

directing council



PAN AMERICAN
HEALTH
ORGANIZATION

XI Meeting

regional committee

WORLD
HEALTH
ORGANIZATION

XI Meeting



Washington, D. C.
September 1959

CD11/12 (Eng.)
3 August 1959
ORIGINAL: ENGLISH

Topic 27: Report of the Subcommittee on Basic Documents of the Pan American Health Organization

The Director has the honor to submit the attached report (Document CE37/13 and Annex I) which was made by the Subcommittee on Basic Documents of the PAHO to the 37th Meeting of the Executive Committee. As a result of the study of this report, the Executive Committee adopted Resolution XII recommending that the Directing Council authorize the aforesaid Subcommittee to prepare the French and Portuguese texts of the Basic Documents. The Committee also expressed its thanks to the members of the Subcommittee and the legal advisers of the Pan American Union for the work they are undertaking.

The work of the Subcommittee is continuing. It is expected that another year or more will be required to complete its assignment.

In view of the foregoing, the Directing Council may wish to adopt a resolution along the following lines:

Proposed Resolution

The Directing Council,

Having studied the progress report of the Subcommittee on Basic Documents of the Pan American Health Organization contained in Document CE37/13; and having noted Resolution XII of the 37th Meeting of the Executive Committee,

RESOLVES:

1. To take note of the report of the Subcommittee on Basic Documents of the Pan American Health Organization (Document CE37/13).
2. To authorize the Executive Committee to have the revised texts of the Basic Documents prepared in French and Portuguese as well as English and Spanish.

3. To request the Executive Committee that a further report be presented to the next meeting of the Directing Council.

Annex: Document CE37/13

*executive committee of
the directing council*

PAN AMERICAN
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*working party of
the regional committee*

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37th Meeting
Washington, D.C.
May 1959

CE37/13 (Eng.)

1 May 1959

ORIGINAL: ENGLISH-SPANISH

Topic 12: PROGRESS REPORT OF THE SUBCOMMITTEE ON BASIC DOCUMENTS OF THE PAN-AMERICAN HEALTH ORGANIZATION

On 1 May 1959 the Chairman of the Subcommittee on Basic Documents addressed the following communication to the Chairman of the Executive Committee:

1 May 1959

Mr. Chairman:

I have the honor to transmit herewith a report on the progress made by the Subcommittee on the Basic Documents of the Pan American Health Organization, prepared by its Rapporteur and approved unanimously by the Subcommittee on 28 April (Annex I).

Resolution I of the 36th Meeting of the Executive Committee recommended that the Subcommittee meet prior to the 37th Meeting of the Executive Committee, so as to be apprised of a preliminary text of the Basic Documents. The Subcommittee was provided with an excellent presentation and analysis of the texts of the Constitution and the Rules of Procedure of each of the governing bodies in both Spanish and English prepared by the Pan American Sanitary Bureau in collaboration with the Department of Legal Affairs of the Pan American Union. This is greatly facilitating the work of the Subcommittee.

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

In the course of the Subcommittee's discussion, it was pointed out that although the Rules of Procedure of each of the governing bodies of the Organization state that English, French, Portuguese and Spanish shall be the official languages, there is no provision in the Constitution for official languages. It was suggested that it would be extremely desirable to have the Basic Documents of the Organization available in all 4 languages.

Should the Executive Committee wish to recommend to the Directing Council that it authorize the development of Portuguese and French texts of the Basic Documents, the Subcommittee will be glad to so expand its activities. In the meantime, work will be continued on the basic texts in English and Spanish.

Respectfully yours,

(Signed)
Dr. Jesús Flores Aguirre
Chairman of the Subcommittee on the
Basic Documents

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 XV 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 following persons were named as representatives of their Governments to serve on this Subcommittee:

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

At the first meeting of the Subcommittee, held on 17 April 1959 at 10:00 a.m., Dr. Flores Aguirre was elected Chairman and Mr. Wyatt was elected Rapporteur. In addition to the representatives listed above, there were also in attendance at this meeting, Dr. Charles G. Fenwick and Dr. Luis Reque of the Department of Legal Affairs of the Pan American Union, and Dr. Abraham Horwitz and other officials of the Pan American Sanitary Bureau.

The Subcommittee plans to hold regular meetings and make a thorough study of the basic documents. The Subcommittee is proceeding with its study, on the basis of the worksheets and preliminary notes prepared by the Secretariat in consultation with the Department of Legal Affairs of the Pan American Union.

It is difficult to predict at this time just how long it may take to complete the study of the basic documents. The Subcommittee hopes, however, to submit proposals for textual changes to the next meeting of the Executive Committee.