

## INTERNATIONAL HEALTH CONFERENCE

## COMITEE IV (RELATIONS)

## SUMMARY RECORD OF THE FIFTH MEETING

Held at Hunter College, Thursday, 11 July 1946, at 2:45 p.m.  
CHAIRMAN: Dr. Arnaldo GABALDON (Venezuela)

Report of Drafting Sub-Committee Concerning Section XVII of the Constitution

Dr. SZE (China), Rapporteur of the Drafting Sub-Committee, presented the revised text of Section XVII, which had been distributed to Committee members in document E/H/REL/W.14. He pointed out that the revised draft was virtually the same in substance as the Paris draft, that no vital controversial issues had arisen, and that changes made were primarily in drafting. He expressed the thanks of the Sub-Committee to Mr. Sharp and other members of the Secretariat for their helpful assistance.

Section XVII, 1.

During the lengthy discussion which took place regarding the proper drafting of Article 1, numerous suggestions for clarification were put forward.

Dr. CAYLA (France) initiated the discussion by his proposal, which he presented at the request of the Drafting Sub-Committee, that the last sentence of the clause could not properly be included in the Constitution and should be put in the form of a recommendation or resolution. This suggestion was approved by Dr. SZE (China), Mr. COTE (Canada), and others, and it was agreed by the Committee to refer this clause to the Special Sub-Committee dealing with the Interim Commission.

Dr. CAYLA (France) also suggested that the phrase "as soon as practicable" be omitted from the first sentence as unsuitable constitutional language. This was seconded by Dr. SZE (China) and approved by the Committee.

Question also arose regarding the retention of the term "specialized"

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agencies" in the first sentence. Dr. ELIOT (United States) pointed out that this was a repetition of the statement made in the Preamble. It was agreed, however, upon the recommendation of Dr. SZE (China), Dr. CAYLA (France), Dr. CILENTO (Australia), Mr. COITE (Canada), that it was advisable to retain this specific mention of the Organization as a specialized agency in the body of the Constitution.

After further discussion, Dr. SZE (China) presented an amended text to the Committee as follows:

"The Organization shall be brought into relationship 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 relationship with the United Nations shall be subject to approval by a two-thirds vote of the Assembly of the Organization."

Article 1 as amended was adopted unanimously.

Section XVII, 2.

Article 2 was adopted unanimously without discussion.

Section XVII, 3.

Mr. COITE (Canada) proposed that the words "or other" be included after "national", so that the latter part of the clause would read: "and, with the consent of the State concerned, with national or other organizations." This change would enable the World Health Organization to act freely in establishing relationships with any organization with which it might be desirable to do so.

Article 3 as amended was approved unanimously.

Section XVII, 4.

Dr. CILENTO (Australia) questioned the use of the term "interest" rather than "competence" in this clause, and Dr. SZE (China) suggested that the matter should be referred to the Central Drafting Committee in order that uniformity of expression could be assured.

Article 4 was adopted.

Section XVII, 5.

Mr. COITE (Canada) moved the elimination of Article 5 as superfluous, since

it could be assumed that the Assembly would proscribe procedure. This was seconded by the delegates of AUSTRALIA, MEXICO, and others.

In response to a question from Dr. SZE (China), Dr. ELIOT (United States) stated on behalf of her delegation, which had proposed the article, that she would have no objection to its elimination if it were implicit that the Assembly had such powers.

The Committee agreed to the deletion of Article 5.

The CHAIRMAN announced that the Committee would reconvene to discuss the agreement regarding the Interim Commission after its completion by the Drafting Sub-Committee.

The meeting rose at 4:00 p.m.

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