

United Nations
ECONOMIC
AND
SOCIAL COUNCIL

Nations Unies
CONSEIL
ECONOMIQUE
ET SOCIAL

UNRESTRICTED

E/CN.12/2
15 April 1948

ORIGINAL: ENGLISH

ECONOMIC COMMISSION FOR LATIN AMERICA

PROVISIONAL RULES OF PROCEDURE

Covering Note by the Secretariat

In its resolution of 25 March 1948 establishing the Economic Commission for Latin America, the Economic and Social Council set out the Commission's Terms of Reference (document E/712/Rev.1). In these Terms of Reference it is stated that the Commission "shall adopt its own rules of procedure, including the method of selecting its Chairman". The Secretariat is therefore submitting the attached draft of provisional rules of procedure which follow in large measure the Rules of Procedure of the Economic Commission for Asia and the Far East (as adopted in Shanghai on 20 June 1947 - document E/CN.11/2/Rev.1). The few significant points in which this draft differs from the Rules of Procedure of that Commission are consequent on differences in the Terms of Reference of the two bodies. These rules, together with an explanation as to why they differ, are set out below:

Rule 2 states: "The Commission shall at each session, with the concurrence of the Secretary-General, decide upon the place of meeting for its next session, with due consideration for the principle that the countries of Latin America be chosen in rotation."

This rule was inserted to take into account provisions to that effect in paragraph 15 of the Commission's Terms of Reference.

Rule 5 states: "The Commission shall invite representatives of specialized agencies to attend its meetings and to participate, without vote, in its deliberations with respect to items on its agenda relating to matters within the scope of their activities; and may invite observers from such other inter-governmental organizations as it may consider desirable in accordance with the practices of the Council."

This rule reproduces paragraph 7 (a) of the Terms of Reference which takes into account the right of participation of the specialized agencies provided for in the Charter (Article 70), and in the agreements between the United Nations and the specialized agencies.

/Rule 6 states:

Rule 6 states: "The Commission shall make arrangements for consultation with non-governmental organizations which have been granted consultative status by the Economic and Social Council, in accordance with the principles approved by the Council for this purpose."

This rule reproduces paragraph 7 (b) of the Terms of Reference and thus takes into account the arrangements for consultation with non-governmental organizations provided for in the Charter (Article 71), and the arrangements approved by the Economic and Social Council at its Second Session. In this regard it should be noted that at its Sixth Session the Economic and Social Council drew attention to the omission of such a rule from the Rules of Procedure of the Economic Commission for Asia and the Far East, and requested that Commission to "consider the formulation of Rules of Procedure providing for consultation with non-governmental organizations (document E/770, Part IV)".

Rule 7 states: "The Commission shall invite the Pan American Union to nominate a representative to attend meetings of the Commission in a consultative capacity."

This rule gives recognition to the special position of the Pan American Union as indicated in paragraph 9 of the Terms of Reference.

Rule 8 states: "The provisional agenda for each session shall be drawn up by the Executive-Secretary in consultation with the Chairman and shall be communicated to the members of the Commission, to the specialized agencies, to the non-governmental organizations in Category (a), and to the appropriate non-governmental organizations in Categories (b) and (c) together with the notice convening the Commission."

The first part of this rule follows a similar rule of the Economic Commission for Asia and the Far East. The second part gives recognition to Rule 5 of the Rules of Procedure of the Functional Commissions as amended on 5 March 1948 (document E/770).

Rule 9 (e) states: "The provisional agenda for any session shall include:

.....

(e) items proposed by non-governmental organizations in Category (a)."

This wording follows that used in the Rules of Procedure of the Functional Commissions (Rule 6 (3), document E/565).

/Rule 10 states:

Rule 10 states: "Before the Executive-Secretary places an item proposed by a specialized agency or a non-governmental organization in Category (a) on the provisional agenda, he shall carry out with the agency or organization concerned such preliminary consultations as may be necessary."

This follows the wording of Rule 7 of the Rules of Procedure of the Functional Commissions (document E/565).

Rule 47 states: "English, French and Spanish shall be the official and working languages of the Commission."

Rule 48 states: "Speeches made in any of the working languages shall be interpreted into the other working languages."

The formulation in these two rules follows the provisions in the Rules of Procedure of the Economic Commission for Europe (Rules 40 and 41), except that for practical reasons Spanish has been substituted for Russian.

Rules 48, 49 and 50, relating to the Commission's records, follow closely Rules 43, 44, and 45 of the Rules of Procedure of the Economic Commission for Asia and the Far East. However, an appropriate reference has been made to the Pan American Union in the light of paragraph 9 of the Terms of Reference, and recognition has also been given to Rule 44 of the Functional Commissions as amended on 5 March 1948.

It is assumed that the Economic Commission for Latin America may wish to refer to a special committee the preparation of its own rules of procedure, taking into consideration those adopted by the Economic Commission for Asia and the Far East.

/ECONOMIC COMMISSION

ECONOMIC COMMISSION FOR LATIN AMERICA

PROVISIONAL RULES OF PROCEDURE

Proposed by the Secretariat

CHAPTER I - SESSIONS

Rule 1

Sessions of the Commission shall be held

- (a) on dates fixed by the Commission, after consultation with the Executive-Secretary, at previous meetings
- (b) within forty-five days of the communication to the Executive-Secretary of a request to that effect by the Economic and Social Council
- (c) at the request of the majority of the members of the Commission, after consultation with the Executive-Secretary
- (d) on such other occasions as the Chairman, in consultation with the Vice-Chairman and the Executive-Secretary, deems necessary.

Rule 2

The Commission shall at each session, with the concurrence of the Secretary-General, decide upon the place of meeting for its next session, with due consideration for the principle that the countries of Latin America be chosen in rotation.

Rule 3

The Executive-Secretary shall, at least twenty-one days before the commencement of a session, distribute a notice of the opening date of the session, together with a copy of the provisional agenda.

Rule 4

The Commission shall invite any Member of the United Nations not a member of the Commission to participate in a consultative capacity in its consideration of any matter of particular concern to that Member.

Rule 5

The Commission shall invite representatives of specialized agencies to attend its meetings and to participate, without vote, in its deliberations with respect to items on its agenda relating to matters within the scope of their activities; and may invite observers from such other inter-governmental organizations as it may consider desirable in accordance with the practices of the Council.

Rule 6

The Commission shall make arrangements for consultation with non-governmental organizations which have been granted consultative status by the Economic and Social Council, in accordance with the principles approved by the Council for this purpose.

/Rule 7

Rule 7

The Commission shall invite the Pan American Union to nominate a representative to attend meetings of the Commission in a consultative capacity.

CHAPTER II - AGENDA

Rule 8

The provisional agenda for each session shall be drawn up by the Executive-Secretary in consultation with the Chairman and shall be communicated to the members of the Commission, to the specialized agencies, to the non-governmental organizations in Category (a), and to the appropriate non-governmental organizations in Categories (b) and (c), together with the notice convening the Commission.

Rule 9

The provisional agenda for any session shall include

- (a) items arising from previous sessions of the Commission;
- (b) items proposed by the Economic and Social Council;
- (c) items proposed by any member of the Commission;
- (d) items proposed by a specialized agency in accordance with the agreements of relationship concluded between the United Nations and such agencies;
- (e) items proposed by non-governmental organizations in Category (a); and
- (f) any other items which the Chairman or the Executive-Secretary sees fit to include.

Rule 10

Before the Executive-Secretary places an item proposed by a specialized agency or a non-governmental organization in Category (a) on the provisional agenda, he shall carry out with the agency or organization concerned such preliminary consultations as may be necessary.

Rule 11

The first item upon the provisional agenda for each session shall be the adoption of the agenda.

Rule 12

The Commission may amend the agenda at any time.

CHAPTER III - REPRESENTATION AND CREDENTIALS

Rule 13

Each member shall be represented on the Commission by an accredited representative.

Rule 14

A representative may be accompanied to the sessions of the Commission by alternate representatives and advisers and, when absent, he may be replaced by an alternate representative.

/Rule 15

Rule 15

The credentials of each representative appointed to the Commission, together with a designation of alternate representatives, shall be submitted to the Executive-Secretary without delay.

Rule 16

The Chairman and the Vice-Chairman shall examine the credentials and report upon them to the Commission.

CHAPTER IV - OFFICERS

Rule 17

The Commission shall, at its first meeting of each year, elect from among its representatives a Chairman and a Vice-Chairman who shall hold office until their successors are elected. They shall be eligible for re-election.

Rule 18

If the Chairman is absent from a meeting, or any part thereof, the Vice-Chairman shall preside.

Rule 19

If the Chairman ceases to represent a member of the Commission, or if so incapacitated that he can no longer hold office, the Vice-Chairman shall become Chairman for the unexpired portion of the term. In that case, or if the Vice-Chairman ceases to represent a member of the Commission, or if so incapacitated that he can no longer hold office, the Commission shall elect another Vice-Chairman for the unexpired portion of the term.

Rule 20

The Vice-Chairman acting as Chairman shall have the same powers and duties as the Chairman.

Rule 21

The Chairman or the Vice-Chairman acting as Chairman shall participate in the meetings of the Commission as such and not as the representative of the member by whom he was accredited. The Commission shall admit an alternate representative to represent that member in the meetings of the Commission and to exercise its right to vote.

CHAPTER V - SECRETARIAT

Rule 22

The Executive-Secretary shall act in that capacity at all meetings of the Commission and of its sub-commissions, other subsidiary bodies and committees. He may appoint another member of the staff to take his place at any meeting.

Rule 23

The Executive-Secretary or his representative may at any meeting make either oral or written statements concerning any question under consideration.

/Rule 24

Rule 24

The Executive-Secretary shall direct the staff provided by the Secretary-General and required by the Commission, its sub-commissions, and any other subsidiary bodies and committees.

Rule 25

The Executive-Secretary shall be responsible for the necessary arrangements being made for meetings.

Rule 26

The Executive-Secretary in carrying out his functions shall act on behalf of the Secretary-General.

CHAPTER VI - CONDUCT OF BUSINESS

Rule 27

A majority of the members of the Commission shall constitute a quorum.

Rule 28

In addition to exercising the powers conferred upon him elsewhere by these rules, the Chairman shall declare the opening and closing of each meeting of the Commission, shall direct the discussion, ensure the observance of these rules, and shall accord the right to speak, put questions to the vote and announce decisions. The Chairman may also call a speaker to order if his remarks are not relevant to the subject under discussion.

Rule 29

During the discussion of any matter a representative may raise a point of order. In this case the Chairman shall immediately state his ruling. If it is challenged, the Chairman shall forthwith submit his ruling to the Commission for decision and it shall stand unless overruled.

Rule 30

During the discussion of any matter a representative may move the adjournment of the debate. Any such motion shall have priority. In addition to the proposer of the motion, one representative shall be allowed to speak in favour of, and one representative against the motion.

Rule 31

A representative may at any time move the closure of the debate whether or not any other representative has signified his wish to speak. Not more than two representatives may be granted permission to speak against the closure.

Rule 32

The Chairman shall take the sense of the Commission on a motion for closure. If the Commission is in favour of the closure, the Chairman shall declare the debate closed.

/Rule 33

Rule 33

The Commission may limit the time allowed to each speaker.

Rule 34

Upon a request of any member any motion and amendment thereto made by any speaker shall be given to the Chairman in writing and shall be read by him before any further speaker is called upon and also immediately before a vote is taken on such motion or amendment. The Chairman may direct that any motion or amendment be circulated to the members present before a vote is taken.

This rule shall not apply to formal motions such as one for closure or adjournment.

Rule 35

Principal motions and resolutions shall be put to the vote in the order of their submission unless the Commission decides otherwise.

Rule 36

When an amendment revises, adds to or deletes from a proposal, the amendment shall be put to the vote first, and if it is adopted, the amended proposal shall then be put to the vote.

Rule 37

If two or more amendments are moved to a proposal, the Commission shall vote first on the amendment furthest removed in substance from the original proposal, then, if necessary, on the amendment next furthest removed and so on, until all the amendments have been put to the vote.

Rule 38

The Commission may, at the request of a representative, decide to put a motion or resolution to the vote in parts. If this is done, the text resulting from the series of votes shall be put to the vote as a whole.

CHAPTER VII - VOTING

Rule 39

Each member of the Commission shall have one vote.

Rule 40

Decisions of the Commission shall be made by a majority of the members present and voting.

Rule 41

The Commission shall take no action in respect of any country without the agreement of the government of that country.

Rule 42

The Commission shall normally vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the members.

/Rule 43

Rule 43

All elections shall be decided by secret ballot.

Rule 44

If a vote is equally divided upon matters other than elections, a second vote shall be taken at the next meeting. If this vote also results in equality, the proposal shall be regarded as rejected.

CHAPTER VIII - LANGUAGES

Rule 45

English, French and Spanish shall be the official and working languages of the Commission.

Rule 46

Speeches made in any of the working languages shall be interpreted into the other working languages.

CHAPTER IX - RECORDS

Rule 47

Summary records of the meetings of the Commission shall be kept by the Secretariat. They shall be sent as soon as possible to the representatives of members and to the representatives of any other government agency or organization which participated in the meeting concerned. Such representatives shall inform the Secretariat not later than seventy-two hours after the circulation of any summary record of any changes they wish to have made.

Rule 48

The corrected version of the summary records of public meetings shall be distributed as soon as possible in accordance with the usual practice of the United Nations. This shall include distribution to Associate Members if and when admitted, to the Pan American Union and on appropriate occasions to governments admitted in a consultative capacity.

Rule 49

The corrected version of the summary records of private meetings shall be distributed as soon as possible to the Members of the Commission, to Associate Members if and when admitted, to any government participating in a consultative capacity in the meeting concerned, to the specialized agencies, and to the Pan American Union. They shall be distributed to all the Members of the United Nations if and when the Commission so decides.

Rule 50

As soon as possible the text of all reports, resolutions, recommendations, and other formal decisions made by the Commission, its sub-commissions or other subsidiary bodies and its committees shall be communicated to the Members of the Commission, to Associate Members if and when admitted, to all other Members
/of the

of the United Nations, to the specialized agencies, to non-governmental organizations in Category (a), to the appropriate non-governmental organizations in Categories (b) and (c), and to the Pan American Union.

CHAPTER X - PUBLICITY OF MEETINGS

Rule 51

The meetings of the Commission shall ordinarily be held in public. The Commission may decide that a particular meeting or meetings shall be held in private.

CHAPTER XI - SUB-COMMISSIONS, OTHER SUBSIDIARY BODIES AND COMMITTEES

Rule 52

The Commission may after discussion with any specialized agency concerned, and with the approval of the Economic and Social Council, establish such continually acting sub-commissions or other subsidiary bodies as it deems appropriate for facilitating the carrying out of its responsibilities and shall define the powers and composition of each of them. Such autonomy as may be necessary for the effective discharge of the technical responsibilities laid upon them may be delegated to them.

Rule 53

The Commission may establish such committees and sub-committees as it deems necessary to assist it in carrying out its tasks.

Rule 54

Sub-Commissions or other subsidiary bodies and committees and sub-committees shall adopt their own rules of procedure unless otherwise decided by the Commission.

CHAPTER XII - REPORTS

Rule 55

The Commission shall submit to the Economic and Social Council once a year a full report on its activities and plans, including those of any subsidiary bodies, and shall make interim reports at each regular session of the Council.

CHAPTER XIII - AMENDMENTS AND SUSPENSIONS

Rule 56

Any of these Rules of Procedure may be amended or suspended by the Commission provided that the proposed amendments or suspensions do not attempt to set aside the terms of reference laid down by the Economic and Social Council
