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COMMITTEE ON ADMINISTRATION, FINANCE AND LEGAL MATTERS
PROVISIONAL MINUTES OF THE NINTH MEETINGPalais des Nations, Geneva
Friday, 14 May 1954, at 10 a.m.

CHAIRMAN: Dr. M. JAFAR (Pakistan)

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[Statement Israel]

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1. REPORT ON THE SITUATION REGARDING THE REGIONAL COMMITTEE FOR THE EASTERN MEDITERRANEAN: Item 7.9 of the Agenda (Official Records No. 48, Resolution WHA6.47; Official Records No. 52, Resolution EBL3.R45 and Annex 14; Document A7/AFL/22) (continued)

Mr. CALDERWOOD (United States of America) remarked that the question under discussion had been before the Committee many times and most delegates were familiar with the factors involved. For various reasons it had proved impossible to implement the wish of the Sixth World Health Assembly that the functions of the Regional Committee should be carried out through two sub-committees. Certain constitutional objections had been raised to that procedure, but he was quite sure the Committee would agree that there were no grounds for such objections. Apart from that, the Member States of the Region concerned had affirmed their willingness to give the plan a trial. The Executive Board had called attention to the fact that the two sub-committees had not met and suggested that the Assembly might wish to determine the procedure to be followed in order that the two sub-committees could carry out their functions.

The Committee had before it the proposal of the Lebanese delegation, set out in document A7/AFL/22, which was largely a repetition of the resolution adopted by the Sixth World Health Assembly; it differed, however, from the Executive Board's proposals, in that the Executive Board held that the Health Assembly should assume responsibility for defining the procedure to enable the sub-committee to function. He fully concurred in that view: it was the responsibility of the Health Assembly; the task should not be imposed on the Director-General or the Regional Director.

Divergent views had been expressed on the conditions to be fulfilled to enable the Director-General or the Regional Director to convene the two sub-committees. That did not seem to him an insuperable obstacle and he wondered whether it might not be advisable to establish a working party to study the matter and submit proposals to the Committee on the procedures to be followed. In determining procedures, the working party might indicate the conditions which should be fulfilled in order to enable the Regional Director to convene the two sub-committees. He accordingly proposed the establishment of such a working party to be given terms of reference on those lines.

The CHAIRMAN thought it better to discuss the proposal of the delegate of the United States of America before calling on the remaining speakers on his list and asked for views on that proposal.

Dr. van den BERG (Netherlands) strongly supported the proposal as a wise move towards settlement of the problem. The Committee had already benefited from the advice of other working parties and he hoped similarly good results would be obtained in the present instance.

Dr. AL-PACHACI (Iraq) was not clear what the proposed working party would have to do. The delegate of the United States had mentioned conditions that would enable the two sub-committees to meet and function. As everyone was aware, all Members of the Region, with one exception, were ready and willing to meet, and the French, Italian and United Kingdom Governments had also intimated their readiness to participate in any regional meeting that might take place. He accordingly failed to understand what the working party was to do.

The whole problem could be resolved in a moment if the Israeli delegation would signify its readiness to participate in Sub-Committee B. The talk of conditions, therefore, seemed somewhat unrealistic. Was it a question of the conditions that Israel would impose for participation in the work of the region? The remaining Members had no conditions to lay down. The United States delegate had pointed out that the constitutional objections raised by Israel were not serious. But, those were the only objections, apart from technical considerations, that Israel had put forward. Hence, if they were disposed of, nothing remained to be settled.

Dr. EVANG (Norway) entirely agreed with the views expressed by the delegate of the United States of America. The time had come to work out on a practical and realistic basis the conditions under which the two sub-committees could meet. As practical men, the members of the Committee were only interested in the matter in so far as it related to the functioning of WHO.

The main stumbling block to the functioning of the sub-committee had been that the countries concerned could not agree on a time and place of meeting. In addition, therefore, to the terms of reference suggested by the delegate of the United States, the working party should consider whether or not the Lebanese draft resolution should be amended to the effect that the two sub-committees should meet at the same place and at the same time - the place to be decided by agreement between the interested parties and, in the event of non-agreement, to be selected by the Director-General of WHO.

Dr. EL-WAKIL (Egypt) endorsed the remarks made by the delegate of Iraq. It was customary to entrust to a working party technical work that could not easily be done in

a main committee. In the present instance, the problem would be very readily resolved by the application of good will, since the overwhelming majority of the countries in the Region were ready to meet, and one country only had refused. He wondered whether the role of arbiter was to be assigned to the working party; that would, in his opinion, certainly be beyond the usual functions of such a group. Moreover, the task of fixing the place and date of meetings was purely administrative, and again should not be entrusted to a working group. In those circumstances, he believed it would be better to face the situation as it was.

Mr. de ERICE (Spain) stated that the attitude of the Spanish delegation on the question under discussion was guided by a spirit of international collaboration. The point at issue in regard to resolution WHA6.47 was not that of the actual functioning of the two sub-committees, but rather the fact that the Director-General had been unable to give effect to the wish of the Assembly as expressed therein.

There was every cause for optimism, however, in the fact that the tone of the discussions at the present session was very different from that of previous occasions. In that connexion, he paid a tribute to the constructive attitude of the Israeli delegation and its evident desire to find a solution to the problem. That being so, he would suggest that Israel might provisionally become a Member of the European Region. In several of the specialized agencies, such as UNESCO and FAO, that course had been followed, and it would appear to set a logical precedent for similar action in WHO. There was a particularly close parallel with FAO, which also was concerned with the transmission of disease and with conditions of a regional character generally. Moreover, there was a precedent within the Organization;

Greece had provisionally agreed to join the Eastern Mediterranean Region until the European Region had been constituted.

It might be difficult for the delegation of Israel to give an immediate reply, and he therefore suggested that his proposal be left in abeyance until it had had time to consult its Government.

He endorsed the proposal of the United States of America for the establishment of a working group to consider, among other matters, the rules of procedure of the two sub-committees. It was his understanding of the terms of resolution WHA6.47 that the establishment of the two sub-committees implied also their functioning and that they could meet separately. Even if only one of the sub-committees functioned, the Director-General and the Regional Director could provide the necessary liaison with the remaining members. The proposed working party might study ways for effecting that liaison between the two sub-committees.

The CHAIRMAN again asked speakers to confine their remarks to the establishment of a working party.

Dr. HAYEK (Lebanon) asked for the delegate of the United States to explain the real objective of the proposed working party. Was it to study the functioning of the two sub-committees with a view to clarifying paragraph 3 of the draft resolution submitted by his own delegation (A7/AFL/22)? He would also like to know the views of the delegation of Israel on the suggestion just made by the delegate of Spain.

Professor BRISKAS (Greece) explained, with reference to the statement of the delegate of Spain, that Greece had become a Member of the Eastern Mediterranean Region merely because at the time the European Region had not yet been constituted. There was, therefore, absolutely no analogy with the present case.

Dr. AL-PACHACHI (Iraq) said that it would seem from the statements of the delegates of the United States, of Norway and Spain that each of them had a different conception of the terms of reference of the proposed working party.

Until the Committee had a clear idea of what those terms of reference were to be it would be impossible to vote on the question.

He again emphasized that there would be no need to establish a working party or to prolong the discussion if the delegate of Israel would intimate his readiness to co-operate and participate in Sub-Committee B.

Mr. CALDERWOOD (United States of America) explained that he had mentioned both conditions and procedure. It seemed to him that, since the Director-General had found it impossible to convene Sub-Committee B, the Health Assembly might indicate what conditions had to be fulfilled in order that the Director-General might convene both the sub-committees. In speaking of procedures, he had had in mind the rules of procedure of the sub-committees. According to the provisions of the Constitution, the Regional Committees were empowered to determine their own procedure. The present case was somewhat different, however, and questions might arise regarding the constitutionality of decisions taken in separate meetings. It was the prerogative of the Health Assembly to settle constitutional issues. Guiding principles should therefore be established by the Health Assembly and the two sub-committees left to work out their own rules of procedure, apart from the issue of unconstitutionality.

The CHAIRMAN thought one point should be cleared up before a working party could be set up: an objection on constitutional grounds had been raised to the resolution adopted by the last Health Assembly. Perhaps the Secretariat would be able to give some clarification of the position.

Mr. ZARB (Chief, Legal Office) wished to specify that the legality and constitutionality of the decision taken by the Sixth Health Assembly had not been questioned. It was on the legality of the procedure proposed by the Regional Director in his letter of invitation that the Israeli Government had formulated criticisms and doubts.

Mr. CIDOR (Israel) confirmed Mr. Zarb's statement.

Dr. AL-PACHACHI (Iraq) also concurred in Mr. Zarb's remarks. The Committee should find no difficulty in endorsing the procedure in question; it had not been challenged the previous year, had been based on expert advice, and finally, the delegate of Israel had himself agreed to waive the objections in question. Accordingly, no further difficulty subsisted in that connexion.

He still found the question of the terms of reference somewhat confused. The delegate of the United States of America had given no clear indication of which rules of procedure were to be established for the two sub-committees.

The CHAIRMAN asked the Regional Director for the Eastern Mediterranean to make a statement.

Dr. SHOUSEHA, Regional Director, Eastern Mediterranean Region, recalled that, during the discussion on resolution WHA6.47 at the Sixth World Health Assembly, he had been asked by the delegate of Iraq whether or not its provisions were feasible. He had replied that the Regional Director would implement the Assembly's decision by every possible means. He had, therefore, prepared his letter of invitation to the Member States of the Region immediately after the closure of the Assembly. In doing so, he had consulted with the Legal Adviser to WHO, and had drafted the letter on the lines proposed in the discussion by the French delegation.

The CHAIRMAN said he was still not clear why it had proved impossible to hold meetings of the sub-committees. If that could be specified, the Committee might be able to establish some suitable arrangement to overcome the difficulty.

The DIRECTOR-GENERAL said a full explanation had been given in his letter, addressed to all Member States of the Organization and reproduced in his report to the Executive Board (Official Records No. 52, Annex 14). All were aware of the inherent difficulties of the problem, and he was now asking the Assembly for guidance on how to implement its wishes as expressed in resolution WHA6.47; he would be prepared to carry out any instructions given him.

Mr. CIDOR (Israel) felt that the basic difficulty for the Director-General lay in the decision of the Assembly itself, which stipulated that the constitution of the two sub-committees should be fixed in accordance with the wishes of the countries concerned. Agreement on that point had not been obtained and if a working party was set up, its task should be to find means of giving effect to that provision.

Dr. AL-PACHACHI (Iraq) pointed out that the agreement of the overwhelming majority of the countries concerned on the constitution of the two sub-committees had been obtained. The single country outstanding was surely not suggesting that, in order to carry out the wishes of the Health Assembly, there should be unanimous agreement.

Dr. BRADY (Ireland) moved the closure of the debate on the proposal to set up a working party, in accordance with Rule 56 of the Rules of Procedure. The longer the debate continued, it seemed to him, the more difficult would become the task of the working party, and eventually of the Committee.

Dr. AL-PACHACHI (Iraq) objected to the motion because no clear idea had as yet been given of the proposed terms of reference for the working party; hence it would not be right to take an immediate vote on the question.

Mr. de ERICE (Spain) also opposed the motion for closure as being somewhat premature. There was little point in establishing a working party without giving it clear instructions on its task.

Decision: The Committee rejected the motion for closure by 18 votes to 13, with 13 abstentions.

Mr. de ERICE (Spain) suggested, chiefly with the object of bringing the discussion to an early close, that the terms of reference of the working party might be established on the following lines:

"In order to implement resolution WHA6.47, with respect to the functioning, even separately and independently, of the two sub-committees mentioned therein, a working party is established to recommend in as short a time as possible appropriate procedures to enable the Director-General to convene each of the sub-committees separately and to carry out the necessary liaison between the two through the Director-General and the Regional Director."

Dr. S.D. TOKDEMIR (Libya) said that if he understood correctly the statement that had been made by the Secretariat, one thing only had prevented the holding in 1953 of the two sub-committees, that was the question whether the procedure that had been followed by the Regional Director had been legal and constitutional. The task before the Assembly therefore was to find the right procedure, and if they were successful they would obtain a solution to the problem before them.

Dr. EVANG (Norway) again supported the proposal of the delegate of the United States of America, who he thought had put clearly to the Committee the questions that the working party should consider. The fact that the Chairman had recently found that no other member of the Committee wished to speak supported his own view that the Committee understood the case before them.

Mr. El WAKIL (Egypt) again asked the delegate from the United States what procedure he had in mind for the working party. If it were not made clear the Committee might find itself acting as a legislative body and laying down rules of procedure for the Regional Committee. Was it the intention that the working party should consider the question on broad lines or should they go into details?

The CHAIRMAN replied that it was necessary that some detail should be worked out, or the same problem as had arisen in 1953 might recur in 1954. They should ask the working party to suggest a formula which would enable the Director-General and the Regional Director to decide on a procedure which would secure the meeting of the two sub-committees.

Mr. EL WAKIL (Egypt) said it did not appear to him that the working party could constitutionally work out Rules of Procedure for the Regional Committee. Each regional committee should frame and adopt its own Rules of Procedure.

The CHAIRMAN thought it was premature to assume that the working party would exceed their powers. The question before them was to work out the practical answer to the difficulties that had been experienced in 1953. The constitutional questions were met by the resolution of the Sixth World Health Assembly (WHA6.47). What was now wanted was a practical procedure by which that resolution could be put into effect.

Mr. HESSEL (France) warmly supported terms of reference suggested for the working party by the Chairman.

Dr. HAYEK (Lebanon) supported the proposal of the Chairman, which appeared similar to that put forward by the delegate of Spain, with the additional request to provide practical suggestions with regard to paragraph 3 of the draft resolution proposed by his delegation (A7/AFL/22).

The CHAIRMAN put the proposal to the vote.

Decision: The proposal to set up a working party was carried by 35 votes to 2, with 14 abstentions.

The CHAIRMAN asked for suggestions for the composition of the working party, particularly from the delegate of the United States of America.

Mr. CALDERWOOD (United States of America) did not wish to take away from the Chairman the prerogative of nominating members of the working party.

Dr. HAYEK (Lebanon) suggested that the Committee should be composed of representatives of the delegations of the United States of America, France, Italy, United Kingdom of Great Britain and Northern Ireland, Iraq, Egypt, Pakistan, and the Netherlands.

Mr. EL WAKIL (Egypt) and Dr. AL-PACHACHI (Iraq) suggested respectively adding representatives from Spain and from Israel.

Mr. CIDOR (Israel) said that he was very grateful for the suggestion made by the delegate from Iraq, but wished to make a slightly different proposal. The working party should work in a peaceful and non-contentious atmosphere; it would therefore, he thought, be better that it should not include representatives of countries in the Eastern Mediterranean Region. The working party could, of course, consult representatives of those countries informally.

The CHAIRMAN pointed out that a question of principle had been raised: whether Members representing countries in the Region concerned should be included in the working party.

Dr. HAYEK (Lebanon) said he had suggested representatives of such countries solely on the ground that they were lawyers and that the working party would be considering legal questions.

Dr. AL-PACHACHI (Iraq) thanked the delegate of Lebanon for the compliment, but said that he was not a lawyer.

Dr. HAYEK (Lebanon) thought it would be useful that Members of the countries concerned should be on the working party so that they could explain their difficulties. He thought that private discussions would be hardly adequate for this purpose.

Mr. de ERICE (Spain) proposed that in order that the agreement at which the working party would arrive would be properly representative of the views of the Committee, the Latin American countries should be represented by the delegate from Cuba and the Asian countries by the delegate of Japan.

Mr. El WAKIL (Egypt) thought that countries of the Region should be represented on the working party.

The CHAIRMAN suggested that the present difficulty might be met by using a procedure which had been adopted in other phases of the work of the Organization. Under that procedure they could constitute a nucleus of a few members to whom the representatives of the countries interested would express their views in turn. This nucleus should not include representatives of countries in the Region. After the present prolonged debate, the views of the several parties should be sufficiently clear. The representatives of countries in the Region, who would have definite views on what should be done to secure the meetings of the two Committees, should put their views to the working party in order to help them to formulate practical suggestions for consideration by the Committee.

Dr. van den BERG (Netherlands) supported the proposal of the Chairman.

Mr. CALDERWOOD (United States of America) asked whether the delegate from Lebanon would in the circumstances be prepared to withdraw the list he had suggested and leave it to the Chairman to submit to the Committee a list on the lines which the Chairman had just suggested.

The CHAIRMAN suggested that, if that proposal were agreeable to the Committee, it might proceed to other items of the agenda; before adjourning, he would announce the names of those whom he suggested for the working party.

It was so agreed.

Mr. CIDOR (Israel) said he had earlier in the meeting asked for the floor because he wished to put before the Committee some points which did not bear directly on the proposal to appoint a working party but which would be important to the working party. The delegate from Iraq had made some statements to which his Government could not reply by silence. He would not take more than ten minutes of the time of the Committee. The decision to appoint a working party had not eliminated the problems which he had still to answer.

The CHAIRMAN thought that this suggestion might be helpful.

Dr. AL-PACHACHI (Iraq) and Mr. El WAKIL (Egypt) said that they must reserve the right of their Governments to answer any points included in the statement of the representative of Israel with which they might not agree.

The CHAIRMAN said that, in the circumstances and as the Committee had taken a decision to appoint a working party and had closed debate on that question, it would be better to proceed to other items of the agenda.

Mr. CIDOR (Israel) said that he would hand in his statement so that it might be included in the minutes.

The CHAIRMAN asked if there was any objection to this suggestion.

Mr. SIEGEL (Assistant Director-General, Department of Administration and Finance), Secretary, said that it was necessary to distinguish between statements handed in for reproduction and distribution in full, and the summary statements which were included in the minutes of the meeting.

The CHAIRMAN asked which of these alternatives members of the Committee preferred: a statement recorded and circulated as such or a summary included in the minutes.

Mr. CIDOR (Israel) said that he agreed to the inclusion in the minutes of a summary of his statement.

Dr. AL-PACHACHI (Iraq) thought that it would be necessary to summarize in the minutes the statement of the delegate of Israel and added that, if that statement were included in the summary, he would also wish to have included with the minutes a summary of any comments he might find it necessary to make on the statement of the delegate from Israel.

The CHAIRMAN pointed out that the debate was not yet finished and that members would have a later opportunity to deal with any statements to which they wished to reply. The statement of the delegate from Israel would be summarized in the usual way and included with the minutes, (see Annex).

2. SESSIONS OF REGIONAL COMMITTEES AT REGIONAL HEADQUARTERS: Item 7.10 of the Agenda (Official Records No. 46, Resolution EB11.R50 III, Official Records No. 48, Resolution WHA6.44 III and Official Records No. 52, Resolution EB13.R28 and Annex 5)

Dr. HYDE, representative of the Executive Board, suggested that the Committee might like to discuss at the same time item 7.28 of the agenda.

PAYMENT OF TRAVEL EXPENSES OF REPRESENTATIVES TO MEETINGS OF REGIONAL COMMITTEES (Official Records No. 46, Resolution EB11.R50 II, Official Records No. 48, Resolution WHA6.44 II, Official Records No. 52, Resolution EB13-R27 and Annex 5)

It was so agreed:

Dr. HYDE, representative of the Executive Board, referred the Committee to the statement in Annex 5 of Official Records No. 52. The Executive Board had at its eleventh session recommended that the Sixth World Health Assembly should authorize the reimbursement of the travel expenses of one representative to one session a year of the regional committee and that that Assembly should suggest to regional committees that they should consider the possibility of holding their sessions at regional headquarters every alternate year. The Sixth World Health Assembly had deferred consideration of both these questions so that the regional committees might have

an opportunity to study and comment on the proposals. The comments made by the various regional committees on the proposal to reimburse travelling expenses were summarized in paragraph 2.1 of Annex 5 to Official Records No. 52 and their comments as to the place of regional committee meetings were summarized in paragraph 2.2 of that annex. It was explained in 2.3 of the Annex that as the Regional Committee for the Eastern Mediterranean did not meet in 1953, these two matters had not been studied and commented on by the States in that Region.

The Board, after considering these comments, had adopted resolution EB13.R27 (as to payment of travelling expenses), had withdrawn their earlier resolution and recommended that expenses of attendance at meetings of regional committees should not be reimbursed by WHO. As regards the place of meeting, the Executive Board had similarly considered the comments of the regional committees and adopted resolution EB13.R28, in which they recommended that, in deciding on the place of their meetings, regional committees should consider holding them from time to time at the site of the regional office, taking into account the costs involved for the Organization and the Member States concerned. The Board decided also in these resolutions that the comments of the regional committees should be transmitted to the Seventh World Health Assembly.

Mr. SOLE (Union of South Africa) said that he wished to place on record that his Government had consistently held the view that meetings both of central organizations and of regional committees should be held away from headquarters only if the host government were prepared to pay the additional expenses so involved.

The CHAIRMAN read Article 48 of the Constitution which provides that "regional committees shall meet as often as necessary and shall determine the place of each meeting". It was in the light of that article of the Constitution that the Executive Board had made its recommendations.

Dr. van den BERG (Netherlands) agreed with Dr. Hyde that the two items of the agenda under discussion were related. His Government would like to accept the idea that governments should themselves pay the expenses of their representatives attending meetings of regional committees. If meetings of regional committees were always held at the regional headquarters, that principle would give too much advantage to the country in which the regional headquarters was situated.

The CHAIRMAN proposed to the Committee the following draft resolution on agenda item 7.10:

"The Seventh World Health Assembly,

Having considered resolution EB13.R27 of the Executive Board on the payment of travel expenses of representatives to meetings of regional committees,

1. NOTES that the Executive Board has withdrawn its recommendations on this subject contained in resolution EB11.R50, and
2. DECIDES that these expenses shall not be reimbursed by WHO."

Decision: The draft resolution was adopted.

The CHAIRMAN then read the proposed draft resolution on item 7.28 of the agenda, as follows:

"The Seventh World Health Assembly,

Having noted the comments of the regional committees and recommendations of the Executive Board on the holding of sessions of regional committees at regional headquarters, and

Considering that, in accordance with Article 48 of the Constitution, regional committees are responsible for determining the place of each meeting,

RECOMMENDS that, in deciding on the place of their meetings, regional committees should consider holding them from time to time at the site of the Regional Office, taking into account the cost involved for the Organization and the Member States concerned."

Decision: The draft resolution was adopted.

3. SELECTION OF THE COUNTRY OR REGION IN WHICH THE EIGHTH WORLD HEALTH ASSEMBLY WILL BE HELD (Article 14) (Official Records No. 48, Resolution WHA6.42, Official Records No. 52, Resolution EBL3.R59 and Annex 16, A7/AFL/3)

Dr. HYDE, representative of the Executive Board, said that the Board had had great pleasure in passing its resolution EBL3.R59. He recalled to the Committee that Dr. Zozaya, the delegate of Mexico, had extended at the Sixth World Health Assembly the generous invitation to the Organization to hold its Eighth Assembly in Mexico City. The Organization had studied the questions involved and it would be seen from the document before the Committee that every point that had been asked for by the Organization had been met by the Government of Mexico - additional costs, facilities and immunities for delegations, installation and equipment necessary to the effective holding of the meeting. The Committee would note that the Board had, in its resolution, expressed its appreciation of the invitation extended by the Government of Mexico, had recommended to the Seventh World Health Assembly that the Eighth World Health Assembly should be held in Mexico in 1955 and that it should request the Director-General to enter into an appropriate agreement with the Government of Mexico

and to report thereon to the Executive Board at its fifteenth session.

Sir Arcot MUDALIAR (India) warmly supported the action of the Executive Board and said that his delegation had earlier expressed their high appreciation of this invitation. On the general question he thought it important that there should be certain minimum conditions for the acceptance of invitations to hold Assemblies elsewhere than at Headquarters. Two questions were involved, first, the additional cost and second, which he thought even more important, the privileges and immunities necessary for delegates attending the Assembly. These conditions had been generously fulfilled by the Government of Mexico and he was glad to note that that Government had been the first to accept all these conditions. He hoped that the practices which were followed by some other specialized agencies with regard to the meetings of their governing bodies would never be followed by the World Health Organization.

Dr. van den BERG (Netherlands) referred to the statement, made under the previous item, by the delegate of the Union of South Africa that meetings should only exceptionally be held away from Headquarters. He did not share that view as regards regional committees but he did agree with regard to meetings of the Health Assembly: it was possible to hold an efficient meeting of a regional committee in almost any city but it was very difficult to organize more complicated meetings such as the Health Assembly except where facilities similar to those at Geneva were available. The Netherlands delegation thought there should be few exceptions to that rule; if meetings of the Health Assembly were held away from Headquarters as often for example as once every three years, that procedure could not be considered as exceptional. He recalled however that the World Health Assembly had not met away from its Headquarters since its second session in Rome in 1949. He agreed that Mexico City was a suitable

place and that the Mexican Government had made ample and generous arrangements.

The CHAIRMAN read to the Committee the resolution recommended by the Executive Board in their resolution EBL3.R59 (Official Records No. 52, page 25).

Decision: The resolution was adopted with acclamation.

Dr. ZOZAYA (Mexico) thanked the Committee for their decision and for the generous references that had been made to the action of his Government. In Mexico City they had not perhaps all the facilities available in Geneva but they could provide perhaps some compensatory advantages. He would therefore be very happy to see them all in Mexico City in 1955.

4. REPORT ON THE SITUATION REGARDING THE REGIONAL COMMITTEE FOR THE EASTERN MEDITERRANEAN: Item 7.9 of the Agenda (resumed)

The CHAIRMAN recalled to the Committee his promise to suggest at the end of the meeting a list of the members proposed for the working party to consider the difficulties that had arisen on this question. He proposed that the nucleus of the working party should be composed of representatives of the United States of America, Japan, Spain, Netherlands and India. He had deliberately kept the number small so that they could hear the views presented to them and come quickly to a decision and would be less tempted to engage in lengthy discussions.

Mr. de ERICE (Spain) said that he assumed that the representatives of countries who wished to attend Sub-Committees A and B respectively would be heard by the working party.

The CHAIRMAN agreed and said that he hoped that the States concerned would agree times for such hearings with the nucleus working party and arrange to present their views. He thought that there were only two points of view to be heard and he hoped therefore that two representatives only would attend for this purpose and not representatives of all thirteen countries in the Region.

The meeting rose at 11.55 a.m.

SUMMARY OF THE STATEMENT REFERRED TO BY THE DELEGATE FROM
ISRAEL ON PAGE 17 OF THE MINUTES

Mr. CIDOR (Israel) regretted that, because the representatives of certain countries in the Eastern Mediterranean Region did not address themselves to the real point at issue, it should be necessary to come back over the points raised in the long debates on this subject during the sessions of the past two years.

The Committee had heard a long statement two days ago from the delegate from Iraq on the details of the problem with which the Committee was concerned, but they had not heard a word on the essence of the problem. The delegate from Iraq had dissected isolated sentences from the letters of the Israeli Government which appeared in Annex 14 of Official Records No. 52, without referring to the basic problem. An attempt had been made to suggest that a serious principle was involved in giving effect to the wish expressed at the Sixth World Health Assembly, but that was not the case.

So that the position of his own delegation should be clearly understood, he would repeat what he had said in his brief remarks at the meeting on Monday. Two sessions of the Regional Committee for the Eastern Mediterranean were held in 1949 and in 1950 at Geneva and Istanbul, respectively, at which all the countries of the Region had met in complete accord, and in the calm atmosphere suitable to such discussions, had considered the common health problems of the Region. But in the following year the Arab States had decided, for reasons in no way concerned with the constructive work of international organizations, to impose on the State of Israel an economic, political and diplomatic boycott and, as part of that boycott, instructions had been given to the representatives of the ministries of this group of States to disregard the

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principle of international co-operation in the organizations of which they are Members and, as far as possible, to eliminate the participation of Israel in the work of Regional Committees.

The representatives of these countries had, therefore, come to the following session of the World Health Assembly with instructions which made it impossible to apply the principles laid down in Chapter XI of the Constitution. The rigid attitude of these delegates had obliged the Sixth Health Assembly (in its resolution WHA6.47) to postpone indefinitely examination of the questions arising from the absence of meetings of the Regional Committee, and to express the wish that the Regional Committee should provisionally carry out its work by two sub-committees, the constitution of which would be determined with the consent of the interested countries. The resolution had been passed without enthusiasm, simply as an attempt to neutralize in part and provisionally, the unconciliatory attitude of the countries concerned, which might have serious results on the work of the Organization. It was not the fault of Israel that such a compromise had been necessary.

The delegate of Iraq had not referred to any of these points. He had introduced into the debate opinions which, he said, were "implicit" in the text of the resolution in order to divert attention from the real point, which was to reach agreement with the interested countries and study the procedure which would allow the wish of the Sixth Health Assembly to be implemented.

To justify his attacks, the delegate of Iraq had emphasized what he called the refusal of Israel to apply the parliamentary procedure, to which that Government had referred in their letter of 17 September 1953 to the Director-General of the Organization.

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It could be only lack of experience in parliamentary procedure which had led the delegate of Iraq to the view that such procedure could permit the majority to silence the minority, to prevent it from taking part in debate, and to leave it in isolation with the governments of one or two friendly countries whose seats of government were not in the Region. The purpose of the resolution of the Sixth World Health Assembly was directed precisely to avoid this disguised exclusion of the minority from the Regional Committee. The attempt to use this resolution to produce a situation opposed to that intended by the Health Assembly was the ground on which his Government had refused to follow the procedure which had been suggested. The situation, therefore, was not that a veto had been imposed by one State in the Region on the wishes of other States; it was a defence of the principles on which was based the compromise proposed by the French delegation at the Sixth Health Assembly and approved by delegates to that Assembly.

To deny those principles would reduce WHO from an organization composed of sovereign States - large and small - united in complete equality, to an organization in which any group that had a majority of votes in a region would be able to suppress any Member of the region with which it might decide not to meet on regional level.

The whole merit of parliamentary procedure was exactly that it brought different opinions together in free discussion. It was in order to avoid dictatorial action under cover of false interpretations such as those put forward by the delegate of Iraq that his Government had not been able (according to its letter of 17 September 1953) to accept the procedure proposed.

In the same spirit, the delegate from Iraq had constituted himself the defender of our Regional Director, whom, according to his interpretation, we were supposed to

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have seriously offended, tacitly, of course. The Government of Israel did not consider that it had to apologize to the Regional Director, for everything that was said in the letter from that Government was straightforward and it contained no tacit insinuations. Dr. Shousha had been good enough to give an assurance that he had never understood the text of that letter as a personal attack on himself. Israel's appreciation of his technical work had been expressed and repeated, in speeches and in writing, and there was no need to reiterate it again. The fact that the Israeli Government were not in unconditional agreement with everything that he had done in the case under discussion, in no way affected that appreciation. If every criticism of a man's work were to be interpreted as a personal attack on himself, the world would never know peace.

The delegate of Iraq had said, in explaining the reasons which had prevented the Arab countries of the Middle East from reaching agreement with Israel as to the composition of the two sub-committees (in accordance with the wish of the Sixth World Health Assembly) that he had received instructions not to meet the delegates of Israel even for five seconds to discuss technical matters of common interest. The delegation of Israel, on the other hand, had received formal instructions not to take part in any arrangements which would reduce the World Health Organization to a tool of a political manoeuvre, which, by a roundabout procedure sought to obtain de facto what it had not been able to obtain de jure. What the countries that had inflicted this long and pointless debate on the Assembly during the last three years were seeking, had been stated clearly two days previously: the unconstitutional isolation of the State of Israel in the Region of which it was an integral part. To confirm such manoeuvres would be nothing less than to subscribe to the politics of a number of countries in which

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it was considered a crime to speak of peace with one's neighbour. The delegation of Israel was deeply persuaded and confident that within an international organization which aimed to assist in smoothing the way towards peace, such manoeuvres would not be condoned.

He had said two days before that, faithful to the policy of peace to which they were devoted, the delegation of Israel were ready to study any proposal which would make it possible to end the present deadlock. So far as they were concerned, they were willing also that the Regional Committee should meet at any time and in any country to which they had access, but they did not consider it their duty to offer solutions in order to satisfy the obstinate refusal of certain countries in the Region to apply in the letter and spirit the provisions of Chapter XI of the Constitution. They would study, however, in their usual conciliatory spirit, any proposals which the Seventh World Health Assembly might make in pursuance of the resolution EBL3.R45 of the Executive Board.