



REGIONAL COMMITTEE

Provisional Agenda item 10

*Fifty-first Session
7-11 September 1998*

SEA/RC51/16 Add.1

3 September 1998

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**BRIEFING ON THE REGIONAL IMPLICATIONS OF THE DECISIONS AND
RESOLUTIONS OF THE FIFTY-FIRST WORLD HEALTH ASSEMBLY
AND THE ONE HUNDRED AND FIRST AND ONE HUNDRED AND
SECOND SESSIONS OF THE EXECUTIVE BOARD**

AND

**REVIEW OF THE DRAFT PROVISIONAL AGENDAS OF THE ONE
HUNDRED AND THIRD SESSION OF THE EXECUTIVE BOARD
AND THE FIFTY-SECOND WORLD HEALTH ASSEMBLY**

Part 1

1. Decision EB101(2) – Review of the Constitution of the World Health Organization: report of the Executive Board special group (Article 73 of the Constitution: Amendments)

According to Article 73 of the WHO Constitution, amendments shall come into force for all members when adopted by a two-thirds vote of the World Health Assembly and accepted by two-thirds of the Members in accordance with respective constitutional processes. These are two separate processes; both are required to amend the Constitution.

Because of lengthy delays in bringing amendments to the WHO Constitution into force (e.g., 8 years for the most recent amendment to Art. 24 increasing the size of the EB from 31 to 32), the Special Group of the Executive Board (EB) for the review of the Constitution had proposed to EB101 a revision to Art. 73 of the Constitution designed to speed up the process. The Special Group proposed that any proposed amendment adopted by the Health Assembly should automatically come into force unless rejected within a period of 18 months by one-third of the Members of the Organization.

EB101 requested that further study be undertaken of processes in other UN organizations concerning entry into force of constitutional amendments. This study was reported to EB102 (May 1998), together with several options for giving effect to constitutional amendment. The principle behind the various options was that where proposed amendments received a higher vote in the Health Assembly, a lower level of constraint could be required than at present for their acceptance by Member States – a vote of three-quarters of the Members being considered sufficiently high to require no subsequent acceptance procedure. EB102 decided to refer the issue to a Working Group, which would report its findings to the 103rd session of the EB (January 1999). EB Members from the South-East Asia Region will wish to receive full briefing on this subject prior to EB103, in order to represent regional interests.

2. Decision EB101(3) – Review of the Constitution of the World Health Organization: Report of the Executive Board Special Group (Art. 2 of the Constitution: Functions)

Decision EB101(3) requested the Director-General to ensure that the revised text of Article 2, as contained in the report of the Special Group, is reviewed at all levels of the Organization in the course of 1998, and to submit to the 103rd session of the EB a final text reflecting the broad consultative process.

The Regional Director convened a Consultative Meeting in September 1997 to prepare input to a review of this matter by the fifty-first session of the Regional Committee for South-East Asia. The outcome of the Consultation is contained in document SEA/RC51/Inf.4 entitled "Review of the Constitution of the World Health Organization".

Further observations of the Regional Committee on the outcome of the consultation will be communicated by the Regional Director to the Director-General for her consideration when preparing her submission to EB103.

Annex to Part 1

**EXTRACT FROM EB DOCUMENT EB101/DIV/4
(DECISIONS AND LIST OF RESOLUTIONS)**

**EB101(2) Review of the Constitution of the World Health Organization:
report of the Executive Board special group (Article 73 of the
Constitution: Amendments)**

The Executive Board, recognizing the need to accelerate the procedure for the entry into force of amendments to the Constitution once adopted by the Health Assembly, decided to defer consideration of the proposed amendment to Article 73 contained in the report of the special group for the review of the Constitution of the World Health Organization (document EB101/7), and requested the Director-General to present to the Executive Board, at its 102nd session, a study of the legal situation in other international organizations of the United Nations system concerning entry into force of amendments, and to propose solutions consistent with international law in order to accelerate the entry into force of amendments to the Constitution.

**EB101(3) Review of the Constitution of the World Health Organization:
report of the Executive Board special group (Article 2 of the
Constitution: Functions)**

The Executive Board requested the Director-General to ensure that the revised text of Article 2, as contained in the report of the special group for the review of the Constitution (document EB101/7), is reviewed at all levels of the Organization during the course of 1998, and to submit to the Executive Board, at its 103rd session, a final text reflecting this broad consultative process.

Part 2

REVIEW OF THE DRAFT PROVISIONAL AGENDAS OF THE ONE HUNDREDAND-THIRD SESSION OF THE EXECUTIVE BOARD ANDTHE FIFTY-SECOND WORLD HEALTH ASSEMBLY

In order to foster greater correlation of the work of the Regional Committee with that of the Executive Board and of the World Health Assembly, the Regional Committee has adopted the practice, since 1980, of reviewing the draft provisional agendas of the Executive Board and the World Health Assembly so that it could note important matters of regional and global interest.

Regional Committees are urged to take an active part in the work of the Organization and to submit to the Executive Board their recommendations and concrete proposals on matters of regional and global interest. In its turn, the Executive Board routinely reviews the policy proposals of the regional committees concerning matters of worldwide interest, particularly for the ensuing sessions of the Executive Board and the World Health Assembly.

The following information is provided on a few of the draft provisional items of the 103rd session of the Executive Board which are considered to be of particular interest to the SEA Region. The information is intended to bring to the attention of the Regional Committee upcoming issues of particular importance to the Region and on which appropriate briefing will be prepared for SEAR Members of the Executive Board in due course.

(1) Item 4 – Report on cabinet projects

Cabinet projects represent a concept introduced by the current Director-General.

They result from a decision of the Director-General's Cabinet; are run by a project manager; are focused in scope and time; and are "cross-cutting".

They could be viewed as a special study, review/feasibility analysis. The Cabinet projects to be reviewed by the January session of the Executive Board are Roll back Malaria; Tobacco free; Evidence base and Information technology.

(2) Item 5.3 – Programme budget matters

Of the four sub-items to be reviewed, the 'Proposed programme budget for the financial period 2000-2001' and 'Regular budget allocations to regions' will be of major importance to the SEA Region.

In addition to presenting the WHO proposed programme budget, the Director-General is expected, in accordance with resolution WHA51.31, to report on the details of the resources allocation model and the regional, intercountry and country allocations to be applied to the 2000-2001 biennium.

(3) Item 5.5 – WHO Reforms

The Executive Board will consider the final text from the Director-General concerning amendments to Article 2 of the Constitution, describing the functions of the Organization. The outcome of the *discussion on this subject during the current session of the Regional Committee (RC51)* will have served as input to the Director-General in the formulation of her report to the Executive Board.

Concerning Article 73, the Executive Board will consider the report of a Working Group to consider the issue of whether and how to modify the current procedure for giving effect to constitutional amendments. This issue has previously been considered by the 101st and 102nd sessions of the Executive Board without reaching a conclusion. It will also be a subject of discussion under item 10 of the fifty-first session of the Regional Committee.

(4) Item 5.6 – Strategic framework of the period 2000-2003

This framework is expected to reflect modification of the pattern represented in the past by the elaboration of six-year General Programmes of Work, the current one covering the period 1996-2001.

Annex 1 of Part 2

DRAFT PROVISIONAL AGENDA OF EB 103
(January 1999)

1. Opening of the session
2. Adoption of the agenda
3. Report by the Director-General
4. Report on Cabinet projects
 - Roll back Malaria
 - Tobacco free
 - Evidence base
 - Information technology
5. Matters for decision of Executive Board
 - 5.1 Appointment of the Regional Directors for the Americas, South-East Asia and Western Pacific
 - 5.2 Report of the Programme Development Committee and the Administration, Budget and Finance Committee
 - 5.3 Programme budget matters
 - Proposed programme budget for the financial period 2000-2001
 - Supplementary budget for the financial period 1998-1999 (if any)
 - Regular budget allocations to regions
 - Extrabudgetary resources: policy framework
 - 5.4 Financial matters
 - Status of collection of assessed contributions, including Members in arrears to an extent which would justify invoking Article 7 of the Constitution.
 - Casual income
 - Real Estate Fund
 - Amendments to the Financial Regulations and Rules (if any)
 - 5.5 WHO reforms
 - Amendments to Articles 2 and 73 of the Constitution

- 5.6 Programme matters, technical and health issues
 - Strategic framework for the period 2000-2003
 - Revised drug strategy
 - Polio eradication
- 5.7 Administrative matters
 - *WHO/UNICEF/UNFPA Coordinating Committee on Health: terms of reference*
 - Confirmation of amendments to the Staff Rules (if any)
 - Collaboration with nongovernmental organizations; report of the Standing Committee on Nongovernmental Organizations
 - Awards
- 5.8 Governing body matters
 - Provisional agenda for and duration of the Fifty-second World Health Assembly
 - Date and place of the 104th session of the Executive Board
 - Timing of election of Chairman of the Executive Board
6. Matters for information of Executive Board
- 6.1 Implementation of resolutions and decisions: progress reports by the Director-General
 - Iodine deficiency
 - Smallpox eradication
- 6.2 Reports of advisory bodies and related issues
 - Report on meetings of expert committees and study groups (including report on appointments to expert advisory panels and committees)
- 6.3 Collaboration within the United Nations system and with other intergovernmental organizations.
 - United Nations system reform
 - International Decade of the World's Indigenous People
 - Reports of the Joint Inspection Unit
- 6.4 Personnel matters
 - Statement by the representative of the WHO staff associations on matters concerning personnel policy and conditions of service
 - *Employment and participation of women in the work of WHO: annual report*
 - Report of the International Civil Service Commission
7. Closure of the session.

Annex 2 of Part 2

PROVISIONAL AGENDA OF WHA 52
(May 1999)

Plenary Meetings

1. Opening of the session
2. Appointment of the Committee on Credentials (Rule 23)
3. Election of the Committee on Nominations (Rule 24)
4. Election of the President and the five Vice-Presidents (Rule 26)
5. Election of the Chairman of Committee A (Rule 34)
6. Election of the Chairman of Committee B (Rule 34)
7. Establishment of the General Committee (Rule 31)
8. Adoption of the agenda and allocation of items to the main committees (Rules 33 and 34)
9. Review and approval of the reports of the Executive Board on its 102nd and 103rd sessions.
10. Review of *The world Health Report 1999* and the Director-General's report on *The Work of WHO* [Rule 65(a) and decision EB93(6)]
11. Admission of new Members and Associate Members (Article 6 and Rule 115) (if any)
12. Election of Members entitled to designate a person to serve on the Executive Board (Article 18(b), 24 and 25, and Rules 100-103 inclusive)
13. Awards
14. Approval of reports of main committees
15. Closure of the Fifty-second World Health Assembly

Committee A

16. Election of vice-Chairman and Rapporteur (Rule 36)
17. Proposed programme budget for the financial period 2000-2001 [Articles 18(f), 55 and 56]
18. Strategic framework for the period 2000-2003

19. *Implementation of resolutions and decisions (progress reports by the Director-General)*¹
- Promotion of horizontal technical cooperation in health sector reform in developing countries
 - Revised drug strategy
 - Iodine deficiency
 - Poliomyelitis eradication
 - Smallpox eradication

Committee B

20. Election of Vice-Chairman and Rapporteur (Rule 36)
21. Financial matters
- 21.1 Interim financial report on the accounts of WHO for 1998 and comments thereon of the Administration, Budget and Finance Committee [Article 18(f); Financial Regulations 11.3 and 12.9]; report of the External Auditor; report of the Internal Auditor
 - 21.2 Status of collection of assessed contributions, including Members in arrears in the payment of their contributions to an extent which would justify invoking Article 7 of the Constitution.
 - 21.3 Casual income
 - 21.4 Real Estate Fund
 - 21.5 Amendments to the Financial Regulations (if any)
22. Appointment of the External Auditor
23. Scale of assessments
- 23.1 Assessment of new Members and Associate Members
 - 23.2 Scale of assessments for the financial period 2000-2001
24. Amendments to the Constitution (resolution EB101.R2)
25. Collaboration within the United Nations system and with other intergovernmental organizations
- International Decade of the World's Indigenous People
26. Health conditions of, and assistance to, the Arab territories, including Palestine.

¹ Report requested in resolution WHA51.10 covered under item 10; report requested in resolution WHA51.18 covered under item 17.

27. Personnel matters: amendments to the Staff Rules (if any)
28. United Nations Joint Staff: Pension Fund
 - 28.1 Report of the United Nations Joint Staff Pension Board
 - 28.2 Appointment of representatives to the WHO Staff Pension Committee

Annex 3 of Part 2

**CORRELATION OF THE WORK OF THE REGIONAL COMMITTEE,
THE EXECUTIVE BOARD AND THE WORLD HEALTH ASSEMBLY**
(Based on Agenda Items)

Fifty-first session of the SEA Regional Committee (September 1998)		One hundred-and-third session of the Executive Board (January 1999)		Fifty-second World Health Assembly (May 1999)	
Agenda item	Subject	Agenda item	Subject	Agenda Item	Subject
6	Proposed Programme Budget 2000-2001	5.3	Proposed Programme Budget for the financial period 2000-2001	17	Proposed Programme Budget for the financial period 2000-2001
9.	Nomination of Regional Director	5.1	Appointment of the Regional Director for the Americas, South- East Asia and Western Pacific		
10	Regional implications of the decisions and resolutions of the Fifty-first World Health Assembly and the 101 st and 102 nd sessions of the Executive Board	5.5	WHO reform – Amendments to Articles 2 and 73 of the Constitution	19	Implementation of resolutions and decisions (progress reports by the Director-General)
		5.6	Programme matters, technical and health issues: – Strategic framework for the period 2000- 2003 – Revised drug strategy – Polio eradication		

NOTE: This Annex contains items which are common to the agenda of the Regional Committee, the Executive Board and the World Health Assembly. There are also various topics or sub-items in the EB and WHA agendas which may be covered in the Regional Committee when discussing, *inter alia*, the *Report of the Regional Director*.