



Status of collection of assessed contributions, including Members in arrears to an extent which would justify invoking Article 7 of the Constitution

Second report of the Administration, Budget and Finance Committee of the Executive Board to the Fifty-third World Health Assembly

1. The Administration, Budget and Finance Committee (ABFC) met on 12 May 2000 under the chairmanship of Professor T. Zeltner to consider, *inter alia*, the status of collection of assessed contributions including Members in arrears to an extent which would justify invoking Article 7 of the Constitution (see Annex 1).
2. The Committee noted that the rate of collection of annual assessed contributions at the end of 1999 was 85%, the highest rate since 1985; that 114 Members had paid their current year's assessment in full; and that at 30 April 2000 collections from contributions due in respect of the regular budget amounted to 53.3% of assessed contributions for 2000, the highest rate as at end April for any given year.
3. However, unpaid arrears for prior years amounted to US\$ 157 million, and 31 Members were in arrears to an extent which would justify invoking Article 7 of the Constitution. The Committee noted that since the end of April, US\$ 8 million had been received from Member States in respect of prior years' contributions and that the total amount outstanding was therefore reduced to US\$ 149 million.
4. The Committee noted that the voting privileges of 23 Members (Afghanistan, Antigua and Barbuda, Armenia, Azerbaijan, Bosnia and Herzegovina, Central African Republic, Chad, Comoros, Dominican Republic, Equatorial Guinea, Gambia, Georgia, Guinea-Bissau, Iraq, Kazakhstan, Kyrgyzstan, Niger, Republic of Moldova, Somalia, Tajikistan, Turkmenistan, Ukraine and Yugoslavia) had been suspended, and that suspension would continue at the Fifty-third and subsequent Health Assemblies until the arrears have been reduced to a level below the amount which would justify invoking Article 7 of the Constitution. The Committee was advised that payments had been received from Gambia and Tajikistan. However, these payments were insufficient to preclude them from the provisions of Article 7.
5. By resolutions WHA52.3 and WHA52.4 the Health Assembly had decided to suspend the voting privileges of Liberia and Guinea as from the opening of the Fifty-third World Health Assembly if those Members were still in arrears in the payment of their contributions to an extent that would justify invoking Article 7 of the Constitution. The Committee noted that Guinea had indicated that a payment of US\$ 100 000 would be made before the opening of the Health Assembly. This payment would be sufficient to ensure that Guinea would retain its voting privileges at the Fifty-third World Health Assembly.

6. The Committee noted that as at 30 April 2000, Belarus, Djibouti, Grenada, Nauru, Nigeria and Venezuela were in arrears in amounts that equalled or exceeded the amounts due from them for the preceding two full years. As a result of a payment made in May 2000, Venezuela should be deleted from Annex 3 of document EBABFC13/2 attached as Annex 1 and will therefore not be subject to a resolution with respect to Article 7 at the Fifty-third World Health Assembly. Therefore, pursuant to resolution WHA41.7, unless there are exceptional circumstances justifying a different measure, the Fifty-third World Health Assembly would adopt a decision under which the voting rights of Belarus, Djibouti, Grenada, Nauru and Nigeria would be suspended as from the opening of the Fifty-fourth World Health Assembly.

7. The Committee examined the request of the Government of Equatorial Guinea which had asked that its arrears should be rescheduled in order that its voting privileges might be restored. However, the proposed payment of US\$ 151 254 had not yet been received. The Committee noted that the Secretariat was in contact with representatives of Equatorial Guinea and had been advised that the payment was being forwarded. The Committee therefore considered, on advice from Legal Counsel, that the request of Equatorial Guinea could be considered by the Health Assembly if the proposed payment had been received by the time the agenda item was dealt with.

8. In view of the above, the Committee recommended the following draft resolution for consideration by the Fifty-third World Health Assembly:

The Fifty-third World Health Assembly,

Having considered the second report of the Administration, Budget and Finance Committee of the Executive Board to the Fifty-third World Health Assembly on Members in arrears in the payment of their contributions to an extent which would justify invoking Article 7 of the Constitution;¹

Noting that, at the time of opening of the Fifty-third World Health Assembly, the voting rights of Afghanistan, Antigua and Barbuda, Armenia, Azerbaijan, Bosnia and Herzegovina, Central African Republic, Chad, Comoros, Dominican Republic, [Equatorial Guinea,] Gambia, Georgia, Guinea-Bissau, Iraq, Kazakhstan, Kyrgyzstan, Niger, Republic of Moldova, Somalia, Tajikistan, Turkmenistan, Ukraine and Yugoslavia remained suspended, such suspension to continue until the arrears of the Member State concerned have been reduced, at the present or future Health Assemblies, to a level below the amount which would justify invoking Article 7 of the Constitution;

Noting that, in accordance with resolutions WHA52.3 and WHA52.4, the voting privileges of Liberia and Guinea have been suspended as from 15 May 2000 at the opening of the Fifty-third World Health Assembly, such suspension to continue until the arrears have been reduced to a level below the amount which would justify invoking Article 7 of the Constitution;

Noting that Belarus, Djibouti, Grenada, Nauru and Nigeria were in arrears at the time of the opening of the Fifty-third World Health Assembly to such an extent that it was necessary for the Health Assembly to consider, in accordance with Article 7 of the Constitution, whether or not the voting privileges of those Members should be suspended at the opening of the Fifty-fourth World Health Assembly,

¹ Document A53/28.

1. DECIDES that in accordance with the statement of principles in resolution WHA41.7 if, by the time of the opening of the Fifty-fourth World Health Assembly, Belarus, Djibouti, Grenada, Nauru and Nigeria are still in arrears in the payment of their contributions to an extent which would justify invoking Article 7 of the Constitution, their voting privileges shall be suspended as from the said opening;
 2. DECIDES that any suspension which takes effect as aforesaid shall continue at the Fifty-fourth and subsequent Health Assemblies, until the arrears of Belarus, Djibouti, Grenada, Nauru and Nigeria have been reduced to a level below the amount which would justify invoking Article 7 of the Constitution;
 3. DECIDES that this decision shall be without prejudice to the right of any Member to request restoration of its voting privileges in accordance with Article 7 of the Constitution.
9. The Committee further recommended that in respect of the proposal of Equatorial Guinea, subject to receipt of US\$ 151 254 by the time of consideration in the Health Assembly, the resolution contained in Annex 2 should be adopted.

ANNEX 2

ARREARS IN PAYMENT OF CONTRIBUTIONS: EQUATORIAL GUINEA**Draft resolution**

The Fifty-third World Health Assembly,

Having considered the second report of the Administration, Budget and Finance Committee of the Executive Board on Members in arrears in the payment of their contributions to an extent which would justify invoking Article 7 of the Constitution, with respect to the request of Equatorial Guinea for the settlement of its outstanding contributions, and the terms of that proposal as set forth in the report of the Director-General to the Administration, Budget and Finance Committee,¹

1. DECIDES to restore the voting privileges of Equatorial Guinea at the Fifty-third World Health Assembly;
2. ACCEPTS as an interim measure, that Equatorial Guinea should settle its remaining outstanding contribution of US\$ 201 502 over two years as follows:

	US\$
2001	100 751
2002	100 751

payable in each of the years 2001 and 2002, in addition to the annual contributions due during the period;

3. DECIDES that, in accordance with Article 7 of the Constitution, voting privileges will be automatically suspended again if Equatorial Guinea does not meet the requirements laid down in paragraphs 1 and 2;
4. REQUESTS the Director-General to report to the Fifty-fourth World Health Assembly on the prevailing situation;
5. REQUESTS the Director-General to communicate this resolution to the Government of Equatorial Guinea.

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¹ Annex 5 of document EBABFC13/2, contained in document A53/28, Annex 1.