

# **Rules applicable to the election of the officers of the Meetings of the Parties and the members of the Implementation Committee**

1. According to rule 49 of the rules of procedure, all elections shall be held by secret ballot, unless otherwise decided by the meeting.

## **1. Election by acclamation**

2. To date, officers of the Bureau of a Meeting of the Parties and the members of the Implementation Committee have been elected by acclamation, i.e., by general consent, as there have been agreed candidates from the regions and the number of candidates has corresponded to the number of seats to be filled. In the case of the Bureau, such election by acclamation has been expressed through applause, whereas for the Implementation Committee, such election by acclamation has taken place at the same time as the adoption of the decision on the membership of the Implementation Committee.

3. Election by acclamation will not be possible where the number of candidates exceeds the number of seats to be filled or where there is a formal objection to any of the candidates. In these instances, rules 50 and 51 of the rules of procedure set out the procedure to follow for elections by secret ballot.

## **2. Election by secret ballot**

4. Rules 50 and 51 of the rules of procedure provide as follows:

### **Rule 50**

1. If, when one person or one delegation is to be elected, no candidate obtains in the first ballot a majority of the votes cast by the Parties present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the procedure set forth in paragraph 1 of this rule.

### **Rule 51**

When two or more elective places are to be filled at one time under the same conditions, those candidates, not exceeding the number of such places, obtaining in the first ballot the largest number of votes and a majority of the votes cast by the Parties present and voting shall be deemed elected. If the number of candidates obtaining such majority is less than the number of persons or delegations to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, to a number not more than twice the places remaining to be filled, provided that, after the third inconclusive ballot, votes may be cast for any eligible person or delegation. If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to the candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice the places remaining to be filled, and the following three ballots thereafter, shall be unrestricted, and so on until all the places have been filled.

## **3. Additional information on procedures**

5. Set out below is information on procedures relating to possible elections by secret ballot for the officers of the Meetings of the Parties and members of the Implementation Committee.

### **a. Who votes?**

6. A vote would be conducted by all parties to the Montreal Protocol physically present at a Meeting of the Parties. In accordance with paragraph 2 of rule 39 of the rules of procedure, regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the

number of their member States which are parties. Such organizations shall not exercise their right to vote if their member States exercise theirs, and vice versa.

**b. Representation and credentials**

7. In line with rule 16 of the rules of procedure, “[e]ach [p]arty participating in the meeting shall be represented by a delegation consisting of a head of delegation and such other accredited representatives, alternate representatives and advisers as may be required.” Rule 18 provides that the credentials shall be issued either by the Head of State or Government or by the Minister of Foreign Affairs or, in the case of a regional economic integration organization, by the competent authority of that organization. Rule 19 provides that the officers of any meeting are to examine the credentials and submit their report to the meeting. Under rule 20, pending a decision of the meeting upon their credentials, representatives shall be entitled to participate provisionally in the meeting. Based on past practice, the Bureau may recommend that a Meeting of the Parties provisionally approve the participation of parties without valid credentials on the understanding that they would forward their credentials to the Secretariat as soon as possible.

**c. Quorum**

8. Pursuant to rule 30 of the rules of procedure, the President may declare a session of the meeting open, and permit the debate to proceed and have any decision taken when representatives of at least two thirds of the parties are present. The Montreal Protocol currently has 198 parties. Accordingly, the quorum required to proceed with the election is the presence of at least 132 parties. In accordance with paragraph 5 of rule 40 of the rules of procedure, quorum will be determined exclusively on the basis of those parties that are physically present at the meeting. Any election once finalized, would constitute a decision of a Meeting of the Parties.

**d. Balloting procedure**

**i. Election of the president, vice-presidents and rapporteur of a Meeting of the Parties**

9. Upon commencement of balloting, the conference officers will first distribute the ballot papers to the representatives sitting behind their nameplates. Each representative of a party will get one single ballot paper for each position on the Bureau for which election by secret ballot is to be conducted.

10. For each round of voting, the names of the candidates will be projected in the meeting room.

11. The ballot papers for a particular region will indicate the name of the person(s) nominated by the regional group or nominated by a party or group of parties or self-nominated. Accordingly, delegates can:

- (a) Tick the box for the single candidate nominated by the group, or tick the box for a candidate nominated by a party or group of parties, or tick the box for one of the self-nominated candidates; or
- (b) Leave their ballot blank.

12. The ballot will be considered invalid if representatives tick more than one name on the ballot paper. If the ballot paper contains any notation other than a vote in favour of a candidate, these notations will be disregarded.

13. Ballot papers need to be filled out clearly. If a mistake is made in the process of filling out the ballot paper, the representative in question should immediately request a new ballot paper from the Secretariat staff at the front of the room, in exchange for the spoiled ballot paper. After the ballot papers are collected and the presiding officer has announced that the balloting has been closed, the meeting will be suspended to allow time for the counting of the ballots. The Tellers, assisted by the Secretariat, will count the ballots, and the presiding officer will announce the results.

14. The presiding officer will propose three representatives from the parties to serve as Tellers whose role will be to monitor the election and certify the results. The Secretariat will assist in identifying the Tellers from the representatives participating in the meeting. The Tellers will not be from the regions for which officers are being elected by secret ballot.

15. In accordance with rule 50 of the rules of procedure the majority required to be elected is a simple majority of the parties present and voting. Parties present that abstain from voting will be considered as not voting.

16. Pursuant to rule 48 of the rules of procedure, after the presiding officer has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of voting. All representatives of parties will be required to remain in their seats so that the voting process can proceed in an orderly manner. Observers could be asked to leave the room before voting begins. Ballots will only be distributed at the seats of representatives of parties. Everyone in the room will be asked to refrain from sharing information with those outside of the room, for example, through social media.

17. Once the results have been tallied and Tellers have certified the results, they shall be communicated to the presiding officer. The meeting will be resumed for the results to be announced and to declare elected the candidate that has received the largest number of votes by a simple majority of the parties present and voting.

18. Pursuant to paragraph 1 of rule 50, if no candidate obtains the required majority of the parties present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. Further, pursuant to the same provision, if in the second ballot the votes are equally divided, the presiding officer shall decide between the candidates by drawing lots. Pursuant to paragraph 2 of rule 50, in the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the procedure set forth in paragraph 1 of the same rule.

#### **ii. Election of the members of the Implementation Committee**

19. Upon commencement of balloting, the conference officers will first distribute the ballot papers to the representatives sitting behind their nameplates. Each representative will get one single ballot paper for each position on the Implementation Committee for which election by secret ballot is to be conducted.

20. For each round of voting, the names of the candidates will be projected in the meeting room.

21. The ballot papers for a particular region will indicate the name of the party(ies) nominated by the regional group or nominated by a party or group of parties or self-nominated. Accordingly, delegates can:

- (a) Tick the box for the single candidate nominated by the group, or tick the box for a candidate nominated by a party or group of parties, or tick the box for one of the self-nominated candidates; or
- (b) Leave their ballot blank.

22. The ballot will be considered invalid if representatives tick more than one name on the ballot paper. If the ballot paper contains any notation other than a vote in favour of a candidate, these notations will be disregarded.

23. Ballot papers need to be filled out clearly. If a mistake is made in the process of filling out the ballot paper, the delegate in question should immediately request a new ballot paper from the Secretariat staff at the front of the room, in exchange for the spoiled ballot paper. After the ballot papers are collected and the presiding officer has announced that the balloting has been closed, the meeting will be suspended to allow time for the counting of the ballots. The Tellers, assisted by the Secretariat, will count the ballots, and the presiding officer will announce the results.

24. The presiding officer will propose three representatives from the parties to serve as Tellers whose role will be to monitor the election and certify the results. The Secretariat will assist in identifying the Tellers from the representatives participating in the meeting. The Tellers will not be from the regions who are being elected.

25. In accordance with rule 50 of the rules of procedure the majority required to be elected is a simple majority of the parties present and voting.

26. Pursuant to rule 48 of the rules of procedure, after the presiding officer has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of voting. All representatives of parties will be required to remain in their seats so that the voting process can proceed in an orderly manner. Observers could be asked to leave the room before voting begins. Ballots will only be distributed at the seats of representatives of parties. Everyone in the room will be asked to refrain from sharing information with those outside of the room, for example, through social media.

27. Once the results have been tallied and Tellers have certified the results, they shall be communicated to the presiding officer. The meeting will be resumed for the results to be announced and to declare elected the candidate that has received the largest number of votes by a simple majority of the parties present and voting. The election of

the members of the Implementation Committee will be recorded in the draft decision for consideration and adoption by a Meeting of the Parties. The Secretariat normally includes a placeholder draft decision relating to the members of the Implementation Committee in the relevant pre-session document.

28. Pursuant to paragraph 1 of rule 50, if no candidate obtains the required majority of the parties present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. Further, pursuant to the same provision, if in the second ballot the votes are equally divided, the presiding officer shall decide between the candidates by drawing lots. Pursuant to paragraph 2 of rule 50, in the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the procedure set forth in paragraph 1 of the same rule.

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