

Nomination of the Regional Director - Note by the Legal Counsel -

1. This document provides a summary of the nomination process for the next Regional Director for the European Region in the period leading up to, and during, the sixty-ninth session of the Regional Committee for Europe to be held in Copenhagen, Denmark, from 16 to 19 September 2019.

BACKGROUND

2. [Article 52 of 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”. The appointment of the incumbent Regional Director for the Europe, Dr Zsuzsanna Jakab, comes to an end on 31 January 2020. Accordingly, the Regional Committee should consider at its sixty-ninth session in September 2019 the nomination of the Regional Director for the period beginning in February 2020. This will enable the Executive Board to consider the matter at its 146th session in February 2020.

3. [Rule 47 of the Rules of Procedure of the Regional Committee for Europe](#) 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. In 2013, the Regional Committee also adopted a [Code of Conduct for the Nomination of the Regional Director of the European Region of the World Health Organization \(the “Code of Conduct”\)](#).

4. In the Code of Conduct, Member States acknowledged that the process of nomination of the Regional Director should be fair, open, transparent, equitable and based on the merits of individual candidates.

5. At its sixty-eighth session¹, the Regional Committee appointed the six members composing the Regional Evaluation Group. This Group is tasked with making a preliminary evaluation of candidates for nomination in the light of the criteria specified by the Regional Committee². The terms of reference of the Regional Evaluation Group are described in document [EUR/RC68/Inf.Doc./2](#).

THE PROCEDURE LEADING UP TO THE REGIONAL COMMITTEE MEETING

6. On 16 October 2018, the Director-General informed each Member of the Region that he would receive proposals of names of candidates for nomination by the Regional Committee as Regional Director. Such proposals had to be sent to the Director-General, so as to reach him at the Headquarters of the Organization at Geneva, Switzerland, not less than seven months before the date fixed for the opening of the session, i.e. they had to reach the Director-General no later than 18:00 Central European Time on Friday, 15 February 2019. In addition, Members of the Region were informed that proposals had to be accompanied by particulars of each person’s qualifications and experience. To facilitate an objective comparative assessment of the candidatures, the Regional Evaluation Group developed a standard form of [curriculum vitae](#) to be used by Members when submitting the names of candidates.

7. On 25 February 2019³, the list of names and all particulars of candidates received by the

¹ See resolution [EUR/RC68/R5](#).

² See resolution [EUR/RC47/R5](#).

³ i.e. not later than two weeks after the expiry of the time limit for submission of proposals.

Director-General by the deadline of 15 February was transmitted to the Chairperson of the Regional Evaluation Group.

8. On 15 March 2019⁴, the Director-General communicated to the Members of the Region⁵ the names of the candidates that he had received by the deadline, together with copies of the proposals and of the accompanying particulars of each person's qualifications and experience submitted by Members.

9. The Director-General, in accordance with section B.II.11 of the Code of Conduct, opened on the website of WHO a password-protected question-and-answer web forum open to all Members and the candidates who request to participate in such a forum⁶. Members were therefore requested, when submitting proposals, to indicate whether the person proposed for the post of Regional Director was willing to participate in the question-and-answer web forum. A password and instructions related to the use of the web forum were provided at the time the Director-General informed Members of the proposals received. The web forum opened for two weeks from Monday, 25 March 2019 at 09:00 Central European Time to Sunday, 7 April 2019 at 23:59 Central European Time. The forum closed then for further questions. Candidates were given the opportunity, if they so wished, to continue to provide answers to questions until Sunday, 21 April 2019 at 23:59 Central European Time. After its closure, the web forum will remain available in read-only mode until the end of the 146th session of the WHO Executive Board.

10. The Regional Office posted on its website information on all candidates who so requested. This includes their curricula vitae and other particulars of their qualifications and experience as received from Members, as well as their contact details. The website also provides links to individual websites of candidates upon request. Each candidate is responsible for setting up and financing her/his own website. Members were therefore requested, when submitting proposals, to indicate whether the person proposed for the post of Regional Director was willing to have her or his curriculum vitae and contact information, as well as links to her or his individual website, posted on the website of the Regional Office.

11. The Regional Evaluation Group undertook a preliminary evaluation of, and interviewed the candidates. The Regional Evaluation Group further decided that candidates would give a time-limited oral presentation to the Members of the European Region on 18 May 2019.

12. On 5 July 2019⁷, the Chairperson of the Regional Evaluation Group sent, under confidential cover, an evaluation report of the Evaluation Group on all candidates, and an unranked short-list of not more than five candidates who in its opinion most closely meet the criteria laid down. These were sent to the President, the Executive President and the Deputy Executive President of the Committee, to each Member State of the Region and to the Director-General. Prior to the release of the evaluation report, the persons who have been proposed for the post of Regional Director have been invited to undergo a medical examination.

THE PROCEDURE DURING THE REGIONAL COMMITTEE MEETING

13. The nomination of Regional Director will take place by secret ballot at a private meeting of the Regional Committee. A private meeting of this kind may be attended only by

⁴ i.e. Not less than six months before the date fixed for the opening of the session.

⁵ This communication was also sent to the Chairperson of the Regional Evaluation Group.

⁶ Section B.II of the Code of Conduct.

⁷ i.e. Not less than ten weeks before the date fixed for the opening of a session.

representatives, alternates and advisers of Members of the Regional Committee and by essential members of the Secretariat. Candidates should not attend that meeting.

14. Member States should respect the confidentiality of the proceedings and the secrecy of the votes⁸. In particular, they should refrain from communicating or broadcasting the proceedings during the private meetings through electronic devices. The results of the ballots should not be disclosed by Member States.

15. Within delegations, any representative is entitled to vote on behalf of his or her delegation. Representatives may designate an alternate to vote on behalf of the delegation, but not an adviser⁹. It is therefore of paramount importance that Members wishing to vote be represented at the Regional Committee and communicate to the Regional Director, if possible 15 days before the date fixed for the opening of the session of the Committee, the names of their representatives, including all alternates and advisers. The credentials of representatives are to be delivered to the Regional Director, if possible, before the opening of the session of the Committee.

16. Rule 47 of the Rules of Procedure of the Regional Committee sets out the procedure for carrying out the secret ballot at the Regional Committee Meeting. In particular, the Regional Committee shall make a selection from among the persons who are candidates. Each representative entitled to vote shall write on his or her ballot paper the name of a single candidate.

17. If a candidate obtains on any ballot the required majority, he or she shall be declared nominated. The required majority is a majority of the representatives present and voting. Abstentions are not counted in calculating the required majority¹⁰.

18. If no candidate receives a majority of votes from the representatives present and voting, the candidate obtaining a lesser number of votes than any other candidate is eliminated, and a further ballot is held¹¹. In the event that two or more candidates obtain the same lesser number of votes, a ballot is to be held to decide which of these candidates shall be eliminated and a further ballot is then held¹².

19. Provision is made for a specific procedure to deal with a situation where the number of candidates is reduced to two, and if there is a tie between those two candidates after three further ballots. In this case, the names of both those candidates shall be forwarded for selection to the Executive Board.¹³

20. The name of the person nominated by the Regional Committee is announced at a public meeting of the Regional Committee and submitted to the Executive Board.¹⁴

21. The appointment of a Regional Director shall be for five years¹⁵. There is therefore no need for the Regional Committee to make any recommendation in this regard.

⁸ Section B.III of the Code of Conduct.

⁹ Rule 24 of the Rules of Procedure of the Regional Committee for Europe.

¹⁰ Rule 39 of the Rules of Procedure of the Regional Committee for Europe. By way of example, if all 53 representatives entitled to vote cast a valid ballot and none abstains, the required majority would be 27. Should 10 representatives abstain, for example, the Members present and voting would be 43 and the required majority would therefore be 22.

¹¹ Rule 47.12(c) of the Rules of Procedure of the Regional Committee for Europe.

¹² Rule 47.12(d) of the Rules of Procedure of the Regional Committee for Europe.

¹³ Rule 47.13 of the Rules of Procedure of the Regional Committee for Europe.

¹⁴ In the situation described in paragraph 19, the names of both candidates would be announced and submitted to the Executive Board in accordance with Rules 47.13 and 47.14 of the Rules of Procedure of the Regional Committee for Europe.

¹⁵ Rule 48 of the Rules of Procedure of the Executive Board.