

*executive committee of
the directing council*



PAN AMERICAN
HEALTH
ORGANIZATION

*working party of
the regional committee*

WORLD
HEALTH
ORGANIZATION



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Topic 7: PROGRESS REPORT OF THE SUBCOMMITTEE ON BASIC DOCUMENTS OF THE
PAN AMERICAN HEALTH ORGANIZATION

On 1 April 1960 the Chairman of the Subcommittee on Basic Documents addressed the following communication to the Chairman of the Executive Committee:

1 April 1960

Dear Mr. Chairman:

I have the honor to transmit herewith a progress report on the work of the Subcommittee on the Basic Documents of the Pan American Health Organization, prepared by its Rapporteur and approved unanimously by the Subcommittee at its 14th Meeting on 1 April 1960.

Respectfully submitted,

(Signed)

Ninfa Santos
Chairman of the
Subcommittee on
Basic Documents

The Chairman of the
Executive Committee
Pan American Health Organization
Washington, D.C.

PROGRESS REPORT OF THE SUBCOMMITTEE ON BASIC DOCUMENTS OF
THE PAN AMERICAN HEALTH ORGANIZATION

Background

At the XV Pan American Sanitary Conference, a discussion arose over the proper interpretation of Article 4E of the Constitution and Article 53 of the Rules of Procedure. The Conference appointed a Committee to study the problem and this Committee recommended that a study be made of the texts of the Constitution and Rules of Procedure. Accordingly, the Conference adopted Resolution XXXIV which reads as follows;

"IMPROVEMENT OF THE TEXTS OF THE BASIC DOCUMENTS OF THE
PAN AMERICAN SANITARY ORGANIZATION

"The XV Pan American Sanitary Conference,

Bearing in mind the suggestion contained in paragraph 4 of the report of the special committee appointed by the Conference to consider Article 53 of the Rules of Procedure (Document CSP15/47), to the effect that the Executive Committee make a study, with legal advice, of the texts of the Constitution and the Rules of Procedure of the Conference, for the purpose of achieving greater clarity of expression and adequate equivalence of meaning between the English and the Spanish texts; and

Considering that the discussions at this Conference have brought to light the need for those texts to be more adequate for their own objectives,

RESOLVES;

1. To instruct the Executive Committee to undertake, with legal advice, a thorough study of the Constitution of the Organization and the Rules of Procedure of the IV Conference, in order that it may prepare suggestions (a) to improve their clarity and the equivalence of meaning between the English and the Spanish texts of these basic documents, and (b) to the end that the said texts may be more adequate for their own objectives.

2. To suggest to the Executive Committee that it consider the advisability of naming a subcommittee to make the said study.

3. To instruct the Executive Committee to request the opinion of the governments with respect to its suggestions, and thereafter to submit its recommendations to a future meeting of the Directing Council for appropriate action."

In compliance with the above Resolution, the Executive Committee, in its 36th Meeting, adopted the following resolution (Resolution I);

"The Executive Committee,

Bearing in mind the provisions of Resolution XXXIV of the XV Pan American Sanitary Conference,

RESOLVES;

1. To designate the Representatives of Brazil, Mexico, and the United States as members of a subcommittee to study the Constitution and the Rules of Procedure of the XV Conference, in order to draft proposals; (a) to improve the clarity and the equivalence of meaning between the English and the Spanish texts of these basic documents; and (b) to the end that these texts will be more adequate for their own objectives.

2. To instruct the Director to request legal counsel from the Organization of American States, and from other institutions he deems suitable, for the preparation of a preliminary text both of the Constitution and of the Rules of Procedure, in the drafting of which the documents, minutes, and resolutions of the XV Pan American Sanitary Conference on this matter shall be kept in mind.

3. To recommend that the aforesaid subcommittee meet prior to the 37th Meeting of the Executive Committee, so as to be apprised of the preliminary text referred to in paragraph 2 of the present resolution".

Organization and Work of the Subcommittee

The Subcommittee began its work in April 1959 with the following persons serving as representatives of the Governments indicated;

Brazil	Mr. Italo Zappa
Mexico	Dr. Jesus Flores Aguirre
United States	Mr. Lawrence Wyatt, Representative Mr. Simon Wilson, Adviser

At the first meeting of the Subcommittee, Dr. Flores Aguirre of Mexico was elected Chairman and Mr. Wyatt of the United States was elected Rapporteur.

In February 1960, Mr. Ovidio de Andrade Melo was named by the Government of Brazil to serve as its Representative in lieu of Mr. Zappa who had been transferred out of the city. In March, Mrs. Ninfa Santos was designated by the Mexican Government as the successor of Dr. Flores Aguirre who had also been transferred.

From April 1959 through March 1960, the Subcommittee has held 14 meetings and is now meeting almost daily. It is examining in detail the texts of each article of the Constitution, the Rules of Procedure of the Conference, the Directing Council and the Executive Committee. In addition these are studied in relation to the pertinent provisions of the Pan American Sanitary Code, the WHO Basic Documents, the OAS Charter and rules of procedure, etc. with a view toward improving their clarity, their internal consistency, and the equivalence of meaning between the English and Spanish texts.

The Subcommittee hopes to be able to complete a preliminary revised text at an early date. Arrangements will also be made to translate the basic documents into French and Portuguese in compliance with Resolution XXIX of the XI Meeting of the Directing Council.