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COUNCIL  
90th session  
Agenda item 34

C 90/34/Add.4  
9 April 2003  
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## APPOINTMENT OF THE SECRETARY-GENERAL

### Note by the Secretary-General

#### SUMMARY

- Executive summary:** This document lists the nominations to the post of Secretary-General of the Organization received by the deadline of 31 March 2003 and reminds Council of the voting procedures in force.
- Action to be taken:** Paragraph 8
- Related documents:** C 89/30, C 90/34, C 90/34/Add.1 and C 90/34/Add.2

1 Pursuant to the Council's decision, at its eighty-ninth session, concerning the appointment of a new Secretary-General, and further to the information contained in documents C 89/30, C 90/34, C 90/34/Add.1 and C 90/34/Add.2, this document advises the Council that by the deadline of 31 March 2003 replies had been received from three Member States nominating a candidate for the post of Secretary-General. These are listed below, together with the date on which the nominations were circulated to IMO Member States:

Nomination	Country	Circulation to Member States	Council Document
Mr. Magnús Jóhannesson	Iceland	Note Verbale of 28 February 2003	C 90/34/Add.1 of 11 February 2003
Mrs. Monica Nkechi Mbanefo	Nigeria	Note Verbale of 20 March 2003	C 90/34/Add.2 of 7 March 2003
Mr. Efthimios E. Mitropoulos	Greece	Note Verbale of 13 February 2003	C 90/34 of 5 February 2003

2 Council will wish to note that the election for the post of Secretary-General of the Organization will take place on Wednesday, 18 June at 9.30 a.m.

### 3 Article 22 of the IMO Convention

Article 22 of the IMO Convention provides:

*"The Council, with the approval of the Assembly, shall appoint the Secretary-General. The Council shall also make provision for the appointment of such other personnel as may be necessary, and determine the terms and*

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*conditions of service of the Secretary-General and other personnel, which terms and conditions shall conform as far as possible with those of the United Nations and its specialized agencies.”*

#### 4 **Council Rules of Procedure**

Rule 52 of the Council's Rules of Procedure provides:

*“For the appointment of the Secretary-General, the Council shall consider in private meeting its recommendation to the Assembly and vote upon it by secret ballot.”*

#### 5 **Footnote To Rule 52 of the IMO Council Rules of Procedure.**

At its eighty-sixth session, Council decided upon the following resolution regarding the term of service of the Secretary-General to be referenced by footnote to Rule 52 of the Council's Rules of Procedure:

*“THE COUNCIL,*

*RECALLING article 22 of the Convention of the Organization,*

*RECALLING FURTHER the annex to Council Resolution C.1(1) which set the term of appointment of the Secretary-General at three years which may be renewed for such further periods as may be determined by the Council with the approval of the Assembly,*

*ALSO RECALLING the decision of the eighteenth session of the Council that the term of the Secretary-General's contract shall be a multiple of two years (COUNCIL XVIII/SR.6/1, 29 August 1967),*

*NOTING that since 1973 the Council has appointed Secretaries-General to four-year terms with provision for renewal for such further periods as may be determined by the Council with the approval of the Assembly,*

*CONSIDERING the desirability of establishing a more specific term of office for future Secretaries-General,*

*DECIDES that:*

1. *Future Secretaries-General shall be appointed to an initial term of four years from the first of January of the biennium.*
2. *The appointment may be renewed for one additional term of up to four years.*
3. *This resolution shall be referenced by footnote to Rule 52 of the Rules of Procedure of the Council and shall be included in all future editions of IMO Basic Documents, Volume I,”*

#### **Voting procedure**

6 The procedures covering voting for the appointment of the Secretary-General are reproduced below for the convenience of the Council:

*“Rule 30*

*Decisions of the Council and of its subsidiary bodies shall be made, elections shall be determined, and reports, resolutions and recommendations adopted by a majority of the Members present and voting.*

*Rule 31*

*Each Member shall have one vote. For the purposes of Article 57 of the Convention and of these Rules:*

- (a) the phrase “Members present and voting” means Members casting an affirmative or negative vote. Members abstaining from voting or casting an invalid vote shall be considered as not voting;*
- (b) the phrase “Members present” means Members present at the meeting, whether they cast an affirmative or negative vote, whether they abstain, whether they cast an invalid vote, or whether they take no part in the voting. Participants at the session who are not present at the meeting at which voting takes place shall be considered as not present.*

*The foregoing provisions shall only apply if the quorum laid down in Article 19(b) of the Convention is obtained at the meeting at which the vote is taken.*

*Rule 35*

*All elections and determinations shall be decided by secret ballot.*

*Rule 36*

*In a secret ballot, two scrutineers shall, on the proposal of the Chairman, be appointed by the Council from the delegations present and shall proceed to scrutinize the votes cast. All invalid votes cast shall be reported to the Council.*

*Rule 37*

*If one person only is to be elected and no candidate obtains a majority in the first ballot, a second ballot shall be taken confined normally to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the election shall be deferred until the ensuing meeting, when, if another tie results, the Chairman shall decide between the candidates by drawing lots.”*

**7 Observer Member States**

At its eighty-ninth session, the Council decided that observer Member States invited to participate in the Council under rule 4 of the Council’s Rules of Procedure would be allowed to participate as observers also at meetings considering matters in connection with the appointment of the Secretary-General.

**Action requested of the Council**

8 The Council is invited to take note of the information in this document and to take the necessary action with regard to the appointment of a Secretary-General for submission to the Assembly for its approval at its twenty-third regular session.

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