

RULES OF PROCEDURE OF THE EXECUTIVE BOARD OF THE WORLD HEALTH ORGANIZATION¹

MEMBERSHIP AND ATTENDANCE

Rule 1

The Executive Board (hereinafter referred to as the “Board”) shall, in accordance with Chapter VI of the Constitution of the World Health Organization (hereinafter referred to as the “Organization”) and Rules 98–105 of the Rules of Procedure of the World Health Assembly (hereinafter referred to as the “Health Assembly”) consist of and be attended by the persons (hereinafter referred to as the “members”) duly designated to serve on the Board.

Rule 2

Each State Member entitled to designate a person to serve on the Board shall inform the Director-General in writing of the names of the person designated and of any alternate and adviser. The Director-General shall similarly be informed of any change in such designation.

Rule 3

All Member States not represented on the Board and Associate Members may designate a representative who shall have the right to participate without vote in the deliberations of meetings of the Board and of committees of limited membership (as defined in Rule 16) established by it.

The cost of representation under this Rule shall be borne by the Member State or Associate Member concerned.

Representatives of Member States and Associate Members participating in meetings under this Rule shall have the following rights: (a) the right to speak after members of the Board; (b) the right to make proposals, and amendments to proposals, which shall be considered by the Board only if seconded by a Board member; and (c) the right of reply.

¹ Text adopted by the Executive Board at its seventeenth session (resolution EB17.R63) and amended at its twentieth, twenty-first, twenty-second, twenty-eighth, thirty-first, thirty-seventh, fifty-third, fifty-seventh, ninety-seventh, 102nd, 112th, 121st, 122nd, 126th, 132nd and 134th sessions (resolutions EB20.R24, EB21.R52, EB22.R11, EB28.R21, EB31.R15, EB37.R24, EB53.R29, EB53.R37, EB57.R38, EB97.R10, EB102.R1, EB112.R1, EB121.R1, EB122.R8, EB126.R8, EB132.R13 and decision EB134(3)).

Rule 4

Subject to the terms of any relevant agreement, representatives of the United Nations and of other intergovernmental organizations with which the Organization has established effective relations under Article 70 of the Constitution may participate without vote in the deliberations of meetings of the Board and its committees. Such representatives may also attend and participate without vote in the deliberations of the meetings of sub-committees or other subdivisions if so invited.

Representatives of nongovernmental organizations in official relations with the Organization may participate in the deliberations of the Board as is provided for participation in the Health Assembly in the “Principles governing relations between the World Health Organization and nongovernmental organizations”.¹

SESSIONS

Rule 5

The Board shall hold at least two sessions a year. It shall determine at each session the time and place of its next session.

Notices convening the Board shall be sent by the Director-General eight weeks before the commencement of a regular session to the members of the Board, to Member States and Associate Members and to the organizations referred to in Rule 4 invited to be represented at the session.

Documents for the session shall be dispatched by the Director-General not less than six weeks before the commencement of a regular session of the Board. They shall be made available in electronic form in the working languages of the Board on the Internet site of the Organization.

Documents for the session should conform to the functions of the Board and contain the information required by Rule 18 and clear recommendations for Board action.

Rule 6

The Director-General shall also convene the Board at the joint request of any ten members, addressed to him in writing and stating the reason for the request. In this case the Board shall be convened within thirty days following receipt of the request and the session shall be held at headquarters unless the Director-General, in consultation with the

¹ See p. 97.

Chairman, determines otherwise. The agenda of such a session shall be limited to the questions having necessitated that session.

If events occur requiring immediate action under Article 28(i) of the Constitution the Director-General may, in consultation with the Chairman, convene the Board in a special session and shall fix the date and determine the place of the session.

Rule 7

Attendance at meetings of the Board shall, in addition to members of the Board, their alternates and advisers, be as follows:

- (a) public meetings: Member States not represented on the Board, Associate Members, representatives of the United Nations and other organizations identified in Rule 4 and members of the public; or
- (b) open meetings: Member States not represented on the Board and Associate Members and the Secretariat; or
- (c) restricted meetings, held for a specific purpose and under exceptional circumstances: essential Secretariat staff, and such others as may be decided by the Board.

Meetings of the Board related to the nomination of the Director-General as provided for in Rule 52, and for the appointment of the Regional Directors, shall be as provided in subparagraph (b) above, except that only one representative of each Member State not represented on the Board and of each Associate Member may attend without the right to participate, and that no official record shall be made.

AGENDA

Rule 8

The Director-General shall draw up a draft provisional agenda for each session of the Board, which shall be circulated to Member States and Associate Members within four weeks after the closure of its previous session.

Any proposal for the inclusion on the agenda of any item under (c), (d) and (e) of Rule 9 shall reach the Director-General not later than 12 weeks after circulation of the draft provisional agenda or 10 weeks before commencement of the session, whichever is earlier.

The provisional agenda of each session shall be drawn up by the Director-General in consultation with the Officers of the Board, on the

basis of the draft provisional agenda and any proposals received under the second paragraph of this Rule.

Where the Director-General and the Officers find it necessary to recommend the deferral or exclusion of proposals received under the second paragraph of this Rule, the provisional agenda shall contain an explanation for such recommendation.

An annotated provisional agenda, together with any recommendations referred to in the fourth paragraph of this Rule shall be dispatched with the notice of convocation to be sent in accordance with Rule 5 or Rule 6, as the case may be.

Rule 9

Except in the case of sessions convened under Rule 6, and subject to Rule 8, the provisional agenda of each session shall include, inter alia:

- (a) all items the inclusion of which has been ordered by the Health Assembly;
- (b) all items the inclusion of which has been ordered by the Board at a previous session;
- (c) any item proposed by a Member State or Associate Member of the Organization;
- (d) subject to such preliminary consultation as may be necessary between the Director-General and the Secretary-General of the United Nations, any item proposed by the United Nations;
- (e) any item proposed by any specialized agency with which the Organization has entered into effective relations; and
- (f) any item proposed by the Director-General.

Any proposal for inclusion on the agenda of any item under (c), (d), (e) and (f) above shall be accompanied by an explanatory memorandum, except in the case of standing or recurring items proposed by the Director-General under (f).

Rule 10

Except in the case of special sessions convened under Rule 6, any authority referred to in Rule 9 may propose one or more additional items of an urgent nature for inclusion in a supplementary provisional agenda after the deadline referred to in the second paragraph of Rule 8 and before the opening day of the session. Any such proposal shall be accompanied by a supporting statement from the authority initiating it. The

Director-General shall include any such item in a supplementary provisional agenda which the Board shall examine together with the provisional agenda.

Rule 10 bis

The Board, subject to its constitutional mandate and having regard to the resolutions and decisions of the Health Assembly, shall adopt its agenda at the opening meeting of each session on the basis of the provisional agenda, together with any supplement thereto. In adopting its agenda, the Board may decide to add to, delete from, or amend, the provisional agenda and any supplement thereto.

Rule 11

The Board shall not proceed, unless it determines otherwise, to the discussion of any item on the agenda until at least forty-eight hours have elapsed after the relevant documents have been made available to the members.

OFFICERS OF THE BOARD

Rule 12

The Board shall elect its officers, viz. a Chairman, four Vice-Chairmen and one Rapporteur, from among its members each year at its first session after the Health Assembly, following a principle of rotation among geographical regions. These officers shall hold office until their successors are elected. The Chairman shall not become eligible for re-election until two years have elapsed since he ceased to hold office.

Rule 13

In addition to exercising such powers as are conferred upon him elsewhere by these Rules, the Chairman shall declare the opening and closing of each meeting of the Board, shall direct the discussions, accord the right to speak, put questions, announce decisions and ensure the application of these rules. The Chairman shall accord to speakers the right to speak in the order of their requests. He may call to order any speaker whose remarks are irrelevant to the subject under discussion.

Rule 14

If the Chairman is absent from a meeting or any part thereof, he shall designate one of the Vice-Chairmen to preside. The same procedure shall be followed when the Chairman is unable to attend a session of the Board.

If the Chairman is unable to make this designation, the Board shall elect one of the Vice-Chairmen to preside during the session or meeting.

Rule 14 bis

The Chairman, or a Vice-Chairman acting as Chairman, shall not vote, but he or she may, if necessary, appoint an alternate from his or her delegation in accordance with Rule 27.

Rule 15

If the Chairman for any reason is unable to complete his term of office, the Board shall elect a new Chairman for the remaining period of his term.

If the Chairman is unable to act in between sessions, one of the Vice-Chairmen shall act in his place. The order in which the Vice-Chairmen shall be requested to serve shall be determined by lot at the session at which the election takes place.

COMMITTEES OF THE BOARD

Rule 16

The Board may establish such committees as it may deem necessary for the study of, and reporting on, any item on its agenda. Standing committees established by the Board shall be composed of members of the Board or their alternates (referred to in these Rules as “committees of limited membership”). All Member States and Associate Members shall have the right to attend such committees in accordance with Rule 3. All committees other than standing committees shall be open-ended, composed of all interested Member States of the Organization (referred to in these Rules as “open-ended committees”), unless the Board decides otherwise, for a specific purpose and under exceptional circumstances.

The composition of committees of limited membership shall be determined by the Board, after hearing any proposals made by the Chairman, respecting the principles of equitable geographical representation, gender balance and balanced representation of developing and developed countries and countries in transition, having regard to the membership of the Board.

In committees of limited membership, the Chairmen and all other officers deemed necessary shall be determined by the Board or, in the absence thereof, by the committees themselves, respecting the principles of equitable geographical representation, gender balance and balanced representation of developing and developed countries and countries in transition. The Chairman and officers shall rotate regularly between regions and, wherever applicable, between developed and developing countries and countries in transition within the regions.

In open-ended committees, the Chairmen and any other officer deemed necessary shall be determined by the Board or, in the absence thereof, by the committees themselves, respecting the principles of equitable geographical representation, gender balance and balanced representation of developing and developed countries and countries in transition.

The Board shall review from time to time the need to maintain any committee established under its authority.

Rule 16 bis

Subject to any decision of the Board, and as provided in these Rules, the procedure governing the conduct of business and voting in committees established by the Board shall conform as far as practicable to the Rules relating to the conduct of business and voting in plenary meetings of the Board. Open-ended committees shall conduct their business on the basis of consensus. In the event of an inability to reach consensus, the difference of views shall be reported to the Board.

In the case of committees of limited membership, a majority of the members shall constitute a quorum.

No distinction in terms of rights of participation in open-ended committees shall be made between members of the Board and Member States not represented on the Board.

SECRETARIAT

Rule 17

The Director-General shall be ex officio Secretary of the Board and of any subdivision thereof. He may delegate these functions.

Rule 18

The Director-General shall report to the Board on the technical, administrative and financial implications, if any, of all agenda items submitted to the Board.

Rule 19

The Director-General or a member of the Secretariat designated by him may at any time make either oral or written statements concerning any question under consideration.

Rule 20

The Secretariat shall prepare summary records of the meetings. These summary records shall be prepared in the working languages and shall be distributed to the members as soon as possible after the close of the meetings to which they relate. Members shall inform the Secretariat in writing of any corrections they wish to have made, within such period of time as shall be indicated by the Director-General, having regard to the circumstances.

Rule 21

Reports of each session of the Board, containing all resolutions, recommendations and other formal decisions, as well as the summary records of the Board and of its committees, shall be communicated by the Director-General to all Member States and Associate Members of the Organization. Such reports shall also be submitted to the subsequent Health Assembly so that it may take such action as appropriate, for information, endorsement or approval, having regard to the respective functions of the Health Assembly and of the Board as set forth in the Constitution.

LANGUAGES¹*Rule 22*

Arabic, Chinese, English, French, Russian and Spanish shall be both the official and the working languages of the Board.

Rule 23

Speeches made in an official language shall be interpreted into the other official languages in all meetings of the Board and of committees established by it.

¹ See resolution WHA31.13.

Rule 24

Any member, or representative of a State Member or of an Associate Member, or of an invited non-Member State may speak in a language other than the official languages. In this case he shall himself provide for interpretation into one of the working languages. Interpretation into the other working languages by interpreters of the Secretariat may be based on the interpretation given in the first working language.

Rule 25

All resolutions, recommendations and other formal decisions of the Board shall be made available in the working languages.

CONDUCT OF BUSINESS

Rule 26

Two-thirds of the members of the Board shall constitute a quorum.

Rule 27

A member may at any time request his alternate designated in accordance with Article 24 of the Constitution to speak and vote on his behalf on any question. Moreover, upon the request of the member or his alternate, the Chairman may allow an adviser to speak on any particular point and, in the absence of the member or his alternate, if so requested in writing by the member or his alternate, to speak and vote on any question.

Rule 28

The Board may limit the time allowed to each speaker.

Rule 28 bis

Proposals for resolutions or decisions to be considered by the Board relating to items of the agenda may be introduced until the close of the first day of the session. However, if a session is scheduled for two days or less, such proposals may be introduced no later than 48 hours prior to the opening of the session. The Board may, if it deems it appropriate, permit the late introduction of such proposals.

Rule 28 ter

Proposals and amendments related to items on the agenda shall normally be introduced in writing and handed to the Director-General, who shall circulate copies to the delegations. Except as may be decided otherwise by the Board, no proposal shall be discussed or put to the vote at any meeting of the Board unless copies of it have been circulated to all delegations at least 24 hours previously. The Chairman may, however, permit the discussion and consideration of amendments, even though they have not been circulated or have only been circulated the same day.

Rule 29

During the discussion of any matter, a member may rise to a point of order, and the point of order shall be immediately decided by the Chairman. A member may appeal against the ruling of the Chairman, in which case the appeal shall immediately be put to the vote. A member rising to a point of order may not speak on the substance of the matter under discussion but on the point of order only.

Rule 30

During the course of a debate the Chairman may announce the list of speakers and, with the consent of the Board, declare the list closed. He may, however, accord the right of reply to any member if in his opinion a speech delivered after he has declared the list closed makes it desirable.

Rule 30 bis

The right of reply shall be accorded by the Chairman to any member who requests it. Members should, in exercising this right, attempt to be as brief as possible and preferably deliver their statements at the end of the meeting at which this right is requested.

Rule 31

The following motions shall have precedence in the following order over all other proposals or motions before the meeting, except a point of order:

- (a) to suspend the meeting;
- (b) to adjourn the meeting;
- (c) to adjourn the debate on the item under discussion; and
- (d) for the closure of the debate on the item under discussion.

Rule 32

Subject to Rule 31, any motion calling for a decision on the competence of the Board to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question.

Rule 33

During the discussion on any matter, a member may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall immediately be put to a vote.

For the purpose of these Rules “suspension of the meeting” means the temporary cessation of the business of the meeting and “adjournment of the meeting” the termination of all business until another meeting is called.

Rule 34

During the discussion of any matter, a member may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, one speaker may speak in favour of, and one against, the motion, after which the motion to adjourn the debate shall be immediately put to the vote.

Rule 35

A member may at any time move the closure of the debate on the item under discussion whether or not any other member has signified his wish to speak. If request is made for permission to speak against closure, it may be accorded to not more than two speakers, after which the motion shall be immediately put to the vote. If the Board decides in favour of closure the Chairman shall declare the debate closed. The Board shall thereafter vote only on the one or more proposals moved before the closure.

Rule 36

A member may move that parts of a proposal or of an amendment shall be voted on separately. If objection is made to the motion for division, the motion for division shall be voted upon. Permission to speak on the motion for division shall be given only to two speakers in favour and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are separately approved shall subsequently be put to the vote as a whole. If all operative parts of the proposal or the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

Rule 37

When an amendment to a proposal is moved, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Board shall first vote on the amendment deemed by the Chairman to be furthest removed in substance from the original proposal and then on the amendment next removed therefrom, and so on, until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted the amended proposal shall then be voted upon.

A motion is considered an amendment to a proposal, if it merely adds to, deletes from, or revises part of that proposal. A motion which constitutes a substitution for a proposal shall be considered as a proposal.

Rule 38

If two or more proposals are moved, the Board shall, unless it decides otherwise, vote on the proposals in the order in which they have been circulated to all delegations, unless the result of a vote on a proposal makes unnecessary any other voting on the proposal or proposals still outstanding.

Rule 39

A motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been amended or, if amended, that the proposer of the amendment agrees to the withdrawal. A motion thus withdrawn may be reintroduced by any member.

Rule 40

When a proposal has been adopted or rejected it may not be reconsidered at the same session unless the Board, by a two-thirds majority of the members present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

Rule 41

The Chairman may at any time require any proposal, motion, resolution, or amendment to be seconded.

VOTING

Rule 42

Each member of the Board shall have one vote. For the purpose of these Rules, the phrase “members present and voting” means members casting a valid affirmative or negative vote. Members abstaining from voting shall be considered as not voting.

Rule 43

Decisions by the Board on important questions shall be made by a two-thirds majority of the members present and voting. These questions shall include:

- (a) recommendations on: (i) the adoption of conventions and agreements, (ii) the approval of agreements bringing the Organization into relation with the United Nations and intergovernmental organizations and agencies in accordance with Articles 69, 70 and 72 of the Constitution, (iii) amendments to the Constitution, (iv) the effective working budget, and (v) suspension of the voting privileges and services of a Member State under Article 7 of the Constitution; and
- (b) decisions to suspend or amend these Rules of Procedure.

Except as otherwise provided by the Constitution of the Organization, or decided by the Health Assembly, or laid down in these Rules, the decisions of the Board on other questions, including the determination of additional questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting.

Rule 44

If the votes are equally divided on a matter other than an election the proposal shall be regarded as not adopted.

Rule 45

The Board shall normally vote by show of hands, except that any member may request a roll-call which shall then be taken in the

alphabetical order of the names of the members. The name of the member to vote first shall be determined by lot.

Rule 46

The vote of each member participating in any roll-call shall be inserted in the records.

Rule 47

After the Chairman has announced the beginning of voting, no member shall interrupt the voting except on a point of order in connexion with the actual conduct of voting.

Rule 47 bis

After the voting has been completed, a member may make a brief statement, consisting solely of an explanation of vote. A sponsor of a proposal shall not speak in explanation of vote thereon, except if it has been amended.

Rule 48

Elections shall normally be held by secret ballot. Except as concerns the nomination of the Director-General and the appointment of the Regional Directors, and in the absence of any objection the Board may decide to proceed without taking a ballot on an agreed candidate or list of candidates. Where a ballot is required, two tellers appointed by the Chairman from among the members present shall assist in the counting of votes.

The nomination of the Director-General shall be decided by secret ballot in accordance with Rule 52.

Subject to Article 54 of the Constitution, the appointment of a Regional Director shall be for five years and he or she shall be eligible for reappointment once only.

Rule 49

In addition to the cases provided for elsewhere by these Rules the Board may vote on any matter by secret ballot if it has previously so decided by a majority of the members present and voting, provided that no secret ballot may be taken on budgetary questions.

A decision under this rule by the Board whether or not to vote by secret ballot may only be taken by a show of hands; if the Board has

decided to vote on a particular question by secret ballot, no other mode of voting may be requested or decided upon.

Rule 50

Subject to the provisions of Rule 52, when only one elective place is to be filled and no candidate obtains in the first ballot the majority required, a second ballot shall be taken which shall be restricted to the two candidates obtaining the largest number of votes; if in the second ballot the votes are equally divided, the Chairman shall decide between the candidates by drawing lots.

Rule 51

When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot the majority required shall be elected. If the number of candidates obtaining such majority is less than the number of places to be filled, there shall be additional ballots to fill the remaining places, the ballots being restricted to the candidates obtaining the greatest number of votes in the previous ballot to a number not more than twice the places remaining to be filled.

Rule 51 bis

In an election each member, unless he abstains, shall vote for that number of candidates equal to the number of elective places to be filled. Any ballot paper on which there are more or fewer names than there are elective places to be filled shall be null and void.

Rule 51 ter

If during an election one or more elective places cannot be filled by reason of an equal number of votes having been obtained by two or more candidates, a ballot shall be held among such candidates to determine which of them will be elected. This procedure may be repeated if necessary.

Rule 52

At least nine months before the date fixed for the opening of a session of the Board at which a nomination for the post of Director-General has to take place, the Director-General shall inform Member States that they may propose persons for nomination by the Board for the post of Director-General.

Any Member State may propose for the post of Director-General one or more persons, submitting with the proposal the curriculum vitae or other supporting information for each person. Such proposals shall be sent under confidential sealed cover to the Chairman of the Executive Board, care of the World Health Organization in Geneva (Switzerland), so as to reach the headquarters of the Organization not less than four months before the date fixed for the opening of the session.

The Chairman of the Board shall open the proposals received sufficiently in advance of the session so as to ensure that all proposals, curricula vitae and supporting information are translated into all official languages, duplicated and dispatched to all Member States three months before the date fixed for the opening of the session.

Immediately after the dispatch to Member States of the proposals, curricula vitae and supporting information, the Director-General shall, in consultation with the Chairman of the Board, convene a candidates' forum open to all Member States and Associate Members, to which all candidates will be invited to make themselves and their vision known to Member States on an equal basis. The candidates' forum shall be chaired by the Chairman of the Board and shall be held not later than two months before the opening of the session. The Board shall decide on the modalities of the candidates' forum. The candidates' forum shall not be convened in case only one person has been proposed for the post of Director-General.

If no proposals have been received by the deadline referred to in the second paragraph of this Rule, the Director-General shall immediately inform all Member States of this fact and that they may propose persons for nomination in accordance with this Rule, provided such proposals reach the Chairman of the Board at least two weeks prior to the date fixed for the opening of the session of the Board. The Chairman shall inform Member States of all such proposals as soon as possible.

All members of the Board shall have the opportunity to participate in an initial screening of all candidatures in order to eliminate those candidates not meeting the criteria proposed by the Board and approved by the Health Assembly.

The Board shall decide, by a mechanism to be determined by it, underscoring the paramount importance of professional qualifications and integrity and paying due regard to equitable geographical representation and gender balance, on a short list of candidates. This short list shall be drawn up at the commencement of its session, and the selected candidates shall be interviewed by the Board meeting as a whole as soon as possible thereafter.

The interviews should consist of a presentation by each selected candidate in addition to answers to questions from members of the Board. If necessary, the Board may extend the session in order to hold the interviews and make its selection.

The Board shall fix a date for the meeting at which it shall nominate three persons by secret ballot from among the candidates on the short list. In exceptional circumstances where the nomination of three candidates is not practicable such as where there are only one or two candidates, the Board may decide to nominate fewer than three candidates.

For the purpose of nominating three candidates, each member of the Board shall write on his ballot paper the names of three candidates, chosen from the short list. Those candidates obtaining in the first ballot the majority required shall be elected. If the number of candidates obtaining such majority is less than the number of places to be filled, the candidate having received the least number of votes shall be eliminated at each ballot. If two candidates tie for the least number of votes, a separate ballot shall be held between them and the candidate receiving the least number of votes shall be eliminated. The same mechanism shall apply, *mutatis mutandis*, when the Board decides to nominate fewer than three candidates.

The name of the person or persons so nominated shall be announced at a public meeting of the Board and submitted to the Health Assembly.

SUSPENSION AND AMENDMENT OF RULES OF PROCEDURE

Rule 53

Subject to the provisions of the Constitution and having regard to any relevant decisions of the Health Assembly, any of these Rules may be suspended by the Board in accordance with Rule 43, provided that at least forty-eight hours' notice of the proposal for such suspension has been given to the Chairman and communicated by him to the members twenty-four hours before the meeting at which the proposal is to be submitted. If, however, on the advice of the Chairman the Board is unanimously in favour of such a proposal, it may adopt it immediately and without notice. Any such suspension shall be limited to a specific purpose and to a period required to achieve that purpose.

Rule 54

Subject to the provisions of the Constitution, the Board may amend or supplement these Rules.

GENERAL PROVISIONS

Rule 55

The Board may at its discretion apply such Rules of Procedure of the Health Assembly as it may deem appropriate to particular circumstances for which provision does not exist in these Rules.
