

Process for the election of the Director-General of the World Health Organization

Note by the Legal Counsel

1. The process for the election of the Director-General is governed by the Constitution of the World Health Organization, the relevant rules of procedure of the World Health Assembly and Executive Board as well as several resolutions and decisions of both these organs. The current process is the result of revisions made by the Board and the Health Assembly in 2012 and 2013, and of further adjustments made by the Board through decisions EB146(22) (2020) and EB147(12) (2020) and by the Health Assembly through decisions WHA73(16) (2020) and WHA73(27) (2020).
2. Nevertheless, the previous resolutions and decisions relating to the election process leave some points open. These details concern, in particular: the word limit for proposals; the status of internal candidates; electoral campaign activities at sessions of the regional committees; arrangements for the candidates' forums; support that the Secretariat could provide to the candidates nominated by the Executive Board; the possibility for those candidates to address the Health Assembly before it makes the appointment; and the possible use of optical scanners to count paper ballot votes.
3. Furthermore, attention is drawn to the revised timeline for the nomination and appointment of the Director-General decided by the Health Assembly and reflected in Annex 1.

PROPOSAL OF CANDIDATES

4. Rule 62 of the Rules of Procedure of the Executive Board provides that Member States 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 in a sufficiently timely manner to ensure that all proposals, curricula vitae and supporting information received are translated into all the official languages of WHO, before being dispatched to Member States. At the same time, the Health Assembly, through resolution WHA66.18 (2013), approved the standard form for a curriculum vitae¹ that should be used by Member States proposing persons for the post of Director-General as the sole document to be submitted and decided that the curriculum vitae of each candidate shall be limited to 3500 words.
5. In line with the approach that was followed in respect of proposals for the post of Director-General received in 2016, it is envisaged that:

- (a) the 3500-word limit set out in resolution WHA66.18 will be interpreted as applying to the curriculum vitae, including any additional pages that may be added to it in accordance with the

¹ See resolution WHA66.18 (2013), Annex 3.

standard form for the curriculum vitae itself (although excluding the wording of the standard form itself); and

(b) reference to “supporting information” in Rule 62 of the Rules of Procedure of the Executive Board will be interpreted as referring only to any additional pages that may be added to the curriculum vitae in accordance with the standard form for a curriculum vitae itself (and which must therefore be included within the 3500-word limit).

LEAVE STATUS OF INTERNAL CANDIDATES

6. The code of conduct for the election of the Director-General of the World Health Organization¹ contains provisions with regard to staff members who may be proposed for the post of Director-General, with a view to ensuring the observance of the highest standard of ethical conduct and avoiding the appearance of any impropriety. The code of conduct provides for the Health Assembly or Executive Board to call upon the Director-General to apply Staff Rule 650 concerning special leave to internal candidates.

7. Accordingly, the Director-General intends to place internal candidates who are not elected officials on leave to ensure a clear separation between their campaign activities and their service for WHO. Leave will be applied from the date of the announcement of the names of candidates for the post of Director-General after the closure of the last regional committee session before the session of the Executive Board at which the nomination will take place, and in any event at least 10 weeks before the date fixed for the opening of that session. The financial implications for WHO of extended periods of half and/or full-paid leave cannot be ignored as the election process will extend until May 2022.

8. For these reasons, the Director-General intends to request internal candidates, as on previous occasions, to exhaust their accrued annual leave starting from the date of the announcement of names of candidates for the post of Director-General. Once the accrued annual leave is exhausted, internal candidates will be placed on special leave with half pay until the closure of the 150th session of the Executive Board in January 2022. If one or more internal candidates are nominated by the Board, the Director-General intends to place them after closure of the Board’s session on special leave with full pay until the closure of the Seventy-fifth World Health Assembly in May 2022.²

9. As on previous occasions, WHO staff members who are elected officials would not be required to take special leave in view of their status and functions.

ELECTORAL CAMPAIGN ACTIVITIES AT REGIONAL COMMITTEE SESSIONS

10. Given that the official announcement of names of candidates for the post of Director-General will take place after the closure of the last regional committee session before the session of the Executive Board at which the nomination will take place, and in any event at least 10 weeks before the date fixed for the opening of that session, prospective candidate(s) may be invited to attend regional committee sessions upon request of the proposing Member State(s) to the Regional Directors concerned.

¹ Resolution WHA66.18 (2013), Annex 1, as amended by decision WHA73(27), Annex 1.

² Since special leave with half pay may only be granted at the request of a staff member, the Director-General shall interpret the staff member’s candidature as a request by that staff member to be placed on special leave with half pay for the period between the deadline for the submission of candidatures and the nomination of candidates by the Executive Board.

11. It is understood that the following guidance should be observed:

- (a) it is not expected that campaigning will take place as part of the regional committees' official programmes and, in particular, prospective candidate(s) and Member States will not be given speaking time during official meetings to promote a candidacy;
- (b) prospective candidate(s) and Member States may themselves hold campaign events in the margins of regional committees. These may consist of meetings organized by, or in support of, individual prospective candidates, or of meetings organized by Member States or groups of Member States to hear from several prospective candidates. Such events should take place during breaks in the official programmes, or before or after official meetings of the regional committees;
- (c) given that regional committee sessions will take place before the official announcement of names of candidates for the post of Director-General, it is envisaged that neither will prospective candidate(s) officially present candidatures to any of the regional committees nor will the Secretariat organize any events for prospective candidates in the margins of regional committee meetings;
- (d) regional directors will inform Members of regional committees in advance if any prospective candidates have been invited to observe the proceedings and, if so, that campaign activities are likely to take place in the margins of the committees' meetings; and
- (e) in order to ensure equal treatment and fairness, to the extent that opportunities are provided for campaign activities, these opportunities must be open to all prospective candidates on a similar basis.

12. Depending on the availability of the venue of the regional committee session, the relevant Regional Office may provide, on an equal basis, office space or any other facilities to prospective candidate(s).

CANDIDATES' FORUMS

13. The candidates' forums are intended to provide a non-decision-making platform for candidates to make themselves and their vision known to Member States on an equal basis.¹ The modalities for the candidates' forums are regulated by decision WHA73(27), Annex 2. The attention of the Executive Board is drawn to the following points.

Travel support to candidates

14. In decision WHA73(27), Annex 2, the Health Assembly is silent on the question of whether travel expenses arising out of the candidates' participation in the two candidates' forums would be borne by the Secretariat. During the last election of the Director-General, travel support was provided to all candidates participating in the candidates' forum that took place in November 2016. On that occasion, travel support consisted of an economy-class airline ticket and a per diem for the time necessary for the interview. In light of this practice, and also considering that the candidates' forums are part of the statutory process decided upon by the Health Assembly, the Secretariat intends to provide the same level

¹ Resolution WHA65.15 (2012).

of support to the candidates who will participate in the two candidates' forums foreseen in decision WHA73(27), Annex 2.

Schedule of the first candidates' forum

15. In accordance with Rule 62 of the Rules of Procedure of the Executive Board, the first candidates' forum will be held not later than two months before the opening of the Board session at which the nomination will take place – that is, before the 150th session of the Board in January 2022 – with the actual dates to be decided by the Board at its 149th session in May 2021. The maximum duration of each candidates' forum shall be three days, and the overall duration of each interview shall be 60 minutes.¹ Accordingly, no more than six candidates per day can reasonably be interviewed during ordinary day sessions, for a maximum number of 18 candidates in three days. Extending the forum beyond three days would require a decision by the Health Assembly. To address this potential issue, in the unlikely event that there would be more than 18 candidates, it is envisaged that evening meetings would be scheduled during the first candidates' forum.

Interview modalities at the first candidates' forum

16. In accordance with decision WHA73(27), Annex 2, the first candidates' forum will consist of interviews with candidates. Each candidate will make a presentation of up to 10 minutes, which will be followed by a question and answer session so that the overall duration of each interview will be 60 minutes. The order of the interviews will be determined by lot. However, decision WHA73(27), Annex 2, provides that the detailed arrangements for the interviews may be decided either by the Board at its session preceding the event or by the Member States and Associate Members attending the forum upon the proposal of the Chair of the Board. Accordingly, detailed arrangements covering residual aspects in relation to the conduct of the interviews at the first candidates' forum are set forth for initial consideration in Annex 2 to this report, with a view to facilitating a decision by the Board at its 149th session in May 2021. The Board is invited to provide guidance on these arrangements, including how questions to be put to candidates should be selected.

Panel discussion modalities at the second candidates' forum

17. With respect to the second candidates' forum, decision WHA73(27), Annex 2, provides that it will consist of a more interactive panel discussion between the candidates and Member States and Associate Members attending the forum. The decision does not provide further guidance on the modalities to be followed for the panel discussion.

18. To allow for a transparent, predictable and clear conduct of the second candidates' forum, the Secretariat seeks the Board's guidance on the modalities of the forum. Based on the Board's feedback, the Secretariat will propose detailed arrangements for the Board's consideration at its 150th session. In this regard, the following approaches may be considered:

- (a) the forum may be moderated by an external moderator to be selected by the Officers of the Board;
- (b) all the candidates nominated by the Board may take part in the forum at the same time; and

¹ Decision WHA73(27) (2020), Annex 2.

(c) with a view to enabling an interactive discussion between candidates and Member States and Associate Members, formats that may be considered include:

(i) **Option 1: question and answer format.** Member States and Associate Members could be invited to submit written questions for the candidates in advance of and/or during the forum. Questions so submitted would be drawn by lot and put to each of the candidates in turn (bearing in mind that there will be no more than three candidates at the second candidates' forum). The moderator would facilitate this process. A time limit for answering each question should be determined.

(ii) **Option 2: open discussion on a selected set of topics.** A set of topics could be identified by Member States and Associate Members, either individually or on a regional basis, in advance of the forum. At the forum, an interactive discussion on a selected set of topics would take place among the candidates, with the support of the moderator.

(iii) **Option 3: question and answer format followed by an open discussion on the subject matter of each question.** Member States and Associate Members could be invited to submit written questions for the candidates in advance of and/or during the forum. Questions would be drawn by lot and posed to the candidates. The candidates' responses to a given question would be followed by a more interactive discussion, to be moderated by the moderator, on the topic concerned. A maximum of 45 minutes, inclusive of the question and answer and the debate, would be allowed for handling each topic.

SUPPORT FOR NOMINATED CANDIDATES BETWEEN THE EXECUTIVE BOARD SESSION AND THE HEALTH ASSEMBLY AT WHICH APPOINTMENT TAKES PLACE

19. In order to enable all candidates nominated by the Executive Board for the post of Director-General to have access to appropriate information to support their candidacy, the Secretariat will make available to all candidates, on an equal basis, any information that may have been requested in the context of the election by one of the candidates.

ADDRESS BY NOMINATED CANDIDATES TO THE HEALTH ASSEMBLY

20. The Health Assembly will consider the Board's nomination at a private meeting and will appoint the Director-General by secret ballot in accordance with Rule 110 of the Rules of Procedure of the World Health Assembly.

21. On the occasion of the previous election, however, the nominated candidates were invited to address the Health Assembly before the vote under the conditions set out in resolution WHA69.18 (2016): candidates' statements were limited to a maximum of 15 minutes, the order of statements was decided by lot, there were no questions and answers after statements, and statements were webcast on the WHO website in all official languages.

OPTICAL SCANNERS

22. At its 147th session, the Board considered a report that provided information concerning voting machines able to read votes cast on ballot papers and immediately tabulate the votes.¹ Following that discussion, during which different views were expressed, the matter remains open.

23. The Legal Counsel has been informed that, given the need for a final determination by the Seventy-fourth World Health Assembly in May 2021 so to allow the Secretariat to properly prepare for the vote on the appointment of the Director-General to be conducted at the Seventy-fifth World Health Assembly in May 2022, the Information Management and Technology department is continuing to investigate this matter. The findings of a detailed study covering both the cost–benefit analysis as well as a technical evaluation of optical scanners will be presented at the Seventy-fourth World Health Assembly, following consultations with the Member States.

ACTION BY THE EXECUTIVE BOARD

24. The Board is invited to note this report and to provide guidance on the proposed arrangements for conducting the interviews at the first candidates' forum, set out in Annex 2 to this report. The Board is further invited to provide guidance on the modalities of the second candidates' forum, including the options presented in paragraph 19 of this report, such that, based on the Board's guidance, the Secretariat will present proposed detailed arrangements for the second candidates' forum to the Board at its 150th session in January 2022.

25. The Board may also wish to consider, with respect to the upcoming, and each subsequent, election of the Director-General, recommending that the Health Assembly invite the candidates nominated by the Board to address the Health Assembly before the vote for appointment, under the conditions set out in resolution WHA69.18 (2016) and recalled in paragraph 22 above, unless the Board nominates only one candidate.

26. The Board is further invited to consider adopting the following draft decision:

The Executive Board, having examined the Note by the Legal Counsel on the process for the election of the Director-General of the World Health Organization, decided:

(1) to request the Secretariat to conduct a study on voting machines able to read and immediately tabulate votes cast on ballot papers and to report on its findings to the Seventy-fourth Health Assembly, through the Programme, Budget and Administration Committee of the Executive Board; and

(2) to recommend to the Seventy-fourth World Health Assembly the adoption of the following decision:

¹ See documents EB147/4 Add.2 and the summary record of the first meeting of the Executive Board at its 147th session (resumed), section 4.

The Seventy-fourth World Health Assembly, having considered the report on the process for the election of the Director-General of the World Health Organization, decided:

- (1) that, in respect of the present and subsequent elections, candidates nominated by the Executive Board for the post of Director-General of the World Health Organization shall address the Health Assembly before the vote for the appointment of the Director-General, on the understanding that:
 - (a) statements shall be limited to a maximum of 15 minutes each;
 - (b) the order of statements shall be decided by lot;
 - (c) there shall be no questions and answers after statements;
 - (d) statements shall be webcast on the WHO website in all WHO official languages;
- (2) that paragraph 1 shall not apply in the event that only one candidate is nominated by the Executive Board for the post of Director-General;
- (3) that financial travel support, consisting of an economy-class airline ticket and a per diem for the time necessary for the interview, shall be provided to all candidates participating in the candidates' forums.

ANNEX 1

**INDICATIVE TIMELINE FOR THE NOMINATION AND APPOINTMENT
OF THE DIRECTOR-GENERAL**

Time frame	Action
Mid-April 2021	The Director-General sends out a Circular Letter inviting proposals
August to October 2021	Prospective candidates at regional committee sessions upon request of the proposing Member State(s)
Mid-September 2021	Deadline for submitting proposals
End of October 2021	(a) Announcement of names of candidates (b) Dispatch of proposals and information received (c) Posting of information received on the WHO website
By mid-November 2021	First candidates' forum*
By end of November 2021	Web forum*
150th session of the Executive Board (January 2022)	The Executive Board nominates up to three candidates
By mid-March 2022	Second candidates' forum*
Seventy-fifth World Health Assembly (May 2022)	The Health Assembly appoints the Director-General
Mid-August 2022	The appointed Director-General takes office

* If there is more than one candidate.

ANNEX 2

DETAILED ARRANGEMENTS FOR CONDUCTING THE INTERVIEWS AT THE FIRST CANDIDATES' FORUM

Seating arrangements

1. In the event that participants physically attend the candidates' forum, participants from Member States and Associate Members will be invited to take seats in the Executive Board Room according to their respective regional membership.

Presentation by candidates

2. The presentation by each candidate shall not exceed 10 minutes. Visual aids, including electronic presentation tools, shall not be used.

Selection of questions

3. Each Member State and Associate Member present at the candidates' forum will be given colour-coded tokens, one for each of the candidates to be interviewed, bearing the member's name. Member States and Associate States present will be invited to indicate if they wish to ask a question by placing their token(s) in one of six receptacles (one for each). Once all tokens have been collected by the Secretariat, the Chair will pull one token from each receptacle, following the order of regions that he or she has previously determined by lot. After six questions, one from each region, have been asked, the contents of the six receptacles will be merged into one and the selection of those invited to ask questions will continue, one-by-one, on a fully random basis until the time available for each candidate will be exhausted.

Questions and answers

4. Member States and Associate Members will have up to [one] minute to ask one question only. Multiple-part questions will not be permitted. Candidates will have up to [three] minutes to respond to each question. Each interview will conclude when the 60 minutes for the interview have elapsed, even if there are still questions pending. However, a candidate will be permitted to complete his or her answer to the question being addressed when the 60 minutes elapse. Should there still be time available when the questions have been exhausted, the candidate may, if he or she wishes, make additional remarks within the remaining time.

Timekeeping

5. It is expected that a traffic light system or other electronic timekeeping system will be used to help participants to keep within the time limits during both parts of the interview.

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