SECOND REPORT OF COMMITTEE B

(DRAFT)

During its sixth and seventh meetings held on 16 May 1980, Committee B decided to recommend to the Thirty-third World Health Assembly the adoption of the attached resolution relating to the following agenda item:

42. Transfer of the Regional Office for the Eastern Mediterranean
TRANSFER OF THE REGIONAL OFFICE FOR THE EASTERN MEDITERRANEAN

Proposal for an Advisory Opinion of the International Court of Justice

The Thirty-third World Health Assembly,

Having regard to proposals which have been made to remove from Alexandria the Regional Office for the Eastern Mediterranean Region of the World Health Organization,

Taking note of the differing views which have been expressed in the World Health Assembly on the question of whether the World Health Organization may transfer the Regional Office without regard to the provisions of Section 37 of the Agreement between the World Health Organization and Egypt of 25 March 1951,

Noting further that the Working Group of the Executive Board has been unable to make a judgement or a recommendation on the applicability of Section 37 of this Agreement,

DECIDES, prior to taking any decision on removal of the Regional Office, and pursuant to Article 76 of the Constitution of the World Health Organization and Article X of the Agreement between the United Nations and the World Health Organization approved by the General Assembly of the United Nations on 15 November 1947, to submit to the International Court of Justice for its Advisory Opinion the following questions:

(1) Are the negotiation and notice provisions of Section 37 of the Agreement of 25 March 1951 between the World Health Organization and Egypt applicable in the event that either party to the Agreement wishes to have the Regional Office transferred from the territory of Egypt?

(2) If so, what would be the legal responsibilities of both the World Health Organization and Egypt, with regard to the Regional Office in Alexandria, during the two-year period between notice and termination of the Agreement?
SECOND REPORT OF COMMITTEE B

During its sixth and seventh meetings held on 16 May 1980, Committee B decided to recommend to the Thirty-third World Health Assembly the adoption of the attached resolution relating to the following agenda item:

42. Transfer of the Regional Office for the Eastern Mediterranean

The delegation of the Libyan Arab Jamahiriya, on behalf of 19 countries of the Eastern Mediterranean Region as well as a number of other Arab countries, expressed its opposition to the resolution contained in this report (document A33/47).
TRANSFER OF THE REGIONAL OFFICE FOR THE EASTERN MEDITERRANEAN

Proposal for an Advisory Opinion of the International Court of Justice

The Thirty-third World Health Assembly,

Having regard to proposals which have been made to remove from Alexandria the Regional Office for the Eastern Mediterranean Region of the World Health Organization,

Taking note of the differing views which have been expressed in the World Health Assembly on the question of whether the World Health Organization may transfer the Regional Office without regard to the provisions of Section 37 of the Agreement between the World Health Organization and Egypt of 25 March 1951,

Noting further that the Working Group of the Executive Board has been unable to make a judgement or a recommendation on the applicability of Section 37 of this Agreement,

DECIDES, prior to taking any decision on removal of the Regional Office, and pursuant to Article 76 of the Constitution of the World Health Organization and Article X of the Agreement between the United Nations and the World Health Organization approved by the General Assembly of the United Nations on 15 November 1947, to submit to the International Court of Justice for its Advisory Opinion the following questions:

(1) Are the negotiation and notice provisions of Section 37 of the Agreement of 25 March 1951 between the World Health Organization and Egypt applicable in the event that either party to the Agreement wishes to have the Regional Office transferred from the territory of Egypt?

(2) If so, what would be the legal responsibilities of both the World Health Organization and Egypt, with regard to the Regional Office in Alexandria, during the two-year period between notice and termination of the Agreement?