

29 November 2022

IOTC CIRCULAR 2022-52

Dear Madam / Sir

ON VOTING IN A HYBRID MEETING OF THE INDIAN OCEAN TUNA COMMISSION

The IOTC basic texts provide limited guidance on how voting might be conducted in a hybrid setting

Although in-person meetings have started again for IOTC, there is a desire from some Members to allow delegations to participate by videoconference. While 'hybrid' meetings are likely to persist into the future, and function well for working groups and some working party meetings, they pose some procedural issues for meetings of the Commission — especially in relation to voting.

The established practice of the Commission has always been to meet in person — and the Agreement and Rules of Procedure were designed to facilitate this format. Meeting online during the pandemic posed a range of challenges for the Commission; for example, you may recall the Commission suspended some of its Rules of Procedure on an exceptional basis in order for online meetings to qualify as formal sessions.

One important procedural action of the Commission that has remained uncertain in the online and hybrid settings is voting i.e. voting by a show of hands, voting by a roll call and voting by secret ballot. In the IOTC basic texts there are no formal instructions on how to vote in any other setting than an in-person meeting.

In accordance with Rule X.8 of the [IOTC Rules of Procedure](#), voting arrangements and other related matters not specifically provided for in the Agreement or in these Rules shall be governed *mutatis mutandis* by the provisions of the General Rules of the Organization. In 2021, the FAO Conference, made a ruling on voting in a hybrid meeting. Therefore, following advice from the FAO, if a meeting of the IOTC is held in hybrid format going forward, the following procedures shall apply:

Voting by a show of hands and by a roll call can be facilitated for all authorized participants in a hybrid setting

Voting by a show of hands and by a roll call can be facilitated in a hybrid setting when all duly authorised voters are visible (i.e. in the meeting room or on-screen). For these types of votes, the procedures described in Rule X of the IOTC Rules of Procedure shall apply.

A secret vote may only be cast by someone physically present at a meeting of the Commission

Holding a valid secret vote is not as straight forward as a show of hand or a roll call. The FAO Conference of 2021 decided that secret ballot votes will be conducted by in-person voting only [[you may refer to this decision here \(page 3, para 4\)](#)].

Pursuant to its Rules of Procedure (see above), the rules set out in the General Rules of the Organization (GRO) apply to IOTC. Accordingly, only duly authorized persons who are physically present at a meeting of the Commission may cast a secret vote and the procedures described in Rule X of the IOTC Rules of Procedure shall apply.

Distribution

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However, Members that are unable to attend the Session physically, are invited to include a person in their delegation to the Session of the Commission who is physically located in the country where the Session is being held (e.g. someone such as an embassy attaché), for the purpose of casting votes on their behalf. Members would communicate the composition of their delegations through the normal procedures for credentials

Yours sincerely

A handwritten signature in black ink, appearing to read "C. O'Brien", with a large, stylized loop at the end.

Christopher O'Brien
Executive Secretary

Attachment:

- None