Elections by Secret Ballot

Rules of procedure usually provide that all elections are generally by secret ballot unless otherwise decided by the COP. The rules of the body concerned should provide a detailed procedure on how elections should proceed. In practice, however, elections are usually decided through consultations, and the nominees elected by consensus¹.

There are however increasingly examples of such elections being carried out by secret ballot (according to the relevant procedure rules), where parties have failed to reach consensus.

Where the appointment of new bureau members or chairpersons is temporarily prevented as a result of a request for a secret ballot, established practice is that the existing officers whose term was due to end are requested to continue in their functions until replaced at a later date, and their credentials remain valid.

See here a video example of an election of Vice-chairs for the bureau by secret ballot which took place at the second session of the Intergovernmental Negotiating Committee to develop an international legally binding instrument on plastic pollution, including in the marine environment (INC-2) in May 2023.

See below some illustrative examples of provisions relating to elections by secret ballot.

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CITES Rules of Procedure (as adopted at COP19):

**Rule 27: Methods of voting**

1. The Conference shall normally vote through an electronic system or by show of hands, but any Representative may request a roll-call vote. In the case of votes taken by an electronic system, other than votes taken by secret ballot, the individual votes of all Parties shall be displayed on a screen for all participants to see immediately after a vote has taken place, and included in the summary record of the session. The roll-call vote shall be taken in the seating order of the delegations. The Presiding Officer may himself/herself require a roll-call vote on the advice of the tellers where they are in doubt as to the actual number of votes cast and this is likely to be critical to the outcome.

2. All votes in respect of the election of officers or of prospective host countries shall be by secret ballot when there is more than one candidate and, although it shall not normally be used, any Representative may request a secret ballot for other matters. The Presiding Officer shall ask whether the request is seconded. If it is seconded by 10 Representatives the vote shall be by secret ballot.

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¹ UNEP Multilateral Environmental Agreement Negotiator’s Handbook, 2007
Rules of Procedure of the United Nations Environment Assembly

Majority required and meaning of the expression “Members present and voting”

Rule 49

1. Except where the present rules of procedure expressly provide otherwise, decisions of the United Nations Environment Assembly shall be made by a majority of the members present and voting.

2. For the purpose of these rules, the phrase "members present and voting" means members present and casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

Elections

Rule 56

“All elections shall be held by secret ballot unless otherwise decided by the United Nations Environment Assembly.”

Rule 57

“1. If, when one person or member only is to be elected, no candidate obtains in the first ballot the majority required, a second ballot shall be taken restricted to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.”

“2. In the case of a tie in the first ballot among the candidates obtaining the second largest number of votes, a special ballot shall be held for the purpose of reducing the number of candidates to two. In the case of a tie among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the preceding paragraph.”

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