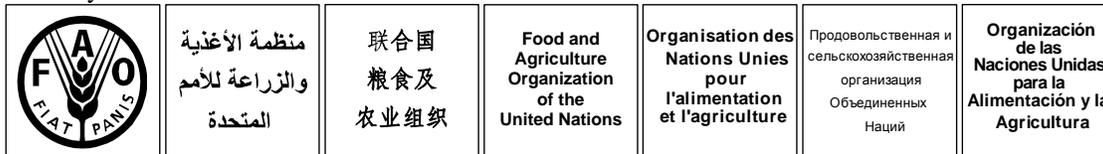


February 2012



COMMISSION ON PHYTOSANITARY MEASURES

Seventh Session

Rome, 19 - 23 March 2012

CPM Bureau Election Procedures: Short and Long Term Issues

Agenda item 5.1 of the Provisional Agenda

1. The annexed paper was prepared by the United States of America, New Zealand, Canada and Australia on 17 January 2012.

Annex to CPM 2012/INF/04**1. INTRODUCTION**

As members are aware there will be elections in March 2012 for the Commission on Phytosanitary Measures (CPM) Chairperson, Vice-Chairpersons and the remainder of the Bureau. Currently, the CPM has no established rules for the election of Chairpersons and Vice-Chairpersons and also no rules of procedure for the CPM Bureau.

Discussions among a number of contracting parties have led to the suggestion that the CPM consider this matter. This paper provides background information to help inform and prepare CPM members for the March 2012 Bureau election as well as proposes the development of transparent and equitable procedures to govern the election of Bureau Chairpersons and vice-chairs in the future.

2. BACKGROUND

As of 12 October 2011, CPM membership consists of 177 contracting parties to the Convention. The CPM is directed by a Bureau which, in cooperation with the IPPC Secretariat and others as approved by CPM, provides guidance to the CPM on the strategic direction and financial and operational management of its activities.

According to Rule II, CPM Rules of Procedure:

“The Commission shall elect a Chairperson, not more than two Vice-Chairpersons and other persons from among the delegates to form a Bureau of seven persons, so that each FAO region is represented... The Bureau shall be elected under FAO Rules and Regulations at the end of a regular session and shall hold office for a term of two years...”

(Rule II, CPM Rules of Procedures, amended in 2007. See Attachment 1.)

CPM Rules of Procedure, as reflected above, do not offer detailed guidance regarding the conduct and operation of Bureau elections.

2.1 FAO Rules and Regulations as they relate to Elections

As indicated above, CPM' current Rules of Procedure state that *“the Bureau shall be elected under FAO Rules and Regulations at the end of a regular session and shall hold office for a term of two years...”* According to FAO Rules and Regulations, the nomination of any candidate for the Bureau shall be made by the government of a Member Nation or by its delegate or representative. Hence, delegates to the CPM are authorized to provide a nomination. Furthermore, FAO Rules and Regulations state that the appointing body (CPM) shall determine the nomination procedure. Currently, there are no established CPM procedures for nominating candidates for CPM Bureau Chair and vice positions.

Also, under FAO Rules and Regulations, voting shall be by show of hands, roll call or secret ballot. Hence, CPM has the option to decide which method of electing a Chair and vice-chairs it wishes to use in voting for the CPM Chair and vice-chair positions.

Generally, the FAO Rules and Regulations provide detailed guidance for the conduct and operation of an election, but do not prescribe any criteria, rotational scheme, or other specific requirements for electing Chair persons. (See Annex 5 for General Rules of the Organization (FAO)).

3. PRESENT SITUATION

In the past, CPM Bureau Chairpersons and vice Chairpersons have been designated through a process of diplomatic-political exchanges among country representatives to FAO. These tacitly agreed rotations are based on the notion that the CPM Chair, like chairs of other FAO committees, should alternate every two years between a candidate from the bloc of developed countries and a candidate from the group of developing countries. The unwritten diplomatic-political arrangement for alternating the chair position between developed and developing countries has been and continues to be a common practice in the FAO and United Nations common system.

However, the IPPC has followed the use of a geographic representation model based on FAO 7-regions to constitute memberships or participation in its bodies. This is common practice in FAO and other UN bodies. The seven region approach has been used in bodies such as: the Standards Committee, and the sub-group of the Standards Committee known as the SC-7; the Subsidiary Body on Dispute Settlement; and, in the Bureau. In 2007, CPM amended the CPM Rules of Procedure to allow for the establishment of a seven-member Bureau based on the seven FAO regions. The objective for enlarging the Bureau in this fashion (from the original three members) was to provide oversight and management of CPM activities by a geographically representative group and create additional resources for work with the Secretariat on CPM matters.

See Attachment 2 for the sequence of CPM Chairpersons to date. As can be seen the developed country-developing country pattern has been followed, as also has the seven region approach. Only one region has not provided a CPM Chair, which is Asia.

3.1 2007-2009 CPM Efforts to Develop Rules

In 2007, CPM-2 amended its rules and introduced the concept of a seven-person Bureau with geographic balance based on FAO regions. In addition, CPM-2 agreed that the Bureau would develop its rules of procedure for adoption at a later CPM.

Draft terms of reference and rules of procedure were subsequently prepared and presented to the CPM in 2009 (see Attachment 3). However, these draft rules addressing Bureau functions, membership,, funding and replacement were not adopted by CPM (see Attachment 4 from the CPM-4 report) as a result of one contracting party's objections.

Some members have expressed the need for transparent and consistent rules to guide the election process for establishing the Bureau and the designation of its Chair and vice-chairs. Such rules would prevent confusion and conflict and improve the transparency and credibility of CPM procedures.

4. LOOKING AHEAD: ESTABLISHING A RULES-BASED SYSTEM

Some of the arrangements and systems for the nomination of the representatives of international bodies or the leadership positions such as Chairpersons or Vice-Chairpersons have been perceived by some countries as closed and non-transparent. The electorate (i.e. those who do the voting) are sometimes not those involved with the organization that has the body or position undergoing election, but belong to another network (i.e., FAO representatives rather than CPM delegates). This network may consider itself responsible for the election of officials in more than one organization – a situation that may allow for the trading of positions among different international organizations or committees. Such a system is non-transparent and the members of the organization that has the positions for election may have little knowledge of what is actually taking place.

On the other hand, some perceive certain advantages of this political-diplomatic system by allowing regions to provide and exchange positions with respect to filling leadership positions among a number of treaty organizations or bodies. A primary advantage cited is that CPM participants do not have to devote time and resources to canvassing support within and between regions to discuss and promote the merits of different candidates. However, others would argue that if IPPC rules existed, candidates could be selected in advance and elected by those deeply involved in the activities of the IPPC.

4.1 Benefits and Objectives of a Rules-Based System

When electing members of international bodies or electing members to leadership positions such as the Chairperson, Vice-Chairpersons, and other Bureau positions, the basic members of the international organization concerned may want to elect on the basis of competence and merit. To empower the members of international organizations in this regard, some approaches to achieve a greater degree of transparency may include:

- elections driven by the membership
- a greater degree of equity in the distribution of positions.
- consideration of competence and merit for those positions
- the system to be seen to be transparent in terms of established rules and procedures.

Therefore it is suggested that CPM consider the following benefits and objectives establishing a Rules-based procedure where the Bureau is concerned. This means establishing transparent and equitable rules regarding the procedure for nominating and electing Bureau positions, particularly the Chair and Vice-Chair positions.

1. Creating a Member-driven organization: The CPM should strive for rules that make the CPM an organization that is driven and managed by its contracting parties rather than directed by external entities (i.e., political-diplomatic community involved in broader FAO programs). This includes the establishment of rules that empower IPPC contracting parties to elect their leadership in the Bureau.
2. Ensuring Diversity and Inclusiveness: Diversity means the opportunity of all groups that form the CPM membership to participate in the Bureau and contribute to CPM work and goals. CPM should seek to capitalize on the diversity of leadership potential available to it from the regional representation on the Bureau, including Chair and Vice-Chair positions.
3. Seeking and developing Leadership Competence: The CPM Bureau election rules should emphasize and encourage some level of experience, knowledge, and skills so that any one of the Bureau members could become Chairpersons and provide strategic leadership and facilitate CPM/Bureau sessions. This experience could be supplemented by working in the Bureau as current CPM practices expose Vice-Chairs to CPM business practices prior to their possible candidacy as a future Chairperson.

4.2 Procedures of other Organizations for Election of Leadership Positions

Examples include:

- The FAO'S Committee on World Food Security (CFS) recently revised its Rules of Procedure to specify a regional rotation of the Chair position rather than based on the developing and developed blocks of countries taking turns.
- The Codex Commission is led by a Bureau composed of a Chairperson and 3 vice-chairs. These officers are elected during a Commission session for a term (typically one year) that concludes with the end of the next Commission session. Officers are eligible for re-election twice. Delegates of member countries are eligible for election, provided that a nominee is endorsed by the head of that country's delegation. A call for nominations is made at the

beginning of a session, nominations are submitted, and an election (via secret ballot) is conducted later in that session if there is more than one candidate for Chairperson and three candidates for the vice chair positions. The unwritten understanding among Codex delegates is that: 1) the three vice chairs are the likely candidates for election to Chair when that position becomes vacant and 2) the Chair position will rotate among the seven FAO regions to provide equal opportunity and geographic balance.

- The World Organisation for Animal Health (OIE) is led by the “Council” (formerly known as the Administrative Commission). OIE delegates elect a Council President and Vice-President for three year terms and assisted by the immediate past president. Under OIE’ general rules, those nominated for the offices of President and Vice-President are expected to be representatives of Member Countries which have not previously provided Delegates to fill these offices. Furthermore, the OIE rules stipulate that members shall take into account an even geographical representation on the Council with each of the OIE regional groups (5 regional commissions) necessarily being represented. (See OIE’ General Rules, Chapter II, Articles 8 and 9).

4.3 Options for a Rules-Based System for the Election of the CPM Chairperson

Option 1: FAO Seven-Region Approach

As noted earlier the CPM has developed rules for the membership of a number of bodies aimed at ensuring geographic balance on the basis of the seven FAO regions. These FAO regions are: Africa, Asia, Europe, Latin America & Caribbean, Near East, North America, and Southwest Pacific. Generally, each region determines its own procedures to select nominees.

The FAO seven-region grouping is the basis used by CPM and the Secretariat to forming formal and informal committees, holding meetings and other IPPC activities to ensure an inclusive, globally diverse and balanced set of views and participation in the work of the CPM.

This approach is one of the two common approaches taken by FAO bodies, and other United Nations bodies. It can be used for the election of a Chairperson or for Vice-Chairpersons (albeit lots of advance planning may be required for the election of vice-chairs).

Option 2: The developed-developing country approach

This system has been used for the selection of candidates for the Chair and vice chair and involves the alternation of nominations from developed or developing countries to fill a position such as a Chairperson of a body. It ensures that developing and developed countries have an equal possibility to provide the chair and vice chairs. This is the other common approach taken by FAO bodies and other United Nations bodies to allow the sharing of leadership positions on international organizations and can continue to be used for the election of Chairperson and vice chairs.

Option 3: Open Election Process

With such a process, nominations would be accepted by the Secretariat and a voting system applied. Such a process would be transparent but may not supply the diversity and the global sharing that other options might achieve.

5. PROPOSAL

The sponsors of this paper propose:

- 1) following the current rules established in the CPM rules of procedure regarding elections for the Bureau, and,
- 2) that CPM establish a working group to develop rules of procedure for the CPM Bureau elections, taking into account:
 - considerations laid out in this paper;
 - CPM guidance on possible range of options;
 - other terms of reference as agreed by CPM.
 - the goal of presenting draft rules of procedure for adoption at CPM-8 in 2013.

ATTACHMENT 1: Rule II of the Rules of Procedure of the Commission on Phytosanitary Measures, as amended in 2007
(From CPM-2 Report, Annex)

RULE II

OFFICERS

1. The Commission shall elect a Chairperson, not more than two Vice-Chairpersons and other persons from among the delegates to form a Bureau of seven persons, so that each FAO region is represented. The Commission shall elect a rapporteur for each regular session from among the delegates. No delegate shall be eligible without the concurrence of the respective head of delegation. The Bureau shall be elected under FAO Rules and Regulations at the end of a regular session and shall hold office for a term of two years. The Chairperson, or in the absence of the Chairperson, a Vice-Chairperson, shall preside at all meetings of the Commission and shall exercise such other functions as may be required to facilitate the work of the Commission. A Vice-Chairperson acting as a Chairperson shall have the same powers and duties as the Chairperson. The purpose of the Bureau is to provide guidance to the CPM on the strategic direction, financial and operational management of its activities in cooperation with others as approved by CPM.
2. The Chairperson shall declare the opening and closing of each plenary meeting of the session. He/she shall direct the discussions in plenary meetings, and at such meetings ensure observance of these Rules, accord the right to speak, put questions and announce decisions. He/she shall rule on points of order and, subject to these Rules, shall have complete control over the proceedings at any meetings. He/she may, in the course of the discussion of an item, propose to the Commission the limitation of the time to be allowed to speakers, the number of times each delegation may speak on any question, the closure of the list of speakers, the suspension or adjournment of the meeting, or the adjournment or closure of the debate on the item under discussion.
3. The Chairperson, or a Vice-Chairperson acting as Chairperson, shall not vote but may appoint an alternate, associate or adviser from his/her delegation to vote in his/her place.
4. The Chairperson, in the exercise of his/her functions, remains under the authority of the Commission.

ATTACHMENT 2: List of Previous Chairpersons to Date

Chairperson	Country	FAO Region	Category
J. Hedley	New Zealand	Southwest Pacific	Developed
F. Canale	Uruguay	Latin America & Caribbean	Developing
R. Lopian	Finland	Europe	Developed
J.C Kedera	Kenya	Africa	Developing
R. Baste-Tjeerde	Canada	North America	Developed
M. Katbeh-Bader	Jordan	Near East	Developing

ATTACHMENT 3: Draft Terms of Reference and Rules of Procedure for the CPM Bureau not adopted by CPM in 2009

(File CPM 2009/8. Includes Annex I and Annex II.)

Rome, 30 March – 3 April 2009
Terms of Reference and Rules of Procedure of the CPM Bureau
Item 13.8 of the provisional agenda

I. Introduction

2. In 2007, the second session of the Commission on Phytosanitary Measures (CPM-2, 2007), decided to amend its Rules of Procedure in order to enable the establishment of an enlarged CPM Bureau. The relevant Rule II (1) was amended to read:

“1. The Commission shall elect a Chairperson, not more than two Vice-Chairpersons and other persons from among the delegates to form a Bureau of seven persons, so that each FAO region is represented. No delegate shall be eligible without concurrence of the respective head of delegation. The Bureau shall be elected under FAO Rules and Regulations at the end of a regular session and shall hold office for a term of two years. The Chairperson, or in the absence of the Chairperson, a Vice-Chairperson, shall preside at all meetings of the Commission and shall exercise such other functions as may be required to facilitate the work of the Commission. A Vice-Chairperson acting as a Chairperson shall have the same powers and duties as the Chairperson. The purpose of the Bureau is to provide guidance to the CPM on the strategic direction, financial and operational management of its activities in cooperation with others as approved by CPM.”

3. This amendment changed the structure of the CPM Bureau to incorporate the CPM Chairperson, the two CPM Vice-Chairpersons as well as four additional persons drawn from FAO regions not covered by the CPM Chairperson and Vice-Chairpersons. This enlargement to a seven-member CPM Bureau also entailed a wish for a more formalized and structured approach in regard to the proceedings of the CPM-Bureau. Consequently, CPM-2 agreed that the CPM Bureau would, for the first time, develop its own Rules of Procedure and submit them for adoption to a later CPM (see paragraph 96.4 of the CPM-2 report.).

4. In 2008, the third session of the Commission on Phytosanitary Measures (CPM-3, 2008) elected the new CPM Bureau. At its first meeting in June 2008, the CPM Bureau discussed its Rules of Procedure, based on a proposal by the CPM Chairperson. The results of these discussions as well as proposals for Terms of Reference and Rules of Procedure for the CPM Bureau were submitted to the Tenth Meeting of the Informal Working Group on Strategic Planning and Technical Assistance (SPTA) for further discussion.

II. Proposals

5. In order to outline the specific purpose and function of the CPM Bureau and its relationship with the IPPC Secretariat it was decided that it would be useful to have Terms of Reference for the CPM Bureau.

6. In regard to the Rules of Procedure, the CPM Bureau specifically discussed provisions concerning the replacement of Bureau members who are unable to fulfil their duties. It was thought desirable that provisions were incorporated in the Rules of Procedure (similar to the provisions of the

Standards Committee) which regulate the case where a member resigns or is no longer able to fulfill the requirements of a Bureau member.

7. FAO Legal Office provided advice based on the practice followed in other bureaux that the responsibility to replace members that could not complete their term lay with the contracting party that provided the original member rather than the region. The Bureau members have to be CPM delegates nominated by governments and the responsibility to nominate a replacement was up to the contracting party (albeit they preferably do so in consultation with other contracting parties from the region) originally selected to serve on the CPM Bureau.

8. The Bureau concluded that the CPM had intended to provide for regional representation in the CPM Bureau. Therefore, the CPM Bureau preferred the standard practice from the CPM subsidiary bodies in which a member is replaced by the FAO region that was represented by this member. However, between sessions of the CPM there is no possibility to have the CPM elect a replacement Bureau member.

9. The SPTA discussed this issue in October and considered that in circumstances where a Bureau member was unable to complete the term it would be appropriate for the Bureau to invite an expert from the relevant region to Bureau meetings. Therefore inserted at the end of Rule 3 (Meetings) of the Rules of Procedure is the following statement "If a Bureau member resigns or is no longer able to fulfil the requirements of a Bureau member, the Bureau may invite an expert to provide input from that region."

10. After some additional modifications, the SPTA agreed to the Terms of Reference and Rules of Procedure for the CPM Bureau (see Annex I and II) and submits them for adoption to CPM-4.

11. The CPM is invited to:

- 1) *Comment* on the Terms of Reference and Rules of Procedure for the CPM Bureau, as shown in Annexes I and II
- 2) *Adopt* the Terms of Reference and Rules of Procedure for the CPM Bureau.

**TERMS OF REFERENCE FOR THE BUREAU OF THE COMMISSION ON
PHYTOSANITARY MEASURES**

1. Purpose of the Bureau

The purpose of the Bureau is to provide guidance to the CPM on the strategic direction, financial and operational management of its activities in cooperation with others as approved by CPM.

As appropriate, members of the Bureau will also assist the CPM in its administrative, representational and operational duties. The Bureau provides continuity in the management of the CPM and, through representation of all FAO regions, facilitates the expression of all viewpoints on strategic, administrative and procedural matters on an ongoing basis.

2. Functions of the Bureau

The Bureau will meet its purpose through the following functions:

- Work with the Secretariat to ensure the efficient implementation of the CPM work programme
- Assist with the administrative, representative and operational duties of the CPM in areas such as:
 - Strategic planning and technical assistance
 - Promote and represent as appropriate the IPPC at relevant national and international meetings
 - Serve as a focus group for specific issues assigned to it by the CPM
 - Undertake other activities referred to it by the CPM

3. IPPC Secretariat

The Secretariat provides administrative, technical and editorial support as required by the Bureau. The Secretariat is responsible for record keeping regarding the activities of the Bureau.

Annex II**RULES OF PROCEDURE FOR THE BUREAU OF THE COMMISSION ON
PHYTOSANITARY MEASURES****Rule 1. Membership**

The Bureau is elected by the CPM as per Rule II of the Rules of Procedure of the Commission on Phytosanitary Measures. Members serve for terms of two years, with a maximum of six years. In exceptional circumstances, a FAO region may submit a request to the CPM for an exemption to allow a member to serve an additional term(s).

In putting forward candidates for the Bureau, regions should consider their experience with the IPPC and their capacity to contribute to Bureau activities.

Each Bureau member needs to be provided by his or her contracting party with the necessary time and, where appropriate, the necessary resources to participate fully in the activities and meetings of the Bureau.

Whenever possible, members of the Bureau should fund their own attendance at the meetings. Members may request financial assistance from the Secretariat, with the understanding that if funds are available, financial assistance will only be given to developing country participants, and then, only in accordance with current guidelines.

Rule 2. Chairperson

The Chairperson of the CPM shall be the Chairperson of the Bureau.

Rule 3. Meetings

Bureau meetings are convened by the Chairperson. Five members of the Bureau shall constitute a quorum. The Bureau meets twice a year or as required. One meeting should be as soon as practicable after the CPM in order to ensure that outcomes and follow-up actions from the CPM can be implemented in the most effective and efficient manner. Another meeting should be at least 4 months prior to the CPM meeting, to consider progress with the implementation of the current operational plan and budget and the development of the following operational plan and budget, and also to enable any outstanding specified activities to be undertaken before the next CPM meeting.

Meetings of the Bureau shall be closed unless otherwise determined by the Bureau. The Bureau may invite experts to provide advice or information on specific matters. If a bureau member resigns or is no longer able to fulfil the requirements of a Bureau member, the Bureau may invite an expert to provide input from that region. The Secretary of the Commission is the Secretary of the Bureau and attends the meetings.

Rule 4. Decision making

Decision making is by consensus. Situations where consensus cannot be reached shall be described in the meeting reports.

Rule 5. Documentation, records and reports

The Secretary, in consultation with the Chairperson and the Vice-Chairpersons of the CPM, prepares a provisional agenda and makes it available on the International Phytosanitary Portal (IPP) preferably four weeks prior to the beginning of each meeting.

Documents shall be made available to Bureau members as soon as possible after the preparation of the provisional agenda.

The Secretariat keeps the records of the Bureau and minutes of the Bureau meetings. A report will normally be available within one month after the meeting, and posted on the IPP.

The Chairperson shall submit an annual report to the CPM.

Rule 6. Language

The business of the Bureau shall be conducted in English, unless otherwise decided by the Bureau.

Rule 7. Amendment

Amendment to the Terms of Reference and the Rules of Procedure for the Bureau may be developed and adopted by the CPM as necessary.

ATTACHMENT 4: 2009 CPM Decision on Draft Rules of Procedure for the Bureau

(From CPM-4 Report, Item 13.8. See also Attachment 3.)

13.8 Terms of Reference and Rules of Procedure of the CPM Bureau

185. A Bureau member (Mr Gutierrez) introduced the topic of Terms of Reference and Rules of Procedure (TOR/ROPs) of the CPM Bureau. In 2007, CPM-2 amended its Rules of Procedure to enlarge and change the structure of the CPM Bureau, and agreed that the Bureau would develop its own Rules of Procedure and submit them for adoption to a later CPM (see paragraph 96.4 of the CPM-2 report).

186. Proposals for the TORs and ROPs of the CPM Bureau were developed at the June 2008 Bureau meeting.

187. The CPM Bureau, and later the SPTA, specifically discussed provisions concerning the replacement of Bureau members who are unable to fulfill their duties. A provision was incorporated into the proposed Rules of Procedure which addresses the cases where a member resigns or is no longer able to fulfill the requirements of a Bureau member. Rule 3 (Meetings) of the Rules of Procedure reads as follows, "If a Bureau member resigns or is no longer able to fulfill the requirements of a Bureau member, the Bureau may invite an expert to provide input from that region."

188. One member submitted an additional proposal that contained extensive suggestions to modify the TOR/ROPs. The proposal generated some discussion. Several members indicated that the complex proposal to change the TOR/ROPs of the Bureau also contained proposals to change the ROPs of the CPM. They believed that the complexity of the suggestions would be better evaluated and investigated by the CPM Bureau and the SPTA. A number of members expressed concern regarding the amount of time spent in the CPM on procedural issues, especially as the extended Bureau had only been in operation for one year.

189. The Chairperson withdrew the proposed TOR/ROPs with a suggestion that it be referred back to the CPM Bureau.

ATTACHMENT 5: FAO Rules and Regulations as they relate to Elections

Annex 6: General Rules of the Organization (FAO)

Rule XII: Quorum and Voting Arrangements at Meetings of Conference and Council

1. Subject to the Constitution and these Rules, the following shall govern the procedure in relation to voting and elections in the Conference and the Council:

2. Except as otherwise provided by the Constitution or these Rules, in the Conference a majority of the Member Nations and in the Council a majority of the Members of the Council shall constitute a quorum.

Before proceeding to a vote or election, the Chairman shall announce the number of delegates or representatives present. If less than the number required for a quorum is present, the vote or election shall not be held.

3. Except as otherwise provided in the Constitution or these Rules, the required majority for any decision or for any election to fill one elective place shall be more than one half of the votes cast.

Except as otherwise provided in these Rules, in the case of an election by the Conference to fill simultaneously more than one elective place, the required majority shall be the smallest number of whole votes necessary to elect no more candidates than there are seats to be filled. This majority shall be obtained by the following formula:

$$\text{Required majority} = \text{number of votes cast} / \text{number of seats} + 1$$

(disregarding any resultant fraction).

Subject to the provisions of Article XX, paragraph 1 of the Constitution, when a two-thirds majority of the votes cast is required by the Constitution or these Rules for a decision to be taken by the Conference, the total number of affirmative and negative votes cast shall be more than one half of the Member Nations of the Organization. If these conditions are not fulfilled, the proposal shall be considered as rejected.

4. For the purpose of the Constitution and these Rules the phrase "votes cast" shall mean affirmative and negative votes, and shall not include abstentions or defective ballots.

In the case of an election to fill simultaneously more than one elective place the phrase "votes cast" shall mean the total number of votes cast by the electors for all elective places.

Abstentions shall be recorded:

- in a vote by show of hands, only for those delegates or representatives who raise their hands in response to the Chairman's request for abstentions;
- in a roll call vote, only for those delegates or representatives who reply "Abstention";
- in a secret ballot, only for such ballot papers deposited in the ballot box as are either blank or marked "Abstention";
- in a vote by electronic means, only for those delegates or representatives who indicate "Abstention".

Any ballot paper carrying votes for more candidates than there are vacancies to be filled, or carrying a vote for an individual, nation or locality not validly nominated, shall be considered defective.

In the case of an election to fill simultaneously more than one elective place any ballot paper carrying votes for less candidates than there are vacancies to be filled shall also be considered defective.

The ballot paper shall carry no other notation or mark than those required for the purpose of indicating the vote.

Subject to (i), (ii) and (iii) above, a ballot paper shall be considered valid when there is no doubt as to the intention of the elector.

5. Except as otherwise provided in the Constitution or these Rules, the nomination of any candidate for an elective place to be filled by the Conference or Council shall be made by the government of a Member Nation or by its delegate or representative. Subject to the procedure for nomination provided in the Rules, the appointing body shall determine the nomination procedure.

6. Voting shall be by show of hands, roll call or secret ballot.

7. Subject to the provisions of paragraph 10 of this Rule, a vote by roll call shall be taken either upon request of a delegate or representative, or if a majority of two thirds is required by the Constitution or these Rules. Voting by roll call shall be conducted by calling in English alphabetical order the names of all Member Nations entitled to vote. The name of the first nation to be called shall be designated by lot drawn by the Chairman. The delegate or representative of each Member Nation shall reply "Yes", "No", or "Abstention". At the conclusion of any roll call, the name of any Member Nation whose delegate or representative failed to answer shall be called again. The vote of each Member Nation participating in any vote by roll call shall be inserted in the record of the meeting.

The count and recording of votes by show of hands or by roll call shall be conducted by or under the supervision of the Conference or Council elections officer, appointed by the Director-General in accordance with the terms of paragraph 17 below.

If for two successive ballots by roll call the name of the same Member Nation is drawn, the name of another Member Nation shall be designated by lot or lots drawn by the Chairman.

8. When the Conference or Council votes by electronic means, a vote without recording names shall replace a vote by show of hands and a nominal vote shall replace a roll call. In the case of a nominal vote, the procedure of calling out the names of the Member Nations shall not be applicable unless the Conference or Council otherwise decides. The vote of each Member Nation participating in a nominal vote shall be inserted in the record.

9. For the purpose of the Rules, the term "election" means the selection or appointment of one or more individuals, nations or localities. The election of Council Members shall take place in accordance with the procedure laid down in Rule XXII, paragraph 10 (g). In other cases, more than one elective place shall be filled at the same election, unless the Conference or Council decide otherwise.

When one elective place is to be filled, the method of election by secret ballot shall be as provided in paragraph 11 of this Rule. When more than one elective place is to be filled at the same election, the method of election by secret ballot shall be as provided in paragraphs 12 and 13 of this Rule.

10. The appointment of the Chairman of the Council and of the Director-General, the admission of additional Member Nations and Associate Members shall be decided by secret ballot. Other elections shall likewise be decided by secret ballot, except that in the case of an election in which there are not more candidates than vacancies the Chairman may submit to the Conference or Council that the appointment be decided by clear general consent.

Any other matter shall be decided by secret ballot if the Conference or Council so determines.

For the purpose of a secret ballot the Chairman of the Conference or Council shall appoint two tellers from among the delegates or representatives, or their alternates. In the case of a secret ballot for an election, the tellers shall be delegates or representatives, or their alternates, who are not parties directly interested in the election.

The duties of the tellers shall be to supervise the balloting procedure, count the ballot papers, decide on the validity of a ballot paper in any case of doubt, and certify the result of each ballot.

The same tellers may be appointed for successive ballots or elections.

Ballot papers shall be duly initialed by an authorized officer of the secretariat of the Conference or Council. The elections officer shall be responsible for ensuring compliance with this requirement. For each ballot only one blank ballot paper shall be given to each delegation entitled to vote.

For a vote by secret ballot, one or more voting booths shall be set up, supervised in such a manner as to ensure complete secrecy of the ballot.

Should any delegate invalidate his ballot paper, he may, before leaving the precinct of the polling booths, request a new blank ballot paper, which shall be delivered to him by the elections officer on the surrender of the invalidated ballot paper. The invalidated ballot paper shall remain in the custody of the elections officer.

Should the tellers withdraw from the presence of the delegates or representatives in order to carry out the count of the votes, only the candidates or scrutineers appointed by the candidates may attend the count, but they shall not take part in the count.

Members of delegations and of the secretariat of the Conference or Council who are responsible for the supervision of any vote by secret ballot shall not disclose to any unauthorized person any information which might tend, or be presumed to tend, towards destroying the secrecy of the ballot.

The Director-General shall be responsible for the safe custody of all ballot papers until the elected candidates take office or for three months after the date of the ballot, whichever is the longer period.

11. In any election for one elective place, other than that of the Director-General, if a candidate fails on the first ballot to obtain a majority of the votes cast, successive ballots shall be taken at such time or times as the Conference or Council shall decide, until a candidate obtains such a majority.

12. In any election by the Conference to fill simultaneously more than one elective place the following shall apply:

- Each elector, unless he wholly abstains, shall cast one vote for each elective place to be filled. Each vote shall be cast for a different candidate. Any ballot paper which is not in conformity with these requirements shall be declared defective.
- Any candidate who receives the required majority of the votes cast as defined in paragraph 3 (b) of this Rule shall be declared elected.
- If only some of the elective places have been filled after the first ballot, a second ballot shall be cast to fill the remaining elective places, under the same conditions as the first ballot.
- This procedure shall continue until all the elective places have been filled.
- If in any ballot no candidate received the required majority, the candidate having received the smallest number of votes in that ballot shall be eliminated and a further ballot held, in accordance with (c) above, between the remaining candidates.
- If in any ballot no candidate receives the required majority and more than one candidate receives the smallest number of votes, a separate ballot between these candidates shall be held and the candidate receiving the smallest number of votes shall be eliminated.
- If in the separate ballot provided for in (f) of this paragraph more than one candidate again receives the smallest number of votes, the above operation shall be repeated with respect to those candidates until one candidate is eliminated, provided that if all the same candidates receive the smallest number of votes in two successive separate ballots, such candidates as will have been designated by lot shall be eliminated.
- If at any stage in an election other than a separate ballot all remaining candidates receive the same number of votes, the Chairman of the Conference shall formally announce that if in the two following ballots the votes are again equally divided he will suspend balloting for a period which he shall determine and then hold two further ballots. If after applying this procedure the final ballot again results in an equally divided vote, such candidate as will have been designated by lot shall be declared elected.

13. In any election by the Council to fill simultaneously more than one elective place, the following shall apply:

- Two thirds of the membership of the Council shall constitute a quorum and more than one half of the number of Council Members casting valid votes shall constitute the required majority.
- Each elector, unless he wholly abstains, shall cast one vote for each elective place to be filled. Each vote shall be cast for a different candidate. Any ballot paper which is not in conformity with these requirements shall be declared defective.

- The candidates who receive the largest number of votes shall be declared elected in a number equal to the number of elective places to be filled, provided they have received the required majority defined in paragraph (a) above.
- If only some of the elective places have been filled after the first ballot, a second ballot shall be cast to fill the remaining elective places, under the same conditions as the first ballot. This procedure shall be continued until all the elective places have been filled.
- If, at any stage during the election, one or more of the vacant elective places cannot be filled because of an equal number of votes having been obtained by two or more candidates, a separate ballot shall be held among such candidates to determine which of them will be elected, in accordance with the provisions of paragraph (c) above. Such procedure will be repeated if necessary.

14. If a vote is equally divided on a matter other than an election, a second vote shall be taken at a subsequent meeting to be held not less than one hour after the conclusion of the meeting at which the equally divided vote occurred. If the second vote is also equally divided the proposal shall be regarded as rejected.

At any stage in an election after the first ballot has been held, further balloting may be postponed by the Chairman with the concurrence of the Conference or Council.

15. Once voting has commenced, no delegate or representative may interrupt the voting except to rise to a point of order in connection with the voting.

16. Any delegate or representative may challenge the result of a vote or election.

In the case of a vote by show of hands or roll call vote, should the result be challenged, the Chairman shall cause a second vote to be taken forthwith.

A vote by show of hands or by roll call may be challenged only immediately after the result has been announced.

A secret ballot may be challenged at any time within three months of the date upon which it took place or until the elected candidate takes office, whichever is the longer period.

Should a vote or election by secret ballot be challenged, the Director General shall cause the ballot papers and all relevant record sheets to be re-examined and shall circulate the result of the investigation, together with the original complaint, to all Member Nations of the Organization or of the Council, as appropriate.

17. An officer of the Secretariat designated by the Director-General for each Conference or Council session, who shall be known as the elections officer, shall, with the assistance of a deputy or deputies, be responsible for the following duties:

- to ensure that the provisions of the Constitution and the General Rules of the Organization regarding voting and electoral procedure are correctly carried out;
- to be responsible for all arrangements for voting and elections;
- to advise the Chairman of the Conference or Council on all matters pertaining to voting procedures and mechanics;
- to supervise the preparation of ballot papers and be responsible for their safe custody;
- to report to the Chairman of the Conference or Council the presence of a quorum before any vote is taken;
- to maintain records of all election results, ensuring that they are faithfully recorded and published;
- to undertake such other relevant duties as may arise in connection with voting and elections.

18. If a decision is to be taken on a matter other than an election, for which a two-thirds majority is not required by the Constitution or these Rules, the Chairman may submit to the Conference or Council that the matter be decided by general consent without recourse to a formal vote.

19. Parts of a proposal or of an amendment shall be voted on separately if a delegate or representative requests such division, provided that, if objection is made, the question of division shall be decided by

the Conference or Council. In addition to the delegate or representative requesting the division, two delegates or two representatives may speak for, and two against, the motion for division. If the motion for division is carried, those parts of the proposal or of the amendment which are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

20. The Conference or Council may limit the time to be allowed to each speaker and the number of times any delegate or representative may speak on any question. When debate is limited and a delegate or representative has spoken his allotted time, the Chairman shall call him to order without delay.

21. During the discussion of any matter, a delegate or representative may rise to a point of order and the point of order shall be immediately decided by the Chairman. A delegate or representative may appeal against the ruling of the Chairman, in which event the appeal shall immediately be put to the vote and the Chairman's ruling shall stand unless overruled by a majority of the votes cast. A delegate or representative rising to a point of order may not speak on the substance of the matter under discussion.

22. During the discussion of any matter, a delegate or representative may move the suspension or adjournment of the meeting. Such motion shall not be debated but shall be immediately put to the vote. The Chairman may limit the time to be allowed to the speaker moving the suspension or adjournment of the meeting. At any meeting the same delegate or representative may not move the suspension or adjournment of the meeting more than once during the discussion of any one matter.

23. During the discussion of any matter, a delegate or representative may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two delegates or two representatives may speak for, and two against, the motion, after which the motion shall be immediately put to the vote. The Chairman may limit the time allowed to these speakers.

24. A delegate or representative may at any time move the closure of the debate on the item under discussion, whether or not any other delegate or representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote. If the Conference or Council is in favour of the closure, the Chairman shall declare the closure of the debate. The Chairman may limit the time allowed to speakers under this paragraph.

25. The following motions shall have precedence in the following order over all other proposals or motions before the meeting, except a point of order:

- to suspend the meeting;
- to adjourn the meeting;
- to adjourn the debate on the item under discussion; and
- for the closure of the debate on the item under discussion.

26. When a proposal has been adopted or rejected, it may not be reconsidered at the same session unless the Conference or Council so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be immediately put to the vote.

27. When an amendment to a proposal is moved, the amendment shall be voted on first. When two or more amendments to a proposal are moved, the Conference or Council shall first vote on the amendment deemed by the Chairman to be furthest removed in substance from the original proposal, and then on the amendment next removed therefrom, and so on, until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from, or revises part of that proposal, but not if it negatives the proposal. An amendment by way of substitute shall not be voted on until the vote has been taken on the original proposal and any amendments thereto.

28. Subject to paragraph 27, any motion calling for a decision by the Conference or Council on its competence to adopt a proposal submitted to it shall be put to the vote before a vote is taken on the proposal in question.

29. Associate Members shall have the right to participate with Member Nations in matters pertaining to the conduct of business of meetings of the Conference, its commissions and committees, in accordance with the provisions of the foregoing paragraphs of this Rule, subject, however, to the limitations on voting and the holding of office stipulated in paragraph 1 of Article III of the Constitution, paragraph 3 of Rule XIII, paragraph 1 of Rule XIV and paragraph 1 of Rule XV of the General Rules of the Organization.