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| **Council 2021 Virtual consultation of councillors, 8-18 June 2021** |  |
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| **Agenda item: PL 2.4** | **Document C21/4-E** |
| **22 February 2021** |
| **Original: English** |
| Report by the Secretary-General | |
| Implementation of PP-18 recommendations on ITU electoral processes | |

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| Summary  The Plenipotentiary Conference in Dubai (PP-18) adopted two recommendations regarding ITU electoral processes.  As a follow-up, the secretariat submitted document [C19/13](https://www.itu.int/md/S19-CL-C-0013/en) to Council 2019, inviting the Council to provide guidance to the Secretary-General on the way forward to implement the two recommendations.  After discussion, the Council, in [C19/112](https://www.itu.int/md/S19-CL-C-0112/en), *“instructed the Secretary-General to take account of its discussions and prepare a report to Council-20 on the implementation of recommendations 6 and 7 made by Committee 5 at PP-18 and adopted by the conference”, “noted**with broad support**Document C19/67 on ethical aspects of campaign activities prior to ITU plenipotentiary conferences and endorsed the basic principles contained in the draft decision annexed to the document, the text of which should be finalized at Council-20, based on further contributions by Member States.”*  This document was originally submitted to the 2020 session of the Council as document C20/4 but was not reviewed. It has been updated to take into account the shortened time-frame before PP-22.  Action required  The Council is invited **to take note** of the document and consider the recommendation to **create** a dedicated group to examine ways to implement the PP-18 recommendations on electoral processes.  \_\_\_\_\_\_\_\_\_\_\_\_  References  [*B/75/1*](https://www.itu.int/net4/proposals/PP14/Main/GetDocument?idProposal=14954&isSub=false&codeLang=E)*,* [*PP-14/DT/66*](https://www.itu.int/md/S14-PP-141020-TD-0066/en)*,* [*PP-14/161*](http://www.itu.int/md/S14-PP-C-0161/en)*,* [*PP-14/175 (Recommendation 8)*](http://www.itu.int/md/S14-PP-C-0175/en)*,* [*C15/4*](https://www.itu.int/md/S15-CL-C-0004/en)*,* [*C15/99*](https://www.itu.int/md/S15-CL-C-0099/en)*,* [*C16/4*](https://www.itu.int/md/S15-CL-C-0004/en)*,* [*C16/120*](https://www.itu.int/md/S16-CL-C-0120/en)*,* [*CL-16/48*](https://www.itu.int/md/S16-SG-CIR-0048/en)*;* [*CWG-FHR 7/10*](https://www.itu.int/md/S17-CLCWGFHRM7-C-0010/en)*,* [*CL17/7*](https://www.itu.int/md/S17-SG-CIR-0007/en)*,* [*C17/INF/6*](https://www.itu.int/md/S17-CL-INF-0006/en)*,* [*C17/4(Rev.1)*](https://www.itu.int/md/S17-CL-C-0004/en)*,* [*C17/76(Rev.1)*](https://www.itu.int/md/S17-CL-C-0076/en)*,* [*C17/78(Rev.2)*](https://www.itu.int/md/S17-CL-C-0078/en)*,* [*C17/96*](https://www.itu.int/md/S17-CL-C-0096/en)*,* [*C17/DL/8*](https://www.itu.int/md/S17-CL-170515-DL-0008/en)*,* [*C17/130*](https://www.itu.int/md/S17-CL-C-0130/en)*,* [*C18/5*](https://www.itu.int/md/S18-CL-C-0005/en)*,* [*C18/50*](https://www.itu.int/md/S18-CL-C-0050/en)*,* [*C18/109*](https://www.itu.int/md/S18-CL-C-0109/en)*,* [*PP-18/31*](https://www.itu.int/md/S18-PP-C-0031/en)*,* [*PP-18/31*](https://www.itu.int/md/S18-PP-C-0031/en)*,* [*IAP/63A1/7*](https://www.itu.int/net4/proposals/PP18/Detail/Index?idProposal=48659)*,* [*IAP/63A1/23*](https://www.itu.int/net4/proposals/PP18/Detail/Index?idProposal=48675)*,* [*ARG/CAN/CTR/DOM/PRG/S/68R1/1*](https://www.itu.int/net4/proposals/PP18/Detail/Index?idProposal=48944)*,* [*AFCP/55A5/1*](https://www.itu.int/net4/proposals/PP18/Detail/Index?idProposal=48559)*,* [*ARB/72A1/38*](https://www.itu.int/net4/proposals/PP18/Detail/Index?idProposal=48905)*,* [*DT/18(Rev.1)*](https://www.itu.int/md/S18-PP-181029-TD-0018/en)*,* [*PP-18/155*](https://www.itu.int/md/S18-PP-C-0155/en)*,* [*PP-18/173*](https://www.itu.int/md/S18-PP-C-0173/en)*,* [*C19/13*](https://www.itu.int/md/S19-CL-C-0013/en)*,* [*C19/112*](https://www.itu.int/md/S19-CL-C-0112/en)*,* [*C20/4*](https://www.itu.int/md/S20-CL-C-0004/en)*.* |

1. ITU’s election procedures are governed by the rules laid out in Chapter III of the General Rules of Conferences, Assemblies and Meetings of the Union, and rules governing internal candidates may be found in Regulation 12.2 of the Staff Rules and Regulations and in Regulation XI.2 of the Staff Regulations and Staff Rules for Elected Officials (in Annexes).

2. At PP-14, a draft new resolution ([B/75/1](https://www.itu.int/net4/proposals/PP14/Main/GetDocument?idProposal=14954&isSub=false&codeLang=E)) on “Procedures for the election of Secretary-General, Deputy Secretary-General and Directors of the Bureaux” was submitted to Committee 5 for its consideration. During the ensuing discussions, [PP-14/DT/66](https://www.itu.int/md/S14-PP-141020-TD-0066/en) was created but not adopted. Instead, Committee 5 issued the following recommendation in document [PP-14/161](http://www.itu.int/md/S14-PP-C-0161/en), which was approved by the Plenary ([PP-14/175)](http://www.itu.int/md/S14-PP-C-0175/en):

“Recommendation 8: It is desirable to improve the electoral process of the elected officials in the Union. In this regard, Council should study the issue and recommend to Member States options for implementing new procedures to improve the electoral process of Secretary-General, Deputy Secretary-General and Directors of the Bureaux. Due consideration should be given to several options such as presentations, interactive sessions, live sessions, interviews, submission of questions, through webcasting and remote participation, as well as further enhancing the election portal in the ITU website. Council is invited to initiate these studies in its 2015 session in order to implement these possible improvements.”

3. After PP-14, a report was submitted to C15 ([C15/4](https://www.itu.int/md/S15-CL-C-0004/en)) and, upon request of Member States, the secretariat prepared and submitted to C16 ([C16/4](https://www.itu.int/md/S16-CL-C-0004/en)) a report on possible improvements to the roll-out of the PP. This document focused on five areas of improvement, including improving electoral processes. The secretariat consulted also with other UN organizations such as ILO, WHO, WIPO, UNIDO, UNGA, etc. to learn from their experiences and their practice of candidate’s hearing. It was noted that in most other agencies, the hearing organized by the executive board/council is part of the formal election/nomination/selection process, as agreed by their respective general conference. However, in ITU this type of hearing is not provided for in the General Rules, which govern the election process. After discussion, C16 then instructed the Secretary-General to continue consultations, and in [CL-16/48](https://www.itu.int/md/S16-SG-CIR-0048/en), Member States were invited to submit their proposals as well. Document [CWG-FHR 7/10](https://www.itu.int/md/S17-CLCWGFHRM7-C-0010/en) was presented to CWG-FHR in January-February 2017. Following this meeting, an extension was given for this consultation via [CL-17/7](https://www.itu.int/md/S17-SG-CIR-0007/en). The compilation of the results of these consultations and the resulting recommendations were submitted to C17 in documents [C17/INF/6](https://www.itu.int/md/S17-CL-INF-0006/en), [C17/70](https://www.itu.int/md/S17-CL-C-0070/en), and [C17/4(Rev.1)](https://www.itu.int/md/S17-CL-C-0004/en). Member States also contributed the following proposals: [C17/76(Rev.1)](https://www.itu.int/md/S17-CL-C-0076/en), [C17/78(Rev.2)](https://www.itu.int/md/S17-CL-C-0078/en), and [C17/96](https://www.itu.int/md/S17-CL-C-0096/en). Discussions during C17 led to the approval by the Plenary ([C17/130](https://www.itu.int/md/S17-CL-C-0130/en)) of the proposals contained in [C17/DL/8](https://www.itu.int/md/S17-CL-170515-DL-0008/en). A final document ([C18/5](https://www.itu.int/md/S18-CL-C-0005/en)) on candidates’ hearing and ethics guidelines was submitted to C18, and the ethics guidelines for internal candidates were published [here](http://plenipotentiary.itu.int/web/pp-18/uploads/pp-18-ethicalguidelines.pdf) on the PP website. The summary of the discussion of this document is contained in [C18/109](https://www.itu.int/md/S18-CL-C-0109/en); C18 agreed to forward the document to PP-18 ([PP-18/31](https://www.itu.int/md/S18-PP-C-0031/en)).

4. At PP-18, the following contributions were received on procedures for hearings/elections: [IAP/63A1/7](https://www.itu.int/net4/proposals/PP18/Detail/Index?idProposal=48659), [IAP/63A1/23](https://www.itu.int/net4/proposals/PP18/Detail/Index?idProposal=48675), [ARG/CAN/CTR/DOM/PRG/S/68R1/1](https://www.itu.int/net4/proposals/PP18/Detail/Index?idProposal=48944), [AFCP/55A5/1](https://www.itu.int/net4/proposals/PP18/Detail/Index?idProposal=48559), and [ARB/72A1/38](https://www.itu.int/net4/proposals/PP18/Detail/Index?idProposal=48905). These proposals were compiled into document [DT/18(Rev.1)](https://www.itu.int/md/S18-PP-181029-TD-0018/en), and examined by Committee 5 with [PP-18/31](https://www.itu.int/md/S18-PP-C-0031/en). The following two recommendations regarding ITU electoral processes were made by Committee 5 ([PP-18/155](https://www.itu.int/md/S18-PP-C-0155/en)) and adopted by the Plenary ([PP-18/173](https://www.itu.int/md/S18-PP-C-0173/en)):

“Recommendation 6: Committee 5 recommends that the Plenary instructs the Council to:

1. conduct a comprehensive study on possible improvements of the ITU electoral process as a whole, in particular on the need for a **revision of the General Rules** **related to election procedures**, including **studies for holding hearings**. It should be done taking into account the relevant documents of Council and PP-14 (for example Recommendation 8 of Committee 5 approved by the Plenary) and to take timely decisions, as appropriate;

2. **amend, if necessary, the ITU Staff Regulations and Rules for appointed Staff members and the Staff Rules and Regulations for Elected Officials,** to consider eliminating the need for appointed ITU staff to enter into special leave without pay when standing for election to an elected official post;

3. continue improving the **PP elections online portal** to allow for more interaction with, and more information about, the candidates;

4. continue using ITU News magazine as a platform to present candidate’s positions/vision;

5. **adopt standard guidelines on ethical aspects of campaign activities for future elections**, based on the provisions of “Ethical aspects of certain campaign activities prior to the 2018 Plenipotentiary Conference”, as adopted by the 2018 Session of the Council, with possible improvements, as appropriate.”

and

“Recommendation 7: Committee 5 recommends that the Plenary adopt the following text:

This Plenipotentiary Conference (PP) acknowledges the need to foster the participation of women in all ITU decision-making processes as a way to promote more women to become candidates for the elected positions of the Union in accordance with No. 154 of the ITU Constitution.

Accordingly, PP instructs the Council to:

1 **study mechanisms towards having more women in leadership and management positions, especially in relation to the electoral process;**

2 conduct the work necessary for amending the specific rules of procedure for the election of the Secretary-General, the Deputy Secretary-General and the Directors of the Bureaux for the implementation of this recommendation and to present a report to the 2022 Plenipotentiary Conference,

PP invites Member States to:

1 encourage the participation of women in all ITU activities, and especially in the decision-making processes;

2 promote and present women candidates for the posts of Secretary-General, Deputy Secretary-General, Directors of the Bureaux, and members of the Radio Regulations Board.”

5. As a follow-up, the secretariat submitted document [C19/13](https://www.itu.int/md/S19-CL-C-0013/en) to Council 2019, inviting the Council to provide guidance to the Secretary-General on the way forward to implement the two recommendations. Document [C19/67](https://www.itu.int/md/S19-CL-C-0067/en) was also submitted by three Member States, inviting the Council to adopt proposed ethical guidelines on campaign activities.

6. The Council, in [C19/112](https://www.itu.int/md/S19-CL-C-0112/en), *“instructed the Secretary-General to take account of its discussions and prepare a report to Council-20 on the implementation of recommendations 6 and 7 made by Committee 5 at PP-18 and adopted by the conference”, “noted**with broad support**Document C19/67 on ethical aspects of campaign activities prior to ITU plenipotentiary conferences and endorsed the basic principles contained in the draft decision annexed to the document, the text of which should be finalized at Council-20, based on further contributions by Member States.”*

7. During these discussions over the years, Member States have raised a number of issues, including, but not limited to: status of internal candidates and special leaves of internal candidates; date of deadline for candidatures; ethical guidelines for campaigning activities; candidates’ hearings, date of elections; ways to promote more women becoming candidates; methods of campaigning, including gifts and social events; issues related to mandates for elected officials; elements to be included in the submission of a candidature; web platform to interact with candidates; etc.

Recommendation

As the topic of revision of electoral processes has been raised continuously for a number of years in both Council and Plenipotentiary meetings with no agreement achieved in either venue, it is suggested to address these issues in a more structured and holistic manner, driven by Member States. Therefore, in order that measures be taken before PP-22, the Council is invited to create a dedicated group to examine these issues, formulate ways to implement the above-mentioned PP-18 recommendations, and report back to the Council with concrete proposals for approval.

However, as this document was not reviewed at C20 as was originally foreseen and given the short delay before the opening of candidatures for PP-22 (in September 2021), the ethical guidelines for campaigning activities have been revised and are submitted to the Council for review in document [C21/66](https://www.itu.int/md/S21-CL-C-0066/en).

*Annexes:* ***2***

Annex 1

**STAFF REGULATIONS AND STAFF RULES**

**Regulation 12.2 Appointed staff of the Union standing for election or elected to an elected official post**

1. a) An appointed staff member of the Union standing for election to one of the elected official posts referred to, respectively, in Article 9 of the Constitution and Article 2 of the Convention of the Union (Geneva, 1992) shall automatically be placed on special leave without pay by the Secretary-General, in accordance with Regulation 5.2 of the Staff Regulations and Staff Rules for appointed staff, with effect from the day following the date of submission of his candidature to the Secretary-General.

b) i) If the appointed staff member is not elected, the period of his special leave without pay shall come to an end not later than five working days following the date on which the Plenipotentiary Conference completed the election for the elected official post in question, in order to enable him to resume his duties at Union headquarters upon expiry of his special leave.

ii) If he is elected, the period of his special leave without pay shall end on the day following his election, so as to enable him to participate in the work of the Conference as a member of its secretariat.

c) Apart from those expenses incurred under the circumstances referred to in b) ii) above, which shall be borne by the Union, no other expenses incurred by an appointed staff member in connection with his candidature for an elected official post shall be borne by the Union.

2. a) An appointed staff member who has been elected to a post of elected official of the Union by a Plenipotentiary Conference must resign from his post as appointed staff member. This resignation shall take effect not later than the day preceding the date of entry on duty as an elected official, as determined by the Plenipotentiary Conference.

b) Although three (3) months' notice of resignation is normally required for staff appointed on a continuing basis, and thirty (30) or sixty (60) days' notice, as appropriate, for staff appointed on a fixed-term basis, the Secretary-General shall be bound to accept a shorter period of notice from an elected official to take account of the date of entry on duty set by the Plenipotentiary Conference for the elected official post (see a) above).

c) The resignation of an appointed staff member following his election to an elected official post shall be subject to the relevant provisions of the Staff Regulations and Staff Rules for appointed staff, with due regard, where applicable, to the conditions of service set forth in his letter of appointment.

3. As regards the contractual status of an elected official, periods of service as an appointed staff member and periods of service as an elected official shall be taken into account in calculating length of service for the purposes of sick leave, annual leave, home leave, maternity leave, compensation for death, termination indemnity and repatriation grant. Length of service shall be understood to be the total period during which such an official has been in continuous and full-time service with the Union. Any periods of prior service for which indemnities due at the time of a separation from service have already been paid shall not be taken into account in the above-mentioned calculations.

Annex 2

**STAFF REGULATIONS AND STAFF RULES FOR ELECTED OFFICIALS**

**Regulation XI.2 Appointed staff of the Union standing for election or elected to an elected official post**

1a) An appointed staff member of the Union standing for election to one of the elected official posts referred to, respectively, in Article 9 of the Constitution and Article 2 of the Convention of the Union (Geneva, 1992) shall automatically be placed on special leave without pay by the Secretary-General, in accordance with Regulation 5.2 of the Staff Regulations and Staff Rules for appointed staff, with effect from the day following the date of submission of his candidature to the Secretary-General.

b) i) If the appointed staff member is not elected, the period of his special leave without pay shall come to an end not later than five working days following the date on which the Plenipotentiary Conference completed the election for the elected official post in question, in order to enable him to resume his duties at Union headquarters upon expiry of his special leave.

ii) If he is elected, the period of his special leave without pay shall end on the day following his election, so as to enable him to participate in the work of the Conference as a member of its secretariat.

c) Apart from those expenses incurred under the circumstances referred to in b) ii) above, which shall be borne by the Union, no other expenses incurred by an appointed staff member in connection with his candidature for an elected official post shall be borne by the Union.

2 a) An appointed staff member who has been elected to a post of elected official of the Union by a Plenipotentiary Conference must resign from his post as appointed staff member. This resignation shall take effect not later than the day preceding the date of entry on duty as an elected official, as determined by the Plenipotentiary Conference.

b) Although three months’ notice of resignation is normally required for staff appointed on a permanent basis, and thirty days for staff appointed on a temporary basis, the Secretary-General shall be bound to accept a shorter period of notice from an elected official to take account to the date of entry on duty set by the Plenipotentiary Conference for the elected official post (see a) above).

c) The resignation of an appointed staff member following his election to an elected official post shall be subject to the relevant provisions of the Staff Regulations and Staff Rules for appointed staff, with due regard, where applicable, to the conditions of service set forth in his letter of appointment.

3 As regards the contractual status of an elected official, periods of service as an appointed staff member and periods of service as an elected official shall be taken into account in calculating length of service for the purposes of sick leave, annual leave, home leave, maternity leave, compensation for death, termination indemnity and repatriation grant. Length of service shall be understood to be the total period during which such an official has been in continuous and full-time service with the Union. Any periods of prior service for which indemnities due at the time of a separation from service have already been paid shall not be taken into account in the above-mentioned calculations.

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