**CONVENTION FOR THE SAFEGUARDING OF THE
INTANGIBLE CULTURAL HERITAGE**

**INTERGOVERNMENTAL COMMITTEE FOR THE
SAFEGUARDING OF THE INTANGIBLE CULTURAL HERITAGE**

**Tenth session**

**Windhoek, Namibia**

**30 November to 4 December 2015**

**Item 5 of the Provisional Agenda:**

**Amendment to the Rules of Procedure to include provisions
governing voting by secret ballot**

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| **Summary**As requested by the ninth session of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (‘the Committee’), this document provides draft amendments to the Rules of Procedure of the Committee to permit voting by secret ballot.**Decision required:** paragraph 4 |

1. Rule 39, paragraphs 1 and 3, of the Rules of Procedure of the Intergovernmental Committee for the Safeguarding of the Intangible Cultural Heritage (‘the Committee’) foresee that voting shall normally be by a show of hands and that a vote by roll-call shall be taken at the request of two or more States Members of the Committee. Furthermore, Rule 37 of the Rules of Procedure provides that all decisions of the Committee shall be taken by a simple majority of the States Members present and voting.
2. When establishing the first Evaluation Body at its ninth session (UNESCO Headquarters, Paris, 24 to 28 November 2014), the Committee determined that the best way to establish such a Body is by casting secret ballots. In the absence of related provisions in the Rules of Procedure, the Committee decided to suspend the application of Rule 39 to permit a secret ballot. Given that in several cases there were multiple candidates for a single seat, the Committee also decided to suspend the application of Rule 37 to permit election by plurality rather than simple majority.
3. Consequently, the Committee decided to amend its Rules of Procedure to include provisions governing voting by secret ballot and called upon the Secretariat to propose draft provisions to this effect (Decision 9.COM 11). Amendments to the Rules of Procedure are adopted by a two-thirds majority of the States Members present and voting (Rule 48).
4. The Committee may wish to adopt the following decision:

DRAFT DECISION 10.COM 5

The Committee,

1. Having examined document ITH/15/10.COM/5,
2. Recalling Chapters VII and X of the Rules of Procedure and its Decision 9.COM 11,
3. Decides to amend its Rules of Procedure as annexed in this decision.

**ANNEX**

|  | **Rules of Procedure** |  | **Proposed amendments** |
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| Rule 39 | Show of hands | Rule 39 | ~~Show of hands~~ **Conduct of voting** |
| 39.1 | Voting shall normally be by a show of hands. | 39.1 | No change. |
| 39.2 | If there is any doubt concerning the result of a vote by a show of hands, the Chairperson may take a second vote by roll-call. | 39.2 | No change. |
| 39.3 | A vote by roll-call shall also be taken if it is requested by two or more States Members of the Committee before the voting begins. | 39.3 | No change. |
|  |  | **A** | **A decision by secret ballot** |
|  |  | **39.4** | **A decision shall be voted on by secret ballot whenever two or more States Members shall so request or if the Chairperson shall so decide.** |
|  |  | **39.5** | **Before the vote begins, the Chairperson shall appoint two tellers from among the delegates present to scrutinize the votes cast.** |
|  |  | **39.6** | **When the counting of the votes is completed and the tellers have reported to the Chairperson, he shall announce the results of the ballot bearing in mind that the voting will be recorded as follows:****From the total number of States Members of the Committee will be deducted:****a) the number of States Members of the Committee absent, if any;****b) the number of blank ballot papers, if any;****c) the number of invalid ballot papers, if any.****The remaining number will constitute the number of votes recorded.** |
|  |  | **B** | **Elections of the members of ad hoc consultative bodies and subsidiary bodies by secret ballot** |
|  |  | **39.7** | **Elections shall be conducted by secret ballot except that, where the number of candidates within geographical distribution is the same as or less than the number of seats to be filled, the candidates shall be declared elected without the need to hold a ballot.** |
|  |  | **39.8** | **Before the election begins, the Chairperson shall appoint two tellers from among the delegates present; he shall hand to them the list of candidates. He shall announce the number of seats to be filled.** |
|  |  | **39.9** | **The Secretariat shall prepare for each State Member of the Committee an envelope without any distinguishing mark and separate ballot papers, one for each of the electoral groups. The ballot paper for each vacant seat or electoral group shall bear the names of all the candidates in that electoral group.** |
|  |  | **39.10** | **Each State Member of the Committee shall cast its vote by encircling the names of those candidates for which it desires to vote.** |
|  |  | **39.11** | **The tellers shall collect from each State Member of the Committee the envelope containing the ballot papers and shall count the votes, under the supervision of the Chairperson.** |
|  |  | **39.12** | **The absence of any ballot paper in the envelope shall be considered an abstention.** |
|  |  | **39.13** | **Ballot papers on which more names have been circled than there are seats to be filled as also those containing no indication as to the intention of the voter shall be considered invalid.** |
|  |  | **39.14** | **The counting of the votes for each electoral group shall take place separately. The tellers shall open the envelopes, one by one, and shall sort the ballot papers into electoral groups. The votes cast for the candidate shall be entered on lists prepared for that purpose.** |
|  |  | **39.15** | **The Chairperson shall declare elected those candidates who obtain the greatest number of votes up to the number of seats to be filled. If two or more candidates obtain the same number of votes, and, as a result, there are still more candidates than seats to be filled, there shall be a second secret ballot restricted to those candidates who obtained the same number of votes. If in the second ballot two or more candidates obtain the same number of votes, the Chairperson shall draw lots to decide the elected candidate.** |
|  |  | **39.16** | **When the counting of the votes is completed, the Chairperson shall announce the results of the ballot separately for each of the electoral groups.** |