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ILO/UNESCO/WIPO/RCEM/2009/2

ORIGINAL: English

Date: September 9, 2009

**INTERNATIONAL CONVENTION FOR THE PROTECTION
OF PERFORMERS, PRODUCERS OF PHONOGRAMS
AND BROADCASTING ORGANIZATIONS
(ROME CONVENTION, 1961)**

**ELECTION MEETING OF REPRESENTATIVES OF THE
CONTRACTING STATES TO ELECT THE MEMBERS
OF THE INTERGOVERNMENTAL COMMITTEE**

Geneva, September 7 to 9, 2009

NOTE ON THE ELECTION PROCEDURE

prepared by the Secretariat

1. Under Rule 28 (1) of the Rules of Procedure of the Intergovernmental Committee established according to Article 32 of the Rome Convention, the “members of the Committee shall be selected at elections organized among the Contracting States. Such elections shall be held following the end of each even-numbered ordinary session of the Committee, at election meetings convened by the Secretariat.” Given that the 20th Ordinary session of the Intergovernmental Committee to be held in Geneva from September 7 to 9, 2009, is an even-numbered session, an election meeting will take place on September 9, following the end of the said session.

2. Since the total number of Contracting States of the Rome Convention is more than 18, 12 seats on the Committee are to be filled by that election (see Article 32 of the Convention).

3. All Contracting States of the Rome Convention are entitled to participate in the election meeting. The Chairperson or Acting Chairperson of the Committee, *acting ex-officio*, presides at election meetings, and the Secretariat of the Committee serves as secretariat for such meetings. Six Contracting States represented at an election meeting constitute a quorum (Rule 29).

4. Every Contracting State of the Rome Convention is eligible for election as a member of the Committee unless it has notified the Secretariat or the meeting that it does not wish to be a member (Rule 30). The Secretariat will notify the meeting of the list of all eligible States.

5. After the election meeting is opened, the Nominations Committee, consisting of the Chairperson of the Election Meeting and the two Vice-Chairpersons of the Committee, is established. If any of these officers is unable to act, the meeting elects a substitute. The Nominations Committee then meets, in private, to propose a list of 12 States for election. Of the 12, at least four and not more than eight shall be States that were not elected to the Intergovernmental Committee at its eighteenth session in 2001 (in 2001, the following 12 States were elected: Belgium, Burkina Faso, Colombia, Denmark, France, Germany, Hungary, Japan, Lithuania, Mexico, Poland and United Kingdom). The Nominations Committee's proposal must be voted on as a whole without amendment; adoption requires a two thirds majority of the Contracting States present and voting (Rule 31). The vote is by secret ballot. Blank ballot papers shall be considered to be abstentions. Ballot papers containing votes for more States than the number of seats to be filled, as well as ballot papers in which the voters have revealed their identity, are considered invalid (Rule 33).

6. If a list of States proposed by the Nominations Committee fails to obtain the necessary majority, the election takes place in two stages. The vote is again by secret ballot. In the first stage, eight seats are filled from among all eligible States, including those elected in 2001. When more States receive votes than the number of seats to be filled, those States which receive the most votes are declared elected. Where two or more States receive the same number of votes, and the seats available to them are fewer than their number, selection among them is made by drawing lots. Where fewer States receive votes than the number of seats to be filled, voting shall continue until the remaining seats are filled (Rule 32).

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