing Body of the International Labour Organisation shall consist of forty persons, twenty representing Governments, ten representing the Employers and ten representing the Workers. Of the twenty persons representing Governments, ten shall be appointed by the Members of chief industrial importance, and ten shall be appointed by the Members selected for that purpose by the Government delegates to the Conference, excluding the delegates of the ten Members mentioned above. Before this amendment the Governing Body consisted of thirty-two persons, sixteen representing Governments, eight representing the Employers and eight representing the Workers; of the sixteen persons representing Governments eight had to be appointed by the Members of chief industrial importance, the other eight persons having to be appointed by the Members selected for that purpose by the Government delegates to the Conference, excluding the delegates of the eight Members mentioned above. Previously also the ILO Constitution provided that, of the sixteen Members represented, six had to be non-European States; this last provision has been deleted by the amendment.

3.2.2 The reasons which led to the adoption of the increase in membership of the ILO Governing Body are set forth in the following text quoted from page 5, Report VIII submitted by the Governing Body to the 1953 Session of the ILO Conference, on the basis of which the action for amendment was taken:

3.2.3 "4. The International Labour Organisation, which at the outset was composed of 43 Member States, now has 66 Members. That is the highest number yet attained. Between the two wars there were certain fluctuations in membership. In 1934-1935 there were, for a short period, some 60 States Members; during the late 'thirties there was a decrease in membership, and during the war there were only some 50 Members. Since 1945, 16 States have been admitted or readmitted to membership, giving the Organisation a more and more universal character and bringing the membership to the above-mentioned record number of 66. The size of the Governing Body has not been reconsidered by the Conference since its Fourth Session, held in 1922, when it decided to increase the number of members of the Governing Body from 24 to 32.

5. In these circumstances, a solution to ensure that the composition of the Governing Body corresponds to the growth of the Organisation would appear to be indispensable. While it is clearly essential that the Governing Body should remain sufficiently small to retain its present character, some enlargement of its membership would nevertheless seem necessary to afford effective representation for the much wider range of interests which now play an active part in the work of the Organisation. The simplest and least inconvenient manner in which to provide for such representation would appear to be to make certain modifications to the Constitution of the Organisation with a view to a slight increase in the membership of the Governing Body, by means of an Instrument of Amendment such as that set out in paragraph 3 above."

### 3.3 As concerns the Executive Board of the UNESCO

3.3.1 At its Seventh Session held in Paris in 1952, the General Conference of the UNESCO decided to amend Article V of the Constitution in order to raise the number of the members of the Executive Board from eighteen to twenty. One of the main reasons given as justification of this amendment was the adoption of the system of biennial sessions by the General Conference.

### 3.4 As concerns the Council of the ICAO

3.4.1 The Council of the ICAO "is composed of 21 Member States elected by the Assembly for a period of three years. In electing these States, the Assembly must give adequate representation to: 1) those Member States of major importance in

air transport; 2) those Member States not otherwise included which make the largest contribution to the provision of facilities for international civil air navigation; and 3) those Member States not otherwise included, the election of which will ensure that all major geographical areas of the world are represented."<sup>1</sup>

3.4.2 According to the constituent instrument of the ICAO, the Council is a permanent body which meets in virtually continuous session.

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<sup>1</sup> Year-Book of the United Nations, 1952, pages 850 and 851

ANNEX

TOTAL MEMBERSHIP OF THE SPECIALIZED AGENCIES AND MEMBERSHIP  
OF THEIR EXECUTIVE BOARD, COUNCIL OR GOVERNING BODY

Agency	Total Membership	Membership of Executive Board, Council or Governing Body
FAO	71	24
ILO	67	40 <sup>2</sup>
UNESCO	69	20
ICAO	63	21
WHO	81 <sup>1</sup>	18

<sup>1</sup> Excluding Associate Members

<sup>2</sup> Of which 20 represent Governments, 10 represent Employers and 10 represent Workers

WORLD HEALTH  
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DE LA SANTÉSEVENTH WORLD HEALTH ASSEMBLYA7/2 Add 2 ✓  
6 May 1954

Provisional Agenda Item: 15

ORIGINAL: ENGLISH

AMENDMENTS TO THE CONSTITUTION OF THE WORLD HEALTH  
ORGANIZATION ON MEMBERSHIP OF THE EXECUTIVE BOARD

Item proposed by the Governments of Belgium, France,  
Italy and the United Kingdom of Great Britain and Northern Ireland

Rule 11 of the Rules of Procedure of the World Health Assembly requires the Director-General to report to the World Health Assembly on the technical, administrative and financial implications of all agenda items submitted to the Health Assembly.

In accordance with this rule the Director-General reports that the implementation of the proposed amendments to the Constitution, increasing the membership of the Executive Board to 24, would entail an estimated additional cost for meetings of the Executive Board and its Committees - Appropriation Section 2 - of approximately \$10,500 in each year.