

Review of the Constitution of the World Health Organization: report of the Executive Board special group

The Executive Board,

Having considered the report of the special group for the review of the Constitution of the World Health Organization;¹

REQUESTS the Director-General to propose for the consideration of the Fifty-second World Health Assembly the draft amendments to the Constitution set forth below, and to transmit such draft amendments to Member States in accordance with the provisions of Article 73 of the Constitution:

(in the first indented provision under the first paragraph of the preamble)

Delete:

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

Insert:

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

Article 7 - Delete and replace by

Article 7

- (a) (1) If a Member fails to meet its financial obligations to the Organization, the Health Assembly may, on such conditions as it thinks proper:
- (i) suspend the voting privileges to which the Member is entitled;
 - (ii) exclude such Members from eligibility for election to be entitled to designate a person to serve on the Executive Board; and

¹ Document EB101/7.

- (iii) exclude the representatives of such Members from eligibility for election as an officer of the Health Assembly.
- (2) The Health Assembly may also prohibit the Organization from entering into or renewing any arrangement involving payment for services provided by any Member State which persistently fails to meet its financial obligations without due cause.
- (3) The Health Assembly shall have the authority to restore such rights and privileges.
- (b) In other exceptional circumstances, the Health Assembly may suspend the voting privileges and nonessential services to which a Member is entitled. The Health Assembly shall have the authority to restore such voting privileges and services.

Article 11 - Delete and replace by

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 preferably represent the national health administration of the Member.

Article 21 - Delete and replace by

Article 21

- (a) The Health Assembly shall have the authority to adopt regulations concerning particularly:
 - (i) sanitary and quarantine requirements and other procedures designed to prevent the international spread of diseases;
 - (ii) nomenclatures with respect to diseases, causes of death and public health practices;
 - (iii) standards with respect to diagnostic procedures for international use;
 - (iv) standards with respect to safety, purity and potency of biological, pharmaceutical and similar products moving in international commerce;
 - (v) advertising and labelling of biological, pharmaceutical and similar products moving in international commerce;
 - (vi) standards with respect to transplantation of tissues and genetic engineering, including cloning.
- (b) The Health Assembly shall have authority to adopt regulations concerning any other health-related matter falling within the functions of the Organization as set forth in Article 2.

Article 25 - Delete and replace by

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 held after the coming into force of the amendment to this Constitution increasing the membership of the Board from thirty-one to thirty-two the term of office of the additional Member elected shall, insofar as may be necessary, be of such lesser duration as shall facilitate the election of at least one

Member from each regional organization in each year. No Member should have a greater right, explicit or implied, than any other Member to designate a person to serve on the Board.

Article 50

Delete

- (g) such other functions as may be delegated to the regional committee by the Health Assembly, the Board or the Director-General.

and replace by

- (g) to foster and promote activities of the Organization at country level;
- (h) such other functions as may be delegated to the regional committee by the Health Assembly, the Board or the Director-General.

Article 55 - Delete and replace by

Article 55

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

Eighth meeting, 22 January 1998
EB101/SR/8

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