



OPCW

Conference of the States Parties

Third Review Conference
8 – 19 April 2013

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**RULES OF PROCEDURE
OF THE CONFERENCE OF THE STATES PARTIES
OF THE ORGANISATION FOR THE PROHIBITION OF CHEMICAL WEAPONS***

I. SESSIONS

A. REGULAR SESSIONS

Rule 1 Date of sessions

The Conference of the States Parties (hereinafter called “the Conference”) of the Organisation for the Prohibition of Chemical Weapons (hereinafter called “the Organisation”) shall meet in regular sessions which shall be held annually unless it decides otherwise.¹ The session shall be convened on a date set by the Conference at its previous regular session.

Rule 2 Notification of sessions²

The Director-General shall notify all Members of the Organisation at least 90 days in advance of each regular session, of the opening date, place and expected duration thereof.

B. SPECIAL SESSIONS

Rule 3 Holding of special sessions

Special sessions of the Conference shall be convened in accordance with Article VIII, paragraph 12 of the Convention.

* The Rules of Procedure of the Conference of the States Parties of the Organisation for the Prohibition of Chemical Weapons were amended by the Conference of the States Parties at its Third Special Session (C-SS-3/DEC.1, dated 7 April 2008), its Sixteenth Session (C-16/DEC.14, dated 2 December 2011) and at the Third Review Conference (RC-3/DEC.2, dated 8 April 2013). These amendments have been incorporated into the text of the Rules of Procedure of the Conference of the States Parties of the Organisation for the Prohibition of Chemical Weapons, which consequently supersedes all previous versions.

¹ Article VIII, paragraph 11.

² For the First Session of the Conference the notification was issued by the Secretary-General of the United Nations in his capacity as the depositary of the Convention.



Rule 4 Summoning by the Conference

Special sessions of the Conference shall be convened when decided by the Conference.³

Rule 5 Summoning at the request of the Executive Council

Special sessions of the Conference shall be convened not later than 30 days after the receipt by the Director-General of a request for such a session from the Executive Council, unless specified otherwise in the request.⁴

Rule 6 Summoning at the request of Members

Any Member of the Organisation may request the Director-General to convene a special session of the Conference. The Director-General shall immediately inform the other Members of the Organisation of the request and inquire whether they concur with it. If one third of the Members concur with the request, a special session of the Conference shall be convened by the Director-General not later than 30 days after the receipt by him or her of such request.⁵

Rule 7 Notifications of special sessions

The Director-General shall notify all Members of the Organisation at least 21 days in advance of each special session, of the opening date, place and expected duration thereof.

C. SPECIAL SESSIONS TO REVIEW THE OPERATION OF THE CONVENTION

Rule 8 Convening of special review sessions⁶

- (a) The Conference shall not later than one year after the expiry of the fifth and the tenth year after the entry into force of the Convention, and at such other times within that time period as may be decided upon, convene in special sessions to undertake reviews of the operation of the Convention. Such reviews shall take into account any relevant scientific and technological developments. At intervals of five years thereafter, unless otherwise decided upon, further sessions of the Conference shall be convened with the same objective.⁷
- (b) Each Special Review Session shall elect a Chairman and ten Vice-Chairmen and such other officers as it may decide, having due regard to the principle of equitable geographical representation. They shall hold office solely for the purpose of the Special Review Session. Their rights, duties, and functions are identical to those ascribed by the present rules to the Chairman and Vice-Chairmen of the Conference of the States Parties, notwithstanding the provisions of Rule 35 below.

³ Article VIII, subparagraph 12(a).

⁴ Article VIII, subparagraph 12(b).

⁵ Article VIII, subparagraph 12(c).

⁶ Article VIII, paragraph 22.

⁷ The Conference may also be convened in the form of an Amendment Conference in accordance with Article XV, paragraph 2. In this case these Rules would apply as appropriate.

D. REGULAR AND SPECIAL SESSIONS
GENERAL PROVISIONS

Rule 9 **Place of sessions**

Sessions of the Conference shall take place at the seat of the Organisation unless the Conference decides otherwise.⁸

Rule 10 **Duration of sessions**

On the recommendation of the General Committee, the Conference shall, at the beginning of each session, fix a closing date for the session.

Rule 11 **Temporary adjournment of sessions**

The Conference may decide at any session to adjourn temporarily and resume its meetings at a later date.

II. AGENDA

A. REGULAR SESSIONS

Rule 12 **Preparation of provisional agenda**

The provisional agenda for all regular sessions of the Conference shall be drawn up by the Executive Council⁹ and sent by the Director-General to all Members of the Organisation not later than 60 days in advance of the session.

Rule 13 **Contents of provisional agenda**

The provisional agenda for each regular session shall include:

- (a) All items the inclusion of which has been decided by the Conference at a previous session;
- (b) All items proposed by the Executive Council;
- (c) All items proposed by any Member of the Organisation¹⁰;
- (d) All resolutions and all agenda items which the United Nations has referred or proposed to the Organisation, as well as any item proposed by a specialised agency, and which the Executive Council submits to the Conference in accordance with the agreement establishing the relationship between the Organisation and the United Nations and the Organisation and a specialised agency;
- (e) Election of Members to membership of the Executive Council;
- (f) The annual draft report of the Organisation on the implementation of the Convention, the annual report of the Executive Council and such other reports as the Executive Council deems necessary or which the Conference may request;
- (g) Fostering of international cooperation for peaceful purposes in the field of chemical activities;

⁸ Article VIII, paragraph 14.

⁹ Article VIII, subparagraph 32(c).

¹⁰ Article VIII, paragraph 19.

- (h) The programme and budget of the Organisation, submitted by the Executive Council, for the ensuing financial period and all items pertaining to this budget¹¹;
- (i) The External Auditor's report on the audited financial statements of the Organisation as forwarded by the Executive Council¹²;
- (j) The scale of assessments to be paid by States Parties¹³;
- (k) Any issue to be brought to the attention of the United Nations requiring approval by the Conference in accordance with Article XII of the Convention¹⁴;
- (l) The opening date and anticipated duration of the next regular session of the Conference;
- (m) All items which the Director-General, in consultation with and following agreement from the Executive Council, deems necessary to put before the Conference; and
- (n) Other items required by the Convention.

Rule 14 Supplementary items

A Member of the Organisation, the Executive Council, the Director-General, in agreement with the Executive Council or the United Nations, may, not later than 30 days before the date set for the opening of any regular session, request the inclusion of supplementary items in the agenda. Such items shall be placed on a supplementary list, which shall be communicated to Members at least 21 days before the opening of the session.

Rule 15 Approval of the agenda

The provisional agenda for each regular session, and the supplementary list, if applicable, together with the report thereon of the General Committee, shall be submitted to the Conference for approval as soon as possible after the opening of the session by a simple majority of Members present and voting.

Rule 16 Additional items

Any items of an important and urgent character, proposed by a Member, the Executive Council or the United Nations, which have not been placed on the provisional agenda pursuant to Rule 13 of these Rules or on the supplementary list pursuant to Rule 14 of these Rules, shall be referred to the General Committee, which shall report promptly thereon to the Conference. Such items may be placed on the agenda if the Conference so decides by a simple majority of Members present and voting. No additional item may be considered until seven days after it is placed on the agenda, unless the Conference, by a two thirds majority of Members present and voting, decides otherwise.

¹¹ Article VIII, subparagraph 32(a) and the Draft Financial Regulations of the OPCW, Article 3.

¹² Draft Financial Regulations of the OPCW, Articles 13.10 and 13.11.

¹³ Article VIII, subparagraph 21(b).

¹⁴ Article XII, paragraph 4.

B. SPECIAL SESSIONS

Rule 17 **Provisional agenda**

The provisional agenda for all special sessions of the Conference shall be drawn up by the Executive Council and sent by the Director-General to all Members of the Organisation not later than nine days after the receipt of any decision or a request to convene such a special session.

Rule 18 **Contents of provisional agenda**

The provisional agenda for each special session shall consist only of those items proposed for consideration in the decision by the Conference to convene such a session or in the request for the holding of the session by the Executive Council or a Member of the Organisation. The contents of the provisional agenda for the special sessions to review the operation of the Convention shall be drafted by the Executive Council in accordance with Article VIII, paragraph 22, of the Convention.

Rule 19 **Approval of the agenda**

The provisional agenda for each special session, together with the report thereon of the General Committee, shall be submitted to the Conference for approval as soon as possible after the opening of the session by a simple majority of the Members present and voting.

Rule 20 **Additional items**

Any items of an important and urgent character, proposed by a Member, the Executive Council or the United Nations, which have not been placed on the provisional agenda pursuant to Rule 16 of these Rules, shall be referred to the General Committee, which shall report promptly thereon to the Conference. Such items may be placed on the agenda, if the Conference so decides, by a two-thirds majority of the Members present and voting. No additional item may be considered until two days after it is placed on the agenda, unless the Conference, by a two-thirds majority of Members present and voting, decides otherwise.

C. REGULAR AND SPECIAL SESSIONS
GENERAL PROVISIONS

Rule 21 **Explanatory memoranda**

Each item proposed for inclusion in the agenda, except an item proposed by the Executive Council, shall be accompanied by an explanatory memorandum and, if possible, by basic documents or by a draft decision.

Rule 22 **Amendment and deletion of items**

Items on the agenda may be amended or deleted from the agenda of the Conference by a simple majority of the Members present and voting except for items placed on the agenda in accordance with Rule 20 of these Rules for which a two-thirds majority of Members present and voting is required.

III. REPRESENTATION OF MEMBERS

Rule 23 **Composition of delegations**

Each Member of the Organisation shall be represented at the Conference by one representative, who may be accompanied by as many alternates and advisers as may be required by the delegation¹⁵. The representative and all such alternates and advisers shall constitute the Member's delegation to the Conference.

Rule 24 **Alternates**

Each representative may designate any alternate in his or her delegation to act in his or her place during the Conference.

Rule 25 **Representation on committees and other subsidiary bodies of the Conference**

Each representative may designate any alternate or any adviser in his or her delegation to act for his or her delegation on any committee or other subsidiary body of the Conference on which his or her delegation is represented.

IV. CREDENTIALS

Rule 26 **Submission of credentials**

The credentials of each representative and the names of the persons constituting the Member's delegation shall be submitted to the Director-General¹⁶ if possible not less than seven days in advance of the session which the delegation will attend. The credentials shall be issued either by the Head of State or Government or by the Minister of Foreign Affairs of the Member concerned or any other authority acting on their behalf.

Rule 27 **Examination of credentials**

A Credentials Committee shall be appointed at the beginning of each session. It shall consist of ten members, which shall be appointed by the Conference on the proposal of the Chairman. The Committee shall elect its own officers. It shall examine the credentials of all representatives and report without delay to the Conference.

Rule 28 **Provisional admission to a session**

Pending a decision of the Committee upon their credentials, representatives shall be entitled to participate provisionally in the session. Any representative to whose admission a Member has made objection shall be seated provisionally with the same rights as other representatives until the Credentials Committee has reported and the Conference has given its decision.

¹⁵ Article VIII, paragraph 9.

¹⁶ For the First Session of the Conference credentials shall be addressed to the UN Secretary-General and deposited with the Provisional Technical Secretariat of the Preparatory Commission.

V. PARTICIPATION OF SIGNATORY STATES, OBSERVER STATES,
AND OTHER OBSERVERS

Rule 29 **Signatory States**

Any State signatory to the Convention which has not yet deposited its instrument of ratification in accordance with Article XXI, paragraph 2, of the Convention shall be entitled, subject to prior written notification to the Director-General¹⁷, to participate, without taking part in the adoption of decisions, whether by consensus or by vote, in the deliberations of the Conference. This means that Signatory States shall be entitled to appoint observers to attend plenary meetings of the Conference other than those designated private meetings; to deliver statements at such meetings; to receive the documents of the Conference and to submit its views in writing to delegations.

Rule 30 **Observer States**

Any other State which, in accordance with Article XX of the Convention, may accede to it may apply to the Director-General¹⁸ for observer status, which will be accorded on the decision of the Conference. Such a State shall be entitled to appoint an observer to attend and participate without the right to vote in the plenary meetings of the Conference other than those designated private meetings and to receive documents of the Conference.

Rule 31 **Representatives of the United Nations and of the specialised agencies**

The Secretary-General of the United Nations or his or her representative and the representatives of the specialised agencies shall be entitled to attend and participate without vote in sessions of the Conference on matters of common interest between them and the Organisation in accordance with their respective relationship agreements or subject to the approval of the Conference.

Rule 32 **Representatives of other international organisations**

Representatives of international organisations, other than the United Nations and the specialised agencies shall be entitled to attend and participate without vote in plenary meetings of the Conference on matters of common interest between them and the Organisation in accordance with their respective relationship agreements or subject to the approval of the Conference.

Rule 33 **Non-governmental organisations**

Representatives of non-governmental organisations may attend the plenary sessions of the Conference, and participate in the activities of review conferences, in accordance with such rules or guidelines as the Conference has approved.

¹⁷ For the First Session of the Conference notifications shall be addressed to the UN Secretary-General and deposited with the Provisional Technical Secretariat of the Preparatory Commission.

¹⁸ See footnote above.

VI. CHAIRMAN, VICE-CHAIRMEN AND CHAIRMAN OF THE COMMITTEE
OF THE WHOLE

Rule 34 **Election of Chairman, Vice-Chairmen and Chairman of the Committee of the Whole**

The Conference shall elect a Chairman, ten Vice-Chairmen, the Chairman of the Committee of the Whole and such other officers as it may decide, having due regard to equitable geographical representation.

Rule 35 **Period of office**

The Chairman, the Vice-Chairmen, the Chairman of the Committee of the Whole and other officers shall hold office until their successors are elected at the next regular session.

Rule 36 **Acting Chairman**

If the Chairman is absent during a meeting or any part thereof, he or she shall appoint one of the Vice-Chairmen to take his or her place, who, while acting as Chairman, shall have the same powers and duties as the Chairman.

Rule 37 **Replacement of the Chairman**

Notwithstanding Rule 35, if the Chairman is unable to continue his or her functions, a new Chairman shall be elected by the Conference for the unexpired term of office of the Chairman.

VII. SECRETARIAT

Rule 38 **The Role of the Director-General**

The Director-General shall act in that capacity at all meetings of the Conference and of its committees and other subsidiary bodies, or he or she may designate a member of his or her staff to represent him or her at any such meetings. The Director-General or his or her representative may, with the approval of the presiding officer, make oral or written statements to such meetings.

Rule 39 **Direction of staff**

The Director-General shall provide and direct the staff required by the Conference, its committees and other subsidiary bodies and shall be responsible for all the necessary arrangements for the meetings of the Conference, its committees and other subsidiary bodies.

Rule 40 **Duties of the Secretariat**

Under the direction of the Director-General, the Secretariat shall receive, translate, reproduce and distribute documents of the Conference, its committees and other subsidiary bodies; interpret speeches made at meetings; have custody of documents of the Conference in the archives of the Organisation; publish the reports of the meetings of the Conference; distribute all documents of the Conference to the Members of the Organisation; and generally perform all other work which the Conference, its committees or other subsidiary bodies may require.

VIII. COMMITTEES OF THE CONFERENCE

A. GENERAL COMMITTEE

Rule 41 **General Committee**

At each session the Conference shall appoint a General Committee which shall consist of the Chairman of the Conference, who shall serve as Chairman, the ten Vice-Chairmen and the Chairman of the Committee of the Whole. If the Chairman of the Conference is absent during a meeting of the General Committee or any part thereof, he or she shall appoint one of the Vice-Chairmen to preside. If any other member of the General Committee is absent from the meeting of the General Committee, he or she may designate a member of his or her delegation to take his or her place. No two members of the General Committee shall be members of the same delegation, and it shall be so constituted as to ensure its representative character.

Rule 42 **Representation in the General Committee of bodies other than the Committee of the Whole**

The Chairman of the Executive Council and the Chairmen of committees of the Conference other than the Committee of the Whole may participate without vote in the meetings of the General Committee. The Chairman of the Executive Council and the Chairmen of any such committee of the Conference may designate a Vice-Chairman of the body concerned to represent him or her in the General Committee.

Rule 43 **Functions of the General Committee**

- (a) The General Committee shall at the beginning of each session of the Conference consider the provisional agenda, together with any supplementary list, and shall report thereon to the Conference. It shall consider requests, made pursuant to Rules 14 and 20 of these Rules, for the inclusion of additional items and shall report thereon to the Conference. In considering matters relating to the agenda of the Conference, the General Committee shall not discuss the substance of any item, except insofar as this bears upon the question whether the General Committee should recommend the inclusion of the item in the agenda, the rejection of the request for inclusion or the inclusion of the item in the provisional agenda of a future session, and what priority should be accorded to an item the inclusion of which has been recommended.
- (b) The General Committee shall propose to the Conference the allocation of agenda items to committees and the establishment of any additional committees which it considers necessary. It shall make recommendations to the Conference concerning the closing date of the session. It shall assist the Chairman of the Conference in conducting and coordinating the work of the Conference.

Rule 44 **Participation by Members requesting the inclusion of items in the agenda**

A Member of the Organisation which has no representative in the General Committee and which has requested the inclusion of an item in the agenda shall be entitled to attend any meeting of the General Committee at which its request is discussed, and to participate, without vote, in the discussion of that item.

B. MAIN AND OTHER COMMITTEES

Rule 45 **Main Committee**

The main committee of the Conference shall be the Committee of the Whole, which shall consider and report on any item referred to it by the Conference under these Rules.

Rule 46 **Creation of other committees**

The Conference may set up such other committees as it deems necessary for the performance of its functions.

Rule 47 **Officers and subcommittees**

Except as provided in Rules 34 and 41, each committee of the Conference shall elect its own Chairman and other officers. These officers shall be elected on the basis of equitable geographical representation, experience and personal competence. Each committee may set up subcommittees or other subsidiary organs, which shall elect their own officers.

Rule 48 **Reference of agenda items to committees**

Agenda items relating to the same category of subjects shall be referred to the committee or committees dealing with that category of subjects. Committees shall not introduce new items on their own initiative.

IX. CONDUCT OF BUSINESS AT PLENARY MEETINGS OF THE CONFERENCE

Rule 49 **The presiding officer**

The Chairman of the Conference, or, in his or her absence, a Vice-Chairman appointed by him or her to take his or her place shall be the presiding officer of the Conference.

Rule 50 **General powers of the presiding officer**

In addition to exercising the powers which are conferred upon him or her by these Rules, the presiding officer shall declare the opening and closing of each meeting of the Conference, shall direct its discussions, ensure observance of these Rules, accord the right to speak, put questions and announce decisions. He or she shall rule on points of order and, subject to these Rules, shall have control of the proceedings of the Conference and over the maintenance of order at its meetings. The presiding officer may propose to the Conference the limitation of the time to be allowed to speakers, the limitation of the number of times each representative may speak on any question, the closure of the list of speakers or the closure of the debate. He or she may propose the suspension or adjournment of the meeting or the adjournment of the debate on the item under discussion. The presiding officer, in the exercise of his or her functions, shall remain under the authority of the Conference.

Rule 51 **Voting**

The presiding officer shall not vote, but may appoint another member of his or her delegation to vote in his or her place.

Rule 52 **Public and private meetings**

Plenary meetings of the Conference shall be held in public unless declared private. Meetings of subsidiary bodies, including committees, shall be held in private unless designated otherwise. All decisions of the Conference taken at a private meeting shall be announced at an early public meeting. At the close of each private meeting of committees and other subsidiary bodies, the presiding officer may issue a communiqué through the Director-General.

Rule 53 **Quorum**

A majority of the Members of the Organisation shall constitute a quorum at the plenary meetings of the Conference.¹⁹

Rule 54 **Speeches**

No representative may address the Conference without having previously obtained the permission of the presiding officer. Subject to Rule 55, the presiding officer shall call upon speakers in the order they signify their desire to speak. Signatory States shall be called upon to speak after the last Member has spoken. The presiding officer may call a speaker to order if his or her remarks are not relevant to the subject under discussion.

Rule 55 **Precedence**

The presiding officer may accord precedence to the Chairman of the Executive Council and to the Chairman or other officer of a committee or any other subsidiary body of the Conference, for the purpose of explaining a report or recommendations submitted to the Conference. He or she may also accord precedence to the Director-General or his or her representative.

Rule 56 **Points of order**

During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided by the presiding officer in accordance with these Rules. A representative may appeal against the ruling of the presiding officer. The appeal shall be immediately put to the vote and the presiding officer's ruling shall stand unless overruled by a majority of the Members present and voting. A representative rising to a point of order may not speak on the substance of the matter under discussion.

Rule 57 **Time-limit on speeches**

The Conference may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. When debate is limited and a representative has spoken his or her allotted time, the presiding officer shall call him or her to order without delay.

¹⁹ Article VIII, paragraph 16.

Rule 58 Closing of list of speakers and right of reply

During the course of a debate the presiding officer may announce a list of speakers and, with the consent of the Conference, declare the list closed. He or she may, however, accord the right of reply to any representative if a speech delivered after the list has been closed makes this desirable.

Rule 59 Adjournment of debate

During the discussion of any matter, a representative may move the adjournment of the debate on the item under discussion. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the adjournment, after which the motion shall be immediately decided. The presiding officer may limit the time to be allowed to speakers under this Rule.

Rule 60 Closure of debate

A representative may at any time move the closure of the debate on the item under discussion, whether or not any other representative has signified his or her wish to speak. Permission to speak on the motion shall be accorded only to two representatives opposing the closure, after which the motion shall be immediately decided. If the Conference is in favour of the closure, the presiding officer shall declare the closure of the debate. The presiding officer may limit the time to be allowed to speakers under this Rule.

Rule 61 Suspension or adjournment of the meeting

A representative may at any time move the suspension or the adjournment of the meeting. The presiding officer may limit the time to be allowed to the speaker moving the suspension or adjournment of the meeting. No discussion on such motions shall be permitted and they shall be immediately decided.

Rule 62 Order of procedural motions

Subject to Rule 56 of these Rules, the following motions shall have precedence in the following order over all proposals or motions before the meetings:

- (a) To suspend the meeting;
- (b) To adjourn the meeting;
- (c) To adjourn the debate on the item under discussion; and
- (d) To close the debate on the item under discussion.

Rule 63 Proposals and amendments

Proposals and amendments shall normally be submitted in writing to the Director-General who shall circulate copies to all delegations. Unless the Conference decides otherwise, proposals shall not be discussed or considered for decision until the day after copies thereof have been circulated. The presiding officer may, however, permit the discussion and consideration of amendments, or of motions as to procedure, even though these amendments or motions have not been distributed or have been distributed the same day.

Rule 64 Decisions on competence

Subject to Rule 62 of these Rules, any motion calling for a decision on the competence of the Conference to adopt a proposal submitted to it shall be decided upon before a decision is taken on the proposal in question.

Rule 65 Withdrawal of proposals and motions

Any proposal or a motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that it has not been amended by decision of the Conference. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Rule 66 Reconsideration of proposals and amendments

When a proposal or amendment has been adopted or rejected, it shall not be reconsidered at the same session unless the Conference, by a two-thirds majority of the Members present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing reconsideration, after which the motion shall be immediately put to the vote.

X. DECISION MAKING

Rule 67 Voting rights

Each Member of the Organisation shall have one vote²⁰. A Member of the Organisation which is in arrears in the payment of its financial contribution to the Organisation shall have no vote in the Organisation if the amount of its arrears equals or exceeds the amount of the contribution due from it for the preceding two full years. The Conference may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member²¹.

Rule 68 Decisions on questions of procedure

The Conference shall take decisions on questions of procedure, including those pursuant to Rules 56 to 61, by a simple majority of the Members present and voting²².

Rule 69 Decisions on matters of substance

Decisions on matters of substance should be taken as far as possible by consensus. If consensus is not attainable when an issue comes up for decision, the presiding officer shall defer any vote for 24 hours and during this period of deferment shall make every effort to facilitate achievement of consensus, and shall report to the Conference before the end of this period. If consensus is not possible at the end of 24 hours, the Conference shall take the decision by a two-thirds majority of the Members present and voting unless specified otherwise in the Convention.²³

²⁰ Article VIII, paragraph 17.

²¹ Article VIII, paragraph 8.

²² Article VIII, paragraph 18.

²³ Article VIII, paragraph 18.

Rule 70 Decision whether the question is one of substance or not

When the issue arises as to whether the question is one of substance or not, that question shall be treated as a matter of substance unless otherwise decided by the Conference by the majority required for a decision on matters of substance.²⁴

Rule 71 Meaning of the phrase “Members present and voting”

For the purpose of these Rules, the phrase “Members present and voting” means Members casting a valid affirmative or negative vote. Members who abstain from voting shall be regarded as not voting.

Rule 72 Methods of voting

Except in elections to the Executive Council, the normal method of voting shall be by show of hands. Any representative may request a roll-call, which shall then be taken in the English alphabetical order of the names of the Members of the Organisation, beginning with the Member whose name is drawn by lot by the presiding officer. The name of each Member shall be called in all roll-calls, and its representative shall reply “yes”, “no” or “abstention”. The result of the vote shall be inserted in the record of the meeting.

Rule 73 Conduct during voting

After the presiding officer has announced the commencement of a vote, the voting shall not be interrupted until the result has been announced, except on a point of order in connection with the actual conduct of the voting.

Rule 74 Explanation of vote

Representatives may make brief statements consisting solely of explanations of a vote, before the voting has commenced or after the voting has been completed. Similarly, explanatory statements of position may be made in connection with a decision taken without a vote. The presiding officer may limit the time to be allowed for such explanations. The presiding officer shall not permit the proposer of a proposal or of an amendment to explain his or her vote on his or her own proposal or amendment.

Rule 75 Division of proposals and amendments

A representative may move that parts of a proposal or of an amendment shall be voted on separately. If objection is made to the request for division, the motion for division shall be first voted upon. Permission to speak on the motion for division shall be accorded only to two representatives in favour and two representatives against. If the motion for division is carried, those parts of the proposal or of the amendment which are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

²⁴ Article VIII, paragraph 18.

Rule 76 Voting on amendments

- (a) When an amendment to a proposal is moved, the amendment shall be voted first. When two or more amendments are moved to a proposal, the Conference shall first vote on the amendment deemed by the presiding officer to be furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on, until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.
- (b) A motion shall be considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

Rule 77 Voting on proposals

If two or more proposals relate to the same question, the Conference shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Conference may, after each vote on a proposal, decide whether to vote on the next proposal.

Rule 78 Equally divided votes

If a vote is equally divided in voting other than elections, the presiding officer will give additional time for reconsideration of the issue before the proposal is once again put to vote. In case the vote is still equally divided, the proposal voted upon shall be considered as not adopted.

XI. ELECTIONS

A. GENERAL PROVISIONS

Rule 79 Secret ballot

Members of the Executive Council shall be elected by acclamation by the Conference upon designation by a regional group. In case a regional group has been unable to agree on a complete slate, the Conference shall fill the seats pertaining to that group which have not been agreed upon within the group, by secret ballot, by a simple majority of Members present and voting. Other elections shall be by secret ballot if ten or more Members so request.

Rule 80 Elections to fill one elective place

When only one elective place is to be filled and no candidate obtains in the first ballot a majority required, a second ballot shall be taken which shall be restricted to the two candidates who obtained the largest number of votes in the first ballot. If in the second ballot the votes are equally divided, the presiding officer shall decide between the candidates by drawing lots.

Rule 81 Elections to fill two or more elective places

When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot the majority required shall be elected. If the

number of candidates obtaining the majority required is less than the number of elective places to be filled, there shall be no more than two ballots in respect of each elective place remaining to be filled. If in the first ballot for an unfilled elective place no candidate obtains the majority required, a second ballot shall be taken which shall be restricted to the two candidates who obtained the largest number of votes in the first ballot for that elective place. If in the second ballot for that elective place the votes are equally divided, the presiding officer shall decide between the candidates by drawing lots.

Rule 82 Appointment of the Director-General

The Director-General shall be appointed by the Conference upon the recommendation of the Executive Council for a term of four years, renewable for one further term, but not thereafter.

B. ELECTIONS TO THE EXECUTIVE COUNCIL²⁵

Rule 83 Elective places to be filled

Before the Conference at each regular session proceeds to elections to the Executive Council, the presiding officer shall indicate to the Conference those elective places on the Executive Council which must be filled so as to ensure that after the end of that session the Executive Council will be constituted in accordance with Article VIII, paragraph 23, of the Convention.²⁶

Rule 84 Ballot papers

There shall be a single ballot in respect of all the elective places to be filled. The ballot paper shall specify elective places which are to be designated by each regional group in the order that these groups are referred to in Article VIII, paragraph 23, of the Convention.

Rule 85 Invalid votes

In elections to the Executive Council invalid votes shall include those cast for a Member of the Organisation:

- (a) Which is not in that group referred to in Article VIII, paragraph 23, of the Convention;
- (b) Whose term of office as an elected Member will not expire at the end of the session in which the election is being held.

A ballot paper containing more names from the relevant group than the number of seats assigned to it will be declared invalid.

²⁵ Article VIII, paragraphs 23 and 24.

²⁶ In accordance with Article VIII, paragraph 24, for the first election of the Executive Council 20 members out of 41 shall be elected for a term of one year.

XII. CONDUCT OF MEETINGS OF COMMITTEES AND OTHER SUBSIDIARY BODIES

Rule 86 **Application of these Rules to committees and other subsidiary bodies**

Subject to any decision of the Conference and subject to these Rules, procedures governing the conduct of business in committees and other subsidiary bodies of the Conference shall conform as far as it is appropriate to the rules governing the conduct of business at plenary meetings of the Conference.

XIII. LANGUAGES AND DOCUMENTATION

Rule 87 **Official languages**

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Conference.

Rule 88 **Interpretation from other languages**

Any representative may make a speech in a language other than the official language provided that if he or she does so he or she shall himself or herself provide for interpretation into one of the official languages. In such cases, interpretation into the other official languages by the interpreters of the Secretariat may be based on the interpretation provided by the representative.

Rule 89 **Documents submitted by Members**

All documents submitted by a Member to the Secretariat shall be in one of the official languages of the Conference.

Rule 90 **Recommendations and decisions**

All recommendations, decisions and other important documents of the Conference shall be published in the official languages of the Conference and shall be distributed by the Secretariat to all Members of the Organisation as soon as possible.

Rule 91 **Reports**

- (a) Reports of plenary sessions of the Conference shall be issued by the Secretariat in the official languages of the Conference and shall contain the text of all recommendations and decisions of the Conference adopted at that session.
- (b) Reports of meetings of subsidiary bodies of the Conference and their recommendations shall be issued by the Secretariat, unless the Conference decides otherwise. Reports containing recommendations to, or otherwise requesting action or a decision to be taken by the Conference shall be issued in the official languages of the Conference.

Rule 92 **Official records**

A set of official records shall be maintained by the Secretariat in the official languages of the Conference, containing the text of all recommendations and decisions of the Conference, and recommendations of subsidiary bodies to plenary sessions of the Conference, as well as a complete list of all conference documents and reports.

XIV. AMENDMENT, SUSPENSION AND INTERPRETATION OF RULES

Rule 93 **Amendment of Rules**

These Rules may be amended by the Conference, subject to the provisions of the Convention, in accordance with the procedures for decisions on matters of substance as set forth in Rule 69 of these Rules and provided that the Conference has received a report on such amendment from an appropriate committee.

Rule 94 **Suspension of Rules**

Any of these Rules may be suspended, subject to the provisions of the Convention, by a decision of the Conference taken in accordance with the procedures for decisions on matters of substance as set forth in Rule 69 of these Rules.

Rule 95 **Interpretation of Rules**

The description of these Rules in the table of contents and the description prefixed to each Rule shall be disregarded in the interpretation of these Rules.

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