

Document: GC 45/L.6
Agenda: 9
Date: 10 January 2022
Distribution: Public
Original: English

E



Report and Recommendations in Relation to a Special Session of the Governing Council

Note to Governors

Focal points:

Technical questions:

Luis Jiménez-McInnis
Secretary of IFAD
Tel.: +39 06 5459 2254
e-mail: l.jimenez-mcinnis@ifad.org

Katherine Meighan
Associate Vice-President and General Counsel
Tel.: +39 06 5459 2496
e-mail: k.meighan@ifad.org

Dispatch of documentation:

Deirdre Mc Grenra
Chief
Institutional Governance and
Member Relations
Tel.: +39 06 5459 2374
e-mail: gb@ifad.org

Governing Council — Forty-fifth Session
Rome, 16 February 2022

For: Approval

Contents

I.	Background	1
II.	Proposals	1
	A. Special session of the Governing Council	2
	B. Emoluments of the President of IFAD	2
	C. Secret ballot and voting modality	2
	D. Term of office of the President-elect	4
III.	Recommendations	5

Annex

Draft resolution

Recommendation for approval

Further to the Executive Board's consideration of the present document, and its approval of the recommendations contained herein, the Governing Council is invited to adopt the draft resolution contained in the annex.

Report and Recommendations in Relation to a Special Session of the Governing Council

I. Background

1. The current President of IFAD, Mr Gilbert Fossoun Hougbo, was appointed for a second four-year term of office with effect from 1 April 2021, until 31 March 2025. On 31 August 2021, the President communicated to the Executive Board that he had been nominated by the Government of Togo for the position of Director-General of the International Labour Organization (ILO). Elections for said position are scheduled to take place on 25 March 2022 and the successful candidate would commence their term of office on 1 October 2022.
2. Section 6.2 of the By-laws for the Conduct of the Business of IFAD (hereinafter, the "By-laws") stipulates that "whenever, for other reasons, the office of President becomes vacant or a vacancy is due to occur, the Executive Board shall request that the Governing Council be convened in special session for the purpose of appointing the President." In an effort to ensure business continuity and timely preparation for an appointment process should Mr Hougbo be elected as ILO Director-General, Management has consulted with the Governing Council Bureau and the following proposals were put forward for the Board's consideration and approval to submit to the Governing Council at its forty-fifth session.

II. Proposals

3. The following proposals aim to maximize efficiency and enhance preparedness for a potential appointment process during the course of 2022, thus minimizing disruption to the Fund's core business. Bearing in mind the recommendations approved by the Governing Council contained in the Report of the Governing Council Bureau on the Review of the Established Practice for the Process Leading to the Appointment of the President of IFAD ([GC 41/L.9](#)), and in accordance with section 6.2 of the By-laws, which stipulates that "Except as the Bureau of the Council may decide otherwise, all nominations shall be submitted no less than 60 days before the opening of the session at which the appointment of the President is to be decided. The President shall communicate timely nominations to all Members and the Bureau no less than 40 days prior to the session of the Council", the Office of the Secretary has developed an indicative timeline with key milestones, should the position of IFAD President become vacant.

Table 1
Tentative timeline and key milestones

<i>Milestone</i>	<i>Timeline (exact dates to be confirmed)</i>
Executive Board approval of submission of the report and recommendations in relation to a special session of the Governing Council inclusive of the draft resolution contained in the annex, to the forty-fifth session of the Governing Council	13-16 December 2021
Adoption of the draft resolution contained in the annex by the Governing Council	16 February 2022
Appointment of the ILO Director-General	25 March 2022
Invitation to a special session of the Governing Council to consider the appointment of the President of IFAD	End March/Beginning April 2022
Call for nominations issued to IFAD Member States	End March/Beginning April 2022
Deadline for IFAD Member States to submit nominations	Beginning May and no later than 8 May 2022
Communication of nominations received to IFAD Member States	No later than 28 May 2022
Membership meeting	Week of 6 June 2022
Special Governing Council session to consider the appointment of the President	7 July 2022
Start of term for the President-elect	1 October 2022
End of term for the President	31 March 2027

4. In order to adhere to the above timeline, a number of actions are required of the Executive Board and the Governing Council.

A. Special session of the Governing Council

5. As indicated above, in order to ensure business continuity and timely preparation for an appointment process should Mr Hougbo be elected as ILO Director-General, and based on section 6.2 of the By-laws, the Executive Board should request that the Governing Council be convened in special session for the purpose of appointing the President.
6. **Recommendation:** Bearing in mind the Rome-based agencies' calendar of meetings for 2022, Management has identified Thursday, 7 July as the date on which the Governing Council could be convened in special in-presence session, COVID-19 restrictions permitting, to consider the appointment of the President. Should restrictions not allow for full in-presence participation, the session would be held by virtual means.

B. Emoluments of the President of IFAD

7. Section 6.1 of the By-laws states, inter alia, that "The salary, allowances and other entitlements of the President shall be determined by resolution of the Governing Council." In view of the appointment of the President, the Governing Council considered, at its forty-fourth session in February 2021, a report of the Emoluments Committee and subsequently adopted, on 17 February 2021, resolution 216/XLIV on the emoluments of the President of IFAD, to be applied to the President elected at said forty-fourth session.
8. **Recommendation:** It is proposed that the basis of the recommended salary, allowances and other entitlements specified in paragraphs 1 to 4 of resolution 216/XLIV remain valid; therefore, it is recommended that these emoluments shall apply also to the President elected at the special session of the Governing Council in July 2022.

C. Secret ballot and voting modality

9. Article 6.8(a) of the Agreement Establishing IFAD provides that the Governing Council shall appoint the President by a two-thirds majority of the total number of votes (i.e. 4,189.008). Voting for the appointment of the President of IFAD is

governed by rules 41.1, 38.1 and 35.3 of the Rules of Procedure of the Governing Council. Rule 41.1 provides that:

“The appointment of the President shall be considered by the Governing Council at a private meeting, and voting shall be in accordance with Rule 38.1 unless otherwise decided by the Governing Council after considering a report of the Bureau thereon.”

Rule 38.1 specifies that:

“all elections shall be held by secret ballot unless the Governing Council decides otherwise in an election where the number of candidates does not exceed the number of elective places to be filled.”

Rule 35.3 provides that:

“Secret ballots shall be taken by the casting of paper ballots³, or, if available, through an electronic voting system, in such a way as to safeguard the secrecy and integrity of the secret ballot. Each Member shall have access to and the ability to cast, the specific number of votes to which they are entitled.

³ In the case of paper ballots, each Governor shall be provided with one or more ballot papers each indicating a specific number of votes, which shall be so distributed that: (i) papers specifying any particular number of votes shall be received by at least four Governors, and (ii) the total number of votes specified on the papers received by any Governor shall equal the number of votes he is entitled to cast; each Governor may indicate his vote on all the papers he receives and deposit them in ballot boxes from which they shall be taken and counted by tellers appointed by the Chairman.”

10. The Governing Council may adopt one of the following three voting methods, all of which ensure that the secrecy, confidentiality, verifiability and integrity of the vote are maintained:
- (a) **Automated (on-site) voting system with physical voting machines:** As approved by the Executive Board, Management has identified a provider and implemented a solution whereby Member State representatives would be invited to cast their votes through voting machines set up in voting booths at the selected venue. As with the casting of paper ballots, representatives would be called to vote in alphabetical order of the Member State they represent. Voters would enter the booth, select their preferred candidate on-screen and confirm the vote cast. This methodology can only be used in an in-presence scenario.
 - (b) **Automated (online) voting system:** The Governing Council approved the use of the automated (online) voting system at its forty-fourth session through resolution 217/XLIV adopted on 17 February 2021, thus approving that “the selected automated (online) voting system may be used in conjunction with the appointment of the President of IFAD in February 2021 and that such a system may be used on future occasions when voting by secret ballot is deemed necessary.” In addition, Member State representatives were acquainted with this methodology in the months preceding the forty-fourth session of the Governing Council through testing and training sessions. The automated (online) voting system is the only system that can be used in virtual sessions.
 - (c) **Paper ballots (on-site):** This methodology has been used on several occasions for the appointment of the President of IFAD. However, as noted in the Report of the Governing Council Bureau on the Review of the Established Practice for the Process Leading to the Appointment of the President of IFAD ([GC 41/L.9](#)), the use of paper ballots entails a complex and resource-intensive process that significantly lengthens the voting procedure, depending on the

number of candidates and the number of rounds of voting.¹ This methodology can only be used in an in-presence scenario.

11. Management considered the possibility of arranging for votes to be cast in different locations, as was done in the case of the election of the Independent Chairperson of the Council of the Food and Agriculture Organization of the United Nations (FAO). It was ascertained that shipping voting machines to various locations would not be efficient and could entail incurring prohibitive costs. Furthermore, making paper ballots available in different locations given IFAD's weighted voting system (as opposed to FAO's one country-one vote) would jeopardize the secrecy, confidentiality and integrity of the vote and prolong the counting process as well as increasing exposure to risk.
12. **Recommendation:** Further to consideration of the use of an automated voting system or paper ballots, the Executive Board recommended the following options:
 - (a) In the event of a fully in-presence special session of the Governing Council with physical participation of all representatives, paper ballots be used.
 - (b) In the event that COVID-19 restrictions render a fully physical in-presence meeting impossible, the Secretariat is tasked to explore in-person voting modalities and procedures, with the Governing Council Bureau, to ensure fair and equitable parameters for the appointment process that safeguard the secrecy and integrity of the secret ballot.

D. Term of office of the President-elect

13. The established timeline for the term of office of the President of IFAD is four years, commencing on 1 April and concluding on 31 March four years hence. Article 6, section 8(a) and (b) of the Agreement Establishing IFAD² prescribes the duration of the term of office of the President of IFAD as four years with the option that, under special circumstances and on the recommendation of the Executive Board, the term of office of the President may be extended by a maximum of six months.
14. **Recommendation:** Given the timeline for the appointment of the ILO Director-General, which could entail a vacancy in the Office of the President of IFAD as of 1 October 2022, it is recommended that the term of office of the President elected at the special session of the Governing Council be from 1 October 2022 to 31 March 2027. This six-month extension, which is in accordance with the article cited above, would serve to realign with the standard timeline for the appointment of the President of IFAD.

¹ [GC 41/L.9](#) provides an indication of the human and time resources required for paper ballots: "65. The possibility of introducing an automated system was also discussed to expedite the ballot counting process and increase workforce efficiency. The preparation of the anonymous ballot papers required by rule 35.3 of the Rules of Procedure of the Governing Council for each of the ballots is a complex process, entailing the involvement of approximately 20 staff members in the days preceding the Governing Council meeting at which the President will be appointed. On the day of the Governing Council meeting, the process also requires the presence of a large number of essential staff to: (a) distribute the respective ballot papers to each of the Governors; (b) record each Governor's confirmation that they have received their full entitlement of ballot papers; (c) direct Governors to the voting booths where they are invited to stamp the ballot papers with a stamp bearing the name of the candidate they wish to vote for; (d) ensure that each Governor deposits his/her ballot papers in the ballot box; and (e) after the vote is closed, count the ballots. On average, a minimum of 20 staff members are needed for at least two hours to complete each ballot from the beginning of the proceedings to the announcement of its results."

² Section 8 provides that "(a) The Governing Council shall appoint the President by a two-thirds majority of the total number of votes. He shall be appointed for a term of four years and shall be eligible for reappointment for only one further term. The appointment of the President may be terminated by the Governing Council by a two-thirds majority of the total number of votes." and "(b) Notwithstanding the restriction on the term of office of the President of four years, contained in paragraph (a) of this Section, the Governing Council may, under special circumstances, on the recommendation of the Executive Board, extend the term of office of the President beyond the duration prescribed in paragraph (a) above. Any such extension shall be for no more than six months."

III. Recommendations

15. The Governing Council is requested to consider and adopt the draft resolution contained in the annex.

Draft resolution .../XLV

Report and recommendations in relation to a special session of the Governing Council

The Governing Council of IFAD,

Considering the communication by the President of IFAD, Mr Gilbert Fossoun Hougbo, dated 31 August 2021 addressed to the Executive Board, informing representatives that he had been nominated by the Government of Togo for the position of Director-General of the International Labour Organization (ILO);

Recalling Section 6.2 of the By-laws for the Conduct of the Business of IFAD, which stipulates that “whenever, for other reasons, the office of President becomes vacant or a vacancy is due to occur, the Executive Board shall request that the Governing Council be convened in special session for the purpose of appointing the President”;

Desirous of ensuring business continuity and timely preparation for an appointment process should Mr Hougbo be elected as ILO Director-General;

Having reviewed the report and recommendations in relation to a special session of the Governing Council contained in document GC 45/L.6, prepared by the Secretariat and shared with the Governing Council Bureau for comments, and the recommendations of the Executive Board thereon;

Decides that:

In the event that a vacancy should arise in the Office of the President of IFAD as a consequence of the election of Mr Gilbert F. Hougbo as Director-General of ILO in March 2022:

1. As requested by the Executive Board, a special session of the Governing Council shall be convened on Thursday, 7 July 2022, to consider the appointment of the President of IFAD. This special session will be held in-presence, COVID-19 restrictions permitting, or by virtual means.
2. Resolution 216/XLIV on the emoluments of the President of IFAD, adopted on 17 February 2021, shall apply to the President elected at said special session.
3. The Chairperson of the Bureau, after consultation with the other members of the Bureau and the President, shall make a final decision on the format of the special session (fully in-presence or virtual) by the end of March 2022, taking into due consideration the evolution of the COVID-19 pandemic and its potential effects on holding an in-presence session of the Governing Council. In terms of the voting modality to be adopted by the Governing Council for the purpose of the appointment of the President, the Governing Council shall use paper ballots in the event of an in-presence special session. Should COVID-19 restrictions render a fully physical in-presence session impossible or inadvisable, the Secretariat is tasked to explore in-person voting modalities and procedures, with the Governing Council Bureau, to ensure fair and equitable parameters for the appointment process that safeguard the secrecy and integrity of the secret ballot.
4. The term of office of the President elected at the special session of the Governing Council shall be extended for a period of six months, in accordance with article 6, section 8(a) and (b) of the Agreement Establishing IFAD, and will run from 1 October 2022 until 31 March 2027.