

Executive Board

Two hundred and ninth session



United Nations Educational, Scientific and Cultural Organization

> PARIS, 29 June 2020 Original: English

Item 30 of the provisional agenda

RECOMMENDATIONS OF THE WORKING GROUP ESTABLISHED BY 6 X/EX/DECISION 2 ON THE WORKING METHODS OF A VIRTUAL SESSION OF THE EXECUTIVE BOARD

SUMMARY

The document is presented pursuant to 6 X/EX/Decision 2.

Action expected of the Executive Board: paragraph 6.



Recommendations of the informal working group on the working methods of a virtual session of the Executive Board

1. The sixth special session of the Executive Board of UNESCO held virtually on 8-9 June 2020 decided to create an informal working group composed of four Members of the Executive Board from each electoral group to present its recommendations on the working methods of a virtual session of the Executive Board, at its 209th session (6 X/EX/Dec.2).

2. Pursuant to the decision of the sixth special session of the Executive Board, the informal working group was established composed of 22¹ members from the six electoral groups at UNESCO. The first meeting of the informal working group was held on 17 June 2020 presided over by the Chairperson of the Executive Board, His Excellency Mr Agapito Mba Mokuy. At the opening session, His Excellency Mr Kazi Imtiaz Hossain, Ambassador, Permanent Delegate of Bangladesh to UNESCO, was elected as Chairperson and Mr Murilo Vieira Komniski, Counsellor of the Permanent Delegation of Brazil to UNESCO, as Vice-Chairperson of the informal working group. The composition of the informal working group is attached as an annex.

3. The informal working group recalled its mandate as contained in paragraph 2.5 of 6 X/EX/Decision 2 of the sixth special session of the Executive Board held on 8-9 June 2020 which is to "present its recommendations on the working methods of a virtual session of the Executive Board, at its 209th session".

4. In line with 6 X/EX/Decision 2, the informal working group examined the application of the Rules of Procedure of the Executive Board as contained in Basic Texts 2020 Edition for a virtual session of the Executive Board duly taking into consideration documents 6 X/EX/2 and Add. and the table entitled "Application of the Rules of Procedure of the Executive Board for virtual meetings" contained in 6 X/EX/Decision 2. The informal working group met on 17-22 June 2020. The group extensively deliberated on various legal, logistical and technical aspects of a virtual meeting. The informal working group had open and frank discussions in an atmosphere of goodwill and understanding with a sense of urgency and spirit of accommodation and flexibility to arrive at a consensus. The informal working group stressed the imperative of observing the Rules of Procedure of the Executive Board. The informal working more of UNESCO's mandate and the need for its governing bodies to continue working under extraordinary circumstances in order to, *inter alia*, effectively support Member States, to ensure compliance with the decisions adopted by the General Conference and take measures to permit the Organization to cope with the evolving circumstances.

5. The informal working group recommends the following on the working methods of a virtual meeting of the Executive Board:

Proposed draft decision

6. The Executive Board may wish to adopt a decision along the following lines:

The Executive Board,

- 1. <u>Recalling</u> 6 X/EX/Decision 2,
- 2. <u>Having examined</u> document 209 EX/30 and <u>bearing in mind</u> the Rules of Procedure of the Executive Board and document 6 *X/EX/2 and Add.,*
- 3. <u>Adopts</u> the recommendations of the informal working group as set out hereunder.

1

One group nominated two members instead of four.

Part I. General recommendations

1. The Executive Board shall hold virtual sessions only during periods of emergency or in exceptional circumstances rendering "in-person" meetings impracticable.

2. The Rules of Procedures shall be applied without any change.

3. Participation and use of digital platforms accessible to all Members of the Board, representatives of the United Nations, observers of Member States and of non-Member States and observers of intergovernmental or international non-governmental organizations must be ensured on equal terms in accordance with the Rules of Procedure, while at the same time ensuring the security of the digital platforms.

4. Taking into consideration the practical and technological limitations of an online session of the Executive Board, the agenda should be adopted keeping availability of time of the session and length of the agenda.

5. Efforts should be made to consider as many items on the agenda as possible without debate.

6. The online platform for virtual session should be safe, secure and user friendly. All efforts have to be made by the Secretariat to ensure confidentiality of the private meetings.

7. Keeping in mind the differences in time zones, efforts must be made to facilitate the full participation of all as per the Rules of Procedure.

8. Considering that the technological means currently available to the Secretariat do not allow for a virtual secret ballot, the Executive Board could decide on practical arrangements for casting of the vote should it become necessary to hold a secret ballot during a virtual session.

9. Since negotiation of a text during a virtual session could be time consuming and complicated due to technological constraints, Member States are invited to apply recommendations 44-47 of the Working Group on Governance adopted by the General Conference through 39 C/87 and convene informal meetings and negotiations as appropriate on draft decisions and amendments before the session of the Executive Board.

10. As is the current practice in UNESCO, all possible efforts should be made to adopt decisions on the basis of consensus in online sessions

11. It is of utmost importance that the Secretariat provides enough staff to be able to follow the questions and demands communicated through the appropriate tool or other functions of the platform.

Rule No. Title	Rule	IWG Recommendations
Rule 5-8 Agenda, Revised provisional Agenda, Adoption of Agenda, Amendments, deletions and new items	 Rule 5 Provisional agenda The Chairperson shall prepare a provisional agenda which shall be dispatched to all Members of the Board at least thirty days before the opening of a regular session and as soon as possible in the case of a special session. The provisional agenda shall include: all questions referred to the Board by the General Conference; all questions proposed by the United Nations; all questions proposed by Member States; all questions proposed by Members of the Board; all questions proposed by the Director-General; questions required by the Constitution, the present Rules or any other applicable Rules and Regulations. Items proposed shall have a direct link with the Organization's fields of competence. Rule 6 Revised provisional agenda The Chairperson may prepare a revised provisional agenda and up to two weeks before the opening of the session or any other necessary modifications. Rule 7 Adoption of the agenda The Board shall adopt its agenda at the beginning of each session. Rule 8 Amendments, deletions and new items to the agenda so adopted if so, decided by a majority of the Members present and voting. Subject to the provisions of Rule 22, such new items shall not be discussed until forty-eight hours after their inclusion in the agenda, unless otherwise decided by the Board.	 The implementation of these Rules could be ensured through the adoption of practical arrangements, such as: Adoption of an agenda taking into account the availability of time and the gravity of the provisional agenda. Considering as many agenda items as possible without debate.
Rule 9 Members	5. Each State Member of the Executive Board shall transmit to the Director-General in writing the name and curriculum vitae of its representative and the name of his or her alternates. It shall also inform the Director- General of any changes in those appointments. The Director-General shall communicate the above-mentioned information to the Chairperson of the Executive Board.	Additionally, the Secretariat, through a separate communication to each Member State of the Executive Board should request for, and Member State will provide contact information of its Representative and her or his alternates in advance of the session.

Part II. Applications of the Rules of Procedure for a virtual session of the Executive Board

	her functions, the Chairperson may convoke, in connection with sessions of the Board and, in case of necessity, between sessions, the Vice-Chairpersons and the Chairpersons of the permanent commissions, the Special Committee, the Committee on Conventions and Recommendations and the Committee on Non-Governmental Partners who shall constitute, with him or her, the Bureau of the Board.	members of the Bureau for virtual meeting.
Functions of Vice	In the absence of the Chairperson during the session, his or her functions shall be exercised in turn by the Vice-Chairpersons.	In order to ensure continuation of the Session without unnecessary delay, it would be desirable, at its start, to specify the order in which the Vice- Chairpersons will assume the functions of the Chairperson in the event of his or her absence.
Permanent Commissions and Committees Temporary Committees	 Permanent commissions and committees After the election of new Members of the Board at each ordinary session of the General Conference, the Board shall establish from among its Members the permanent commissions and committees necessary to assist it in the execution of its tasks, such as a Finance and Administrative Commission, a Programme and External Relations Commission, a Special Committee, a Committee on Conventions and Recommendations and a Committee on Non- Governmental Partners. The Chairpersons of the Commissions, the Special Committee, the Committee on Conventions and Recommendations and the Committee on Non-Governmental Partners shall be elected by the Board by secret ballot from among the representatives appointed by the Members elected to the Board. At the opening of each session and for the duration of that session, each commission and committee shall elect, from among the representatives of its Members, a temporary Chairperson preferably belonging to the same electoral group as its Chairperson in order to replace the latter in the exercise of all his or her functions during his or her temporary absence. If a Chairperson of a commission or any other subsidiary body is for any reason unable to complete his or her term of office, the Board shall elect by secret ballot a successor to replace him or her for the remainder of the term.	The full implementation of these rules can be ensured by holding all commissions and committee in the format of separate online events. The Secretariat is invited to avoid, if possible, the overlapping of these commissions and committees.

Rule 22 Time limits for	 and shall exercise such other responsibilities as may be entrusted to them by the Board. 5. The Finance and Administrative Commission is requested by the Board to submit the draft programme and budget to a technical examination, which shall include a detailed study of the advisability of some of the administrative measures proposed and of their financial implications and to make a detailed report thereon to the Board. Rule 17 Temporary committees The Board may also establish such temporary committees as it considers necessary for the execution of its task. The terms of reference of such committees shall be specifically defined by the Executive Board at the time of their establishment. 1. The proposed programme and budget to be submitted to the General Conference in its 	The implementation of these Rules could be ensured through the adoption
distribution of documents	 working languages shall be distributed to Members of the Executive Board at least thirty days before the opening of the session of the Board at which it is to be considered. 2. Documents relating to items on the provisional agenda of each session of the Board shall normally be distributed to its Members in the working languages of the Board at least thirty days before the opening of the session. Exceptions to this Rule may be made only if the permission of the Chairperson has been previously obtained. 3. Unless the Board decides otherwise, it shall not discuss any items, except the reports of commissions and committees, until at least forty-eight hours after the distribution of the relevant documents in its working languages 	 of practical arrangements, such as: Documents and the texts of proposals would be made available by the Secretariat on the UNESCO Digital Library and Executive Board websites. The Secretariat will inform, via email, all Member States that a document has been uploaded on the designated websites of UNESCO.
Rule 23.1 Summary records	to Members present. A summary record of all plenary meetings of the Board shall be prepared by the Secretariat. A provisional text shall be submitted to Members for correction as soon as possible but shall not be made public.	For the purpose of preparing a summary record of all plenary meetings of the Executive Board held virtually, oral statements made during the meetings should be taken into account.
Rule 27 Quorum	 At meetings of the Board the quorum shall consist of a majority of its Members The Board shall not decide on any matter unless a quorum is present. At meetings of subsidiary bodies the quorum shall consist of a majority of Members appointed to the body in question. However, if, after five minutes' adjournment, there is still no quorum as defined above, the Chairperson may request the agreement of the Members actually present temporarily to waive the provision of this paragraph. 	 The application of this Rule could be ensured by the adoption of practical arrangements, such as: Access by all participants to the meeting's online waiting room approximately 15 minutes before the scheduled start time; Adoption of a naming convention for participants, to be determined by the Secretariat; Authentication by the Secretariat of the identity of the participants before giving access to the meeting;

		After a roll call, the Chairperson will announce whether quorum has been established;
Rule 29 Private meetings and documents	1. When, in exceptional circumstances, the Board decides to hold a private meeting it shall determine the persons who shall be present, having regard to Article VI.3 of the Constitution, to the right of Members to be accompanied by advisers or experts, and to agreements entered into with the United Nations and the specialized agencies.	The technological means available would allow the holding of private meetings in the format of separate online events, open only to participants authorized to attend. The Secretariat must ensure the confidentiality of such meetings.
Rule 30-33 Speeches	 Rule 30 1. No one may address the Board without having previously obtained the permission of the Chairperson. The Chairperson may call a speaker to order if his or her remarks are not relevant to the subject under discussion. 2. Representatives of the United Nations and the specialized agencies may participate without the right to vote, in the discussions of the Board and its subsidiary organs. 3. Observers of Member States and of non- Member States may be invited by the Board to address it on matters under discussion. 4. Observers of intergovernmental or international non- governmental or and other qualified persons may be invited by the Board to address it on matters within their competence. 5. Any Member of the Board may take part in the work of subsidiary bodies to which it does not belong. In such cases, and in the absence of any contrary decision by the Board, it shall not have the right to vote. 	 The implementation of these Rules could be ensured through the adoption of practical arrangements, such as: Participation as a "speaker" of persons entitled to speak at a meeting, indicating their title and State or organization; Request for the floor by participants by clicking on the appropriate icon on the meeting platform; Granting of the floor by the Chairperson and activation, with the assistance of the Secretariat, of the speaker's audio and video; Need for participants to mute their microphones and turn off their cameras when they have finished speaking; Responsibility of the participants for the quality of the connection to their equipment; Applying an appropriate tools icon on the meeting platform to allow participants to formally raise procedural motions such as points of order, etc;
	 Rule 31 Order of speeches the Chairperson shall call upon speakers in the order in which they signify their wish to speak. Rule 32 Time limit on speeches The Board may limit the time to be allowed to each speaker. Rule 33 Closing of list of speakers During the course of a debate the Chairperson may announce the list of speakers and, with the consent of the Board, declare the list closed. He or she may, however, accord the right of reply to a Member if a speech delivered after the list has been declared closed makes this desirable. 	 An updated speakers' list to be shown on the screen in order for delegations to know their turn to speak; The Secretariat must ensure that Observers of Member States and of non-Member States and Observers of intergovernmental or international non-governmental organizations and other qualified persons invited by the Board to address it on matters within their competence, are able to speak.

Rule 34-38 Texts of proposals Decisions involving expenditure Withdrawal of proposals Division of proposal Voting on amendments Order of voting on proposal	 Rule 34 Texts of proposals At the request of any Member, supported by two other Members, discussion of any substantive motion, resolution or amendment shall be suspended until the text is circulated in the working languages to all Members present. Rule 34.A Decisions involving expenditure The Executive Board shall not take a decision involving expenditure unless it has before it a report from the Director-General on the administrative and financial implications of the proposal. Rule 35 Withdrawal of proposals A proposal may be withdrawn by its proposer at any time before voting on it has begun, provided that the proposal has not been amended. A proposal withdrawn may be reintroduced by any other Member. Rule 36 Division of proposals Parts of a proposal shall be voted on separately if a Member requests that the proposal be divided. Those parts of a proposal which have been approved in separate vote shall then be put to a vote as a whole. If all the operative parts of the proposal have been rejected; the proposal shall be considered to have been rejected as a whole. Rule 37 Voting on amendments When an amendment to a proposal is moved, the amendment shall be voted on first. When two or more amendments to a proposal are moved, the Board shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment furthest removed in substance from the order of voting on amendments have been put to the vote. The Chairperson shall determine the order of voting on amendments to a proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal. 	 The implementation of these Rules could be ensured through the adoption of practical arrangements, such as: Documents and the texts of proposals would be made available by the Secretariat on the UNESCO Digital Library and Executive Board websites. The Secretariat will inform, via email, all Member States that a document has been upload on the designated websites of UNESCO.
	Rule 38 Order of voting on proposals 1. If two or more proposals, other than	

	2. A motion requiring that no decision be taken on a proposal shall have priority over that proposal.	
Rule 39 Points of order	During the discussion of any matter a Member may rise to a point of order and the point of order shall be immediately decided by the Chairperson. An appeal may be made against the ruling of the Chairperson. It shall be put to the vote immediately and the Chairperson's ruling shall stand unless overruled by a majority of Members present and voting.	 Applying appropriate tools on the meeting platform to allow participants to formally raise points of order. The Secretariat will immediately draw the attention of the Chairperson that such a motion has been raised to enable the Chair to take action as prescribed under these rules.
Rule 40 Procedural motion	During discussion of any matter, a Member may propose a procedural motion: suspension or adjournment of the meeting, adjournment of the debate or closure of the debate.	 Applying appropriate tools on the meeting platform to allow participants to formally raise procedural motions such as points of order, etc. The Secretariat will immediately draw the attention of the Chairperson that such a motion has been raised to enable the Chair to take action as prescribed under these rules.
Rule 41 Suspension or adjournment of the meeting	During the discussion of any matter, a Member may move the suspension or the adjournment of the meeting. Any such motion, if seconded, shall be put to the vote immediately and without discussion.	 The implementation of this Rule could be ensured by: (align with all) Applying appropriate tools on the meeting platform to allow participants to formally raise procedural motions such as points of order, etc. The Secretariat will immediately draw the attention of the Chairperson that such a motion has been raised to enable the Chair to take action as prescribed under these rules.
Rule 42 Adjournment of debate	During the discussion of any matter, a Member may move the adjournment of the debate on the item under discussion. On moving the adjournment, a Member shall indicate whether it moves the adjournment sine die or to a particular time which it shall specify. Any such motion, if seconded, shall be put to the vote immediately and without discussion.	 The implementation of this Rule could be ensured by: Applying appropriate tools on the meeting platform to allow participants to formally raise procedural motions and for seconding. The Secretariat will immediately draw the attention of the Chairperson that such a motion has been raised to enable the Chair to take action as prescribed under the Rules of Procedure.
Rule 48-57 Voting rights	Rule 48 Voting rights Each Member of the Board shall have one vote.	As stated in 6 X/EX/2 Add. the Rules of Procedure impose detailed and rigorous conditions on voting at sessions of the Board which are applicable to an online

Rule 49 Conduct during voting

After the Chairperson has announced the beginning of voting, no one shall interrupt the voting except on a point of order in connection with the actual conduct of the voting.

Rule 50 Simple majority

Decisions of the Board shall be taken by a simple majority of the Members present and voting, except where otherwise specified in these Rules. For the purposes of determining the majority, only Members casting an affirmative or negative vote shall be counted as "present and voting"; Members who abstain from voting shall be considered as not voting.

Rule 51 Two-thirds majority

In the following cases a two-thirds majority of the Members present and voting is required:

- reconsideration of proposals (Rule 45);
- consultation by correspondence (Rule 60);

- amendment of Rules of Procedure (Rule 66);

– suspension of Rules of Procedure (Rule 67);
– establishment, before each session of the

General Conference, of the list of States not Members of UNESCO which are to be invited to send observers to that session.

Rule 52 Show of hands

Voting shall normally be by show of hands. In this case, if there is any doubt concerning the result of a vote, the Chairperson may take a second vote by show of hands or by roll-call.

Rule 53 Roll-call

At the request of any Member, a vote shall be taken by roll-call;

Members' names shall be called in alphabetical order and the vote of each Member participating shall be recorded in the summary record of the meeting.

Rule 54 Secret ballot

1. The nomination of a candidate for the post of Director-General shall be decided by secret ballot.

2. All other elections and decisions relating to individuals shall be voted on by secret ballot whenever five or more Members shall so request or if the Chairperson shall so decide.

Rule 55 Conduct of voting by secret ballot 1. Before the vote begins, the Chairperson shall appoint two tellers to scrutinize the votes cast.

2. When the counting of the votes is completed and the tellers have reported to the Chairperson, he or she shall announce the

Session. In case consensus, which is desirable, is not reached, the application of the rules concerning voting by show of hands and roll call votes are possible, as long as it copes with the conditions highlighted in the above-mentioned General Recommendations, i.e. the guarantee of access in equal terms to all participants according to Rules of Procedure, the security of the virtual platform and the authentication of participants. The technological means currently available to the Secretariat do not allow, however, for holding a secret ballot online. Consequently, the Members of the Board could consider the possibility of abstaining from any secret ballot during an online meeting, until technological advancements enable such proceedings in future scenarios.

	results of the ballot bearing in mind that the voting will be recorded as follows:	
	(a) From the total number of the Members of the Board will be deducted:	
	 the number of Members absent, if any; the number of blank ballot papers, if any; the number of invalid ballot papers, if any. 	
	(b) The remaining number will constitute the number of votes recorded. The majority required will be more than half that number.	
	(c) Those receiving a number of votes in favour, equal or superior to the majority required shall be declared elected.	
Rule 56-57 Voting on elections Equally divided votes	Voting in elections 1. When a single elective place is to be filled, any candidate obtaining in the first ballot an absolute majority (i.e. more than half) of the votes cast shall be declared elected.	
	2. If no candidate obtains an absolute majority in the first ballot, further ballots shall be taken. Any candidate obtaining an absolute majority of the votes cast shall be declared elected. If, after four ballots have been taken, no candidate has obtained an absolute majority, a final ballot shall be taken, restricted to the two candidates who obtained the most votes in the fourth ballot. The candidate obtaining a majority of the votes cast shall be declared elected.	
	3. When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot an absolute majority of the votes cast shall be declared elected. If the number of candidates obtaining such a majority is less than the number of places to be filled, 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 exceeding twice the number of places remaining to be filled.	
	4. If necessary, in order to determine the candidates to participate in a restricted ballot, an eliminating ballot may be taken restricted to the candidates having obtained the same number of votes in the previous ballot.	
	5. If, in the final ballot or an eliminating ballot, two or more candidates obtain the same number of votes, the Chairperson shall decide between them by drawing lots.	
	Equally divided votes If a vote is equally divided, in voting not concerned with elections, a second vote shall	

	be taken after a suspension of the meeting. If there is still no majority in favour of the proposal, it shall be considered as lost.	
Rule 58 Nomination of Director-General	Rule 58.2 The Executive Board shall consider in private meeting all the names so suggested, together with any proposed by Members of the Board, provided that no candidate shall be considered unless biographical details are available.	The technological means available would allow the holding of private meetings in the format of separate online events, open only to participants authorized to attend. The Secretariat must ensure the confidentiality of such meetings.
Rule 59 Appointments to the Secretariat and consultations on its structure	 The Director-General shall inform the Board, in a private meeting, of every appointment, promotion or renewal of a contract of officials at D-1 level and above that has taken place since the previous session and report on the proper application of the personnel management system. The Director-General shall consult, on the basis of a relevant document, the Executive Board at least every two years regarding the structure of the Secretariat and, in particular, on any important changes he or she contemplates making in it, and on any questions of policy involved in making appointments to senior posts in the Secretariat. 	The technological means available would allow the holding of private meetings in the format of separate online events, open only to participants authorized to attend. The Secretariat must ensure the confidentiality of such meetings.

ANNEX

Composition of the informal working group established by 6 X/EX/Decision 2 on the working methods of a virtual session of the Executive Board

Composition du groupe de travail informel établi par la décision 6 X/EX/2 sur les méthodes de travail d'une session virtuelle du conseil exécutif

	MEMBERS / MEMBRES
GROUP / GROUPE I	Finland / Finlande France Italy / Italie Turkey / Turquie
GROUP / GROUPE II	Hungary / Hongrie Serbia / Serbie
GROUP / GROUPE III	Brazil / Brésil Cuba Saint Lucia / Sainte Lucie Venezuela (Bolivarian Republic of) / Venezuela (République bolivarienne du)
GROUP / GROUPE IV	Bangladesh China / Chine Indonesia / Indonésie Republic of Korea / République de Corée
GROUP / GROUPE V(a)	Equatorial Guinea / Guinée équatoriale Ghana Kenya Namibia / Namibie
GROUP / GROUPE V(b)	Jordan / Jordanie Saudi Arabia / Arabie saoudite Tunisia / Tunisie United Arab Emirates/ Emirats Arabes Unis