

## Nomination of the Regional Director of South-East Asia

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### - Note by the Legal Counsel –

1. This document provides a summary of the nomination process for the next Regional Director for South-East Asia in advance of and during the Seventy-sixth session of the Regional Committee for South-East Asia from 30 October to 2 November 2023.

### 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”. The appointment of the incumbent Regional Director for South-East Asia comes to an end on 31 January 2024. Therefore, the Regional Committee will consider at its Seventy-sixth session the nomination of the Regional Director for the period beginning 1 February 2024 to enable the Executive Board to consider the matter at its 154<sup>th</sup> session in January 2024.

3. The applicable legal framework is as follows :

- Rule 49 of the [Rules of Procedure of the WHO Regional Committee for South-East Asia](#) (the “Rules of Procedure”), which 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 decides on the appointment of a person so nominated.
- Through resolution [SEA/RC65/R1](#) (2012), the Regional Committee provided for presentations by candidates and adopted modalities relating thereto (Annex B to said resolution). Through the same resolution, the Regional Committee also established criteria for assessing candidates (Annex C to said resolution).
- Through resolution [SEA/RC70/R3](#) (2017), the Regional Committee 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”), contained in Annex 1 to said resolution. Through the same resolution, the Regional Committee also approved the [standard form for a curriculum vitae](#), contained in Annex 2 to said resolution, to be used by Member States proposing persons for the post of Regional Director.

### THE PROCEDURE IN ADVANCE OF THE REGIONAL COMMITTEE

5. On 21 April 2023, the Director-General informed Member States of the Region that he would receive proposals of names of candidates for nomination by the Committee as Regional Director.<sup>1</sup> Such proposals must be sent to the Director-General so as to reach him no later than Friday, 4 August 2023 18:00 CET Time, i.e. not less than twelve weeks before the date fixed for the opening of the Regional Committee session<sup>2</sup>. 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.<sup>3</sup>

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<sup>1</sup> In accordance with Rule 49(a) of the Rules of Procedure of the Regional Committee for South-East Asia.

<sup>2</sup> In accordance with Rule 49(b) of the Rules of Procedure of the Regional Committee for South-East Asia.

<sup>3</sup> In accordance with resolution SEA/RC70/R3.

6. No later than ten weeks before the date fixed for the opening of the sessions, i.e. on or before 18 August 2023, 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.<sup>4</sup>

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 open to all Member States in the Region and the candidates who request to participate.<sup>5</sup> 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.

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.<sup>6</sup> 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 nomination of the Regional Director during the Regional Committee is articulated around two stages:

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

10. It is anticipated that the adoption of modalities for the presentations will take place prior to the voting to nominate a candidate.

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.<sup>7</sup> 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.<sup>8</sup> Attendance at the private meetings besides Committee members is 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.<sup>9</sup>

## ***PRESENTATION BY THE CANDIDATES***

12. 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 her or his 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.

13. In deciding on further modalities for the presentation of candidates, the Regional Committee

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<sup>4</sup> In accordance with Rule 49(d) of the Rules of Procedure of the Regional Committee for South-East Asia.

<sup>5</sup> In accordance with Section B.II.11 of the Code of Conduct.

<sup>6</sup> In accordance with Section B.II.12 of the Code of Conduct.

<sup>7</sup> In accordance with Section B.III.2 of the Code of Conduct.

<sup>8</sup> In accordance with Section B.III.3 of the Code of Conduct.

<sup>9</sup> In accordance with Section B.III.1 of the Code of Conduct

may wish to follow the proposed modalities that are set out in the Annex to this document. Such proposed modalities are in line with the approach that has been followed since 2013, which is in turn in line with the approach followed since 1998 by the Executive Board for the nomination of the Director-General and the approach followed by other Regional Committees with only minor technical variations.

#### *SECRET BALLOT TO NOMINATE A CANDIDATE*

14. 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.

15. Each Member State 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>10</sup> 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.

16. Rule 56 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 2019, the Executive Board at its 154<sup>th</sup> session in January 2024 will appoint the next Regional Director for a period of five years starting from 1 February 2024.

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<sup>10</sup> 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 FURTHER MODALITIES FOR THE PRESENTATION OF CANDIDATES FOR THE  
POST OF REGIONAL DIRECTOR FOR THE SOUTH-EAST ASIA REGION

1. The order in which candidates will be called to make their presentation will be drawn by lot at a meeting of the Committee, so that candidates can be informed in advance.
2. 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.
3. 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.
4. At the end of the oral statement, 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 out. 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.
5. 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.
6. 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.
7. 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.