

FOR DECISION

Agenda item 17

**Amendment to the Rules of Procedure of
the General Assembly and Executive
Council**

A/24/17

Madrid, 27 October 2021

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Executive summary

The Secretary-General submits in this report the draft texts of amendments of the Rules of Procedure of the General Assembly and the Executive Council for the adoption of the practice of voting through electronic means and holding online sessions.

Action by the General Assembly

DRAFT RESOLUTION¹

The General Assembly,

Noting that onsite electronic voting, the use of which has been successfully tested since 2019 in sessions of the General Assembly and its subsidiary organs, significantly reduces the time-consuming counting of votes by roll call and paper ballots while aligning with the practice in the conduct of meetings in other organizations of the United Nations system,

Recalling the unprecedented restrictions on travel, gatherings and movement of people owing to precautionary measures aimed at containing the spread of coronavirus disease (COVID-19),

Acknowledging the impact that these restrictions have on the organization and conduct of proceedings of meetings of the Governing Bodies of the Organization and the continuity of their essential functions, in particular, when meeting outside of the city of Madrid,

Recalling the Special Procedures exceptionally adopted by the Executive Council ahead of its 112th session held in Tbilisi, Georgia, on 15-17 September 2021, of which the Council took note in its decision 2(CXII),

Reaffirming that an exception to in-person meetings of the Governing Bodies of the Organization shall be made only in the most extraordinary circumstances,

Having examined the report,

1. *Adopts* the proposed amendments to the Rules of Procedure of the General Assembly as set out in Annex I attached to the report; and

¹ This is a draft resolution. For the final decision adopted by the Assembly, please refer to the Resolutions document issued at the end of the session.

2. *Recommends* the Executive Council to adopt the proposed amendments to its Rules of Procedure, falling within its competence, as set out in Annex II attached to the report.

I. Voting through electronic means

1. Onsite electronic voting, the use of which has been successfully tested since 2019 in sessions of the General Assembly, the Regional Commissions, and the Executive Council, appears to be reliable and to significantly reduce the time-consuming counting of votes by roll call and paper ballots, while bringing UNWTO more closely aligned with the conduct of meetings in other organizations of the United Nations system.
2. However, voting through electronic means is not explicitly foreseen in the Statutes or in the rules of procedure of the Assembly and the Council. Therefore, should Full Members wish to do so on a consistent basis, rules of procedure should be amended accordingly so as to provide legal certainty to the conduct of proceedings.
3. The possibility of voting through electronic means at the sessions of the governing bodies of UNWTO is particularly important in view of the considerable impact of the COVID-19 pandemic on the conduct of proceedings.

Background on voting through electronic means in UNWTO

4. The first time that an electronic voting system was used in UNWTO was at the 64th session of the Regional Commission for Europe held in Zagreb, Croatia, in May 2019. The Secretariat distributed keypads allowing delegates to cast their votes from their seats, while ensuring anonymity in the case of elections through secret ballot, with the understanding that paper ballots would remain in place as a fall-back option.
5. In view of its success, the Secretariat informed² the Executive Council at its 110th session held in June 2019 in Baku, Azerbaijan, that the same electronic voting system would be provided during the sessions of the Council and the Assembly to be held in Saint Petersburg, Russian Federation, in September 2019.
6. The Executive Council decided through decision 12(CX) to use the electronic voting system, with traditional voting system as a fall-back option, during its session and welcomed the possibility to use it during the 23rd session of the General Assembly.
7. The General Assembly then decided through resolution 710(XXIII) to use the electronic voting system, with the understanding that traditional voting systems and paper ballots would remain in place as a fall-back option and carried out successfully its first vote by secret ballot through electronic means when deciding on the place and dates of its 24th session³.

Arrangements for voting through electronic means

8. Developing alternative options for voting arrangements at the General Assembly and the Executive Council is based on the imperative that they be consistent with the Statutes of the Organization and respect the rules of procedure.
9. The Rules of Procedure of the General Assembly provide methods of voting as follows:
 - (a) By show of hands or, when requested under a point of order in accordance with rules 17 and 29, by roll call taken in the Spanish alphabetical order of the names of the Full Members, beginning with the Member whose name is drawn by lot by the President⁴.
 - (b) By secret ballot⁵, in accordance with the Guiding Principles for the Conduct of Elections by Secret Ballot, using ballot papers.
10. Following a competitive process, the Secretariat has procured the electronic voting system of the Spain-based company Councilbox Technology, S.L., which allows voting on

² Document CE/110/10 Rev.1

³ Resolution 727(XXIII)

⁴ Rule 40 of the Rules of Procedure of the General Assembly.

⁵ Rule 43 of the Rules of Procedure of the General Assembly

site and remotely while providing legal certainty to electoral processes through a technology that also guarantees the secrecy, anonymity, verifiability and non-traceability of the results.

11. The platform was successfully used for holding secret ballots both in person and online while guaranteeing the necessary secrecy for the Regional Commissions for Middle East (Riyadh, 27 May 2021), Europe (Athens, 3 June 2021), Americas (virtual from Headquarters, 24 June 2021) and Asia (virtual from Headquarters, 14 September 2021).
12. The Secretariat therefore concludes that the Assembly and the Council may allow for the possibility of electronic voting at their sessions, and should Full Members wish to do so on a consistent basis, their Rules of Procedure should be amended accordingly so as to provide legal certainty to the conduct of proceedings.

Budgetary and other implications of introducing an electronic voting system

13. The budgetary cost to implement the electronic voting system provided by Councilbox during the Regional Commissions mentioned above has been of a total of 3,418.75 euros (plus taxes) per event for the use of the platform plus the cost for the technical support on site provided by two technicians from the company that guarantee the independence of the results.
14. The estimated cost for the implementation of the same system during the Assembly would also be approximately 3,418.75 euros (plus taxes) for the use of the platform and the technical support on site based on the venue and dates of the meeting.

Methods of voting in the United Nations system

15. The General Assembly decided at its second session in Torremolinos, Spain, [resolution 16(II)] that UNWTO organs may apply as far as possible the rule of consensus in adopting resolutions and decisions, following the practice of the United Nations General Assembly. When consensus cannot be reached, the methods of voting at the UNWTO General Assembly are consistent with that of the General Assembly of the United Nations and the supreme bodies of other agencies of the UN Common System whereby votes are normally taken by show of hands (or by standing) unless a delegate requests a roll call, except for elections and appointments, where voting shall be by secret ballot.
16. However, unlike the United Nations and most of the agencies from the UN Common System⁶, UNWTO has not introduced the possibility of voting through electronic means at sessions of its Governing Bodies. In fact, the methods of voting at the Assembly have never been revised since the adoption of its Rules of Procedure in 1977.
17. Voting by electronic means does not supersede traditional methods of voting. Rather, these normally act as a fall-back option in case that an appropriate electronic system is not available to the governing body or when a delegate requests that the traditional system be used.
18. However, the ongoing COVID-19 pandemic has pushed organizations to revise their methods of voting beyond the onsite scenario. The United Nations General Assembly adopted in November 2020 a special decision-making procedure⁷, which includes the use of remote electronic voting, for adopting draft resolutions and decisions under "the most exceptional circumstances" when it cannot hold in-person meetings owing to risks to the safety and well-being of delegates and UN personnel.
19. IFAD amended the rules of procedure of its governing bodies in 2020 in order to allow secret ballots through an electronic voting system, and, at the 44th session of the Governing Council held in February 2021, decided to use a selected automated (online)

⁶ These agencies are the Universal Postal Union (UPU), the International Labor Organization (ILO), the International Telecommunications Union (ITU), the International Civil Aviation Organization (ICAO), the World Health Organization (WHO), the International Fund for Agricultural Development (IFAD), the World Meteorological Organization (WMO), the United Nations Industrial Development Organization (UNIDO) and the Food and Agriculture Organization (FAO).

⁷ [A/75/L.7/Rev.1](#).

voting system for the appointment of the President of IFAD and to use it also on future occasions when voting by secret ballot is deemed necessary⁸.

Draft amendments to the Rules of Procedure of the General Assembly and the Rules of Procedure of the Executive Council

20. Based on the current practice in the UN Common System, the Secretariat has produced draft texts of the amendments to the Rules of Procedure of the General Assembly and the Rules of Procedure of the Executive Council, set out in Annex I and Annex II to the present document, respectively, to adopt the practice of voting through electronic means.
21. The draft texts introduce the possibility that the Assembly and the Council, where an appropriate system is available at a particular session, vote through electronic means while maintaining unaltered the traditional methods of voting (show of hands, roll call and secret ballot).
22. While the draft texts presuppose an onsite voting system, the introduction of a vote by "electronic means" may also be applicable to remote voting when there is an appropriate system available in a particular session without the need to adopt *ad hoc* decisions for each meeting or amend or suspend the application of the corresponding rules of procedure.
23. When voting through electronic means, a vote by show of hands and a roll-call vote will be replaced by a "non-recorded vote" and a "recorded vote" (without calling the names of the Full Members), respectively, and a vote by secret ballot shall be conducted in such a way as to safeguard the secrecy and integrity of the secret ballot.

II. Holding online or hybrid sessions of the Assembly and the Council

24. As per the current rules, delegates of UNWTO Members are required to attend sessions of the General Assembly and the Executive Council physically. However, in global contexts where in-person meetings pose a significant challenge and large gatherings are discouraged owing to precautionary measures such as those aimed at containing the spread of COVID-19, it has become imperative to explore extraordinary means to ensure business continuity and to facilitate the timely organization and conduct of proceedings of sessions of the General Assembly and the Executive Council in extraordinary circumstances.
25. While special arrangements were made in 2020 to conduct sessions of the Executive Council by virtual means during the COVID-19 pandemic with positive feedback, should Full Members wish to adopt the practice of holding virtual or hybrid (online and in-person) sessions of the Executive Council and the General Assembly in the most exceptional circumstances, it is recommended that it be duly reflected in the corresponding rules of procedure through the amendment procedure, to provide legal certainty and ensure that the decision making process regarding the format of meetings of the Governing Bodies in these circumstances has been established.

Background on virtual meetings in UNWTO

26. Until the COVID-19 pandemic, UNWTO had never held any session of its Governing Bodies by online means. However, as a result of the unprecedented crisis and the associated travel restrictions and lockdown conditions, it was deemed necessary to review the methods of work of UNWTO and align them with the practice of the United Nations and other UN specialized agencies during the pandemic.
27. On 7 September 2020, the Secretariat, on the proposal of the Chair of the Council, issued through note verbale the draft decision titled "Special Procedures governing the Executive Council during the COVID-19 pandemic" and placed it under silence procedure. Having received no objections within the established deadline, the draft

⁸ [Resolution 217/XLIV](#) and [document GC 44/L.3](#)

decision was then considered adopted and the Executive Council took note of it at its first hybrid (virtual and in-person) session, the 112th session held in Tbilisi, Georgia, on 15-17 September 2020⁹.

28. Through these Special Procedures, the Executive Council *inter alia* adopted a set of rules governing the conduct of virtual and in-person sessions and authorized its Chair, with the endorsement of the Secretary-General, to hold sessions virtually insofar as the holding of an in-person meeting is not practicable due to the COVID-19 pandemic.
29. Ahead of the 113th session of the Executive Council that took place in Madrid, Spain, on 18-19 January 2021, the Chair, in consultation with the Secretary-General, decided that it be held in a hybrid manner (virtual and in-person) except on the item on the recommendation of a nominee for the post of Secretary-General for the period 2022-2025.
30. Not only were the technological means available to the Secretariat at the time unable to ensure the integrity of the secret ballot and the necessary privacy of the discussions, but also the Special Procedures adopted by the Council expressly forbid a virtual vote by secret ballot.
31. Except for the recommendation of a nominee for the post of Secretary-General, all decisions of the Executive Council held on a hybrid basis have thus far been undertaken by consensus and without the need to vote.

Legal basis for conducting online sessions

32. Developing alternative options to in-person sessions of the General Assembly and the Executive Council when the most exceptional circumstances warrant it, is based on the imperative that they be consistent with the Statutes of the Organization and respect the rules of procedure.
33. Both the Statutes and the rules of procedure of the Assembly and the Council were drafted in a manner that presupposes the conduct of sessions with the physical presence of participants. However, none of these texts explicitly impose the holding of a session *in presentia*, nor do they forbid the convening of an online session.
34. According to Article 8.2 of the Statutes¹⁰, sessions of the Assembly and the Council shall be held at the Organization's Headquarters "unless the respective organs decide otherwise". It is noted, however, that even though the wording implies that meeting outside the Headquarters is an exception, in the practice of the Organization meetings of the Assembly and the Council hardly ever take place in Madrid, let alone at the Headquarters.
35. Therefore, while as a rule and in accordance with the established practice both the Assembly and the Council always meet in person, delegates may also be allowed to join virtually a physical meeting when exceptional circumstances such as the COVID-19 pandemic make it impossible, impracticable or not appropriate to hold a physical meeting be it at the Headquarters or elsewhere provided that proceedings are conducted in a manner that respects the rules of procedure.
36. To ensure the observance of the rules of procedure during online sessions of the Assembly and the Council, practical arrangements must be made for the proper conduct of business on issues such as quorum, requests for the floor, procedural motions and raising points of order.
37. These arrangements would not, in principle, require amending the rules of procedure as they would be simply aimed at facilitating compliance with the rules and that all those who are entitled to attend the session will be able to participate in the proceedings from a remote location by means of teleconference or any other electronic means available.

⁹ CE/DEC/2(CXII)

¹⁰ "Meetings of the Assembly and the Council shall be held at the Headquarters of the Organization unless the respective organs decide otherwise" (Article 8.2 of the Statutes).

38. This is exactly the line of action that was taken by the Executive Council when adopting the Special Procedures ahead of its 112th session: “a set of exceptional arrangements limited in scope and of temporary application for the specific needs to hold sessions of the Council by virtual means during the COVID-19 pandemic in order to facilitate the conduct of proceedings” not intended “to deviate from, replace or otherwise amend its Rules of Procedure in any definite manner” (paragraph 6).

Budgetary and other implications of introducing online meetings

39. In case that it is necessary to conduct a virtual or hybrid session of the Assembly or the Council, the implications of organizing the meetings will be included in the agreement to be signed with the host of the meetings together with the other financial obligations involved in holding the meeting in another country, rather than at the Headquarters of the Organization, in Madrid, Spain, such as the offices, interpretation equipment, office furnishings and ICT equipment, in accordance with Rule 1.2. of the Rules of Procedure of the General Assembly.

Online meetings in the United Nations system

40. According to the information available to the Secretariat, no other organization of the United Nations system had held formal online meetings of their governing bodies before the COVID-19 pandemic. However, this unprecedented crisis has pushed organizations to revise their methods of work.
41. The United Nations and most of the agencies from the UN Common System¹¹, as in the case of UNWTO, have exceptionally held online or hybrid sessions of their governing bodies during the COVID-19 pandemic while introducing special procedures for the conduct of online proceedings and/or for decision-making when an in-person meeting is not possible.
42. Other organizations, such as the International Fund for Agricultural Development (IFAD), have adopted the practice of holding online sessions of their governing bodies through an amendment to their rules of procedure “to provide the flexibility needed to ensure business continuity in the event that sessions cannot be held with the physical presence of Member State representatives”¹².
43. According to the revised rules of procedure of the Governing Council and the Executive Board of IFAD, their sessions may be held virtually when it is determined by the President (IFAD’s Executive Head), in the case of the Board, or by the Chairperson, in the case of the Governing Council, that an in-person session “is not feasible or appropriate for all representatives”, thus allowing them to participate “by teleconference, videoconference or other electronic means” under a set of applicable special procedures annexed to the respective rules of procedure.
44. The Secretariat is closely monitoring discussions on virtual meetings in the UN Common System as they develop.

Draft amendments to the Rules of Procedure of the General Assembly and the Rules of Procedure of the Executive Council

45. Based on the current practice in the UN Common System, the Secretariat has produced a draft texts of amendments to the Rules of Procedure of the General Assembly and to the Rules of Procedure of the Executive Council, set out in Annex I and Annex II to the present document, respectively, to establish the decision-making process for holding hybrid/online sessions exceptionally.

¹¹ The International Labour Organization (ILO), the World Health Organization (WHO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Maritime Organization (IMO), the International Fund for Agricultural Development (IFAD), the World Meteorological Organization (WMO) and the Food and Agriculture Organization (FAO) *inter alia*.

¹² “Report of the Governing Council Bureau on the Proposed Amendments to the Rules of Procedure of the Governing Council”, document GC 2020/V.B.C.1, 5 October 2020.

46. The draft texts introduce the possibility that the General Assembly and the Executive Council meet both in presence and virtually, or virtually in the most exceptional circumstances when it is determined that an in-person session is not possible or appropriate for all delegates and representatives of Members owing to risks to their safety and well-being and that of the staff of the Organization.
47. In the case of the General Assembly, insofar as there are no elected Officers of the Assembly¹³, the determination that an in-person session is not possible or appropriate shall be made by the Chairman of the Executive Council, in consultation with its other Officers, and with the endorsement of the Secretary-General, and communicated forthwith to all Members and Observers.
48. In the case of an online or hybrid session of the Executive Council, the procedure adopted by the Council ahead of its 112th session will apply: a session shall be held virtually when the Chairman, with the endorsement of the Secretary-General, determines that an in-person meeting is not possible or appropriate.
49. It is noted that the texts of the draft amendments will enable Full Members to hold online or hybrid sessions of the Assembly and the Council beyond the COVID-19 pandemic scenario for any other exceptional circumstances that may arise preventing the holding of or making impracticable the holding of an in-presence meeting.
50. Practical arrangements for online and hybrid sessions of the Executive Council as adopted through silence procedure in the Special Procedures will continue to be applicable. These special arrangements are annexed to the present document as Annex III. Likewise, the Secretariat is currently developing practical arrangements applicable to online and hybrid sessions of the General Assembly.

III. Amendment process to the Rules of Procedure of the Assembly and the Council

51. As a general rule, amendments to the Rules of Procedure of the General Assembly shall be made by the Assembly¹⁴ in accordance with Rule 48¹⁵. In this case, neither the Assembly nor the Council have considered establishing a committee for the purpose of drafting an amendment to the rules of procedure for the possibility to vote through electronic means or holding virtual meetings of the General Assembly or the Executive Council.
52. Further, the draft amendment submitted in the present document is not introducing *ex novo* the possibility to vote through electronic means at the Assembly or to hold online or hybrid meetings at the Assembly as Members would be adopting the practice that was followed successfully at its previous session (electronic voting) and by the Executive Council and the Regional Commissions (online/hybrid sessions).
53. As for the amendments to the Rules of Procedure of the Executive Council, the Council alone shall be competent to amend them¹⁶. Therefore, the Assembly may recommend that the Executive Council, at its 115th session to be held immediately after the 24th session of the Assembly, consider the adoption of the proposed amendments subject to adoption by the General Assembly of the corresponding amendments to its own Rules of Procedure.

¹³ While the Officers of the Executive Council (Chairman and Vice-Chairmen) are elected for a term of one year, Officers of the General Assembly (President and Vice-Presidents) are elected for the duration of the corresponding session.

¹⁴ "The Assembly alone shall be competent to amend these Rules of Procedure" (Rule 58 Rules of Procedure of the General Assembly).

¹⁵ "Any amendment proposed to these Rules of Procedure shall be included in the agenda. The amendment shall be submitted to the Assembly at any plenary meeting together, where appropriate, with a report drawn up by a committee established by the Assembly or the Executive Council for this purpose" (Rule 48 Rules of Procedure of the General Assembly).

¹⁶ "The Council alone shall be competent to amend these Rules of Procedure" (Rule 33.2 Rules of Procedure of the Executive Council).

54. Pursuant to Rule 58 of the Rules of Procedure of the General Assembly and Rule 33.2 of the Rules of Procedure of the Executive Council, the Assembly and the Council alone shall be competent to amend their respective Rules of Procedure.
55. The Secretary-General recommends that the Executive Council, at its 115th session to be held immediately after the 24th session of the Assembly, consider the adoption of the proposed amendments subject to adoption by the General Assembly of the corresponding amendments to its own Rules of Procedure, in order to ensure consistency in the rules of procedure of the Governing Bodies of the Organization.

Annex I: Draft Amendments to the Rules of Procedure of the General Assembly

Rule 1

4. Meetings of the Assembly may be held by virtual means or on a hybrid format in the most exceptional circumstances when the Chairman of the Executive Council, in consultation with the Officers of the Council and the host country and with the endorsement of the Secretary-General, determines that an in-person session is not possible or appropriate for all delegates owing to risks to their safety and well-being and that of the staff of the Organization. In such instances, delegates and observers as defined in Rule 9 may participate in the session by means of videoconference or other electronic means. The Assembly shall adopt special procedures applicable to these sessions.

Rule 40

1. The Assembly shall vote by a show of hands, unless under a point of order a vote by roll call is requested in accordance with the provisions of rules 17 and 29. The roll call shall be taken in the Spanish alphabetical order of the names of the Full Members, beginning with the Member whose name is drawn by lot by the President.

2. Where an appropriate electronic system is available, the Assembly may conduct any vote under this Rule by electronic means, in which case a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call vote. A recorded vote shall be taken without calling the names of the Full Members.

Rule 43

1. All elections as well as the appointment of the Secretary-General shall be made by secret ballot.

2. Secret ballots shall be taken by the casting of ballot papers or, where an appropriate electronic system is available, by electronic means, in such a way as to safeguard the secrecy and integrity of the secret ballot.

Annex II: Draft Amendments to the Rules of Procedure of the Executive Council

Rule 3

5. Meetings of the Council may be held by virtual means or on a hybrid format in the most exceptional circumstances when the Chairman, with the endorsement of the Secretary-General, determines that an in-person meeting is not possible or appropriate for all delegates owing to risks to their safety and well-being and that of the staff of the Organization. In such instances, delegates and observers as defined in Rule 1 may participate in the session by means of videoconference or other electronic means. The Council shall adopt special procedures applicable to these sessions.

Rule 27 bis

1. Where an appropriate electronic system is available, the Council may conduct a vote in accordance with paragraph 2 of Rule 40 the Rules of Procedure of the General Assembly.

2. Secret ballots shall be taken by the casting of ballot papers or, where an appropriate electronic system is available, by electronic means, in such a way as to safeguard the secrecy and integrity of the secret ballot.