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PAN AMERICAN SANITARY BUREAU
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1. PAN AMERICAN SANITARY CODE¹

CHAPTER I

Objects of the Code and Definitions of Terms Used Therein

ART. 1. The objects of this code are:

(a) The prevention of the international spread of communicable infections of human beings.

(b) The promotion of cooperative measures for the prevention of the introduction and spread of disease into and from the territories of the Signatory Governments.

(c) The standardization of the collection of morbidity and mortality statistics by the Signatory Governments.

(d) The stimulation of the mutual interchange of information which may be of value in improving the public health and combating the diseases of man.

(e) The standardization of the measures employed at places of entry for the prevention of the introduction and spread of the communicable diseases of man, so that greater protection against them shall be achieved and unnecessary hindrance to international commerce and communication eliminated.

CHAPTER II

SECTION 1. NOTIFICATION AND SUBSEQUENT COMMUNICATIONS TO OTHER COUNTRIES

ART. 3. Each of the Signatory Governments agrees to transmit to each of the other Signatory Governments and to the Pan American Sanitary Bureau, at intervals of not more than two weeks, a statement containing information as to the state of its public health, particularly that of its ports.

The following diseases are obligatorily reportable:

Plague, cholera, yellow fever, smallpox, typhus, epidemic cerebro-

¹ Signed at Havana, Cuba, on 14 November 1924, at the VII Pan American Sanitary Conference and ratified by the Governments of the twenty-one American republics.

Only Article I of Chapter I, Articles 3, 4, 5, 6, 7, 8, 12, 13, 14, 15 of Chapter II, and Chapters IX, XII, and XIII are reproduced herein. For complete text refer to Publication 193 of the Pan American Sanitary Bureau (March 1943).

spinal meningitis, acute epidemic poliomyelitis, epidemic lethargic encephalitis, influenza or epidemic la grippe, typhoid and paratyphoid fevers, and such other diseases as the Pan American Sanitary Bureau may by resolution add to the above list.

ART. 4. Each Signatory Government agrees to notify² adjacent countries and the Pan American Sanitary Bureau immediately by the most rapid available means of communication, of the appearance in its territory of an authentic or officially suspected case or cases of plague, cholera, yellow fever, smallpox, typhus, or any other dangerous contagion liable to be spread through the intermediary agency of international commerce.³

ART. 5. This notification is to be accompanied or very promptly followed by the following additional information:

1. The area where the disease has appeared.
2. The date of its appearance, its origin, and its form.
3. The probable source or country from which introduced and manner of introduction.
4. The number of confirmed cases and number of deaths.
5. The number of suspected cases and deaths.
6. In addition, for plague, the existence among rodents of plague or of an unusual mortality among rodents; for yellow fever, the *Aedes aegypti* index of the locality.
7. The measures which have been applied for the prevention of the spread of the disease and its eradication.

ART. 6. The notification and information prescribed in Articles 4 and 5 are to be addressed to diplomatic or consular representatives in the capital of the infected country, and to the Pan American Sanitary Bureau at Washington, which shall immediately transmit the information to all countries concerned.

ART. 7. The notification and the information prescribed in Articles 3, 4, 5, and 6 are to be followed by further communications, in order to keep other Governments informed as to the progress of the disease or

² The notification of cases of the diseases referred to in Article 4 of the Pan American Sanitary Code should be considered as an obligation applying only to the first case or cases appearing in a country which previously has been regarded as free from these diseases. (Interpretation, VIII Pan American Sanitary Conference.)

³ By dangerous contagion is understood all diseases of an epidemic character, and the obligation to notify "adjacent countries" means all of the American republics. (Interpretation, VIII Pan American Sanitary Conference.)

diseases. These communications will be made at least once weekly and will be as complete as possible, indicating in detail the measures employed to prevent the extension of the disease. The telegraph, the cable, and the radio will be employed for this purpose, except in those instances in which the data may be transmitted rapidly by mail. Reports by telegraph, cable, or radio will be confirmed by letter. Neighboring countries will endeavor to make special arrangements for the solution of local problems that do not involve widespread international interest.

ART. 8. The Signatory Governments agree that in the event of the appearance of any of the following diseases, namely, cholera, yellow fever, plague, typhus fever, or other pestilential diseases in severe epidemic form in their territory, they will immediately put in force appropriate sanitary measures for the prevention of the international carriage of any of the said diseases therefrom by passengers, crew, cargo and vessels, and mosquitoes, rats, and vermin that may be carried thereon, and will promptly notify each of the other Signatory Governments and the Pan American Sanitary Bureau as to the nature and extent of the sanitary measures which they have applied for the accomplishment of the requirements of this article.

SECTION 3. MORBIDITY AND MORTALITY STATISTICS

ART. 12. The International Classification of the Causes of Death is adopted as the Pan American Classification of the Causes of Death, and shall be used by the signatory nations in the interchange of mortality and morbidity reports.

ART. 13. The Pan American Sanitary Bureau is hereby authorized and directed to republish from time to time the Pan American Classification of the Causes of Death.

ART. 14. Each of the Signatory Governments agrees to put in operation at the earliest practicable date a system for the collection and tabulation of vital statistics which shall include:

1. A central statistical office presided over by a competent official.
2. The establishment of regional statistical offices.
3. The enactment of laws, decrees, or regulations requiring the prompt reporting of births, deaths, and communicable diseases by health officers, physicians, midwives, and hospitals, and providing penalties for failure to make such reports.

ART. 15. The Pan American Sanitary Bureau shall prepare and publish standard forms for the reporting of deaths and cases of communicable diseases and all other vital statistics.

CHAPTER IX

The Pan American Sanitary Bureau: Functions and Duties

ART. 54. The organization, functions, and duties of the Pan American Sanitary Bureau shall include those heretofore determined for the International Sanitary Bureau by the various international sanitary and other conferences of American republics, and such additional administrative functions and duties as may be hereafter determined by Pan American Sanitary Conferences.

ART. 55. The Pan American Sanitary Bureau shall be the central coordinating sanitary agency of the various member republics of the Pan American Union and the general collection and distribution center of sanitary information to and from said republics. For this purpose it shall, from time to time, designate representatives to visit and confer with the sanitary authorities of the various Signatory Governments on public health matters, and such representatives shall be given all available sanitary information in the countries visited by them in the course of their official visits and conferences.

ART. 56. In addition, the Pan American Sanitary Bureau shall perform the following specific functions:

To supply to the sanitary authorities of the Signatory Governments through its publications, or in other appropriate manner, all available information relative to the actual status of the communicable diseases of man, new invasions of such diseases, the sanitary measures undertaken, and the progress effected in the control or eradication of such diseases; new methods for combating disease; morbidity and mortality statistics; public health organization and administration; progress in any of the branches of preventive medicine; and other pertinent information relative to sanitation and public health in any of its phases, including a bibliography of books and periodicals on public hygiene.

In order more efficiently to discharge its functions it may undertake cooperative epidemiological and other studies; may employ at headquarters and elsewhere experts for this purpose; may stimulate and facilitate scientific research and the practical application of the results therefrom; and may accept gifts, benefactions, and bequests, which shall be accounted for in the manner now provided for the maintenance funds of the Bureau.

ART. 57. The Pan American Sanitary Bureau shall advise and consult with the sanitary authorities of the various Signatory Governments relative to public health problems and the manner of interpreting and applying the provisions of this code.

ART. 58. Officials of the national health services may be designated as

representatives, ex officio, of the Pan American Sanitary Bureau, in addition to their regular duties, and when so designated they may be empowered to act as sanitary representatives of one or more of the Signatory Governments when properly designated and accredited so to serve.

ART. 59. Upon request of the sanitary authorities of any of the Signatory Governments, the Pan American Sanitary Bureau is authorized to take the necessary preparatory steps to bring about an exchange of professors, medical and health officers, experts or advisers in public health or any of the sanitary sciences, for the purpose of mutual aid and advancement in the protection of the public health of the Signatory Governments.

ART. 60. For the purpose of discharging the functions and duties imposed upon the Pan American Sanitary Bureau, a fund of not less than \$50,000 shall be collected by the Pan American Union, apportioned among the Signatory Governments on the same basis as are the expenses of the Pan American Union.

CHAPTER XII

Be it understood that this code does not in any way abrogate or impair the validity or force of any existing treaty, convention, or agreement between any of the Signatory Governments and any other Government.

CHAPTER XIII

Transitory Disposition

ART. 63. The Governments which may not have signed the present convention are to be admitted to adherence thereto upon demand, notice of this adherence to be given through diplomatic channels to the Government of the Republic of Cuba.

Made and signed in the city of Havana, on the 14th day of the month of November, 1924, in two copies, in English and Spanish, respectively, which shall be deposited with the Department of Foreign Relations of the Republic of Cuba, in order that certified copies thereof, in both English and Spanish, may be made for transmission through diplomatic channels to each of the Signatory Governments.

2. ADDITIONAL PROTOCOL TO THE PAN AMERICAN SANITARY CODE (1927)¹

The ratifications of the Pan American Sanitary Code shall be deposited in the office of the Secretary of State of the Republic of Cuba and the Cuban Government shall communicate these ratifications to the other Signatory States, which communication shall constitute exchange of ratifications. The convention shall become effective in each of the Signatory States on the date of ratification thereof by said State, and shall remain in force without limitation of time, each one of the Signatory or Adherent States reserving the right to withdraw from the convention by giving in due form a year's notice in advance to the Government of the Republic of Cuba.

¹ Approved ad referendum by the VIII Pan American Sanitary Conference, held at Lima, Peru, from 12 to 20 October 1927.

3. ADDITIONAL PROTOCOL TO THE PAN AMERICAN SANITARY CODE (1952)

The Representatives of the Governments Signatories to the Pan American Sanitary Code, being duly authorized by virtue of the full powers which have been accorded to them and which have been found to be in good and due form, sign the present Protocol, in the name of their respective Governments, in the English, Spanish, Portuguese, and French languages, on the date and at the place appearing below their signatures.

Article I

It is agreed to abrogate Articles 2, 9, 10, 11, 16 to 53 inclusive, 61, and 62 of the Pan American Sanitary Code, signed at Havana on 14 November 1924 at the VII Pan American Sanitary Conference, all of which relate to international traffic.

Article II

Henceforth, any periodic amendment that it should be appropriate to make in the titles, sections, or articles of the Pan American Sanitary Code shall be the responsibility of the Pan American Sanitary Conference; for any such amendment to be valid, the provisions of the Constitution of the Pan American Sanitary Organization shall be carried out.

Article III

The original of the present Protocol shall be deposited with the Pan American Union, which shall transmit certified copies to the Governments for purposes of ratification.

Article IV

The present Protocol shall be ratified by the Signatory States in accordance with their respective constitutional procedures. The instruments of ratification shall be deposited with the Pan American Union, which shall notify the Signatory Governments of such deposit.

Article V

This Protocol shall become effective on the first of October 1952 for those States which ratify this instrument before the said date. It shall become effective with respect to the remaining States on the date of ratification thereof.

Done at the city of Havana on the twenty-fourth day of September nineteen hundred and fifty-two.

4. CONSTITUTION OF THE PAN AMERICAN HEALTH ORGANIZATION¹

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 Health Organization.

CHAPTER I THE ORGANIZATION

Article 1: *Purposes:*

The fundamental purposes of the Pan American Health 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 Health 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 Health 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

¹ Official translation of the Spanish text approved by the Directing Council at its I Meeting (Buenos Aires, Argentina, 24 September-2 October 1947) and signed by the Member Countries on 2 October 1947. Modified pursuant to Resolutions XXVI, XXVII, and XXVIII of the XV Pan American Sanitary Conference (1958).

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 Health 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 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 advisers. 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 en-

titled 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 to 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 consider and submit to the Conference or to the Council the proposed program and budget prepared by the Director, with such recommendations as it deems advisable.

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:*

The Executive Committee shall elect from among its members a Chairman and a Vice-Chairman, who shall hold office until their successors are elected. The election shall take place each year at the first meeting of the Executive Committee following the election of its new members.

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 or receive instructions from any Government or from any authority external to the Pan American Health 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 Health 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 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.

The present Constitution was signed in the city of Buenos Aires on the second day of the month of October of the year nineteen hundred and forty-seven.

5. PARTICIPATION IN THE ORGANIZATION BY CERTAIN MEMBERS OF THE WORLD HEALTH ORGANIZATION NOT HAVING THEIR SEATS OF GOVERNMENT WITHIN THE WESTERN HEMISPHERE

Resolutions adopted by the Directing Council at its V Meeting held in Washington, D. C., from 24 September to 3 October 1951

Resolution XV

PARTICIPATION IN THE MEETINGS OF THE DIRECTING COUNCIL BY CERTAIN MEMBERS OF THE WORLD HEALTH ORGANIZATION NOT HAVING THEIR SEATS OF GOVERNMENT WITHIN THE WESTERN HEMISPHERE

WHEREAS:

The Directing Council at its IV Meeting requested the Executive Committee to study the relationship between the Directing Council and the Regional Committee of the World Health Organization, and the relation of each of these to the Member States of the World Health Organization not having their seats of government within the Western Hemisphere, and to recommend to the Council the inclusion, in the proposed constitutional revision, of measures to clarify these relationships;

The XIII Pan American Sanitary Conference authorized the Executive Committee to examine the proposed revision submitted to the Conference by the Directing Council, and to submit it for consideration to the Directing Council at its V Meeting, together with the opinions expressed by the Member Governments, the Members of the Regional Committee of the World Health Organization, and the Council of the Organization of American States;

Resolution II of the II Meeting of the Directing Council offered certain rights of participation in the Pan American Sanitary Organization to the non-self-governing territories of the Western Hemisphere; and Resolution IX of the III Meeting invited certain non-member States to participate, on the same basis as the American republics, in meetings of the Directing Council as Regional Committee of the World Health Organization; and

The Directing Council has adopted a resolution expressing its belief that a revision of the Constitution of the Pan American Sanitary

Organization is not timely, and until this instrument is revised, the Directing Council should clarify the said Resolution IX of the III Meeting of the Directing Council,

THE DIRECTING COUNCIL

RESOLVES:

1. That all meetings of the Directing Council shall at the same time be meetings of the Regional Committee of the World Health Organization except when the Directing Council is considering constitutional matters, the juridical relations between the Pan American Sanitary Organization and the World Health Organization or the Organization of American States, or other questions relating to the Pan American Sanitary Organization as an Inter-American Specialized Organization.

2. That, modifying paragraph (a) and (b) of Resolution II¹ of the II Meeting of the Directing Council, the vote on Pan American Sanitary Organization budget matters is granted to States Members of the World Health Organization not having their seats of government within the Western Hemisphere, which "(a) either by reason of their Constitution consider certain territories or groups of territories in the Western Hemisphere as part of their national territory, or (b) are responsible for the conduct of the international relations of territories or groups of territories within the Western Hemisphere." The vote thus granted shall be on behalf of these territories and shall be contingent upon their making an equitable contribution to the budget of the Pan American Sanitary Organization. The privilege of voting on the Pan American Sanitary Organization budget thus granted may be exercised either by the representatives of such territories or by the representatives of the Member States of the World Health Organization referred to above.

¹ The Directing Council

Resolves:

To declare that the non-self-governing countries of the Western Hemisphere be offered the following rights within the Pan American Sanitary Organization:

- (a) To participate without the right to vote in the deliberations of the plenary sessions of the Directing Council.
- (b) To participate with the right to vote in the committees of the Directing Council, except in those which deal with administration, finances, and the Constitution.
- (c) To participate on the same basis as the Members, subject only to the limitations mentioned in subdivision (a), in matters relating to procedure in the sessions of the Directing Council and its committees, such as presenting motions, amendments, and points of order, etc.

3. To amend the Rules of Procedure of the Directing Council, in accordance with the recommendations of the Executive Committee, to provide *inter alia* that if the representative of a non-member State of the Pan American Sanitary Organization is elected an officer at any meeting, such representative will not officiate in the sessions at which any of the matters mentioned in paragraph 1 is under discussion.

Resolution XL

FINANCIAL PARTICIPATION OF FRANCE, THE NETHERLANDS, AND THE UNITED KINGDOM, ON BEHALF OF THEIR DEPENDENT TERRITORIES IN THE REGION OF THE AMERICAS, IN THE BUDGET OF THE PAN AMERICAN SANITARY ORGANIZATION

WHEREAS:

The Directing Council at this V Meeting has adopted a resolution² recommending *inter alia* that the Representative States of non-self-governing territories be granted the vote on budget matters of the Pan American Sanitary Organization provided this vote be contingent upon an equitable contribution being made by them to the Pan American Sanitary Organization budget,

THE DIRECTING COUNCIL

RESOLVES:

1. To instruct the Director to compute the annual contributions in respect to the territories of France, the Netherlands, and the United Kingdom in the Western Hemisphere, on the following basis:

(a) for each group of territories select the Member State whose capacity-to-pay is most comparable to that of the group;

(b) divide the amount assessed the most comparable Member State by its total population;

(c) multiply the per capita assessment of the most comparable Member State (derived in step b) by the total population of the respective groups of

(d) To propose subjects for inclusion in the provisional agenda of the meetings of the Directing Council.

(e) To receive all the documents, reports, and minutes of the Directing Council.

(f) To participate on the same basis as the Members in all plans for the calling of special sessions.

(g) To appoint observers and to participate in the discussions of the Executive Committee, subject to the same conditions which apply to the Members of the Pan American Sanitary Organization who are not members of the Committee, although these representatives are not eligible for membership in the Committee.

² Resolution XV. See p. 18.

territories, the resulting sum being the amount of the contribution for the group.

2. To instruct the Director to consult each Representative State in the selection of the Member State whose capacity-to-pay is most comparable to the group of territories which it represents.

3. To instruct the Director to inform the Executive Committee annually of the manner in which the most comparable Member State was selected.

6. CONSTITUTION OF THE WORLD HEALTH ORGANIZATION¹

THE STATES Parties to this Constitution declare, in conformity with the Charter of the United Nations, that the following principles are basic to the happiness, harmonious relations and security of all peoples:

Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.

The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition.

The health of all peoples is fundamental to the attainment of peace and security and is dependent upon the fullest co-operation of individuals and States.

The achievement of any State in the promotion and protection of health is of value to all.

Unequal development in different countries in the promotion of health and control of disease, especially communicable disease, is a common danger.

Healthy development of the child is of basic importance; the ability to live harmoniously in a changing total environment is essential to such development.

The extension to all peoples of the benefits of medical, psychological and related knowledge is essential to the fullest attainment of health.

Informed opinion and active co-operation on the part of the public are of the utmost importance in the improvement of the health of the people.

Governments have a responsibility for the health of their peoples which can be fulfilled only by the provision of adequate health and social measures.

ACCEPTING THESE PRINCIPLES, and for the purpose of co-operation among themselves and with others to promote and protect the health of all peoples, the Contracting Parties agree to the present Constitution and hereby establish the World Health Organization as a specialized agency within the terms of Article 57 of the Charter of the United Nations.

CHAPTER I

OBJECTIVE

Article 1

The objective of the World Health Organization (hereinafter called

¹ Adopted by the International Health Conference held in New York from 19 June to 22 July 1946, and signed on 22 July 1946 by the representatives of 61 States (*Off. Rec. Wld. Hlth. Org.* 2, 100).

the Organization) shall be the attainment by all peoples of the highest possible level of health.

CHAPTER II

FUNCTIONS

Article 2

In order to achieve its objective, the functions of the Organization shall be:

- (a) to act as the directing and co-ordinating authority on international health work;
- (b) to establish and maintain effective collaboration with the United Nations, specialized agencies, governmental health administrations, professional groups and such other organizations as may be deemed appropriate;
- (c) to assist Governments, upon request, in strengthening health services;
- (d) to furnish appropriate technical assistance and, in emergencies, necessary aid upon the request or acceptance of Governments;
- (e) to provide or assist in providing, upon the request of the United Nations, health services and facilities to special groups, such as the peoples of trust territories;
- (f) to establish and maintain such administrative and technical services as may be required, including epidemiological and statistical services;
- (g) to stimulate and advance work to eradicate epidemic, endemic and other diseases;
- (h) to promote, in co-operation with other specialized agencies where necessary, the prevention of accidental injuries;
- (i) to promote, in co-operation with other specialized agencies where necessary, the improvement of nutrition, housing, sanitation, recreation, economic or working conditions and other aspects of environmental hygiene;
- (j) to promote co-operation among scientific and professional groups which contribute to the advancement of health;
- (k) to propose conventions, agreements and regulations, and make recommendations with respect to international health matters and to perform such duties as may be assigned thereby to the Organization and are consistent with its objective;
- (l) to promote maternal and child health and welfare and to foster the ability to live harmoniously in a changing total environment;
- (m) to foster activities in the field of mental health, especially those affecting the harmony of human relations;
- (n) to promote and conduct research in the field of health;
- (o) to promote improved standards of teaching and training in the health, medical and related professions;
- (p) to study and report on, in co-operation with other specialized agencies

where necessary, administrative and social techniques affecting public health and medical care from preventive and curative points of view, including hospital services and social security;

- (q) to provide information, counsel and assistance in the field of health;
- (r) to assist in developing an informed public opinion among all peoples on matters of health;
- (s) to establish and revise as necessary international nomenclatures of diseases, of causes of death and of public health practices;
- (t) to standardize diagnostic procedures as necessary;
- (u) to develop, establish and promote international standards with respect to food, biological, pharmaceutical and similar products;
- (v) generally to take all necessary action to attain the objective of the Organization.

CHAPTER III

MEMBERSHIP AND ASSOCIATE MEMBERSHIP

Article 3

Membership in the Organization shall be open to all States.

Article 4

Members of the United Nations may become Members of the Organization by signing or otherwise accepting this Constitution in accordance with the provisions of Chapter XIX and in accordance with their constitutional processes.

Article 5

The States whose Governments have been invited to send observers to the International Health Conference held in New York, 1946, may become Members by signing or otherwise accepting this Constitution in accordance with the provisions of Chapter XIX and in accordance with their constitutional processes provided that such signature or acceptance shall be completed before the first session of the Health Assembly.

Article 6

Subject to the conditions of any agreement between the United Nations and the Organization, approved pursuant to Chapter XVI, States which do not become Members in accordance with Articles 4 and 5 may apply to become Members and shall be admitted as Members when their application has been approved by a simple majority vote of the Health Assembly.

Article 7

If a Member fails to meet its financial obligations to the Organization

or in other exceptional circumstances, the Health Assembly may, on such conditions as it thinks proper, suspend the voting privileges and services to which a Member is entitled. The Health Assembly shall have the authority to restore such voting privileges and services.

Article 8

Territories or groups of territories which are not responsible for the conduct of their international relations may be admitted as Associate Members by the Health Assembly upon application made on behalf of such territory or group of territories by the Member or other authority having responsibility for their international relations. Representatives of Associate Members to the Health Assembly should be qualified by their technical competence in the field of health and should be chosen from the native population. The nature and extent of the rights and obligations of Associate Members shall be determined by the Health Assembly.

CHAPTER IV

ORGANS

Article 9

The work of the Organization shall be carried out by:

- (a) The World Health Assembly (herein called the Health Assembly);
- (b) The Executive Board (hereinafter called the Board);
- (c) The Secretariat.

CHAPTER V

THE WORLD HEALTH ASSEMBLY

Article 10

The Health Assembly shall be composed of delegates representing Members.

Article 11

Each Member shall be represented by not more than three delegates, one of whom shall be designated by the Member as chief delegate. These delegates should be chosen from among persons most qualified by their technical competence in the field of health, preferably representing the national health administration of the Member.

Article 12

Alternates and advisers may accompany delegates.

Article 13

The Health Assembly shall meet in regular annual session and in

such special sessions as may be necessary. Special sessions shall be convened at the request of the Board or of a majority of the Members.

Article 14

The Health Assembly, at each annual session, shall select the country or region in which the next annual session shall be held, the Board subsequently fixing the place. The Board shall determine the place where a special session shall be held.

Article 15

The Board, after consultation with the Secretary-General of the United Nations, shall determine the date of each annual and special session.

Article 16

The Health Assembly shall elect its President and other officers at the beginning of each annual session. They shall hold office until their successors are elected.

Article 17

The Health Assembly shall adopt its own rules of procedure.

Article 18

The functions of the Health Assembly shall be:

- (a) to determine the policies of the Organization;
- (b) to name the Members entitled to designate a person to serve on the Board;
- (c) to appoint the Director-General;
- (d) to review and approve reports and activities of the Board and of the Director-General and to instruct the Board in regard to matters upon which action, study, investigation or report may be considered desirable;
- (e) to establish such committees as may be considered necessary for the work of the Organization;
- (f) to supervise the financial policies of the Organization and to review and approve the budget;
- (g) to instruct the Board and the Director-General to bring to the attention of Members and of international organizations, governmental or nongovernmental, any matter with regard to health which the Health Assembly may consider appropriate;
- (h) to invite any organization, international or national, governmental or nongovernmental, which has responsibilities related to those of the Organization, to appoint representatives to participate, without right of vote, in its meetings or in those of the committees and conferences convened under its authority, on conditions prescribed by the Health

Assembly; but in the case of national organizations, invitations shall be issued only with the consent of the Government concerned;

- (i) to consider recommendations bearing on health made by the General Assembly, the Economic and Social Council, the Security Council or Trusteeship Council of the United Nations, and to report to them on the steps taken by the Organization to give effect to such recommendations;
- (j) to report to the Economic and Social Council in accordance with any agreement between the Organization and the United Nations;
- (k) to promote and conduct research in the field of health by the personnel of the Organization, by the establishment of its own institutions or by co-operation with official or non-official institutions of any Member with the consent of its Government;
- (l) to establish such other institutions as it may consider desirable;
- (m) to take any other appropriate action to further the objective of the Organization.

Article 19

The Health Assembly shall have authority to adopt conventions or agreements with respect to any matter within the competence of the Organization. A two-thirds vote of the Health Assembly shall be required for the adoption of such conventions or agreements, which shall come into force for each Member when accepted by it in accordance with its constitutional processes.

Article 20

Each Member undertakes that it will, within eighteen months after the adoption by the Health Assembly of a convention or agreement, take action relative to the acceptance of such convention or agreement. Each Member shall notify the Director-General of the action taken, and if it does not accept such convention or agreement within the time limit, it will furnish a statement of the reasons of non-acceptance. In case of acceptance, each Member agrees to make an annual report to the Director-General in accordance with Chapter XIV.

Article 21

The Health Assembly shall have authority to adopt regulations concerning:

- (a) sanitary and quarantine requirements and other procedures designed to prevent the international spread of disease;
- (b) nomenclatures with respect to diseases, causes of death and public health practices;
- (c) standards with respect to diagnostic procedures for international use;
- (d) standards with respect to the safety, purity and potency of biological,

- pharmaceutical and similar products moving in international commerce;
- (e) advertising and labelling of biological, pharmaceutical and similar products moving in international commerce.

Article 22

Regulations adopted pursuant to Article 21 shall come into force for all Members after due notice has been given of their adoption by the Health Assembly except for such Members as may notify the Director-General of rejection or reservations within the period stated in the notice.

Article 23

The Health Assembly shall have authority to make recommendations to Members with respect to any matter within the competence of the Organization.

CHAPTER VI

THE EXECUTIVE BOARD

Article 24

The Board shall consist of eighteen persons designated by as many Members. The Health Assembly, taking into account an equitable geographical distribution, shall elect the Members entitled to designate a person to serve on the Board. Each of these Members should appoint to the Board a person technically qualified in the field of health, who may be accompanied by alternates and advisers.

Article 25

These Members shall be elected for three years and may be re-elected; provided that of the Members elected at the first session of the Health Assembly, the terms of six Members shall be for one year and the terms of six Members shall be for two years, as determined by lot.

Article 26

The Board shall meet at least twice a year and shall determine the place of each meeting.

Article 27

The Board shall elect its Chairman from among its members and shall adopt its own rules of procedure.

Article 28

The functions of the Board shall be:

- (a) to give effect to the decisions and policies of the Health Assembly;
- (b) to act as the executive organ of the Health Assembly;
- (c) to perform any other functions entrusted to it by the Health Assembly;
- (d) to advise the Health Assembly on questions referred to it by that body and on matters assigned to the Organization by conventions, agreements and regulations;
- (e) to submit advice or proposals to the Health Assembly on its own initiative;
- (f) to prepare the agenda of meetings of the Health Assembly;
- (g) to submit to the Health Assembly for consideration and approval a general programme of work covering a specific period;
- (h) to study all questions within its competence;
- (i) to take emergency measures within the functions and financial resources of the Organization to deal with events requiring immediate action. In particular it may authorize the Director-General to take the necessary steps to combat epidemics, to participate in the organization of health relief to victims of a calamity and to undertake studies and research the urgency of which has been drawn to the attention of the Board by any Member or by the Director-General.

Article 29

The Board shall exercise on behalf of the whole Health Assembly the powers delegated to it by that body.

CHAPTER VII
THE SECRETARIAT

Article 30

The Secretariat shall comprise the Director-General and such technical and administrative staff as the Organization may require.

Article 31

The Director-General shall be appointed by the Health Assembly on the nomination of the Board on such terms as the Health Assembly may determine. The Director-General, subject to the authority of the Board, shall be the chief technical and administrative officer of the Organization.

Article 32

The Director-General shall be ex-officio Secretary of the Health Assembly, of the Board, of all commissions and committees of the Organization and of conferences convened by it. He may delegate these functions.

Article 33

The Director-General or his representative may establish a pro-

cedure by agreement with Members, permitting him, for the purpose of discharging his duties, to have direct access to their various departments, especially to their health administrations and to national health organizations, governmental or non-governmental. He may also establish direct relations with international organizations whose activities come within the competence of the Organization. He shall keep regional offices informed on all matters involving their respective areas.

Article 34

The Director-General shall prepare and submit annually to the Board the financial statements and budget estimates of the Organization.

Article 35

The Director-General shall appoint the staff of the Secretariat in accordance with staff regulations established by the Health Assembly. The paramount consideration in the employment of the staff shall be to assure that the efficiency, integrity and internationally representative character of the Secretariat shall be maintained at the highest level. Due regard shall be paid also to the importance of recruiting the staff on as wide a geographical basis as possible.

Article 36

The conditions of service of the staff of the Organization shall conform as far as possible with those of other United Nations organizations.

Article 37

In the performance of their duties the Director-General and the staff shall not seek or receive instructions from any Government or from any authority external to the Organization. They shall refrain from any action which might reflect on their position as international officers. Each Member of the Organization on its part undertakes to respect the exclusively international character of the Director-General and the staff and not to seek to influence them.

CHAPTER VIII

COMMITTEES

Article 38

The Board shall establish such committees as the Health Assembly may direct and, on its own initiative or on the proposal of the Director-General, may establish any other committees considered desirable to serve any purpose within the competence of the Organization.

Article 39

The Board, from time to time and in any event annually, shall review the necessity for continuing each committee.

Article 40

The Board may provide for the creation of or the participation by the Organization in joint or mixed committees with other organizations and for the representation of the Organization in committees established by such other organizations.

CHAPTER IX

CONFERENCES

Article 41

The Health Assembly or the Board may convene local, general, technical or other special conferences to consider any matter within the competence of the Organization and may provide for the representation at such conferences of international organizations and, with the consent of the Government concerned, of national organizations, governmental or non-governmental. The manner of such representation shall be determined by the Health Assembly or the Board.

Article 42

The Board may provide for representation of the Organization at conferences in which the Board considers that the Organization has an interest.

CHAPTER X

HEADQUARTERS

Article 43

The location of the headquarters of the Organization shall be determined by the Health Assembly after consultation with the United Nations.

CHAPTER XI

REGIONAL ARRANGEMENTS

Article 44

(a) The Health Assembly shall from time to time define the geographical areas in which it is desirable to establish a regional organization.

(b) The Health Assembly may, with the consent of a majority of the Members situated within each area so defined, establish a regional organization to meet the special needs of such area. There shall not be more than one regional organization in each area.

Article 45

Each regional organization shall be an integral part of the Organization in accordance with this Constitution.

Article 46

Each regional organization shall consist of a regional committee and a regional office.

Article 47

Regional committees shall be composed of representatives of the Member States and Associate Members in the region concerned. Territories or groups of territories within the region, which are not responsible for the conduct of their international relations and which are not Associate Members, shall have the right to be represented and to participate in regional committees. The nature and extent of the rights and obligations of these territories or groups of territories in regional committees shall be determined by the Health Assembly in consultation with the Member or other authority having responsibility for the international relations of these territories and with the Member States in the region.

Article 48

Regional committees shall meet as often as necessary and shall determine the place of each meeting.

Article 49

Regional committees shall adopt their own rules of procedure.

Article 50

The functions of the regional committee shall be:

- (a) to formulate policies governing matters of an exclusively regional character;
- (b) to supervise the activities of the regional office;
- (c) to suggest to the regional office the calling of technical conferences and such additional work or investigation in health matters as in the opinion of the regional committee would promote the objective of the Organization within the region;
- (d) to co-operate with the respective regional committees of the United Nations and with those of other specialized agencies and with other regional international organizations having interests in common with the Organization;
- (e) to tender advice, through the Director-General, to the Organization on international health matters which have wider than regional significance;

- (f) to recommend additional regional appropriations by the Governments of the respective regions if the proportion of the central budget of the Organization allotted to that region is insufficient for the carrying out of the regional functions;
- (g) such other functions as may be delegated to the regional committee by the Health Assembly, the Board or the Director-General.

Article 51

Subject to the general authority of the Director-General of the Organization, the regional office shall be the administrative organ of the regional committee. It shall, in addition, carry out within the region the decisions of the Health Assembly and of the Board.

Article 52

The head of the regional office shall be the Regional Director appointed by the Board in agreement with the regional committee.

Article 53

The staff of the regional office shall be appointed in a manner to be determined by agreement between the Director-General and the Regional Director.

Article 54

The Pan American Sanitary Organization represented by the Pan American Sanitary Bureau and the Pan American Sanitary Conferences, and all other inter-governmental regional health organizations in existence prior to the date of signature of this Constitution, shall in due course be integrated with the Organization. This integration shall be effected as soon as practicable through common action based on mutual consent of the competent authorities expressed through the organizations concerned.

CHAPTER XII

BUDGET AND EXPENSES

Article 55

The Director-General shall prepare and submit to the Board the annual budget estimates of the Organization. The Board shall consider and submit to the Health Assembly such budget estimates, together with any recommendations the Board may deem advisable.

Article 56

Subject to any agreement between the Organization and the United Nations, the Health Assembly shall review and approve the budget

estimates and shall apportion the expenses among the Members in accordance with a scale to be fixed by the Health Assembly.

Article 57

The Health Assembly or the Board acting on behalf of the Health Assembly may accept and administer gifts and bequests made to the Organization provided that the conditions attached to such gifts or bequests are acceptable to the Health Assembly or the Board and are consistent with the objective and policies of the Organization.

Article 58

A special fund to be used at the discretion of the Board shall be established to meet emergencies and unforeseen contingencies.

CHAPTER XIII

VOTING

Article 59

Each Member shall have one vote in the Health Assembly.

Article 60

(a) Decisions of the Health Assembly on important questions shall be made by a two-thirds majority of the Members present and voting. These questions shall include: the adoption of conventions or agreements; the approval of agreements bringing the Organization into relation with the United Nations and inter-governmental organizations and agencies in accordance with Articles 69, 70 and 72; amendments to this Constitution.

(b) Decisions on other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, shall be made by a majority of the Members present and voting.

(c) Voting on analogous matters in the Board and in committees of the Organization shall be made in accordance with paragraphs (a) and (b) of this Article.

CHAPTER XIV

REPORTS SUBMITTED BY STATES

Article 61

Each Member shall report annually to the Organization on the action taken and progress achieved in improving the health of its people.

Article 62

Each Member shall report annually on the action taken with respect

to recommendations made to it by the Organization and with respect to conventions, agreements and regulations.

Article 63

Each Member shall communicate promptly to the Organization important laws, regulations, official reports and statistics pertaining to health which have been published in the State concerned.

Article 64

Each Member shall provide statistical and epidemiological reports in a manner to be determined by the Health Assembly.

Article 65

Each Member shall transmit upon the request of the Board such additional information pertaining to health as may be practicable.

CHAPTER XV

LEGAL CAPACITY, PRIVILEGES AND IMMUNITIES

Article 66

The Organization shall enjoy in the territory of each Member such legal capacity as may be necessary for the fulfilment of its objective and for the exercise of its functions.

Article 67

(a) The Organization shall enjoy in the territory of each Member such privileges and immunities as may be necessary for the fulfilment of its objective and for the exercise of its functions.

(b) Representatives of Members, persons designated to serve on the Board and technical and administrative personnel of the Organization shall similarly enjoy such privileges and immunities as are necessary for the independent exercise of their functions in connection with the Organization.

Article 68

Such legal capacity, privileges and immunities shall be defined in a separate agreement to be prepared by the Organization in consultation with the Secretary-General of the United Nations and concluded between the Members.

CHAPTER XVI

RELATIONS WITH OTHER ORGANIZATIONS

Article 69

The Organization shall be brought into relation with the United

Nations as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations. The agreement or agreements bringing the Organization into relation with the United Nations shall be subject to approval by a two-thirds vote of the Health Assembly.

Article 70

The Organization shall establish effective relations and co-operate closely with such other inter-governmental organizations as may be desirable. Any formal agreement entered into with such organizations shall be subject to approval by a two-thirds vote of the Health Assembly.

Article 71

The Organization may, on matters within its competence, make suitable arrangements for consultation and co-operation with non-governmental international organizations and, with the consent of the Government concerned, with national organizations, governmental or non-governmental.

Article 72

Subject to the approval by a two-thirds vote of the Health Assembly, the Organization may take over from any other international organization or agency whose purpose and activities lie within the field of competence of the Organization such functions, resources and obligations as may be conferred upon the Organization by international agreement or by mutually acceptable arrangements entered into between the competent authorities of the respective organizations.

CHAPTER XVII

AMENDMENTS

Article 73

Texts of proposed amendments to this Constitution shall be communicated by the Director-General to Members at least six months in advance of their consideration by the Health Assembly. Amendments shall come into force for all Members when adopted by a two-thirds vote of the Health Assembly and accepted by two thirds of the Members in accordance with their respective constitutional processes.

CHAPTER XVIII

INTERPRETATION

Article 74

The Chinese, English, French, Russian and Spanish texts of this Constitution shall be regarded as equally authentic.

Article 75

Any question or dispute concerning the interpretation or application of this Constitution which is not settled by negotiation or by the Health Assembly shall be referred to the International Court of Justice in conformity with the Statute of the Court, unless the parties concerned agree on another mode of settlement.

Article 76

Upon authorization by the General Assembly of the United Nations or upon authorization in accordance with any agreement between the Organization and the United Nations, the Organization may request the International Court of Justice for an advisory opinion on any legal question arising within the competence of the Organization.

Article 77

The Director-General may appear before the Court on behalf of the Organization in connection with any proceedings arising out of any such request for an advisory opinion. He shall make arrangements for the presentation of the case before the Court including arrangements for the argument of different views on the question.

CHAPTER XIX

ENTRY INTO FORCE

Article 78

Subject to the provisions of Chapter III, this Constitution shall remain open to all States for signature or acceptance.

Article 79

(a) States may become parties to this Constitution by:

- (i) signature without reservation as to approval;
- (ii) signature subject to approval followed by acceptance; or
- (iii) acceptance.

(b) Acceptance shall be effected by the deposit of a formal instrument with the Secretary-General of the United Nations.

Article 80

This Constitution shall come into force when twenty-six Members of the United Nations have become parties to it in accordance with the provisions of Article 79.

Article 81

In accordance with Article 102 of the Charter of the United Nations,

the Secretary-General of the United Nations will register this Constitution when it has been signed without reservation as to approval on behalf of one State or upon deposit of the first instrument of acceptance.

Article 82

The Secretary-General of the United Nations will inform States parties to this Constitution of the date when it has come into force. He will also inform them of the dates when other States have become parties to this Constitution.

IN FAITH WHEREOF the undersigned representatives, having been duly authorized for that purpose, sign this Constitution.

DONE in the City of New York this twenty-second day of July 1946, in a single copy in the Chinese, English, French, Russian and Spanish languages, each text being equally authentic. The original texts shall be deposited in the archives of the United Nations. The Secretary-General of the United Nations will send certified copies to each of the Governments represented at the Conference.

7. AGREEMENT BETWEEN THE WORLD HEALTH ORGANIZATION AND THE PAN AMERICAN SANITARY ORGANIZATION

WHEREAS Chapter XI of the Constitution of the World Health Organization provides that the Pan American Sanitary Organization represented by the Pan American Sanitary Bureau and the Pan American Sanitary Conference shall in due course be integrated with the World Health Organization and that such integration shall be effected as soon as practicable through common action based on mutual consent of the competent authorities expressed through the organizations concerned; and

WHEREAS the World Health Organization and the Pan American Sanitary Organization have agreed that measures towards the implementation of such action by the conclusion of an agreement shall be taken when at least fourteen American countries shall have ratified the Constitution of the World Health Organization; and

WHEREAS on the twenty-second of April 1949 this condition was satisfied,

IT IS HEREBY AGREED AS FOLLOWS:

Article 1

The States and territories of the Western Hemisphere make up the geographical area of a regional organization of the World Health Organization, as provided in Chapter XI of its Constitution.

Article 2

The Pan American Sanitary Conference, through the Directing Council of the Pan American Sanitary Organization and the Pan American Sanitary Bureau, shall serve respectively as the Regional Committee and the Regional Office of the World Health Organization for the Western Hemisphere, within the provisions of the Constitution of the World Health Organization. In deference to tradition, both organizations shall retain their respective names, to which shall be added "Regional Committee of the World Health Organization" and "Regional Office of the World Health Organization," respectively.

Article 3

The Pan American Sanitary Conference may adopt and promote health and sanitary conventions and programmes in the Western

Hemisphere, provided that such conventions and programmes are compatible with the policy and programmes of the World Health Organization and are separately financed.

Article 4

When this Agreement enters into force, the Director of the Pan American Sanitary Bureau shall assume, subject to the provisions of Article 2, the post of Regional Director of the World Health Organization, until the termination of the period for which he was elected. Thereafter, the Regional Director shall be appointed in accordance with the provisions of Articles 49 and 52 of the World Health Organization Constitution.

Article 5

In accordance with the provisions of Article 51 of the Constitution of the World Health Organization, the Director-General of the World Health Organization shall receive from the Director of the Pan American Sanitary Bureau full information regarding the administration and the operations of the Pan American Sanitary Bureau as the Regional Office for the Western Hemisphere.

Article 6

An adequate proportion of the budget of the World Health Organization shall be allocated for regional work.

Article 7

The annual budget estimates for the expenses of the Pan American Sanitary Bureau as the Regional Office for the Western Hemisphere shall be prepared by the Regional Director and shall be submitted to the Director-General for his consideration in the preparation of the annual budget estimates of the World Health Organization.

Article 8

The funds allocated to the Pan American Sanitary Bureau, as Regional Office of the World Health Organization, under the budget of the World Health Organization, shall be managed in accordance with the financial policies and procedures of the World Health Organization.

Article 9

This Agreement may be supplemented with the consent of both parties, on the initiative of either party.

Article 10

This Agreement shall enter into force upon its approval by the World

Health Assembly and signature by the Director of the Pan American Sanitary Bureau, acting on behalf of the Pan American Sanitary Conference, provided that fourteen of the American republics have at that time deposited their instruments of acceptance of the Constitution of the World Health Organization.

Article 11

In case of doubt or difficulty in interpretation, the English text shall govern.

IN WITNESS WHEREOF this Agreement was done and signed at Washington, D. C., on this twenty-fourth day of May nineteen hundred and forty-nine in four copies, two in English and two in French.

For the World Health Organization

BROCK CHISHOLM
Director-General

*For the Pan American
Sanitary Conference*

FRED L. SOPER
The Director

“AGREEMENT WITH THE PAN AMERICAN SANITARY ORGANIZATION¹

The Second World Health Assembly,
Acting in pursuance of Chapter XI of the Constitution of the World Health Organization,

APPROVES the Agreement between the World Health Organization and the Pan American Sanitary Organization signed in Washington by the Director-General of the World Health Organization and the Director of the Pan American Sanitary Organization on 24 May 1949;

DECLARES that the said Agreement shall have effect from 1 July 1949.”

¹ This Agreement was approved at the tenth plenary session of the Second World Health Assembly, held in Rome in June 1949.

8. AGREEMENT BETWEEN THE COUNCIL OF THE ORGANIZATION OF AMERICAN STATES AND THE DIRECTING COUNCIL OF THE PAN AMERICAN SANITARY ORGANIZATION

WHEREAS:

The Charter of the Organization of American States stipulates that it is the duty of the Council of the Organization "to conclude agreements with the Inter-American Specialized Organizations to determine the relations that shall exist between the respective agency and the Organization," and sets forth the provisions that may be included in such agreements;

Resolution III of the Ninth International Conference of American States authorized the Council of the Organization of American States to make a complete survey of the status and activities of, and to take certain measures with reference to, Inter-American Organizations, as might be appropriate;

The resolution adopted by the Directing Council of the Pan American Sanitary Organization in 1947 authorized the Director of the Pan American Sanitary Bureau to study and plan, in agreement with the Director General of the Pan American Union, the necessary measures for the maintenance of close relations between the two organizations;

The Directing Council of the Pan American Sanitary Organization, at its III Meeting held in Lima, October 1949, agreed in Resolution XI, paragraph 6, "to authorize the Executive Committee to give final approval on behalf of the Pan American Sanitary Organization to an Agreement with the Organization of American States"; and

The Executive Committee at its 10th Meeting having approved a draft of the above-mentioned Agreement,

THEREFORE:

The Council of the Organization of American States and the Directing Council of the Pan American Sanitary Organization have agreed upon the following:

I

The Pan American Sanitary Organization is recognized as an Inter-American Specialized Organization.

II

The Pan American Sanitary Organization acts as regional organization of the World Health Organization in the Western Hemisphere.

III

The Pan American Sanitary Organization shall continue to enjoy the fullest autonomy in the accomplishment of its purposes, within the limits of the instruments which govern it. In any event, the Pan American Sanitary Organization, through its competent organs, shall take into account the recommendations made by the Council of the Organization of American States, in accordance with the provisions of the Charter of the said Organization.

IV

The Pan American Sanitary Organization shall give technical advice on matters of public health and medical care to the Council of the Organization of American States and its Organs, and to the Pan American Union, upon request.

V

The Council of the Organization of American States, its Organs, and the Pan American Union shall consult the Pan American Sanitary Organization on all matters of public health and medical care that are brought to the attention of the former.

VI

The Council of the Organization of American States may send observers, with voice but without vote, to the Pan American Sanitary Conference, the meetings of the Directing Council and of the Executive Committee of the Pan American Sanitary Organization, and to other technical meetings held or sponsored by the Pan American Sanitary Organization.

VII

The Pan American Sanitary Organization may send observers, with voice but without vote, to the Inter-American Conference, as well as to meetings of the Organs and the Committees of the Council of the Organization of American States, when they deal with subjects of interest to the Pan American Sanitary Organization.

VIII

The Council of the Organization of American States and the Pan American Sanitary Organization may recommend, either one to the

other, topics for inclusion in the agenda of any of the conferences and meetings mentioned in the two preceding articles.

IX

The Pan American Sanitary Organization shall prepare the programs and regulations of the Pan American Sanitary Conference, which is recognized as having the status of a Specialized Conference, and may promote or sponsor such other technical meetings on public health, medicine, and allied sciences as it considers appropriate. These technical meetings shall have the status of Inter-American Specialized Conferences only when they are convoked in accordance with the provisions of Article 93 of the Charter of the Organization of American States.

The Pan American Sanitary Bureau and the Pan American Union shall keep each other mutually informed, for their respective purposes, of every initiative that may be taken to hold Inter-American Specialized Conferences or other inter-American meetings in the said fields.

X

The Pan American Sanitary Bureau shall inform the Council of the Organization of American States of the proposed dates of the Pan American Sanitary Conference, of the meetings of the Directing Council and of the Executive Committee, and of such other technical meetings as the Sanitary Organization may convene or sponsor, in order that the Council of the Organization of American States may make such observations as it deems appropriate with a view to coordinating the dates of such meetings with those of other conferences. The programs and regulations of such meetings shall also be sent to the Council of the Organization of American States for its information.

XI

The Pan American Union shall transmit to the States Members of the Organization of American States the convocation issued by the Pan American Sanitary Bureau for the Pan American Sanitary Conference and for other Inter-American Specialized Conferences which the Pan American Sanitary Organization holds or sponsors.

XII

The Pan American Union and the Pan American Sanitary Bureau shall maintain a full exchange of information, publications, and documents.

XIII

The Pan American Sanitary Organization, through its competent

organ, shall transmit to the Council of the Organization of American States the proposed budget for the following fiscal year prepared by the Executive Committee of the Pan American Sanitary Organization as soon as it is ready, if possible before September 15.

XIV

The Pan American Union shall forward to the Governments the budget approved by the Directing Council of the Pan American Sanitary Organization, together with a statement of the quota due from each Government for the maintenance of the Bureau.

XV

The Pan American Union and the Pan American Sanitary Bureau shall cooperate to the fullest extent possible in recruiting and in establishing standards of compensation of personnel, in the exchange and regulation of personnel, and in the reciprocal use of equipment, facilities, and services.

XVI

Administrative arrangements between the Pan American Union and the Pan American Sanitary Bureau relative to the receipt and disbursement of funds, and to personnel, library facilities, and the utilization of space, equipment, facilities, and services, may be made by the Secretary General of the Organization of American States and the Director of the Pan American Sanitary Bureau.

XVII

The Pan American Sanitary Bureau shall have the option of including its employees in the Pan American Union Retirement and Pension Fund, subject to the provisions of the plan governing its administration.

XVIII

The Pan American Sanitary Bureau shall transmit annually to the Council of the Organization of American States a report on the progress of the work of the Pan American Sanitary Organization. Such report shall contain a statement of activities undertaken during the preceding year, as well as a statement of financial operations.

XIX

Whenever a project contemplating substantial changes in the structure or financial basis of the Pan American Sanitary Organization is to be submitted to the competent organ of that Organization, it will first be submitted in due time to the Council of the Organization of American States.

XX

The present Agreement shall come into force on the date on which it is signed by the authorized representative of the Council of the Organization of American States and by the authorized representative of the Directing Council of the Pan American Sanitary Organization.

XXI

This Agreement may be revised by mutual agreement between the Council of the Organization of American States and the Directing Council of the Pan American Sanitary Organization, or denounced, on three months' notice given by either of the Contracting Parties.

IN WITNESS WHEREOF, the Secretary General of the Organization of American States, authorized representative of the Council of the Organization, and the Director of the Pan American Sanitary Bureau, authorized representative of the Directing Council of the Pan American Sanitary Organization, sign the present Agreement in Spanish and English at the Pan American Union, Washington, D. C., this 23rd day of May, nineteen hundred fifty.

ALBERTO LLERAS
Secretary General of the Organization
of American States

FRED L. SOPER
Director of the Pan American
Sanitary Bureau

9. RULES OF PROCEDURE OF THE DIRECTING COUNCIL OF THE PAN AMERICAN HEALTH ORGANIZATION¹

PART I

MEMBERSHIP

ART. 1. The Directing Council shall be composed of representatives of Member Governments and territories and groups of territories (hereinafter called territories) as defined in Article 2 of the Constitution.

ART. 2. The order of precedence of representatives shall be based on the alphabetical order of the countries, as expressed in the language of the country where the meeting is held.

PART II

OFFICERS

ART. 3. At each meeting the Directing Council shall elect a Chairman and two Vice-Chairmen, who shall hold office until their successors are elected.

ART. 4. The Chairman shall preside over the sessions of the Directing Council and execute any other functions assigned to him under these Rules of Procedure.

ART. 5. In the absence of the Chairman, or when he so delegates, one of the Vice-Chairmen shall preside, and if all these officers should be absent the Council shall appoint a representative to preside over the session.

ART. 5A. If a representative of territories is elected an officer at any meeting, the said representative shall not officiate during a session at which any of the matters enumerated in Article 7A is under discussion.

SECRETARIAT

ART. 6. The Director of the Pan American Sanitary Bureau shall be ex officio Secretary of the Directing Council and of all committees, subcommittees, and working parties established by it. He may delegate these functions.

¹ Text adopted provisionally at the IV Meeting of the Directing Council (1950) and modified pursuant to Resolutions VIII and IX of the XIII Pan American Sanitary Conference (1950); Resolution I of the VI Meeting of the Directing Council (1952); Resolution I of the IX Meeting of the Directing Council (1956); and Resolution I of the X Meeting of the Directing Council (1957).

PART III

MEETINGS AND AGENDA

ART. 7. The meetings of the Directing Council shall be convoked by the Director of the Pan American Sanitary Bureau acting in conformity with a resolution of the Executive Committee.

ART. 7A. All meetings of the Directing Council shall at the same time be meetings of the Regional Committee of the World Health Organization except when the Directing Council is considering constitutional matters, the juridical relations between the Pan American Health Organization and the World Health Organization or the Organization of American States, or other questions relating to the Pan American Health Organization as an Inter-American Specialized Organization.

ART. 8. The presence of a majority of representatives of Members of the Directing Council shall be required to constitute a quorum for a meeting of the Council.

ART. 8A. A majority of the representatives of the Members of the Directing Council participating in a meeting shall constitute a quorum in a plenary session, provided that the number is not less than ten.

ART. 9. Each Member shall have one vote only.

ART. 10. Decisions shall be taken by the affirmative votes of the majority of representatives of Members and, in cases where they are entitled to vote, the territories, present and voting. For the purpose of this article, the phrase "present and voting" means representatives of Members and territories who cast an affirmative or negative vote. Representatives who abstain from voting are considered not voting.¹

ART. 11. Representatives of territories are entitled to participate and vote on the same basis as those of Members, except that they

¹ The Directing Council, at its IX Meeting (Resolution I), approved the following interpretation of the Rules of Procedure that relate to a quorum and to the vote required for the adoption of a resolution: "A resolution shall be considered adopted if it obtains a simple majority vote of the representatives of the Members who cast an affirmative or a negative vote, or a two-thirds majority in those instances in which a two-thirds majority is required by the Rules of Procedure or by decision of the Council in accordance with Article 6-B of the Constitution. It is not necessary that the number of affirmative and negative votes cast in any particular case be equal to or greater than the number required to establish a quorum."

shall not participate or vote when any of the matters enumerated in Article 7A are under discussion.

ART. 11A. The privilege of voting in the plenary sessions on Pan American Health Organization budget matters may be exercised by the representatives of territories, but this privilege shall be contingent on an equitable contribution to the budget of the Pan American Health Organization made on behalf of such territories.

ART. 11B. Representatives of territories under the jurisdiction of the same non-American State shall vote as a single unit in the plenary sessions and in the committees whenever they are entitled to vote. Only one vote may be cast on behalf of each such unit.

ART. 12. The meetings of the Directing Council shall be held only in those years in which the Conference does not meet, as follows:

- (a) In the odd years between the Pan American Sanitary Conferences, the annual meetings shall be held at the headquarters of the Pan American Sanitary Bureau.
- (b) The Council shall determine the place for its meetings in those even years in which the Conference does not meet.

ART. 13. The Director of the Pan American Sanitary Bureau shall prepare the agenda for each meeting.

ART. 14. The agenda shall include:

- (a) Any subject suggested by the Directing Council at its previous meeting.
- (b) Any subject proposed by the Executive Committee at its previous meeting.
- (c) Any subject proposed not later than 21 days prior to the meeting by Members, territories, or organizations entitled to propose subjects. The Director of the Pan American Sanitary Bureau may waive this time limitation should such a waiver be justified by special considerations.
- (d) Any subject proposed by the Director of the Pan American Sanitary Bureau.

ART. 15. Supplementary items may be added to the agenda during any session of the Council if two thirds of the representatives present and voting approve.

ART. 16. The agenda and all documents relating thereto shall be sent to Members, territories, and organizations entitled to representation, at least 30 days prior to the meeting. Copies of these documents shall be forwarded to the national health authorities.

ART. 17. To allow for proper discussion of the items on the agenda, the Director of the Pan American Sanitary Bureau shall formulate a program for the sessions.

ART. 18. The Directing Council shall adopt an agenda and approve a program at the beginning of each meeting.

ART. 19. The plenary sessions shall be held on the dates set by the approved program; other sessions, however, may take place on dates determined by the Directing Council.

ART. 20. The Director of the Pan American Sanitary Bureau shall report to the Directing Council on the technical, administrative, and financial implications, if any, of all agenda items.

ART. 21. Unless otherwise determined, the sessions of the Directing Council shall be public.

PART IV

COMMITTEES

ART. 22. A Committee on Credentials consisting of three representatives of as many Members shall be appointed by the Directing Council at its opening session. This Committee shall examine the credentials of representatives of Members and territories and report to the Directing Council thereon without delay.

ART. 23. The Directing Council shall establish at each meeting a General Committee and such main committees as it may consider necessary for the study of appropriate items on the agenda. The Chairmen of the main committees shall be elected by the Directing Council.

ART. 24. The General Committee shall consist of the Chairman and the two Vice-Chairmen of the Directing Council, representatives of four additional countries elected by the Directing Council, and the Director serving as ex officio member without the right to vote. The Chairman of the Directing Council shall serve as Chairman of the General Committee.

ART. 25. The General Committee shall:

- (a) Decide the time and place of all plenary sessions and of all sessions of committees established at plenary sessions during the meetings.
- (b) Determine the order of business at each plenary session.
- (c) Propose to the Directing Council the allocation to committees of items on the agenda.
- (d) Coordinate the work of all committees established at plenary sessions.

(e) Fix the date of adjournment.

(f) Otherwise facilitate the orderly dispatch of the business of the meeting.

ART. 26. Each Member shall be entitled to be represented on each main committee. Representatives may be accompanied at sessions of committees by alternates and advisers.

ART. 27. Each main committee shall elect a Vice-Chairman and a Rapporteur, who shall submit to the plenary session for discussion the report and conclusions reached by the committee.

ART. 28. Representatives of territories shall be entitled to participate, with the right to vote, in the committees of the Directing Council, except that they shall not have the right to vote when matters enumerated in Article 7A are under discussion.

ART. 29. The Directing Council or any main committee may establish working parties to consider and report upon particular subjects. Alternates and advisers may be appointed to any such working parties as may be established.

ART. 30. The reports of all committees, before being submitted to a plenary session for final disposition, shall be referred to the General Committee for coordination and editing. Such reports, including draft resolutions, shall, after being examined by the General Committee, be circulated insofar as practicable at least 24 hours in advance of the plenary session at which they will be considered.

PART V

DEBATES

ART. 31. Any representative may request a roll-call vote. The vote of each Member participating in any roll-call shall be inserted in the record of the meeting.

ART. 32. All elections shall be held by secret ballot; in other cases a secret ballot may be taken if the Directing Council so decides; in both events two tellers selected from among the representatives present shall assist in the counting of votes.

ART. 33. When only one Member is to be elected and no candidate obtains in the first ballot the majority required, a second ballot shall be taken which shall be restricted to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided and a majority is required, the Chairman shall decide between the candidates by drawing lots.

ART. 34. When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot the majority required shall be elected. If the number of candidates obtaining such majority is less than the number of persons or Members to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot to a number not more than twice the places remaining to be filled; provided that, after the third inconclusive ballot, votes may be cast for any eligible Members. If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to the candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice the places remaining to be filled, and the following three ballots thereafter shall be unrestricted, and so on until all the places have been filled.

ART. 35. Parts of a proposal shall be voted on separately if any representative so requests.

ART. 36. If two or more amendments are moved to a proposal, the amendment furthest removed in substance from the original proposal shall be voted on first, then the amendment next furthest removed until all the amendments have been put to a vote.

ART. 37. An amendment shall be voted on before the original proposal, and if it is adopted the amended proposal shall then be voted on.

ART. 38. During the discussion of any subject any representative may rise to a point of order, which shall be resolved immediately by the Chairman.

ART. 39. A representative may at any time move the closure of the debate. His motion shall be given priority and submitted to a vote immediately after one representative has been given the opportunity to speak in favor of and another against the motion.

ART. 40. The Chairman may at any time call for a vote to close the debate. If this motion is approved, the Chairman shall declare the debate closed.

ART. 41. The Directing Council may limit the time allotted to each speaker.

ART. 42. The right to speak shall be limited to representatives, to observers of organizations entitled to representation, and to the Director of the Pan American Sanitary Bureau serving in an ex officio capacity.

However, the Chairman may grant the right to speak to alternates and advisers of representatives and officers of the Pan American Sanitary Bureau and of the World Health Organization.

PART VI

FINAL REPORT AND MINUTES

ART. 43. The General Committee shall prepare the Final Report, which shall include the resolutions taken in regard to all agenda items.

ART. 44. The representatives and the Director shall sign the Final Report.

ART. 45. The Director shall send copies of the Final Report to each of the Members and territories.

ART. 46. The minutes of the sessions and the original Final Report of the Council shall be kept on file in the Bureau headquarters and made available upon request for inspection.

PART VII

OFFICIAL LANGUAGES

ART. 47. The official languages shall be English, French, Portuguese, and Spanish.

PART VIII

AMENDMENT OF THE RULES OF PROCEDURE

ART. 48. These Rules may be amended by resolution of the Directing Council on 24-hour notice or by a two-thirds majority vote at any time.

ART. 49. All matters not provided for in these Rules may be resolved directly by the Directing Council.

10. RULES OF PROCEDURE OF THE EXECUTIVE COMMITTEE OF THE PAN AMERICAN HEALTH ORGANIZATION¹

MEMBERSHIP

ART. 1. The Executive Committee of the Directing Council of the Pan American Health Organization shall be composed of a representative of each of the seven Member Governments (hereinafter called representatives) elected in accordance with Article 13 of the Constitution. Representatives may be accompanied by alternates and advisers. The members elected shall assume office from the moment they are proclaimed elected by the Directing Council or the Conference.

ART. 2. The Director of the Pan American Sanitary Bureau shall enjoy privileges and rights of a member ex officio of the Executive Committee, without the right to vote.

OFFICERS

ART. 3. The Executive Committee shall elect from among its members a Chairman and a Vice-Chairman, who shall hold office until their successors are elected. The election shall take place each year at the first meeting of the Executive Committee following the election of its new members.

ART. 4. The Chairman shall preside at the sessions of the Executive Committee and act in any other capacity conferred on him by these Rules.

ART. 5. In the absence of the Chairman or when he so delegates, the Vice-Chairman shall preside, and in case both are absent the Committee shall appoint one of its members to preside at the session.

SECRETARIAT

ART. 6. The Director of the Bureau shall be ex officio Secretary of

¹ Text adopted by the Executive Committee at its 12th Meeting (1950) and modified pursuant to Resolution I of its 29th Meeting (1956), Resolution I of its 31st Meeting (1957), and Resolution III of its 34th Meeting (1958).

In accordance with Resolution VII adopted by the Directing Council of the Pan American Health Organization at its V Meeting (Washington, D. C., 1951), the Executive Committee acts also as working party on behalf of the Regional Committee of the World Health Organization for the Americas, in reviewing all matters concerning administration, budget, and finance.

the Executive Committee and of all its subcommittees and working parties. He may delegate these functions.

MEETINGS AND AGENDA

ART. 7. The meetings of the Executive Committee shall be convoked by the Director of the Pan American Sanitary Bureau.

ART. 8. The presence of five representatives shall constitute a quorum at the sessions of the Executive Committee.

ART. 9. Each representative shall have one vote in the Executive Committee. A resolution shall be adopted by the affirmative vote of the majority of the representatives present and voting. For the purpose of these Rules, the phrase "representatives present and voting" means representatives casting an affirmative or a negative vote. Representatives who abstain from voting are considered as not voting.

ART. 10. The Director of the Pan American Sanitary Bureau shall prepare a draft agenda for each meeting, which shall include:

- (a) any subject suggested by the Directing Council;
- (b) any subject suggested by the Executive Committee during its preceding meetings;
- (c) any subject proposed not later than 21 days prior to the meeting by any Member of the Organization or by organizations entitled to propose subjects. The Director of the Pan American Sanitary Bureau may waive the time limitation should such a waiver be justified by special considerations;
- (d) any subject proposed by the Director of the Pan American Sanitary Bureau.

ART. 11. The Director of the Pan American Sanitary Bureau shall send to the Member Countries of the Organization the provisional agenda and he shall send all the pertinent documents to the representatives at least 14 days prior to the meeting.

ART. 12. The agenda and the order of priority of the topics in the discussion shall be approved by the Executive Committee.

ART. 13. The Secretary of the Executive Committee shall prepare the order of business for each session, in accordance with the preceding article.

ART. 14. The Director of the Pan American Sanitary Bureau shall report to the Executive Committee on the technical, administrative, and financial implications, if any, of all agenda items.

ART. 15. Unless otherwise decided, the sessions of the Executive Committee shall be public.

WORKING PARTIES

ART. 16. All business shall normally be transacted in the Executive Committee. The Executive Committee, however, may establish working parties to consider and report upon particular subjects. Alternates and advisers may be appointed to any such working parties as may be established.

ART. 17. A Drafting Committee shall be established, composed of the Chairman, the Vice-Chairman, and the Secretary or the person to whom the Secretary has delegated his functions.

DEBATES

ART. 18. Any representative may request a roll-call vote.

ART. 19. Parts of a proposal shall be voted on separately if any representative so requests.

ART. 20. If two or more amendments are moved to a proposal, the amendment furthest removed in substance from the original proposal shall be voted on first, then the amendment next furthest removed until all the amendments have been put to a vote.

ART. 21. An amendment shall be voted on before the original proposal, and if it is adopted the amended proposal shall then be voted on.

ART. 22. During the discussion of any subject any representative may raise a point of order, which shall be resolved immediately by the Chairman.

ART. 23. A representative may at any time move the closure of the debate. This motion shall be given priority and submitted to a vote immediately after one representative has been given the opportunity to speak in favor of and another against the motion.

ART. 24. The Chairman of the Executive Committee may at any time call for a vote to close the debate. If this motion is carried, the Chairman shall declare the debate closed.

ART. 25. The Executive Committee may limit the time allotted to each speaker.

ART. 26. The right to speak is granted to representatives, their alternates and advisers, observers designated by Member Countries and by territories as defined in Article 2 of the Constitution, observers

of organizations entitled to representation, the Director of the Pan American Sanitary Bureau, and, when the case, the official who acts as Secretary. The Chairman may extend the right to speak to officials of the Pan American Sanitary Bureau and the World Health Organization.

FINAL REPORT

ART. 27. The Drafting Committee shall prepare the Final Report, which shall include the resolutions taken in regard to all agenda items.

ART. 28. The Chairman and the Secretary shall sign the Final Report.

ART. 29. The Director shall send copies of the Final Report to each of the Member Governments of the Pan American Health Organization.

ART. 30. The original Final Report of meetings of the Executive Committee shall be prepared in Spanish and English, deposited in the archives of the Pan American Sanitary Bureau, and made available for inspection upon request.

OFFICIAL LANGUAGES

ART. 31. The official languages of the meetings shall be English, French, Portuguese, and Spanish.

AMENDMENT OF THE RULES OF PROCEDURE

ART. 32. These Rules may be modified or amended at the proposal of any member of the Executive Committee with the affirmative vote of an absolute majority of the Committee, that is, the affirmative vote of at least four of its seven members.

ART. 33. All matters not already provided for in these Rules shall be resolved directly by the Executive Committee.

11. FINANCIAL REGULATIONS OF THE PAN AMERICAN SANITARY BUREAU¹

Article I—Applicability

- 1.1 These regulations shall govern the financial administration of the Pan American Sanitary Bureau.

Article II—The Financial Year

- 2.1 The financial year shall be the period 1 January through 31 December.

Article III—The Budget

- 3.1 The proposed annual program and budget shall be prepared by the Director of the Pan American Sanitary Bureau.
- 3.2 The estimates shall cover expenditures for the financial year to which they relate, and shall be presented in U. S. dollars.
- 3.3 The annual budget estimates shall be divided into parts, sections, chapters, and articles, and shall be accompanied by such information annexes and explanatory statements as may be requested on behalf of the Conference or the Directing Council, and such further annexes or statements as the Director may deem necessary and useful.
- 3.4 The Director shall submit the proposed annual program and budget to the Executive Committee for examination.
- 3.5 The Executive Committee shall examine the Director's proposed program and budget and shall make such recommendation thereon as it deems appropriate.
- 3.6 The proposed program and budget shall be submitted to the Conference or the Directing Council for consideration, together with the recommendations made thereon by the Executive Committee. The proposed program and budget shall be transmitted to all Member States at least thirty days prior to the meeting of the Conference or of the Directing Council.

¹ Text approved by the Directing Council at its V Meeting (1951), and modified pursuant to Resolution XIII of its VII Meeting (1953), Resolution VII of its X Meeting (1957), and Resolution XXVIII of the XV Pan American Sanitary Conference (1958).

- 3.7 The budget for the following financial year shall be adopted by the Conference or the Directing Council.
- 3.8 Supplementary estimates may be submitted by the Director when and as he may deem necessary.
- 3.9 The Director shall prepare supplementary estimates in a form consistent with the annual estimates and shall submit such estimates to the Executive Committee for examination and recommendation. The Director shall submit to the Conference or Directing Council for consideration the supplementary estimates, together with the comments of the Executive Committee.

Article IV—Appropriations

- 4.1 The appropriations voted by the Directing Council shall constitute an authorization to the Director to incur obligations and make payments for the purposes for which the appropriations were voted and up to the amounts so voted.
- 4.2 Appropriations shall be available for obligation for the financial year to which they relate.
- 4.3 Appropriations shall remain available for twelve months following the end of the financial year to which they relate, to the extent that they are required to discharge the outstanding legal obligations as of 31 December of that year. Any remaining balance of appropriations will revert to the Working Capital Fund.
- 4.4 At the end of the twelve-month period provided in Regulation 4.3, the remaining balance of any appropriations will revert to the Working Capital Fund. Any unliquidated obligations of the prior twelve months shall at that time be canceled; where the obligation remains a valid charge, it shall be transferred as an obligation against current appropriations.
- 4.5 Transfers within the total amount appropriated may be made to the extent permitted by the terms of the budget resolution adopted by the Directing Council.

Article V—Provision of Funds

- 5.1 The appropriations, subject to the adjustments effected in accordance with the provisions of Regulation 5.2, shall be financed by contributions from Member States, according to Article 60 of the Pan American Sanitary Code. Pending the receipt of such

contributions, the appropriation may be financed from the Working Capital Fund.

- 5.2 In the assessment of the contributions of Member States, adjustments shall be made to the amount of the appropriations approved by the Directing Council for the following financial year in respect of:
- (a) Supplementary appropriations for which contributions have not previously been assessed on the Member States;
 - (b) Contributions resulting from the assessment of new Member States under the provisions of Regulation 5.8; and contributions made by France, the Netherlands, and the United Kingdom on behalf of their territories in the Region of the Americas, under the provisions of Resolution XL of the V Meeting of the Directing Council;
 - (c) The estimated amount of miscellaneous income shall be routinely credited to voted budget appropriations.
- 5.3 After the Directing Council has voted the appropriations the Director shall request the Secretary General of the Organization of American States to:
- (a) Transmit the relevant documents to Member States;
 - (b) Inform Member States of their commitments in respect of annual contributions;
 - (c) Request Member States to remit their contributions.
- 5.4 Contributions shall be considered as due and payable in full within 30 days of the receipt of the communication of the Secretary General of the Organization of American States, or as of the first day of the financial year to which they relate, whichever is the later. As of 1 January of the following financial year, the unpaid balance of such unpaid contributions shall be considered to be one year in arrears.
- 5.5 Annual contributions shall be assessed in United States dollars and paid in United States dollars.
- 5.6 Payments made by a Member State shall be credited to the earliest outstanding assessments in its account.
- 5.7 The Director shall submit to the regular session of the Directing Council a report on the collection of contributions.
- 5.8 New Members shall be required to make a quota contribution for the year in which they become Members.

Article VI—Funds

- 6.1 There shall be established a General Fund for the purpose of accounting for the expenditures of the Bureau. The contributions paid by the Member States under Regulation 5.1, miscellaneous income, and any advances made from the Working Capital Fund to finance general expenditures shall be credited to the General Fund.
- 6.2 There shall be established a Working Capital Fund in an amount and for purposes to be determined from time to time by the Directing Council. The source of monies of the Working Capital Fund shall be from the surplus as of 31 December 1949 as reported by the Director and as adopted by the Directing Council under Resolution II of the III Meeting of the Directing Council of the Pan American Health Organization and as set forth in Resolution III (Rev. 1) of the XIII Pan American Sanitary Conference.
- 6.3 Title to monies credited to the Working Capital Fund shall remain with the Pan American Health Organization.
- 6.4 The Working Capital Fund shall be used to finance budgetary appropriations during a financial year and the fund shall be reimbursed as soon as and to the extent that income is available for that purpose.
- 6.5 Transfers from the Working Capital Fund to finance unforeseeable and extraordinary expenses or other authorized purposes shall be reimbursed from regularly budgeted funds unless other authorized means are used to replenish the Fund.
- 6.6 Income derived from investments of the Working Capital Fund shall be credited to miscellaneous income.
- 6.7 Trust, Reserve, and Special Funds may be established by the Director or other appropriate authority.
- 6.8 The purpose and limits of each Trust, Reserve, and Special Fund shall be clearly defined by the appropriate authority. Unless otherwise provided, such funds shall be administered in accordance with these Regulations.
- 6.9 The Director with the prior and written concurrence of a majority of the members of the Executive Committee shall have the power to borrow funds.

Article VII—Other Income

7.1 All income, other than:

- (a) Contributions to the budget;
- (b) Refunds of direct expenditures made during the financial year;
- (c) Advances or deposits to Funds; and
- (d) The contributions made by France, the Netherlands, and the United Kingdom on behalf of their territories in the Region of the Americas,

shall be claimed as miscellaneous income for credit to the General Fund.

- 7.2 Voluntary contributions may be accepted by the Director provided that the purposes for which the contributions are made are consistent with the policies, aims, and activities of the Bureau and provided that the acceptance of such contributions which directly or indirectly involve additional financial liability for the Bureau, shall require the consent of the appropriate authority.
- 7.3 Monies accepted for the purposes specified by the donor shall be treated as Trust or Special Funds under Regulations 6.7 and 6.8.
- 7.4 Monies accepted in respect of which no purpose is specified shall be treated as miscellaneous income and reported as "gifts" in the annual accounts.

Article VIII—Custody of Funds

- 8.1 The Director shall designate the bank or banks in which the funds of the Bureau shall be kept.

Article IX—Investment of Funds

- 9.1 The Director may make short-term investments of monies not needed for immediate requirements and shall inform the Executive Committee periodically of such investments which he has made.
- 9.2 The Director may make long-term investments of monies standing to the credit of Trust, Reserve, or Special Funds as may be provided by the appropriate authority in respect to each such Fund.
- 9.3 Income derived from investments shall be credited as provided in the rules relating to each Fund.

Article X—Internal Control

10.1 The Director shall:

- (a) Establish detailed financial rules and procedures in order to ensure effective financial administration and the exercise of economy;

- (b) Cause all payments to be made on the basis of supporting vouchers and other documents which ensure that the services or goods have been received, and that payment has not previously been made;
 - (c) Designate the officers who may receive monies, incur obligations, and make payments on behalf of the Bureau;
 - (d) Maintain an internal financial control which shall provide for an effective current examination and/or review of financial transactions in order to ensure:
 - (i) the regularity of the receipt, custody, and disposal of all funds and other financial resources of the Bureau;
 - (ii) the conformity of obligations and expenditures with the appropriations or other financial provision voted by the Directing Council, or with the purposes and rules relating to Trust and other Special Funds;
 - (iii) the economic use of the resources of the Bureau.
- 10.2 No obligations shall be incurred until allotments or other appropriate authorizations have been made in writing under the authority of the Director.
- 10.3 The Director may make such *ex gratia* payments as he deems to be necessary in the interests of the Bureau, provided that a statement of such payments shall be submitted to the Directing Council with the annual accounts.
- 10.4 The Director may, after full investigation, authorize the writing-off of such losses of cash, stores, and other assets, provided that a statement of all such amounts written off shall be submitted to the Auditor(s) with the annual accounts.
- 10.5 Tenders for equipment, supplies, and other requirements shall be invited by advertisement except where the Director deems that, in the interests of the Bureau, a departure from the rule is desirable.

Article XI—The Accounts

- 11.1 The Director shall maintain such accounting records as are necessary and shall submit annual accounts showing for the financial year to which they relate:
- (a) The income and expenditure of all funds;
 - (b) The status of appropriations;
 - (c) The assets and liabilities of the Bureau.

He shall also give such other information as may be appropriate to indicate the current financial position of the Bureau.

- 11.2 The accounts of the Bureau shall be presented in United States dollars. The accounting records may be kept in such currency or currencies as the Director may deem necessary.
- 11.3 Appropriate separate accounts shall be maintained for all Trust and other Special Funds.
- 11.4 The annual accounts shall be submitted by the Director to the External Auditor(s) by 1 March following the end of the financial year.

Article XII—External Audit

- 12.1 The Directing Council shall appoint External Auditor(s) of international repute to audit the accounts of the Bureau. Auditor(s) appointed may be removed only by the Directing Council.
- 12.2 The External Auditor(s) shall perform such an audit as he/they may deem necessary to certify:
 - (a) That the financial statements are in accord with the books and records of the Bureau;
 - (b) That the financial transactions reflected in the statements have been in accordance with the rules and regulations, and other applicable directives;
 - (c) That the securities and monies on deposit and on hand have been verified by certificate received direct from the Bureau's depositories or by actual account.
- 12.3 Subject to the provisions of the financial regulations, the Auditor(s) shall be the sole judge as to the acceptance in whole or in part of the certifications by members of the staff of the Bureau and may proceed to such detailed examination and verifications of all financial records as he/they may choose, including those relating to supplies and equipment.
- 12.4 The Auditor(s) may affirm by test the reliability of the internal audit and may make such reports with respect thereto as he/they may deem necessary to the Directing Council.
- 12.5 The Auditor(s) and his/their staff have free access at all convenient times to all books of account and records which are, in the opinion of the Auditor(s), necessary for the performance of the audit. Information classified in the records of the Directorate as confidential, and which is required for the purpose of the audit, shall be made available on application to the Director or his alternate.

- 12.6 The Auditor(s), in addition to certifying the account, may make such observations as he/they may deem necessary with respect to the efficiency of the financial procedures, the accounting system, the internal financial controls, and in general the financial consequences of administrative practices. In no case, however, shall the Auditor(s) include criticism in his/their audit report without first affording the Directorate an opportunity of explanation to the Auditor(s) of the matter under observation. Audit objections to any item in the accounts shall be immediately communicated to the Chief, Division of Administration.
- 12.7 The Auditor(s) shall have no power to disallow items in the accounts, but shall draw to the attention of the Director for appropriate action any transaction concerning which he/they entertain doubt as to legality or propriety.
- 12.8 The Auditor(s) shall prepare a report on the accounts certified, in which he/they should mention the extent and character of his/their examination or any important changes therein, matters affecting the completeness or accuracy of the accounts or other matters which should be brought to the notice of the Directing Council, such as:
- (a) Cases of fraud or presumptive fraud;
 - (b) Wasteful or improper expenditure of money or other assets of the Bureau (notwithstanding that the accounting for the transactions may be correct);
 - (c) Expenditure likely to commit the Bureau to further outlay on a large scale;
 - (d) Any defect in the general system or detailed regulations governing the control of receipts and expenditure, or of supplies and equipment;
 - (e) Expenditure not in accordance with the intention of the Directing Council, after making allowance for duly authorized transfers within the budget;
 - (f) Expenditure in excess of appropriations as amended by duly authorized transfers within the budget;
 - (g) Expenditure not in conformity with the authority which governs it.
- 12.9 The Auditor(s) shall submit his/their report to the Directing Council to be available to the Executive Committee not later than 15 April following the end of the financial year to which the accounts relate. The Director shall forward to the Executive Committee his comments, if any, on the audit report. The

Executive Committee shall review the audit report and forward its comments, if any, to the Directing Council.

Article XIII—Resolutions Involving Expenditures

- 13.1 The Pan American Sanitary Conference, the Directing Council, and the Executive Committee shall not make decisions involving expenditures unless they have received a report from the Director on the administrative and financial implications of the proposal.
- 13.2 Where, in the opinion of the Director, the proposed expenditure cannot be made from the existing appropriations it shall not be incurred until the Pan American Sanitary Conference or the Directing Council has made the necessary appropriations, unless such expenditure can be made under the conditions of the resolution of the Directing Council relating to the Emergency Procurement Revolving Fund.

Article XIV—Delegation of Authority

- 14.1 The Director may delegate to other officers of the Bureau such of his powers as he considers necessary for the effective implementation of these regulations.

Article XV—General Provisions

- 15.1 These regulations shall be effective as of the date of their approval by the Directing Council and may be amended only by the Directing Council or the Pan American Sanitary Conference.
- 15.2 In case of doubt as to the interpretation and application of any of the foregoing regulations, the Director is authorized to rule thereon.

Article XVI—Special Provisions

- 16.1 The Director shall report annually to the Directing Council or the Pan American Sanitary Conference such financial rules and amendments thereto as he may make to implement these regulations after confirmation by the Executive Committee.

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