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PAN AMERICAN SANITARY ORGANIZATION

MEETING OF THE DIRECTING COUNCIL

Buenos Aires, September 24, 1947

CONSTITUTION

of the

PAN AMERICAN SANITARY ORGANIZATION

(Text approved during the Plenary Session, October 1, 1947)

PREAMBLE

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

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

CHAPTER I

THE ORGANIZATION

Article 1: Purposes: The fundamental purposes of the Pan American Sanitary Organization shall be to promote and coordinate efforts of the Countries of the Western Hemisphere to combat disease, lengthen life, and promote the physical and mental health of the people.

Article 2: Membership:

A. The Pan American Sanitary Organization is at present composed of the twenty-one American Republics. All self-governing nations of the Western Hemisphere are entitled to membership in the Pan American Sanitary Organization.

B. Territories or groups of territories within the Western Hemisphere which are not responsible for the conduct of their international relations shall have the right to be represented and to participate

in the Organization. The nature and extent of the rights and obligations of these territories or groups of territories in the Organization shall be determined in each case by the Directing Council after consultation with the Government or other authorities having responsibility for their international relations. It is understood that Member Governments having under their jurisdiction subordinate territories and peoples within the Western Hemisphere will apply the provisions of the Pan American Sanitary Code and of this Constitution to such territories and peoples.

Article 3: Organs: The Pan American Sanitary Organization shall comprise:

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

CHAPTER II

THE CONFERENCE

Article 4: Functions:

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

B. The Conference shall determine the general policies of the Organization, including financial policy, and shall instruct, as deemed proper, the Directing Council, the Executive Committee and the Director of the Bureau with respect to any matter within the scope of the Organization.

C. The Conference, when it deems necessary, may delegate any of its functions to the Directing Council which will execute them on behalf of the Conference during intervals between meetings of the Conference.

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

E. The Conference shall elect the Director of the Pan American Sanitary Bureau by a two-thirds vote of the countries represented and with the right to vote. In case of the resignation, incapacity or death of the

Director, between meetings of the Conference, the Directing Council shall elect a Director who shall act ad interim.

Article 5: Composition:

A. The Conference shall be composed of delegates of Member Governments of the Organization and of any other territories or groups of territories to which the right of representation has been extended in accordance with Article 2, Paragraph B, of the Constitution.

B. Each Government shall be represented by not more than three delegates, one of whom shall be designated by the respective Member Government as Chief Delegate. Delegates may have alternates and advisors. Delegates selected by the respective Member Governments should include specialists in public health, preferably officials of national public health services.

Article 6: Voting:

A. Each Member Government officially represented at the Conference shall have the right to one vote. The participating territories or groups of territories officially represented at the Conference shall enjoy the prerogatives established under Article 2, Paragraph B.

B. Motions shall be considered adopted when they have obtained the affirmative vote of a majority of the participating Governments entitled to vote which are represented and voting at the meeting where the vote is taken, except when the Conference may decide otherwise. Any representative may make reservations or abstain from voting.

Article 7: Meetings:

A. The Conference shall normally meet once in four years in the country determined by its immediately preceding meeting, on a date fixed by the host Government after consultation with the Director. No two successive meetings of the Conference shall be held in the same country.

B. At least one year in advance of the date of the quadrennial meeting of the Conference, the Government of the country in which the Conference is to meet shall appoint a committee to cooperate with the Pan American Sanitary Bureau in organizing the meeting.

C. At least three months prior to the convening of the Conference, the Director shall submit to the participating Governments a

comprehensive Report on the progress of the Organization since the last meeting of the Conference.

D. The agenda for the meeting of the Conference shall be prepared by the Director and approved in advance by the Executive Committee. The Conference may adopt additions to or modifications of the agenda in accordance with its own rules of procedure.

E. Each participating Government shall pay the expenses of its representatives to each meeting of the Conference. The Pan American Sanitary Bureau shall pay the expenses of its personnel attending the meetings.

F. The Conference shall elect its own officers and shall adopt its own rules of procedure.

G. When the Executive Committee has approved the agenda for any meeting of the Conference, a copy of the agenda shall be sent to the Director General of the World Health Organization. Representatives of the World Health Organization are entitled to participate, without vote, in the meetings of the Conference.

CHAPTER III

THE COUNCIL

Article 8: Functions:

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

B. Whenever the post of Director of the Pan American Sanitary Bureau becomes vacant, the Council shall elect an ad-interim Director in accordance with Article 4, Paragraph E.

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

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

E. The Council shall submit an annual report to the participating Governments.

F. The Council may provide for the establishment of such branch offices as it or the Conference may deem necessary to carry out the purposes of the Organization.

Article 9: Composition:

A. The Council shall be composed of one representative from each Member Government of the Organization, and one representative from each territory or group of territories to which the right of representation in the Organization has been extended under Article 2, Paragraph B, of this Constitution. The representatives selected by each of the participating Governments shall be chosen from among specialists in public health, preferably officials of the national health services. Each representative may be accompanied by alternates or advisers.

B. Each Member Government officially represented on the Council shall have one vote. Other participating Governments officially represented on the Council shall enjoy the privileges established under Article 2, Paragraph B.

C. Motions shall be considered adopted when they have received the affirmative vote of the majority of the participating Governments entitled to vote, which are represented and present at the moment when the vote is taken, except when the Council decides otherwise.

D. The Director of the Pan American Sanitary Bureau shall be an ex-officio member of the Council without the right to vote.

Article 10: Meetings:

A. The Council shall meet normally at least once each year. Each Government shall pay the expenses of its representative.

B. The agenda for the meeting of the Council shall be prepared in advance by the Director of the Pan American Sanitary Bureau and approved by the Executive Committee. Additions or modifications of the agenda may be adopted by the Council in accordance with its own rules of procedure.

C. The Director of the Pan American Sanitary Bureau shall inform the World Health Organization or its Interim Commission of the agenda to be discussed at the meetings of the Council. Representatives of the World Health Organization are entitled to participate, without vote, in the meetings of the Council.

Article 11: Officers and Rules of Procedure:

The Council shall elect its own officers and shall adopt its own rules of procedure.

CHAPTER IV

THE EXECUTIVE COMMITTEE

Article 12: Functions:

The functions of the Executive Committee shall be:

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

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

C. To prepare with the cooperation of the Director of the Pan American Sanitary Bureau a proposed budget for consideration by the Council.

D. To advise the Council regarding matters referred to the Executive Committee by that body, or on its own initiative, regarding other matters relating to the activities of the Council or of the Pan American Sanitary Bureau.

E. To carry out such other duties as may be authorized by the Council.

Article 13: Composition:

A. The Executive Committee shall be composed of seven Member Governments elected by the Council for overlapping terms of three years. Each of the elected governments shall be entitled to designate one representative to the Executive Committee and in addition as many alternates and advisers as it deems necessary. A member Government shall not be eligible for reelection to the Executive Committee until one year has elapsed.

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

Article 14: Meetings:

A. The Executive Committee shall meet with due advance notice at least every six months or whenever a meeting is called by the Director of the Pan American Sanitary Bureau, or upon request of at least three

Member Governments. One of these meetings may be held at the time and place of the annual meeting of the Council.

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

Article 15: Officers:

At each meeting the Executive Committee shall elect its own officers from among representatives present.

Article 16: Rules of Procedure:

The Executive Committee shall adopt its own rules of procedure.

CHAPTER V

THE PAN AMERICAN SANITARY BUREAU

Article 17: Functions:

The duties and functions of the Pan American Sanitary Bureau shall be those specified in the Pan American Sanitary Code, and those which are assigned in the future by the Conference or the Council in fulfillment of the purposes expressed in Article 1 of this Constitution.

Article 18: Administration:

A. The Pan American Sanitary Bureau shall have a Director designated in accordance with the provisions of Article 4, paragraph E. In the event of the resignation, incapacity or death of the Director, the Assistant Director shall assume his duties until the next meeting of the Council.

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

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

Article 19: International Character of the Personnel:

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

B. In the performance of their duties, the Director and all personnel of the Pan American Sanitary Bureau shall not seek nor receive instructions from any government or from any authority external to the Pan American Sanitary Organization. They shall refrain from any action which is incompatible with their position as International Officers. Each Member Government on its part, shall undertake to respect the exclusively international character of the Director and the personnel and shall not seek to influence them.

Article 20: Technical Commissions:

The Director of the Pan American Sanitary Bureau may appoint such permanent technical commissions as are authorized by the Conference or the Council, as well as such non-permanent technical commissions as are authorized by the Conference, by the Council, or by the Executive Committee.

CHAPTER VI

BUDGET

Article 21: Financial obligations of the Governments:

A. The Pan American Sanitary Organization shall be financed by contributions from Member Governments.

B. Each Member Government, after approval of the quota determined by the Council, shall make its regular annual contribution.

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

D. The non-self-governing territories that participate in the Organization may contribute on the same terms established for the Member Governments.

Article 22: Donations:

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

CHAPTER VII

RELATIONS

Article 23: The Council may make suitable arrangements for consultation and cooperation with other organizations having interest in or relation to public health, and to this end may conclude special agreements with such organizations.

CHAPTER VIII

MODIFICATIONS

Article 24: Revisions of the Pan American Sanitary Code

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

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

C. Such revisions shall be submitted to participating Governments for appropriate action as recommendations of the Conference, or the Council.

Article 25: Amendments to the Constitution:

The Conference or the Directing Council may approve and put into force, in accordance with policies which they may determine, amendments to this Constitution.

CHAPTER IX

VALIDITY

Article 26: Entry into Force

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

B. The previous Constitution is hereby revoked.