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| **Council 2018Geneva, 17-27 April 2018** |  |
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| **Agenda item: PL 2.5** | **Document C18/95-E** |
| **3 April 2018** |
| **Original: English** |
| Note by the Secretary-General |
| CONTRIBUTION FROM THE FEDERATIVE REPUBLIC OF BRAZILImplementation of hearings for candidates to elected official posts |

I have the honour to transmit to the Member States of the Council a contribution submitted by the **Federative Republic of Brazil.**

 Houlin ZHAO
 Secretary-General

CONTRIBUTION FROM THE FEDERATIVE REPUBLIC OF BRAZIL

Implementation of hearings for candidates to elected official posts

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| SummaryThis document presents a proposal for amendments to the “General Rules of conferences, assemblies and meetings of the Union” to implement hearings for candidates to elected official posts in the ITU.Action requiredCouncil is invited to discuss the issue and forward a recommendation to PP-18.\_\_\_\_\_\_\_\_\_\_\_\_ReferencesDocuments [PP-14/DT/66](https://www.itu.int/md/S14-PP-141020-TD-0066/en), [PP-14/75](https://www.itu.int/md/S14-PP-C-0075/en), [PP-14/175 (Recommendation 8)](http://www.itu.int/md/S14-PP-C-0175/en), [C15/99](http://www.itu.int/md/S15-CL-C-0099/en), [C16/4](http://www.itu.int/md/S16-CL-C-0004/en), [C17/4](http://www.itu.int/md/S17-CL-C-0004/en), [C17/76](http://www.itu.int/md/S17-CL-C-0076/en), [C17/96](http://www.itu.int/md/S17-CL-C-0096/en), [C17/130](http://www.itu.int/md/S17-CL-C-0130/en), [C17/INF/6](https://www.itu.int/md/S17-CL-INF-0006/en), [C17/DL/8](https://www.itu.int/md/S17-CL-170515-DL-0008/en), [C18/5](https://www.itu.int/md/S18-CL-C-0005/en), [C18/50](http://www.itu.int/md/S18-CL-C-0050/en), [CWG-FHR 7/10](https://www.itu.int/md/S17-CLCWGFHRM7-C-0010/en), [CWG-FHR-8/17](https://www.itu.int/md/S18-CLCWGFHRM8-C-0017/en), [CWG-FHR-8/28](https://www.itu.int/md/S18-CLCWGFHRM8-C-0028/en); [JIU 2009 Report on “Selection and Conditions of Service of Executive Heads in the United Nations System Organizations”](https://www.unjiu.org/sites/www.unjiu.org/files/jiu_document_files/products/en/reports-notes/JIU%20Products/JIU_REP_2009_8_English.pdf); [ITU Staff Regulations](https://www.itu.int/en/careers/Documents/SRR-e.pdf).Circular Letters [CL-16/48](https://www.itu.int/md/S16-SG-CIR-0048/en), [CL-17/07](https://www.itu.int/md/S17-SG-CIR-0007/en) |

**Development of the issue and documents**

Document [C18/5](https://www.itu.int/md/S18-CL-C-0005/en) presents an accurate history of the discussion and documents on the implementation of hearings for candidates to elected official posts since it was first presented by Brazil at PP-14.

At the 8th meeting of CWG-FHR in January 2018, the ITU Secretariat presented a report ([CWG-FHR-8/17](https://www.itu.int/md/S18-CLCWGFHRM8-C-0017/en)) on the issue. These are the facts presented by the document:

* Hearings procedures should be prescribed in the ITU General Rules (GR), just as in many sister organizations that conduct hearings;
* Candidates for elected official posts are often ITU staff members that are automatically placed on special leave without pay when they make their candidacy official, and therefore usually only place their candidacy 28 days prior to PP.

The Secretariat document concludes that, to be fair to all candidates, hearings should be conducted within these 28 days prior to PP. Brazil does not agree with this conclusion, and expressed its views on the subject and the Secretariat’s proposal during the meeting.

The final report of CWG-FHR’s 8th meeting ([CWG-FHR-8/28](https://www.itu.int/md/S18-CLCWGFHRM8-C-0028/en)) contains an accurate summary of the discussions, and in Annex 1 presents answers to questions that Brazil asked the ITU Legal Advisor concerning how and where amendments to the GR should be discussed at PP-18.

**Discussion**

After four years of discussions, it has become very clear for Brazil and apparently for several other Member States that the ITU should implement a hearings process. Not only it is recommended by the UN’s Joint Inspection Unit as a best practice on elections ([JIU 2009 Report on “Selection and Conditions of Service of Executive Heads in the United Nations System Organizations”](https://www.unjiu.org/sites/www.unjiu.org/files/jiu_document_files/products/en/reports-notes/JIU%20Products/JIU_REP_2009_8_English.pdf)), it also has been successfully implemented in numerous international organizations such as WHO, WTO, ILO, WIPO, and particularly in the election of the current Secretary-General of the UN in 2016.

In the ITU, hearings should be conducted for the following main reasons:

1. To serve as a platform for interaction between delegates and potential ITU elected officials;
2. To clarify each candidates’ vision for the ITU, and how these fulfil the functions of the post as specified in the ITU Constitution and Convention;
3. To assess the candidates’ public speaking skills, particularly under pressure;
4. To enhance transparency, legitimacy and inclusiveness in the election process;
5. Above all, to provide valuable inputs for an educated and better informed decision on which candidates are better qualified to become Secretary-General, Deputy Secretary-General and Directors of the three Bureaux.

However, in the ITU the implementation of a hearings process should address the following hurdles:

* Timing: a hearings process should be conducted in a timeframe in advance to the Plenipotentiary Conference (PP) that allows it to influence the vote decision process in each Member State;
* Fairness and inclusiveness: [ITU Staff Regulation 12.2](https://www.itu.int/en/careers/Documents/SRR-e.pdf) determines that appointed staff members standing for an elected official post shall be automatically placed on special leave effective one day after the submission of their official candidacies to the Secretary-General.

**Timing**

The following is a description of the process in Brazil, but we believe it occurs similarly in many if not all ITU Member States.

The vote decision process starts approximately one year prior to a PP. That is the time when the first requests for exchange of votes are made, usually through Embassies and foreign missions, requiring Member States to take decisions on voting at that timeframe. Surely these are politically driven decisions, but they thoroughly consider each candidate’s qualification, including:

* resume and professional experience;
* technical background and skills;
* reputation and international experience;
* languages spoken;
* Member State where the candidate comes from, and their participation and support to the ITU.

As already argued, the hearings should provide another source of information for the voting decision process. Moreover, the hearings process is ineffectual if it is conducted during PP or within one month prior to PP, since voting decisions will already have been made. Considering that decision-making on votes begins one year prior to PP, the hearings should be conducted as early as possible.

However, there is a tradeoff between having the hearings too early and thus not including potential candidates, and having them too late and thus not being really useful as inputs for decision-making. Therefore, **hearings should be conducted during the Council session in the same year of PP, around six to seven months prior to PP.**

**Fairness and inclusiveness**

ITU elections usually attract a large number of candidates from the ITU staff. It is appropriate for many reasons, but particularly because ITU staff is very familiar and already contribute within their departments to fulfill the functions of the elected official posts. The ITU staff is also highly qualified and is selected through a rigorous selection process.

Due to [ITU Staff Regulation 12.2](https://www.itu.int/en/careers/Documents/SRR-e.pdf), most if not all candidates from the staff post their official candidature on the very last day possible, which is 28 days prior to PP (GR170). They do extensive campaigning and engage in the exchange of votes way before that deadline, but they are considered unofficial or potential candidates. Usually all candidates, official and potential, are already known by everyone by the Council session six to seven months prior to PP.

Simply put, candidates from the ITU staff fulfill most of the criteria for an ideal elected official, and should not be discouraged from becoming candidates for elected official posts. **Therefore, the hearings should be fair, inclusive and open to all candidates, including “unofficial or potential” candidates from the ITU staff.**

**Proposal**

There is a clear conflict between the ideal timing for the hearings and the restrictions imposed by the ITU staff regulations. On the one hand, the hearings should be conducted as early as possible to inform the vote decision process; on the other hand, the hearings have to include candidates from the ITU staff since they usually are highly qualified for the job and historically make most of the candidates.

Brazil therefore proposes the following:

* Hearings should be conducted one day before the Council session in the same year of PP, at least six months prior to PP;
* Hearing procedures should include potential and unofficial candidates, thus including ITU staff members without need for them to be put on special leave in accordance with Staff Regulation 12.2.

For this effect, the ITU General Rules should be amended with the addition of the following paragraph:[[1]](#footnote-1)

CHAPTER III

**Election Procedures**

**32 Specific rules of procedure for the election of**

**the Secretary-General, the Deputy Secretary-**

**General and the Directors of the Bureaux of the Sectors**

*(NEW) 178*

*Hearings shall be conducted with the official and potential candidates one day before the annual Session of Council at least six months prior to the Plenipotentiary Conference. Hearings shall be open to all Member States. Official and potential candidates will be invited to make a brief presentation, including their vision for the ITU, to be followed by a question-and-answer period. The time allocated to candidates for making their presentation and receiving and responding to questions shall be determined according to the number of candidates. Equal time will be allocated for all candidates.*

If necessary, PP-18 or subsequent Sessions of Council should discuss and approve a Resolution containing a detailed description of the procedures for hearings.

1. Paragraph elaborated taking into account similar provisions from WIPO, ILO, WHO and WTO. [↑](#footnote-ref-1)