

WORLD HEALTH
ORGANIZATION



مَنْظَرَةُ الصَّحَّةِ الْعَالَمِيَّةِ

ORGANISATION MONDIALE
DE LA SANTÉ

REGIONAL COMMITTEE FOR THE
EASTERN MEDITERRANEAN

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Thirtieth Session

ORIGINAL: ENGLISH

Agenda item 12

REPORT ON THE
TRANSFER OF THE WHO REGIONAL OFFICE
FOR THE EASTERN MEDITERRANEAN

1. As will be recalled, Sub-Committee A of the Regional Committee met in special session in Geneva on 9 May 1980 and passed the following resolution, 19 countries being in favour and one against:

The Sub-Committee,

Convinced of the need to transfer the WHO Regional Office for the Eastern Mediterranean from Alexandria, Arab Republic of Egypt,

Acknowledging with gratitude the facilities having been offered by the countries which have requested to host the Regional Office in case of its transfer and thanking the present host country for its cooperation,

Having reviewed the detailed and objective information provided in the report of the Working Group established by the Executive Board (document EM65/19 Rev.1),

Thanking the Working Group for this comprehensive study of all the aspects of the question of a transfer of the Regional Office and the Executive Board for its endorsement of this study,

1. DECIDES to transfer the Regional Office for the Eastern Mediterranean to Amman, Jordan, as soon as possible;
2. DECIDES to cover through voluntary contributions from the Member States of the Eastern Mediterranean Region the full cost of the transfer of the Regional Office to Amman, and the increased recurring annual costs for a period of five years;
3. REQUESTS the Regional Director to transmit this resolution to the World Health Assembly for its approval.

2. During the discussions on the subject at the Thirty-third World Health Assembly, three draft resolutions were introduced. The first, presented by 20 countries (17 of them from the Region), proposed that the Regional Office should be transferred to Amman as soon as possible, the cost of the transfer and of the increased recurring annual expenses for a period of five years being covered by voluntary contributions from the Member States of the Region. The second draft resolution, tabled by Egypt, proposed that the Executive Board should be requested to continue studying all aspects of the question and to report its findings to the Thirty-fourth World Health Assembly. The third draft resolution, introduced by the United States of America, proposed that

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the International Court of Justice should be requested to give an advisory opinion on certain legal questions concerning the existing Host Agreement between WHO and Egypt.

3. In accordance with the Rules of Procedure of the World Health Assembly, the third draft resolution was put to the vote first and was adopted. The text of this resolution (WHA33.16) is as follows:

The Thirty-third World Health Assembly,

Having regard to proposals which have been made to remove from Alexandria the Regional Office for the Eastern Mediterranean Region of the World Health Organization;

Taking note of the differing views which have been expressed in the World Health Assembly on the question of whether the World Health Organization may transfer the Regional Office without regard to the provisions of Section 37 of the Agreement between the World Health Organization and Egypt of 25 March 1951;

Noting further that the Working Group of the Executive Board has been unable to make a judgement or a recommendation on the applicability of Section 37 of this Agreement;

DECIDES, prior to taking any decision on removal of the Regional Office and pursuant to Article 76 of the Constitution of the World Health Organization and Article X of the Agreement between the United Nations and the World Health Organization approved by the United Nations General Assembly on 15 November 1947, to submit to the International Court of Justice for its Advisory Opinion the following questions:

- (1) Are the negotiation and notice provisions of Section 37 of the Agreement of 25 March 1951 between the World Health Organization and Egypt applicable in the event that either party to the Agreement wishes to have the Regional Office transferred from the territory of Egypt?
- (2) If so, what would be the legal responsibilities of both the World Health Organization and Egypt with regard to the Regional Office in Alexandria, during the two-year period between notice and termination of the Agreement?

4. Pursuant to the above resolution, the Director-General (by letter of 21 May 1980) transmitted the matter to the International Court of Justice and requested an urgent answer. The subject will be taken up by the Thirty-fourth World Health Assembly in May 1981.