

COUNCIL
106th session
Agenda item 19

C 106/19/1
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APPOINTMENT OF THE SECRETARY-GENERAL

Revised voting procedures

Note by the Secretary-General

SUMMARY

Executive summary: This document explores a number scenarios that might arise under the revised rules on voting and makes a proposal for a possible refinement to those rules

Strategic direction: 4

High-level action: 4.0.5

Planned output: No related provisions

Action to be taken: Paragraph 10

Related documents: C 106/19, C 105/16

Background

1 At its 105th session in November 2010, the Council adopted certain amendments to rule 37 of its Rules of Procedure to clarify the provisions related to the voting procedure for the election of candidates to the position of Secretary-General of the Organization. In this regard, the Council noted the Secretary-General's intention to submit, to its 106th regular session, information explaining how the revised rules on voting are anticipated to work in practice and also noted that it may be necessary in the future to review the rules on voting generally. Accordingly, this document provides a number of scenarios that might arise in the voting process under the revised rules and makes proposals for a possible refinement of those rules to address the issues that arise.

Rule 37, as amended

2 The text of rule 37, following the amendments adopted by the Council at its 105th session, is given in document C 106/19.

Scenarios

3 In order to demonstrate the practical effects of the revised rules, a number of scenarios are presented for the information of, and consideration by, the Council, ranging from the most simple to the most complex. In all scenarios there are assumed to be a

maximum of six candidates (A to F) and in each ballot all 40 Council Members vote without any spoilt ballot papers. It is also assumed that all candidates are Council Members and will, therefore, receive a minimum of one vote at any ballot.

4 In a simple scenario, where no candidate obtains a majority in the first ballot and there are no tied votes (rule 37*ter*), the provisions of rule 37 and 37*bis* apply and a second and subsequent ballots are taken with the candidate with the lowest number of votes being eliminated at each ballot. A possible scenario, where only 3 ballots are necessary, is given in Table 1 below.

Table 1

Candidate	Results		
	First ballot	Second ballot	Third ballot
A	14	16	21
B	8	9	8
C	6	6	6
D	5	5	5
E	4	4	
F	3		

5 In a slightly more complex scenario (Table 2 below), again without any tied ballots, in theory there may be as many as 5 ballots, as given below, although it is perhaps unlikely that candidates with significantly less votes than others in the early ballots would continue to be voted for in subsequent ballots.

Table 2

Candidate	Results				
	First ballot	Second ballot	Third ballot	Fourth ballot	Fifth ballot
A	15	16	17	18	18
B	9	10	12	13	22
C	7	7	7	9	
D	4	4	4		
E	3	3			
F	2				

6 The scenarios become more complex when the votes are tied for those receiving the lowest number of votes and the provisions of rule 37*ter* apply. In theory, and in the absence of any withdrawal by candidates from subsequent ballots, there could be a ballot to eliminate the candidate with the lowest number of votes between all of the main ballots until there are only two candidates remaining, resulting in a total of 10 ballots.

7 An even more complex situation arises where 3 (or more) candidates receive the same number of votes as given in Table 3 below.

Table 3

Candidate	Results					
	First ballot	Second ballot	Third ballot	Fourth ballot	Fifth ballot	Alt. fifth ballot
A	#	#	#	11	14	14
B	#	#	#	11	14	13
C	#	#	#	11	12	13
D	#	#	#	7		
E	#	#	#			
F	#	#				
G	#					

Under the provisions of rule 37bis, as no candidate has obtained a majority in the fifth ballot, a further ballot should be held between the candidates tying for first place (A and B), omitting candidate C with the lowest number of votes. However, in the situation where the candidates with the lowest votes are tied (B and C) (as in the alternative fifth ballot), a run-off ballot would be held between them and the winner would go forward to the final ballot, which could be candidates A and C. In light of the above, it may be appropriate to consider amending rule 37ter to include a run-off ballot for candidates in the joint highest position.

8 If, however, a run-off ballot is held between candidates in the joint highest position, in a potential scenario where there are two candidates with 8 votes each and 4 with 6 votes, two ballots will be required: one ballot for the highest two and one ballot for the lowest four. In order to avoid an unnecessarily high number of ballots, the Council might wish to consider amending rule 37ter as follows:

In cases where two or more candidates gain the same number of votes in joint lowest position, a run-off ballot shall be held between them and the candidate gaining the highest lowest number of votes shall proceed to the subsequent ballot. ~~be eliminated from subsequent ballots.~~

9 A further complication arises in the unlikely case of 4 candidates gaining the same share of the total number of votes (10 votes each), as the provisions of rule 37 would apply and a second ballot would be held, potentially with the same result, followed by a third ballot and the drawing of lots if the vote again remained unchanged.

Action requested of the Council

10 The Council is invited to consider the information provided in this document and decide as it may deem appropriate.
