



ORGANIZAÇÃO MUNDIAL DE SAÚDE
ESCRITÓRIO REGIONAL AFRICANO

REGIONAL COMMITTEE FOR AFRICA

AFR/RC54/INF/DOC.1

15 March 2004

Fifty-fourth session

Brazzaville, Republic of Congo, 30 August–3 September 2004

ORIGINAL: ENGLISH

Provisional agenda item 7

NOMINATION OF THE REGIONAL DIRECTOR

Note by the Legal Counsel

CONTENTS

Paragraphs

BACKGROUND 1–5

THE PROCEDURE FOR NOMINATION DURING THE REGIONAL COMMITTEE 6–19

ANNEXES

Pages

1. Excerpt of the Rules of Procedure of the Regional Committee for Africa 5

2. Criteria for the Nomination of Regional Director 7

Background

1. The purpose of this document is to provide background information and a summary of the Regional Committee's role in the nomination of the Regional Director for Africa.
2. Article 52 of the WHO Constitution provides that "the head of the regional office shall be the Regional Director appointed by the Board in agreement with the regional committee." Article 52 has been implemented in WHO in the following manner. The Regional Committee for each region has adopted rules of procedure governing how it nominates a candidate to the post of Regional Director. In the case of the African Region, this procedure is set forth in Rule 52 of the Rules of Procedure of the Regional Committee (attached herewith as Annex 1). The Rules of Procedure of the Executive Board set out how the Board then decides on the appointment of a person thus nominated by a Regional Committee. The Board's Rules of Procedure provide that the term of office of a person appointed as Regional Director shall be five years, renewable once only.
3. The Regional Committee for Africa at its fifty-third session in September 2003 amended Rule 52 of its Rules of Procedure while, at the same time, reaffirming the validity of the criteria for nomination to the post of Regional Director it had previously adopted at its forty-eighth session in 1998 (see Annex 2). The amendments were adopted after the Regional Committee decided not to establish a search committee to evaluate candidates, but rather to develop a procedure for drawing up a short list of candidates for subsequent interview, using as point of reference the procedure followed by the Executive Board at its one-hundred-and-eleventh session in January 2003 for the appointment of the Director-General.
4. On 25 February 2004, the Director-General sent out, in accordance with Rule 52, a communication to each Member State of the African Region announcing that each Member State can propose one or two persons being citizens of a Member State of the Region as candidate(s) for the post of Regional Director up until the close of business on 7 June 2004. In addition, Member States were informed that the proposal(s) of candidate(s) must be accompanied by a curriculum vitae of each candidate proposed. Member States of the African Region therefore have until 7 June to propose candidates for the post of Regional Director, together with curricula vitae, in accordance with Rule 52.
5. On 21 June 2004, the Director-General will again send out a communication as required under Rule 52, to each Member State of the Region informing them of the name(s) of the candidate(s) proposed and enclosing the curriculum vitae of each candidate.

The procedure for nomination during the Regional Committee

6. Should candidates be properly proposed within the set deadline, then the first phase of the procedure to be followed at the Regional Committee itself will depend on whether or not there are

more than five candidates proposed. Should more than five candidates be proposed, then the Committee will need to deal with the nomination process in three different stages, as follows:

- (i) preparing a short list;
- (ii) interviewing the candidates;
- (iii) voting to nominate a candidate.

7. Rule 52 requires that the third stage, i.e. voting to nominate a candidate, be conducted in private session. Although the Rule is silent on how the meetings dealing with the other stages of the nomination process should be conducted, it is assumed the Committee will wish that the meetings for each of the two preceding stages be held also in private session.¹

(i) Preparing a short list

8. Under the amended paragraph 6 of Rule 52, if the Director-General receives proposals of more than five candidates within the deadline prescribed in paragraph 2 of the same Rule, the Committee shall draw up a short list of five candidates at the commencement of its session, under the modalities set forth in the same paragraph 6. If the Director-General receives five candidatures or less, the shortlisting process will not take place and the Regional Committee will proceed directly to interviewing the candidates.

9. Given the fact that the session of the Committee will last five days, it is important that the short list be provided as soon as possible so as to have enough time for the other stages of the process. It is therefore assumed that the short list will need to be prepared at a meeting held on Tuesday, 31 August 2004.

10. As provided in the revised Rule 52, the Regional Committee shall hold a secret ballot and the five candidates obtaining the highest number of votes shall make up the short list. Given the five-day duration of the Regional Committee, the amendment is intended to provide a simple procedure for identifying those five candidates having the broadest support, so that the subsequent stages can be implemented expeditiously by the Committee solely with respect to those five identified candidates, i.e. stage (ii) interviewing the candidates; and stage (iii) voting to nominate a candidate.

11. Thus, in order to draw up the short list under the new Rule, each designated representative is to vote simply for one candidate, and those five candidates receiving the highest number of votes will be on the short list. Consequently, except in the unlikely event of a tie among two or more candidates

¹ In the case of the nomination of the Director-General, the Executive Board had previously taken the same decision for the last two nominations. It has, since then, amended its Rules of Procedure to enable a representative of each Member State to attend all such meetings. Since the Regional Committee is not a body of limited membership vis-à-vis Member States of the Region, such an arrangement is not relevant – unless the Regional Committee wishes to permit Member States of other regions attending its session to attend the meetings at which it decides on the short list of candidates and the conduct of interviews. A similar approach would not be possible for the meeting on the actual nomination of the Regional Director (the third stage in paragraph 6 above), since Rule 52 expressly provides that it must be held in private.

such that there are more than five candidates potentially identified for inclusion on the short list,² the procedure for determining those candidates to be on the short list can be completed after a single ballot. Worth emphasizing is that this balloting is solely for the purpose of preparing the short list. Thus, even if a candidate receives a majority of the votes, this has no impact other than to place that candidate on the short list. Each of the subsequent steps still must be followed as set out.

(ii) Interviewing the candidates

12. The five shortlisted candidates (or all the proposed candidates if they are no more than five) should be interviewed by the Regional Committee as soon as possible. Since the timing of the interviews has to take into account the possibility that a short list would be prepared prior to the interviews, the Regional Committee will presumably wish to schedule the interviews of candidates for Wednesday, 1 September 2004. Assuming there are exactly five candidates to be interviewed, experience with the same procedure at the Executive Board shows that this process will take most of the day.

13. In view of the shortness of time between the preparation of the short list and the likely date for the interviews, it would be advisable for all candidates to be present in the area where the Regional Committee will be held latest by Wednesday, 1 September 2004, so as to ensure their availability for an interview in the event that they are shortlisted. Candidates should provide the Secretariat with full details of where they can be contacted during the week of the Regional Committee to ensure that they can be given all relevant last minute information.

14. Paragraph 7 of Rule 52 provides that the interview shall consist of a presentation by each candidate—no topic being specified³—in addition to answers to questions from Members of the Committee. Furthermore, the Committee shall determine, as appropriate, the modalities of the interview.

15. As for the structure of the interviews, it is assumed the Regional Committee will wish to follow the approach of the Executive Board. In this connection, the Executive Board limits each interview to 60 minutes, divided equally between an oral presentation by the candidate and the question-and-answer period. Should there be insufficient questions to fill the allotted time, the candidate could make such additional statements as desired until the end of the 60-minute period set for the interview. The time limits are strictly adhered to. Both the presentation period and the question-and-answer period are conducted without the use of any visual aids or the distribution of any written material in the meeting room, and the order of interviews is determined by lot. Additional details concerning, for example, the modalities for posing questions and the time allowed for the candidate's responses to individual questions, will be described in a proposal by the Chairman of the Regional Committee

²This could occur when there is a tie such that it is not possible to choose the five candidates with the highest votes, e.g. there are two candidates receiving the same number of votes for the fifth place. In this case, the rule provides for a separate ballot between those candidates receiving the tie votes.

³Since the Committee did not decide in advance on the subject-matter of the presentation, it would appear most appropriate that the topic should be left for each candidate to decide. Should the Regional Committee entertain a proposal to choose a particular subject-matter for the presentation when it convenes at its fifty-fourth session in September 2004, this could operate to the advantage of any candidate(s) who might have had advance knowledge of the proposal.

(formulated with the guidance of the WHO Legal Counsel), emphasis being placed on the need for fairness and equality of treatment of all candidates.

(iii) Voting to nominate a candidate

16. The last stage involves voting to nominate the candidate whose name is to be submitted to the Executive Board for appointment. The procedure for this stage is set out in paragraph 8 of Rule 52 of the Rules of Procedure, and has largely remained unchanged from previous years.

17. In summary, in case a short list is prepared, the balloting is restricted to those candidates on the short list (this is the only change from the previous practice). Each designated representative of a Member State of the Regional Committee places the name of one candidate on his or her ballot paper. If no candidate receives the majority of votes from designated representatives present and voting,⁴ the candidate receiving the least number of votes is eliminated at each ballot until a candidate receives the required majority. Rule 52 provides a specific procedure to deal with persistent tie votes between two sole remaining candidates.

18. In practice, since the process of interviewing the five candidates on the short list is expected to take up virtually the entire day of Wednesday, the voting to nominate a candidate will normally need to take place on Thursday, 2 September 2004.

19. As far as the duration of the appointment of a new Regional Director is concerned, since Rule 48 of the Rules of Procedure of the Executive Board provides that the appointment of a Regional Director shall be for five years, the Regional Committee does not need to make any recommendation in this regard.

⁴ For example, if representatives of all 46 Member States of the Regional Committee cast valid ballots, and none of the ballots is an abstention, the majority required is 24. (It should be noted that, in accordance with Rule 42, representatives abstaining shall be considered as not voting.)

ANNEX 1**EXCERPT FROM THE RULES OF PROCEDURE OF
THE REGIONAL COMMITTEE FOR AFRICA**

Rule 52

1. Not less than six months before the date fixed for the opening of a session of the Committee at which the Director is to be nominated, the Director-General shall inform each Member that he will receive proposals for the names of persons for nomination by the Committee for the post of Director.
2. Any Member may propose for the post of Director the names of one or two persons being citizens of a Member State in the Region, submitting with the proposal the curriculum vitae of each person. Such proposals shall be sent to the Director-General, so as to reach him at the Headquarters of the Organization at Geneva, Switzerland, not less than twelve weeks before the date fixed for the opening of the session.
3. If the Director in office is available for reappointment, the Director-General shall inform each Member accordingly at the time when he invites proposals for names of nominees for the post of Director. The name of the Director in office thus available shall automatically be submitted to the Committee and shall not require a proposal from any Member.
4. The Director-General shall, not less than ten weeks before the date fixed for the opening of the session of the Committee, cause copies of all proposals for nomination for the post of Director (with the curriculum vitae of each person) received by him within the period specified to be sent to each Member under confidential cover.
5. If no proposals have been received by the Director-General in time for transmission to Members in accordance with this Rule, Members shall be informed accordingly not less than ten weeks before the opening of the session of the Committee. The Committee shall itself establish a list of candidates composed of the names proposed in secret by the representatives present and entitled to vote.
6. If the Director-General receives more than five candidatures within the period specified in paragraph 2, the Committee shall draw a short list of five candidates at the commencement of its session. For this purpose, the Committee shall hold a secret ballot, and the five candidates obtaining the highest number of votes shall make up the short list. In the event of a tie between two or more persons such that there are more than five persons identified for inclusion on the short list, there shall be additional ballots between those persons receiving the tie votes, with those receiving the highest number of votes filling the remaining place or places on the short list.
7. The persons proposed under paragraph 2, or—in the case of paragraph 6 being applicable—those persons on the short list, shall be interviewed by the Committee as soon as possible. The interview shall consist of a presentation by each candidate in addition to answers to questions from Members of the Committee. The Committee shall determine, as appropriate, modalities for the interviews.

Annex 1

8. The nomination of the Regional Director shall take place at a private meeting of the Committee. The Committee shall make a selection by secret ballot from among the persons proposed under paragraphs 2 or—in the case of paragraph 6 being applicable—those persons on the short list, in the following manner:
 - (a) Each representative entitled to vote shall write on the ballot paper the name of a single candidate chosen from the persons proposed or shortlisted in accordance with this Rule.
 - (b) The candidate who obtains at a ballot the majority required shall be declared nominated.
 - (c) At a ballot when no candidate obtains the majority required, the candidate who obtains the least number of votes shall be eliminated.
 - (d) When the number of candidates is reduced to two, there shall be as many ballots as are necessary to secure the majority for either candidate.
 - (e) In the event of a tie between the two remaining candidates after three such ballots, the established procedure shall be recommenced on the basis of the original list of candidates.
9. The name of the person so nominated shall be submitted to the Executive Board.

ANNEX 2**CRITERIA FOR THE NOMINATION OF REGIONAL DIRECTOR****Qualifications**

The following constitute the set of criteria that should be met by the candidate nominated to the post of Regional Director.

Good understanding of and commitment to the WHO mission

The candidate must show a clear understanding of WHO mission, roles, functions, policies and strategies. There must be demonstrated evidence of the candidate's personal involvement or a plan to further that commitment.

Proven leadership qualities

The candidate must be visionary, dynamic and results-oriented. It is very important that the candidate possess the ability to communicate both orally and in writing, in a clear, effective and inspiring way to varying target groups, including the mass media, political leaders, other leaders in the public health field, health personnel, a wide range of academic and professional groups within and outside the health sector as well as WHO staff. He or she should have personal integrity and a great capacity to withstand pressures from both official and private sources on issues that could jeopardize the Organization's interests.

Proven managerial ability

The candidate should be able to manage a complex organization in the health field. This requires a highly analytical mind and the ability to set clear goals and objectives, design appropriate programmes for the optimal use of the Organization's overall resources, and develop an appropriate process for the monitoring and evaluation of the work of the Organization in the Region. It is important that the candidate have skills both in for steering teamwork with appropriate delegation of responsibility and in creating a conducive work environment for staff at regional and country office levels. Given the need to interact with and actively support the efforts of headquarters and other regions within the context of the oneness of the Organization, the candidate's ability to work effectively with leaders, at both national and international levels, in the health and related sectors is an important requirement.

Professional and technical qualifications

The candidate should be professionally qualified in the health field and have a sound knowledge of public health, including its epidemiological basis.

Annex 2

Sensitivity to cultural, social, political and other differences

The candidate should have a broad knowledge of and be sensitive to the varying cultural, social, political and linguistic differences of the Region. For this reason, he or she should, among other things, be fluent in at least one of the three working languages of the Region and have a working knowledge of at least one of the other languages. Reasonable working experience in the Region, particularly in the work of WHO, would be an asset.

Medical fitness

The candidate should be sufficiently healthy to carry out the duties of the post.