

## **Nomination of the Regional Director - 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 Eastern Mediterranean.
2. Following the untimely death of Dr Mahmoud Fikri, and further to the agreement reached by the Members of the Region on the proposal of its Chairperson for an accelerated procedure to nominate a new Regional Director, the Regional Committee for the Eastern Mediterranean will consider the nomination and make a recommendation at a Special Session to be held solely for this purpose at Geneva, Switzerland on 19<sup>1</sup> May 2018. The Executive Board will then have an opportunity to consider the appointment of the Regional Director at its 143rd session in May 2018.

### **BACKGROUND**

3. 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 51 of the Rules of Procedure of the Regional Committee](#) of the Eastern Mediterranean 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.
4. The Regional Committee for the Eastern Mediterranean revised the process for the nomination of the Regional Director at its Fifty-ninth 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 a shortlisting process in the event that there are more than five candidatures, by providing for interviews of candidates, and by establishing criteria for the selection of candidates.<sup>2</sup>
5. In 2016, the Regional Committee adopted a [Code of Conduct for the nomination of the Regional Director for the Eastern Mediterranean Region](#). Rule 51 of the Rules of Procedure of the Regional Committee states that 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. The Appendix to the Code of Conduct reflects the six criteria for assessing candidates for the post of the Regional Director that were adopted in 2012. When submitting proposals, in accordance with the Code of Conduct, Member States are asked to provide details of the qualifications and characteristics of persons proposed with regard to these criteria and the Regional Committee is invited to take these criteria account when carrying out the process of nominating a candidate.

### **THE PROCEDURE IN ADVANCE OF THE REGIONAL COMMITTEE**

6. On 17 November 2017, the Director-General informed each Member State of the Region that he would receive, for consideration by the Regional Committee, any proposals from Member States for the names of candidates from within the Region for the post of Regional Director. These must reach the Director-General in Geneva, Switzerland, no later than 18:00 Central European Time on 23 February 2018. In addition, 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 annexed to the Code of Conduct.

---

<sup>1</sup> It has been proposed that the Special Session of the Regional Committee be held on 19 May 2018 in Geneva. This is a change from the initially proposed date to avoid a conflict with celebrations on 20 May to mark WHO's 70th anniversary.

<sup>2</sup> See Decision no. 3 contained in document EM/RC59/13.

7. On or before 9 March 2018, the Director-General will communicate to Member States of the Region the names of the candidates that he has received by the deadline together with the curriculae vitae and other supporting material submitted by Member States.

8. As provided by Section II of the Code of Conduct, after the Director-General has communicated the names and particulars of candidates he will open on the web site of WHO a password-protected question-and-answer web forum open to all Member States and the candidates who request to participate. When submitting proposals, Member States are therefore requested to indicate whether the persons proposed for the post of Regional Director are 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.

9. The Regional Office will also post on its web site information on all candidates who so request, including their curricula vitae and other particulars of their qualifications and experience 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 requested to indicate whether the persons proposed for the post of Regional Director are willing to post their curricula vitae, other particulars of their qualifications and experience, 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**

10. The procedure during the Regional Committee consists of three stages:

- (i) establishment of a shortlist in the event that there are more than five candidates;
- (ii) interviews of candidates;
- (iii) vote to nominate a candidate.

11. 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 the establishment of a short list and interviews will be conducted on the morning of 19<sup>3</sup> May 2018 and that voting will take place on the afternoon of 19<sup>4</sup> May 2018. These will be private meetings of the Regional Committee in accordance with Rule 51 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. Except for their respective interviews, and in accordance with Section III of the Code of Conduct, candidates should not attend those meetings even if they form part of the delegation of their country.

12. Also in accordance with the Section III of the Code of Conduct, Member States should respect the confidentiality of the proceedings and the secrecy of the votes. In particular, they should refrain from communicating or broadcasting the proceedings during the private meetings through electronic devices.

#### *ESTABLISHMENT OF A SHORTLIST*

13. In the event that more than five candidates are proposed, the Committee is to draw up a shortlist of 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

---

<sup>3</sup> See footnote 1 above.

<sup>4</sup> See footnote 1 above.

shortlist. In the event of a tie between two or more candidates such that there are more than five candidates identified for inclusion on the shortlist, there shall be additional ballots between the candidates receiving the tie votes, which those receiving the highest number of votes filling the remaining place or places on the shortlist.

#### *INTERVIEWS OF CANDIDATES*

14. Candidates shall be interviewed by the Committee (Rule 51f ter). The interviews shall consist of a presentation by each candidate in addition to answers to questions from members. The Committee shall determine, as appropriate, modalities for the interviews, and it is assumed that the Regional Committee will wish to follow the approach it adopted at its Sixty-third Session, 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.

15. The approach followed by the Regional Committee at its Sixty-third session is characterized by limiting each interview to 40 minutes, divided equally between an oral presentation of the candidate's vision of the future priorities for the Region with an analysis of current problems facing it and suggestions as to how those should be addressed; and a question-and-answer session. The times are strictly adhered to. Both the presentation and the question-and-answer session are 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 are 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.

16. The question-and-answer section was conducted as follows by the Regional Committee at its Sixty-third Session as well as by the Executive Board and other Regional Committees, and it is assumed that the Committee will want to follow the same procedure:

(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 are collected by the Secretariat at the end of the presentation and handed over to the Chairperson, who draws each question randomly and poses it to the candidate.

(iii) The candidate has up to three minutes to respond to each question.

(iv) Should there be insufficient questions to fill the allotted time, the candidate could make such additional statements as desired until the end of the 40-minute period set for the interview.

17. Additional details are described in the proposed modalities for interviews of candidates, annexed to this document, which are the same as those that the Committee adopted at its Sixty-third Session in 2016.

#### *VOTE TO NOMINATE A CANDIDATE*

18. The final 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 paragraphs g) to i) of Rule 51 of the Rules of Procedure.

19. In summary, each representative 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,<sup>5</sup> the candidate receiving the least number of votes is eliminated at each ballot until a candidate receives the required majority. Rule 51 provides a specific procedure to deal with persistent tied votes between two sole remaining candidates.

20. Rule 48 of the Rules of Procedure of the Executive Board and Rule 51 of the Rules of Procedure of the Regional Committee provide that the appointment of a Regional Director shall be for five years. If the Executive Board appoints a Regional Director at its meeting in late May 2018, it may be anticipated that her or his appointment would begin shortly thereafter, i.e. in early June 2018. The appointment would therefore expire at the end of May 2023 in accordance with the mentioned Rules. The Regional Committee may, therefore, wish to recommend that the term of office of the nominated candidate, if appointed by the Executive Board, be extended until the end of January 2024. This would enable an election to take place at the regular session of the Regional Committee in the autumn of 2023, with the appointment following at the session of the Executive Board in January 2024. This would allow for a re-alignment of the timetable for nomination and appointment of the Regional Director with the timetable previously followed and that followed in other regions.

---

<sup>5</sup> Rule 42 of the Rules of Procedure of the Regional Committee provides that decisions of the Committee shall be made by a majority of the representatives present and voting which, in accordance with Rule 41, means that abstentions are not counted in calculating the required majority. Consequently, if all 21 representatives entitled to vote cast a valid ballot and none abstains, the required majority is 11. Should five representatives abstain, for example, the Members present and voting would be 16 and the required majority would be 9.

- ANNEX -  
PROPOSED MODALITIES FOR INTERVIEWS OF CANDIDATES  
FOR THE POST OF REGIONAL DIRECTOR  
FOR THE EASTERN MEDITERRANEAN REGION

Paragraph f ter) of Rule 51 of the Rules of Procedure of the Regional Committee for the Eastern Mediterranean provides that candidates shall be interviewed by the Regional Committee as soon as possible at a private meeting, and that the interview shall consist of a presentation by each candidate in addition to questions posed by members.

The Director-General proposes the following modalities for the interviews of the candidates:

- (1) the order in which candidates will be interviewed shall be drawn by lot;
- (2) the interviews shall be limited to 40 minutes, equally divided between
  - (i) an oral presentation of the candidate's vision of the future priorities for the Region with an analysis of current problems facing it and suggestions as to how those should be addressed; and
  - (ii) a question and answer session.

These 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).

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 (WHA65(9)).

The Director-General proposes to the Regional Committee for the Eastern Mediterranean to further implement the proposed modalities as follows.

1. The Secretariat will time the presentation 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;
2. Before the beginning of the presentation, 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. Any official language of the Regional Committee may be used to write questions;
3. At the end of the presentation, 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 also which Member is asking the question. (If the question does not indicate the Member posing the

question, the question will not be read). The 20 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.

4. This part of the process will be timed by two sets of traffic lights. One set of traffic lights will time the 20 minutes; the light will turn from green to amber after 17 minutes and will turn red after the 20 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.
5. The same process will be repeated until the 20 minutes have expired. Candidates may finish answering the question being considered when the 20 minutes have expired. If there are insufficient questions to fill 20 minutes, the candidate will be invited to make an additional statement if he or she wishes, provided that the 20 minutes allotted for this part of the presentation should not be exceeded.
6. It is proposed that, following the candidates' interviews, the Committee move immediately to the required secret ballot to nominate the Regional Director in accordance with Rule 51 of the Committee's Rules of Procedure.