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27 May 1952

ORIGINAL : ENGLISH

COMMITTEE ON ADMINISTRATION, FINANCE AND LEGAL MATTERS

PROVISIONAL MINUTES OF THE THIRD MEETING

CORRIGENDA

Page 5, third paragraph: Amend the third line to read:

"administrations apart from the question of monetary savings. The proposals"

Page 6, fourth paragraph: Delete from "could not be discussed ...." to the end of the paragraph, and replace by:

"under the Chairman's ruling, were not being voted upon. The discussion had been confined to the question of principle. If a vote were taken on the principle it would be a vote to confirm the decision already taken in 1950; it would not, therefore, require a two-thirds majority."

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## COMMITTEE ON ADMINISTRATION, FINANCE AND LEGAL MATTERS

## PROVISIONAL MINUTES OF THE THIRD MEETING

Palais des Nations, Geneva  
Thursday, 8 May 1952, at 2.30 p.m.

CHAIRMAN: Dr. A.L. MUDALIAR (India)

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8. Reimbursement by Governments for Materials, Supplies and Equipment

Note: Corrections to these provisional minutes should be submitted in writing to Mr. Richards, Room A.571, within 48 hours of their distribution or as soon as possible thereafter.

1. USE OF PUBLICATIONS REVOLVING FUND FOR SALES PROMOTION: Item 7.2.2 of the Agenda (Official Records No. 40, page 26 and Official Records No. 41, page 32)  
(continuation)

Mr. BORDER (Australia), while supporting the proposal to use certain funds from the Publications Revolving Fund for the promotion of sales, queried whether it was wise, until the proposal had been judged to be successful, to increase the amount from \$6,000 for 1952 to \$10,000 for 1953. He suggested that the sum earmarked for 1953 should be reduced to \$6,000.

Mr. SIEGEL (Assistant Director-General, Department of Administration and Finance) Secretary, explained that the \$6,000 for 1952 was for the last 7 months of that year. The amount of \$10,000 in 1953 was for the full year.

Mr. BORDER (Australia) expressed satisfaction with the Secretary's explanations.

Decision: The committee unanimously accepted the resolution proposed by the Executive Board in its resolution EB9.R72.

2. FURTHER STUDY OF THE ORGANIZATIONAL STRUCTURE AND ADMINISTRATIVE EFFICIENCY OF THE ORGANIZATION WITH PARTICULAR REFERENCE TO FREQUENCY OF ASSEMBLY SESSIONS AND TO PUBLICATIONS: Item 7.2 of the Agenda (Official Records No. 35, page 39, Official Records No. 40, page 18, Documents A5/5, A5/AFL/2 and A5/AFL/4)  
(continuation)

### Biennial Health Assemblies

The CHAIRMAN, referring to a point raised at the previous meeting by the representative of Pakistan, said that, under Rule 45 of the Rules of Procedure of the Health Assembly, the proposal submitted by the Lebanese Delegation (A5/AFL/4) did not require to be seconded. Other Rules (in particular, 53, 54 and 56) made it abundantly clear that the seconding of a proposal was not required.

Dr. van den BERG (Netherlands) agreed with the Lebanese Delegation that the proposed Scandinavian amendments to the Constitution (A5/AFL/2) for the purpose of instituting biennial sessions of the Health Assembly, were premature. He was not, however, prepared to vote for the Lebanese proposal to adjourn discussion of the whole question until the Sixth World Health Assembly. The main issue was not that of the proposed amendments to the Constitution, but the principle of convening biennial Health Assemblies, which, in his view, should be given further consideration.

M. DEPRUN (France) said that his delegation fully recognized the importance of the arguments both for and against the principle of holding biennial assemblies as well as those in favour of maintaining the status quo. In the circumstances, the Lebanese proposal seemed to be the wisest course to take and for that reason his delegation supported it.

Mr. MASON (New Zealand) was unable to support the Lebanese proposal. The Third World Health Assembly had approved the principle of biennial assemblies and there was no fresh proposal before the present Assembly to reverse that decision. The point at issue was: how could that decision be implemented, and when. If it was decided that Member States had been given sufficient notice of the Scandinavian proposed amendments to the Constitution, there was no reason why a decision should not be taken on the matter at the current Health Assembly. If, on the other hand, insufficient notice had been given, there was no reason why the committee could not proceed to a detailed consideration of the proposals of the Executive Board.

Mr. PINHO (Portugal) supported the Lebanese proposal. Although the documentation clearly showed that budgetary savings would be effected by biennial health assemblies,

that did not necessarily mean a saving of time since they might last longer than annual ones and would certainly save national health administrations no time at all. In his view, governments should be reconsulted on the matter, particularly because of the effect of the proposal on the composition of the Executive Board. Moreover, there was some divergence between the amendments proposed by the Executive Board and those of the Scandinavian delegations.

Mr. CALDERWOOD (United States of America) was unable to support the Lebanese proposal for much the same reasons as those given by the Delegate for New Zealand. The documentation clearly showed what would be the effect of the acceptance of the proposal to hold biennial assemblies - approved in principle two years ago. There was no reason for postponing consideration of the main question and of the various proposals to implement the principle of biennial assemblies.

Decision: The proposal of the Lebanese delegation (A5/AFL/4) was rejected by 23 votes to 20 with 2 abstentions.

The CHAIRMAN said that discussion would be resumed on the principle of biennial assemblies.

M. GEERARERTS (Belgium) said that roughly equivalent arguments could be advanced both for and against the holding of biennial assemblies. He had voted in favour of the Lebanese proposal because the Health Assembly, in addition to being the authoritative body of the Organization, provided a valuable opportunity for the discussion of health problems and for learning regional and national views on them, for the direction of international health policies, for acquiring international concepts of health and general medical problems and for establishing personal contacts among members of the delegations, the Executive Board and the Secretariat.

The happy results of those indirect influences might vanish if Health Assemblies were held every two years. He called attention to three points which seemed to have been overlooked: (1) biennial Assemblies would delay the admission of new members and thus entail similar delays in the receipt of their contributions; (2) the office of Director-General might be left vacant for two years under the provisions of Article 92 of the Rules of Procedure of the Health Assembly; (3) the possibility of prolonged absence, during two consecutive years of a member of the Executive Board.

Mr. WILLIAMS (Canada) stressed his delegation's continued support of the principle of biennial Assemblies. The administrative structure of WHO was now sufficiently established to permit the Secretariat - in the interval between biennial Health Assemblies - to deal with many problems of a substantive nature.

Mr. CALDERWOOD (United States of America) said that his delegation was strongly in favour of biennial Assemblies because of the saving in time for national health administrations; apart from the question of monetary savings, the proposals of the Scandinavian countries made it possible for the Assembly to hold more frequent meetings should the need arise.

Dr. van den BERG (Netherlands) suggested the setting-up of a small working party which he was convinced might be able to produce amendments more acceptable than those submitted by the Scandinavian countries.

The CHAIRMAN, referring to a legal point in regard to the acceptability of the Scandinavian amendments under the provisions of Article 73 of the Constitution, proposed that they be referred to the Legal Sub-Committee before further consideration of the general principle of biennial Assemblies.

Mr. BRADY (Ireland) submitted that the best approach would be to ascertain the sense of the meeting as to whether the amendments were acceptable and only after that refer the matter to the Legal Sub-Committee. He was not in favour of the establishment of a working party until the committee had confirmed the decision already taken in principle at the Third World Health Assembly.

Dr. TOGBA (Libya) endorsed the views expressed by the representative of Ireland. He suggested that a vote should first be taken on the principle of biennial Assemblies before amendments were referred to the Legal Sub-Committee.

The CHAIRMAN invited attention to Article 73 of the Constitution, under which a two-thirds majority vote was required in the case of proposed amendments to the Constitution.

Mr. CALDERWOOD (United States of America), speaking on a point of order, said that the proposed amendments could not be discussed until the decision taken in 1950 had been confirmed.

Dr. HOJER (Sweden) observed that any change in a prior Assembly decision would also require a two-thirds majority vote.

The CHAIRMAN referred to Rules 59 and 66 of the Rules of Procedure of the Health Assembly and submitted that any decision on the general question of biennial Assemblies would involve amendments to the Constitution, and thus required a two-thirds majority vote.

Mr. MASON (New Zealand) stressed that there was no proposal before the present Assembly to reverse a previous decision. The only question to be decided was (1) how to implement the decision of the Third Health Assembly and (2) when. A third point arose, namely whether the proposals before the committee had been notified to governments sufficiently in advance for a decision on amendments to the Constitution to be taken this year.

Dr. BRAVO, Representative of the Executive Board, explained that the Board had recommended neither adoption nor rejection of the system of biennial Assemblies but had only submitted the study made at the request of the Health Assembly.

Dr. van den BERG (Netherlands) said there were two possibilities before the committee: (1) to vote on the question of principle; (2) to vote on the Scandinavian amendments by a two-thirds majority.

Dr. JAFAR (Pakistan) observed that the present committee was only entitled to consider the second part of the resolution of the Fourth World Health Assembly, namely, a study of the subject of biennial Assemblies, together with any amendments for their implementation - and not to approve or disapprove the question of principle already decided upon.

On the proposal of Dr. TOGBA (Liberia) the meeting was suspended at 3.40 p.m. and was resumed at 4 p.m.

The CHAIRMAN summarized the discussion: the Third World Health Assembly had decided, by a simple majority, to accept in principle the holding of biennial Assemblies and had requested the Executive Board and the Director-General to consider and report on

any necessary amendments to the Constitution. The task before the committee was to make a further study of the organizational structure and administrative efficiency of WHO, together with any necessary amendments to the Constitution, should the Assembly ultimately decide on biennial Assemblies.

The committee, therefore, should consider the amendments on their merits but, before that, it was essential for the Legal Sub-Committee to decide on their acceptability under the provisions of Article 73.

Decision: The amendments submitted by the delegations of Denmark, Sweden, Norway and Finland (A5/AFL/2) were referred to the Legal Sub-Committee for consideration of their acceptability under Article 73 of the Constitution.

3. DRAFT FIRST REPORT OF THE COMMITTEE (document A5/AFL/5)

After the Rapporteur had read the draft first report, it was approved by the committee.

4. ACCIDENT INSURANCE FOR MEMBERS OF THE EXECUTIVE BOARD; Item 7.30 of the Agenda (document A5/6)

The SECRETARY, referring to resolution WHA2.47, said that, at the time it was adopted no specialized agency was providing insurance cover for members of its executive body. The situation had since changed and action taken in this respect by the other specialized agencies was outlined in the document before the committee. The Director-General now considered it advisable to recommend that the Organization should provide travel insurance for all members of the Executive Board during their travel to and from meetings of the Board.

The committee agreed to endorse the proposal made by the Director-General.

5. ESTABLISHMENT OF THE AMOUNT OF THE WORKING CAPITAL FUND FOR 1953: Item 7.25 of the Agenda (Official Records No. 39, page 83)

The SECRETARY said that the proposed resolution regarding the Working Capital Fund for 1953 was identical with that for 1952 except that the figure to be inserted in the second line of paragraph 1 would be different; the figure was affected by the admission of the four additional Member States but would be the same as that given in the footnote to Official Records No. 39, page 83, that is, \$3,378,811, since there had been no admissions to membership since December 1951.

The committee approved the text of the proposed resolution.

6. REPORT OF THE DIRECTOR-GENERAL ON STATUS OF ASSEMBLY SUSPENSE ACCOUNT; Item 7.26 of the Agenda (Continuation) (Official Records No. 41)

The SECRETARY said that the point at issue was whether the committee would approve the recommendation made by the Executive Board that the sum of \$130,390 from the Assembly Suspense Account should be used to help finance the 1953 Budget and the additional recommendation of the Director-General that \$15,000 of the remainder of the net cash balance in the account should also be used for this purpose. In reply to the Delegate of the United Kingdom, he said that the allocation of these sums to the 1953 Budget would in no way affect the total size of the Budget but would reduce the size of assessments against Member States.

Dr. TOGBA (Liberia) moved that the proposals regarding both the sums concerned should be approved.

The committee adopted the proposal of the Delegate of Liberia.

7. CURRENCY OF CONTRIBUTIONS: Item 7.18.1 of the Agenda (document A5/33)

The SECRETARY said that efforts had been made since the inception of the Organization to find a method by which contributions could be received in some currency other than dollars or Swiss francs. After consultation with Governments and with other international organizations, a plan had been developed which would make it possible for part of the contributions for 1953 to be payable in sterling. It was impossible at this stage to state exactly the percentage involved. In reply to the Delegate of the Netherlands he said that he would estimate that the percentage might be between 10% and 25%.

On the proposal of the Chairman, a resolution on following lines was approved:-

The Fifth World Health Assembly,

Having considered the report of the Director-General on Currency of Contribution to the annual Budget of WHO,

Noting with gratification the steps taken by the Director-General to implement a plan whereby a proportion of the contribution could be paid in sterling;

Realizing that the successful execution of the plan will, however, depend on the co-operation of all Governments concerned,

1. CALLS ON all Member States to give maximum support and co-operation to the plan;

2. WISHES to thank the Government of the United Kingdom for the generous co-operation, which has made it possible to introduce the plan;
3. CONCURS in the proposals of the Director-General for further implementation of the plan; and
4. REQUESTS the Executive Board, at its tenth session, to consider this proposal in accordance with the provisions of Financial Regulation 5.5.

8. REIMBURSEMENT BY GOVERNMENTS FOR MATERIALS, SUPPLIES AND EQUIPMENT: Item 7.29 of the Agenda (document A5/32)

The SECRETARY said that the Director-General had made every effort to implement the instructions given in the amended paragraph VI to the 1949 Appropriation Resolution adopted by the Second World Health Assembly, but experience had shown that the cost of moving non-expendable equipment which had been used by a demonstration team was often higher than the depreciated value of the equipment. The Director-General further wished to draw attention to the fact that this policy was no longer consistent with the programme policies of the Organization, since it was recognized that there was greater encouragement to governments to continue projects demonstrated by teams if non-expendable equipment used by the teams was handed over to the receiving governments, who were not always in a position to pay for it. The Director-General hoped that the committee would recommend the deletion of the paragraph concerning reimbursement for materials, supplies and equipment from the 1953 Appropriation Resolution.

Dr. TOGBA (Liberia) stressed the difficulties of governments of under-developed countries of meeting these reimbursement costs. He was certain that the deletion of

this paragraph would be most advisable and would help those governments to continue programmes which had been started by demonstration teams.

Mr. NICOLAS (Haiti) agreed with the remarks of the delegate of Liberia.

Mr. MELLIS (United Kingdom) said that his delegation was in favour of the principle contained in the paragraph but would approve the deletion of the paragraph since the policy, in practice, appeared to be economically unsound and administratively unworkable.

The CHAIRMAN proposed a resolution on the following lines:

The Fifth World Health Assembly,

Having considered the report of the Director-General on the reimbursement by Governments for supplies and equipment after completion of the work of demonstration teams, and

Taking into consideration that the countries to which services are provided by the Organization are contributing considerable sums in their national currencies towards the implementation of these projects;

1. DECIDES to amend the draft Appropriation Resolution for 1953 contained in Official Records No. 39, page 81, by the deletion of paragraph V;
2. DECIDES further to authorize the Director-General not to implement these requirements for prior years.

In reply to the delegate of France, the SECRETARY said that although negotiations regarding reimbursement were in progress with various governments no payments had as yet been made; if the proposed resolution were adopted, all negotiations on this matter would be discontinued.

Mr. HAYEK (Lebanon) supported the proposed resolution and congratulated the Director-General on his recommendations.

The committee approved the proposed resolution.

The meeting rose at 5 p.m.