



ASSEMBLY — 37TH SESSION

PLENARY

Agenda Item 8: Election of Contracting States to be represented on the Council

ELECTION OF CONTRACTING STATES TO BE REPRESENTED ON THE COUNCIL — AMENDMENT OF SECTION IX OF THE STANDING RULES OF PROCEDURE OF THE ASSEMBLY (DOC 7600/6)

(Presented by the Council of ICAO)

EXECUTIVE SUMMARY

In the present paper, the Council proposes to the Assembly amending Section IX (Voting on election of the Council) of the Rules of Procedure to allow the use of an electronic voting system for Council elections, with the understanding that manual votes would remain in place as a fall-back option.

Action: The Assembly is invited to approve the amendments to Rules 59 and 60, in accordance with Rule 66 of the *Standing Rules of Procedure of the Assembly* (Doc 7600/6), as set out in the **Appendix** to this working paper, for immediate effect.

<i>Strategic Objectives:</i>	This working paper relates to Supporting Strategies 2, 4 and 5.
<i>Financial implications:</i>	The use of the electronic voting system (EVS) of the International Labour Organization (ILO) during the 37th Session of the Assembly is estimated at CAD 90 000, an amount which has been budgeted for and approved by the Council.
<i>References:</i>	Doc 7600/6, <i>Standing Rules of Procedure of the Assembly</i> . Doc 9902, <i>Assembly Resolutions in force (as of 28 September 2007)</i> .

1. INTRODUCTION

1.1 The Assembly, in clause 4 a) of Resolution A31-2 – *Increasing the effectiveness of ICAO*, directed the Council to streamline the working methods and procedures of the Assembly. In the Appendix relating to clause 4 a), the Assembly further established a list of considerations for achieving a more effective ICAO, including the introduction of “more modern and efficient voting procedures, especially for the election of the Council”.

2. BACKGROUND

2.1 During its 187th Session, the Council considered a report of its Working Group on Governance (Policy) – WGOG regarding *Future Sessions of the Assembly* which addressed among other issues the question of Council elections.

2.2 Considering the time-consuming practice of roll-call votes and counting of ballots, the WGOG reviewed the results of a study conducted by the Secretariat on possible alternatives, taking advantage from the experience of other international organizations. Electronic voting, the use of which has been successfully tested in the International Labour Organization (ILO) and the World Meteorological Organization (WMO), appeared to be reliable and to significantly reduce time per ballot. WGOG therefore recommended to the Council to opt for electronic voting which will deliver cost and time savings for the Secretariat and the delegations.

2.3 The Council was further informed that the ILO system was currently limited to the English, French and Spanish languages. To adapt it to include the Russian, Arabic and Chinese languages would incur an additional unbudgeted financial cost of CAD 110 000 and would involve increased risk because of technical complexities, compromising the success of the procedure.

3. COUNCIL ELECTIONS WITH AN ELECTRONIC VOTING SYSTEM

3.1 The Council, with the understanding that manual votes using voting slips and ballot boxes would remain in place as a fall-back option, decided that the ILO’s electronic voting system (EVS) currently operating in three languages (English, French and Spanish) would be used for the Council elections, subject to due amendment of the *Standing Rules of Procedure of the Assembly* (Doc 7600/6).

3.2 Such amendments could be adopted at the outset of the current 37th Session of the Assembly under Rule 66 for immediate effect, as contemplated in the Note under the afore-mentioned Appendix relating to clause 4 a) of Resolution A31-2.

3.3 The Assembly is accordingly invited by the Council to adopt amendments to Rules 59 and 60 of its Rules of Procedure, as set out in the **Appendix** attached hereto.

APPENDIX

DRAFT AMENDMENTS TO THE STANDING RULES OF PROCEDURE OF THE ASSEMBLY OF THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

Rule 59

- a) The election in each of the three parts shall be conducted by secret ballot.
- b) ~~Ballot papers~~ Arrangements shall be prepared made by the Secretary General for voting on each ballot ~~and distributed in advance of the balloting~~. The ~~ballot papers shall contain the names of all Contracting States which are to be considered for the purpose of the particular ballot concerned and as well as a statement of the maximum number of Contracting States to be elected in that ballot shall be provided~~. A Contracting State may vote for any number of candidates up to, but not exceeding, the number of vacancies to be filled by the ballot concerned. An affirmative vote shall be indicated by ~~marking a cross (X) opposite~~ selecting the name of the Contracting State for which the vote is cast.
- c) ~~The Secretary General shall record the names of the Contracting States participating in each ballot~~. Voting procedures may be effected through manual or electronic means with the understanding that manual votes remain in place as a fall-back position where electronic voting is used.
- d) Any ballot ~~paper~~ submission shall be rejected if the number of affirmative votes therein exceed the number to be elected in that particular ballot.
- e) The results of each ballot shall be announced by the President of the Assembly.

Rule 60

To be elected a member of the Council, a Contracting State must receive the affirmative vote of a majority of the total number of Contracting States voting. The ~~deposit~~ submission of a ballot shall constitute the act of voting. If the number of Contracting States receiving such majority on any ballot is in excess of the number of places to be filled, those receiving the highest numbers of votes shall be chosen. If the number of Contracting States receiving such majority is less than the number of places to be filled, those which have obtained this majority shall be considered to be elected and there shall be another ballot, and, if necessary, additional ballots to fill the remaining places. In these ballots only those Contracting States which were unsuccessful in obtaining the required majority in the previous ballot shall be considered. Following any such ballot in which no Contracting State receives the required majority, the list of Contracting States in the next ballot shall be restricted to a number not more than twice the number of vacancies to be filled and these Contracting States shall be those which received the highest numbers of votes in the previous ballot. However, in the case where two or more Contracting States are tied for the last place on such a restricted list, such Contracting States shall all be included in the list.