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PROVISIONAL RULES OF PROCEDURE

Contents

<u>Rule</u>	<u>Page</u>
I. REPRESENTATION AND CREDENTIALS	
1. Composition of delegations	5
2. Alternates and advisers	5
3. Submission of credentials	5
4. Credentials Committee	5
5. Provisional participation in the Conference	5
II. OFFICERS	
6. Election	6
7. General powers of the President	6
8. Acting President	6
9. Replacement of the President	6
10. The President shall not vote	7

Contents (continued)

<u>Rule</u>	<u>Page</u>
GENERAL COMMITTEE	
11. Composition	7
12. Substitute members	7
13. Functions	7
IV. SECRETARIAT	
14. Duties of the Secretary-General	7
15. Duties of the secretariat	8
16. Statements by the secretariat	8
V. CONDUCT OF BUSINESS	
17. Quorum	8
18. Speeches	8
19. Precedence	9
20. Points of order	9
21. Closing of list of speakers	9
22. Right of reply	9
23. Adjournment of debate	10
24. Closure of debate	10
25. Suspension or adjournment of the meeting	10
26. Order of motions	10
27. Basic proposals	10
28. Other proposals and amendments	11
29. Decisions on competence	11
30. Withdrawal of proposals, amendments and motions	11

Contents (continued)

<u>Rule</u>	<u>Page</u>
31. Reconsideration of proposals	11
32. Invitations to technical advisers	12
VI. VOTING	
33. Voting rights	12
34. Majority required	12
35. Meaning of the expression "representatives present and voting"	12
36. Method of voting	12
37. Conduct during voting	13
38. Explanation of vote	13
39. Division of proposals and amendments	13
40. Voting on amendments	13
41. Voting on proposals	13
42,	13
43	14
and	
44. Elections	14
45. Equally divided votes	14
VII. COMMITTEES	
46. Committee of the Whole	14
47. Drafting Committee	15
48. Officers	15
49. Quorum	15
50. Officers, conduct of business and voting	15

Contents (Continued)

<u>Rule</u>	<u>Page</u>
VIII. LANGUAGE AND RECORDS	
51. Languages of the Conference	16
52. Interpretation	16
53. Records and sound recordings of meetings	16
54. Language of official documents	16
IX. PUBLIC AND PRIVATE MEETINGS	
55. Plenary meetings and meetings of committees	16
56. Meetings of sub-committees or working groups	16
57. Communiqués to the press	17
X. OTHER PARTICIPANTS AND OBSERVERS	
58. Representatives of the United Nations Council for Namibia	17
59. Representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under the auspices of the General Assembly in the capacity of observer	17
60. Representatives of national liberation movements	17
61. Representatives of United Nations organs and agencies	17
62. Observers for other international organizations	18
XI. AMENDMENTS TO THE RULES OF PROCEDURE	
63. Method of amendment	18

I. REPRESENTATION AND CREDENTIALS

Composition of delegations

Rule 1

The delegation of each State participating in the Conference shall consist of a head of delegation and such other accredited representatives, alternate representatives and advisers as may be required.

Alternates and advisers

Rule 2

An alternate representative or an adviser may act as a representative upon designation by the head of delegation.

Submission of credentials

Rule 3

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Executive Secretary of the Conference if possible not later than 24 hours after the opening of the Conference. Any later change in the composition of delegations shall also be submitted to the Executive Secretary. The credentials shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs.

Credentials Committee

Rule 4

A Credentials Committee shall be appointed at the beginning of the Conference. It shall consist of not more than seven members, who shall be appointed by the Conference on the proposal of the President. It shall examine the credentials of representatives and report to the Conference without delay.

Provisional participation in the Conference

Rule 5

Pending a decision of the Conference upon their credentials, representatives shall be entitled to participate provisionally in the Conference.

II. OFFICERS

Elections

Rule 6

The Conference shall elect a President, two Vice-Presidents, and a Rapporteur. The Conference may also elect such other officers as it deems necessary for the performance of its functions.

General powers of the President

Rule 7

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall preside at the plenary meetings of the Conference and at the meetings of the Committee of the Whole, declare the opening and closing of each meeting, direct the discussion, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. The President shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times each representative may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

2. The President, in the exercise of his functions, remains under the authority of the Conference.

Acting President

Rule 8

1. If the President finds it necessary to be absent from a meeting or any part thereof, he shall designate a Vice-President to take his place.

2. A Vice-President acting as President shall have the powers and duties of the President.

Replacement of the President

Rule 9

If the President is unable to perform his functions, a new President shall be elected.

The President shall not vote

Rule 10

The President, or a Vice-President acting as President, shall not vote in the Conference, but shall designate another member of his delegation to vote in his place.

III. GENERAL COMMITTEE

Composition

Rule 11

There shall be a General Committee which shall comprise the President and Vice-Presidents of the Conference, the Rapporteur and the Chairman of the Drafting Committee. The President of the Conference, or in his absence, one of the Vice-Presidents designated by him, shall serve as Chairman of the General Committee.

Substitute members

Rule 12

If the President, a Vice-President, or the Rapporteur finds it necessary to be absent during a meeting of the General Committee, he may designate a member of his delegation to sit and vote in the Committee. In the case of absence, the Chairman of the Drafting Committee shall designate a member of the Drafting Committee. When serving on the General Committee, the member of the Drafting Committee shall not have the right to vote if he is of the same delegation as another member of the General Committee.

Functions

Rule 13

The General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the co-ordination of its work.

IV. SECRETARIAT

Duties of the Secretary-General

Rule 14

1. The Executive Director of the United Nations Environment Programme shall be the Secretary-General of the Conference. He, or his representative, shall act in that capacity in all meetings of the Conference and its committees.
2. The Secretary-General of the Conference shall appoint an Executive Secretary of the Conference and shall provide and direct the staff required by the Conference and its committees.

Duties of the secretariat

Rule 15

The secretariat of the Conference shall, in accordance with these rules:

- (a) Interpret speeches made at meetings;
- (b) Receive, translate, reproduce and distribute the documents of the Conference;
- (c) Publish and circulate the official documents of the Conference;
- (d) Make and arrange for the keeping of sound recordings of meetings;
- (e) Arrange for the custody and preservation of the documents of the Conference in the archives of the United Nations; and
- (f) Generally perform all other work that the Conference may require.

Statements by the secretariat

Rule 16

The Secretary-General of the Conference or any other member of the staff designated for that purpose may at any time make either oral or written statements concerning any question under consideration.

V. CONDUCT OF BUSINESS

Quorum

Rule 17

The President may declare a meeting open and permit the debate to proceed when representatives of at least one third of the States participating in the Conference are present. The presence of representatives of a majority of the States so participating shall be required for any decision to be taken.

Speeches

Rule 18

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 19, 20 and 23 to 25, the President shall call upon speakers in the order in which they signify their desire to speak. The Secretariat shall be in charge of drawing up a list of such speakers. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

2. The Conference may limit the time allowed to each speaker and the number of times each representative may speak on a question. Before a decision is taken, two representatives may speak in favour of, and two against, a proposal to set such limits. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Precedence

Rule 19

The chairman or rapporteur of a committee, or the representative of a sub-committee or working group, may be accorded precedence for the purpose of explaining the conclusions arrived at by his committee, sub-committee or working group.

Points of order

Rule 20

During the discussion of any matter, a representative may at any time raise a point of order, which shall be decided immediately by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be put to the vote immediately, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Closing of list of speakers

Rule 21

During the course of a debate the President may announce the list of speakers and, with the consent of the Conference, declare the list closed.

Right of reply

Rule 22

The right of reply shall be accorded by the President to a representative of a State participating in the Conference who requests it. Any other representative may be granted the opportunity to make a reply. Representatives should attempt, in exercising this right, to be as brief as possible.

Adjournment of debate

Rule 23

During the discussion of any matter, a representative may move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall be put to the vote immediately.

Closure of debate

Rule 24

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be put immediately to the vote.

Suspension or adjournment of the meeting

Rule 25

During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be put immediately to the vote.

Order of motions

Rule 26

Subject to rule 20, the motions indicated below shall have precedence in the following order over all proposals or other motions before the meeting:

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

Basic proposals

Rule 27

1. The Conference shall consider the question of the protection of the ozone layer. The Conference shall embody the results of its work in a final act to which shall be annexed a convention and such protocols and resolutions as the Conference may deem appropriate.

2. The basic proposals for consideration by the Conference shall be the draft convention for the protection of the ozone layer, and the draft protocol annexed to the final report of the Ad Hoc Working Group of Legal and Technical Experts for the Elaboration of a Global Framework Convention for the Protection of the Ozone Layer.

Other proposals and amendments

Rule 28

Other proposals and amendments thereto shall normally be submitted in writing to the Executive Secretary of the Conference, who shall circulate copies to all delegations. As a general rule no proposal shall be discussed or put to the vote at any meeting of the Conference unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments, or motions as to procedure, even though these amendments and motions have not been circulated or have only been circulated the same day.

Decisions on competence

Rule 29

Subject to rule 20, any motion calling for a decision on the competence of the Conference to discuss any matter or to adopt a proposal or an amendment submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal or amendment in question.

Withdrawal of proposals, amendments and motions

Rule 30

A proposal, an amendment 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. A proposal, an amendment or a motion which has thus been withdrawn may be reintroduced by any representative.

Reconsideration of proposals

Rule 31

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

Invitations to technical advisers

Rule 32

The Conference may invite to one or more of its meetings any person whose technical advice it may consider useful for its work.

VI. VOTING

Voting rights

Rule 33

Each State represented at the Conference shall have one vote.

Majority required

Rule 34

1. Decisions of the Conference on all matters of substance shall be taken by a two-thirds majority of the representatives present and voting.
2. Decisions of the Conference on matters of procedure shall be taken by a majority of the representatives present and voting.
3. If the question arises whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall be put to the vote immediately and the President's ruling shall stand unless overruled by a majority of the representatives present and voting.

Meaning of the expression "representatives present and voting"

Rule 35

For the purpose of these rules, the phrase "representatives present and voting" means representatives present and casting an affirmative or negative vote. Representatives who abstain from voting shall be considered as not voting.

Method of voting

Rule 36

The Conference shall normally vote by show of hands or by standing, but any representative may request a roll-call. The roll-call shall be taken in the English alphabetical order of the names of the States participating in the Conference, beginning with the delegation whose name is drawn by lot by the President.

Conduct during voting

Rule 37

The President shall announce the commencement of voting, after which no representative shall be permitted to intervene until the result of the vote has been announced, except on a point of order in connection with the process of voting.

Explanation of vote

Rule 38

Representatives may make brief statements consisting solely of explanation of their votes, before the voting has commenced or after the voting has been completed. The representative of a State sponsoring a proposal, amendment or motion shall not speak in explanation of vote thereon, except if it has been amended.

Division of proposals and amendments

Rule 39

A representative may move that parts of a proposal or an amendment shall be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. 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.

Voting on amendments

Rule 40

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall first vote on the amendment 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. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

Voting on proposals

Rule 41

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.

Elections

Rule 42

All elections shall be held by secret ballot unless otherwise decided by the Conference.

Rule 43

1. If, when one person or one delegation is to be elected, no candidate obtains in the first ballot a majority of the votes cast by the representatives present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the procedure set forth in paragraph 1 above.

Rule 44

When two or more elective places are to be filled at one time under the same conditions, those candidates, not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast by the representatives present and voting shall be elected. If the number of candidates obtaining such majority is less than the number of persons or delegations to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, to a number not more than twice the places remaining to be filled; provided that, after the third inconclusive ballot, votes may be cast for any eligible person or delegation. If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to the candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice the places remaining to be filled, and the following three ballots thereafter, shall be unrestricted, and so on until all the places have been filled.

Equally divided votes

Rule 45

If a vote is equally divided on matters other than elections, the proposal, amendment or motion shall be regarded as rejected.

VII. COMMITTEES

Committee of the Whole

Rule 46

The Conference shall establish a single Committee of the Whole, which may set up sub-committees or working groups.

Drafting Committee

Rule 47

1. The Conference shall establish a Drafting Committee consisting of not more than seven members. The members of the Committee shall be appointed by the Conference on the proposal of the General Committee. The Rapporteur participates ex officio, without a vote, in the work of the Drafting Committee.

2. The Drafting Committee shall prepare drafts and give advice on drafting as requested by the Conference or by the Committee of the Whole. It shall co-ordinate and review the drafting of all texts adopted, and shall report as appropriate either to the Conference or to the Committee of the Whole.

Officers

Rule 48

Except as otherwise provided in rules 6 and 7, each committee, sub-committee and working group shall elect its own officers.

Quorum

Rule 49

1. The Chairman of the Committee of the Whole may declare a meeting open and permit the debate to proceed when representatives of at least one quarter of the States participating in the Conference are present. The presence of representatives of a majority of the States so participating shall be required for any decision to be taken.

2. A majority of the representatives on the General, Drafting or Credentials Committee or on any sub-committee or working groups shall constitute a quorum.

Officers, conduct of business and voting

Rule 50

The rules contained in chapters II, V and VI above shall be applicable, mutatis mutandis, to the proceedings of committees, sub-committees and working groups, except that:

(a) The Chairman of the General, Drafting and Credentials Committees and the chairmen of sub-committees and working groups may exercise the right to vote, and

(b) Decisions of committees, sub-committees and working groups shall be taken by a majority of the representatives present and voting, except that the reconsideration of a proposal or an amendment shall require the majority established by rule 31.

VIII. LANGUAGES AND RECORDS

Languages of the Conference

Rule 51

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

Interpretation

Rule 52

1. Speeches made in a language of the Conference shall be interpreted into the other such languages.

2. A representative may speak in a language other than a language of the Conference. In this case he shall himself provide for interpretation into one of the languages of the Conference, and interpretation into the other languages by the interpreters of the Secretariat may be based on the interpretation given in the first such language.

Sound recordings of meetings

Rule 53

The Secretariat shall make sound recordings of meetings of the Conference and the Committee of the Whole. Such recordings shall be made of meetings of other committees, sub-committees or working groups when the body concerned so decides.

Language of official documents

Rule 54

Official documents shall be made available in the language of the Conference.

IX. PUBLIC AND PRIVATE MEETINGS

Plenary meetings and meetings of committees

Rule 55

The plenary meetings of the Conference and the meetings of committees shall be held in public unless the body concerned decides otherwise.

Meetings of sub-committees or working groups

Rule 56

As a general rule meetings of a sub-committee or working group shall be held in private.

Communiqués to the press

Rule 57

At the close of any private meeting a communiqué may be issued to the press through the Executive Secretary.

X. OTHER PARTICIPANTS AND OBSERVERS

Representatives of the United Nations Council for Namibia

Rule 58

Representatives designated by the United Nations Council for Namibia may participate in the deliberations of the Conference, the Committee of the Whole, and other committees, sub-committees or working groups, in accordance with the relevant resolutions and decisions of the General Assembly.

Representatives of organizations that have received a standing invitation from the General Assembly to participate in the sessions and work of all international conferences convened under the auspices of the General Assembly in the capacity of observer

Rule 59

Representatives designated by organizations that have received a standing invitation from the General Assembly to participate in the sessions and work

/...

of all international conferences convened under the auspices of the General Assembly have the right to participate as observers, without the right to vote, in the deliberations of the Conference, the Committee of the Whole and, as appropriate, other committees, sub-committees or working groups.

Representatives of national liberation movements

Rule 60

Representatives designated by national liberation movements invited to the Conference may participate as observers, without the right to vote, in the deliberations of the Conference, the Committee of the Whole and, as appropriate, other committees, sub-committees or working groups.

Representatives of United Nations organs and agencies

Rule 61

Representatives designated by organs of the United Nations, the specialized agencies and the International Atomic Energy Agency may participate as observers, without the right to vote, in the deliberations of the Conference, the Committee of the Whole and, as appropriate, other committees, sub-committees or working groups.

Observers for other international organizations

Rule 62

Observers designated by other international organizations invited to the Conference may participate, without the right to vote, in the deliberations of the Conference, the Committee of the Whole and, as appropriate, other committees, sub-committees or working groups.

XI. AMENDMENTS TO THE RULES OF PROCEDURE

Method of amendment

Rule 63

These rules of procedure may be amended by a decision of the Conference taken by a two-thirds majority of the representatives present and voting.
