

*executive committee of  
the directing council*



PAN AMERICAN  
HEALTH  
ORGANIZATION

*working party of  
the regional committee*

WORLD  
HEALTH  
ORGANIZATION



76th Meeting  
Washington, D.C.  
June-July 1976

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Provisional Agenda Item 22

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REDUCTION OF LENGTH OF MEETINGS OF THE  
DIRECTING COUNCIL

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REDUCTION OF LENGTH OF MEETINGS OF THE  
DIRECTING COUNCIL

Introduction

During the XXIII Meeting of the Directing Council several Representatives proposed that consideration should be given to the possibility of reducing the duration of the meeting of the Directing Council, mentioning, amongst other things, the difficulties experienced by Ministers of Health in remaining absent from their countries for two weeks. A similar proposal had previously been made with respect to the Governing Bodies of the World Health Organization (WHO).

As a result of the discussion the Directing Council appointed a Working Group to study the matter, whose report was considered and led to the approval of Resolution XVI in which it was resolved:

1. To request the Director to prepare a study of the constitutional, statutory, and financial implications of each of the measures suggested by the Working Group and any others that are deemed appropriate for shortening the number of days of Directing Council sessions, and to include the topic in the program of the 76th Meeting of the Executive Committee.
2. To instruct the Executive Committee to examine this matter and submit its final recommendations to the next Meeting of the Directing Council.

Under the terms of this resolution the Director is submitting for consideration by the Executive Committee the present document which, in addition to complying with the terms of the resolution, analyzes it in the light of a constitutional and institutional interpretation of the Council's role in the context of the purpose of the Organization, its functional structure, its relations with WHO, the interdependent responsibilities of the Governing Bodies and of the Secretariat, and the precedents set by previous meetings.

Constitutional and Institutional Interpretation of the Council's Role

All matters bearing on the Directing Council's role and responsibilities are to be examined in the context of the structure of the Pan American Health Organization (PAHO).

By authority of the Conference, the Council is required to legislate, that is to say, to interpret the Constitution in relation to the problems submitted for its consideration and to formulate a policy defining the activities and functions of the Pan American Sanitary Bureau (PASB).

The Council also acts as a forum to which Member Governments can bring the results of their experience, and at which they can present their ideas and proposals for the achievement of the objectives of the Organization in the service of the health and well-being of all the countries of the Americas. As part of its legislative function, the Council also fosters the evaluation of programs seeking to achieve positive results that serve the common interests of the Hemisphere.

As a result of its status as Regional Committee of the World Health Organization for the Americas, the Council is also required to apply the Constitution, Rules of Procedure and policies of that body. It should be pointed out here--as it has a direct bearing on the object of Resolution XVI--that the Directing Council as such and as the Regional Committee of WHO considers at its annual meetings an agenda that affects both WHO and the decisions of the World Health Assembly. This presupposes the existence of a program that, even if it is functionally an integrated whole, consists of an extensive series of projects--currently 758 in number--to be financed from the regular budgets of both organizations as well as with funds from other United Nations agencies and from the Inter-American System. From this it is evident that the role of the Regional Committee for the Americas is much broader than that of other analogous organs of WHO.

The Directing Council operates with the valuable support of the Executive Committee, to which it delegates the examination of all matters of special importance and whose recommendations it considers prior to making decisions on them.

As a group, the four components of the functional structure of PAHO--the Conference, the Directing Council, the Executive Committee and the Secretariat, which is the Pan American Sanitary Bureau--are interdependent. Nevertheless--and this they have demonstrated over their long years of experience--the work of the latter two bodies is fundamentally dependent on that of the former two, whose essential role is to legislate, that is to say, to govern.

#### Constitutional and Procedural Provisions Bearing on Resolution XVI

Article 12.C of the PAHO Constitution states: "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." Article 13 adds: "The Council shall elect its own officers and shall adopt its own Rules of Procedures."<sup>1</sup>

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<sup>1</sup> PAHO Basic Documents, Official Document 125, July 1973, pp. 13-14.

According to the above constitutional principle, each Council is empowered to determine its program of work, the final agenda for its meeting, and therefore the time it will devote to the exercise of its responsibilities. From this it follows that a Council has no authority to determine the duration of the meeting of another Council unless the Constitution is amended accordingly.

For its part, the Executive Committee is required to submit a provisional agenda to the Council and recommend to the latter how it considers that it can best perform its functions.

The Secretariat's role is to assist both Governing Bodies to exercise their responsibilities with maximum effectiveness--a role that includes proposing to them any course of action that it regards as vital to the achievement of the purposes of the Organization.

Resolution XVI defines the steps proposed by the Working Party for reducing the duration of the Council's meetings as suggestions only. Thus interpreted these steps are neither inconsistent with the Constitution nor with the Rules of Procedure, as indicated above.

#### Considerations Affecting Meetings of the Directing Council

A reduction in the duration of the annual meeting of the Directing Council must be compatible with its functions and responsibilities under the Constitution and the Rules of Procedure. In this connection it should be remembered that the number of Governments in PAHO and in WHO in the Americas has increased from 24 to 30 since 1961 and it is likely that other countries will join the Organization in the future. The duration of discussions and the scope and nature of the agenda are clearly related to the number of participating Members.

A study of agendas for meetings of the Directing Council over the past 10 years shows that their average duration was eight working days, including the Technical Discussions. The number of agenda items varied from 28 to 42, averaging 36 at each meeting. A review of these shows that 16% of them related to matters that must be considered by the Council by express provision of the Constitution; 16% arose out of its Rules of Procedure and 26% were directly connected with matters arising out of the policy, strategies and programs of the Organization. Subjects raised by the Conference, by previous Directing Councils and by the Executive Committee amounted to 25%, and those specifically bearing on the WHO program to 8%. The balance of 9% represents subjects raised by the governments, in the Technical Discussions, and other questions.

The length of meetings of the Council depends primarily on the scope and nature of the agenda, together with the prior study given to each of its items, the quality of their documentation and presentation, and the extent to which the countries are interested in participating in their discussion.

The importance of some items, by virtue of their nature and of their significance for the inhabitants of the Americas, generally gives rise--as an examination of previous meetings indicates--to prolonged discussion. Amongst these might be mentioned the program and budget of the Organization, the annual reports of the Director of the Bureau and of the Chairman of the Executive Committee, health sector problems and an analysis of their solutions, the formulation of policies, the Ten-Year Health Plan, the exchange of the experiences of governments in areas of common concern, and the participation of other international and non-governmental agencies and bodies.

The Director is in sympathy with the desires of Ministers and Representatives to devote the minimum time necessary to the discharge of the major constitutional responsibilities of the Directing Council. He believes that they will share his view that what is vital is to judiciously select agenda items consistent with the Organization's requirements and the dynamic and evolving role of health programs in the Americas. The duration of meetings should be the outcome of decisions on agenda items and of their exhaustive analysis rather than the point of departure for such decisions.

It is considered that the assignment of increased responsibilities and broader functions to the Executive Committee, especially with respect to the examination of the program and budget, will be of particular value for the purposes of the matter under discussion. A thorough examination of the budget by the Executive Committee, the records made of its observations, the participation of representatives of the Committee in meetings of the Council, the preparation of an ad hoc report on the program and budget and its various components--as is done in WHO--will significantly facilitate the work of the Council and will contribute to a reduction in the duration of its annual meetings.

#### Steps Proposed by the Working Group

The following are the steps proposed by the Working Group with a view to reducing the duration of meetings of the Directing Council, together with some observations:

1. Delegation of a larger measure of responsibility and of a wider range of functions to the Committee, particularly with respect to the examination of the budget, in such a manner that each of the nine members of the Executive Committee having a knowledge of the budget for a specific country can make a more positive contribution with respect to that budget

The new functions and responsibilities of the Committee, primarily its more active participation in the examination of the budget, together with the advice furnished and the contributions of its members at the Council, will represent very valuable assistance in the analysis of the budget that the Council is required to make, as was observed at the last meeting. As, however, under the Constitution it is the Council that is required to decide on the program and its financing, it is not easy to foresee how much time would be involved in the discussion of this topic of special importance to the work of the Organization.

2. Recommendation that the Executive Committee should examine some of the items normally presented to the Council

As a general rule the Committee examines all items submitted to the Council. This recommendation relates to the functions of the Executive Committee, to which reference has already been made. The studies, analyses and evaluations the Committee makes on the policy, programs and other matters mentioned in Resolution XVIII (Functions of the Executive Committee) of the XXIII Meeting of the Council and in the annexed Document CD23/15 will represent an important step in carrying out the responsibilities of the Council and the purposes of that resolution.

3. Limitation of agenda items

Arising out of this recommendation, the Director will present, for consideration by the Executive Committee, a provisional agenda for each meeting of the Council, which will include those items that, in his judgment, have a vital bearing on the realization of the objectives of the Organization. These items will be placed in such an order as to facilitate discussion. After reviewing this agenda, the Committee would forward it, with any amendments, to the Directing Council, which would be required to make a decision on it at its first meeting.

4. Formation of two main committees to work simultaneously, similar in structure to the Pan American Sanitary Conference

The simultaneous work of the two main committees would require a minimum participation of two representatives from each country, which has in fact been the case in recent meetings, with one or two exceptions, and, according to the meeting place selected, a determination would be made as to its cost.

5. Holding of the Technical Discussions on a Saturday

This proposal should be examined by the Executive Committee which, under the terms of Resolution XXVII (Study of the Technical Discussions) is charged with the continuing review of matters relating to it.

6. Holding of the Technical Discussions at the same time as the meetings of the Council, in which case the countries would undertake to nominate specific experts to participate in them

The same observations as those made with respect to 5 above apply here. In addition, it would seem to defeat the purpose of the Technical Discussions which are included specifically for the Delegates.

7. Working documents and observations on these should be very concise in form and their presentation should only be expanded at the specific request of Delegates

The Director proposes to accept this suggestion for the rationalization of documentation and for the maximum possible limitation of presentations by the Secretariat, subject to discussion of the items.

8. Automatic nomination, in the alphabetical order of countries, of the working parties required for the examination of specific agenda items

It is considered that, in practice, this suggestion would have only limited advantages. It is therefore recommended that the President should continue to nominate members to these groups in the light of the interest and participation of the countries in the item under discussion.

9. Recommendation that the daily schedule of meetings of the Council should not be less than eight hours in duration

No observations are being made on this proposal beyond bringing it to the attention of meetings of the committees of the Council, especially the General Committee, as indicated in Part VI, Articles 27 to 32, of the Rules of Procedure of the Directing Council.

10. The meetings of the Council should be scheduled as follows:

Thursday	- Inauguration and procedural matters
Friday	- Technical Discussions
Saturday and Sunday	- Free
Monday to Friday	- Working meetings
Saturday	- Closure

On the other hand, during the discussions at the last meeting, some participants suggested that the meeting should not exceed one week.

As has been indicated, it is considered that the duration of the meetings of the Directing Council should be determined in relation to its agenda. On this assumption, it is not easy to reach a decision on this and other plans. The primary objection is that Ministers or Representatives would travel at the end of the week to attend the working sessions only and would therefore not be present at the first part of the meeting in which the Council decides on its order of business, officers, the agenda and the Technical Discussions.



11. Recommendation that working documents should be properly studied ahead of time so as to avoid the unnecessary use of the floor at meetings

The Director will forward documentation at the earliest possible stage so that the countries may examine it and be in a position to participate in its discussion.

#### Other Proposals

In paragraph 1 of Resolution XVI, calling for other measures to rationalize the annual meetings of the Directing Council, the following suggestions are made:

1. The decision on certain items that do not involve changes in the program and budget and do not conflict with the provisions of the Rules of Procedure of the Directing Council should be made by the Executive Committee, which should report on it to the Council at its subsequent meeting. Mention is made, inter alia, of matters associated with buildings and installations, amendments to the Staff Rules, and the award of prizes.

2. Consideration should be given to the possibility of more effective and systematic organization of discussions. With this in mind it should be recalled that the Directing Council is empowered, under Article 39 of its Rules of Procedure to limit the time allowed to each speaker. Statements may not exceed 10 minutes and presentations of items on the agenda shall be similarly restricted. This measure is mentioned for the sake of completeness but is not recommended, since it would seem to defeat the purpose of full and complete discussion of the issues.

3. At its first meeting the General Committee, in addition to determining the order in which agenda items are to be discussed, should set the time it considers necessary for the discussion of each item. This exercise would permit a better distribution of the time available at each session and allow fuller discussion of those matters that the Council considers to be the most important. As in the case of No. 2 above, this measure is not recommended and for similar reasons.

#### Final Observations

The present document is the outcome of Resolution XVI, approved by the Directing Council at its XXIII Meeting, the purpose of which is to examine the extent to which it is possible to reduce the duration of meetings of this body. The Working Group appointed for this purpose suggested a series of measures, which have been examined by the Secretariat in the light of the experience of the Organization. Others are proposed with a view to the more effective rationalization of the annual process represented by the meeting of the Council, the Governing Body that facilitates the dialogue between the governments and reaches decisions having a major bearing on the health of the inhabitants of the Americas.

The Director has chosen to examine this question, whose importance he recognizes, in the context of the objectives of the Organization, the requirements of its Constitution, its relations with the World Health Organization, and the operational structure with which it is currently provided for the purpose of discharging its responsibilities. This examination shows that the heart of the matter under discussion is the responsibility that the Constitution of PAHO assigns to the Directing Council and that of WHO to the Regional Committee for the Americas, as the Governing Body which is to interpret the Constitution in each specific case and to legislate. Its annual meetings enable it to discharge the responsibilities it has, and which are vital to the progress of the Organization as a whole. The agenda submitted for its consideration should reflect both current and future problems. The duration of its meeting, therefore, should be a consequence of the formulation of the agenda and not its starting point.

In the preparation of the present document, account has also been taken of the experience of recent years arising out of the meetings of this Governing Body, the number and nature of its resolutions, and the fact that the number of Member Governments has increased from 24 to 30 between 1961 and the present.

Resolution XVI of the Council, together with the Working Party's recommendations, are praiseworthy as evidence of the desire of Ministers and Representatives to reconcile the sensitive responsibilities they have as members of their Governments with those they have as Governors of the Pan American Health Organization and the World Health Organization. The examination of the present problem is a constructive step, representing an evaluation of this process and reflecting a desire to accelerate it. Some of the measures proposed are positive and their application, in the form indicated, will enable a reduction to be made in the duration of the meetings of the Council. On the other hand, it might be prudent to consider introducing any changes that might affect the discharge by the Directing Council of its responsibilities on an experimental basis before adopting a final decision on them.

Annex

*directing council*



PAN AMERICAN  
HEALTH  
ORGANIZATION

XXIII Meeting

*regional committee*

CE76/19 (Eng)  
ANNEX

WORLD  
HEALTH  
ORGANIZATION



XXVII Meeting

Washington, D.C.  
September-October 1975

Provisional Agenda Item 11

CD23/15 (Eng.)

7 August 1975

ORIGINAL: ENGLISH

FUNCTIONS OF THE EXECUTIVE COMMITTEE

The Executive Committee discussed the subject of the functions of the Executive Committee at both its 72nd and 74th Meetings, in July 1974 and July 1975, respectively. At its 74th Meeting, the Committee had available an analysis of the Committee's functions prepared by two consultants familiar with the Organization. That analysis (Document CE74/3) is annexed for the benefit of the Directing Council.

Upon termination of the discussion, the Executive Committee adopted Resolution XXXIII and Resolution XL, which read as follows:

RESOLUTION XXXIII

FUNCTIONS OF THE EXECUTIVE COMMITTEE

THE EXECUTIVE COMMITTEE,

Having examined Document CE74/3 on the Functions of the Committee submitted by the Director at the request of the Committee;

Having adopted a number of resolutions, the most important being Resolutions XIV, XVIII, and XIX; and

Having also adopted amendments to the Rules of Procedure of the Executive Committee, which imply greater participation by the latter, within its functions under the Constitution,

RESOLVES:

1. To transmit to the XXIII Meeting of the Directing Council the document "Functions of the Executive Committee" (CE74/3) and the records of the discussion of this item in the Executive Committee.

2. To thank the Director for preparing the document and in particular the consultants of the Pan American Sanitary Bureau who drafted it.
3. To request the Directing Council to take note of the action taken by the Executive Committee to enable it to function more effectively.

RESOLUTION XL

REPRESENTATION OF THE EXECUTIVE COMMITTEE AT THE  
XXIII MEETING OF THE DIRECTING COUNCIL,  
XXVII MEETING OF THE REGIONAL COMMITTEE  
OF WHO FOR THE AMERICAS

THE EXECUTIVE COMMITTEE,

Having considered Documents CE74/6 and CE74/3 and Addenda I and II presented by the Director;

Bearing in mind Rule 14 of the Rules of Procedure of the Executive Committee;

Concurring in the suggestion of the Director to the effect that the representatives of the Executive Committee might take a dynamic role with respect to the explanation and defense of the program and budget estimates recommended by the Committee while they are under consideration by the Directing Council or the Conference; and

Recognizing that a change in the representation of the Committee in the Directing Council and the Conference will require changes in the Rules of Procedure of the Executive Committee,

RESOLVES:

1. To amend Rule 14 of the Rules of Procedure of the Executive Committee, to read as specified in Document CE74/3, Addendum II.
2. To authorize the Director to arrange for the attendance at this and future meetings of the Directing Council and the Conference of up to three representatives of the Committee.
3. To request its representatives to interpret the views of the Executive Committee to the Directing Council or to the Conference with respect to all of the Committee's actions and recommendations, but with special attention to the program and budget estimates recommended by the Executive Committee.

4. To designate Dr. Roberto Pereda Chávez (Cuba), Chairman, to represent the Executive Committee at the XXIII Meeting of the Directing Council, XXVII Meeting of the Regional Committee of WHO for the Americas.
5. To designate Dr. W. J. S. Wilson (Jamaica) to serve as alternate, in case Dr. Pereda is unable to attend.
6. To designate Dr. Everardo González Gálvez (Panama) and Dr. Robert de Caires (United States of America) to attend the same meeting, together with the Chairman or his alternate, and Dr. Luis A. Valle (Bolivia) and Dr. Gaston Deslouches (Haiti) as alternates.
7. To designate Dr. González, Dr. de Caires, Dr. Valle, or Dr. Deslouches, in order, to serve as principal representative, in the event that neither Dr. Pereda nor Dr. Wilson is able to attend, and each in order to serve as designated members in case the preceding member is unable to attend or has been designated to serve as principal representative.

Pursuant to Resolution XXXIII, the précis minutes of the discussion may be found in Official Document 138.

With respect to Resolution XL, the text of the amended Rule 14 of the Rules of Procedure of the Executive Committee may be found in Addendum II to Document CE74/3. It authorizes the Committee to designate three members to attend meetings of the Council, and requests these members to interpret the discussions and the actions of the Committee to the Council, with special reference to the program and budget. Resolution XL also designates the persons who are attending the XXIII Meeting of the Directing Council on behalf of the Executive Committee.

Annexes

*executive committee of  
the directing council*

PAN AMERICAN  
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the regional committee*

WORLD  
HEALTH  
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CD23/15 (E)  
ANNEX I



74th Meeting  
Washington, D.C.  
June-July 1975

Provisional Agenda Item 11

CE74/3 (Eng.)  
31 May 1975  
ORIGINAL: SPANISH

FUNCTIONS OF THE EXECUTIVE COMMITTEE

Introduction

At its 72nd Meeting (July 1974) the Executive Committee again discussed the nature and scope of its functions, more particularly those relating to the consideration of the Proposed Program and Budget of the Organization. The conclusions deriving from the several statements of the Members of the Committee may be summarized as follows:

- the need for a more accurate definition of the functions of the Committee;
- doubts concerning the real value of its recommendations to the Governments and, more particularly, to the higher organs of the Organization: the Directing Council and the Conference;
- a positive interest on the part of the Committee in devising new working procedures enabling it to fulfill more efficiently and effectively its responsibilities, in particular those relating to the consideration of the Proposed Program and Budget; and
- the likelihood that changes may be necessary in both the Constitution and the Regulations in order to achieve these purposes.

As a result of these discussions, the Committee adopted Resolution XXIX, according to which "Having heard the comments made by the members with regard to its functions; and Considering that there is a need to define those functions with greater clarity, and particularly to determine whether the procedures being followed are the most effective in order to fulfill its Constitutional responsibilities," resolved "To recommend to the Director that he prepare a document on the subject with a view to facilitating the

role and functions of the Executive Committee, especially in the review of the Program and Budget of the Organization."<sup>1</sup>

The purpose of this paper is to comply with those instructions by providing analysis of the legal provisions, customary practices, analogous application and the structural relationships that have so far determined the functions of the Committee.

### Constitutional Bases

The functions (and consequently the derived powers and inherent limitations) are specifically established in Chapter IV, Article 14, of the Constitution of PAHO. Financial Regulations Articles 3.5 and 3.6 refer to consideration of the Proposed Program and Budget and Article 6.9 requires the previous concurrence of the Committee to empower the Director to borrow funds. Similarly Article 16.1 requires prior confirmation by the Committee before the Council or the Conference can take action on amendments to the Financial Regulations proposed by the Director.

Entry into force of modifications to the Financial Rules is subject to confirmation by the Committee (Article 101.3). The Rules of Procedure of the Committee do not contain any provisions expanding or changing in any way the basic rules established in the above-mentioned instruments.

Careful examination of the functions of the Committee as thus defined makes it possible to group them into three categories, as follows:

- clear and precise executive functions: paragraphs A and B of Article 14 of the Constitution (To authorize the Director of the Bureau to convoke meetings of the Council; and To approve the provisional agenda of meetings of the Conference and of the Council);
- unspecific executive functions: paragraph E of the same Article (To discharge any other function assigned to it by the Conference or the Council); and
- advisory functions: paragraphs C and D of the above-mentioned Article (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; and 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.

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<sup>1</sup>Final Report, Doc. CE72/FR, p. 40.

It is obvious that this classification is an arbitrary one since the work of the Governing Bodies is inseparable, both individually and collectively. It is governed by the provisions of the Constitution and grows with the Organization in its services to the Governments.

From this it is evident that all the activities of the Executive Committee are significant to the operation of PAHO/WHO. The functions of the second category will depend on the initiative of the Council or the Conference, which can be foreseen as increasing. Undoubtedly the advisory and auxiliary functions are those which have mainly occupied the attention of the Executive Committee in the last few years. For this reason it is important to determine their nature and value and ascertain whether or not they are truly executive in character or not.

#### Textual and Contextual Analysis

It has been held that the PAHO Executive Committee should not be designated executive because it does not really execute anything, the program of the Organization, for example. This observation is the result of a superficial application of grammatical analysis to the name of that body. In the context of the legal structure of the Organization, the Executive Committee executes (does, carries out, performs) the functions that that structure and the Constitution assign to it. This last point is particularly true with respect to the consideration, criticism and orientation of the Program and Budget of the Organization in which the Committee performs an effective directing and orienting role.

The particular functions of the other organs of the Organization--the Conference, the Directing Council, and the Pan American Sanitary Bureau--are defined in the Constitution. The Conference is "the supreme governing authority of the Organization," but between meetings of the Conference, the Council acts in its name with all the prerogatives of the Conference. The only significant difference between these two organs is that the Director is elected, and the quadrennial reports of the Director and of the Governments are presented, at the Conference, each of whose meetings marks the end of a governing cycle corresponding to the term of office of the Director. The Council is empowered to elect a Director ad interim in circumstances laid down in the Constitution.

The Conference, and on its behalf the Council, determine the general policies of the Organization (Article 4, Subsection B of the Constitution), that is, establish the doctrine and policy of the Organization and supervise its implementation. These functions are clearly executive and directive in terms of the carrying out acts implicit in this responsibility.

The administrative functions (the only ones that, in the normally accepted sense, could be characterized as really "executive") are reserved by



the Constitution for the Bureau, whose responsibilities are specified in the Pan American Sanitary Code, in addition to those assigned to it by the Conference and the Council.

Summarizing this contextual analysis, it may be said that the three Governing Bodies of the Organization are all executive, normative and directive.

Thus the interpretation of the adjectives "directing" for the Council and "executive" for the Committee is less important than their respective areas of jurisdiction and structural relationships.

#### Analogous Examination

It is justifiable to compare the WHO Executive Board and the PAHO Executive Committee. Although both organs are auxiliary to the higher organs of the two organizations (the World Health Assembly in WHO and the Conference and the Council in PAHO), the WHO Executive Board has been assigned more executive functions than the PAHO Executive Committee (See Article 28 of the WHO Constitution and Article 14 of PAHO Constitution); nonetheless, Chapters VIII, IX and XII include the responsibilities of the Executive Committee.

If in their operational aspects both organs are comparable, formally they are fundamentally different in that members of PAHO Executive Committee represent their Governments, whereas those of the WHO Executive Board act solely in an expert capacity. Whether as a result of its own initiative or so delegated by the Assembly, the Board considers questions which might be of importance if not to all countries at least to many. The legislator hoped that in this process its Members would not be influenced by national or international political thinking.

Experience shows that in the case of the PAHO Executive Committee, in spite of its representative nature, its decisions or recommendations frequently have implications for the whole Hemisphere and not simply national significance.

#### Structural Analysis

The organizational structure of PAHO may be considered to be a set of interdependent systems and subsystems, the reciprocal relationships of which have given rise over the years to natural laws regulating the functions of the parts and ensuring the harmony of the whole. They are divided into deliberative functions (legislative, directive, policy making), advisory (auxiliary) and executive (administrative).

It might be claimed that the legal structure of the Organization and the relationships between the various components of its organizational structure were established with a view to furthering the achievement of

PAHO's objectives. In the case of the Executive Committee, the object of study of this paper, whatever its qualifying adjective, its functions, the form in which it has been "executive" since its inception, and the consequences of its recommendations for the smooth running of the Organization, it is clear that they have been dictated by a healthy tradition, even if there is room for improvement.

#### The Committee and Consideration of the Program and Budget

It is in this area that in recent years the Committee has fully and efficiently discharged its constitutional duties. In practice, three-quarters of the time of the Committee's annual June-July meetings (and certain of them cover up to 10 sessions), are devoted to a careful consideration of the program of the Organization and its financial expression in the budget. Between 1964 and 1974, 717 individual statements on this subject had been recorded, that is, an average of 72 per meeting. In this task, the Committee has the support of the Director and the entire Secretariat. The presentation of the proposed programs involves examination of their nature in relation to the dynamics of the health problems of the Region and the various determining factors influencing priorities and justifying the distribution of the human and material resources of the countries and the Organization, all of which are dependent on the international political and financial situation.

In addition, the Director helps to orient members of the Committee, outlining in the case of each program pertinent factors and changes, as well as expansions of activities made possible by actual or potential investments.

It must be borne in mind that every year there are inevitable differences between projections and actuality, determined by circumstance, changes in authority, the priorities of the Governments, the practicalities of policies, and natural or other disasters which necessitate changes in the course of a development program in order to attend to more pressing needs. The process of health planning must in fact follow the desires of the Governments and the international organizations to direct decisions and effective resources to basic health problems, both in services to persons and to infrastructures.

It is customary for the Chief of Administration to give a detailed account of the structure of the document, the modalities of its composition and its funding sources.

Analysis of each program area is the responsibility of the chiefs of departments and specialists, who also answer questions raised by members of the Committee.

This system can of course be modified in keeping with the variations in methods of procedure for examination determined at each meeting. The most significant achievements in presentation of the budget document have resulted from such combinations of efforts.

The Committee was previously more involved in the Program and Budget, since it was in effect responsible for its preparation. Nonetheless, in practice, the Director actually prepared it, since the Committee, not being a full-time working body, could not carry out this function in its entirety. In order to regularize the procedure, the Committee itself, by Resolution CE34.R17 of May 1958, suggested to the XV Pan American Sanitary Conference that it adopt a constitutional amendment assigning the preparation of the budget to the Director and its consideration and transmittal to the Conference or to the Council, to the Committee. The Conference adopted the amendment in Resolution CSP15.28 (October, 1957). These changes also stemmed from similar provisions in the WHO Constitution.

Consideration of the Program and Budget is translated into resolutions directed to the Conference or Council, as the case may be, with recommendations for their approval, together with the report of the meeting of the Committee. This consists of minutes of the statements of participants, as corrected by them, on all the items on the agenda of the meeting. It must be recognized, however, that this document does not give a clear picture of the comments of the Committee as a whole on the Director's proposals regarding the Program and Budget.

Here, it might be possible to follow the WHO practice in which the Board prepares an ad hoc report of its views on the budget as a whole and its components. To this end, the Committee would previously have to determine the form of the report in order to ensure that its contents were consistent with procedure followed in consideration of the budget document, and that it would answer those questions considered essential by the members for stating their views on PAHO's activities and investment in any particular year. The importance of this kind of genuine participation of the Executive Committee in the execution of the functions of the Organization needs to be stressed. In fact, if the Committee, after prior and careful consideration, poses what appear to be the vital questions before its statement on the Program and Budget, in its components and as a whole, the resulting report of its deliberations would enormously help the Council or Conference in what is, after all, one of the most important resolutions of its commitment. Such an exercise, based on pre-established norms reflecting the opinion of the Committee on what it considers essential to know and understand will, in turn, have significant repercussions on the activities of PAHO and their due development. It is worth reiterating, however, that it is up to the Committee to indicate its areas of interest and the relevant information it requires.

In this way, the preoccupation expressed on a number of occasions by members of the Committee, that is, their genuine desire to fulfill their constitutional responsibilities in order to better serve the purposes of the Organization, can be satisfied. Of course this suggestion should be taken into account along with those relating to the other functions of the Committee outlined in this paper.

In principle, as we interpret the Constitution, the Governing Bodies have the right and the duty to be closely involved in the principles, objectives, approaches and strategies of each program on which their general and specific policies are based. This being the case, the emphasis should be on analysis of programs rather than of specific projects, since the latter normally originate from the Member Governments and their formulation and execution is a matter of understanding between the country or groups of countries and the Secretariat.

The Governing Bodies could, for example, periodically analyze the health planning process and current methods involved. In the Americas, the system of quadrennial projections forms part of this process and allows the Governments to determine what they require and expect of PAHO/WHO. If the Committee, Council or Conference were to review and evaluate these approaches, they would be assisting the authorities of each country to turn to the Organization and, by analogy, to all the other international technical, financial and advisory bodies, with genuine priorities in view. In other words, their requests for advisory services would reflect their real health needs.

The Governing Bodies, in exercising their responsibilities, must be informed of whether this process takes place and whether, where PAHO/WHO cooperation is concerned, it is effective and efficient in the case of each program. These ideas have been pointed out and stressed repeatedly by the Director General of WHO. In order to put them into practice, it is essential that the Conference, the Council and the Committee give prior notification of the methods and procedures they propose to adopt for revising a strategy, system or program. To this end it is obvious that the Secretariat would have to provide the Governing Bodies with all the necessary background to help them select whatever working techniques would ensure the establishment of the most appropriate policy at any given moment in the life of the Organization.

The preparation of the budget for a specific year actually begins two years previously in the countries. As already pointed out, where there is an active health planning process, the quadrennial projections system and the evaluation of each program and project help the Government to indicate its requirements of the Organization. This in turn leads to a series of revisions, including regional and intercountry programs, at the Zone and Central Office levels. The projects total is then submitted to the Director General, whatever their source of funding, including those financed by the regular budget of WHO. Once these have been approved by the World Health Assembly, the consolidated Program and Budget is presented for consideration by the Executive Committee and then transmitted, together with the Committee's report, to the Council or Conference.

Under the Constitution, the Director is assigned to prepare the budget, but its proposals, a process in itself, should be analyzed and modified by the Governing Bodies. This system has so far operated smoothly and should not be changed as regards differentiating clearly between the

legislative function of the government organs and the executive function of the Pan American Sanitary Bureau. In other words, the present Rules of Procedure are effective in that the Program and Budget is presented as a cohesive unit by the Director for consideration by the Executive Committee and then submitted for decision to the Conference or Council on the basis of the Committee's observations.

Nevertheless, the formulation of the Program and Budget could be improved both at the preparation stage, and this largely depends on the nature of country health planning, and at the analysis stage, where the clearer and more precise the questions raised by the Governing Bodies before study the more productive these improvements would be.

As local programming is perfected and contacts between the national health authorities and representatives of the Organization are improved and intensified, there is no doubt that the activities of the Organization will increasingly reflect the result of an orderly process of planning and evaluation. We believe that the work of the Committee will then be much more involved with the general orientation of the program and its ramifications than to each individual project. For that purpose, and notwithstanding its representative nature, the Committee will work as a group of health experts.

#### Other Areas of Action by the Committee

Within the compass of its constitutional powers (to advise "on its own initiative," Article 14, paragraph D), the Committee may undertake special studies aimed at more efficient conduct of the programs of the Organization or improvement in the productivity of its administrative structures. These studies may be of two kinds:

- studies on technical and administrative aspects of programs and projects; and
- studies on the structure and function of the Pan American Sanitary Bureau.

Studies of the first type would in actual fact be analyses of or critical approaches to some of the more important health problems of the Hemisphere and the Organization's current methods of studying and dealing with them.

This analysis would also serve to emphasize the role of PAHO/WHO and other international agencies. As an example, there are the areas of malaria, tuberculosis, zoonosis, environmental sanitation, formulation and implementation of food and nutrition policies, manpower resources development, health systems, regionalization of combined teaching and care activities, planning and integrated rural care and so on.

To decide upon the advisability, feasibility and actual usefulness of these studies, the Committee should bear the following circumstances in mind:

- the Organization is constantly conducting studies of this type through the Secretariat or in seminars, study groups or other technical meetings;
- the Technical Discussions of the Council or of the Conference have the same end in view;
- the Committee itself is not composed of experts in all fields of health, and therefore to undertake a study of any of these fields the Secretariat would have to provide the background information or, in the case of a highly specialized field, it would have to appoint a specialist; and
- it is desirable to avoid at all costs duplication of expenditure and efforts.

Nevertheless, the Committee may deem it necessary to study a particular problem in depth with regard to its current situation, the prognosis for its evolution and the possible contribution for its solution of research currently undertaken or to be undertaken. What is essential, however, is that the Committee indicate to the Secretariat beforehand those areas which are of particular interest because they are directly related to the present or future work of the Organization.

Studies of the second type appear, on the other hand, to be more in line with the role of the Committee as laid out in the Constitution. These studies could be related to the structure of PASB in its administrative practices, institutional relations within the inter-American system and the United Nations, and other similar matters of increasing complexity. For the purpose of illustration, we mention the following areas:

- analysis of the various components of the structure of the Pan American Bureau;
- relationship between the Central Office, Zone and country levels;
- study of the actual benefit to Governments of Regional or intercountry projects and their financial expression in the budget;
- periodic study of the institutions or centers administered by the Organization. Over the last few years the Executive Committee has both heard and commented on the Director's report on these establishments. We believe that if, with prior notice, members of the Committee indicated the particular area of activities of these centers

they were interested in, there would be more beneficial effects on the centers, on the basis of the background information gathered to this effect by the Secretariat. In certain cases it is possible that members of the Committee would wish to visit a specified center and form an impression of its activities in situ and relay the information to the Committee. If this eventuality were to arise, it would of course be in relation to regional programs, or programs involving a number of countries;

- study of traditional practices relating to agreements, letter-agreements, plans of operations, and other similar documents signed with the Governments for the conduct of projects and specifying the commitments of all parties;
- the relations of the Organization with international or bilateral funding sources;
- short-term consultants, their functions, work methods and results of their recommendations;
- the process of health planning and the system of quadrennial projections;
- evaluation of the Ten-Year Health Plan 1971-1980;
- the relations of the Organization with subregional health agreements and their agencies: Conference of Ministers of Health of Central America and Panama, Hipólito Unánue Agreement on Cooperation in Health Matters between the Countries of the Andean Area; Conference of Ministers of Health of the Caribbean Area; Meeting of Ministers of Health of the River Plate Basin; and with bilateral and multi-lateral border agreements;
- awards of fellowships and implementation of the system; awards to nationals studying in their countries of origin;
- PAHO Research Program: its aims, results and financing. The PAHO Research Advisory Committee and its work;
- coordination of PAHO with other organizations within the inter-American system and the United Nations;
- PAHO publications;
- the Regional Libraries of Medicine and the Pan American Biomedical and Social Information Network; and
- PAHO/WHO methods of procedure, including the assignment of international activities to nationals in their own country.

The conduct of these and other studies by the Committee represent its collaboration with the Organization as a whole. The reports of the Committee on these questions would have to be submitted to the Conference or the Council and whatever the final decision these studies and reports would in any event be a valuable source of information for the Governments.

#### Methods of Work of the Committee

The Committee carries out its work through:

- its annual meetings;
- its recommendations to the Conference or the Council, the Director and the Governments themselves;
- the annual report of its Chairman to the Conference or the Council;
- providing the Director with consultations in the interval between its meetings, in accordance with current regulations; and
- the presence of its Chairman or other member designated by the Committee at the meetings of the Conference or the Council.

The present arrangements for meetings of the Committee do not need to be changed if its activities are not increased. Experience shows that the annual June-July meeting, now extended to 10 working days, is sufficient for dealing with the items on the agenda, particularly consideration of the Program and Budget, which will always be its major responsibility. If the Committee decides to conduct studies like those proposed here or elsewhere, the session devoted to consideration of the respective reports may have to be extended by one or two days. Whatever the arrangement adopted, the costs involved for the Organization and the obligations involved for the members of the Committee should be taken into account.

At its July 1974 meeting, some members of the Committee again expressed doubts about the real value of its recommendations to the other organs and to the Governments themselves. A comparative analysis of the resolutions forwarded by the Committee to the Council or Conference and those approved by the said Governing Bodies does not confirm this impression. For this analysis we have reviewed all the Executive Committee resolutions tabled between 1964 and 1974. In order to determine their outcome in terms of decisions taken by the Council or Conference we have classified them into the following four categories:

- a) those approved without modification;
- b) those involving a change of form only, that is, in which the essential facts and features arising from discussions were accepted without change;



- c) those involving basic modifications, where the Council or Conference either did not accept the proposal of the Committee, which is unusual, or edited it with substantial differences involving repercussions on the policy of the Organization and its subsequent instructions to the Secretariat; and
- d) those not forwarded: this is to a certain extent a miscellaneous group including resolutions of the Committee on questions examined in the following year in the light of new information; or not forwarded because their content was outside their sphere of competence; or as in the case of the Council meetings which followed the II and III Special Meeting of Ministers of Health, the time available in session did not allow for consideration of the matters proposed by the Committee.

Obviously, like any classification, this is an arbitrary one. Nonetheless it relates to the cardinal theme which is to determine to what extent the work of the Committee directly influences the resolutions of the Council and the Conference. On the basis of the foregoing categories, of the total of 194 resolutions tabled by the Committee between 1964 and 1974 and forwarded to the Council or Conference, 80% were approved without modification of substance or form and only 20% were substantially modified. The relevant data are given in the following tables:

DECISIONS ON EXECUTIVE COMMITTEE RESOLUTIONS  
FORWARDED TO THE DIRECTING COUNCIL OR TO THE  
PAN AMERICAN SANITARY CONFERENCE, 1964-1974

<u>Years</u>	<u>No Modification</u>	<u>Modification in Form</u>	<u>Modification in Substance</u>	<u>Not Forwarded</u>	<u>Total Resolutions</u>
1964	6	5	4	-	15
1965	4	9	3	2	18
1966	3	6	4	5	18
1967	4	6	5	6	21
1968	6	5	3	7	21
1969	9	7	9	2	27
1970	6	10	3	2	21
1971	11	1	2	9	23
1972	14	2	2	6	24
1973	12	6	5	1	24
1974	16	4	2	7	29
<u>Total</u>	<u>91</u>	<u>61</u>	<u>42</u>	<u>47</u>	<u>241</u>

PERCENTAGE DISTRIBUTION OF DECISIONS ON EXECUTIVE  
COMMITTEE RESOLUTIONS FORWARDED TO THE DIRECTING  
COUNCIL OR TO THE PAN AMERICAN SANITARY CONFERENCE

<u>Years</u>	<u>No</u> <u>Modification</u>	<u>%</u>	<u>Modification</u> <u>in Form</u>	<u>%</u>	<u>Modification</u> <u>in Substance</u>	<u>%</u>	<u>Not For-</u> <u>warded</u>	<u>%</u>	<u>Total Reso-</u> <u>lutions</u>
1964-1974	91	37.8	61	25.3	42	17.4	47	19.5	241

The outcome of any of these recommendations depends on its inherent quality, feasibility and the sphere of competence in which it was elaborated. Given the already stated advisory nature of the Committee it is reasonable to admit in principle that what it proposes is in general destined for ultimate decision by the other Governing Bodies of PAHO and WHO. It must be remembered, however, that on occasions even more important than the resolution itself is the analysis of the background, of which the resolutions are the synthesis. For this reason the views of members of the Committee as representatives of their Governments are of vital importance to the resolutions approved by the Council or the Conference. In that they act as specialists in the health field, their experience, translated as views, is of paramount significance.

The survey carried out indicated that normally the comments made by members of the Committee were satisfactorily answered during sessions or carefully considered by the Director and later embodied in the programs and projects of the following years. It has been customary for the Director and staff of technical and administrative departments to study the resolutions of the Governing Bodies in the weeks following the various meetings. From this study, which includes the suggestions of members of the Governing Bodies, there emerges the practical measures to be taken within the framework of the policy and objectives and methods of procedure of the Organization.

The presence of the Chairman or other Member of the Committee designated by him at the meetings of the Conference or the Council has not up to now been used to best advantage to emphasize the responsibilities assumed by the Committee in relation to its sphere of competence on matters included in the agenda of the other Governing Bodies. We believe that it is worth formalizing the activities of the representative to the Council. In general the representative should not feel limited to speak only when requested to do so but should ask for the floor whenever he needs to explain the activities of the Committee, or any other time he considers it necessary.

At the Conference the agenda is covered by two committees, and contains topics already studied by the Committee. The representative should express the opinion of the Committee before deliberations begin. This practice is successfully followed at the World Health Assembly.

This paper proposes that an ad hoc report be prepared by the Committee on its consideration of the Program and Budget and that this be summarized by the Chairman who would outline its essential features to the Council or Conference. This should also apply to the special studies here recommended for expanding the functions of the Committee for the benefit of the Organization as a whole.

The reading of the Annual Report of the Chairman of the Committee to the Conference or the Council is a long-established practice. Usually the report is approved without discussion, probably because it is essentially a narrative document without critical content. Undoubtedly this procedure could be improved if the Committee decides to expand its sphere of action within the terms of the Constitution. We would also suggest that members of the Committee consider the form of the presentation they wish to make to the other Governing Bodies through the intermediary of the Chairman. In other words, the Committee should outline its views and relevant questions, which would undoubtedly further the preparation of the report in that the essential comments made on the agenda would be included. Furthermore, if agreement was reached on greater participation of the Chairman or Committee member at the Council or Conference sessions, the Committee's commitment would be further enhanced.

The foregoing proposals are put to the Committee for consideration in accordance with the wishes of its Members, as expressed at the 72nd and 73rd Meetings. We believe we have correctly interpreted their genuine desire to place all their knowledge and experience at the service of PAHO and WHO as they exercise their responsibilities in their own Governing Body. If these proposals are accepted or modified, or if others are elicited as a result of study of this paper, the overall result will be to stimulate more dynamic activity on the part of the Committee, expand its sphere of action, raise its status within the Organization, and help it to contribute more actively in the areas of direction and orientation.

The implementation of these proposals does not require constitutional changes since they are based on current provisions. Their implementation will depend on the initiative of the Committee itself and the support it receives from the other Governing Bodies and the Secretariat.

#### Summary and Conclusions

The Constitution of PAHO defines the functions of the Executive Committee in an unequivocal manner, which does not leave room for alternative interpretations. According to that definition, the Committee is an advisory and auxiliary organ of the Council and the Conference.

The designation "executive" poses a purely semantic problem which does not change the nature and scope of the functions assigned to it within the general context of the legal structure of the Organization.

Just as the Conference and the Council are deliberative and directing organs, so too is the Committee; but it is so by delegation from those organs, since the majority of its decisions must be confirmed by one or the other.

Its function as advisor to the Conference or the Council may be the result either of an express request from them or of its own initiative. This provision offers broad and varied opportunities to the Committee and justifies a review of its responsibilities and the possible modifications and extensions thereof as suggested in this document.

The main function of the Committee is the consideration of the Program and Budget of the Organization, in which significant advances have been made over the last 10 years. This is brought to light by the analysis of the work undertaken by the Committee during that period: the survey shows that, of the resolutions tabled, 80% were approved integrally or with slight modifications of form by the Conference or Council. Furthermore, the observations of the Members were carefully considered by the Director and put into action with consequent effect on the programs of the following years.

Nonetheless this process can be improved and some suggestions to this effect are presented in this document.

As we have pointed out, in accordance with the provisions of the Constitution the Director is responsible for preparing the Program and Budget for a specific year, in consultation with the Governments, through a continuous step by step process, and in keeping with the form previously approved by the Governing Bodies. The Committee has the delicate and vital task of reviewing the Program and Budget in depth, in its entirety and in its essential components, whatever the financing sources; and in this task it enormously assists the final decision of the Council or Conference. This paper also provides a number of ideas on new approaches to carrying out this activity.

In addition to its principal function, the Committee may also provide valuable assistance by means of special studies or reports on technical, administrative or structural aspects, or specific activities of PAHO/WHO.

With this in mind, and indeed for the purpose of consideration of the Program and Budget, it should be stressed that it is essential that the Committee determine in advance those matters of interest to it and the nature and volume of information required so that the Bureau can provide it and thus further its conclusions.

The method of work followed by the Committee so far is the result of the self-imposed limitation of its functions. If these functions are enlarged along the lines proposed or in any other way, present procedures will have to be modified and improved for the good of the Organization.

The representative nature of the Committee, as opposed to that of the WHO Executive Board, is not a fundamental impediment to the performance of its functions, providing its members act, policywise, as independent health experts. This is what has happened in the past and experience has shown that it was a wise decision. We feel that this practice should continue and will be the more effective if the Governments designate health experts.

The suggestions presented in this paper do not require constitutional changes. If changes were at any time necessary in order to redefine or redistribute functions among the Governing Bodies, the strength of the natural laws or relationships between the component parts of a governing, directing and executing structure should not be overlooked.



*executive committee of  
the directing council*

PAN AMERICAN  
HEALTH  
ORGANIZATION

CD23/15 (Eng.)  
*working party of  
the regional committee*  
ANNEX II

WORLD  
HEALTH  
ORGANIZATION



74th Meeting  
Washington, D. C.  
June-July 1975

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Agenda Item 11

CE74/3, ADD. I (Eng.)  
26 June 1976  
ORIGINAL: ENGLISH

FUNCTIONS OF THE EXECUTIVE COMMITTEE

Proposed Amendment to Rule 14 of the Rules of Procedure of the Executive Committee

Rule 14

The Executive Committee shall be represented at meetings of the Directing Council or of the Conference by its Chairman. The Chairman may be accompanied by as many as two others appointed by the Committee from among its members. The Committee may also designate alternates in the event that either the Chairman or the other members designated are unable to attend the pertinent meeting of the Directing Council or the Conference.

The representative(s) of the Committee shall be responsible for making appropriate reports on the actions and discussions of the Executive Committee, containing such information as may be useful in the deliberations of the Council or Conference. In particular, the representative(s) of the Committee should present the Committee's views on the program and budget proposed by the Director, should summarize its essential features, and make recommendations on the proposed program and budget as a whole.

*executive committee of  
the directing council*



PAN AMERICAN  
HEALTH  
ORGANIZATION

*working party of  
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ANNEX III

WORLD  
HEALTH  
ORGANIZATION



74th Meeting  
Washington, D. C.  
June-July 1975

Agenda Item 11

CE74/3, ADD. II (Eng.)  
1 July 1975  
ORIGINAL: ENGLISH

FUNCTIONS OF THE EXECUTIVE COMMITTEE

Amendment to Rule 14 of the Rules of Procedure of the Executive Committee,  
as approved by the Committee on 30 June 1975

Rule 14

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The representative and the other members designated by the Committee shall be responsible for making appropriate reports on the actions and discussions of the Executive Committee, containing such information as may be useful in the deliberations of the Council or Conference. In particular, the representative and the other members designated by the Committee should present the Committee's views on the program and budget proposed by the Director, should summarize its essential features, and make recommendations on the proposed program and budget as a whole.