

**42<sup>nd</sup> Session of the Conference**  
**Secret ballot vote for appointment of the Independent Chairperson of the Council**  
**Arrangements for in-person and hybrid voting options**

**Information Note - 17 May 2021**

1. The process for appointment of the Independent Chairperson of the Council is established primarily by the Basic Texts of the Organization.
2. The Council, at its 166<sup>th</sup> Session (paragraphs 29 and 30 of CL 166/REP):

*“29. Recalling Rule XII of the Basic Texts, and taking into consideration the exceptional situation due to the COVID-19 pandemic, the Council reviewed options proposed for alternative voting procedures outlined in CL 166/13, Appendix B, and elaborated further in CL 166/13/Information Notes 1 and 2, stressed the need to guarantee the complete secrecy of the ballot and the sovereign right of all Members to vote under any options and modalities endorsed, and recommended the Conference consider for approval, for implementation at its 42nd Session and on an exceptional basis, without setting a precedent, and as a one-time arrangement, either options 1 (voting in-person through a physical secret ballot as per paragraphs 24-34 of CL 166/13 Appendix B) or 2 (online voting through external software as per paragraphs 35-42 of CL 166/13 Appendix B), or a hybrid of the two options (as per paragraphs 40-49 of CL 166/13 Information Note 1), based inter alia on the progress in preparations on the three options from the 166th Session of the Council to the 42nd Session of the Conference.*

*30. In this regard, the Council requested the Secretariat continue its preparations of the option which conforms with the Basic Texts, as set out in Rule XII. Furthermore, the Council requested that the Secretariat continue its efforts, so as to ensure the viability of all options, and encouraged all Members to engage actively in the preparations so as to ensure the viability of all above-mentioned options, in accordance with the Basic Texts, for Conference decision.”*
3. In line with the decision of the Council, the Secretariat continues its efforts to ensure the viability of all options and modalities for voting at the 42<sup>nd</sup> Session of the Conference, for Conference decision. Accordingly, the Annex of this Information Note outlines the arrangements for voting and the vote counting process during the Conference for an in-person physical vote in Rome, taking into account the constraint to the voting process and the vote counting process under COVID-19 conditions.
4. The Annex further addresses how voting and vote counting would be integrated in the event that the Conference should decide upon a hybrid of an in-person vote and an online vote using external software. It further describes how the results of a physical vote in New York would be integrated with the result in Rome.
5. It should be noted that further Information Notes will be circulated to address, specifically, the in-person voting process in the FAO Liaison Office in New York. Guidelines for the conduct of an online vote using external software will be also be circulated, as part of the ongoing Secretariat efforts underpinned by Member engagement for which two interactive sessions have already been undertaken to date, and further such sessions are planned.
6. Subject to confirmation by the Conference of the Timetable for its 42<sup>nd</sup> Session, the election of the Independent Chairperson of the Council would take place on Thursday 17 June 2021.

**Annex – Arrangements for in-person and hybrid voting at the 42nd Session of the FAO Conference**

1. This Annex seeks to clarify a range of aspects, in terms of both the procedures as laid out in the Basic Texts of the Organization, and the practicalities during the election, relating to the process for the appointment of the Independent Chairperson of the Council.
2. As laid out in the General Rules of the Organization (GRO), the appointment of the Independent Chairperson of the Council shall be decided by secret ballot (GRO XII.10 (a)). Additionally, the Independent Chairperson of the Council will be elected by a majority of the votes cast whereby “votes cast” means affirmative and negative votes, and does not include abstentions or defective ballots (GRO XII.4 (a)).
3. The election of the Independent Chairperson of the Council is regulated by Rule XII-11; it provides that;

*“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, provided that in an election for one elective place in which there are more than two candidates, the candidate having received the lowest number of votes at each ballot shall be eliminated.”*

4. As such, Rule XII establishes that if no majority of more than one half of the votes cast is achieved in the first ballot, a second ballot will be held among two remaining candidates. The candidate having received the lowest number of votes in the first ballot would be eliminated in a second ballot.

***Special arrangements of in-person voting in Rome under COVID-19 conditions***

5. A number of special arrangements are foreseen in connection with an in-person ballot in order to ensure the health and safety of FAO staff and voting delegates of the 42<sup>nd</sup> Conference at the Rome headquarters’ premises of the Organization.
6. Voting delegates will be divided in groups of fifteen, within ten-minute slots, for entry into the Atrium building of the HQ premises on the Viale Aventino side. Time slots will be established in alphabetical order of Members, which will be communicated to delegations and voting delegates.
7. Entry into the FAO headquarter premises takes place in accordance with the prevailing health measures established by FAO. Voting delegates will be asked to take a temperature check and sanitize hands. Subsequently, a check of the identity of the delegates will take place against the credentials information of the Secretariat. Following these entry procedures, the delegate will be guided to the voting area, which is located to the right of the Sheik Zayed Centre in the Atrium.
8. The voting area will be prepared for the prevailing COVID-19 conditions. Masks must be worn by all persons present in the FAO building. The tellers will sit behind screens and voting booths will be sanitized after each voting delegate has left their booth.

9. Each Member Nation will be invited to identify one voting delegate and an alternate for the purpose of casting a ballot in the election for the Independent Chairperson of the Council. The alternate would be identified as a back-up option, but such alternate would not enter the FAO building, except to fully replace the designated voting delegate of any Member. The Secretariat will approach Members for the identification of such delegates, including mobile phone details.
10. Once the voting procedure has been completed, the voting delegates will be asked to leave the Atrium on the Terme di Caracalla side, and leave the FAO premises immediately.
11. In the event of a second ballot, voting delegates will be contacted through various means, including the Zoom meeting of the Conference, a notification through the mobile App of the Conference, and a message to their mobile phones. Normally, a second ballot would take place as soon as practicable after the first ballot; the time needed before a second ballot is to allow for the preparation of new ballot papers and to ensure that voting delegates are notified. It is important that the mobile phone details of voting delegates be communicated to the Secretariat. The Secretariat will approach Members specifically for this purpose.

### ***The voting procedure***

12. Voting delegates will proceed to the voting area in the order of their entry and within their allotted time slot.
13. The Chairperson will appoint two tellers from among the delegates who are not directly interested in the election. The role of the tellers is to supervise the balloting procedure, count the ballot papers, decide on the validity of the ballot paper and certify the result of each ballot. The same tellers may be appointed for successive ballots (GRO XII.10 (c) (i-iii)).
14. In the practice of FAO, the legal standard for the appointment of tellers is considered to have been met when tellers are not from delegations from the same region as candidates in the election. The Chairperson is encouraged to appoint the tellers in advance of the Conference in order to allow for briefing by the Elections Officer.
15. The tellers will be seated at the entrance of the voting area and at the exit of the voting area. Before the voting commences, the tellers first ensure that the ballot box is empty and then lock it. Both tellers and scrutineers may check the voting area at this time. Then, both tellers and scrutineers will take their seats, with the scrutineers taking seats that oversee the voting area.
16. Before entry into the voting area, voting delegates will be asked to hand over any electronic recording devices, defined as any device which could be used to record images, including but not limited to cameras, mobile phones or smartwatches, shall not be allowed within the polling area. Any recording device will be placed in a sealed envelope, marked with an indication of the Member. A guard will take custody of the mobile phone sealed envelope and deliver the mobile phone at the exit of the voting area.
17. At the entrance table, the teller, with the assistance of support staff, will check that a delegate is entitled to vote through a check of the delegate's Conference registration, and issue a ballot paper. The Member Nation is marked on the teller's control sheet. Any voting delegate who presents him or herself at the voting area will be assumed to be authorized to vote on behalf of the member. Each delegation members could be selected to vote on behalf of its delegation; this choice is at the discretion of the delegation.

18. The delegate then proceeds to the voting booth by placing an “X” in the designated box behind each of the three candidates. To note: abstentions are ballot papers without a mark for any of the three candidates. The ballot paper will not have a separate entry for “Abstention”. Pens will be available.
19. A delegate who has invalidated their ballot paper may, before leaving the voting area, request a new blank ballot paper from the Elections Officer. Upon receipt of the blank ballot paper, the invalidated ballot paper must be surrendered to the Elections Officer and shall remain in his custody (GRO XII.10 (f)).
20. Upon leaving the voting booth, the delegate will proceed to the exit table where the ballot box is located and where the second teller is seated. The delegate will deposit their ballot in the ballot box before the second teller. The second teller will mark on his/her control sheet that the delegate of the member has deposited the ballot paper in the ballot box.
21. Before leaving the Atrium at the Terme di Caracalla side, any electronic recording device of the voting delegate will be returned.
22. Once all voting delegates have completed their voting, the tellers will take their leave from the voting area and proceed to the vote counting room, which is located in the Iraq Room, on the second floor of Building A. In accordance with GRO XII.10 (g), only the candidates or the scrutineers appointed by the candidates may attend the count of the votes but neither shall be allowed to participate in the count.
23. The Elections Officer and his support staff will escort the tellers and scrutineers to the Iraq Room while a uniformed guard will accompany them. A guard will carry the ballot box.
24. The voting process will be visible to all delegates on the Zoom platform. Two cameras will be installed showing arrival and departure of voting delegates in and out of the voting area. No cameras will be placed within the voting area and the voting booths themselves will not be recorded.

#### ***Vote counting in the Iraq Room***

25. The tellers and the support staff move to the Iraq Room, together with the candidates or the scrutineers. The door is locked and a guard stands outside the room until the counting is complete.
26. Upon entering the room, the Elections Officer will request everyone present in the room to deposit telephones, smartphones, tablets and any other electronic devices, at the entrance of the room. The Elections Officer will then proceed to remind candidates or their scrutineers that they can be present in the room but they cannot take part in the count. The Elections Officer will also remind anyone present in the vote counting room of their explicit obligation in Rule XII of the General Rules to maintain full secrecy<sup>1</sup>.
27. In briefing the tellers on their duties, the Elections Officer will recall that they are responsible for counting the ballot papers and certifying the result of the ballot. In addition, the tellers will be

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<sup>1</sup> Rule XII 10.(h): “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.”

reminded that it is their responsibility alone to make a determination on the validity of ballots in accordance with the criteria of Rule XII.4 (c).<sup>2</sup>

28. It is at the discretion of the tellers as to how to proceed in counting the ballots. However, the Elections Officer may make practical suggestions to facilitate the process. The Elections Officer may suggest, for example, that the tellers empty the ballot box, unfold all the ballot papers, start dividing the ballot papers into trays (one tray for each candidate; one for abstentions; one for defective ballots), and count each group of ballot papers individually.
29. The tellers will be asked to show each ballot paper to the scrutineers.
30. Once the count is finalized, the tellers will communicate the exact number of defective ballots, the number of abstentions, and the number of votes for each of the candidates in the ballot. The Elections Officer enters the numbers in the result sheets and makes a calculation of the required majority on the basis of the number of “votes cast”, that is, all votes, excluding abstentions and defective ballots. The required majority is established with the aid of a majority table. All calculations of the Elections Officer are double checked by his support staff. Two copies of the result sheet will be printed in the room and both will be signed by the tellers and the Elections Officer. The signatures of the tellers express their certification of the result.
31. Upon completion of the count, all ballot papers are then put in an envelope sealed with scotch tape. The tellers sign across the tape, attaching one copy of the result sheet to the envelope. The envelope shall remain in the custody of the Director-General for three months after the date of the ballot as provided for in GRO XII.10 (i).
32. Before leaving the room, the Elections Officer reminds all those persons present that they should not, in any circumstances, disclose any information regarding the results of the ballot before the results are announced to the Conference by the Chairperson (Rule XII.10 (h)).
33. All electronic devices are returned to the owners. The Elections Officer will communicate the overall result to the Chairperson of the Conference for announcement to the Conference through the Zoom meeting.

### ***Hybrid online and physical vote; counting and integration of results***

34. In the event a hybrid vote is decided upon, the tellers of the physical vote will also oversee the online vote using external software.
35. The sequence of votes and vote counts will be as follows; first, the physical vote is conducted in the Atrium of FAO headquarters, as set out above. Once the ballot boxes, the tellers, the scrutineers and the Elections Officer have made their way to the Iraq Room, the online physical vote will be opened for a period of fifteen minutes.

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<sup>2</sup> Rule XII.4 (c):

- i. 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.
- ii. (N/A)
- iii. The ballot paper shall carry no other notation or mark than those required for the purpose of indicating the vote.
- iv. 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.

36. The Iraq Room will be set up and equipped with computer terminals for the purpose of conducting and monitoring the online voting. The screen of the voting terminal will be displayed on a large screen in the Iraq room, to ensure that the tellers, scrutineers and the Elections Officer may follow the process.
37. Immediately upon closure of the online vote, the result of the online vote will be established by the tellers. Once established, the tellers will proceed with counting the vote of the physical ballot, as set out above. The tellers will consolidate the result of the online and physical votes and establish the overall result. The Elections Officer will communicate the overall result to the Chairperson of the Conference for announcement to the Conference.

***Voting in Rome and New York; counting and integration of results***

38. The procedure for the counting of physical votes in New York will be the same as in Rome. The Chairperson would appoint two further tellers for the purpose of a physical vote in New York, and candidates may appoint two further scrutineers. All rules and procedures as set out here would apply in the same manner to a vote count in New York.
39. The consolidation of the full result of the ballots would take place through a video link between the vote counting rooms in Rome and New York. The tellers in New York will communicate the result that they have established to the tellers in Rome. The tellers in Rome would consolidate the result of the vote.

***In the Plenary Zoom meeting***

40. The Elections Officer communicates the full details of the result sheet to the Chairperson of the Conference, who will resume the session and read the results of the vote.
41. In the event that no candidate has obtained a majority of the votes cast, the Chairperson, before opening the second ballot, will ask whether any candidate wishes to withdraw. It may also be that a candidate is eliminated as a result of the ballot. The Chairperson will suspend the session for the time necessary to prepare new ballot papers before reconvening the session and proceeding with a subsequent ballot.
42. In light of the number of candidates nominated for the position of Independent Chairperson of the Council, a maximum of two ballots would be held. The entire procedure, as laid out in this note, and as stipulated in Rule XII would be followed in the same way for any second ballot.