

*executive committee of
the directing council*



PAN AMERICAN
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PAN AMERICAN CENTERS: GENERAL ASPECTS OF POLICY

The Pan American Centers have been the subject of extensive discussions by the PAHO Governing Bodies during the past several years. It was not intended that these Centers would be permanent activities of the Organization but should operate as Pan American Centers until such time as the countries and national institutions acquired the technical and institutional capacity for carrying out the corresponding functions.

The long-range nature of the Organization's policy of working towards a gradual assumption of the administration of Centers by the Member Countries requires that actions be taken to place these Centers in the best possible situation for any possible transfer in the future. Currently, the Director plans to undertake studies of each Center in order to identify any legal and administrative/personnel aspects that could present difficulties to such a transfer of responsibilities. The main objective of these studies is to make more feasible and to facilitate the transfer of the functions and responsibilities of the Centers at such time as national institutions are able to assume pertinent responsibilities.

This document summarizes the plan of the Director on these matters. The Executive Committee is requested to take note of the planned studies. It may wish to endorse the Organization's policy of working towards a gradual assumption of the administration of the Centers by the countries in the near future, as well as to express its views on these matters.

PAN AMERICAN CENTERS: GENERAL ASPECTS OF POLICY

1. Background

The current and future role of the Pan American Centers has been the subject of extensive discussions by the PAHO Governing Bodies during the past several years. These Centers have been recognized as an integral component of the respective PAHO programs and constitute an effective mechanism for combining the functions of advisory services, teaching, research, and dissemination of information, in accordance with the needs of the countries and the state of technological developments in the field. The Centers also play a unique role in furthering technical cooperation among developing countries. The XVIII Pan American Sanitary Conference in 1970 adopted Resolution XXXIII (Annex I), which contained general guidelines for the establishment and operation of multinational centers. The XX Pan American Sanitary Conference in 1978 reviewed the establishment and operations of Pan American Centers and adopted Resolution XXXI (Annex II) which further refined PAHO policies on such Centers.

An examination of the past resolutions and discussions by the PAHO Governing Bodies indicates that the Pan American Centers were established to provide solutions to health problems of common interest to countries where no suitable national institutions existed. It was not intended that these Centers would become permanent activities of the Organization but should operate as Pan American Centers until such time as the countries and national institutions acquired the technical and institutional capacity for carrying out the corresponding functions. Pan American Centers are justified for fulfilling specific activities when national institutions are not capable of performing them. With these aforementioned considerations, the possibility of transferring these Centers or the responsibilities which they carry out to the countries and to national institutions needs to be addressed. Consequently, the Centers should be structured and operated in a manner which will place them in the best possible position for eventual transfer from the responsibility of PAHO to the responsibility of the countries and/or national institutions. It is envisioned that such transfers will not adversely affect the support of the health problems of the Member Countries and will serve to further the objectives of self-reliance by the Member Countries. When the PAHO Directing Council in its XXIX Meeting in 1983 considered the restructuring of INCAP and adopted Resolution XXVII (Annex III), the Council confirmed the Organization's policy of working towards a gradual assumption of the administration of Centers by the Member Countries in the near future.

2. Historical Origins and Juridical Bases of Pan American Centers

Each Pan American Center has been established with the approval of the PAHO Governing Bodies. A separate agreement was signed for each Center between the government or governments involved and PAHO. Each agreement provides the juridical and administrative basis for the

administration and operation of the Center. Each agreement provides that the Secretariat--the Pan American Sanitary Bureau (PASB) is responsible for the administration of the Center. The agreement usually contains the following:

Functions of the Center

Organization and Administration

Technical Advisory Committee

Administration and Financial Commitments
of PASB

Administration and Financial Commitments
of the Government(s)

Privileges and Immunities

General Provisions (including effective
dates and termination provisions,
modification procedures, etc.)

Each agreement has been individualized to the particular circumstances of each Center. Financing arrangements for each Center are different. The current structure, financing and staffing of each Center, even though periodically modified, has as its basic foundation the financial staffing and legal arrangements made at the time of the establishment of the Center and included in the agreement.

3. Administrative Systems of Centers

a) General

The transfer of responsibilities of the Centers from PAHO to the governments and/or national institutions is a process which requires close attention to a multitude of factors so that the Centers' activities in support of health programs may be carried out with the same high degree of efficiency. This process can take considerable time, especially to identify and modify any administrative systems which could hamper the transfer of responsibilities. One of the difficulties which can arise is the current status of Center staff members within the personnel system of the United Nations. A related difficulty is the costs of personnel in the United Nations system versus personnel costs within national systems.

b) CAREC

The difficulties mentioned above were foreseen in the establishment of CAREC when this Center was transferred to PAHO in 1975. The agreement upon which PAHO/WHO assumed responsibility for the Center stated that "PAHO/WHO shall establish the policies and procedures

governing the conditions of employment of the staff of the Centre." The locally recruited staff in CAREC were not appointed as PAHO staff members under the UN system but continued as local employees of the Center subject to the labor laws of the Government of Trinidad and Tobago. Their status was relatively unchanged from their employment when the Center was the Tropical Regional Virus Laboratory, funded by Trinidad and Tobago, Guyana, Jamaica, Barbados, Bahamas and the United Kingdom and a part of the University of the West Indies. As a result, the current authorization of PAHO staffing under the UN system at the center consists of 12 professionals. If a decision is reached in the future to transfer responsibility of CAREC from PAHO to the Governments or other activity, the personnel system in effect at CAREC should not hamper the orderly transition of such a transfer.

c) INCAP

The Institute of Nutrition of Central America and Panama has been administered by PAHO since 1949. During the period 1980 to 1983, a process was initiated to transfer the responsibility of the administration of INCAP from PAHO to the Governments of Central America and Panama. This process was facilitated by the existing personnel system in INCAP in which the local general service staff were not employees of PAHO but employees of INCAP, which has its own legal identity. This personnel system included INCAP wage scales and INCAP staff rules established and approved by the INCAP Council. In addition, the professional staff at INCAP at the beginning of the process were employed either as PAHO staff under the UN system or as contract staff under individual contracts with INCAP.

To further facilitate the impending transfer of responsibility for the Institute, actions (including new INCAP Staff Rules) were taken by PAHO and the INCAP Council to appoint the professional staff at INCAP as employees of INCAP. Consequently, only two posts at INCAP (the Director of INCAP and the Administrative Officer) are PAHO staff within the UN system. Even though the actual transfer of responsibility from PASB to the Governments of INCAP was not effected and the Institute continues to be administered by PAHO (Resolution XXVII of the XXIX Meeting of the Directing Council), the actions taken relative to the personnel systems in effect at INCAP (with only two PAHO staff) have eliminated personnel management difficulties for the Institute in any future transfer of responsibilities.

d) PANAFTOSA

Resolution XXX of the XXI Pan American Sanitary Conference (September 1982) provided in operative paragraph 2 as follows:

2. To keep the Pan American Foot-and-Mouth Disease Center as a regular program of PAHO until such time as the study proposed to PAHO by IICA is carried out and the Governing Bodies can decide the matter.

Subsequently, the Inter-American Institute for Cooperation in Agriculture (IICA) completed its study and it was recommended that PANAFTOSA remain in PAHO with a special agreement on this matter to be negotiated. This study included four options (those for transfer of the Center to IICA and the one which was adopted, for the Center to remain with PAHO). One of the fundamental items considered in the study was IICA's ability to guarantee all the labor rights that PANAFTOSA staff members had acquired under PAHO. These labor rights were the Center staff's status under the UN System, including UN salary scales, staff benefits, pension participation in UN Pension Fund and termination indemnities. Although these were a variety of factors which led to the adoption of the option to have PANAFTOSA remain within PAHO, the staff members' status in the UN System appears to have been a substantial factor in this decision.

e) Summary

If the Organization's policy of working towards a gradual assumption of the administration of Centers by Member Countries in the near future is to be attained, early actions are necessary to identify difficulties which could in the future impair the transfer of responsibility for such Centers. Consequently the Director has initiated a study to develop administrative arrangements, based upon the knowledge gained from the INCAP and CAREC experiences, that will make more feasible the transfer of the functions and responsibilities of the Centers when the national institutions can assume pertinent responsibilities.

4. CEPANZO

The study to develop administrative arrangements to facilitate the future transfer of responsibility for Centers has been initiated in the Pan American Zoonoses Center (CEPANZO). A significant factor in the situation of CEPANZO was the completion of the new Center buildings provided by the Government of Argentina, which were dedicated in November 1984. A Working Group consisting of representatives from the PAHO Legal Office, Personnel Department and Office of Administration visited CEPANZO in January 1985 to study the legal and personnel management aspects of alternative systems for the staffing of the Center. In addition, the mission of this Working Group included the review of the legal and administrative structure of the Center, the identification of fundamental aspects which could impair the future transfer of responsibility by the Center, and the development of solutions. The visit of this Working Group was preceded by an Administrative Management Survey in April 1984 and the establishment of a framework for an alternative staff contractual services system by a Headquarters team in July 1984.

The Working Group contacted Argentine Government agencies and other institutions in Buenos Aires, such as the U.S. Embassy, the Office of the UNDP Resident Representative and local personnel agencies, for the purpose of reviewing and collecting information on their personnel systems, working conditions, and also to review the application of pertinent Argentine labor laws. Where appropriate, documentation was secured from these institutions.

The Basic Agreement between the Government of Argentina and PASB/WHO for the establishment and operation of CEPANZO was also reviewed.

The use of a contractual arrangement to mobilize human resources for CEPANZO operations subject to Argentine labor laws was explored. The increased use of UN volunteers, associates and fellows, and assignment of personnel by governments and other interested institutions on a reimbursable basis, or without salary costs to PAHO, was also given consideration. The use of technical personnel on sabbatical leave was also considered.

The Working Group concluded that the use of an alternative contractual services arrangement for CEPANZO personnel (both Professional and General Services levels) is feasible from both the legal and administrative personnel aspects. The contracts for services would be within PAHO general policies, subject to Argentine labor laws, and contain conditions and benefits similar to those applicable to government personnel performing comparable work. The salaries of the contracted personnel would be directly related to government salary scales with added incentives if required to enhance recruitment of highly qualified personnel.

The new contractual arrangements are likely to provide a significant increase in the flexibility for the management of the Center and should provide significant savings in personnel costs. In addition, these measures would constitute effective transitions for a gradual assumption of the administration of the Center by the national authorities under conditions to be determined later. It is intended that the new contractual arrangements be initially utilized for employment against vacant PAHO posts, which will be abolished in due course. In order to protect the rights of the current staff, the new contractual arrangements will be implemented on an attrition basis as PAHO posts become vacant.

5. CLAP

It is planned that the Latin American Center for Perinatology and Human Development (CLAP) in Montevideo, Uruguay, will be the next Center to be reviewed.

Currently, there are four authorized PAHO posts in CLAP. Additional staffing is provided through local contractual arrangements on a part-time basis, funded by PAHO, the University or the Government. A substantial amount of professional time is provided to CLAP by the services of seconded personnel paid directly by the University.

The current close integration of PAHO, government and university human resources in the operation of CLAP provides a good basis for the elimination of any personnel management activities, which could hinder

the possible future transfer of the responsibilities of the Center to national institutions. The planned review of CLAP is designed to ensure that the legal and personnel situation at CLAP is conducive to a possible future transfer of the Center and to identify other factors which could present difficulties in such a transfer.

6. Summary

The long-range nature of the Organization's policy of working towards a gradual assumption of the administration of Centers by the Member Countries requires that actions be taken to place these Centers in the best possible situation for any possible transfer in the future. Currently, the Director's plans to undertake studies of each Center to identify any legal and administrative/personnel aspects that could present difficulties in such a transfer of responsibilities. The main objective of these studies is to make more feasible and to facilitate the transfer of the functions and responsibilities of such Centers when national institutions can assume the pertinent responsibilities.

The anticipated administrative actions and changes will be accomplished within the prerogatives already authorized to the Director by the PAHO Constitution and policies established by the PAHO Governing Bodies. Any proposal for the transfer of a PAHO Center will be thoroughly explored and will be submitted to the Executive Committee and the Directing Council together with a complete study, as required by operative paragraph 4 of Resolution XXXI of the XX Pan American Sanitary Conference.

It is requested that the Executive Committee take note of the planned studies indicated above. The Director will report progress on these studies in future meetings of the Governing Bodies. The Executive Committee may wish to confirm the Organization's policy of working towards a gradual assumption of the administration of Centers by their Member Countries in the near future, as indicated in Resolution XXVII of the XXIX Meeting of the Directing Council (September 1983).

Annexes

Resolution XXXIII

Multinational Centers

The XVIII Pan American Sanitary Conference,

Having studied Document CSP18/22 and annexes³⁵ containing guidelines for the establishment and operation of multinational centers recommended by the Executive Committee at its 64th Meeting,³⁶ and

Recognizing the value of multinational centers for dealing with health problems of interest to several countries,

Resolves

1 To approve the following general guidelines for the establishment and operation of multinational centers:

a) For the purpose of these guidelines, a multinational center shall be defined as an institution or center administered by international staff and supported to a significant degree by international funds, which provides services for all the countries in the Region, or a group of them in a particular area

b) The establishment and operation of multinational centers shall be based on the priorities arising out of the planning of the PAHO/WHO program. Under this system, each country's appraisal of its health problems shall determine the extent and nature of the international assistance that will best serve to support the health programs of the Member Countries

c) Where the solution of a country's health problems requires services of a standard and capacity not existing in a country, PAHO/WHO will collaborate with the health authorities with a view to strengthening the national institutions in order to meet the needs of the country but resorting, in cases where this is not possible, to national institutions of other countries with sufficient resources

d) Where there are no suitable national institutions to deal with problems of common interest, multinational centers will be planned and developed in consultation with the Governments in order to make maximum use of PAHO/WHO assistance.

e) In their own or related fields, multinational centers should support, assist, and supplement the programs of the countries and should promote international cooperation for the solution of common problems

f) In view of the fact that multinational centers are institutions and are created only when there are no adequate national institutions, international financial assistance is regarded as a long-term obligation. Nevertheless, each multinational center should be reviewed regularly in planning the program and in the light of its importance in relation to the needs of the participating countries.

g) In planning a multinational center, the Director shall seek financial and other support from extra-budgetary sources, in addition to the regular budget. The host Government should provide premises and, as far as its resources permit, also contribute supplies, personnel, and funds. The choice of a location should take into account the resources of the potential host Government as well as any other factors affecting the services rendered to countries

h) Proposals for multinational centers shall continue to be submitted as part of the PAHO/WHO program and budget to the Executive Committee and to the Directing Council or the Conference, for consideration and approval

2 To thank the Director for his report on the program and activities of the existing multinational centers

*(Approved at the tenth plenary session,
8 October 1970)*

Resolution XXXI

Pan American Centers

The XX Pan American Sanitary Conference,

Having examined Document CSP20/3, and annexes, concerning the institutions designated as Pan American Centers,

Considering that these institutions are an integral component of the respective PAHO program, and constitute an effective mechanism for combining the functions of advisory services, teaching, research, and dissemination of information, in accordance with the needs of the countries and the state of technological development in the field,

Noting that efforts of such Centers have a unique role in furthering technical cooperation among developing countries;

Recognizing that under certain circumstances a national center, by agreement between the Government and PAHO, may provide the functions of an international center, utilizing PAHO project support without requiring PAHO administration, and

Noting that the term "Pan American Center" has hitherto been applied indiscriminately both to centers entirely dependent on PAHO and to national centers,

Resolves

1 To thank the Director for the comprehensive report on PAHO Centers

2 To limit the term "Pan American Center" to those whose technical, administrative, and financial affairs are handled by PAHO

3 To accept in principle the recommendations concerning the criteria that distinguish a Center; the procedure for establishing and disestablishing a Center, and the standards and conditions for designation of an Associated National Center

4 To direct that any proposal for the establishment, disestablishment, or transfer of any Pan American Center be routinely submitted to the Executive Committee and the Directing Council and be accompanied by a complete study

5 To recommend that the Director study the specific recommendations for the improvement of operation of the Centers, noting that many of these recommendations relate to the total PAHO program and not to Centers per se, and to implement those recommendations that are feasible

6 To request the Director to commence the regular evaluation process of each Center called for in the report and to entrust the Executive Committee with design of appropriate evaluation methods and review of the evaluation reports

7 To request that the report presented by the working group be completed by describing in greater detail each individual Center, and to ask the Director to submit this to the next meeting of the Directing Council

*(Approved at the fourteenth plenary session,
4 October 1978)*

Resolution XXVII

**Restructuring of the Institute of Nutrition
of Central America and Panama**

The Directing Council,

Having examined Document CD29/17 and Add I on the technical and administrative restructuring of the Institute of Central America and Panama (INCAP),

Bearing in mind Resolutions III, VII, and VIII approved by the INCAP Council in its XXXIV Meeting, held in Panama City on 19 August 1983;

Noting the progress made in restructuring the Institute in its scientific and technical aspects and in its administration;

Bearing in mind that the INCAP Council has requested that the Institute continue to be administered by PAHO under the Basic Agreement signed in December 1953 and in accordance with the new administrative regulations and arrangements approved by the INCAP Council, which were noted by the XXI Pan American Sanitary Conference²², and

Considering that temporary support of the request by the INCAP Council is justified, while maintaining the Organization's policy of working toward a gradual assumption of the administration of Centers by their member countries in the near future,

Resolves

- 1 To take note of Resolutions VII and VIII of the XXXIV Meeting of the INCAP Council concerning the restructuring of the Institute.
- 2 To approve PAHO's continued support to INCAP by temporarily assuming responsibility for the administration of the Institute and, subsequently, appointing its Director and Administrator
- 3 To recommend the provision of this administrative support under the Basic Agreement of December 1953 and the new regulations approved by the INCAP Council, and in accordance with the administrative arrangements for the restructuring of the Institute in the spirit of Resolution XXIV of the XXI Pan American Sanitary Conference
- 4 To direct that this support of PAHO be provided until such time as the INCAP Council or the Governing Bodies of PAHO decide otherwise
- 5 To request the Director to continue the support of PAHO to the operations of INCAP so that it will effectively accomplish its purposes and discharge its responsibilities to its Member Countries toward the provision of improved levels of food and nutrition for their population.

*(Approved at the eighth plenary session,
29 September 1983)*