

**ECONOMIC
AND
SOCIAL COUNCIL**

**CONSEIL
ECONOMIQUE
ET SOCIAL**

TECHNICAL PREPARATORY COMMITTEE
FOR THE INTERNATIONAL HEALTH CONFERENCE

INTERNATIONAL CONVENTION ESTABLISHING THE
INTERNATIONAL HEALTH ORGANIZATION

Submitted by

Dr. Cavaillon (Expert) - Dr. Leclainche (Alternate)

Preamble

Whereas there can be neither material security, social security nor well-being for individuals or nations without health, and whereas the full responsibilities of a free man can only be assumed by healthy individuals,

Whereas the spread of proper notions of hygiene among populations tends to improve the level of health, and hence to increase their working power and raise their standard of living,

Considering that the campaign against disease and the spread of proper notions of individual and collective hygiene contribute towards the well-being of men, ensure their material existence and safeguard their mental balance, and that it is desirable to give every individual, in rural districts as well as in town, the benefit of the latest developments of preventive and curative medicine and to organize these activities in a rational and economical manner,

Whereas the comparison of national experience and the co-operation of the most qualified international experts should make it possible to adopt on the international plane the most effective solutions for the problems raised by the protection of health, and whereas the benefits of scientific and technical discoveries should be extended to all,

Whereas the protection and improvement of health strengthen social security, thus developing respect for the rights of man without distinction of race, sex, language or religion, and contributing to the maintenance of peace,

Considering that one of the essential aims of the United Nations Organization is to create the conditions of well-being necessary to ensure

peaceful and friendly relations between nations and to promote the solution of international problems in the sphere of public health,

THEREFORE:

THE UNITED NATIONS HEREBY ESTABLISH THE INTERNATIONAL HEALTH ORGANIZATION AS A SPECIALIZED INSTITUTION FOR THE PURPOSE OF PROTECTING AND IMPROVING, WITH THE CO-OPERATION OF ALL CONCERNED, THE PHYSICAL AND MENTAL HEALTH OF THE INHABITANTS OF EVERY COUNTRY OF THE GLOBE.

ARTICLE I

Purposes and Functions

The aims of the International Health Organization shall be

- to participate in the creation and operation of a permanent epidemiological service
- to study the setting up of international standards
- to give a vigorous impulse to the concerted study and application of administrative, scientific and social techniques to be placed at the disposal of rural and urban populations without distinction of race, sex, economic or social condition, in regard particularly to the following:-

- (a) The exercise of medicine from the curative or preventive point of view both as regards medical and hospital practice;
- (b) Epidemiology by land, sea and air;
- (c) The health protection of maternity and infancy;
- (d) Nutrition;
- (e) The campaign against social evils such as tuberculosis, venereal diseases and mental diseases;
- (f) Environmental hygiene and sanitation;
- (g) Medical and public health training and refresher courses;
- (h) Medical and public health research;
- (i) General health education;

- to organize international interchanges of health personnel, methods of international study and information, and to study and arrange for the application of all measures calculated to improve health and well-being throughout the world.

ARTICLE II

Membership

1. Membership of the United Nations Organization shall carry with it the right to membership of the International Health Organization.
2. Subject to the conditions of the agreement between this Organization and the United Nations Organization, approved pursuant to Article X of the present Convention, States not members of the United Nations Organization may be admitted to membership of the Organization, upon recommendation of the Executive Board, by a two-thirds majority vote of the General Conference.
3. Members of the Organization which are suspended from the exercise of the rights and privileges of membership of the United Nations Organization shall, at the latter's request, be suspended from the rights and privileges of this Organization.
4. Members of the Organization which are expelled from the United Nations Organization shall automatically cease to be members of this Organization.

ARTICLE III

Organs

The International Health Organization (I.H.O.), shall comprise a General International Health Conference (G.I.H.C.); an International Health Executive Board (I.H.E.B.); and an International Health Secretariat (I.H.S.).

ARTICLE IV

The General International Health Conference

A. Composition

1. The General Conference of the International Health Organization shall

consist of the representatives of the States Members of the United Nations Organization. The Government of each Member State shall appoint not more than three representatives, one of whom shall be a senior medical officer of its central administration.

B. Functions

2. The General Conference of the International Health Organization shall determine the policies and the main lines of work of the International Health Organization. It shall take decisions on programmes drawn up by the Executive Board.

3. The General Conference of the International Health Organization shall, when it deems it desirable, summon international or regional conferences on health problems.

4. The General Conference of the International Health Organization shall, in adopting proposals for submission to the Member States, distinguish between recommendations and international conventions submitted for their approval. In the first case, a majority vote shall suffice; in the latter case, a two-thirds majority shall be required.

Each of the Member States shall submit recommendations or conventions to its competent authorities within a period of one year from the close of the session of the General Conference of the International Health Organization at which they were adopted.

Each of the Member States shall submit within two years a report stating the steps taken to put into force the recommendations or conventions which have been ratified, or stating the reasons for which ratification had not taken place.

Non-member States shall be entitled to accede to conventions thus adopted and ratified in accordance with Article IV para. E.

5. The General Conference of the International Health Organization shall advise the United Nations Organization on all problems within its competence, in accordance with the terms and procedure agreed upon between

the appropriate authorities of the two Organizations.

6. The General Conference of the International Health Organization shall receive and consider the reports submitted to it each year by the Executive Board, the Director-General, the Regional Offices and periodically by the Member States, as provided by Article VIII.

7. The General Conference of the International Health Organization shall elect the members of the International Health Executive Board and shall appoint the Director-General on the Executive Board's nomination and the Directors of the Regional Offices on the Director-General's proposal.

C. Voting

8. Each Member State shall have one vote in the General Conference. Decisions shall be made by the simple majority except in cases in which a two-thirds majority is required by the provisions of the present Convention. A majority shall be a majority of the Members present and voting.

D. Procedure

9. The General Conference of the International Health Organization shall meet annually in ordinary session.

It may meet in extraordinary session if summoned by the Chairman of the Executive Board at the latter's request. It shall in any case be summoned in the conditions laid down in Article V B.6 (d). At each session the Conference shall designate the place at which the following session shall be held.

10. The General Conference of the International Health Organization shall **at each session** elect a President and other officers and adopt rules of procedure.

11. The General Conference of the International Health Organization shall set up such committees and other organs as may be necessary for its purposes.

12. Arrangements shall be made for public access to meetings subject to such regulations as may be prescribed.

E. Non-member States

Any State not a member of the International Health Organization may be invited to take part, without right of voting, in the discussion of specific problems whenever the Conference by a two-thirds majority decides that such problems are of direct concern to that State and one or more States Members of the Organization.

F. Observers

13. The General Conference of the International Health Organization, by a two-thirds majority and on the Executive Board's recommendation, may, subject to its rules of procedure, invite as observers at specified sessions of the Conference or of its committees, representatives of international organizations, such as those referred to in Article XI para. 4 (Relations with specialized international agencies).

ARTICLE V

Executive Board

A. Composition

1. The Executive Board of the International Health Organization shall consist of eighteen members elected from among the Member States. At least twelve nations shall be represented. The President of the Conference shall sit in an advisory capacity.

2. As members of the Executive Board, the General Conference of the International Health Organization shall elect persons competent in the sphere of health, and qualified by their experience and capacity to perform the administrative and executive duties of the Board. It shall also have regard to the diversity of medical and health problems in the different geographical areas. At least one-half the members of the Council should be senior medical officers.

3. The members of the Executive Board shall be elected for three years and shall be re-eligible.

4. In the event of the death or resignation of a member, the Executive

Board shall appoint a substitute who shall act until the next session of the Conference.

D. Non-member States shall be invited to sit in an advisory capacity whenever their interests are concerned.

D. Functions

C. The Executive Board of the International Health Organization shall act as the technical organ of the General Conference of the International Health Organization. It shall study all questions within its competence and in particular -

(a) It shall advise the General Conference of the International Health Organization on the questions referred to it by the latter, and on those falling within its competence as a result of international conventions;

(b) Whenever it thinks fit and after previous study, it may submit advice or proposals to the Conference on its own initiative;

(c) It shall prepare the agenda of meetings of the General Conference of the International Health Organization and shall submit to it a general programme of work covering a specific period which it shall carry out after approval by the General Conference of the International Health Organization;

(d) The Executive Board shall be authorized, within the limits of the funds at its disposal, to take any emergency measures necessitated by events requiring immediate action within the scope of the Organization's general activities. In particular it may take the necessary steps to combat epidemics, participate in the organization of relief to a country victim of a calamity, and undertake studies and research the urgency of which has been drawn to its attention by any State. In addition it shall be competent to take all decisions of a general nature connected with the performance of the various aims and duties assigned to the Organization.

Such measures shall be adopted by a majority of two-thirds of the members of the Executive Board. If X members of the Executive Board request the summoning of a general conference, the latter shall be held within a period of X weeks and the execution of the Board's decisions shall be suspended until the conference has endorsed them.

7. The Executive Board shall recommend to the General Conference of the International Health Organization the admission of new members to the Organization.

8. Subject to the decisions of the General Conference of the International Health Organization, the Executive Board of the International Health Organization shall adopt its own rules of procedure. It shall elect its officers from amongst its members.

9. The Executive Board shall meet in regular session at least three times a year, and may meet in special session if convoked by the Chairman on his own initiative or at the request of the members of the Board.

At each session the Executive Board shall designate the place at which the following session shall be held.

10. The Chairman shall present a report on the Executive Board's decisions.

Similarly, the Director-General shall present a report on the Organization's activities. This report shall be submitted beforehand to the Board and approved by it.

10 bis. The Executive Board may authorize certain of its members and officials of the Secretariat of the International Health Organization to enter into a direct contact with States with a view to specialized missions at the request of such States.

11. The Executive Board shall maintain contact with the principal organs of the United Nations Organization, and with the specialized agencies brought into relation therewith, in regard to all questions within its competence; it may also make all necessary arrangements to consult the

representatives of international organizations and all other qualified persons.

12. The members of the Executive Board shall exercise the powers delegated to them by the General Conference as a whole and not as representatives of their respective Governments.

ARTICLE VI

Secretariat

1. The Secretariat shall consist of a Director-General and such staff as may be required. The Director-General shall be responsible for the execution of all the decisions taken by the Executive Board.

The organization of the Secretariat shall be determined by the Director-General with the Executive Board's approval.

2. The Director-General shall be nominated by the Executive Board and appointed by the General Conference for a period of six years under such conditions as the Conference may approve, and shall be eligible for re-appointment. The Director-General shall be the chief administrative officer of the Organization.

3. The Director-General, or a deputy designated by him, shall attend as secretary, without the right to vote, all meetings of the General Conference, the Executive Board, the committees of the Organization and all conferences held under the auspices of the International Health Organization. He shall formulate proposals for appropriate action by the Conference and the Board.

4. The Director-General shall appoint the staff of the Secretariat in accordance with the staff regulations to be approved by the Conference.

Subject to the paramount consideration of securing the highest standards of efficiency, competence and integrity, the staff shall be recruited on as wide a geographical basis as possible.

5. The responsibilities of the Director-General and the staff shall be exclusively international in character. In the performance of their duties, they 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 prejudice their position as international officials. Each Member of the Organization undertakes to respect the international character of the responsibilities of the Director-General and the staff, and not to seek to influence them in the discharge of their duties.

6. Nothing in this Article shall preclude the Organization from entering into special arrangements within the United Nations Organization for common services and staff, and for the interchange of personnel.

ARTICLE VII

Regional Offices

Regional Offices may be set up to inform and advise the Secretariat and the Executive Board with regard to local problems existing in certain parts of the world. They shall be entrusted with the specialized tasks referred to in Article V, paragraph 10 bis.

ARTICLE VIII

Reports by Member States

Each member State shall submit to the Organization an annual report, in the manner to be determined by the General Conference, on the laws, regulations and statistics relating to its institutions and activities in the sphere of health and hygiene, and on the action taken upon the recommendations and conventions referred to in Article IV, paragraph 4.

ARTICLE IX

Budget

1. The budget shall be administered by the Organization.
2. The General Conference shall finally approve the budget and determine the financial contribution of each of the Member States, subject to such arrangements with the United Nations as may be provided in the agreement to be entered into pursuant to Article X of the present Convention.

8. The Director-General, with the Executive Board's approval, may receive all gifts, bequests and subventions directly from Governments, public and private institutions, associations and private persons.

ARTICLE X

Relations with the United Nations Organization

The Organization shall be brought into relation with the United Nations Organization as soon as practicable as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations. This relationship shall be effected through an agreement with the United Nations Organization under Articles 17 and 63 of the Charter, which agreement shall be subject to the approval of the General Conference of this Organization. The agreement shall provide for effective co-operation between the two Organizations in the pursuit of their common purposes and, at the same time, shall recognize the Organization's autonomy within the fields of its competence as defined in the present convention. Such agreement may, among other matters, provide for the approval and financing of the budget of the Organization by the General Assembly of the United Nations.

ARTICLE XI

Relations with other Specialized International Organizations and Agencies

1. The Organization may co-operate with other specialized inter-governmental organizations and agencies whose interests and activities are related to its purposes. To this end, the Director-General, acting under the general authority of the Executive Board, may establish effective working relationships with such organizations and agencies and establish such joint committees as may be necessary to ensure effective co-operation. Any formal arrangements entered into with such organizations or agencies shall be subject to the Executive Board's approval.

2. Whenever the General Conference and the competent authorities of any other specialized inter-governmental organization or agency whose purposes and functions lies within this Organization's competence deem it desirable to effect a transfer of their resources and activities to the Organization, the Director-General, subject to the Conference's approval, may enter into mutually acceptable agreements for this purpose.

3. The Organization may make appropriate arrangements with other inter-governmental organizations for reciprocal representation at meetings.

4. The International Health Organization may take all the necessary steps to facilitate consultations and ensure co-operation with private international organizations dealing with questions within its competence and may invite them to undertake specific tasks. Such co-operation may also include appropriate participation by representatives of such organizations on advisory committees set up by the General Conference.

ARTICLE XII

Legal Status of the Organization

The provisions of Articles 104 and 105 of the Charter of the United Nations concerning the legal status of that Organization, its privileges and immunities, shall also apply to this Organization.

ARTICLE XIII

Amendments

1. Proposals for amendments to the present convention shall become effective upon receiving the approval of the General Conference by a two-thirds majority, provided, however, that those amendments which involve fundamental alterations in the Organization's aims or new obligations for the Member States shall require subsequent acceptance on the part of two-thirds of the Member States before they come into force. The draft texts of proposed amendments shall be communicated to the Member States by the Director-General at least six months in

advance of their consideration by the General Conference.

2. The General Conference shall have power to adopt by a two-thirds majority rules of procedure for carrying out the provisions of this Article.

ARTICLE XIV

Interpretation

1. The English and French texts of the present convention shall be regarded as equally authoritative.

2. Any question or dispute regarding the interpretation of the present convention shall be referred for determination to the International Court of Justice or to an arbitral tribunal as the General Conference may decide under its rules of procedure.

ARTICLE XV

Entry into Force

1. The present convention shall be submitted to the signatory States for ratification and the instruments of ratification shall be deposited with the French Government.

2. The present convention shall be deposited in the French Government's archives where it shall remain open for signature. Signatures may be affixed before or after the deposit of the instruments of ratification.

3. The present convention shall come into force when it has been ratified by twenty of its signatories. Subsequent ratifications shall take effect immediately.

4. The French Government shall notify all Members of the United Nations of the receipt of all instruments of ratification and of the date on which the convention comes into force in accordance with the preceding paragraph.

In faith whereof the undersigned, duly authorized for this purpose, have signed the present convention in the English and French languages, both texts being equally authoritative.

Done at Paris on 1946 in a single copy in French and English. Duly certified true copies shall be forwarded by the French Government to the Governments of all the States Members of the United Nations.
