

Method of work of the Health Assembly

INTRODUCTION

1. The Health Assembly has periodically reviewed its methods of work, striving constantly to improve its procedures and the organization of its work, to maximize the use of the limited time and resources available for its sessions and to focus its deliberations on the priorities of the Organization. The Rules of Procedure of the World Health Assembly underwent their last significant revision at the Fiftieth World Health Assembly in 1997 (resolution WHA50.18). Experience gained since then points to the need for additional streamlining of the Rules of Procedure in order to ensure that the limited time available to conduct the business of the Health Assembly can be best used for deliberations on programmatic and technical matters. It also points to other improvements that the Rules of Procedure of both the World Health Assembly and the Executive Board could undergo to increase the flexibility and coherence of the proceedings of both organs, with particular regard to the agenda of the Health Assembly.

COMMITTEE ON NOMINATIONS (RULES 24 AND 25)

2. Rule 24 of the Rules of Procedure of the World Health Assembly provides for the membership of the Committee on Nominations, to consist of 24 Members and the outgoing President of the Assembly *ex officio*. Rule 25 indicates that the purpose of the Committee on Nominations is to propose to the Health Assembly nominations for the offices of the President, five vice-presidents and the chairmen of the main committees, and for the remaining members of the General Committee; and to propose to each of the main committees nominations for the offices of the vice-chairmen and rapporteur. The President submits an initial list of proposals for consideration by the Committee, to which the members of the Committee can then add their proposals.

3. The Committee on Nominations meets in the morning of the opening day of the Assembly. The process of establishing and convening the Committee and of holding its meeting takes up at least one hour of the Assembly's time. It also delays the first meeting of the General Committee until the end of the morning, which in turn delays the consideration of the provisional agenda and the organization of work until the afternoon of the first day.

4. The list of proposals submitted by the President originates from consultations held during the regional committees, which allow the Member States of the respective regions to agree on the candidates for the offices for the subsequent Health Assembly. This long-standing and consistent practice, which is based on a predictable and well-accepted regional distribution of the various elective offices, has resulted almost always in elections that have been uncontested, requiring votes by secret ballot only exceptionally in the history of WHO. This consistency of practice has, as a consequence, made the function of the Committee on Nominations marginal and its usefulness questionable.

5. In the light of the foregoing considerations, the Board may wish to recommend that the Health Assembly consider abolishing the Committee on Nominations, and consequently deleting Rules 24 and 25 and amending accordingly Rules 26, 31, 34 and 36, which refer to the report of the Committee on Nominations. The Board may wish to consider that, as is the case for the governing bodies of most organizations in the United Nations, (including WHO's Executive Board), the outgoing President should submit a nomination for President and the incoming President should submit nominations for the vice-presidents, the chairman of each main committee and the members of the General Committee as well as recommendations for the other officers of the main committees. Such nominations would continue to be based on the recommendations made by the regions. This revision would streamline the opening meetings of the Health Assembly and reduce costs, while maintaining the current system of regional distribution of the Assembly's elective offices.

CONSIDERATION OF AGENDA ITEMS, PROPOSALS AND AMENDMENTS BY THE HEALTH ASSEMBLY

6. **Circulation of proposals and amendments (Rule 52).** Rule 52 specifies that proposals and amendments shall normally be introduced in writing, that copies shall be circulated to the delegations by the Director-General, and that – subject to the exceptions indicated in the Rule – no proposal shall be discussed or put to the vote unless copies of it have been circulated at least two days previously.

7. The “two-day rule” aims at allowing delegations to consult with each other and with their respective authorities on the implications of new proposals. However, the two-day period dates from a time when communications with capitals were more difficult than they are today with the widespread availability of electronic communications. At the same time, postponing discussion on a new proposal for two days may create considerable practical difficulties in view of the short duration of sessions of the Health Assembly. Consequently, the Board may wish to recommend that the Health Assembly consider shortening the period in question to one day and amend Rule 52 accordingly. The proposed amendment follows the formulation of Rule 78 of the Rules of Procedure of the United Nations General Assembly.

8. **Discussion of items on the agenda of the Health Assembly.** The same considerations apply, in the view of the Secretariat, to the preclusion laid out in Rule 15 for the Health Assembly to discuss any item on the agenda until at least 48 hours have elapsed after the documents to be produced by the Secretariat under Rules 13 and 14 have been made available to delegations. The Board may wish to recommend that the Health Assembly consider, for practical reasons, decreasing that period to 24 hours.

9. **Method of voting on two or more proposals (Rule 68).** Rule 68 provides that, if two or more proposals are moved, the Health Assembly shall vote on them starting with the proposal deemed by the President to be furthest removed in substance from the proposal first presented, then on the proposal next removed therefrom and so on. This method of voting on multiple proposals mirrors the method of voting when two or more amendments are moved to a proposal (Rule 67), whereby the Health Assembly first votes on the amendment deemed by the President to be furthest removed in substance from the original proposal and so on. The same provision is to be found in Rule 38 of the Rules of Procedure of the Executive Board.

10. The method of voting on multiple proposals used by the Health Assembly and the Board is in contrast with the method employed in the rules of procedure of governing bodies of all other United Nations system organizations. The latter rules consistently provide that, if two or more proposals are

moved, the body concerned shall vote on the proposals in the order in which they were submitted, i.e. in chronological order. The purpose of amendments, as described in Rule 67, is adding to, deleting from or revising part of a proposal, thus it is logical that voting on them would begin with the amendment furthest removed in substance (i.e. the one that changes most drastically the original proposal). If that amendment is approved, it may render voting on the other proposed amendments unnecessary, as explicitly provided in Rule 67. Proposals, however, raise substantively new issues rather than modify issues contained in previously proposed text. The adoption of different methods of vote on multiple proposals and multiple amendments, respectively, seems therefore logical in view of the very different nature of those motions. The Rules of Procedure of both the World Health Assembly and the Executive Board appear to be at this time the only ones following an entirely different approach, for reasons that are difficult to ascertain through the official records of both organs.

11. In view of the foregoing, the Board may wish to recommend that the Health Assembly consider aligning Rule 68 of the Rules of Procedure of the World Health Assembly and may wish to consider aligning Rule 38 of the Rules of Procedure of the Executive Board with the model followed by other United Nations system organizations.

AGENDA OF THE HEALTH ASSEMBLY AND THE EXECUTIVE BOARD

12. A striking feature of the Rules of Procedure of the World Health Assembly is that they do not contain a specific rule indicating that the Health Assembly shall adopt its own agenda. This is in contrast with the explicit provision contained in Rule 10bis of the Rules of Procedure of the Executive Board. The reasons for this omission are difficult to ascertain on the basis of the official records of the Health Assembly.

13. Even though the requirement that the Health Assembly must adopt its agenda in order to conduct its sessions is obvious and can be deduced on the basis of the existing Rules, the Secretariat recommends adding a new Rule 12bis making that explicit so as to avoid any ambiguity. The proposed new rule follows the formulation of Rule 21 of the Rules of Procedure of the United Nations General Assembly. A reference to Rule 12 would clarify that the Health Assembly will consider the recommendation by the General Committee whether to include in the agenda or not proposals for supplementary items.

14. **Provisional agenda of the Executive Board (Rules 8 and 9).** In accordance with Rule 8 of the Rules of Procedure of the Executive Board, the provisional agenda of each session is drawn up by the Director-General in consultation with the Officers of the Board, on the basis of the draft provisional agenda prepared by the Director-General and any proposals for additional agenda items received from Member States and Associate Members. The Board at its 121st session endorsed, in resolution EB121.R1, criteria for the inclusion of proposed additional items in the provisional agenda of the Board.

15. The Director-General and the Officers of the Board have experienced difficulties in drawing up the provisional agenda because Member States proposing agenda items frequently limited themselves to providing the title of the proposed item without any explanation as to the reason for the proposal, its scope, its relationship with similar items already included in the draft provisional agenda circulated in accordance with paragraph 1 of Rule 8, and the action requested from the Executive Board. The lack of such explanations may prevent the Director-General and the Officers from reaching a well-informed decision as to whether to recommend the inclusion, deferral or exclusion of those proposals from the agenda of the Board.

16. To avoid such difficulties, the Board may wish to consider adding a new paragraph to Rule 9, which would require new proposals for inclusion in the provisional agenda of the Board to be accompanied by an explanatory memorandum. The proposed amendment follows the formulation of Rule 20 of the Rules of Procedure of the United Nations General Assembly.

ACTION BY THE EXECUTIVE BOARD

17. The Board may wish to consider the following draft resolution:

The Executive Board,

Having considered the report on method of work of the Health Assembly,

1. DECIDES to amend Rules 9 and 38 of the Rules of Procedure of the Executive Board as follows, with effect from the closure of its 122nd session:

Rule 9

[...]

Any proposal for inclusion on the agenda of any item under (c), (d) and (e) above shall be accompanied by an explanatory memorandum.

Rule 38

If two or more proposals are moved, the Board shall, unless it decides otherwise, vote on the proposals in the order in which they have been circulated to all delegations, unless the result of a vote on a proposal makes unnecessary any other voting on the proposal or proposals still outstanding.

2. RECOMMENDS to the Sixty-first World Health Assembly the adoption of the following resolution:

The Sixty-first World Health Assembly,

Having considered the report on methods of work of the Health Assembly;

1. DECIDES to add to its Rules of Procedure of the World Health Assembly a new Rule 12bis, as follows:

Rule 12bis

At each session the provisional agenda and, subject to Rule 12, any proposed supplementary item, together with the report of the General Committee thereon, shall be submitted to the Health Assembly for its approval as soon as possible after the opening of the session.

2. DECIDES to delete Rules 24 and 25 of the Rules of Procedure of the World Health Assembly;

3. DECIDES to amend Rules 15, 26, 31, 34, 36, 52 and 68 of the Rules of Procedure of the World Health Assembly as follows, on the understanding that the Rules of Procedure shall be renumbered as a consequence of the deletion of Rules 24 and 25:

Rule 15

The Health Assembly shall not proceed, unless it determines otherwise, to the discussion of any item on the agenda until at least **twenty-four** hours have elapsed after the documents referred to in Rules 13 and 14 have been made available to delegations.

[...]

Rule 26

At each regular session, the Health Assembly shall elect a President and five vice-presidents, who shall hold office until their successors are elected.

Rule 31

The General Committee of the Health Assembly shall consist of the President and vice-presidents of the Health Assembly, the chairmen of the main committees of the Health Assembly established under Rule 34 and that number of delegates to be elected by the Health Assembly as shall provide a total of twenty-five members of the General Committee, provided that no delegation may have more than one representative on the Committee. The President of the Health Assembly shall convene, and preside over, meetings of the General Committee.

[...]

Rule 34

[...]

The chairmen of these main committees shall be elected by the Health Assembly.

Rule 36

Each main committee shall elect two vice-chairmen and a rapporteur.

Rule 52

Proposals and amendments shall normally be introduced in writing and handed to the Director-General, who shall circulate copies to the delegations. Except as may be decided otherwise by the Health Assembly, no proposal shall be discussed or put to the vote at any meeting of the Health Assembly unless copies of it have been circulated to all delegations **not later than the day preceding the meeting**. The President may, however, permit the discussion and consideration of amendments, even though they have not been circulated or have only been circulated the day of the meeting.

Rule 68

If two or more proposals are moved, the Health Assembly shall, unless it decides otherwise, vote on the proposals in the order in which they have been circulated to all delegations, unless the result of a vote on a proposal makes unnecessary any other voting on the proposal or proposals still outstanding.

4. FURTHER DECIDES that the foregoing changes to its Rules of Procedure shall take effect from the closure of its Sixty-first session.

= = =