

CONSTITUTION OF AFRICA HEALTH ORGANISATION (AHO)

PREAMBLE

Progress in the sciences of public health and medicine together with new and wider concepts of the responsibilities of Governments in matters of health makes it essential to broaden the scope of international health work in Africa and to develop and strengthen the African Health Conference in order that it may be able to carry out fully the obligations imposed by this progress.

The primary role of Africa Health Organisation (AHO) is to direct, co-ordinate, and administer international health services in Africa and the Diaspora. It aims to be the catalyst for ensuring that African people enjoy high quality optimal health, as well as contribute to the well-being of their families and communities. However, AHO will not be restricted to health services and will also work towards:

1. Modernizing and developing health systems in Africa
2. Promoting health through the life-course
3. Combating and tackling communicable and non-communicable diseases; and
4. Leading disaster preparedness, surveillance, and response.

Everything within this Constitution and all actions taken by AHO will have this at the heart of their decisions and aim to represent the idea of its preamble in all activities.

Acting in accordance with the Pan African Parliament Committee on Health, Labour and Social Affairs of the African Union, the African Health Council hereby adopts the following Constitution for Africa Health Organisation.

CHAPTER I

THE ORGANISATION

Article 1: *Purposes:*

The main purposes of Africa Health Organisation (hereinafter called the Organisation) shall be to promote and coordinate efforts of the countries of Africa to combat disease, lengthen life, and promote the physical and mental health of the people.

Article 2: *Membership:*

- A. All African Countries entitled to membership in the Organisation. (African Countries which are Members of the Organisation are hereinafter called Member States).
- B. Territories or groups of territories of Africa which are not responsible for the conduct of their international relations shall have the right to be represented and to participate in the Organisation. The nature and extent of the rights and obligations of these territories or groups of territories in the Organisation shall be determined in each case by the Health Council after consultation with the Government or other authorities having responsibility for their international relations (hereinafter called Participating Countries).

It is understood that Member States having under their jurisdiction subordinate territories and peoples within Africa will apply the provisions of the African Health Code and of this Constitution to such territories and peoples.

- C. Individuals and organisations supporting the Mission of the Organisation shall have the opportunity to become members. The types of membership shall be determined by the Congress from time to time.

Article 3: *Organs:*

The Organisation shall comprise:

1. The African Health Congress (hereinafter called the Congress);
2. The Health Council (hereinafter called the Council);
3. The Executive Committee of the Health Council (hereinafter called the Executive Committee); and
4. The African Health Bureau (hereinafter called the Bureau).
5. The African Health Forum (hereinafter called the Forum)

CHAPTER II

THE CONGRESS

Article 4: *Functions:*

- A. The Congress shall be the supreme governing authority of the Organisation.
- B. The Congress shall determine the general policies of the Organisation, including financial policy, and, when it deems it necessary, shall instruct the Council, the Executive Committee, and the Director with respect to any matter within the scope of the Organisation.
- C. The Congress shall serve as a forum for the interchange of information and ideas relating to the delivery of health and medical service, prevention of disease; the preservation, promotion, and restoration of mental and physical health; and the advancement of sociomedical measures and facilities for the prevention and treatment of physical and mental diseases in Africa.
- D. The Congress shall elect the Members to serve on the Executive Committee, in accordance with Article 15, paragraph A, of the Constitution.
- E. The Congress shall elect the Director of the Organisation in accordance with Article 21, paragraph A, of the Constitution.
- F. The Congress shall review the reports of the Chairman of the Executive Committee and of the Director of the Organisation.
- G. The Congress shall review and approve the biennial program and budget of the Organisation.
- H. The Congress may delegate any of its functions to the Council, which shall execute them on behalf of the Congress during the interval between meetings of the Congress.

Article 5: *Composition:*

- A. The Congress shall be composed of delegates of Members of the Organisation and the Participating Countries (hereinafter called "Countries" when both are referred to).
- B. Each Country shall be represented by not more than three delegates, one of whom shall be designated by the respective Country as chief delegate.

Delegates may be accompanied by one or more alternates and advisers. Delegates selected by the respective Country should include specialists in public health, preferably officials of public health services.

- C. The Director of the Organisation shall participate ex officio without the right to

vote.

Article 6. *Voting:*

- A. Each Country officially represented at the Conference shall have the right to one vote. The Participating Countries shall exercise this right within the limitations established in accordance with Article 2, paragraph B.
- B. If a Country fails to meet its financial obligations to the Organisation by the date of the opening of the African Public Health Congress or a meeting of the Health Council, by being in arrears in an amount exceeding the sum of its annual payments of contributions for two full years, the voting privileges of that Country shall be suspended. Nevertheless, if the Congress or the Health Council is satisfied that the failure of the Country to pay is due to conditions beyond its control, it may permit the Country to vote.
- C. Motions shall be considered adopted when they have received the affirmative vote of a majority of the Countries present and voting, except where the Constitution or the Rules of Procedure otherwise provide.

Article 7. *Meetings:*

- A. The Congress shall meet every five years at the Headquarters of the Organisation on a date fixed by the Director in consultation with the Executive Committee.
- B. Notwithstanding the provision of the immediately foregoing paragraph, the Congress may meet in any Member Country of the Organisation provided that the Country concerned invites it and that the Congress itself or the Health Council, at its meeting held one year before that appointed for the Congress, accepts the invitation.
- C. Whenever the provisions of the immediately foregoing paragraph apply, the Country in which the Congress is to be held shall appoint a Committee to cooperate with the Bureau in organising the Congress.
- D. At least three months prior to the beginning of the Congress, the Director shall submit to the Country a comprehensive report on the progress of the Organisation since the last meeting of the Congress.
- E. Each Country shall pay the expenses of its delegation to the Congress, and the Organisation shall pay the expenses of its personnel.
- F. The provisional agenda of the Congress shall be prepared by the Director and submitted to the Executive Committee for approval. The Congress shall adopt its own agenda and, in so doing, may make such additions or modifications to the provisional agenda as it may wish, in accordance with its Rules of Procedure.

- G. When the provisional agenda has been approved by the Executive Committee, a copy shall be sent to the Director-General of the World Health Organization.
- H. The Director-General of the World Health Organization, or his/her representatives, shall have the right to participate, without vote, in the Congress.

Article 8: *Officers and Rules of Procedure:*

The Congress shall elect its own officers and shall adopt its own Rules of Procedure.

CHAPTER III

THE COUNCIL

Article 9: *Functions:*

- A. The Council shall perform those functions delegated to it by the Congress, shall act on its behalf between meetings of the Congress, and shall carry out the decisions and policies of the Congress.
- B. The Council shall elect the Member Countries to serve on the Executive Committee in accordance with Article 15, paragraph A, of the Constitution.
- C. The Council shall review the annual reports of the Chairman of the Executive Committee and of the Director.
- D. The Council shall review and approve the biennial program and budget of the Organisation.
- E. The Council shall elect an ad interim Director when necessary, in accordance with Article 21, paragraph A.
- F. The Council shall approve the establishment of branch offices of the Organisation.

Article 10. *Composition:*

- A. The Council shall be composed of one representative from each Country. The representatives shall be designated from among specialists in public health, preferably officials of national public health services. Each representative may be accompanied by one or more alternates and advisers.
- B. The Director shall participate ex officio without the right to vote.

Article 11. *Voting:*

- A. Each Country officially represented on the Council shall have the right to one vote. The Participating Countries shall exercise this right within the limitations established in accordance with Article 2, paragraph B.
- B. Motions shall be considered adopted when they have received the affirmative vote of a majority of the Countries present and voting except where the Constitution or the Rules of Procedure otherwise provide.

Article 12. *Meetings:*

- A. The Council shall normally meet once each year in those years in which the Congress does not meet.
- B. Each Country shall pay the expenses of its representation, and the Bureau shall pay the expenses of its personnel.
- C. The provisional agenda of the Council shall be prepared by the Director and submitted to the Executive Committee for approval. The Council shall adopt its own agenda and, in so doing, may make such additions or modifications to the provisional agenda as it may wish, in accordance with its Rules of Procedure.
- D. When the provisional agenda has been approved by the Executive Committee, a copy shall be sent to the Director-General of the World Health Organization.
- E. The Director-General of the World Health Organization, or his/her representatives, shall have the right to participate, without vote, in the Council.

Article 13. *Officers and Rules of Procedure:*

The Council shall elect its own officers and shall adopt its own Rules of Procedure.

CHAPTER IV

THE EXECUTIVE COMMITTEE

Article 14. *Functions:*

The functions of the Executive Committee shall be:

- A. To authorise the Director of the Bureau to convoke meetings of the Council.
- B. To approve the provisional agenda of meetings of the Congress and of the Council.
- C. To consider and submit to the Congress or to the Council the proposed program and budget prepared by the Director of the Bureau with such recommendations as it deems advisable.
- D. To advise the Congress or the Council regarding matters referred to the Executive Committee by those bodies or on its own initiative regarding other matters relating to the activities of the Congress, the Council, or the Bureau.
- E. To discharge any other function assigned to it by the Congress or the Council.

Article 15. *Composition:*

- A. The Executive Committee shall be composed of the President, CEO, Director, Deputy Director, Assistant Director, Regional Heads, Department Heads, Director of Health Services, Director of Administration, and six elected members overlapping periods of three years. Nominations for the position of the Elected Member will be submitted by all member countries and the members will be further chosen through an election at the Council meeting. Each representative may be accompanied by one or more alternates and advisers. An Elected Member shall not be eligible for re-election to the Executive Committee until one year has elapsed since the expiration of its term of office.
- B. Countries not represented on the Executive Committee may, at their own expense, send observers who may, in accordance with the Rules of Procedure of the Executive Committee, participate without vote in the proceedings of the Executive Committee.
- C. The Director of the Bureau shall participate ex officio without the right to vote.

Article 16. *Voting:*

- A. Each Member on the Executive Committee, excluding the President and CEO, shall have the right to one vote.
- B. Motions shall be considered adopted when they have received the affirmation from the President/CEO after being passed by majority at the meeting, except where the Constitution or the Rules of Procedure otherwise provide.

Article 17. *Meetings:*

- A. Two regular meetings of the Executive Committee shall be held every year. One of these meetings shall be held at the place of the meeting of the Council or of the Congress and immediately following it. Special meetings shall be held when convoked by the Director of the Bureau, either on his/her own initiative or upon request of at least three Member Countries.
- B. The expenses of the Representatives to the Executive Committee attending meetings concurrent with, immediately preceding, or immediately following those of the Council, or of the Congress, shall be borne by Member Countries.

Expenses of representatives to other meetings of the Executive Committee or, in the event that any representative is unable to attend, of an alternate, shall be paid by the Bureau.

- C. A proposal/plan/recommendation can be submitted by any Member Country through the Elected Members or otherwise from within the organisation through any of the Directors.
- D. The further execution of any of these proposals/plans/recommendations will take place with the assistance and consultation of the Director and the Elected Member responsible for the same.

Article 18. *Officers:*

The Executive Committee shall elect from among its members a Chairman and a Vice-Chairman, who shall hold office until their successors are elected.

The elections shall take place each year at the first meeting of the Executive Committee following the election of its new Member Countries.

Article 19. *Rules of Procedure:*

The Executive Committee shall adopt its own Rules of Procedure.

CHAPTER V

THE BUREAU

Article 20. *Functions:*

The duties and functions of the Bureau shall be those specified in the African Health Code, and those which are assigned in the future by the Congress or the Council in fulfilment of the purposes expressed in Article 1 of this Constitution.

Article 21. *Administration:*

- A. The Bureau shall have a Director elected at the Congress by the vote of a majority of the Countries of the Organisation. The Director shall hold office for a period of five years and may not be re-elected more than once. In the event that the successor to the Director has not been elected prior to the expiration of the Director's term of office, the Director shall continue to serve until the successor takes office. In the event of the resignation, incapacity, or death of the Director, the Deputy Director shall assume his/her duties until the next meeting of the Council. The Council shall then elect a Director ad interim by a majority vote of the Countries present and voting.
- B. The Bureau shall have a Deputy Director and an Assistant Director appointed by the Director with the approval of the Executive Committee. The Director shall also appoint all other personnel of the Bureau. All appointments shall be in accordance with the Rules and regulations adopted by the Council.

These rules and regulations shall specify the conditions governing the selection of personnel competent to carry out the duties entrusted to the Bureau. Whenever possible, the widest geographic distribution shall be followed in regard to the recruiting of personnel.

- C. The Director of the Bureau shall create, in the central office and its branches, such sections as are deemed necessary in order to carry out the program of health activities authorised by the Organisation.

Article 22. *International Character of the Personnel:*

- A. No member of the staff of the Bureau may act as a representative of any Country.
- B. In the performance of their duties, the Director and all personnel of the Bureau shall not seek or receive instructions from any Country or from any authority external to the Organisation. They shall refrain from any action which is incompatible with their status as international officers. Each Government, on its part, shall undertake to respect the exclusively international character of the Director and the personnel and shall not seek to influence them.

Article 23. *Technical Commissions:*

The Director of the Bureau may appoint such permanent technical commissions as are authorised by the Conference or the Council, as well as such non- permanent technical commissions as are authorised by the Conference, by the Council, or by the Executive Committee.

CHAPTER VI

THE FORUM

Article 24: *Functions:*

- A. The Forum shall be the grassroots engaging and delivery authority of the Organisation.
- B. The Forum shall serve as a platform for the consultation, engagement, delivery and ideas relating to programmes and projects, membership growth and development, monitoring and evaluation and sharing good practice on health in Africa.
- C. The Forum shall review the reports of the Chairman of the Membership and Fees Sub Committee.
- D. The Forum shall review and approve the annual Membership programme and Membership Fees Budget.
- E. The Forum may delegate any of its functions to the Council, which shall execute them on behalf of the Forum during the interval between meetings of the Council.

Article 25. *Structure:*

- A. The Forum shall be represented at all levels of the Organisation's operations from village to national to regional level.
- B. The Organisation understands that in many cases, it will be prudent to follow the political structure of the Member Country.
- C. As a general illustration, the following structure is most commonly used:
 - i Villages
 - ii Wards
 - iii Districts
 - iv Provinces
 - v National
 - vi Regional

Article 26. *Composition:*

- A. The Forum shall be composed of delegates of Member Countries of the Organisation and the Participating Countries (hereinafter called “Countries” when both are referred to).
- B. Each Forum shall have a proportional representation delegation from villages, wards, districts, provinces and national, one of whom shall be designated by the respective Country as chief delegate.

Article 27. *Voting:*

- A. Each Delegate officially represented at the Forum shall have the right to one vote. The delegates shall exercise their right within the limitations established in accordance with Article 2, paragraph B.
- B. If a Delegate fails to meet his/her financial obligations to the Organisation by the date of the opening of the African Health Forum, by being in arrears in an amount exceeding the sum of his/her annual payments of membership contributions for one full year, the voting privileges of that delegate shall be suspended. Nevertheless, if the Forum is satisfied that the failure of the Delegate to pay is due to conditions beyond his/her control, it may permit the Delegate to vote.
- C. Motions shall be considered adopted when they have received the affirmative vote of a majority of the Delegates present and voting, except where the Constitution or the Rules of Procedure otherwise provide.

Article 28. *Meetings:*

- A. The Village Health Forum shall meet monthly.
- B. The Ward Health Forum shall meet bi-monthly.
- C. The District Health Forum shall meet quarterly
- D. The Provincial Health Forum shall meet bi-annually
- E. The National Health Forum shall meet annually
- F. The Regional Health Forum shall meet every three years
- G. The African Health Forum shall meet every four years
- H. Whenever the provisions of the immediately foregoing paragraph apply, the Country in which the Forum is to be held shall appoint a Committee to cooperate with the Bureau in organising the Forum.

- I. At least three months prior to the beginning of the Forum, the Director of the Bureau shall submit to the Country a comprehensive report on the progress of the Organisation since the last meeting of the Forum.
- J. Each Country shall pay the expenses of its delegation to the Forum, and the Bureau shall pay the expenses of its personnel.
- K. The provisional agenda of the Forum shall be prepared by the Director of the Community Health and submitted to the Bureau and Executive Committee for approval. The Forum shall adopt its own agenda and, in so doing, may make such additions or modifications to the provisional agenda as it may wish, in accordance with its Rules of Procedure.
- L. When the provisional agenda has been approved by the Bureau and Executive Committee, a copy shall be sent to the relevant authorities.
- M. The Director-General of the World Health Organization, or his/her representatives, shall have the right to participate, without vote, in the Forum.

Article 29: *Officers and Rules of Procedure:*

The Forum shall elect its own officers and shall adopt its own Rules of Procedure.

CHAPTER VI

BUDGET

Article 24. *Financial Obligations of the Countries:*

- A. The Organisation shall be financed by membership contributions from Countries apart from donations, grants, service agreements, etc.
The contributions from Member Countries shall be determined in conformity with Article 60 of the African Health Code. The Participating Countries shall make membership contributions computed on a basis similar to that established for the Member Countries.
- B. Countries may make extraordinary contributions for general expenses and specific purposes, in addition to their membership contributions.

Article 25. *Donations:*

The Conference, the Council, the Executive Committee, the Forum or the Director of the Bureau may accept and administer donations and bequests made to the Organisation provided that any conditions attached to such donations or bequests are consistent with the purposes and policies of the Organisation.

CHAPTER VII

RELATIONS

Article 26. *Relations with Other Organisations:*

The Conference or the Council may make suitable arrangements for consultation and cooperation with other organisations interested in or concerned with public health and, to this end, may conclude special agreements with such organisations.

CHAPTER VIII

MODIFICATION

Article 27. *Revision of the African Health Code:*

- A. The Director of the Bureau shall prepare periodic revisions of the African Health Code in accordance with general needs and policies determined by the Conference or the Council.
- B. Such revisions shall be reviewed by the Executive Committee and submitted to the Conference or the Council for approval.
- C. Such revisions shall be submitted to the Countries which are parties to the African Health Code, for appropriate action as recommendations of the Conference or the Council.

Article 28. *Amendments to the Constitution:*

Proposals to amend the Constitution shall be communicated to the Member Governments at least three months in advance of their consideration by the Conference or the Council. Amendments shall come into force for all Member Countries when adopted by the Conference by a two-thirds vote of the representatives of all Member Countries or when adopted by the Council by a two-thirds vote of those representatives.

CHAPTER IX

VALIDITY

Article 29. *Entry into Force:*

- A. This Constitution shall enter into force when approved by the Council.
- B. The previous Constitution is hereby revoked.

The present Constitution was signed in the city of Harare on the second day of the month of October of the year twenty and fifteen.