Nomination of the Regional Director of the South-East Asia Region
- Note by the Legal Counsel –

1. This document provides a summary of the Regional Committee’s role in the nomination of the Regional Director for the South-East Asia Region.

BACKGROUND

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”. Rule 49 of the Rules of Procedure of the WHO Regional Committee for South-East Asia (the “Rules of Procedure”) governs the process by which the Regional Committee nominates a candidate for the post of Regional Director. The Rules of Procedure of the Executive Board set out how the Board then decides on the appointment of a person so nominated.

3. The Regional Committee for the South-East Asia Region revised the process for the nomination of the Regional Director at its Sixty-fifth session in 2012. It aligned itself with the approach used for the nomination of the Director-General by the Executive Board since 1998, by providing for presentations of candidates, and by establishing criteria for the selection of candidates in Annex B to Resolution SEA/RC65/R1.

4. The Regional Committee at its Seventieth session in 2017 adopted a Code of Conduct for the nomination of the Regional Director of the South-East Asia Region of the World Health Organization (“the Code of Conduct”), as contained in Annex 1 to resolution SEA/RC70/R3. In accordance with Rule 49(b) of the Rules of Procedure, Member States shall be mindful of the Code of Conduct adopted by the Regional Committee and shall bring it to the attention of persons proposed for the post of Regional Director. When submitting proposals, in accordance with the Code of Conduct, Member States are asked to provide the necessary particulars of each person’s qualification and experience using the standard form for Curriculum Vitae contained in Annex 2 to resolution SEA/RC70/R3. When completing the standard form for Curriculum Vitae candidates are also invited to evaluate how they meet each of the criteria for assessing candidates for the post of the Regional Director.

THE PROCEDURE IN ADVANCE OF THE REGIONAL COMMITTEE

5. On 1 March 2018, the Director-General informed each Member State of the Region that he would receive proposals of names of candidates for nomination by the Committee as Regional Director.¹ Such proposals must be sent to the Director-General so as to reach him not less than twelve weeks before the date fixed for the opening of the session², i.e. they should reach the Director-General no later than 18:00 Central European Time on Friday, 8 June 2018. Member States were informed that proposals must be accompanied by details of each candidate’s qualifications and experience, and be submitted using the standard form for Curriculum Vitae annexed to resolution SEA/RC70/R3. The Curriculum Vitae must not exceed 3500 words and also be submitted in electronic format in order to enable the Director-General to verify that this limit is not exceeded.

6. No later than ten weeks before the date fixed for the opening of the sessions, i.e. on or before 22 June 2018, the Director-General will communicate to Member States of the Region copies of all proposals for nomination that he has received by the deadline together with the particulars of each person’s qualifications and experience as submitted using the standard form for a Curriculum Vitae.³

7. After the Director-General has dispatched copies of all proposals for nomination as Regional Director, he will open on the web site of WHO a password-protected question-and-answer web forum

¹ In accordance with Rule 49(a) of the Rules of Procedure of the Regional Committee for South-East Asia.
² In accordance with Rule 49(b) of the Rules of Procedure of the Regional Committee for South-East Asia.
³ In accordance with Rule 49(d) of the Rules of Procedure of the Regional Committee for South-East Asia.
open to all Member States in the Region and the candidates who request to participate. When submitting proposals, Member States are therefore invited to indicate whether the person proposed for the post of Regional Director is willing to participate in the web forum. A password and instructions related to the use of the web forum will be provided at the time the Director-General informs Member States of the proposals received.

8. The Regional Office will also post on its web site information on all candidates who so request, including their curricula vitae as received from Member States, as well as their contact information. The web site will provide links to individual web sites of candidates upon request. Each candidate will be responsible for setting up and financing her or his own web site. When submitting proposals Member States are invited to indicate whether the persons proposed for the post of Regional Director are willing to post their curricula vitae, their contact information, as well as links to their individual web sites, if applicable, on the web site of the Regional Office.

THE PROCEDURE DURING THE REGIONAL COMMITTEE

9. The procedure for nomination of the Regional Director during the Regional Committee consists of two stages:

(i) Presentation by each candidate;
(ii) Secret ballot to nominate one candidate.

10. Subject to the agreement of the Regional Committee and depending on the number of persons proposed for the post of Regional Director, it is anticipated that presentations will be conducted on the morning of Tuesday, 4 September 2018 and that voting will take place the same day. These will be private meetings of the Regional Committee in accordance with Rule 49 of the Rules of Procedure. The result of the election will be announced afterwards at a public meeting of the Committee. Attendance at the private meetings besides Committee members is prescribed by the Director-General and limited to essential Secretariat staff besides Member States. Except for their respective presentations, candidates should not attend those meetings even if they form part of the delegation of their country.

11. Member States should respect the integrity, legitimacy and dignity of the proceedings. As such, they should avoid behaviors and actions, both inside and outside the conference room where the nomination takes place, which could be perceived as aiming at influencing its outcome. Member States should also respect the confidentiality of the proceedings and the secrecy of the vote. In particular, they should refrain from communicating or broadcasting the proceedings during the private meetings through electronic devices.

PRESENTATION OF CANDIDATES

12. Candidates will be invited to make a presentation at a private meeting of the Committee. In accordance with the modalities agreed by the Regional Committee in resolution SEA/RC65/R1, each presentation will address the candidate’s analysis of current public health problems and priorities in the WHO South-East Asia Region and his/her vision on WHO’s mission and role in addressing these issues. Each presentation will consist of an oral statement by each candidate, not to exceed 20 minutes, in addition to answers to requests for clarifications from members, not to exceed 40 minutes. These time limits will be strictly adhered to. Other modalities will be determined by the Committee itself, as appropriate.

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4 In accordance with Section B.II.11 of the Code of Conduct.
5 In accordance with Section B.II.12 of the Code of Conduct.
6 In accordance with Section B.III.1 of the Code of Conduct.
7 In accordance with Section B.III.1 of the Code of Conduct.
8 In accordance with Section B.III.2 of the Code of Conduct.
9 In accordance with Section B.III.3 of the Code of Conduct.
10 In accordance with Rule 49(g) of the Rules of Procedure.
13. In deciding on further modalities for the presentation of candidates, the Regional Committee may wish to follow the approach adopted at its Sixty-sixth session in 2013, which also follows closely the approach used since 1998 by the Executive Board for the nomination of the Director-General and the approach used by other Regional Committees. The proposed modalities for interviews of candidates are annexed to this document, and can be summarized as follows:

i. Before the beginning of each presentation, the Secretariat will distribute to each representative a paper on which the representative may write one question.

ii. The papers will be collected by the Secretariat at the end of the presentation and handed over to the Chairperson, who will draw each question randomly and will pose it to the candidate.

iii. The candidate will have up to three minutes to respond to each question.

iv. Should there be insufficient questions to fill the allotted time, the candidate will be able make such additional statements as desired until the end of the 40-minute period set for the requests for clarification session.

14. Both the presentation and the requests for clarification will be conducted without the use of any visual aid (e.g. PowerPoint presentations) or the distribution of any written material in the meeting room. Both periods will be measured by the Secretariat through the use of “traffic lights” so that the candidates and the Regional Committee know when the time allotted is going to expire.

SECRET BALLOT TO NOMINATE A CANDIDATE

15. The final stage involves voting by secret ballot 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 paragraphs h) to j) of Rule 49 of the Rules of Procedure.

16. Each representative entitled to vote indicates the name of one candidate on his or her ballot paper. If no candidate receives a majority of votes from the representatives present and voting, the candidate receiving the least number of votes is eliminated at each ballot until a candidate receives the required majority. If the number of candidates is reduced to two, there shall be as many ballots as are necessary to secure a majority for either candidate. In the event of a tie between the remaining candidates after three such ballots, the whole procedure established by Rule 49 will be re-commenced.

17. Rule 48 of the Rules of Procedure of the Executive Board provides that the appointment of a Regional Director shall be for five years. As the term of the current Regional Director started on 1 February 2015, the Executive Board at its 144th session in January 2019 will appoint the next Regional Director for a period of five years starting from 1 February 2019.

11 Rule 40 of the Rules of Procedure of the Regional Committee provides that “[e]xcept as otherwise provided by the Constitution of the Organization or decided by the Health Assembly, the decisions of the Committee shall be made by a majority of the representatives present and voting.”. In accordance with Rule 39, representatives abstaining from voting are considered as not voting and invalid votes cast in a secret ballot are counted as abstentions. Consequently, if all eleven representatives entitled to vote cast a valid ballot and none abstains, the required majority is 6 (six). Should two representatives abstain, for example, the Members present and voting would be nine and the required majority would be 5 (five).
ANNEX

PROPOSED MODALITIES FOR THE PRESENTATION OF CANDIDATES FOR THE POST OF REGIONAL DIRECTOR FOR THE SOUTH-EAST ASIA REGION

1. Paragraph g) of Rule 49 of the Rules of Procedure provides that the persons proposed in accordance with paragraph b) of the same rule “shall be invited to make a presentation at a private meeting of the Committee”, and that the presentation “shall consist of an oral statement by each candidate; in addition members of the Committee may make requests for clarification.”. The Committee in Resolution SEA/RC65/R1 further decided that:
   i. each presentation shall address the candidate’s analysis of current public health problems and priorities in the WHO South-East Asia Region and his/her vision on WHO’s mission and role in addressing these issues; and that
   ii. each presentation will consist of an oral statement by each candidate, not to exceed 20 minutes, in addition to answers to requests for clarifications from members, not to exceed 40 minutes; these time limits must be strictly adhered to.

2. The following further modalities are proposed for the presentation of the candidates. These proposed modalities closely follow those used by the Executive Board for the nomination of the Director-General. The modalities should therefore be generally familiar to Member States of the Committee. Further, these modalities, with only minor technical variations, are increasingly used by other Regional Committees for the nomination of the Regional Directors (in particular by the Regional Committee for Africa, by the Regional Committee for South-East Asia, and by the Regional Committee for the Western Pacific).

3. The modalities set out below should also be seen within the framework of WHO’s reform, in particular the World Health Assembly - supported goal of promoting harmonization of the procedures of Regional Committees as per decision WHA65(9).
   i. The presentations will be held during the morning meeting of the second day of the Regional Committee session, i.e. on Tuesday, 4 September 2018.
   ii. The order in which candidates will be called to make their presentation will be drawn by lot at a private meeting of the Committee on Monday, 3 September 2018, so that candidates can be informed in advance.
   iii. The Secretariat will time the oral statement by candidates through a traffic light system. The light will remain green for 17 minutes, then turn to amber to indicate three minutes remaining, and then turn to red after the allotted 20 minutes have expired, at which point the Chairperson will request the candidate to terminate her or his statement.
   iv. Before the beginning of the oral statement, the Secretariat will distribute to each Member of the Committee a paper on which the Member may write one question for the candidate. The paper should also identify the Member posing the question. Questions should be written in English as the working language of the Regional Committee.
   v. At the end of the oral statement, an usher on the staff of the Secretariat will collect the papers into a box and hand them to the Chairperson. The Chairperson will draw randomly a question and read it to the candidate, disclosing which Member is asking the question. If the question does not indicate the Member posing the question, the question will not be read. The 40 minutes allotted for this part of the presentation process will start running when the Chairperson reads the first question. It is proposed that the candidate have a maximum of 3 minutes to respond to each question.
vi. This part of the process will be timed by two sets of traffic lights. One set of traffic lights will time the 40 minutes; the light will turn from green to amber after 37 minutes and will turn red after the 40 minutes have expired. The second set of traffic lights will measure the time allotted for each question; the light will turn to amber after 2 minutes and then to red after 3 minutes, at which point the Chairperson will request the candidates to terminate his response to each question.

vii. The same process will be repeated until the 40 minutes have expired. Candidates may finish answering the question being considered when the 40 minutes have expired. If there are insufficient questions to fill 40 minutes, the candidate will be invited to make an additional statement if he or she wishes, provided that the 40 minutes allotted for this part of the presentation should not be exceeded.