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BASIC DOCUMENTS

of the

Pan American Health Organization

Sixteenth edition

PAN AMERICAN HEALTH ORGANIZATION
Pan American Sanitary Bureau, Regional Office of the
WORLD HEALTH ORGANIZATION

2002

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1. PAN AMERICAN HEALTH ORGANIZATION
2. CONSTITUTION AND BYLAWS
3. INTERNATIONAL AGENCIES
4. ORGANIZATION AND ADMINISTRATION

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1. PAN AMERICAN SANITARY CODE[1]

CHAPTER I

Objects of the Code and Definitions of Terms Used Therein

Article 1. The objects of this code are:

(*a*) The prevention of the international spread of communicable infections of human beings.

(*b*) The promotion of cooperative measures for the prevention of the introduction and spread of disease into and from the territories of the Signatory Governments.

(*c*) The standardization of the collection of morbidity and mortality statistics by the Signatory Governments.

(*d*) The stimulation of the mutual interchange of information which may be of value in improving public health and combating the diseases of man.

(*e*) The standardization of the measures employed at places of entry, for the prevention of the introduction and spread of the communicable diseases of man, so that greater protection against them shall be achieved and unnecessary hindrance to international commerce and communication eliminated.

CHAPTER II

SECTION 1. NOTIFICATION AND SUBSEQUENT COMMUNICATIONS TO OTHER COUNTRIES

Article 3. Each of the Signatory Governments agrees to transmit to each of the other Signatory Governments and to the Pan American Sanitary Bureau, at intervals of not more than two weeks, a statement containing information as to the state of its public health, particularly that of its ports.

The following diseases are obligatorily reportable:

Plague, cholera, yellow fever, smallpox, typhus, epidemic cerebrospinal meningitis, acute epidemic poliomyelitis, epidemic lethargic encephalitis, influenza or epidemic la grippe, typhoid and paratyphoid fevers, and such other diseases as the Pan American Sanitary Bureau may, by resolution, add to the above list.

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[1]The code was signed in Havana, Cuba, on 14 November 1924, at the VII Pan American Sanitary Conference and ratified by the Governments of the twenty-one American Republics (see Appendix I).

The Code was amended by the Additional Protocol to the Pan American Sanitary Code (1952), to abrogate Articles 2, 9, 10, 11, 16 to 53 inclusive, 61, and 62, which were extracted in full infra. For a complete text of the Code, please refer to Publication 193 of the Pan American Sanitary Bureau (March 1943).

Article 4. Each Signatory Government agrees to notify adjacent countries and the Pan American Sanitary Bureau immediately by the most rapid available means of communication, of the appearance in its territory of an authentic or officially suspected case or cases of plague, cholera, yellow fever, smallpox, typhus, or any other dangerous contagion liable to spread through the intermediary agency of international commerce.

Article 5. This notification is to be accompanied, or very promptly followed, by the following additional information:

1. The area where the disease has appeared.
2. The date of its appearance, its origin, and its form.
3. The probable source or country from which it was introduced and the manner of introduction.
4. The number of confirmed cases and number of deaths.
5. The number of suspected cases and deaths.
6. In addition, for plague, the existence among rodents of plague, or of an unusual mortality among rodents; for yellow fever, the *Aedes aegypti* index of the locality.
7. The measures which have been applied for the prevention of the spread of the disease and its eradication.

Article 6. The notification and information prescribed in Articles 4 and 5 are to be addressed to diplomatic or consular representatives in the capital of the infected country, and to the Pan American Sanitary Bureau in Washington, which shall immediately transmit the information to all countries concerned.

Article 7. The notification and the information prescribed in Articles 3, 4, 5, and 6 are to be followed by further communications in order to keep other Governments informed as to the progress of the disease or diseases. These communications will be made at least once weekly, and will be as complete as possible, indicating in detail the measures employed to prevent the extension of the disease. The telegraph, cable, and radio will be employed for this purpose, except in those stances in which the data may be transmitted rapidly by mail. Reports by telegraph, cable, or radio will be confirmed by letter. Neighboring countries will endeavor to make special arrangements for the solution of local problems that do not involve widespread international interest.

Article 8. The Signatory Governments agree that in the event of the appearance of any of the following diseases, namely, cholera, yellow fever, plague, typhus fever, or other pestilential diseases in severe epidemic form in their territory, they will immediately put in force appropriate sanitary measures for the prevention of the international carriage of any of the said diseases therefrom by

passengers, crew, cargo, and vessels, and mosquitoes, rats, and vermin that may be carried thereon, and will promptly notify each of the other Signatory Governments and the Pan American Sanitary Bureau as to the nature and extent of the sanitary measures which they have applied for the accomplishment of the requirements of this article.

SECTION 3. MORBIDITY AND MORTALITY STATISTICS

Article 12. The International Classification of the Causes of Death is adopted as the Pan American Classification of the Causes of Death, and shall be used by the signatory nations in the interchange of mortality and morbidity reports.

Article 13. The Pan American Sanitary Bureau is hereby authorized and directed to republish from time to time the Pan American Classification of the Causes of Death.

Article 14. Each of the Signatory Governments agrees to put in operation, at the earliest practical date, a system for the collection and tabulation of vital statistics which shall include:

1. A central statistical office presided over by a competent official.
2. The establishment of regional statistical offices.
3. The enactment of laws, decrees, or regulations requiring the prompt reporting of births, deaths, and communicable diseases, by health officers, physicians, midwives, and hospitals, and providing penalties for failure to make such reports.

Article 15. The Pan American Sanitary Bureau shall prepare and publish standard forms for the reporting of deaths and cases of communicable disease and all other vital statistics.

CHAPTER IX

The Pan American Sanitary Bureau: Functions and Duties

Article 54. The organization, functions, and duties of the Pan American Sanitary Bureau shall include those heretofore determined for the International Sanitary Bureau by the various international sanitary and other conferences of American Republics, and such additional administrative function and duties as may be hereafter determined by Pan American Sanitary Conferences.

Article 55. The Pan American Sanitary Bureau shall be the central coordinating sanitary agency of the various member republics of the Pan American Union, and the general collection and distribution center of sanitary information to and from said republics. For this purpose it shall, from time to time, designate representatives to visit and confer with the sanitary authorities of the various Sig-

natory Governments on public health matters, and such representatives shall be given all available sanitary information in the countries visited by them in the course of their official visits and conferences.

Article 56. In addition, the Pan American Sanitary Bureau shall perform the following specific functions:

To supply to the sanitary authorities of the Signatory Governments through its publications, or in other appropriate manner, all available information relative to the actual status of the communicable diseases of man, new invasions of such diseases, the sanitary measures undertaken, and the progress effected in the control or eradication of such diseases; new methods for combating disease; morbidity and mortality statistics; public health organization and administration; progress in any of the branches of preventive medicine; and other pertinent information relative to sanitation and public health in any of its phases, including a bibliography of books and periodicals on public hygiene.

In order to more efficiently discharge its functions, it may undertake cooperative epidemiological and other studies; may employ, at headquarters and elsewhere, experts for this purpose; may stimulate and facilitate scientific research and the practical application of the results therefrom; and may accept gifts, benefactions, and bequests, which shall be accounted for in the manner now provided for the maintenance funds of the Bureau.

Article 57. The Pan American Sanitary Bureau shall advise and consult with the sanitary authorities of the various Signatory Commissions relative to public health problems, and the manner of interpreting and applying the provisions of this Code.

Article 58. Officials of the National Health Services may be designated as representatives, ex-officio, of the Pan American Sanitary Bureau, in addition to their regular duties, and when so designated they may be empowered to act as sanitary representatives of one or more of the Signatory Governments when properly designated and accredited to so serve.

Article 59. Upon request of the sanitary authorities of any of the Signatory Governments, the Pan American Sanitary Bureau is authorized to take the necessary preparatory steps to bring about an exchange of professors, medical and health officers, experts or advisers in public health of any of the sanitary sciences, for the purpose of mutual aid and advancement in the protection of the public health of the Signatory Governments.

Article 60. For the purpose of discharging the functions and duties imposed upon the Pan American Sanitary Bureau, a fund of not less than $50,000 shall be

collected by the Pan American Union, apportioned among the Signatory Governments on the same basis as are the expenses of the Pan American Union.

CHAPTER XII

Existing Treaties

Be it understood that this Code does not in any way abrogate or impair the validity or force of any existing treaty, convention, or agreement between any of the Signatory Governments and any other Government.

CHAPTER XIII

Transitory Disposition

Article 63. The Governments which may not have signed the present Convention are to be admitted to adherence thereto upon demand, notice of this adherence to be given through diplomatic channels to the Government of the Republic of Cuba.

Made and signed in the city of Havana, on the 14th day of the month of November, 1924, in two copies, in English and Spanish, respectively, which shall be deposited with the Department of Foreign Relations of the Republic of Cuba, in order that certified copies thereof, in both English and Spanish, may be made for transmission through diplomatic channels to each of the Signatory Governments.

2. ADDITIONAL PROTOCOL TO THE PAN AMERICAN SANITARY CODE (1927)[1]

The ratifications of the Pan American Sanitary Code shall be deposited in the office of the Secretary of State of the Republic of Cuba and the Cuban Government shall communicate these ratifications to the other Signatory States, which communication shall constitute exchange or ratifications. The convention shall become effective in each of the Signatory States on the date of ratification thereof by said State, and shall remain in force without limitation of time, each one of the Signatory States or Adherent States reserving the right to withdraw from the convention by giving in due form a year's notice in advance to the Government of the Republic of Cuba.

[1]Approved ad referendum by the VIII Pan American Sanitary Conference, held at Lima, Peru, from 12 to 20 October 1927.

3. ADDITIONAL PROTOCOL TO THE PAN AMERICAN SANITARY CODE (1952)[1]

The Representatives of the Governments Signatories to the Pan American Sanitary Code, being duly authorized by virtue of the full powers which have been accorded to them and which have been found to be in good and due form, sign the present Protocol, in the name of their respective Governments, in the English, Spanish, Portuguese, and French languages, on the date and at the place appearing below their signatures.

Article 1

It is agreed to abrogate Articles 2, 9, 10, 11, 16 to 53 inclusive, 61, and 62 of the Pan American Sanitary Code, signed at Havana on 14 November 1924 at the VII Pan American Sanitary Conference, all of which relate to international traffic.

Article II

Henceforth, any periodic amendment that it should be appropriate to make in the titles, sections, or articles of the Pan American Sanitary Code shall be the responsibility of the Pan American Sanitary Conference; for any such amendment to be valid, the provisions of the Constitution of the Pan American Sanitary Organization[2] shall be carried out.

Article III

The original of the present Protocol shall be deposited with the Pan American Union, which shall transmit certified copies to the Governments for purposes of ratification.

Article IV

The present Protocol shall be ratified by the Signatory States in accordance with their respective constitutional procedures. The instruments of ratification shall be deposited with the Pan American Union, which shall notify the Signatory Governments of such deposit.

[1]Adopted Resolution XLVI by the Directing Council at its VI Meeting held in Havana, Cuba, from 15–24 September 1952.

[2]Renamed "Pan American Health Organization" by decision of the XV Pan American Sanitary Conference, September–October 1958.

Article V

This Protocol shall become effective on the first of October 1952 for those States which ratify this instrument before the said date. It shall become effective with respect to the remaining States on the date of ratification thereof.

4. CONSTITUTION OF THE PAN AMERICAN HEALTH ORGANIZATION[1]

PREAMBLE

Progress in the sciences of public health and medicine together with new and wider concepts of the responsibilities of Governments in matters of health makes it essential to broaden the scope of international health work in the Western Hemisphere and to develop and strengthen the Pan American Sanitary Bureau in order that it may be able to carry out fully the obligations imposed by this progress.

Acting in accordance with the Final Act of the XII Pan American Sanitary Conference, the Directing Council hereby adopts the following Constitution for the Pan American Health Organization.

CHAPTER I

THE ORGANIZATION

Article 1. *Purposes:*

The fundamental purposes of the Pan American Health Organization (hereinafter called the Organization) shall be to promote and coordinate efforts of the countries of the Western Hemisphere to combat disease, lengthen life, and promote the physical and mental health of the people.

Article 2. *Membership:*

A. All American States are entitled to membership in the Organization. (American States which are Members of the Organization are hereinafter called Member Governments.)

B. Territories or groups of territories within the Western Hemisphere which are not responsible for the conduct of their international relations shall have the right to be represented and to participate in the Organization. The nature and extent of the rights and obligations of these territories or groups of territories in the Organization shall be determined in each case by the Directing Council after

[1] Adopted by the Directing Council at its I Meeting, held in Buenos Aires, Argentina, from 24 September to 2 October 1947. Amendments approved by the Directing Council at its XIII Meeting, Resolution XXXVII (1961); at its XVI Meeting, Resolution XXIV (1965); at its XVIII Meeting, Resolution II (1968); at the XX Pan American Sanitary Conference, Resolution I (1978); and at the XLI Meeting of the Directing Council, Resolution VIII (1999).

consultation with the Government or other authorities having responsibility for their international relations (hereinafter called Participating Governments).

It is understood that Member Governments having under their jurisdiction subordinate territories and peoples within the Western Hemisphere will apply the provisions of the Pan American Sanitary Code and of this Constitution to such territories and peoples.

Article 3. *Organs:*

The Organization shall comprise:

1. The Pan American Sanitary Conference (hereinafter called the Conference);
2. The Directing Council (hereinafter called the Council);
3. The Executive Committee of the Directing Council (hereinafter called the Executive Committee); and
4. The Pan American Sanitary Bureau (hereinafter called the Bureau).

CHAPTER II

THE CONFERENCE

Article 4. *Functions:*

A. The Conference shall be the supreme governing authority of the Organization.

B. The Conference shall determine the general policies of the Organization, including financial policy, and, when it deems it necessary, shall instruct the Council, the Executive Committee, and the Director of the Bureau with respect to any matter within the scope of the Organization.

C. The Conference shall serve as a forum for the interchange of information and ideas relating to the prevention of disease; the preservation, promotion, and restoration of mental and physical health; and the advancement of sociomedical measures and facilities for the prevention and treatment of physical and mental diseases in the Western Hemisphere.

D. The Conference shall elect the Member Governments to serve on the Executive Committee, in accordance with Article 15, paragraph A, of the Constitution.

E. The Conference shall elect the Director of the Bureau in accordance with Article 21, paragraph A, of the Constitution.

F. The Conference shall review the reports of the Chairman of the Executive Committee and of the Director of the Bureau.

G. The Conference shall review and approve the biennial program and budget of the Organization.

H. The Conference may delegate any of its functions to the Council, which shall execute them on behalf of the Conference during the interval between meetings of the Conference.

Article 5. *Composition:*

A. The Conference shall be composed of delegates of Member Governments of the Organization and the Participating Governments (hereinafter called "Governments" when both are referred to).

B. Each Government shall be represented by not more than three delegates, one of whom shall be designated by the respective Government as chief delegate. Delegates may be accompanied by one or more alternates and advisers. Delegates selected by the respective Governments should include specialists in public health, preferably officials of national public health services.

C. The Director of the Bureau shall participate ex officio without the right to vote.

Article 6. *Voting:*

A. Each Government officially represented at the Conference shall have the right to one vote. The Participating Governments shall exercise this right within the limitations established in accordance with Article 2, paragraph B.

B. If a Government fails to meet its financial obligations to the Organization by the date of the opening of the Pan American Sanitary Conference or a meeting of the Directing Council, by being in arrears in an amount exceeding the sum of its annual payments of contributions for two full years, the voting privileges of that Government shall be suspended. Nevertheless, if the Conference or the Directing Council is satisfied that the failure of the Government to pay is due to conditions beyond its control, it may permit the Government to vote.

C. Motions shall be considered adopted when they have received the affirmative vote of a majority of the Governments present and voting, except where the Constitution or the Rules of Procedure otherwise provide.

Article 7. *Meetings:*

A. The Conference shall meet every five years at the Headquarters of the Organization on a date fixed by the Director of the Bureau in consultation with the Executive Committee.

B. Notwithstanding the provision of the immediately foregoing paragraph, the Conference may meet in any Member Country of the Organization provided that the Government concerned invites it and that the Conference itself or the Directing Council, at its meeting held one year before that appointed for the Conference, accepts the invitation.

C. Whenever the provisions of the immediately foregoing paragraph apply, the Government of the country in which the Conference is to be held shall appoint a Committee to cooperate with the Bureau in organizing the Conference.

D. At least three months prior to the beginning of the Conference, the Director of the Bureau shall submit to the Governments a comprehensive report on the progress of the Organization since the last meeting of the Conference.

E. Each Government shall pay the expenses of its delegation to the Conference, and the Bureau shall pay the expenses of its personnel.

F. The provisional agenda of the Conference shall be prepared by the Director of the Bureau and submitted to the Executive Committee for approval. The Conference shall adopt its own agenda and, in so doing, may make such additions or modifications to the provisional agenda as it may wish, in accordance with its Rules of Procedure.

G. When the provisional agenda has been approved by the Executive Committee, a copy shall be sent to the Director-General of the World Health Organization.

H. The Director-General of the World Health Organization, or his representatives, shall have the right to participate, without vote, in the Conference.

Article 8. *Officers and Rules of Procedure:*

The Conference shall elect its own officers and shall adopt its own Rules of Procedure.

CHAPTER III

THE COUNCIL

Article 9. *Functions:*

A. The Council shall perform those functions delegated to it by the Conference, shall act on its behalf between meetings of the Conference, and shall carry out the decisions and policies of the Conference.

B. The Council shall elect the Member Governments to serve on the Executive Committee in accordance with Article 15, paragraph A, of the Constitution.

C. The Council shall review the annual reports of the Chairman of the Executive Committee and of the Director of the Bureau.

D. The Council shall review and approve the biennial program and budget of the Organization.

E. The Council shall elect an ad interim Director of the Bureau when necessary, in accordance with Article 21, paragraph A.

F. The Council shall approve the establishment of branch offices of the Organization.

Article 10. *Composition:*

A. The Council shall be composed of one representative from each Government. The representatives shall be designated from among specialists in public health, preferably officials of national public health services. Each representative may be accompanied by one or more alternates and advisers.

B. The Director of the Bureau shall participate ex officio without the right to vote.

Article 11. *Voting:*

A. Each Government officially represented on the Council shall have the right to one vote. The Participating Governments shall exercise this right within the limitations established in accordance with Article 2, paragraph B.

B. Motions shall be considered adopted when they have received the affirmative vote of a majority of the Governments present and voting except where the Constitution or the Rules of Procedure otherwise provide.

Article 12. *Meetings:*

A. The Council shall normally meet once each year in those years in which the Conference does not meet.

B. Each Government shall pay the expenses of its representation, and the Bureau shall pay the expenses of its personnel.

C. The provisional agenda of the Council shall be prepared by the Director of the Bureau and submitted to the Executive Committee for approval. The Council shall adopt its own agenda and, in so doing, may make such additions or modifications to the provisional agenda as it may wish, in accordance with its Rules of Procedure.

D. When the provisional agenda has been approved by the Executive Committee, a copy shall be sent to the Director-General of the World Health Organization.

E. The Director-General of the World Health Organization, or his representatives, shall have the right to participate, without vote, in the Council.

Article 13. *Officers and Rules of Procedure:*

The Council shall elect its own officers and shall adopt its own Rules of Procedure.

CHAPTER IV

THE EXECUTIVE COMMITTEE

Article 14. *Functions:*

The functions of the Executive Committee shall be:

A. To authorize the Director of the Bureau to convoke meetings of the Council.

B. To approve the provisional agenda of meetings of the Conference and of the Council.

C. To consider and submit to the Conference or to the Council the proposed program and budget prepared by the Director of the Bureau with such recommendations as it deems advisable.

D. To advise the Conference or the Council regarding matters referred to the Executive Committee by those bodies or on its own initiative regarding other matters relating to the activities of the Conference, the Council, or the Bureau.

E. To discharge any other function assigned to it by the Conference or the Council.

Article 15. *Composition:*

A. The Executive Committee shall be composed of nine Member Governments of the Organization elected by the Conference or the Council for overlapping periods of three years. Each of the elected Member Governments shall be entitled to designate one representative to the Executive Committee. Each representative may be accompanied by one or more alternates and advisers. A Member Government shall not be eligible for reelection to the Executive Committee until one year has elapsed since the expiration of its term of office.

B. Governments not represented on the Executive Committee may, at their own expense, send observers who may, in accordance with the Rules of Procedure of the Executive Committee, participate without vote in the proceedings of the Executive Committee.

C. The Director of the Bureau shall participate ex officio without the right to vote.

Article 16. *Voting:*

A. Each Member Government elected to and represented on the Executive Committee shall have the right to one vote.

B. Motions shall be considered adopted when they have received the affirmative vote of a majority of the Member Governments present and voting, except where the Constitution or the Rules of Procedure otherwise provide.

Article 17. *Meetings:*

A. Two regular meetings of the Executive Committee shall be held every year. One of these meetings shall be held at the place of the meeting of the Council or of the Conference and immediately following it. Special meetings shall be held when convoked by the Director of the Bureau, either on his own initiative or upon request of at least three Member Governments.

B. The expenses of the Representatives to the Executive Committee attending meetings concurrent with, immediately preceding, or immediately following those of the Council, or of the Conference, shall be borne by Member Governments. Expenses of representatives to other meetings of the Executive Committee or, in the event that any representative is unable to attend, of an alternate, shall be paid by the Bureau.

Article 18. *Officers:*

The Executive Committee shall elect from among its members a Chairman and a Vice-Chairman, who shall hold office until their successors are elected. The elections shall take place each year at the first meeting of the Executive Committee following the election of its new Member Governments.

Article 19. *Rules of Procedure:*

The Executive Committee shall adopt its own Rules of Procedure.

CHAPTER V

THE BUREAU

Article 20. *Functions:*

The duties and functions of the Bureau shall be those specified in the Pan American Sanitary Code, and those which are assigned in the future by the Con-

ference or the Council in fulfillment of the purposes expressed in Article 1 of this Constitution.

Article 21. *Administration:*

A. The Bureau shall have a Director elected at the Conference by the vote of a majority of the Governments of the Organization. The Director shall hold office for a period of five years and may not be reelected more than once. In the event that the successor to the Director has not been elected prior to the expiration of the Director's term of office, the Director shall continue to serve until the successor takes office. In the event of the resignation, incapacity, or death of the Director, the Deputy Director shall assume his duties until the next meeting of the Council. The Council shall then elect a Director ad interim by a majority vote of the Governments present and voting.

B. The Bureau shall have a Deputy Director and an Assistant Director appointed by the Director with the approval of the Executive Committee. The Director shall also appoint all other personnel of the Bureau. All appointments shall be in accordance with the Rules and regulations adopted by the Council. These rules and regulations shall specify the conditions governing the selection of personnel competent to carry out the duties entrusted to the Bureau. Whenever possible, the widest geographic distribution shall be followed in regard to the recruiting of personnel.

C. The Director of the Bureau shall create, in the central office and its branches, such sections as are deemed necessary in order to carry out the program of health activities authorized by the Organization.

Article 22. *International Character of the Personnel:*

A. No member of the staff of the Bureau may act as a representative of any Government.

B. In the performance of their duties, the Director and all personnel of the Bureau shall not seek or receive instructions from any Government or from any authority external to the Organization. They shall refrain from any action which is incompatible with their status as international officers. Each Government, on its part, shall undertake to respect the exclusively international character of the Director and the personnel and shall not seek to influence them.

Article 23. *Technical Commissions:*

The Director of the Bureau may appoint such permanent technical commissions as are authorized by the Conference or the Council, as well as such non-

permanent technical commissions as are authorized by the Conference, by the Council, or by the Executive Committee.

CHAPTER VI

BUDGET

Article 24. *Financial Obligations of the Governments:*

A. The Organization shall be financed by annual contributions from Governments. The contributions from Member Governments shall be determined in conformity with Article 60 of the Pan American Sanitary Code. The Participating Governments shall make annual contributions computed on a basis similar to that established for the Member Governments.

B. Governments may make extraordinary contributions for general expenses and specific purposes, in addition to their annual quota contributions.

Article 25. *Donations:*

The Conference, the Council, the Executive Committee, or the Director of the Bureau may accept and administer donations and bequests made to the Organization provided that any conditions attached to such donations or bequests are consistent with the purposes and policies of the Organization.

CHAPTER VII

RELATIONS

Article 26. *Relations with Other Organizations:*

The Conference or the Council may make suitable arrangements for consultation and cooperation with other organizations interested in or concerned with public health and, to this end, may conclude special agreements with such organizations.

CHAPTER VIII

MODIFICATION

Article 27. *Revision of the Pan American Sanitary Code:*

A. The Director of the Bureau shall prepare periodic revisions of the Pan American Sanitary Code in accordance with general needs and policies determined by the Conference or the Council.

B. Such revisions shall be reviewed by the Executive Committee and submitted to the Conference or the Council for approval.

C. Such revisions shall be submitted to the Governments which are parties to the Pan American Sanitary Code, for appropriate action as recommendations of the Conference or the Council.

Article 28. *Amendments to the Constitution:*

Proposals to amend the Constitution shall be communicated to the Member Governments at least three months in advance of their consideration by the Conference or the Council. Amendments shall come into force for all Member Governments when adopted by the Conference by a two-thirds vote of the representatives of all Member Governments or when adopted by the Council by a two-thirds vote of those representatives.

CHAPTER IX

VALIDITY

Article 29. *Entry into Force:*

A. This Constitution shall enter into force when approved by the Council.

B. The previous Constitution is hereby revoked.

The present Constitution was signed in the city of Buenos Aires on the second day of the month of October of the year nineteen hundred and forty-seven.

5. PARTICIPATING STATES: PARTICIPATION IN THE ORGANIZATION BY CERTAIN MEMBERS OF THE WORLD HEALTH ORGANIZATION NOT HAVING THEIR SEATS OF GOVERNMENT WITHIN THE WESTERN HEMISPHERE[1]

Resolution XV

[Considering that] the Directing Council at its IV Meeting requested the Executive Committee to study the relationship between the Directing Council and the Regional Committee of the World Health Organization, and the relations of each of these to the Member States of the World Health Organization not having their seats of government within the Western Hemisphere, and to recommend to the Council the inclusion in the proposed constitutional revision of measures to clarify these relationships;

[Considering that] the XIII Pan American Sanitary Conference authorized the Executive Committee to examine the proposed revision submitted to the Conference by the Directing Council and to submit it for consideration to the Directing Council at its V Meeting, together with the opinions expressed by the Member Governments, the Members of the Regional Committee of the World Health Organization, and the Council of the Organization of American States;

[Considering that] Resolution III of the II Meeting of the Directing Council offered certain rights of participation in the Pan American Sanitary Organization[2] to the non-self-governing territories of the Western Hemisphere, and [that] Resolution IX of the III Meeting invited certain nonmember States to participate on the same basis as the American Republics in meetings of the Directing Council as the Regional Committee of the World Health Organization; and

[Considering that] the Directing Council has adopted a resolution expressing its belief that a revision of the Constitution of the Pan American Sanitary Organization is not timely, and [that] until this instrument is revised, the Directing Council should clarify said Resolution IX of the III Meeting of the Directing Council,

RESOLVES:

1. That all meetings of the Directing Council shall at the same time be meetings of the Regional Committee of the World Health Organization, except when

[1]Adopted by the Directing Council at its V Meeting held in Washington, D.C. from 24 September to 3 October 1951. The United Kingdom of Great Britain and Northern Ireland, France, and the Kingdom of the Netherlands are the only Participating States at this time (see Appendix I).

[2]Renamed "Pan American Health Organization" by decision of the XV Pan American Sanitary Conference, September–October 1958.

the Directing Council is considering constitutional matters, the juridical relations between the Pan American Sanitary Organization and the World Health Organization or the Organization of American States, or other questions relating to the Pan American Sanitary Organization as an Inter-American Specialized Organization.

2. That, modifiying paragraphs (a) and (b) of Resolution II of the II Meeting of the Directing Council, the vote on Pan American Sanitary Organization budget matters is granted to States Members of the World Health Organization not having their seats of government within the Western Hemisphere which "either (a) by reason of their Constitution consider certain territories or groups of territories in the Western Hemisphere as part of their national territory, or (b) are responsible for the conduct of the international relations of territories or groups of territories within the Western Hemisphere." The vote thus granted shall be on behalf of these territories and shall be contingent upon their making an equitable contribution to the budget of the Pan American Sanitary Organization. The privilege of voting on the Pan American Sanitary Organization budget thus granted may be exercised either by the representatives of such territories or by the representatives of the Member States of the World Health Organization referred to above.

3. To amend the Rules of Procedure of the Directing Council, in accordance with the recommendation of the Executive Committee, to provide, *inter alia,* that if the representative of a nonmember State of the Pan American Sanitary Organization is elected an officer at any meeting, such representative will not officiate in the sessions at which any of the matters mentioned in paragraph 1 are under discussion.

Sept.–Oct. 1951 Pub. 270, 22

6. ASSOCIATE STATES: ASSOCIATE MEMBERS OF THE PAN AMERICAN HEALTH ORGANIZATION, ADMISSION, RIGHTS, AND OBLIGATIONS[1]

Resolution II

Considering,

That Article 2.B of the Constitution of the Pan American Health Organization (PAHO) establishes the principle of participation in the Organization of territories or groups of territories that are not fully responsible for the conduct of their international relations;

That the participation in PAHO of territories or groups of territories whose international relations are the responsibility of States whose seats of government are outside the Region is permitted by means of the category of Participating Governments (States), in accordance with said Article 2.B of the Constitution of PAHO and by means of Resolutions XV and XL of the V Meeting of the Directing Council of PAHO (1951);

That the direct participation in PAHO of territories or groups of territories whose international relations are the responsibility of Member Governments (States) whose seats of government are in the Region has not been expressly covered;

That it is opportune to regulate, in light of the constitutional principle of participation, a modality of direct participation for a territory or groups of territories in the Region whose international relations are the responsibility of States whose seats of government are in or outside the Region, within the limitations set forth in the present resolution;

That the category of Associate Member contemplated in the Constitution of the World Health Organization can be adopted by analogy under the Constitution of PAHO, and in accordance with the terms of the present resolution; and

That Article 2.B of the Constitution of PAHO determined that the form of participation and the rights and obligations of territories or groups of territories that are not responsible for their international relations are determined by the Directing Council or the Pan American Sanitary Conference.

RESOLVES:

1. To adopt the following procedure for the admission as Associate Members of territories or groups of territories in the Region whose international relations are the responsibility of States with seats of government in or outside the Region:

[1]Adopted by the Directing Council at its XXXVI Meeting held in Washington, D.C. from 21–25 September 1992. Puerto Rico is the only Associate Member at this time (see Appendix I, *infra*).

A. Admission

The request for admission as an Associate Member must be presented to PAHO, as a distinct international legal person, by the State responsible for the international relations of the territory or groups of territories, by means of a communication addressed to the Director of the Pan American Sanitary Bureau.

The Director shall transmit the request to Member Governments (States) and shall include the issue in the provisional agenda of the following meeting of the Directing Council or the Pan American Sanitary Conference.

A majority of members of the Directing Council or the Pan American Sanitary Conference shall be required to approve such a request.

B. Obligations

Obligations of Associate Members of PAHO are the following:

a) In general, the same obligations as Member Governments (States), with the limitations set forth in the present resolution;

b) Payment of financial contributions, which shall be established, on a case by case basis, at the same time and following the same procedure as for Member or Participating Governments (States). Financial contributions of Associate Members shall be paid directly to PAHO.

C. Rights

Rights of Associate Members in the Organization are the following:

a) To participate, with no vote, in the meetings of the Pan American Sanitary Conference, the Directing Council, and the Executive Committee of the Directing Council;

b) To participate with voice and vote in technical commissions or committees;

c) To have access to all technical cooperation services of PAHO, in accordance with established program and budget procedures applied to Member Governments (States);

d) To receive information and documentation produced or distributed by PAHO.

2. The present resolution shall enter into effect immediately and may be applied to any request for admission as Associate Member that the Director may have received.

September 1992 OD 253, 111

7. OBSERVER STATES: REQUIREMENTS, PROCEDURES, AND PRIVILEGES OF NON-AMERICAN STATES REQUESTING AND OBTAINING OBSERVER STATUS IN THE PAN AMERICAN HEALTH ORGANIZATION[1]

Resolution III

Taking account of the interest expressed by the Government of Portugal[2] in establishing arrangements for direct cooperation with the Pan American Health Organization and in obtaining observer status in the Organization;

Bearing in mind Resolution XXVII of the XXVIII Meeting of the Directing Council, which establishes the criteria for the granting of observer status in PAHO to non-American States having no territory in the Americas;

Considering that these criteria are extremely limiting and restrictive in respect of requests such as that of the Portuguese Government;

Cognizant of the very close historical and sociocultural ties that bind the Portuguese nation to the American Hemisphere; and

Having seen the report presented by the Director (Document CSP22/7) establishing new requirements and procedures to govern the granting to countries of observer status in PAHO,

RESOLVES:

1. To rescind Resolution XXVII of the XXVIII Meeting of the Directing Council.

2. To approve the following requirements, procedures, and privileges for States requesting and obtaining observer status in PAHO:

A. *Prerequisites*

a) The requesting State must have historical and cultural ties to the Region of the Americas;

b) The requesting State must show interest in participating in and contributing to inter-American institutions;

c) The requesting State must make a technical or financial contribution to PAHO's technical cooperation programs.

[1]Adopted at the XXII Pan American Sanitary Conference held in Washington, D.C. from 22–27 September 1986.

[2]Portugal and Spain are the only two observer States in PAHO (see Appendix I), with Spain being admitted as an observer State by Resolution IV adopted by the Directing Council at its XXVII Meeting held in Washington, D.C. from 22 September–3 October 1980.

B. *Processing Steps*

a) The requesting State must present its request at least 60 days in advance of the date set for the meeting of the Executive Committee to which it is to be presented, stating the reasons on which the request is based, as provided in paragraphs a), b), and c), above;

b) The Executive Committee will consider the request in relation to the provisions of paragraphs a), b), and c), above, and make an appropriate recommendation to the Conference or Directing Council;

c) The Conference or Directing Council, as appropriate, will decide whether the requesting State is to be granted observer status in PAHO.

C. *Privileges*

Countries granted observer status in PAHO shall enjoy the privileges of:

a) Attending public sessions of the Governing Bodies and public sessions of the committees and working groups of those Governing Bodies, the costs of such attendance to be borne by the observer country;

b) Participating, by leave of the Chairman, in the discussions of the Governing Bodies, but without the right to vote. They may not, however, make proposals of substance or procedural motions or requests, raise points of order, or impugn the decisions of the Chairman;

c) Receiving documents prepared for the meetings of the Governing Bodies and other technical and scientific publications of interest to the observer country;

d) Establishing technical and financial cooperation relations with the Organization through the Pan American Sanitary Bureau.

September 1986 OD 211, 130

8. NONGOVERNMENTAL ORGANIZATIONS: CRITERIA FOR ESTABLISHING OFFICIAL RELATIONS BETWEEN THE PAN AMERICAN HEALTH ORGANIZATION AND INTER-AMERICAN NONGOVERNMENTAL ORGANIZATIONS[1]

Resolution V

Recalling that the XIV Pan American Sanitary Conference, in Resolution XXVIII, set the criteria for establishing official relations between PAHO and inter-American nongovernmental organizations;

Mindful of the provisions in Resolution XX of the XX Pan American Sanitary Conference defining the procedures for the establishment by the Pan American Health Organization of official relations with inter-American nongovernmental organizations;

Recalling that the 113th Meeting of the Executive Committee adopted Resolution XVIII recommending the updating of the criteria for the establishment and maintenance of official relations between PAHO and inter-American NGOs;

Recognizing the important role of nongovernmental organizations and the complementarity of resources they represent in the network of governments, peoples, and PAHO/WHO striving for health development;

Emphasizing the need to mobilize national, international, and inter-American nongovernmental organizations for accelerated implementation of health for all strategies;

Taking into account that PAHO would benefit by having a written document containing the conceptual framework dealing with the development of informal working relations with nongovernmental organizations and with their admission into official relations similar to that of the World Health Organization (1987); and

Having taken note of the recommendations of the Executive Committee (Resolution CE116.R6),

RESOLVES:

To adopt the Principles Governing Relations between the Pan American Health Organization and Nongovernmental Organizations presented in Document CD38/10.

September 1995 OD 276, 96

[1]Adopted by the Directing Council at its XXXVIII Meeting held in Washington, D.C. from 25–30 September 1995.

9. CONSTITUTION OF THE WORLD HEALTH ORGANIZATION[1]

THE STATES Parties to this Constitution declare, in conformity with the Charter of the United Nations, that the following principles are basic to the happiness, harmonious relations, and security of all peoples:

Health is a state of complete physical, mental, and social well being and not merely the absence of disease or infirmity.

The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.

The health of all peoples is fundamental to the attainment of peace and security and is dependent upon the fullest cooperation of individuals and States.

The achievement of any State in the promotion and protection of health is of value to all.

Unequal development in different countries in the promotion of health and control of disease, especially communicable disease, is a common danger.

Healthy development of the child is of basic importance; the ability to live harmoniously in a changing total environment is essential to such development.

The extension to all peoples of the benefits of medical, psychological, and related knowledge is essential to the fullest attainment of health.

Informed opinion and active cooperation on the part of the public are of the utmost importance in the improvement of the health of the people.

Governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures.

ACCEPTING THESE PRINCIPLES, and for the purpose of cooperation among themselves and with others to promote and protect the health of all peoples, the Contracting Parties agree to the present Constitution and hereby establish the World

[1]Adopted by the International Health Conference held in New York from 19 June to 22 July 1946, signed on 22 July 1946 by the representatives of 61 States (*Off. Rec. Wld Hlth Org.*, **2,** 100), and entered into force on 7 April 1948. Amendments adopted by the Twenty-sixth, Twenty-ninth, and Thirty-ninth World Health Assemblies (resolutions WHA26.37, WHA29.38, and WHA39.6) entered into force on 3 February 1977, 20 January 1984, and 11 July 1994, respectively, and are incorporated in the present text.

Health Organization as a specialized agency within the terms of Article 57 of the Charter of the United Nations.

CHAPTER I — OBJECTIVE

Article 1

The objective of the World Health Organization (hereinafter called the Organization) shall be the attainment by all peoples of the highest possible level of health.

CHAPTER II — FUNCTIONS

Article 2

In order to achieve its objective, the functions of the Organization shall be:

(a) to act as the directing and coordinating authority on international health work;

(b) to establish and maintain effective collaboration with the United Nations, specialized agencies, governmental health administrations, professional groups, and such other organizations as may be deemed appropriate;

(c) to assist Governments, upon request, in strengthening health services;

(d) to furnish appropriate technical assistance and, in emergencies, necessary aid upon the request or acceptance of Governments;

(e) to provide or assist in providing, upon the request of the United Nations, health services and facilities to special groups, such as the peoples of trust territories;

(f) to establish and maintain such administrative and technical services as may be required, including epidemiological and statistical services;

(g) to stimulate and advance work to eradicate epidemic, endemic, and other diseases;

(h) to promote, in cooperation with other specialized agencies where necessary, the prevention of accidental injuries;

(i) to promote, in cooperation with other specialized agencies where necessary, the improvement of nutrition, housing, sanitation, recreation, economic or working conditions, and other aspects of environmental hygiene;

(j) to promote cooperation among scientific and professional groups which contribute to the advancement of health;

(k) to propose conventions, agreements, and regulations, and make recommendations with respect to international health matters and to perform such duties as may be assigned thereby to the Organization and are consistent with its objective;

(l) to promote maternal and child health and welfare and to foster the ability to live harmoniously in a changing total environment;

(m) to foster activities in the field of mental health, especially those affecting the harmony of human relations;

(n) to promote and conduct research in the field of health;

(o) to promote improved standards of teaching and training in the health, medical, and related professions;

(p) to study and report on, in cooperation with other specialized agencies where necessary, administrative and social techniques affecting public health and medical care from preventive and curative points of view, including hospital services and social security;

(q) to provide information, counsel, and assistance in the field of health;

(r) to assist in developing an informed public opinion among all peoples on matters of health;

(s) to establish and revise as necessary international nomenclatures of diseases, of causes of death, and of public health practices;

(t) to standardize diagnostic procedures as necessary;

(u) to develop, establish, and promote international standards with respect to food, biological, pharmaceutical, and similar products;

(v) generally to take all necessary action to attain the objective of the Organization.

CHAPTER III — MEMBERSHIP AND ASSOCIATION MEMBERSHIP

Article 3

Membership in the Organization shall be open to all States.

Article 4

Members of the United Nations may become Members of the Organization by signing or otherwise accepting this Constitution in accordance with the provisions of Chapter XIX and in accordance with their constitutional processes.

Article 5

The States whose Governments have been invited to send observers to the International Health Conference held in New York in 1946, may become Members by signing or otherwise accepting this Constitution in accordance with the provisions of Chapter XIX and in accordance with their constitutional processes provided that such signature or acceptance shall be completed before the first session of the Health Assembly.

Article 6

Subject to the conditions of any agreement between the United Nations and the Organization, approved pursuant to Chapter XVI, States which do not become Members in accordance with Articles 4 and 5 may apply to become Members and shall be admitted as Members when their application has been approved by a simple majority vote of the Health Assembly.

Article 7[2]

If a Member fails to meet its financial obligations to the Organization or in other exceptional circumstances, the Health Assembly may, on such conditions as it thinks proper, suspend the voting privileges and services to which a Member is entitled. The Health Assembly shall have the authority to restore such voting privileges and services.

Article 8

Territories or groups of territories which are not responsible for the conduct of their international relations may be admitted as Associate Members by the Health Assembly upon application made on behalf of such territory or group of territories by the Member or other authority having responsibility for their international relations. Representatives of Associate Members to the Health Assembly should be qualified by their technical competence in the field of health and should be chosen from the native population. The nature and extent of the rights and obligations of Associate Members shall be determined by the Health Assembly.

CHAPTER IV — ORGANS

Article 9

The work of the Organization shall be carried out by:

(a) The World Health Assembly (hereinafter called the Health Assembly);
(b) The Executive Board (hereinafter called the Board);
(c) The Secretariat.

CHAPTER V — THE WORLD HEALTH ASSEMBLY

Article 10

The Health Assembly shall be composed of delegates representing Members.

[2]The amendment to this Article adopted by the Eighteenth World Health Assembly (resolution WHA18.48) has not yet come into force.

Article 11

Each Member shall be represented by not more than three delegates, one of whom shall be designated by the Member as chief delegate. These delegates should be chosen from among persons most qualified by their technical competence in the field of health, preferably representing the national health administration of the Member.

Article 12

Alternates and advisers may accompany delegates.

Article 13

The Health Assembly shall meet in regular annual session and in such special sessions as may be necessary. Special sessions shall be convened at the request of the Board or of a majority of the Members.

Article 14

The Health Assembly, at each annual session, shall select the country or region in which the next annual session shall be held, the Board subsequently fixing the place. The Board shall determine the place where a special session shall be held.

Article 15

The Board, after consultation with the Secretary-General of the United Nations, shall determine the date of each annual and special session.

Article 16

The Health Assembly shall elect its President and other officers at the beginning of each annual session. They shall hold office until their successors are elected.

Article 17

The Health Assembly shall adopt its own rules of procedure.

Article 18

The functions of the Health Assembly shall be:

(a) to determine the policies of the Organization;
(b) to name the Members entitled to designate a person to serve on the Board;

(c) to appoint the Director-General;

(d) to review and approve reports and activities of the Board and of the Director-General and to instruct the Board in regard to matters upon which action, study, investigation, or report may be considered desirable;

(e) to establish such committees as may be considered necessary for the work of the Organization;

(f) to supervise the financial policies of the Organization and to review and approve the budget;

(g) to instruct the Board and the Director-General to bring to the attention of Members and of international organizations, governmental or nongovernmental, any matter with regard to health which the Health Assembly may consider appropriate;

(h) to invite any organization, international or national, governmental or nongovernmental, which has responsibilities related to those of the Organization, to appoint representatives to participate, without right of vote, in its meetings or in those of the committees and conferences convened under its authority, on conditions prescribed by the Health Assembly; but in the case of national organizations, invitations shall be issued only with the consent of the Government concerned;

(i) to consider recommendations bearing on health made by the General Assembly, the Economic and Social Council, the Security Council, or Trusteeship Council of the United Nations, and to report to them on the steps taken by the Organization to give effect to such recommendations;

(j) to report to the Economic and Social Council in accordance with any agreement between the Organization and the United Nations;

(k) to promote and conduct research in the field of health by the personnel of the Organization, by the establishment of its own institutions, or by cooperation with official or non-official institutions of any Member with the consent of its Government;

(l) to establish such other institutions as it may consider desirable;

(m) to take any other appropriate action to further the objective of the Organization.

Article 19

The Health Assembly shall have authority to adopt conventions or agreements with respect to any matter within the competence of the Organization. A two-thirds vote of the Health Assembly shall be required for the adoption of such conventions or agreements, which shall come into force for each Member when accepted by it in accordance with its constitutional processes.

Article 20

Each Member undertakes that it will, within eighteen months after the adoption by the Health Assembly of a convention or agreement, take action relative to the acceptance of such convention or agreement. Each Member shall notify the Director-General of the action taken, and if it does not accept such convention or agreement within the time limit, it will furnish a statement of the reasons for non-acceptance. In case of acceptance, each Member agrees to make an annual report to the Director-General in accordance with Chapter XIV.

Article 21

(a) sanitary and quarantine requirements and other procedures designed to prevent the international spread of disease;
(b) nomenclatures with respect to diseases, causes of death and public health practices;
(c) standards with respect to diagnostic procedures for international use;
(d) standards with respect to the safety, purity and potency of biological, pharmaceutical and similar products moving in international commerce;
(e) advertising and labelling of biological, pharmaceutical and similar products moving in international commerce.

Article 22

Regulations adopted pursuant to Article 21 shall come into force for all Members after due notice has been given of their adoption by the Health Assembly except for such Members as may notify the Director-General of rejection or reservations within the period stated in the notice.

Article 23

The Health Assembly shall have authority to make recommendations to Members with respect to any matter within the competence of the Organization.

CHAPTER VI — THE EXECUTIVE BOARD

Article 24[3]

The Board shall consist of thirty-two persons designated by as many Members. The Health Assembly, taking into account an equitable geographical distribution, shall elect the Members entitled to designate a person to serve on the

[3]The amendment to this Article by the Fifty-first World Health Assembly (resolution WHA 51.23) has not yet come into force.

Board, provided that, of such Members, not less than three shall be elected from each of the regional organizations established pursuant to Article 44. Each of these Members should appoint to the Board a person technically qualified in the field of health, who may be accompanied by alternates and advisers.

Article 25[4]

These Members shall be elected for three years and may be reelected, provided that of the Members elected at the first session of the Health Assembly held after the coming into force of the amendment to this Constitution increasing the membership of the Board from thirty-one to thirty-two the term of office of the additional Member elected shall, insofar as may be necessary, be of such lesser duration as shall facilitate the election of at least one Member from each regional organization in each year.

Article 26

The Board shall meet at least twice a year and shall determine the place of each meeting.

Article 27

The Board shall elect its Chairman from among its members and shall adopt its own rules of procedure.

Article 28

The functions of the Board shall be:

(a) to give effect to the decisions and policies of the Health Assembly;
(b) to act as the executive organ of the Health Assembly;
(c) to perform any other functions entrusted to it by the Health Assembly;
(d) to advise the Health Assembly on questions referred to it by that body and on matters assigned to the Organization by conventions, agreements, and regulations;
(e) to submit advice or proposals to the Health Assembly on its own initiative;
(f) to prepare the agenda of meetings of the Health Assembly;
(g) to submit to the Health Assembly for consideration and approval a general programme of work covering a specific period;
(h) to study all questions within its competence;
(i) to take emergency measures within the functions and financial resources of the Organization to deal with events requiring immediate action. In partic-

[4]Idem.

ular it may authorize the Director-General to take the necessary steps to combat epidemics, to participate in the organization of health relief to victims of a calamity, and to undertake studies and research, the urgency of which has been drawn to the attention of the Board by any Member or by the Director-General.

Article 29

The Board shall exercise on behalf of the whole Health Assembly the powers delegated to it by that body.

CHAPTER VII — THE SECRETARIAT

Article 30

The Secretariat shall comprise the Director-General and such technical and administrative staff as the Organization may require.

Article 31

The Director-General shall be appointed by the Health Assembly on the nomination of the Board on such terms as the Health Assembly may determine. The Director-General, subject to the authority of the Board, shall be the chief technical and administrative officer of the Organization.

Article 32

The Director-General shall be *ex-officio* Secretary of the Health Assembly, of the Board, of all commissions and committees of the Organization, and of conferences convened by it. He may delegate these functions.

Article 33

The Director-General or his representative may establish a procedure by agreement with Members, permitting him, for the purpose of discharging his duties, to have direct access to their various departments, especially to their health administrations and to national health organizations, governmental or nongovernmental. He may also establish direct relations with international organizations whose activities come within the competence of the Organization. He shall keep regional offices informed on all matters involving their respective areas.

Article 34

The Director-General shall prepare and submit to the Board the financial statements and budget estimates of the Organization.

Article 35

The Director-General shall appoint the staff of the Secretariat in accordance with staff regulations established by the Health Assembly. The paramount consideration in the employment of the staff shall be to assure that the efficiency, integrity, and internationally representative character of the Secretariat shall be maintained at the highest level. Due regard shall be paid also to the importance of recruiting the staff on as wide a geographical basis as possible.

Article 36

The conditions of service of the staff of the Organization shall conform as far as possible with those of other United Nations organizations.

Article 37

In the performance of their duties, the Director-General and the staff shall not seek or receive instructions from any government or from any authority external to the Organization. They shall refrain from any action which might reflect on their position as international officers. Each Member of the Organization on its part undertakes to respect the exclusively international character of the Director-General and the staff and not to seek to influence them.

CHAPTER VIII — COMMITTEES

Article 38

The Board shall establish such committees as the Health Assembly may direct and, on its own initiative or on the proposal of the Director-General, may establish any other committees considered desirable to serve any purpose within the competence of the Organization.

Article 39

The Board, from time to time and in any event annually, shall review the necessity for continuing each committee.

Article 40

The Board may provide for the creation of or the participation by the Organization in joint or mixed committees with other organizations and for the representation of the Organization in committees established by such other organizations.

CHAPTER IX — CONFERENCES

Article 41

The Health Assembly or the Board may convene local, general, technical, or other special conferences to consider any matter within the competence of the Organization and may provide for the representation at such conferences of international organizations and, with the consent of the Government concerned, of national organizations, governmental or nongovernmental. The manner of such representation shall be determined by the Health Assembly or the Board.

Article 42

The Board may provide for representation of the Organization at conferences in which the Board considers that the Organization has an interest.

CHAPTER X — HEADQUARTERS

Article 43

The location of the headquarters of the Organization shall be determined by the Health Assembly after consultation with the United Nations.

CHAPTER XI — REGIONAL ARRANGEMENTS

Article 44

(a) The Health Assembly shall from time to time define the geographical areas in which it is desirable to establish a regional organization.

(b) The Health Assembly may, with the consent of a majority of the Members situated within each area so defined, establish a regional organization to meet the special needs of such area. There shall not be more than one regional organization in each area.

Article 45

Each regional organization shall be an integral part of the Organization in accordance with this Constitution.

Article 46

Each regional organization shall consist of a regional committee and a regional office.

Article 47

Regional committees shall be composed of representatives of the Member States and Associate Members in the region concerned. Territories or groups of territories within the region, which are not responsible for the conduct of their international relations and which are not Associate Members, shall have the right to be represented and to participate in regional committees. The nature and extent of the rights and obligations of these territories or groups of territories in regional committees shall be determined by the Health Assembly in consultation with the Member or other authority having responsibility for the international relations of these territories and with the Member States in the region.

Article 48

Regional committees shall meet as often as necessary and shall determine the place of each meeting.

Article 49

Regional committees shall adopt their own rules of procedure.

Article 50

The functions of the regional committee shall be:

(a) to formulate policies governing matters of an exclusively regional character;
(b) to supervise the activities of the regional office;
(c) to suggest to the regional office the calling of technical conferences and such additional work or investigation in health matters as in the opinion of the regional committee would promote the objective of the Organization within the region;
(d) to cooperate with the respective regional committees of the United Nations and with those of other specialized agencies and with other regional international organizations having interests in common with the Organization;
(e) to tender advice, through the Director-General, to the Organization on international health matters which have wider than regional significance;
(f) to recommend additional regional appropriations by the Governments of the respective regions if the proportion of the central budget of the Organization allotted to that region is insufficient for the carrying out of the regional functions;
(g) such other functions as may be delegated to the regional committee by the Health Assembly, the Board, or the Director-General.

Article 51

Subject to the general authority of the Director-General of the Organization, the regional office shall be the administrative organ of the regional committee. It shall, in addition, carry out within the region the decisions of the Health Assembly and of the Board.

Article 52

The head of the regional office shall be the Regional Director appointed by the Board in agreement with the regional committee.

Article 53

The staff of the regional office shall be appointed in a manner to be determined by agreement between the Director-General and the Regional Director.

Article 54

The Pan American Sanitary Organization[5] represented by the Pan American Sanitary Bureau and the Pan American Sanitary Conferences, and all other intergovernmental regional health organizations in existence prior to the date of signature of this Constitution, shall in due course be integrated with the Organization. This integration shall be effected as soon as practicable through common action based on mutual consent of the competent authorities expressed through the organizations concerned.

CHAPTER XII — BUDGET AND EXPENSES

Article 55

The Director-General shall prepare and submit to the Board the budget estimates of the Organization. The Board shall consider and submit to the Health Assembly such budget estimates, together with any recommendations the Board may deem advisable.

Article 56

Subject to any agreement between the Organization and the United Nations, the Health Assembly shall review and approve the budget estimates and shall apportion the expenses among the Members in accordance with a scale to be fixed by the Health Assembly.

[5]Renamed "Pan American Health Organization" by decision of the XV Pan American Sanitary Conference, September–October 1958.

Article 57

The Health Assembly or the Board acting on behalf of the Health Assembly may accept and administer gifts and bequests made to the Organization provided that the conditions attached to such gifts or bequests are acceptable to the Health Assembly or the Board and are consistent with the objective and policies of the Organization.

Article 58

A special fund to be used at the discretion of the Board shall be established to meet emergencies and unforeseen contingencies.

CHAPTER XIII — VOTING

Article 59

Each Member shall have one vote in the Health Assembly.

Article 60

(a) Decisions of the Health Assembly on important questions shall be made by a two-thirds majority of the Members present and voting. These questions shall include the adoption of conventions or agreements; 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; amendments to this Constitution.

(b) Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the Members present and voting.

(c) Voting on analogous matters in the Board and in committees of the Organization shall be made in accordance with paragraphs (a) and (b) of this Article.

CHAPTER XIV — REPORTS SUBMITTED BY STATES

Article 61

Each Member shall report annually to the Organization on the action taken and progress achieved in improving the health of its people.

Article 62

Each Member shall report annually on the action taken with respect to recommendations made to it by the Organization and with respect to conventions, agreements, and regulations.

Article 63

Each Member shall communicate promptly to the Organization important laws, regulations, official reports, and statistics pertaining to health which have been published in the State concerned.

Article 64

Each Member shall provide statistical and epidemiological reports in a manner to be determined by the Health Assembly.

Article 65

Each Member shall transmit upon the request of the Board such additional information pertaining to health as may be practicable.

CHAPTER XV — LEGAL CAPACITY, PRIVILEGES, AND IMMUNITIES

Article 66

The Organization shall enjoy in the territory of each Member such legal capacity as may be necessary for the fulfillment of its objective and for the exercise of its functions.

Article 67

(a) The Organization shall enjoy in the territory of each Member such privileges and immunities as may be necessary for the fulfillment of its objective and for the exercise of its functions.

(b) Representatives of Members, persons designated to serve on the Board, and technical and administrative personnel of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

Article 68

Such legal capacity, privileges, and immunities shall be defined in a separate agreement to be prepared by the Organization in consultation with the Secretary-General of the United Nations and concluded between the Members.

CHAPTER XVI — RELATIONS WITH OTHER ORGANIZATIONS

Article 69

The Organization shall be brought into relation with the United Nations as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations. The agreement or agreements bringing the Organization into

relation with the United Nations shall be subject to approval by a two-thirds vote of the Health Assembly.

Article 70

The Organization shall establish effective relations and cooperate closely with such other intergovernmental organizations as may be desirable. Any formal agreement entered into with such organizations shall be subject to approval by a two-thirds vote of the Health Assembly.

Article 71

The Organization may, on matters within its competence, make suitable arrangements for consultation and cooperation with nongovernmental international organizations and, with the consent of the Government concerned, with national organizations, governmental or nongovernmental.

Article 72

Subject to the approval by a two-thirds vote of the Health Assembly, the Organization may take over from any other international organization or agency whose purpose and activities lie within the field of competence of the Organization such functions, resources, and obligations as may be conferred upon the Organization by international agreement or by mutually acceptable arrangements entered into between the competent authorities of the respective organizations.

CHAPTER XVII — AMENDMENTS

Article 73

Texts of proposed amendments to this Constitution shall be communicated by the Director-General to Members at least six months in advance of their consideration by the Health Assembly. Amendments shall come into force for all Members when adopted by a two-thirds vote of the Health Assembly and accepted by two-thirds of the Members in accordance with their respective constitutional processes.

CHAPTER XVIII — INTERPRETATIONS

Article 74[6]

The Chinese, English, French, Russian, and Spanish texts of this Constitution shall be regarded as equally authentic.

[6]The amendment to this Article adopted by the Thirty-first World Health Assembly (resolution WHA31.18) has not yet come into force.

Article 75

Any question or dispute concerning the interpretation or application of this Constitution which is not settled by negotiation or by the Health Assembly shall be referred to the International Court of Justice in conformity with the Statute of the Court, unless the parties concerned agree on another mode of settlement.

Article 76

Upon authorization by the General Assembly of the United Nations or upon authorization in accordance with any agreement between the Organization and the United Nations, the Organization may request the International Court of Justice for an advisory opinion on any legal question arising within the competence of the Organization.

Article 77

The Director-General may appear before the Court on behalf of the Organization in connection with any proceedings arising out of any such request for an advisory opinion. He shall make arrangements for the presentation of the case before the Court, including arrangements for the argument of different views on the question.

CHAPTER XIX — ENTRY INTO FORCE

Article 78

Subject to the provisions of Chapter III, this Constitution shall remain open to all States for signature or acceptance.

Article 79

(a) States may become parties to this Constitution by:
- (i) signature without reservation as to approval;
- (ii) signature subject to approval followed by acceptance; or
- (iii) acceptance.

(b) Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

Article 80

This Constitution shall come into force when twenty-six Members of the United Nations have become parties to it in accordance with the provisions of Article 79.

Article 81

In accordance with Article 102 of the Charter of the United Nations, the Secretary-General of the United Nations will register this Constitution when it has been signed without reservation as to approval on behalf of one State or upon deposit of the first instrument of acceptance.

Article 82

The Secretary-General of the United Nations will inform States parties to this Constitution of the date when it has come into force. He will also inform them of the dates when other States have become parties to this Constitution.

IN FAITH WHEREOF the undersigned representatives, having been duly authorized for that purpose, sign this Constitution.

DONE in the City of New York this twenty-second day of July 1946, in a single copy in the Chinese, English, French, Russian, and Spanish languages, each text being equally authentic. The original texts shall be deposited in the archives of the United Nations. The Secretary-General of the United Nations will send certified copies to each of the Governments represented at the Conference.

10. AGREEMENT BETWEEN THE WORLD HEALTH ORGANIZATION AND THE PAN AMERICAN HEALTH ORGANIZATION[1]

WHEREAS Chapter XI of the Constitution of the World Health Organization provides that the Pan American Sanitary Organization[2] represented by the Pan American Sanitary Bureau and the Pan American Sanitary Conference shall in due course be integrated with the World Health Organization and that such integration shall be effected as soon as practicable through common action based on mutual consent of the competent authorities expressed through the organizations concerned; and

WHEREAS the World Health Organization and the Pan American Sanitary Organization have agreed that measures toward the implementation of such action by the conclusion of an agreement shall be taken when at least fourteen American countries shall have ratified the Constitution of the World Health Organization; and

WHEREAS on the twenty-second of April 1949 this condition was satisfied,

IT IS HEREBY AGREED AS FOLLOWS:

Article 1

The States and territories of the Western Hemisphere make up the geographical area of a regional organization of the World Health Organization, as provided in Chapter XI of its Constitution.

Article 2

The Pan American Sanitary Conference, through the Directing Council of the Pan American Sanitary Organization and the Pan American Sanitary Bureau, shall serve, respectively, as the Regional Committee and the Regional Office of the World Health Organization for the Western Hemisphere, within the provi-

[1]Approved by the Second World Health Assembly on 30 June 1949 (resolution WHA2.91).
[2]Renamed "Pan American Health Organization" by decision of the XV Pan American Sanitary Conference, September–October 1958.

sions of the Constitution of the World Health Organization. In deference to tradition, both organizations shall retain their respective names, to which shall be added "Regional Committee of the World Health Organization" and "Regional Office of the World Health Organization," respectively.

Article 3

The Pan American Sanitary Conference may adopt and promote health and sanitary conventions and programmes in the Western Hemisphere, provided that such conventions and programmes are compatible with the policy and programmes of the World Health Organization and are separately financed.

Article 4

When this Agreement enters into force, the Director of the Pan American Sanitary Bureau shall assume, subject to the provisions of Article 2, the post of Regional Director of the World Health Organization, until the termination of the period for which he was elected. Thereafter, the Regional Director shall be appointed in accordance with the provisions of Articles 49 and 52 of the World Health Organization Constitution.

Article 5

In accordance with the provisions of Article 51 of the Constitution of the World Health Organization, the Director-General of the World Health Organization shall receive from the Director of the Pan American Sanitary Bureau full information regarding the administration and the operations of the Pan American Sanitary Bureau as the Regional Office for the Western Hemisphere.

Article 6

An adequate proportion of the budget of the World Health Organization shall be allocated for regional work.

Article 7

The annual budget estimates for the expenses of the Pan American Sanitary Bureau as the Regional Office for the Western Hemisphere shall be prepared by the Regional Director and shall be submitted to the Director-General for his consideration in the preparation of the annual budget estimates of the World Health Organization.

Article 8

The funds allocated to the Pan American Sanitary Bureau, as Regional Office of the World Health Organization, under the budget of the World Health Organization, shall be managed in accordance with the financial policies and procedures of the World Health Organization.

Article 9

This Agreement may be supplemented with the consent of both parties, on the initiative of either party.

Article 10

This Agreement shall enter into force upon its approval by the World Health Assembly and signature by the Director of the Pan American Sanitary Bureau, acting on behalf of the Pan American Sanitary Conference, provided that fourteen of the American Republics have at that time deposited their instruments of acceptance of the Constitution of the World Health Organization.

Article 11

In case of doubt or difficulty in interpretation, the English text shall govern.

IN WITNESS WHEREOF this Agreement was done and signed at Washington on this twenty-fourth day of May nineteen hundred and forty-nine in four copies, two in English and two in French.

For the World Health Organization:
BROCK CHISHOLM,
Director-General

For the Pan American Sanitary Conference:
FRED SOPER,
The Director

11. AGREEMENT BETWEEN THE COUNCIL OF THE ORGANIZATION OF AMERICAN STATES AND THE DIRECTING COUNCIL OF THE PAN AMERICAN HEALTH ORGANIZATION[1]

WHEREAS:

The Charter of the Organization of American States stipulates that it is the duty of the Council of the Organization "to conclude agreements with the Inter-American Specialized Organizations to determine the relations that shall exist between the respective agency and the Organization," and sets forth the provisions that may be included in such agreements;

Resolution III of the Ninth International Conference of American States authorized the Council of the Organization of American States to make a complete survey of the status and activities of, and to take certain measures with reference to, Inter-American Organizations, as might be appropriate;

The resolution adopted by the Directing Council of the Pan American Sanitary Organization[2] in 1947 authorized the Director of the Pan American Sanitary Bureau to study and plan, in agreement with the Director General of the Pan American Union, the necessary measures for the maintenance of close relations between the two organizations;

The Directing Council of the Pan American Sanitary Organization, at its Third Meeting held in Lima, October 1949, agreed in Resolution XI, paragraph 6, "to authorize the Executive Committee to give final approval on behalf of the Pan American Sanitary Organization to an Agreement with the Organization of American States"; and

The Executive Committee at its Tenth Meeting having approved a draft of the abovementioned Agreement,

THEREFORE:

The Council of the Organization of American States and the Directing Council of the Pan American Sanitary Organization have agreed upon the following:

[1]Signed in Washington, D.C., on 23 May 1950.

[2]Renamed "Pan American Health Organization" by decision of the XV Pan American Sanitary Conference, September–October 1958.

I

The Pan American Sanitary Organization is recognized as an Inter-American Specialized Organization.

II

The Pan American Sanitary Organization acts as regional organization of the World Health Organization in the Western Hemisphere.

III

The Pan American Sanitary Organization shall continue to enjoy the fullest autonomy in the accomplishment of its purposes, within the limits of the instruments which govern it. In any event, the Pan American Sanitary Organization, through its competent organs, shall take into account the recommendations made by the Council of the Organization of American States, in accordance with the provisions of the Charter of the said Organization.

IV

The Pan American Sanitary Organization shall give technical advice on matters of public health and medical care to the Council of the Organization of American States and its Organs, and to the Pan American Union, upon request.

V

The Council of the Organization of American States, its Organs, and the Pan American Union shall consult the Pan American Sanitary Organization on all matters of public health and medical care that are brought to the attention of the former.

VI

The Council of the Organization of American States may send observers, with voice but without vote, to the Pan American Sanitary Conference, the meetings of the Directing Council and of the Executive Committee of the Pan American Sanitary Organization, and to other technical meetings held or sponsored by the Pan American Sanitary Organization.

VII

The Pan American Sanitary Organization may send observers, with voice but without vote, to the Inter-American Conference, as well as to meetings of the

Organs and the Committees of the Council of the Organization of American States, when they deal with subjects of interest to the Pan American Sanitary Organization.

VIII

The Council of the Organization of American States and the Pan American Sanitary Organization may recommend, either one to the other, topics for inclusion in the agenda of any of the conferences and meetings mentioned in the two preceding articles.

IX

The Pan American Sanitary Organization shall prepare the programs and regulations of the Pan American Sanitary Conference, which is recognized as having the status of a Specialized Conference, and may promote or sponsor such other technical meetings on public health, medicine, and allied sciences as it considers appropriate. These technical meetings shall have the status of Inter-American Specialized Conferences only when they are convoked in accordance with the provisions of Article 93 of the Charter of the Organization of American States.

The Pan American Sanitary Bureau and the Pan American Union shall keep each other mutually informed, for their respective purposes, of every initiative that may be taken to hold Inter-American Specialized Conferences or other inter-American meetings in the said fields.

X

The Pan American Sanitary Bureau shall inform the Council of the Organization of American States of the proposed dates of the Pan American Sanitary Conference, of the meetings of the Directing Council and of the Executive Committee, and of such other technical meetings as the Sanitary Organization may convene or sponsor, in order that the Council of the Organization of American States may make such observations as it deems appropriate with a view to coordinating the dates of such meetings with those of other conferences. The programs and regulations of such meetings shall also be sent to the Council of the Organization of American States for its information.

XI

The Pan American Union shall transmit to the Member States of the Organization of American States the convocation issued by the Pan American Sanitary Bureau for the Pan American Sanitary Conference and for other Inter-American

Specialized Conferences which the Pan American Sanitary Organization holds or sponsors.

XII

The Pan American Union and the Pan American Sanitary Bureau shall maintain a full exchange of information, publications, and documents.

XIII

The Pan American Sanitary Organization, through its competent organ, shall transmit to the Council of the Organization of American States the proposed budget for the following fiscal year prepared by the Executive Committee of the Pan American Sanitary Organization as soon as it is ready, if possible before September 15.

XIV

The Pan American Union shall forward to the Governments the budget approved by the Directing Council of the Pan American Sanitary Organization, together with a statement of the quota due from each Government for the maintenance of the Bureau.

XV

The Pan American Union and the Pan American Sanitary Bureau shall cooperate to the fullest extent possible in recruiting and in establishing standards of compensation of personnel, in the exchange and regulation of personnel, and in the reciprocal use of equipment, facilities, and services.

XVI

Administrative arrangements between the Pan American Union and the Pan American Sanitary Bureau relative to the receipt and disbursement of funds, and to personnel, library facilities, and the utilization of space, equipment, facilities, and services, may be made by the Secretary General of the Organization of American States and the Director of the Pan American Sanitary Bureau.

XVII

The Pan American Sanitary Bureau shall have the option of including its employees in the Pan American Union Retirement and Pension Fund, subject to the provisions of the plan governing its administration.

XVIII

The Pan American Sanitary Bureau shall transmit annually to the Council of the Organization of American States a report on the progress of the work of the Pan American Sanitary Organization. Such report shall contain a statement of activities undertaken during the preceding year, as well as a statement of financial operations.

XIX

Whenever a project contemplating substantial changes in the structure or financial basis of the Pan American Sanitary Organization is to be submitted to the competent organ of that Organization, it will first be submitted in due time to the Council of the Organization of American States.

XX

The present Agreement shall come into force on the date on which it is signed by the authorized representative of the Council of the Organization of American States and by the authorized representative of the Directing Council of the Pan American Sanitary Organization.

XXI

This Agreement may be revised by mutual agreement between the Council of the Organization of American States and the Directing Council of the Pan American Sanitary Organization, or denounced, on three months' notice given by either of the Contracting Parties.

IN WITNESS WHEREOF, the Secretary General of the Organization of American States, authorized representative of the Council of the Organization, and the Director of the Pan American Sanitary Bureau, authorized representative of the Directing Council of the Pan American Sanitary Organization, sign the present Agreement in Spanish and English at the Pan American Union, Washington, D. C., this 23rd day of May, nineteen hundred fifty.

12. CONVENTION ON THE PRIVILEGES AND IMMUNITIES OF THE SPECIALIZED AGENCIES[1]

WHEREAS the General Assembly of the United Nations adopted on 13 February 1946 a resolution contemplating the unification as far as possible of the privileges and immunities enjoyed by the United Nations and by the various specialized agencies; and

WHEREAS consultations concerning the implementation of the aforesaid resolution have taken place between the United Nations and the specialized agencies;

CONSEQUENTLY, by resolution 179 (II) adopted on 21 November 1947, the General Assembly has approved the following Convention, which is submitted to the specialized agencies for acceptance and to every Member of the United Nations and to every other State member of one or more of the specialized agencies for accession.

ARTICLE I

DEFINITIONS AND SCOPE

Section 1

In this Convention:

(i) The words "standard clauses" refer to the provisions of Articles II to IX.

(ii) The words "specialized agencies" mean:

(a) The International Labour Organisation;
(b) The Food and Agriculture Organization of the United Nations;
(c) The United Nations Educational, Scientific and Cultural Organization;
(d) The International Civil Aviation Organization;
(e) The International Monetary Fund;

[1]Resolution 179 (II) adopted by United Nations General Assembly on 21 November 1947 and by the First World Health Assembly on 17 July 1948 (*Off. Rec. Wld Hlth Org.*, **13,** 97, 332).

(f) The International Bank for Reconstruction and Development;
(g) The World Health Organization;
(h) The Universal Postal Union;
(i) The International Telecommunication Union; and
(j) Any other agency in relationship with the United Nations in accordance with Articles 57 and 63 of the Charter.

(iii) The word "Convention" means, in relation to any particular specialized agency, the standard clauses as modified by the final (or revised) text of the annex transmitted by that agency in accordance with sections 36 and 38.

(iv) For the purposes of article III, the words "property and assets" shall also include property and funds administered by a specialized agency in furtherance of its constitutional functions.

(v) For the purposes of articles V and VII, the expression "representatives of members" shall be deemed to include all representatives, alternates, advisers, technical experts, and secretaries of delegations.

(vi) In sections 13, 14, 15, and 25, the expression "meetings convened by a specialized agency" means meetings: (1) of its assembly and of its executive body (however designated), and (2) of any commission provided for in its constitution; (3) of any international conference convened by it; and (4) of any committee of any of these bodies.

(vii) The term "executive head" means the principal executive official of the specialized agency in question, whether designated "Director-General" or otherwise.

Section 2

Each State party to this Convention in respect of any specialized agency to which this Convention has become applicable in accordance with section 37 shall accord to, or in connection with, that agency the privileges and immunities set forth in the standard clauses on the conditions specified therein, subject to any modification of those clauses contained in the provisions of the final (or revised) annex relating to that agency and transmitted in accordance with section 36 or 38.

ARTICLE II

JURIDICAL PERSONALITY

Section 3

The specialized agencies shall possess juridical personality. They shall have the capacity (a) to contract, (b) to acquire and dispose of immovable and movable property, and (c) to institute legal proceedings.

ARTICLE III

PROPERTY, FUNDS, AND ASSETS

Section 4

The specialized agencies, their property, and assets, wherever located and by whomsoever held, shall enjoy immunity from every form of legal process except insofar as in any particular case they have expressly waived their immunity. It is, however, understood that no waiver of immunity shall extend to any measure of execution.

Section 5

The premises of the specialized agencies shall be inviolable. The property and assets of the specialized agencies, wherever located and by whomsoever held, shall be immune from search, requisition, confiscation, expropriation, and any other form of interference, whether by executive, administrative, judicial, or legislative action.

Section 6

The archives of the specialized agencies, and in general all documents belonging to them or held by them, shall be inviolable, wherever located.

Section 7

Without being restricted by financial controls, regulations, or moratoria of any kind:

(a) The specialized agencies may hold funds, gold, or currency of any kind and operate accounts in any currency;

(b) The specialized agencies may freely transfer their funds, gold, or currency from one country to another or within any country and convert any currency held by them into any other currency.

Section 8

Each specialized agency shall, in exercising its rights under section 7 above, pay due regard to any representations made by the Government of any State party to this Convention insofar as it is considered that effect can be given to such representations without detriment to the interests of the agency.

Section 9

The specialized agencies, their assets, income, and other property shall be:

(a) Exempt from all direct taxes; it is understood, however, that the specialized agencies will not claim exemption from taxes which are, in fact, no more than charges for public utility services;

(b) Exempt from customs duties and prohibitions and restrictions on imports and exports in respect of articles imported or exported by the specialized agencies for their official use; it is understood, however, that articles imported under such exemption will not be sold in the country into which they were imported except under conditions agreed to with the Government of that country;

(c) Exempt from duties and prohibitions and restrictions on imports and exports in respect of their publications.

Section 10

While the specialized agencies will not, as a general rule, claim exemption from excise duties and from taxes on the sale of movable and immovable property which form part of the price to be paid, nevertheless when the specialized agencies are making important purchases for official use of property on which such duties and taxes have been charged or are chargeable, States parties to this Convention will, whenever possible, make appropriate administrative arrangements for the remission or return of the amount of duty or tax.

ARTICLE IV

FACILITIES IN RESPECT OF COMMUNICATIONS

Section 11

Each specialized agency shall enjoy, in the territory of each State party to this Convention in respect of that agency, for its official communications, treatment not less favorable than that accorded by the Government of such State to any other Government, including the latter's diplomatic mission, in the matter of pri-

orities, rates, and taxes on mails, cables, telegrams, radiograms, telephotos, telephone, and other communications, and press rates for information to the press and radio.

Section 12

No censorship shall be applied to the official correspondence and other official communications of the specialized agencies.

The specialized agencies shall have the right to use codes and to dispatch and receive correspondence by courier or in sealed bags, which shall have the same immunities and privileges as diplomatic couriers and bags.

Nothing in this section shall be construed to preclude the adoption of appropriate security precautions to be determined by agreement between a State party to this Convention and a specialized agency.

ARTICLE V

REPRESENTATIVES OF MEMBERS

Section 13

Representatives of members at meetings convened by a specialized agency shall, while exercising their functions and during their journeys to and from the place of meeting, enjoy the following privileges and immunities:

(a) Immunity from personal arrest or detention and from seizure of their personal baggage, and in respect of words spoken or written and all acts done by them in their official capacity, immunity from legal process of every kind;

(b) Inviolability for all papers and documents;

(c) The right to use codes and to receive papers or correspondence by courier or in sealed bags;

(d) Exemption in respect of themselves and their spouses from immigration restrictions, aliens' registration, or national service obligations in the State which they are visiting or through which they are passing in the exercise of their functions;

(e) The same facilities in respect of currency or exchange restrictions as are accorded to representatives of foreign Governments on temporary official missions;

(f) The same immunities and facilities in respect of their personal baggage as are accorded to members of comparable rank of diplomatic missions.

Section 14

In order to secure for the representatives of members of the specialized agencies at meetings convened by them complete freedom of speech and complete independence in the discharge of their duties, the immunity from legal process in respect of words spoken or written and all acts done by them in discharging their duties shall continue to be accorded, notwithstanding that the persons concerned are no longer engaged in the discharge of such duties.

Section 15

Where the incidence of any form of taxation depends upon residence, periods during which the representatives of members of the specialized agencies at meetings convened by them are present in a member State for the discharge of their duties shall not be considered as periods of residence.

Section 16

Privileges and immunities are accorded to the representatives of members, not for the personal benefit of the individuals themselves, but in order to safeguard the independent exercise of their functions in connection with the specialized agencies. Consequently, a member not only has the right but is under a duty to waive the immunity of its representatives in any case where, in the opinion of the member, the immunity would impede the course of justice, and where it can be waived without prejudice to the purpose for which the immunity is accorded.

Section 17

The provisions of sections 13, 14, and 15 are not applicable in relation to the authorities of a State of which the person is a national or of which he is or has been a representative.

ARTICLE VI

OFFICIALS

Section 18

Each specialized agency will specify the categories of officials to which the provisions of this article and of article VIII shall apply. It shall communicate them to the Governments of all States parties to this Convention in respect of that agency and to the Secretary-General of the United Nations. The names of the officials included in these categories shall from time to time be made known to the abovementioned Governments.

Section 19

Officials of the specialized agencies shall:

(a) Be immune from legal process in respect of words spoken or written and all acts performed by them in their official capacity;
(b) Enjoy the same exemptions from taxation in respect of the salaries and emoluments paid to them by the specialized agencies and on the same conditions as are enjoyed by officials of the United Nations;
(c) Be immune, together with their spouses and relatives dependent on them, from immigration restrictions and alien registration;
(d) Be accorded the same privileges in respect of exchange facilities as are accorded to officials of comparable rank of diplomatic missions;
(e) Be given, together with their spouses and relatives dependent on them, the same repatriation facilities in time of international crises as officials of comparable rank of diplomatic missions;
(f) Have the right to import free of duty their furniture and effects at the time of first taking up their post in the country in question.

Section 20

The officials of the specialized agencies shall be exempt from national service obligations, provided that, in relation to the States of which they are nationals, such exemption shall be confined to officials of the specialized agencies whose names have, by reason of their duties, been placed upon a list compiled by the executive head of the specialized agency and approved by the State concerned.

Should other officials of specialized agencies be called up for national service, the State concerned shall, at the request of the specialized agency concerned, grant such temporary deferments in the call-up of such officials as may be necessary to avoid interruption in the continuation of essential work.

Section 21

In addition to the immunities and privileges specified in sections 19 and 20, the executive head of each specialized agency, including any official acting on his behalf during his absence from duty, shall be accorded in respect of himself, his spouse and minor children, the privileges and immunities, exemptions, and facilities accorded to diplomatic envoys, in accordance with international law.

Section 22

Privileges and immunities are granted to officials in the interests of the specialized agencies only and not for the personal benefit of the individuals themselves. Each specialized agency shall have the right and the duty to waive the

immunity of any official in any case where, in its opinion, the immunity would impede the course of justice and can be waived without prejudice to the interests of the specialized agency.

Section 23

Each specialized agency shall cooperate at all times with the appropriate authorities of member States to facilitate the proper administration of justice, secure the observance of police regulations and prevent the occurrence of any abuses in connection with the privileges, immunities, and facilities mentioned in this article.

ARTICLE VII

ABUSES OF PRIVILEGE

Section 24

If any State party to this Convention considers that there has been an abuse of a privilege or immunity conferred by this Convention, consultations shall be held between that State and the specialized agency concerned to determine whether any such abuse has occurred and, if so, to attempt to ensure that no repetition occurs. If such consultations fail to achieve a result satisfactory to the State and the specialized agency concerned, the question whether an abuse of a privilege or immunity has occurred shall be submitted to the International Court of Justice in accordance with section 32. If the International Court of Justice finds that such an abuse has occurred, the State party to this Convention affected by such abuse shall have the right, after notification to the specialized agency in question, to withhold from the specialized agency concerned the benefits of the privilege or immunity so abused.

Section 25

1. Representatives of members at meetings convened by specialized agencies, while exercising their functions and during their journeys to and from the place of meeting, and officials within the meaning of section 18, shall not be required by the territorial authorities to leave the country in which they are performing their functions on account of any activities by them in their official capacity. In the case, however, of abuse of privileges of residence committed by any such person in activities in that country outside his official functions, he may be required to leave by the Government of that country provided that:

2. (I) Representatives of members, or persons who are entitled to diplomatic immunity under section 21, shall not be required to leave the country otherwise

than in accordance with the diplomatic procedure applicable to diplomatic envoys accredited to that country.

(II) In the case of an official to whom section 21 is not applicable, no order to leave the country shall be issued other than with the approval of the Foreign Minister of the country in question, and such approval shall be given only after consultation with the executive head of the specialized agency concerned; and, if expulsion proceedings are taken against an official, the executive head of the specialized agency shall have the right to appear in such proceedings on behalf of the person against whom they are instituted.

ARTICLE VIII

LAISSEZ-PASSER

Section 26

Officials of the specialized agencies shall be entitled to use the United Nations *laissez-passer* in conformity with administrative arrangements to be concluded between the Secretary-General of the United Nations and the competent authorities of the specialized agencies, to which agencies special powers to issue *laissez-passer* may be delegated. The Secretary-General of the United Nations shall notify each State party to this Convention of each administrative arrangement so concluded.

Section 27

States parties to this Convention shall recognize and accept the United Nations *laissez-passer* issued to officials of the specialized agencies as valid travel documents.

Section 28

Applications for visas, where required, from officials of specialized agencies holding United Nations *laissez-passer*, when accompanied by a certificate that they are traveling on the business of a specialized agency, shall be dealt with as speedily as possible. In addition, such persons shall be granted facilities for speedy travel.

Section 29

Similar facilities to those specified in section 28 shall be accorded to experts and other persons who, though not the holders of United Nations *laissez-passer*, have a certificate that they are traveling on the business of a specialized agency.

Section 30

The executive heads, assistant executive heads, heads of departments, and other officials of a rank not lower than head of department of the specialized agencies, traveling on United Nations *laissez-passer* on the business of the specialized agencies, shall be granted the same facilities for travel as are accorded to officials of comparable rank in diplomatic missions.

ARTICLE IX

SETTLEMENT OF DISPUTES

Section 31

Each specialized agency shall make provision for appropriate modes of settlement of:

(a) Disputes arising out of contracts or other disputes of private character to which the specialized agency is a party;

(b) Disputes involving any official of a specialized agency who by reason of his official position enjoys immunity, if immunity has not been waived in accordance with the provisions of section 22.

Section 32

All differences arising out of the interpretation or application of the present Convention shall be referred to the International Court of Justice unless in any case it is agreed by the parties to have recourse to another mode of settlement. If a difference arises between one of the specialized agencies on the one hand, and a member on the other hand, a request shall be made for an advisory opinion on any legal question involved in accordance with Article 96 of the Charter and Article 65 of the Statute of the Court and the relevant provisions of the agreements concluded between the United Nations and the specialized agency concerned. The opinion given by the Court shall be accepted as decisive by the parties.

ARTICLE X

ANNEXES AND APPLICATION TO INDIVIDUAL SPECIALIZED AGENCIES

Section 33

In their application to each specialized agency, the standard clauses shall operate subject to any modifications set forth in the final (or revised) text of the annex relating to that agency, as provided in sections 36 and 38.

Section 34

The provisions of the Convention in relation to any specialized agency must be interpreted in the light of the functions with which that agency is entrusted by its constitutional instrument.

Section 35

Draft annexes I to IX are recommended to the specialized agencies named therein. In the case of any specialized agency not mentioned by name in section 1, the Secretary-General of the United Nations shall transmit to the agency a draft annex recommended by the Economic and Social Council.

Section 36

The final text of each annex shall be that approved by the specialized agency in question in accordance with its constitutional procedure. A copy of the annex as approved by each specialized agency shall be transmitted by the agency in question to the Secretary-General of the United Nations and shall thereupon replace the draft referred to in section 35.

Section 37

The present Convention becomes applicable to each specialized agency when it has transmitted to the Secretary-General of the United Nations the final text of the relevant annex and has informed him that it accepts the standard clauses, as modified by this annex, and undertakes to give effect to sections 8, 18, 22, 23, 24, 31, 32, 42, and 45 (subject to any modification of section 32 which may be found necessary in order to make the final text of the annex consonant with the constitutional instrument of the agency) and any provisions of the annex placing obligations on the agency. The Secretary-General shall communicate to all Members of the United Nations and to other States members of the specialized agencies certified copies of all annexes transmitted to him under this section and of revised annexes transmitted under section 38.

Section 38

If, after the transmission of a final annex under section 36, any specialized agency approves any amendments thereto in accordance with its constitutional procedure, a revised annex shall be transmitted by it to the Secretary-General of the United Nations.

Section 39

The provisions of this Convention shall in no way limit or prejudice the privileges and immunities which have been, or may hereafter be, accorded by any

State to any specialized agency by reason of the location in the territory of that State of its headquarters or regional offices. This Convention shall not be deemed to prevent the conclusion between any State party thereto and any specialized agency of supplemental agreements adjusting the provisions of this Convention or extending or curtailing the privileges and immunities thereby granted.

Section 40

It is understood that the standard clauses, as modified by the final text of an annex sent by a specialized agency to the Secretary-General of the United Nations under section 36 (or any revised annex sent under section 38), will be consistent with the provisions of the constitutional instrument then in force of the agency in question, and that if any amendment to that instrument is necessary for the purpose of making the constitutional instrument so consistent, such amendment will have been brought into force in accordance with the constitutional procedure of that agency before the final (or revised) annex is transmitted.

ARTICLE XI

FINAL PROVISIONS

Section 41

Accession to this Convention by a Member of the United Nations and (subject to section 42) by any State member of a specialized agency shall be effected by deposit with the Secretary-General of the United Nations of an instrument of accession which shall take effect on the date of its deposit.

Section 42

Each specialized agency concerned shall communicate the text of this Convention together with the relevant annexes to those of its members which are not Members of the United Nations and shall invite them to accede thereto in respect of that agency by depositing an instrument of accession to this Convention in respect thereof either with the Secretary-General of the United Nations or with the executive head of the specialized agency.

Section 43

Each State party to this Convention shall indicate in its instrument of accession the specialized agency or agencies in respect of which it undertakes to apply the provisions of this Convention. Each State party to this Convention may by a subsequent written notification to the Secretary-General of the United Nations undertake to apply the provisions of this Convention to one or more further spe-

cialized agencies. This notification shall take effect on the date of its receipt by the Secretary-General.

Section 44

This Convention shall enter into force for each State party to this Convention in respect of a specialized agency when it has become applicable to that agency in accordance with section 37 and the State party has undertaken to apply the provisions of the Convention to that agency in accordance with section 43.

Section 45

The Secretary-General of the United Nations shall inform all Members of the United Nations, as well as all members of the specialized agencies, and executive heads of the specialized agencies, of the deposit of each instrument of accession received under section 41 and of subsequent notifications received under section 43. The executive head of a specialized agency shall inform the Secretary-General of the United Nations and the members of the agency concerned of the deposit of any instrument of accession deposited with him under section 42.

Section 46

It is understood that, when an instrument of accession or a subsequent notification is deposited on behalf of any State, this State will be in a position under its own law to give effect to the terms of this Convention, as modified by the final texts of any annexes relating to the agencies covered by such accessions or notifications.

Section 47

1. Subject to the provisions of paragraphs 2 and 3 of this section, each State party to this Convention undertakes to apply this Convention in respect of each specialized agency covered by its accession or subsequent notification, until such time as a revised convention or annex shall have become applicable to that agency and the said State shall have accepted the revised convention or annex. In the case of a revised annex, the acceptance of States shall be by a notification addressed to the Secretary-General of the United Nations, which shall take effect on the date of its receipt by the Secretary-General.

2. Each State party to this Convention, however, which is not, or has ceased to be, a member of a specialized agency, may address a written notification to the Secretary-General of the United Nations and the executive head of the agency concerned to the effect that it intends to withhold from that agency the benefits of this Convention as from a specified date, which shall not be earlier than three months from the date of receipt of the notification.

3. Each State party to this Convention may withhold the benefit of this Convention to any specialized agency which ceases to be in relationship with the United Nations.

4. The Secretary-General of the United Nations shall inform all Member States parties to this Convention of any notification transmitted to him under the provisions of this section.

Section 48

At the request of one-third of the States parties to this Convention, the Secretary-General of the United Nations will convene a conference with a view to its revision.

Section 49

The Secretary-General of the United Nations shall transmit copies of this Convention to each specialized agency and to the Government of each Member of the United Nations.

ANNEX VII — THE WORLD HEALTH ORGANIZATION[2]

In their application to the World Health Organization (hereinafter called "the Organization") the standard clauses shall operate subject to the following modifications:

1. Article V and Section 25, paragraphs 1 and 2 (I), of Article VII shall extend to persons designated to serve on the Executive Board of the Organization, their alternates and advisers, except that any waiver of the immunity of any such persons under Section 16 shall be by the Board.

2. (i) Experts (other than officials coming within the scope of Article VI) serving on committees of, or performing missions for, the Organization shall be accorded the following privileges and immunities insofar as is necessary for the effective exercise of their functions, including the time spent on journeys in connection with service on such committees or missions:

(a) Immunity from personal arrest or seizure of their personal baggage;

(b) In respect of words spoken or written or acts done by them in the performance of their official functions, immunity of legal process of

[2] Adopted by the First World Health Assembly on 17 July 1948 (*Off. Rec. Wld Hlth Org.*, **13,** 97, 332) and amended by the Third, Tenth, and Eleventh World Health Assemblies (resolution WHA3.102, WHA 10.26, and WHA11.30).

every kind, such immunity to continue notwithstanding that the persons concerned are no longer serving on committees of, or employed on missions for, the Organization;

(c) The same facilities in respect of currency and exchange restrictions and in respect of their personal baggage as are accorded to officials of foreign governments on temporary official missions;

(d) Inviolability for all papers and documents;

(e) For the purpose of their communications with the Organization, the right to use codes and to receive papers or correspondence by courier or in sealed bags.

(ii) The privileges and immunities set forth in paragraphs (b) and (e) above shall be accorded to persons serving on Expert Advisory Panels of the Organization in the exercise of their functions as such.

(iii) Privileges and immunities are granted to the experts of the Organization in the interests of the Organization and not for the personal benefit of the individuals themselves. The Organization shall have the right and the duty to waive the immunity of any expert in any case where in its opinion the immunity would impede the course of justice and it can be waived without prejudice to the interests of the Organization.

3. Article V and Section 25, paragraphs 1 and 2 (I), of Article VII shall extend to the representatives of Associate Members participating in the work of the Organization in accordance with Articles 8 and 47 of the Constitution.

4. The privileges, immunities, exemptions, and facilities referred to in Section 21 of the standard clauses shall also be accorded to any Deputy Director-General, Assistant Director-General, and Regional Director of the Organization.

13. RULES OF PROCEDURE OF THE PAN AMERICAN SANITARY CONFERENCE[1]

Note: For the purpose of these Rules only, wherever any of the following terms appears, reference shall be as indicated below:

Member	an American State or a Participating State in the Pan American Health Organization, except as otherwise indicated
Bureau	the Pan American Sanitary Bureau
Director	the Director of the Pan American Sanitary Bureau
Organization	the Members, Associate Members, and the Bureau
Constitution	the Constitution of the Pan American Health Organization
Conference	the Pan American Sanitary Conference
Council	the Directing Council
Committee	the Executive Committee
Observer State	a non-Member State with observer status in the Organization
Delegate	a person accredited to represent a Member or an Associate Member at a session of the Conference

PART I — SESSIONS

Rule 1

The Director shall convene sessions of the Conference in conformity with Article 7, paragraph A, of the Constitution.

Rule 2

Notices of convocation shall be sent to all Members, Associate Members, and Observer States not less than 60 days before the date fixed for the opening of a session, except in extraordinary circumstances.

[1]Adopted by the 25th Pan American Sanitary Conference (Resolution CSP25.R1, 21 September 1998).

Rule 3

When Article 7, paragraph B, of the Constitution applies, the Conference shall be held at the Headquarters of the Organization, if, for any reason, it cannot be held in the designated country.

Rule 4

The names of delegates of Members and Associate Members, and representatives of Observer States and invited organizations, should be communicated to the Director at least 15 days before the date fixed for the opening of a session of the Conference.

Rule 5

The credentials of delegates of Members and Associate Members, and representatives of Observer States, shall be delivered to the Director at least 24 hours before the opening of a session of the Conference. Such credentials shall be issued by the Head of State, the Minister of Foreign Affairs, the Minister of Health, or other appropriate national authority.

Rule 6

The presence of a majority of Members and Associate Members shall constitute a quorum for the opening of a session of the Conference.

Rule 7

All sessions of the Conference shall at the same time be sessions of the Regional Committee of the World Health Organization, except when the Conference is considering matters related to the Constitution, the juridical relations between the Organization and the World Health Organization or the Organization of American States, or other questions relating to the Organization as an inter-American specialized organization.

PART II — AGENDA

Rule 8

The provisional agenda of a session of the Conference shall be prepared by the Director and submitted to the Committee for approval.

Rule 9

The provisional agenda shall include:

(a) any item the inclusion of which has been ordered by the Conference;
(b) any item the inclusion of which has been ordered by the Council;
(c) any item proposed by the Committee;
(d) any item proposed by a Member or an Associate Member;
(e) any item proposed by the Director.

Rule 10

The provisional agenda and all working documents relating thereto shall be sent to the Members, Associate Members, and Observer States at least 30 days prior to the opening of a session.

Rule 11

The Conference shall adopt its own agenda and, in so doing, may make such additions or modifications to the provisional agenda as it may wish, in accordance with these Rules.

Rule 12

Supplementary items may be added to the agenda after its adoption, if approved by two-thirds of the Members present and voting.

Rule 13

Whenever possible, a proposal for the inclusion of an item in the provisional agenda or agenda shall be accompanied by a working document prepared by the proposer, to serve as a basis for discussion.

Rule 14

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

PART III — MEETINGS

Rule 15

The meetings shall be public unless the Conference decides otherwise.

Rule 16

A majority of the Members and Associate Members participating in the session of the Conference shall constitute a quorum for a meeting, provided that the number of Members and Associate Members present is not less than seventeen.

PART IV — OFFICERS

Rule 17

The Conference shall elect a Member or an Associate Member to the Presidency, the two Vice Presidencies, and the office of Rapporteur, respectively. They shall hold office until their successors are elected. Each elected Member or Associate Member shall designate a person on its delegation to serve in that office for the duration of the session.

Rule 18

The Director shall be Secretary ex officio of the Conference and of all committees and working parties established by it. These functions may be delegated.

Rule 19

The President shall preside over the meetings of the Conference and exercise any other duties assigned under these Rules.

Rule 20

The President, or a Vice President while presiding, shall not participate in the discussions, but may vote in the event that person is the sole delegate of the respective Member.

Rule 21

At the opening of a session the head of delegation of the Member or Associate Member elected to the Presidency at the previous session shall preside until the Conference has elected a President for that session. If that Member or Associate Member and the Members or Associate Members elected to both the Vice Presidencies at the preceding session of the Conference are absent, the President of the preceding session of the Council or, if absent, the President of the Committee shall preside. If the President of the Committee is not present, a President pro tempore shall be chosen by lot from among the Members and Associate Members.

Rule 22

If the President is absent from a meeting, or any part thereof, one of the Vice Presidents shall preside. In the absence of the President and both Vice Presidents, the Conference shall designate a President pro tempore.

Rule 23

If the Rapporteur is absent from a meeting, or any part thereof, the President shall designate a Rapporteur pro tempore.

Rule 24

The Rapporteur shall be responsible for drafting proposed resolutions in light of the deliberations of the Conference.

Rule 25

Participating States elected to office shall not officiate during a meeting at which any of the matters enumerated in Rule 7 of these Rules are under discussion.

PART V — PARTICIPATION OF ASSOCIATE MEMBERS, OBSERVER STATES, AND INTERGOVERNMENTAL AND NONGOVERNMENTAL ORGANIZATIONS

Rule 26

Associate Members participate equally with Members in sessions of the Conference, but without the right to vote.

Rule 27

Observer States may attend sessions of the Conference and participate, by leave of the President, in its deliberations, but without the right to vote.

Rule 28

Invited intergovernmental organizations may attend sessions of the Conference and participate, by leave of the President, in its deliberations, but without the right to vote.

Rule 29

Nongovernmental organizations in official relations with the Organization or the World Health Organization, and other invited organizations, may attend ses-

sions of the Conference, but without the right to vote. By leave of the President, they may make a brief statement of an expository nature on an item before the session, and may be invited to make a brief additional statement for the purpose of clarification.

PART VI — PARTICIPATION OF REPRESENTATIVES OF THE COMMITTEE

Rule 30

The Committee shall be represented at a session of the Conference by such persons serving on the Committee as the Committee may determine.

Rule 31

The representatives of the Committee shall attend meetings of the Conference and may participate without the right to vote.

PART VII — COMMITTEES AND WORKING PARTIES

Rule 32

A Committee on Credentials consisting of three delegates of Members or Associate Members shall be appointed by the Conference at the beginning of the first meeting. This committee shall examine the credentials of the delegates of Members and Associate Members and representatives of Observer States and report to the Conference thereon without delay.

Rule 33

The Conference shall establish a General Committee consisting of the President of the Conference, the two Vice Presidents, the Rapporteur, and three delegates elected by the Conference from among those Members or Associate Members not already represented on the General Committee. The President of the Conference shall serve as President of the General Committee.

Rule 34

The General Committee shall:

(a) decide the time and place of all meetings;
(b) determine the order of the day for each meeting;
(c) fix the date of adjournment;
(d) otherwise facilitate the orderly dispatch of the business of the Conference.

Rule 35

The Conference may establish such committees and working parties as it considers necessary for the orderly dispatch of the business of the Conference. The reports of the committees and working parties, however, shall be submitted to a meeting of the Conference for final disposition.

Rule 36

Committees and working parties shall elect their own officers.

PART VIII — CONDUCT OF BUSINESS AND VOTING

Rule 37

The President shall give precedence to the Members and Associate Members to speak and may limit the time allotted to each speaker.

Rule 38

A delegate may make a point of order during the discussion of any matter, and the point of order shall be resolved immediately by the President. If a delegate requests that the ruling of the President be put to a vote, the President shall do so immediately, and the issue shall be decided by the affirmative vote of a majority of the Members present and voting.

Rule 39

A delegate may move the closure of the debate at any time. This motion shall be submitted to a vote immediately, after one delegate has been given the opportunity to speak against the motion.

Rule 40

The President may at any time call for a vote to close the debate. If this motion is approved, the President shall declare the debate closed.

Rule 41

Members and Associate Members may propose, and the Secretary ex officio may recommend, resolutions, amendments, and motions.

Resolutions shall be introduced in writing and handed to the Secretary ex officio, who shall circulate copies to the delegates. Amendments which introduce significant changes in a resolution shall also be submitted in writing. No resolution or significant amendment shall be discussed or put to the vote unless copies

of it have been circulated to all delegates no later than the preceding meeting. Under special circumstances, the President may permit the discussion and consideration of such resolutions or amendments even though they have not been circulated previously.

Proposals shall be voted on in the order in which they are presented except when the Conference decides to the contrary. Parts of a proposal or an amendment shall be voted on separately if any delegate so requests.

Rule 42

When an amendment to a proposal is moved, the amendment shall be voted on first and, if the amendment is adopted, the proposal as amended shall then be voted on.

Rule 43

If two or more amendments to a proposal are moved, the amendment deemed by the President to be furthest removed in substance from the proposal shall be voted on first and then the amendment next removed therefrom, and so on until all the amendments have been put to a vote, unless the result of a vote on an amendment makes unnecessary any other voting on the amendment or amendments still outstanding.

Rule 44

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

Rule 45

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 delegate.

Rule 46

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

Rule 47

Each Member shall have the right to one vote.

For the purpose of these Rules, "Members present and voting" means Members casting an affirmative or negative vote or, in an election, a vote for a person or a Member or Associate Member eligible in accordance with the Constitution or these Rules. Likewise, "majority" means any number of votes greater than half the votes cast by the Members present and voting or, in the case of the election of the Director, any number of votes greater than half the number of the Members of the Organization. Members who abstain from voting or who cast blank ballots or invalid votes shall be regarded as not voting. In computing a majority, any fraction shall be counted as the next higher whole number.

Rule 48

A motion shall be considered adopted when it has received the affirmative vote of a majority of the Members present and voting, except when the Constitution or these Rules provide otherwise. If the votes are equally divided on a matter other than an election, the motion shall be regarded as not adopted.

Rule 49

The Conference shall normally vote by show of hands, except that any delegate may request a roll-call vote; in that event the Member to vote first shall be determined by lot and thereafter the vote shall be taken in the alphabetical order of the names of the Members represented as expressed in the language of the country in which the session is held.

Rule 50

The vote of each Member participating in a roll-call vote shall be inserted in the record of the meeting.

Rule 51

In addition to the cases expressly provided for elsewhere in these Rules, the Conference may vote on any matter by secret ballot if it has been previously so decided by a majority of the Members present and voting.

Rule 52

Elections shall normally be held by secret ballot. Except as concerns the election of the Director, when the number of candidates for elective office does not exceed the number of offices to be filled, no ballot shall be required and such

candidates shall be declared elected. Where ballots are required, two tellers shall be appointed by the President from among the delegates.

Rule 53

Except as concerns the election of the Director, 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 President shall draw lots to decide between the candidates.

Rule 54

When two or more elective places are to be filled at one time under the same circumstances, 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 elective places to be filled, ballots shall then be taken separately for each of the remaining places in accordance with Rule 53. If the number of candidates obtaining such majority is greater than the number of elective places to be filled, those candidates obtaining the largest number of votes shall be deemed to have been elected.

Rule 55

In an election each Member, unless it abstains, shall vote for that number of candidates equal to or less than the number of elective places to be filled. Any ballot on which there are more names than there are elective places to be filled, or on which the name of any candidate appears more than once, or which is illegible or signed or which reveals the identity of the voter, shall be considered null and void.

PART IX — ELECTION OF THE DIRECTOR

Rule 56

The Conference shall elect the Director by secret ballot, in conformity with Article 21, paragraph A, of the Constitution. Before voting is begun, Members and Associate Members that wish to do so may nominate any person they deem suitable for the post, but no official list of candidates shall be drawn up, no eligibility requirements shall be established, and votes may be cast for a person whether nominated or not.

If in the first two ballots no person receives the majority required, two further ballots restricted to the two candidates receiving the largest number of votes in

the second of the unrestricted ballots shall then be taken. If no candidate receives the majority required, two unrestricted and two restricted ballots shall be taken alternately until a candidate is elected.

Rule 57

Acting as Regional Committee of the World Health Organization, and in conformity with Articles 49 and 52 of the Constitution of the World Health Organization, the Conference shall submit to the Executive Board of the World Health Organization the name of the person so elected, for appointment as Regional Director.

PART X — ELECTION OF THE COMMITTEE

Rule 58

The Conference shall elect by secret ballot the Members to serve on the Committee, in conformity with Article 15, paragraph A, of the Constitution. Participating States and Associate Members are not eligible for election to the Committee.

Rule 59

The term of office of the Members elected to the Committee shall begin immediately after their election and shall continue until their successors are elected, in accordance with Article 15, paragraph A, of the Constitution.

PART XI — OFFICIAL AND WORKING LANGUAGES

Rule 60

The official and working languages of the Conference shall be English, French, Portuguese, and Spanish.

PART XII — RECORDS AND FINAL REPORTS

Rule 61

Provisional summary records of the meetings shall be prepared at the session and distributed as soon as possible.

Rule 62

The Final Report shall include all resolutions and decisions adopted by the Conference. The Rapporteur, with the assistance of the Secretary ex officio, shall draft the Final Report.

Rule 63

The President of the Conference and the Secretary ex officio shall sign the Final Report.

Rule 64

The signed original copy of the Final Report shall be deposited in the archives of the Organization and be available for examination upon request.

Rule 65

The Director shall transmit copies of the Final Report to the Members, Associate Members, Observer States, and organizations represented at the session of the Conference.

PART XIII — AMENDMENT OF THE RULES OF PROCEDURE

Rule 66

Proposed amendments to these Rules shall be submitted in writing and shall be adopted on 24-hour notice by the affirmative vote of a majority of the Members present and voting or at any time by the affirmative vote of two-thirds of the Members present and voting.

Rule 67

All matters not provided for in these Rules shall be resolved directly by the Conference.

14. RULES OF PROCEDURE OF THE DIRECTING COUNCIL[1]

Note: For the purpose of these Rules only, wherever any of the following terms appears, reference shall be as indicated below:

Member	an American State or a Participating State in the Pan American Health Organization, except as otherwise indicated
Bureau	the Pan American Sanitary Bureau
Director	the Director of the Pan American Sanitary Bureau
Organization	the Members, Associate Members, and the Bureau
Constitution	the Constitution of the Pan American Health Organization
Conference	the Pan American Sanitary Conference
Council	the Directing Council
Committee	the Executive Committee
Observer State	a non-Member State with observer status in the Organization
Delegate	a person accredited to represent a Member or an Associate Member at a session of the Directing Council

PART I — SESSIONS

Rule 1

The Director shall convene sessions of the Council in conformity with Article 12, paragraph A, of the Constitution.

Rule 2

Notices of convocation shall be sent to all Members, Associate Members, and Observer States not less than 60 days before the date fixed for the opening of a session, except in extraordinary circumstances.

Rule 3

The names of delegates of Members and Associate Members, and representatives of Observer States and invited organizations, should be communicated to

[1] Adopted by the 40th Directing Council (Resolution CD40.R17, 26 September 1997).

the Director at least 15 days before the date fixed for the opening of a session of the Council.

Rule 4

The credentials of delegates of Members and Associate Members, and representatives of Observer States, shall be delivered to the Director at least 24 hours before the opening of a session of the Council. Such credentials shall be issued by the Head of State, the Minister of Foreign Affairs, the Minister of Health, or other appropriate national authority.

Rule 5

The presence of a majority of Members and Associate Members shall constitute a quorum for the opening of a session of the Council.

Rule 6

All sessions of the Council shall at the same time be sessions of the Regional Committee of the World Health Organization, except when the Council is considering matters related to the Constitution, the juridical relations between the Organization and the World Health Organization or the Organization of American States, or other questions relating to the Organization as an inter-American specialized organization.

PART II — AGENDA

Rule 7

The provisional agenda of a session of the Council shall be prepared by the Director and submitted to the Committee for approval.

Rule 8

The provisional agenda shall include:

(a) any item the inclusion of which has been ordered by the Conference;
(b) any item the inclusion of which has been ordered by the Council;
(c) any item proposed by the Committee;
(d) any item proposed by a Member or an Associate Member;
(e) any item proposed by the Director.

Rule 9

The provisional agenda and all working documents relating thereto shall be sent to the Members, Associate Members, and Observer States at least 30 days prior to the opening of a session.

Rule 10

The Council shall adopt its own agenda and, in so doing, may make such additions or modifications to the provisional agenda as it may wish, in accordance with these Rules.

Rule 11

Supplementary items may be added to the agenda after its adoption, if approved by two-thirds of the Members present and voting.

Rule 12

Whenever possible, a proposal for the inclusion of an item in the provisional agenda or agenda shall be accompanied by a working document prepared by the proposer, to serve as a basis for discussion.

Rule 13

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

PART III — MEETINGS

Rule 14

The meetings shall be public unless the Council decides otherwise.

Rule 15

A majority of the Members and Associate Members participating in the session of the Council shall constitute a quorum for a meeting, provided that the number of Members and Associate Members present is not less than seventeen.

PART IV — OFFICERS

Rule 16

The Council shall elect a Member or an Associate Member to the Presidency, the two Vice Presidencies, and the office of Rapporteur, respectively. They shall hold office until their successors are elected. Each elected Member or Associate Member shall designate a person on its delegation to serve in that office for the duration of the session.

Rule 17

The Director shall be Secretary ex officio of the Council and of all committees and working parties established by it. These functions may be delegated.

Rule 18

The President shall preside over the meetings of the Council and exercise any other duties assigned under these Rules.

Rule 19

The President, or a Vice President while presiding, shall not participate in the discussions, but may vote in the event that person is the sole delegate of the respective Member.

Rule 20

At the opening of a session the head of delegation of the Member or Associate Member elected to the Presidency at the previous session shall preside until the Council has elected a President for that session. If that Member or Associate Member and the Members or Associate Members elected to both the Vice Presidencies at the preceding session of the Council are absent, the President of the Committee shall preside. If the President of the Committee is not present, a President pro tempore shall be chosen by lot from among the Members and Associate Members.

Rule 21

If the President is absent from a meeting, or any part thereof, one of the Vice Presidents shall preside. In the absence of the President and both Vice Presidents, the Council shall designate a President pro tempore.

Rule 22

If the Rapporteur is absent from a meeting, or any part thereof, the President shall designate a Rapporteur pro tempore.

Rule 23

The Rapporteur shall be responsible for drafting proposed resolutions in light of the deliberations of the Council.

Rule 24

Participating States elected to office shall not officiate during a meeting at which any of the matters enumerated in Rule 6 of these Rules are under discussion.

PART V — PARTICIPATION OF ASSOCIATE MEMBERS, OBSERVER STATES, AND INTERGOVERNMENTAL AND NONGOVERNMENTAL ORGANIZATIONS

Rule 25

Associate Members participate equally with Members in sessions of the Council, but without the right to vote.

Rule 26

Observer States may attend sessions of the Council and participate, by leave of the President, in its deliberations, but without the right to vote.

Rule 27

Invited intergovernmental organizations may attend sessions of the Council and participate, by leave of the President, in its deliberations, but without the right to vote.

Rule 28

Nongovernmental organizations in official relations with the Organization or the World Health Organization, and other invited organizations, may attend sessions of the Council, but without the right to vote. By leave of the President, they may make a brief statement of an expository nature on an item before the session, and may be invited to make a brief additional statement for the purpose of clarification.

PART VI — PARTICIPATION OF REPRESENTATIVES OF THE COMMITTEE

Rule 29

The Committee shall be represented at a session of the Council by such persons serving on the Committee as the Committee may determine.

Rule 30

The representatives of the Committee shall attend meetings of the Council and may participate without the right to vote.

PART VII — COMMITTEES AND WORKING PARTIES

Rule 31

A Committee on Credentials consisting of three Members or Associate Members shall be appointed by the Council at the beginning of the first meeting. This

committee shall examine the credentials of the delegates of Members and Associate Members and representatives of Observer States and report to the Council thereon without delay.

Rule 32

The Council shall establish a General Committee consisting of the President of the Council, the two Vice Presidents, the Rapporteur, and three delegates elected by the Council from among those Members or Associate Members not already represented on the General Committee. The President of the Council shall serve as President of the General Committee.

Rule 33

The General Committee shall:

(a) decide the time and place of all meetings;
(b) determine the order of the day for each meeting;
(c) fix the date of adjournment;
(d) otherwise facilitate the orderly dispatch of the business of the Council.

Rule 34

The Council may establish such committees and working parties as it considers necessary for the orderly dispatch of the business of the Council. The reports of the committees and working parties, however, shall be submitted to a meeting of the Council for final disposition.

Rule 35

Committees and working parties shall elect their own officers.

PART VIII — CONDUCT OF BUSINESS AND VOTING

Rule 36

The President shall give precedence to the Members and Associate Members to speak and may limit the time allotted to each speaker.

Rule 37

A delegate may make a point of order during the discussion of any matter, and the point of order shall be resolved immediately by the President. If a delegate requests that the ruling of the President be put to a vote, the President shall do so immediately, and the issue shall be decided by the affirmative vote of a majority of the Members present and voting.

Rule 38

A delegate may move the closure of the debate at any time. This motion shall be submitted to a vote immediately, after one delegate has been given the opportunity to speak against the motion.

Rule 39

The President may at any time call for a vote to close the debate. If this motion is approved, the President shall declare the debate closed.

Rule 40

Members and Associate Members may propose, and the Secretary ex officio may recommend, resolutions, amendments, and motions.

Resolutions shall be introduced in writing and shall be handed to the Secretary ex officio, who shall circulate copies to the delegates. Amendments which introduce significant changes in a resolution shall also be submitted in writing. No resolution or significant amendment shall be discussed or put to the vote unless copies of it have been circulated to all delegates no later than the preceding meeting. Under special circumstances, the President may permit the discussion and consideration of such resolutions or amendments even though they have not been circulated previously.

Proposals shall be voted on in the order in which they are presented except when the Council decides to the contrary. Parts of a proposal or an amendment shall be voted on separately if any delegate so requests.

Rule 41

When an amendment to a proposal is moved, the amendment shall be voted on first and, if the amendment is adopted, the proposal as amended shall then be voted on.

Rule 42

If two or more amendments to a proposal are moved, the amendment deemed by the President to be furthest removed in substance from the proposal shall be voted on first and then the amendment next removed therefrom, and so on until all the amendments have been put to a vote, unless the result of a vote on an amendment makes unnecessary any other voting on the amendment or amendments still outstanding.

Rule 43

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

Rule 44

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 delegate.

Rule 45

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

Rule 46

Each Member shall have the right to one vote.

For the purpose of these Rules, "Members present and voting" means Members casting an affirmative or negative vote or, in an election, a vote for a person or a Member or an Associate Member eligible in accordance with the Constitution or these Rules. Likewise, "majority" means any number of votes greater than half the votes cast by the Members present and voting. Members who abstain from voting or who cast blank ballots or invalid votes shall be regarded as not voting. In computing a majority, any fraction shall be counted as the next higher whole number.

Rule 47

A motion shall be considered adopted when it has received the affirmative vote of a majority of the Members present and voting, except when the Constitution or these Rules provide otherwise. If the votes are equally divided on a matter other than an election, the motion shall be regarded as not adopted.

Rule 48

The Council shall normally vote by show of hands, except that any delegate may request a roll-call vote; in that event the Member to vote first shall be determined by lot and thereafter the vote shall be taken in the alphabetical order of the names of the Members represented as expressed in the language of the country in which the session is held.

Rule 49

The vote of each Member participating in a roll-call vote shall be inserted in the record of the meeting.

Rule 50

In addition to the cases expressly provided for elsewhere in these Rules, the Council may vote on any matter by secret ballot if it has previously been so decided by a majority of the Members present and voting.

Rule 51

Elections shall normally be held by secret ballot. Except as concerns the election of an ad interim Director, when the number of candidates for elective office does not exceed the number of offices to be filled, no ballot shall be required and such candidates shall be declared elected. Where ballots are required, two tellers shall be appointed by the President from among the delegates.

Rule 52

Except as concerns the election of an ad interim Director, 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 President shall draw lots to decide between the candidates.

Rule 53

When two or more elective places are to be filled at one time under the same circumstances, 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 elective places to be filled, ballots shall then be taken separately for each of the remaining places in accordance with Rule 52. If the number of candidates obtaining such a majority is greater than the number of elective places to be filled, those candidates obtaining the largest number of votes shall be deemed to have been elected.

Rule 54

In an election each Member, unless it abstains, shall vote for that number of candidates equal to or less than the number of elective places to be filled. Any ballot on which there are more names than there are elective places to be filled, or on which the name of any candidate appears more than once, or which is illegible or signed or which reveals the identity of the voter, shall be considered null and void.

PART IX — ELECTION OF AN AD INTERIM DIRECTOR

Rule 55

The Council shall elect an ad interim Director, when required, in conformity with Article 21, paragraph A, of the Constitution. Before voting is begun, Members and Associate Members that wish to do so may nominate any person they deem suitable for the post, but no official list of candidates shall be drawn up, no eligibility requirements shall be established, and votes may be cast for a person whether nominated or not.

If in the first two ballots no person receives the majority required, two further ballots restricted to the two candidates receiving the largest number of votes in the second of the unrestricted ballots shall then be taken. If no candidate receives the majority required, two unrestricted and two restricted ballots shall be taken alternately until a candidate is elected.

PART X — ELECTION OF THE COMMITTEE

Rule 56

The Council shall elect by secret ballot the Members to serve on the Committee, in conformity with Article 15, paragraph A, of the Constitution. Participating States and Associate Members are not eligible for election to the Committee.

Rule 57

The term of office of the Members elected to the Committee shall begin immediately after their election and shall continue until their successors are elected, in accordance with Article 15, paragraph A, of the Constitution.

PART XI — OFFICIAL AND WORKING LANGUAGES

Rule 58

The official and working languages of the Council shall be English, French, Portuguese, and Spanish.

PART XII — RECORDS AND FINAL REPORT

Rule 59

Provisional summary records of the meetings shall be prepared at the session and distributed as soon as possible.

Rule 60

The Final Report shall include all resolutions and decisions adopted by the Council. The Rapporteur, with the assistance of the Secretary ex officio, shall draft the Final Report.

Rule 61

The President of the Council and the Secretary ex officio shall sign the Final Report.

Rule 62

The signed original copy of the Final Report shall be deposited in the archives of the Organization and be available for examination upon request.

Rule 63

The Director shall transmit copies of the Final Report to the Members, Associate Members, Observer States, and organizations represented at the session of the Council.

PART XIII — AMENDMENT OF THE RULES OF PROCEDURE

Rule 64

Proposed amendments to these Rules shall be submitted in writing and shall be adopted on 24-hour notice by the affirmative vote of a majority of the Members present and voting or at any time by the affirmative vote of two-thirds of the Members present and voting.

Rule 65

All matters not provided for in these Rules shall be resolved directly by the Council.

15. RULES OF PROCEDURE OF THE EXECUTIVE COMMITTEE[1]

Note: For the purpose of these Rules only, wherever any of the following terms appears, reference shall be as indicated below:

Member	an American State or a Participating State in the Pan American Health Organization, except as otherwise indicated
Bureau	the Pan American Sanitary Bureau
Director	the Director of the Pan American Sanitary Bureau
Organization	the Members, Associate Members, and the Bureau
Constitution	the Constitution of the Pan American Health Organization
Conference	the Pan American Sanitary Conference
Council	the Directing Council
Committee	the Executive Committee
Member of the Committee	a Member elected to the Executive Committee
Observer State	a non-Member State with observer status in the Organization
Delegate	a person accredited to represent a Member of the Committee at a session of that body

PART I — SESSIONS

Rule 1

The Director shall convene sessions of the Committee in conformity with Article 17, paragraph A, of the Constitution.

[1]Adopted by the 120th Session of the Executive Committee (Resolution CE120.R17, 26 June 1997).

Rule 2

Notices of convocation shall be sent to all Members, Associate Members, and Observer States not less than 60 days before the date fixed for the opening of a session, except in extraordinary circumstances.

Rule 3

The names of delegates of Members of the Committee, and observers for Members, Associate Members, Observer States, and invited organizations, should be communicated to the Director at least 15 days before the opening of a session of the Committee.

Rule 4

The credentials of delegates of Members of the Committee shall be delivered to the Director at least 24 hours before the opening of a session of the Committee. Such credentials shall be issued by the Head of State, the Minister of Foreign Affairs, the Minister of Health, or other appropriate national authority.

Rule 5

The presence of the delegates of a majority of the Members of the Committee shall constitute a quorum for the opening of a session of the Committee.

PART II — AGENDA

Rule 6

The provisional agenda of a session of the Committee shall be prepared by the Director.

Rule 7

The provisional agenda shall include:

(a) any item the inclusion of which has been ordered by the Conference;
(b) any item the inclusion of which has been ordered by the Council;
(c) any item proposed by the Committee;
(d) any item proposed by a Member or an Associate Member;
(e) any item proposed by the Director.

Rule 8

The provisional agenda and all working documents relating thereto shall be sent to the Members, Associate Members, and Observer States at least 21 days prior to the opening of a session.

Rule 9

The Committee shall adopt its own agenda and, in so doing, may make such additions or modifications to the provisional agenda as it may wish, in accordance with these Rules.

Rule 10

Supplementary items may be added to the agenda after its adoption, if approved by two-thirds of the Members of the Committee present and voting.

Rule 11

Whenever possible, a proposal for the inclusion of an item in the provisional agenda or agenda shall be accompanied by a working document prepared by the proposer, to serve as a basis for discussion.

Rule 12

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

PART III — MEETINGS

Rule 13

The meetings shall be public unless the Committee decides otherwise.

Rule 14

A majority of the Members of the Committee shall constitute a quorum for a meeting.

PART IV — OFFICERS

Rule 15

The Committee shall elect a Member of the Committee to the Presidency, the Vice Presidency, and the office of Rapporteur, respectively. They shall hold office until their successors are elected. Each elected Member shall designate a person on its delegation to serve in that office for the duration of the session. The elections shall take place each year at the first session of the Committee following the election of the new Members of the Committee by the Council or Conference.

Rule 16

The Director shall be Secretary ex officio of the Committee and of all subcommittees and working parties established by it. These functions may be delegated.

Rule 17

The President shall preside over the meetings of the Committee and exercise any other duties assigned under these Rules.

Rule 18

The President, or the Vice President while presiding, shall not vote unless that person is the sole delegate of the respective Member of the Committee.

Rule 19

At the opening of a session, should the Member elected to the Presidency of the Committee be absent, the Member occupying the Vice Presidency shall serve as President pro tempore and one of the Members shall be elected to serve as Vice President pro tempore. In the absence of both the President and the Vice President, the Committee shall elect from among its Members a President pro tempore and a Vice President pro tempore.

Rule 20

At the opening of a session, should the Member elected to the office of Rapporteur be absent, a Rapporteur pro tempore shall be elected. If the Rapporteur is absent from a meeting, or any part thereof, the President shall designate a Rapporteur pro tempore.

Rule 21

If the President is absent from a meeting, or any part thereof, the Vice President shall preside. In the absence of both the President and the Vice President, the Committee shall designate a President pro tempore.

Rule 22

The Rapporteur shall be responsible for drafting proposed resolutions in light of the deliberations of the Committee.

PART V — PARTICIPATION OF NON-MEMBERS OF THE COMMITTEE

Rule 23

Members who do not form part of the Committee may participate, without the right to vote, in sessions of the Committee.

Rule 24

Associate Members may participate, without the right to vote, in sessions of the Committee.

Rule 25

Observer States may attend sessions of the Committee and participate, by leave of the President, in its deliberations, but without the right to vote.

Rule 26

Invited intergovernmental organizations may attend sessions of the Committee and participate, by leave of the President, in its deliberations, but without the right to vote.

Rule 27

Nongovernmental organizations in official relations with the Organization, and other invited organizations, may attend sessions of the Committee, but without the right to vote. By leave of the President, they may make a brief statement of an expository nature on an item before the session, and may be invited to make a brief additional statement for the purpose of clarification.

PART VI — SUBCOMMITTEES AND WORKING PARTIES

Rule 28

The Committee may establish such subcommittees and working parties as it considers necessary for the orderly dispatch of the business of the Committee. The reports of the subcommittees and working parties, however, shall be submitted to a meeting of the Committee for final disposition.

Rule 29

Subcommittees and working parties shall elect their own officers.

PART VII — CONDUCT OF BUSINESS AND VOTING

Rule 30

The President shall give precedence to the Members of the Committee to speak and may limit the time allotted to each speaker.

Rule 31

A delegate may make a point of order during the discussion of any matter, and the point of order shall be resolved immediately by the President. If a delegate requests that the ruling of the President be put to a vote, the President shall do so immediately, and the issue shall be decided by a majority of Members of the Committee present and voting.

Rule 32

A delegate may move the closure of the debate at any time. This motion shall be submitted to a vote immediately, after one delegate has been given the opportunity to speak against the motion.

Rule 33

The President may at any time call for a vote to close the debate. If this motion is approved, the President shall declare the debate closed.

Rule 34

Members of the Committee may propose, and the Secretary ex officio may recommend, resolutions, amendments, and motions.

Resolutions shall be introduced in writing and handed to the Secretary ex officio, who shall circulate copies to the delegates. Amendments which introduce significant changes in a resolution shall also be submitted in writing. No resolution or significant amendment shall be discussed or put to the vote unless copies have been circulated to all delegates no later than the preceding meeting. Under special circumstances, the President may permit the discussion and consideration of such resolutions or amendments even though they have not been circulated previously.

Proposals shall be voted on in the order in which they are presented except when the Committee decides to the contrary. Parts of a proposal or of an amendment shall be voted on separately if any delegate so requests.

Rule 35

When an amendment to a proposal is moved, the amendment shall be voted on first and, if the amendment is adopted, the proposal as amended shall then be voted on.

Rule 36

If two or more amendments to a proposal are moved, the amendment deemed by the President to be furthest removed in substance from the proposal shall be voted on first and then the amendment next removed therefrom, and so on until all the amendments have been put to a vote, unless the result of a vote on an amendment makes unnecessary any other voting on the amendment or amendments still outstanding.

Rule 37

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

Rule 38

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 delegate.

Rule 39

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

Rule 40

Each Member of the Committee shall have the right to one vote.

For the purpose of these Rules, "Members of the Committee present and voting" means Members of the Committee casting an affirmative or negative vote or, in an election, a vote for a person or a Member eligible in accordance with the Constitution or these Rules. Likewise, "majority" means any number of votes greater than half the votes cast by the Members of the Committee present and voting. Members of the Committee who abstain from voting or who cast blank ballots or invalid votes shall be regarded as not voting. In computing a majority, any fraction shall be counted as the next higher whole number.

Rule 41

A motion shall be considered adopted when it has received the affirmative vote of a majority of the Members of the Committee present and voting, except

when the Constitution or these Rules provide otherwise. If the votes are equally divided on a matter other than an election, the motion shall be regarded as not adopted.

Rule 42

The Committee shall normally vote by show of hands, except that any delegate may request a roll-call vote; in that event the Member of the Committee to vote first shall be determined by lot and thereafter the vote shall be taken in the alphabetical order of the names of the Members of the Committee represented as expressed in the language of the country in which the session is held.

Rule 43

The vote of each Member of the Committee participating in a roll-call vote shall be recorded in the Final Report.

Rule 44

The Committee may vote on any matter by secret ballot if it has previously been so decided by a majority of the Members of the Committee present and voting.

Rule 45

Elections shall normally be held by secret ballot. When the number of candidates for elective office does not exceed the number of offices to be filled, no ballot shall be required and such candidates shall be declared elected. Where ballots are required, one teller shall be appointed by the President from among the delegates.

Rule 46

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 President shall draw lots to decide between the candidates.

Rule 47

When two or more elective places are to be filled at one time under the same circumstances, 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 elective places to be filled, ballots shall then be taken separately for each of the remaining places in accordance with Rule 46. If the number of

candidates obtaining such a majority is greater than the number of elective places to be filled, those candidates obtaining the largest number of votes shall be deemed to have been elected.

Rule 48

In an election each Member of the Committee, unless it abstains, shall vote for that number of candidates equal to or less than the number of elective places to be filled. Any ballot on which there are more names than there are elective places to be filled, or on which the name of any candidate appears more than once, or which is illegible or signed or which reveals the identity of the voter, shall be considered null and void.

PART VIII — OFFICIAL AND WORKING LANGUAGES

Rule 49

The official languages of the Committee shall be English, French, Portuguese, and Spanish. The working languages shall be those of the Members of the Committee.

PART IX — FINAL REPORT

Rule 50

The Final Report shall include all resolutions and decisions adopted by the Committee. The Rapporteur, with the assistance of the Secretary ex officio, shall draft the Final Report.

Rule 51

The President of the Committee and the Secretary ex officio shall sign the Final Report.

Rule 52

The signed original copy of the Final Report shall be deposited in the archives of the Organization and be available for examination upon request.

Rule 53

The Director shall transmit copies of the Final Report to the Members, Associate Members, Observer States, and organizations represented at the session of the Committee.

PART X — REPRESENTATION OF THE COMMITTEE AT SESSIONS OF THE COUNCIL AND THE CONFERENCE

Rule 54

The Committee shall be represented at sessions of the Council or the Conference by two delegates appointed by the Committee from among its Members. The Committee may designate alternates in the event that either of the representatives is unable to attend the pertinent session of the Council or the Conference.

The representatives of the Committee shall be responsible for making appropriate reports on the actions and discussions of the Committee, containing such information as may be useful to the deliberations of the Council or the Conference.

PART XI — AMENDMENT OF THE RULES OF PROCEDURE

Rule 55

Proposed amendments to these Rules shall be submitted in writing and shall be adopted by the affirmative vote of a majority of the Members of the Committee.

Rule 56

All matters not provided for in these Rules shall be resolved directly by the Committee.

16. FINANCIAL REGULATIONS OF THE PAN AMERICAN HEALTH ORGANIZATION[1]

Regulation I — Applicability and Delegation of Authority

1.1 These Regulations shall govern the financial administration of the Pan American Health Organization.

1.2 The Director of the Pan American Sanitary Bureau is responsible for ensuring effective financial administration of the Organization in accordance with these Regulations.

1.3 Without prejudice to Regulation 1.2, the Director may delegate in writing to other officers of the Organization such authority as he or she considers necessary for the effective implementation of these Regulations.

1.4 The Director shall establish Financial Rules, including relevant guidelines and limits for the implementation of these Regulations, in order to ensure effective financial administration, the exercise of economy, and safeguard of the assets of the Organization.

Regulation II — The Financial Period

2.1 The financial period shall be two consecutive calendar years beginning with an even-numbered year.

Regulation III — The Budget

3.1 The proposed program and budget for the financial period, as referred to in Article 14.C of the Constitution (hereinafter referred to as "budget proposals"), shall be prepared by the Director of the Pan American Sanitary Bureau.

3.2 The budget proposals shall cover income and expenditures for the financial period to which they relate, and shall be presented in United States dollars.

3.3 The budget proposals shall be divided into parts, and shall include such information annexes and explanatory statements as may be requested on behalf of the Pan American Sanitary Conference (hereinafter referred to as "Conference"), the Directing Council, or the Executive Committee, and

[1]Adopted by the 26th Pan American Sanitary Conference, held in Washington, D.C. (Resolution CSP26.R2, September 2002).

such further annexes or statements as the Director may deem necessary and useful.

3.4 The Director shall submit the budget proposals to the Executive Committee for examination.

3.5 The Executive Committee shall submit the budget proposals, and any recommendations it may have thereon, to the Conference or the Directing Council.

3.6 The budget proposals, together with recommendations made thereon by the Executive Committee, shall be transmitted to all Member States at least thirty days prior to the meeting of the Conference or the Directing Council.

3.7 The budget for the following financial period shall be approved by the Conference or the Directing Council in the year preceding the biennium to which the budget proposals relate.

3.8 Supplemental proposals may be submitted by the Director when and as he or she may deem necessary.

3.9 The Director shall prepare supplemental proposals in a form consistent with the budget proposal for the financial period and shall submit such proposals to the Executive Committee for examination and recommendation. The Director shall submit to the Conference or Directing Council for consideration the supplemental proposals, together with the comments of the Executive Committee.

Regulation IV — Regular Budget Appropriations

4.1 The appropriations approved by the Conference or the Directing Council shall constitute an authorization to the Director to incur contractual obligations and make payments for the purposes for which the appropriations were approved and up to the amounts so approved.

4.2 Appropriations shall be available for obligation for the financial period to which they relate. Obligations incurred and charged against appropriations during the current financial period shall cover the cost of goods or services which were contracted during the period and which are to be supplied or rendered during that period or within the year following the end of the period.

4.3 Transfers within the total amount appropriated may be made to the extent permitted by the terms of the budget resolution adopted by the Conference or the Directing Council.

4.4 Any balance of the appropriation not obligated by the end of the current financial period, shall be used to replenish the Working Capital Fund to its fixed level, after which any residual balance will be placed in a Holding Account for subsequent use as decided by the Conference or Directing Council.

4.5 Unliquidated or undisbursed obligations at the end of the current financial period, shall be carried forward and remain available for the following financial period to cover the costs of the activities set forth in Regulation 4.2. Any unliquidated balance at the end of the second financial period shall be canceled and credited to Miscellaneous Income.

4.6 Any claims that continue to exist against the Organization under unliquidated obligations canceled in accordance with regulation 4.5 shall be transferred to new obligations against appropriations established for the current financial period.

Regulation V — Provision of Regular Budget Funds

5.1 The appropriations, subject to the adjustments effected in accordance with the provisions of Regulation 5.2, shall be financed by contributions from Member States, according to Article 60 of the Pan American Sanitary Code. Pending the receipt of such contributions, the appropriations may be financed from the Working Capital Fund.

5.2 In the assessment of the contributions of Member States, adjustments shall be made to the amount of the appropriations approved by the Conference or Directing Council of the following financial period in respect of:

(a) Supplemental appropriations for which contributions have not previously been assessed on the Member States;

(b) Contributions resulting from the assessment of new Member States under the provisions of Regulation 6.9 and contributions made by France, the Netherlands and the United Kingdom on behalf of their territories in the Region of the Americas, under the provision of Resolution XL of the V meeting of the Directing Council;

(c) The estimated amount of miscellaneous income that shall be routinely credited to approved budget appropriations.

Regulation VI — Assessed Contributions

6.1 The Conference or the Directing Council shall adopt the total budget, and the amount of the assessments, determined in accordance with Regulation 5.1, for the financial period. The assessed contributions of Members shall be divided into two equal annual installments. In the first year of the finan-

cial period, the Conference or Directing Council may decide to amend the amount of assessments to be applied to the second year of the financial period.

6.2 After the Conference or the Directing Council has adopted the budget, the Director shall inform Member States of their commitments in respect of contributions for the financial period and request them to pay the first and second installments of their contributions.

6.3 If the Conference or the Directing Council decides to amend the amounts of the assessments, or to adjust the amount of the appropriations to be financed by contributions from Member States for the second year of a biennium, the Director shall inform Member States of their revised commitments and shall request them to pay the revised second installment of their contributions.

6.4 Installments of contributions shall be due and payable as of 1 January of the year to which they relate.

6.5 As of 1 January of the following year, the unpaid balance of such contributions shall be considered to be one year in arrears.

6.6 Contributions shall be assessed in U.S. dollars and paid in U.S. dollars.

6.7 Payments made by a Member State shall be credited to the Member State's account and applied first against the oldest amount outstanding.

6.8 The Director shall submit to the regular session of the Conference or the Directing Council a report on the collection of contributions.

6.9 New Members shall be required to make a quota contribution for the financial period in which they become Members. If membership begins at any time during the first year of a financial period, new Members will be assessed for the full two-year period. If membership begins at any time during the second year of a financial period, new Members will be assessed for the second year only. When received, such unbudgeted assessments shall be credited to Miscellaneous Income.

Regulation VII — Working Capital Fund

7.1 There shall be established a Working Capital Fund in an amount and for purposes to be determined from time to time by the Conference or the Directing Council. The financing of the Fund will be as set forth in Resolutions adopted by the Conference or Directing Council.

7.2 Title to monies credited to the Working Capital Fund shall remain with the Pan American Health Organization.

7.3 The Working Capital Fund shall be used to finance the implementation of the regular budget and the Fund shall be reimbursed as soon as and to the extent that assessed contributions and income are available for that purpose.

7.4 Transfers from the Working Capital Fund to finance unforeseeable and extraordinary expenses, replenish existing funds to authorized ceilings, or other authorized purposes shall be reimbursed from regular budgeted funds unless other authorized means are used to replenish the Fund.

Regulation VIII — Miscellaneous and Other Income

8.1 Miscellaneous Income shall be applied in accordance with Regulation 5.2 (c) and shall include the following:

(a) unliquidated obligations in accordance with Regulation 4.5;
(b) interest earnings or investment income in accordance with Regulation 11.2 and 11.3;
(c) refunds or rebates of expenditure received after the end of the financial period to which the original expenditure related;
(d) proceeds of insurance claims that are not required to replace the insured item, or otherwise compensate for the loss;
(e) the net proceeds generated on the sale of a capital asset after allowing for all costs of the acquisition, or improvement, of any asset concerned;
(f) net gains or losses on exchange rates;
(g) moneys accepted as gifts per Regulation 8.5;
(h) unbudgeted quota receipts in accordance with Regulation 6.9;
(i) income not otherwise specifically referred to in these Regulations.

8.2 Any refund of expenditure, or reimbursement for services and facilities provided, received from third parties during the biennium in which the original expenditure was incurred or services and facilities were provided shall be credited against that expenditure.

8.3 Any payments received from insurance policies held by the Organization shall be credited toward mitigating the loss that the insurance covered.

8.4 Under Article 25 of the Constitution, the Director is authorized to accept and administer donations and bequests, either in cash or in kind, provided that he or she has determined that such contributions can be used by the Organization, and that any conditions which may be attached to them are consistent with the objectives and policies of the Organization.

8.5 Moneys accepted in respect of which the donor specifies no purpose shall be reported as “gifts” in the accounts.

8.6 Service charges received from procurement services on behalf of Member States, program support charges on extrabudgetary funds, proceeds from the sale of publications and any income generated from services and sales of goods will be used to reimburse all, or part of, the direct and indirect costs incurred by the Organization in respect of the generation and administration of its activities.

Regulation IX — Funds

9.1 Funds shall be established to enable the Organization to record income and expenditure. These funds shall cover all sources of income: regular budget, extrabudgetary resources including Trust Funds, and any other source of income as may be appropriate.

9.2 Ledger Accounts shall be established for amounts received from donors of extrabudgetary contributions including Trust Funds so that relevant income and expenditures may be recorded and reported upon.

9.3 Special Funds or Accounts shall be established by the Director as necessary, as reserves, or to meet the requirements of the Organization, including capital expenditures.

9.4 The purpose of any Fund or Account established under Regulation 9.3 shall be specified and shall be subject to these Financial Regulations and such Financial Rules as are established by the Director under Regulation 12.1 and prudent financial management.

9.5 The Director, with the prior and written concurrence of a majority of the members of the Executive Committee, shall have the power to borrow funds.

Regulation X — Custody of Funds

10.1 The Director shall designate the bank or banks or financial institutions in which funds and securities in the custody of the Organization shall be kept.

10.2 The Director may designate any investment (or asset) managers and/or custodians that the Organization may wish to appoint for the management of the funds in its custody.

Regulation XI — Investment of Funds

11.1 Investment policies and guidelines shall be drawn up in accordance with best industry practice, having due regard for the preservation of capital and the return requirements of the Organization.

11.2 Any funds not required for immediate payment may be invested.

11.3 Investment income generated from regular budget resources shall be credited to Miscellaneous Income unless otherwise provided in the regulations, rules, or resolutions relating to the Fund or Account from which the invested monies were derived.

11.4 Investment income generated from extrabudgetary resources will also be credited to Miscellaneous Income unless otherwise specified by the appropriate authorities.

Regulation XII — Internal Control

12.1 The Director shall:

(a) establish operating policies and procedures in order to ensure effective financial administration, the exercise of economy, and the safeguarding of the assets of the Organization;

(b) designate the officers who may receive funds, incur financial commitments or obligations, and make payments on behalf of the Organization;

(c) maintain an effective internal control structure to ensure the accomplishment of established objectives and goals for operations; the economical and efficient use of resources; the reliability and integrity of information; compliance with policies, plans, procedures, rules, and regulations, and the safeguarding of assets;

(d) maintain an internal audit function which is responsible for the review, evaluation, and monitoring of the adequacy and effectiveness of the Organization's overall systems of internal control. For this purpose, all systems, processes, operations, functions, and activities within the Organization shall be subject to such review, evaluation, and monitoring.

Regulation XIII — Accounts and Financial Reports

13.1 The Director shall establish such accounts as are necessary and shall, insofar as is not otherwise provided for in these Regulations and any Financial Rules established by the Director, maintain them in a manner consistent with the United Nations System Accounting Standards.

13.2 Final financial reports shall be prepared for each financial period, and interim financial reports shall be prepared at the end of the first year of each such period. Such financial reports shall be presented in conformity with, and in the formats established under, the Standards referred to in regulation 13.1, together with such other information as may be necessary to indicate the current financial position of the Organization.

13.3 The financial reports of the Organization shall be presented in United States dollars. The accounting records may, however, be kept in such currency or currencies as the Director may deem necessary.

13.4 The financial reports shall be submitted to the External Auditor(s) not later than 15 March following the end of the financial period to which they relate.

13.5 The Director may make such ex gratia payments as deemed to be necessary in the interest of the Organization. A statement of such payments shall be included with the final accounts.

13.6 The Director may authorize, after full investigation, the writing off of any asset other than arrears of contributions. A statement of such losses written off shall be included with the final accounts.

Regulation XIV — External Audit

14.1 The Conference or the Directing Council shall appoint an External Auditor(s) of international repute to audit the accounts of the Organization. Auditor(s) appointed may be removed only by the Conference or the Directing Council.

14.2 Subject to any special direction of the Conference or the Directing Council, each audit which the External Auditor(s) performs/perform shall be conducted in conformity with generally accepted common auditing standards and in accordance with the Additional Terms of Reference set forth in the Appendix to these Regulations.

14.3 The External Auditor(s), in addition to rendering its opinion on the account, may make such observations as he/she/they may deem necessary with respect to the efficiency of the financial procedures, the accounting system, the internal financial controls, and, in general, the administration and management of the Organization.

14.4 The External Auditor(s) shall be completely independent and solely responsible for the conduct of the audit.

14.5 The Conference or the Directing Council may request the External Auditor(s) to perform certain specific examinations and issue separate reports on the results.

14.6 The Director shall provide the External Auditor(s) with the facilities required for the performance of the audit.

14.7 For the purpose of making a local or special examination or for effecting economies of audit cost, the External Auditor(s) may engage the services of any national Auditor-General (or equivalent title) or commercial public

auditors of known repute or any other person or firm that, in the opinion of the External Auditor(s), is technically qualified.

14.8 The External Auditor(s) shall issue a report, including its opinion, on the audit of the biennium financial report prepared by the Director pursuant to Regulation XIII. The report shall include such information as he/she/they deem(s) necessary in regard to Regulation 14.3 and the Additional Terms of Reference.

14.9 The report(s) of the External Auditor(s) shall be completed and provided to the Director together with the audited final accounts no later than 15 April following the end of the financial period to which the final accounts relate. The Director will provide the report to the Executive Committee which shall examine the interim and final financial reports and the audit report(s) and shall forward them to the Conference or the Directing Council with such comment as it deems necessary.

Regulation XV — Resolutions Involving Expenditures

15.1 The Conference, the Directing Council, and the Executive Committee shall not make decisions involving expenditures unless they have before them a report from the Director on the administrative and financial implications of the proposal.

15.2 Where, in the opinion of the Director, the proposed expenditure cannot be made from the existing appropriations, it shall not be incurred until the Conference or the Directing Council has made the necessary appropriations, unless such expenditure can be made under the conditions of the resolution of the Directing Council relating to the Emergency Procurement Revolving Fund.

Regulation XVI — General Provisions

16.1 These Regulations shall be effective as of the date of their approval by the Conference or the Directing Council and may be amended only by the Conference or the Directing Council.

16.2 In case of doubt as to the interpretation and application of any of the foregoing Regulations, the Director is authorized to rule thereon.

16.3 The Financial Rules established by the Director as referred to in Regulation 1.4, and the amendments made by the Director to such Rules, shall be confirmed by the Executive Committee and reported to the Conference or the Directing Council for its information.

APPENDIX

ADDITIONAL TERMS OF REFERENCE GOVERNING THE EXTERNAL AUDIT OF THE PAN AMERICAN HEALTH ORGANIZATION

1. The External Auditor(s) shall perform such audit of the accounts of the Pan American Health Organization, including all Trust Funds, Special Funds, and Special Accounts, as he/she/they deem necessary in order to satisfy himself/herself/themselves:

   (a) that the financial statements are in accord with the books and records of the Organization;
   (b) that the financial transactions reflected in the statements have been in accordance with the rules and regulations, the budgetary provisions, and other applicable directives of the Organization;
   (c) that the securities and funds on deposit and on hand have been verified by the certificates received direct from the Organization's depositaries or by actual count;
   (d) that the internal controls, including the internal audit, are adequate in view of the extent of reliance placed thereon;
   (e) that procedures satisfactory to the External Auditor(s) have been applied to the recording of all assets, liabilities, surpluses, and deficits.

2. The External Auditor(s) shall be the sole judge as to the acceptance in whole or in part of certifications and representations by members of the staff of the Organization and may proceed to such detailed examination and verification as he/she/they choose(s) of all financial records including those relating to supplies and equipment.

3. The External Auditor(s) and staff shall have free access at all convenient times to all books, records, and other documentation which are, in the opinion of the External Auditor(s), necessary for the performance of the audit. Information classified as privileged and which the Director agrees is required by the External Auditor(s) for the purposes of the audit, and information classified as confidential, shall be made available upon request. The External Auditor(s) and staff shall respect the privileged and confidential nature of any information so classified which has been made available and shall not make use of it except in direct connection with the performance of the audit. The External Auditor(s) may draw the attention of the Conference or the Directing Council to any denial of information classified as privileged which, in his/her/their opinion, was required for the purpose of the audit.

4. The External Auditor(s) shall have no power to disallow items in the accounts but shall draw to the attention of the Director for appropriate action

any transaction that creates doubt as to legality or propriety. Audit objections, to these or any other transactions, arising during the examination of the accounts shall be immediately communicated to the Director.

5. The External Auditor(s) shall express and sign an opinion on the financial statements of the Organization. The opinion shall include the following basic elements:

   (a) identification of the financial statements audited;
   (b) a reference to the responsibility of the entity's management and responsibility of the External Auditor(s);
   (c) a reference to the audit standards followed;
   (d) a description of the work performed;
   (e) an expression of opinion on the financial statements as to whether:

      (i) the financial statements present fairly the financial position as at the end of the period and the results of the operations for the period;
      (ii) the financial statements were prepared in accordance with the stated accounting policies;
      (iii) the accounting policies were applied on a basis consistent with that of the preceding financial period.

   (f) an expression of opinion on the compliance of transactions with the Financial Regulations and legislative authority;
   (g) the date of the opinion;
   (h) the External Auditor's(s') name and position;
   (i) the place where the report has been signed;
   (j) should it be necessary, a reference to the report of the External Auditor(s) on the financial statements.

6. The report of the External Auditor(s) to the Conference or Directing Council on the financial operations of the financial period should mention:

   (a) the type and scope of examination;
   (b) matters affecting the completeness or accuracy of the accounts, including where appropriate:

      (i) information necessary to the correct interpretation of the accounts;
      (ii) any amounts that ought to have been received but which have not been brought to account;
      (iii) any amounts for which a legal or contingent obligation exists and which have not been recorded or reflected in the financial statements;
      (iv) expenditures not properly substantiated;
      (v) whether proper books of accounts have been kept; where in the presentation of statements there are deviations of a material nature

from a consistent application of generally accepted accounting principles, these should be disclosed.

(c) other matters that should be brought to the notice of the Conference or the Directing Council such as:

(i) cases of fraud or presumptive fraud;
(ii) wasteful or improper expenditure of the Organization's money or other assets (notwithstanding that the accounting for the transaction may be correct);
(iii) expenditure likely to commit the Organization to further outlay on a large scale;
(iv) any defect in the general system or detailed regulations governing the control of receipts and disbursements, or of supplies and equipment;
(v) expenditure not in accordance with the intention of the Conference or the Directing Council, after making allowance for duly authorized transfers within the budget;
(vi) expenditure in excess of appropriations as amended by duly authorized transfers within the budget;
(vii) expenditure not in conformity with the authority that governs it.

(d) the accuracy or otherwise of the supplies and equipment records as determined by stocktaking and examination of the records.

In addition, the report may contain reference to:

(e) transactions accounted for in a previous financial period, concerning which further information has been obtained, or transactions in a later financial period concerning which it seems desirable that the Conference or the Directing Council should have early knowledge.

7. The External Auditor(s) may make such observations with respect to his/her/their findings resulting from the audit and such comments on the financial report as he/she/they deem(s) appropriate to the Conference or the Directing Council or to the Director.

8. Whenever the External Auditor's(s') scope of audit is restricted, or insufficient evidence is available, the External Auditor's(s') opinion shall refer to this matter, making clear in the report the reasons for the comments and the effect on the financial position and the financial transactions as recorded.

9. In no case shall the External Auditor(s) include criticism in any report without first affording the Director an adequate opportunity of explanation on the matter under observation.

10. The External Auditor(s) is/are not required to mention any matter referred to in the foregoing which is considered immaterial.

17. STAFF REGULATIONS OF THE PAN AMERICAN HEALTH ORGANIZATION[1]

SCOPE AND PURPOSE

The Staff Regulations embody the fundamental conditions of service and the basic rights, duties, and obligations of the Pan American Sanitary Bureau staff. They are the broad principles of personnel policy for the guidance of the Director in the staffing and administration of the Bureau. The Director may, as Chief Administrative Officer, provide and enforce such Staff Rules consistent with these principles as he considers necessary.

ARTICLE I — Duties, Obligations, and Privileges

1.1 All staff members of the Bureau are international civil servants. Their responsibilities are not national but exclusively international. By accepting appointment, they pledge themselves to discharge their functions and to regulate their conduct with the interests of the Pan American Sanitary Bureau only in view.

1.2 All staff members are subject to the authority of the Director and to assignment by him to any of the activities or offices of the Pan American Sanitary Bureau. They are responsible to him in the exercise of their functions. In principle, the whole time of the staff members shall be at the disposal of the Director.

1.3 In the performance of their duties staff members shall neither seek nor accept instructions from any government or from any other authority external to the Bureau or the World Health Organization.

1.4 No staff member shall accept, hold, or engage in any office or occupation which is incompatible with the proper discharge of his duties with the Pan American Sanitary Bureau.

1.5 Staff members shall conduct themselves at all times in a manner compatible with their status as international civil servants. They shall avoid any action and in particular any kind of public pronouncement which may adversely reflect on their status. While they are not expected to give up their national sentiments or their political and religious convictions, they

[1]Adopted by the Directing Council at its V Meeting held from 24 September to 3 October 1951 by Resolution XXII and incorporates all amendments to the date of publication.

shall at all times bear in mind the reserve and tact incumbent upon them by reason of their international status.

1.6 Staff members shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person any information known to them by reason of their official position which has not been made public, except in the course of their duties or by authorization of the Director. At no time shall they in any way use to private advantage information known to them by reason of their official position. These obligations do not cease with separation from service.

1.7 No staff member shall accept any honor, decoration, favor, gift, or remuneration from any government, or from any other source external to the Bureau, if such acceptance is incompatible with his status as an international civil servant.

1.8 Any staff member who becomes a candidate for a public office of a political character shall resign from the Pan American Sanitary Bureau.

1.9 The immunities and privileges attaching to the Pan American Sanitary Bureau are conferred in the interest of the Bureau. These privileges and immunities furnish no excuse to staff members for non-performance of their private obligations or failure to observe laws and police regulations. The decision whether to waive any privileges or immunities of the staff in any case that arises shall rest with the Director.

1.10 All staff members shall subscribe to the following oath or declaration:

"I solemnly swear (undertake, affirm, promise) to exercise in all loyalty, discretion, and conscience the functions entrusted to me as an international civil servant of the Pan American Sanitary Bureau, to discharge those functions and regulate my conduct with the interests of the Pan American Sanitary Bureau only in view, and not to seek or accept instructions in regard to the performance of my duties from any government or other authority external to the Bureau or the World Health Organization."

1.11 The oath or declaration shall be made orally by the Director at a public meeting of the Directing Council, by the Deputy Director and Assistant Director before the Director, and in writing by other staff members.

1.12 The Bureau may hire under local conditions of employment national staff members (nationals of the country and aliens, whether residents or not, who legally qualify for employment there), to whom the Staff Regulations and Rules shall not apply save in regard to the present Article I on Duties, Obligations, and Privileges as national employees and not as international functionaries. Respecting privileges, such employees shall be governed by

the Basic Agreement on Privileges and Immunities between the Organization and the country in which they are employed.

1.13 The contracts of such national employees shall be governed in every aspect, including those of work-related accidents, social security, and pensions, by the labor laws and practices of the country concerned.

1.14 The Director shall determine the posts to be subject to these rules and shall establish scales of salaries and allowances, in conformity with competitive conditions of employment of the locality in the type of work performed or related to the functions of the office.

1.15 National employees shall have access to arbitration or labor tribunals of the countries in which they are employed for the settlement of disputes, in accordance with their respective contracts, and shall therefore have no access to the Administrative Tribunal of the International Labor Organization, whose competence is not recognized in respect of national employees.

ARTICLE II — Classification of Posts and Staff

2.1 Appropriate provision shall be made by the Director for the classification of posts and staff according to the nature of duties and responsibilities required.

ARTICLE III — Salaries and Related Allowances

3.1 The salaries for the Deputy Director and Assistant Director shall be determined by the Director of the Bureau with the approval of the Executive Committee.

3.2 Salary levels for other staff shall be determined by the Director on the basis of their duties and responsibilities. The salary and allowance plan shall be determined by the Director following basically the scales of salaries and allowances of the World Health Organization, provided that for staff occupying positions subject to local recruitment the Director may establish salaries and allowances in accordance with best prevailing local practices and that for staff occupying positions subject to international recruitment the remuneration shall be varied between duty stations to take into account relative cost of living to the staff members concerned, standards of living, and related factors. Any deviations from the World Health Organization scales of salaries and allowances which may be necessary for the requirements of the Pan American Sanitary Bureau shall be subject to the approval of, or may be authorized by, the Executive Committee.

ARTICLE IV — Appointment and Promotion

4.1 The Director shall appoint staff members as required.

4.2 The paramount consideration in the appointment, transfer, or promotion of the staff shall be the necessity of securing the highest standards of efficiency, competence, and integrity. Due regard shall be paid to the importance of recruiting and maintaining the staff on as wide a geographical basis as possible.

4.3 Selection of staff members shall be without regard to race, creed, or sex. So far as is practicable, selection shall be made on a competitive basis.

4.4 Without prejudice to the inflow of fresh talent at the various levels, vacancies shall be filled by promotion of persons already in the service of the Pan American Sanitary Bureau in preference to persons from outside. This preference shall also be applied, on a reciprocal basis, to the World Health Organization and the Organization of American States.

4.5 The Director shall appoint the Deputy Director and Assistant Director for a specific duration with the approval of the Executive Committee. Other staff members shall be granted appointments of a duration, and under such terms and conditions consistent with these regulations as the Director may prescribe.

4.6 The Director shall establish appropriate medical standards which prospective staff members shall normally be required to meet before appointment.

ARTICLE V — Annual and Special Leave

5.1 Staff members shall be allowed appropriate annual leave. In exceptional cases, special leave may be authorized by the Director.

5.2 In order that staff members may take their leave periodically in their home countries, the Bureau shall allow necessary traveling time for that purpose, under conditions and definitions prescribed by the Director.

ARTICLE VI — Social Security

6.1 Provision shall be made for the participation of staff members in the United Nations Joint Staff Pension Fund in accordance with the regulations of that fund.

6.2 The Director shall establish a scheme of social security for the staff, including provisions for health protection, sick leave, and maternity leave, and reasonable compensation in the event of illness, accident, or death

attributable to the performance of official duties on behalf of the Pan American Sanitary Bureau.

ARTICLE VII — Travel and Removal Expenses

7.1 Subject to conditions and definitions prescribed by the Director, the Bureau shall pay the travel expenses of staff members and, in appropriate cases, their dependents:

upon appointment and on subsequent change of official duty stations;
upon the taking of leave at home when authorized; and
upon separation from service.

7.2 Subject to conditions and definitions prescribed by the Director, the Pan American Sanitary Bureau shall pay removal costs for staff members:

upon appointment and on subsequent change of official duty stations; and
upon separation from the service.

ARTICLE VIII — Staff Relations

8.1 The Director shall make provision for staff participation in the discussion of policies relating to staff questions.

ARTICLE IX — Separation from Service

9.1 Staff members may resign from the Pan American Sanitary Bureau upon giving the Director the notice required under the terms of their appointment.

9.2 The Director may terminate the appointment of a staff member in accordance with the terms of his appointment, or if the necessities of the service require abolition of the post or reduction of the staff, if the service of the individual concerned proves unsatisfactory, or if he is, for reasons of health, incapacitated for further service.

9.3 If the Director terminates an appointment, the staff member shall be given notice and indemnity payment in accordance with the terms of his appointment.

9.4 The Director shall establish a scheme for the payment of repatriation grants.

9.5 Normally, a staff member shall not be retained in active service beyond the age specified in the Pension Fund regulations as the age of retirement. The Director may, in the interest of the Bureau, extend this age limit in exceptional cases.

ARTICLE X — Disciplinary Measures

10.1 The Director may impose disciplinary measures on staff members whose conduct is unsatisfactory. He may summarily dismiss a member of the staff for serious misconduct.

ARTICLE XI — Appeals

11.1 The Director shall establish administrative machinery with staff participation to advise him in case of any appeal by staff members against an administrative decision alleging the non-observance of their terms of appointment, including all pertinent regulations and rules, or against disciplinary action.

11.2 Any dispute which cannot be resolved internally, arising between the Bureau and a member of the staff regarding the fulfillment of the contract of the said member, shall be referred for final decision to the United Nations Administrative Tribunal.

ARTICLE XII — General Provisions

12.1 These regulations may be supplemented or amended by the Directing Council without prejudice to the acquired rights of the staff members.

12.2 The Director shall report annually to the Directing Council such staff rules and amendments thereto as he may make to implement these regulations after confirmation by the Executive Committee.

12.3 The Director, by virtue of the authority vested in him as the chief technical and administrative officer of the Bureau, may delegate to other officers of the Bureau such of his powers as he considers necessary for the effective implementation of these regulations.

12.4 In case of doubt as to the meaning of the foregoing regulations, the Director is authorized to rule thereon, subject to confirmation of the ruling by the Executive Committee at its next meeting.

APPENDIX I
MEMBER STATES, PARTICIPATING STATES, ASSOCIATE MEMBER(S), AND OBSERVER STATES

Member States	Date of Admission
Antigua and Barbuda	20 September 1982
Argentina *	27 September 1937
Bahamas	08 October 1974
Barbados	02 October 1967
Belize	20 September 1982
Bolivia *	22 March 1929
Brazil *	29 October 1929
Canada	27 September 1971
Chile *	03 October 1929
Colombia *	21 June 1933
Costa Rica *	13 December 1926
Cuba *	26 June 1925
Dominica	21 September 1981
Dominican Republic *	18 November 1929
Ecuador *	27 September 1930
El Salvador *	28 May 1926
Grenada	29 September 1977
Guatemala *	10 May 1933
Guyana	02 October 1967
Haiti *	25 June 1926
Honduras *	15 January 1957
Jamaica	23 August 1962
Mexico *	01 March 1929
Nicaragua +	17 December 1925
Panama *	09 March 1929
Paraguay *	14 June 1939
Peru *	20 November 1926
Saint Lucia	22 September 1980
St. Vincent and the Grenadines	21 September 1981
St. Kitts and Nevis	24 September 1984

* Countries that signed the Pan American Sanitary Code on 14 November 1924 in Havana, Cuba. Dates indicate Date of Entry into Force upon Ratification.

+ Nicaragua signed the Code as an Adherent State not a Signatory State. The date indicates the date of accession to the Code.

Suriname	29 September 1976
Trinidad and Tobago	20 September 1963
United States of America *	28 March 1925
Uruguay *	14 December 1928
Venezuela *	13 March 1933

Participating States	**Date of Admission**
France	October 1951
Kingdom of the Netherlands	October 1951
United Kingdom of Great Britain and Northern Ireland	October 1951

Associate Member(s)	**Date of Admission**
Puerto Rico	September 1992

Observer States	**Date of Admission**
Spain	September 1980
Portugal	September 1986

* Countries that signed the Pan American Sanitary Code on 14 November 1924 in Havana, Cuba. Dates indicate Date of Entry into Force upon Ratification.

+ Nicaragua signed the Code as an Adherent State not a Signatory State. The date indicates the date of accession to the Code.

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