

TD/63/Rev.2

**UNITED NATIONS CONFERENCE ON TRADE  
AND DEVELOPMENT**

*Rules of Procedure*



**UNITED NATIONS**



UNITED NATIONS CONFERENCE ON TRADE  
AND DEVELOPMENT  
Geneva

## Rules of Procedure



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RULES OF PROCEDURE \*/

I. SESSIONS

Rule 1

The United Nations Conference on Trade and Development (hereinafter referred to as the Conference) shall normally meet at intervals of not more than four years. The General Assembly shall determine the date and location of the sessions of the Conference, taking into account the recommendations of the Conference or of the Trade and Development Board (hereinafter referred to as the Board).

NOTIFICATION OF DATE OF OPENING

Rule 2

The Secretary-General of the Conference shall, at least 60 days in advance of the opening of each session, communicate the date of the 1st meeting of the session to the members of the Conference, the President of the Board, the Chairmen of the Committees of the Board, the President of the General Assembly, the President of the Economic and Social Council, the appropriate United Nations bodies, the specialized agencies, the International Atomic Energy Agency, the intergovernmental bodies referred to in rule 80 below and the non-governmental organizations referred to in rule 81 below.

ADJOURNMENT OF SESSION

Rule 3

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

II. AGENDA

PROVISIONAL AGENDA

Rule 4

1. The provisional agenda for a session of the Conference shall be prepared by the Board on the basis of a list of items submitted by the Secretary-General of the Conference. Such a list shall include all items the inclusion of which has been decided upon by the Conference at a previous session and all items proposed by:

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\*/ As adopted by the Conference at its 37th plenary meeting on 1 February 1968, and as amended at its 101st plenary meeting on 25 April 1972 and its 198th plenary meeting on 29 June 1983. The present text also incorporates the amendment resulting from Conference resolution 86 (IV) of 28 May 1976 and General Assembly resolution 31/159 of 21 December 1976.

- (a) The Board;
- (b) A subsidiary organ of the Board established under paragraph 23 of General Assembly resolution 1995 (XIX);
- (c) A member of the Conference;
- (d) The Secretary-General of the Conference;
- (e) The General Assembly;
- (f) The Economic and Social Council;
- (g) The regional commissions;
- (h) A specialized agency, the International Atomic Energy Agency or an intergovernmental body referred to in rule 80 below.

2. Items proposed under (c) and (h) above shall be accompanied by an explanatory memorandum and, if possible, by basic documents or by a draft resolution, which shall be submitted to the Secretary-General of the Conference at least 90 days prior to the opening of the session.

3. Non-governmental organizations included in the list referred to in rule 81 below may propose for inclusion in the provisional agenda of the Conference items of special interest to the organizations.

The Board in considering a request from a non-governmental organization that an item be placed on the provisional agenda of the Conference shall take into account:

- (a) Whether or not the item can be considered appropriate for action by the Conference;
- (b) The extent to which it is considered that the item lends itself to early and constructive action by the Conference, and
- (c) The adequacy of the documentation submitted by the organization.

#### COMMUNICATION OF THE PROVISIONAL AGENDA

##### Rule 5

The provisional agenda shall be communicated by the Secretary-General of the Conference, at least 60 days in advance of the opening of the session, to the members of the Conference, the President of the Board, the Chairmen of the Committees of the Board, the President of the General Assembly, the President of the Economic and Social Council, the appropriate United Nations bodies, the specialized agencies, the International Atomic Energy Agency, the intergovernmental bodies referred to in rule 80 below and the non-governmental organizations referred to in rule 81 below.

## SUPPLEMENTARY ITEMS

### Rule 6

The Board, a member of the Conference and the Secretary-General of the Conference may, at least 30 days before the date fixed for the opening of a session, request the inclusion of supplementary items in the provisional agenda. The supplementary items shall be placed on a supplementary list, which shall be communicated by the Secretary-General of the Conference to the members of the Conference, together with such observations as the Secretary-General of the Conference may wish to make, at least 20 days before the date fixed for the opening of the session.

## ADDITIONAL ITEMS

### Rule 7

Additional items of an important and urgent character, proposed for inclusion in the agenda by any member of the Conference or the Secretary-General of the Conference less than 30 days before the opening of a session, or during a session, may be placed on the agenda if the Conference so decides by a majority of the members present and voting. No additional item may be considered until seven days have elapsed since it was placed on the agenda, unless the Conference by a two thirds majority of the members present and voting decides otherwise.

## ADOPTION OF THE AGENDA

### Rule 8

1. At the beginning of each session and after the election of the officers under rule 17, the Conference shall adopt its agenda for the session on the basis of the provisional agenda prepared by the Board of any supplementary list prepared under rule 6 and of any additional items proposed under rule 7.
2. The Conference shall normally include in its agenda for the session only items for which adequate documentation has been prepared.

### Rule 9

The Conference may allocate items between the plenary meetings of the Conference, the main committees and other sessional bodies set up in accordance with rules 62 and 63. The Conference may also refer items without preliminary debate in the Conference to:

- (a) The Board, for examination and report at a subsequent session of the Conference or of the Board;
- (b) The Secretary-General of the Conference, for study and report at a subsequent session of the Conference or of the Board; or
- (c) The proposer of the item, for further information or documentation.

AMENDMENT AND DELETION OF ITEMS

Rule 10

Items on the agenda may be amended or deleted by the Conference by a majority of the members present and voting.

III. REPRESENTATION AND CREDENTIALS

COMPOSITION OF DELEGATIONS

Rule 11

The delegation of each member of the Conference shall consist of accredited representatives and such alternate representatives and advisers as may be required.

ALTERNATES OR ADVISERS

Rule 12

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

SUBMISSION OF CREDENTIALS

Rule 13

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not less than one week before the date fixed for the opening of the session. The credentials shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs.

CREDENTIALS COMMITTEE

Rule 14

A Credentials Committee shall be appointed at the beginning of each session. It shall consist of nine members who shall be appointed by the Conference upon the proposal of the President. The Committee shall elect its own officers. It shall examine the credentials of representatives and report to the Conference.

PROVISIONAL PARTICIPATION AT THE CONFERENCE

Rule 15

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

#### IV. OFFICERS

##### TEMPORARY PRESIDENT

###### Rule 16

At the opening of each session of the Conference, the head of that delegation from which the President of the previous session was elected shall preside until the Conference has elected a President for the session.

##### ELECTIONS

###### Rule 17

The Conference shall elect a President, Vice-Presidents and a Rapporteur from among its members. The Vice-Presidents shall be elected after the election of the Chairmen of the main committees referred to in rule 65. In electing the officers, due account shall be taken of the need to ensure an equitable geographical distribution.

##### ACTING PRESIDENT

###### Rule 18

If the President is absent from a meeting or any part thereof, he shall appoint a Vice-President to take his place.

###### Rule 19

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

##### REPLACEMENT OF THE PRESIDENT

###### Rule 20

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

##### THE PRESIDENT SHALL NOT VOTE

###### Rule 21

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

## V. BUREAU OF THE CONFERENCE

### COMPOSITION

#### Rule 22

There shall be a Bureau of the Conference of 35 members, which shall comprise the President and Vice-Presidents of the Conference, the Chairmen of the main Committees and the Rapporteur of the Conference. The President of the Conference or, in his absence, a Vice-President designated by him, shall serve as Chairman of the Bureau of the Conference.

### SUBSTITUTE MEMBERS

#### Rule 23

If the President or a Vice-President of the Conference finds it necessary to be absent during a meeting of the Bureau of the Conference, he may designate a member of his delegation to sit and vote in the Bureau. The Chairman of a main committee shall, in case of absence, designate the Vice-Chairman of that committee as his substitute. A Vice-Chairman shall not have the right to vote if he is of the same delegation as another member of the Bureau of the Conference.

### FUNCTIONS

#### Rule 24

The Bureau of the Conference 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.

#### Rule 25

The Bureau shall meet periodically throughout each session to review the progress of the Conference and its main committees and other sessional bodies and to make recommendations for furthering such progress. It shall also meet at such other times as the President deems necessary or upon the request of any other of its members.

## VI. SECRETARIAT

### DUTIES OF THE SECRETARY-GENERAL OF THE CONFERENCE

#### Rule 26

The Secretary-General of the Conference shall act in that capacity in all meetings of the Conference and its sessional bodies. He may designate any officer of the secretariat to act as his representative.

#### Rule 27

The Secretary-General of the Conference shall direct the staff required by the Conference and its main committees and other sessional bodies.

Rule 28

The Secretary-General of the Conference shall be responsible for keeping the members of the Conference informed of any questions which may be brought before it for consideration.

Rule 29

The Secretary-General of the Conference, or his representative, may, subject to rule 34, make oral as well as written statements to the Conference and its main committees and other sessional bodies concerning any question under consideration.

Rule 30

The Secretary-General of the Conference shall be responsible for all the necessary arrangements for meetings of the Conference and of its main committees and other sessional bodies including the preparation and distribution of documentation, at least six weeks in advance of the sessions of the Conference.

DUTIES OF THE SECRETARIAT

Rule 31

The secretariat shall interpret speeches made at meetings; shall receive, translate and circulate the documents of the Conference and its main committees and other sessional bodies; shall publish and circulate the records of the sessions, the resolutions, the reports and relevant documentation of the Conference. It shall have the custody of the documents in the archives of the Conference and generally perform all other work which the Conference may require.

ESTIMATES OF EXPENDITURE

Rule 32

Before any proposal which involves expenditure from United Nations funds is approved by the Conference, or by any of its main committees and other sessional bodies, the Secretary-General of the Conference shall circulate to all members of the Conference or of the sessional body concerned, as early as possible, a report from the Secretary-General of the United Nations in terms of Financial Regulations 13.1 and 13.2 1/ on the estimated costs involved as well as on the administrative and budgetary implications with reference to existing authorizations and appropriations in accordance with the provisions of paragraph 29 of General Assembly resolution 1995 (XIX).

VII. CONDUCT OF BUSINESS

QUORUM

Rule 33

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

## POWERS OF THE PRESIDENT

### Rule 34

In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall declare the opening and closing of each meeting of the Conference, shall direct the discussion, ensure observance of these rules, accord the right to speak, put questions to the vote, announce decisions and perform the functions and duties entrusted to him under section VIII of these rules of procedure. He 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 President may propose to the Conference the limitation of 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 may also propose the suspension or the adjournment of the meetings or of the debate on the question under discussion.

### Rule 35

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

## SPEECHES

### Rule 36

No person may address the Conference without having previously obtained the permission of the President. Subject to rules 37 and 38 the President shall call upon speakers in the order in which they signify their desire to speak. The President may call a speaker to order if his remarks are not relevant to the subject under discussion.

## PRECEDENCE

### Rule 37

The Chairman, Vice-Chairman or Rapporteur of a main committee, or the representative of any other sessional body may be accorded precedence for the purpose of explaining the conclusion arrived at by the committee or sessional body concerned and for the purpose of replying to questions.

## POINTS OF ORDER

### Rule 38

1. During the discussion of any matter, a representative may at any time rise to a point of order, and the point of order shall be immediately decided by the President in accordance with the rules of procedure. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the ruling of the President shall stand unless the appeal is approved by a majority of the members present and voting.



2. A representative rising to a point of order may not speak on the substance of the matter under discussion.

#### TIME-LIMIT ON SPEECHES

##### Rule 39

The Conference may limit the time to be allowed to each speaker and the number of times each representative may speak on any question, except on procedural questions, when the President shall limit each intervention to a maximum of five minutes. When debate is limited and a representative has spoken his allotted time, the President shall call him to order without delay.

#### CLOSING OF THE LIST OF SPEAKERS

##### Rule 40

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. The President may, however, accord the right of reply to any member if, in his opinion, a speech delivered after he has declared the list closed makes this desirable. When the debate of an item is concluded because there are no other speakers, the President, with the consent of the Conference, shall declare the debate closed.

#### ADJOURNMENT OF DEBATE

##### Rule 41

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, one representative may speak in favour of and one against the motion, after which the motion shall be immediately put to the vote.

#### CLOSURE OF DEBATE

##### Rule 42

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 immediately put to the vote. If the Conference is in favour of the closure, the President shall declare the closure of the debate.

#### SUSPENSION OR ADJOURNMENT OF THE MEETING

##### Rule 43

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

## ORDER OF PROCEDURAL MOTIONS

### Rule 44

Subject to rule 38, and regardless of the order in which they are submitted, the following motions shall have precedence in the following order over all other proposals or 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) For the closure of the debate on the question under discussion.

## PROPOSALS AND AMENDMENTS

### Rule 45

Proposals and amendments shall normally be introduced in writing and handed to the Secretary-General of the Conference, who shall circulate copies to the members. 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 members not later than the day preceding the meeting. Subject to the consent of the Conference, the President may, however, permit the discussion and consideration of proposals or amendments, even though these proposals or amendments have not been circulated or have only been circulated the same day.

## DECISIONS ON COMPETENCE

### Rule 46

Subject to rule 44, any motion calling for a decision on the competence of the Conference to adopt any proposals or any amendment submitted to it shall be put to the vote before a vote is taken on the proposal or amendment in question.

## WITHDRAWAL OF MOTIONS

### Rule 47

A motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been amended. A motion which has thus been withdrawn may be reintroduced by any member.

## VIII. PROCEDURES OF CONCILIATION 2/

### Rule 48

1. The procedures of conciliation shall be governed by paragraph 2 below, notwithstanding any provision of these rules of procedure which may be inconsistent therewith.

2. 3/ The procedures set forth in the present paragraph are designed to provide a process of conciliation to take place before voting and to provide an adequate basis for the adoption of recommendations with regard to proposals of a specific nature for action substantially affecting the economic or financial interests of particular countries.

"(a) Levels of conciliation

"The process of conciliation within the meaning of the present paragraph may take place under the conditions stated with regard to proposals which are before the Conference, the Board or Committees of the Board. In the case of Committees of the Board, the process of conciliation shall apply only to those matters, if any, with respect to which a Committee has been authorized to submit, without further approval, recommendations for action."

(b) Request for conciliation

A request for conciliation within the meaning of the present paragraph may be made:

- (i) In the case of proposals before the Conference, by at least 10 members of the Conference;
- (ii) In the case of proposals before the Board, by at least five members of the Conference, whether or not they are members of the Board;
- (iii) In the case of proposals before Committees of the Board, by three members of the Committee.

The request for conciliation under the present paragraph shall be submitted, as appropriate, to the President of the Conference or to the President of the Board. In the case of a request relating to a proposal before a Committee of the Board, the Chairman of the Committee concerned shall submit the request to the President of the Board.

(c) Initiation of conciliation by the President or Chairman

The process of conciliation within the meaning of the present paragraph may also be initiated whenever the President of the Conference, the President of the Board or the Chairman of the Committee concerned is satisfied that the required number of countries as specified in subparagraph (b) above are in favour of such conciliation. In cases where the process of conciliation is initiated at the level of a Committee, the Chairman of the Committee concerned shall refer the matter to the President of the Board for action to be taken in accordance with subparagraph (f) below.

(d) Time for request or initiation of conciliation

The request for conciliation (or the initiation or conciliation by the President or the Chairman, as the case may be) may be made only after the debate on the proposal has been concluded within the organ concerned and prior to the vote on that proposal. For the purposes of this provision, the Chairman of the organ concerned shall, at the conclusion of the debate on any proposal, afford an appropriate interval for the submission of requests for

conciliation before proceeding to the vote on the proposal in question. In the event that conciliation is requested or initiated, voting on the proposal in question shall be suspended and the procedures provided for below shall be followed.

(e) Subjects in regard to which conciliation is appropriate or excluded

The institution of the process of conciliation shall be automatic under the conditions stated in subparagraphs (b) and (c) above. The categories in (i) and (ii) below shall serve as guidelines:

- (i) Appropriate for conciliation shall be proposals of a specific nature for action substantially affecting the economic or financial interests of particular countries in the following fields:

Economic plans or programmes or economic or social readjustments;

Trade, monetary or tariff policies, or balance of payments;

Policies of economic assistance or transfer of resources;

Levels of employment, income, revenue or investment;

Rights or obligations under international agreements or treaties.

- (ii) Proposals in the following fields shall not require conciliation:

Any procedural matter:

Any proposal for study or investigation, including such proposals related to the preparation of legal instruments in the field of trade;

Establishment of subsidiary bodies of the Board within the scope of its competence;

Recommendations and declarations of a general character not calling for specific action;

Proposals involving action proposed in pursuance of recommendations which were unanimously adopted by the Conference.

(f) Nomination of a conciliation committee

When a request for conciliation is made or initiated, the presiding officer of the organ concerned shall immediately inform the organ. The President of the Conference or the President of the Board shall, as soon as possible, after consultation with the members of the organ concerned, nominate the members of a conciliation committee and submit the nominations for the approval of the Conference or the Board, as appropriate.

(g) Size and composition of the conciliation committee

The conciliation committee shall, as a rule, be small in size. Its members shall include countries especially interested in the matter with respect to which such conciliation was initiated and shall be selected on an equitable geographical basis.

(h) Procedure within the conciliation committee and submission of its report

The conciliation committee shall begin its work as soon as possible and it shall endeavour to reach agreement during the same session of the Conference or the Board. No vote shall take place in the conciliation committee. In the event that the conciliation committee is unable to conclude its work or fails to reach agreement at the same session of the Conference or the Board, it shall report to the next session of the Board or to the next session of the Conference, whichever meets earlier. However, the Conference may instruct the conciliation committee appointed by it to submit its report to the following session of the Conference in the event that the committee shall not have concluded its work or shall have failed to reach agreement during the same session of the Conference.

(i) Extension of the mandate of the conciliation committee

A proposal to continue a conciliation committee beyond the session at which it is required to report shall be decided by a simple majority.

(j) Report of the conciliation committee

The report of the conciliation committee shall indicate whether or not the committee was able to reach an agreement and whether or not the committee recommends a further period of conciliation. The report of the committee shall be made available to the members of the Conference.

(k) Action on the report of the conciliation committee

The report of the conciliation committee shall have priority on the agenda of the organ to which it is submitted. If the organ adopts a resolution on the proposal which was the subject of the report of the conciliation committee, that resolution shall refer explicitly to the report of the conciliation committee and to the conclusion reached by the conciliation committee in the following form, as appropriate:

"Noting the report of the Conciliation Committee appointed on (date) (document number),

Noting also that the Conciliation Committee [was able to reach an agreement] [recommends a further period of conciliation] [was unable to reach agreement],"

(l) Reports of the Board and the Conference

The reports of the Board to the Conference and to the General Assembly and the reports of the Conference to the Assembly shall include, inter alia:

- (i) The texts of all recommendations, resolutions and declarations adopted by the Board or the Conference during the period covered by the report;
- (ii) In respect of recommendations and resolutions which are adopted after a process of conciliation, there shall also be included a record of the voting on each recommendation or resolution, together with the texts of the reports of the conciliation committees concerned. In the report, the record of voting and the texts of the reports shall normally follow the resolutions to which they pertain.

(m) Good offices of the Secretary-General of the Conference

The good offices of the Secretary-General of the Conference shall be utilized as fully as practicable in connection with the process of conciliation.

(n) Proposals involving changes in the fundamental provisions of the present resolution

A process of conciliation shall also be applied under the terms and conditions laid down above in regard to any proposal for a recommendation to the General Assembly which would involve changes in the fundamental provisions of the present resolution. Any question as to whether a particular provision shall be considered fundamental for the purposes of the present subparagraph shall be determined by a simple majority of the Conference or the Board.

#### IX. VOTING

##### Rule 49

Each member of the Conference shall have one vote.

#### REQUIRED MAJORITIES

##### Rule 50

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

#### MEANING OF THE EXPRESSION "MEMBERS PRESENT AND VOTING"

##### Rule 51

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

#### METHOD OF VOTING

##### Rule 52

Subject to rule 58, the Conference shall normally vote by show of hands, but any representative may request a roll-call, which shall then be taken in alphabetical order of the names of the members, beginning with the member whose name is drawn by lot by the President.

#### RECORDING OF ROLL-CALL

##### Rule 53

The vote of each member participating in a roll-call shall be inserted in the record.

#### CONDUCT DURING VOTING

##### Rule 54

After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting. The President may permit members to explain their votes either before or after the voting, except when the vote is taken by secret ballot. The President may limit the time to be allowed for such explanations. The President shall not permit the proposer of a proposal or of an amendment to explain his vote on his own proposal or amendment.

#### DIVISION OF PROPOSALS OR AMENDMENTS

##### Rule 55

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 voted upon. Permission to speak on the motion for division shall be given only to two speakers in favour and two speakers 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.

#### VOTING ON AMENDMENTS

##### Rule 56

1. 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. If no amendments are adopted, the proposal shall be put to the vote in its original form.

2. A motion is considered an amendment to a proposal if it adds to, deletes from or revises part of that proposal.

#### VOTING ON PROPOSALS

##### Rule 57

1. 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.

2. Any motions requiring that no decision be taken on the substance of such proposals shall, however, be considered as previous questions and shall be put to the vote before them.

#### ELECTIONS

##### Rule 58

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

##### Rule 59

1. If, when one person or member only is to be elected, no candidate obtains in the first ballot the majority required, a second ballot shall be taken, restricted to the two candidates obtaining the largest number of votes. 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 the candidates obtaining the second largest number of votes, a special ballot shall be held for the purpose of reducing the number of candidates to two. In the case of a tie 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 preceding paragraph.

##### Rule 60

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

2. If the number of candidates obtaining such majority is less than the number of places to be filled, there shall be held additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, who shall number not more than twice the places remaining to be filled. However, in the case of a tie



between a greater number of unsuccessful candidates a special ballot shall be held for the purpose of reducing the number of candidates to the required number.

3. If three restricted ballots are inconclusive, unrestricted ballots shall follow in which votes may be cast for any eligible person or member. If three such unrestricted ballots are inconclusive, the next three ballots (subject to exception in the case similar to that of the tie mentioned at the end of the previous paragraph of this rule) shall be restricted to the candidates obtaining the greatest number of votes in the third of the unrestricted ballots. The number of such candidates shall not be more than twice the places remaining to be filled.

4. The following three ballots thereafter shall be unrestricted and so on, until all the places are filled.

#### EQUALLY DIVIDED VOTES

##### Rule 61

If a vote is equally divided on matters other than elections, a second vote shall be taken at a subsequent meeting which shall be held within 48 hours of the first vote, and it shall be expressly mentioned in the agenda that a second vote will be taken on the matter in question. If this vote also results in equality, the proposal shall be regarded as rejected.

#### X. SESSIONAL BODIES

##### MAIN COMMITTEES AND OTHER SESSIONAL BODIES

##### Rule 62

1. In addition to the Credentials Committee, the Conference shall establish main committees in accordance with the relevant recommendations of the Board and such other sessional bodies as it deems necessary for the performance of its functions.

2. Each member of the Conference may be represented by one person on each main committee. Unless the Conference decides otherwise, members of other sessional bodies shall be nominated by the President in consultation with the Bureau and subject to the approval of the Conference.

##### SUB-COMMITTEES AND WORKING PARTIES

##### Rule 63

Each main committee or sessional body may set up such sub-committees and working parties as may be required.

##### CO-ORDINATION BY THE BUREAU

##### Rule 64

Questions affecting the co-ordination of their work may be referred by the main committees and other sessional bodies to the Bureau, which may make

such arrangements as it thinks fit, including the holding of joint meetings of sessional bodies and the establishment of joint working groups. The Bureau shall appoint or arrange for the appointment of the Chairman of any such joint body.

#### OFFICERS

##### Rule 65

Each main committee shall elect its own Chairman, Vice-Chairman and Rapporteur. These officers shall be elected on the basis of equitable geographical distribution, experience and personal competence. These elections shall be held by secret ballot unless the committee decides otherwise. Other sessional bodies shall elect their own officers as required.

#### QUORUM

##### Rule 66

One third of the members of a main committee or of any other sessional body shall constitute a quorum. The presence of a majority of the members of the main committee or sessional body is, however, required for a question to be put to the vote.

#### CONDUCT OF BUSINESS, PROCEDURES OF CONCILIATION AND VOTING

##### Rule 67

The rules contained in sections VII, VIII and IX above shall be applied in the proceedings of the main committees and other sessional bodies except that decisions of committees and sessional bodies shall be taken by a majority of the representatives present and voting.

#### PRIORITIES

##### Rule 68

Each main committee and sessional body, taking into account the closing date of the session, shall adopt its own priorities as may be necessary to complete the consideration of the items referred to it.

#### XI. LANGUAGES AND RECORDS

##### OFFICIAL AND WORKING LANGUAGES

##### Rule 69

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

## INTERPRETATION FROM OFFICIAL LANGUAGES

### Rule 70

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

## INTERPRETATION FROM OTHER LANGUAGES

### Rule 71

Any representative may make a speech in a language other than the official languages. In this case he shall himself provide for interpretation into one of the official languages. Interpretation into the other official languages by an interpreter of the secretariat may be based on the interpretation given in the first official language.

## LANGUAGE OF SUMMARY RECORDS

### Rule 72

Summary records of the Conference and its main committees shall be drawn up in the working languages. A translation of the whole or part of any summary record into any of the other official languages shall be furnished if requested by any delegation.

## LANGUAGE OF DOCUMENTS, RESOLUTIONS AND OTHER FORMAL ACTIONS

### Rule 73

All documents, resolutions, recommendations and other formal decisions of the Conference as well as its reports to the General Assembly shall be made available in the official languages.

## SUMMARY RECORDS OF PUBLIC MEETINGS

### Rule 74

1. Summary records authorized by the General Assembly for public meetings of the Conference and of its main committees shall be prepared by the secretariat. They shall be distributed in provisional form as soon as possible to all members of the Conference, who may, within three working days of their receipt by delegations submit corrections to the secretariat. Any disagreement concerning such corrections shall be decided by the President of the Conference or by the Chairman of the committee to which the summary record relates, after consulting the sound records of the proceedings. At the end of sessions and in other special circumstances, the President of the Conference or the Chairman of the committee concerned may, in consultation with the Secretary-General of the Conference, on giving previous notice, extend the time for submitting corrections.

2. The summary records of the Conference, and its main committees with any such corrections incorporated shall be distributed promptly to the members

of the Conference, to the specialized agencies, to the International Atomic Energy Agency and to the intergovernmental bodies referred to in rule 80 below. Separate corrigenda shall not normally be issued.

#### RECORDS OF PRIVATE MEETINGS

##### Rule 75

The records of private meetings of the Conference, and of its main committees shall be distributed promptly to the members of the Conference. They may be made public at such time and under such conditions as the Conference may decide.

#### RESOLUTIONS AND OTHER FORMAL ACTIONS

##### Rule 76

As soon as possible, the text of the resolutions, recommendations and other formal decisions adopted by the Conference shall be distributed by the secretariat to all members of the Conference. The printed text of such resolutions, recommendations and other formal decisions as well as of the reports of the Conference to the General Assembly shall be distributed as soon as possible after the close of the session to all the members of the Conference and to the specialized agencies, the International Atomic Energy Agency and the intergovernmental bodies referred to in rule 80 below.

#### SOUND RECORDS OF MEETINGS

##### Rule 77

Sound records of the meetings of the Conference and of its main committees shall be kept by the secretariat in accordance with the practice of the United Nations.

#### XII. PUBLIC AND PRIVATE MEETINGS

##### Rule 78

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

##### Rule 79

At the close of a private meeting, the Conference, its main committees and other sessional bodies may decide to issue a communiqué through the Secretary-General of the Conference.

XIII. PARTICIPATION OF SPECIALIZED AGENCIES, THE INTERNATIONAL ATOMIC ENERGY AGENCY AND OTHER INTERGOVERNMENTAL BODIES

Rule 80

1. Representatives of specialized agencies, the International Atomic Energy Agency and the intergovernmental bodies referred to in paragraphs 18 and 19 of General Assembly resolution 1995 (XIX) which are designated for this purpose by the Conference or the Board, may participate, without the right to vote, in the deliberations of the Conference, its main committees and other sessional bodies upon the invitation of the President or Chairman, as the case may be, on questions within the scope of their activities.

2. Written statements of specialized agencies, the International Atomic Energy Agency and intergovernmental bodies referred to in paragraph 1 above, related to items on the agenda of the Conference, shall be circulated by the secretariat to members of the Conference.

XIV. OBSERVERS FROM NON-GOVERNMENTAL ORGANIZATIONS

Rule 81

1. Non-governmental organizations concerned with matters of trade and of trade as related to development referred to in paragraph 11 of General Assembly resolution 1995 (XIX) and included in the list referred to in the Arrangements for the participation of non-governmental organizations in the activities of UNCTAD, may designate representatives to sit as observers at public meetings of the Conference, its main committees and other sessional bodies. Upon the invitation of the President of the Conference or the Chairman of the main committee or of the sessional body, as the case may be, and subject to the approval of the Conference or of the sessional body concerned, non-governmental organizations may make oral statements on matters within the scope of their activities.

2. Written statements provided by non-governmental bodies referred to in paragraph 1 above, related to items on the agenda of the Conference shall be circulated by the secretariat to members of the Conference.

XV. AMENDMENT AND SUSPENSION OF RULES OF PROCEDURE

Rule 82

Subject to rules 83 and 84, the rules contained in sections I to V, VII and IX to XV of these rules of procedure may be amended or suspended by the Conference.

Rule 83

The rules referred to in rule 82 above may not be amended until the Conference has received a report on the proposed amendment from the Bureau of the Conference.

#### Rule 84

The rules referred to in rule 82 above may be suspended by the Conference provided that 24 hours' notice of the proposal for the suspension has been given. The notice may be waived if no member objects.

#### Notes

1/ These Regulations read as follows:

#### "FINANCIAL REGULATIONS AND RULES OF THE UNITED NATIONS

#### Article XIII. Resolutions involving expenditures

Regulation 13.1: No council, commission or other competent body shall take a decision involving either a change in the programme budget approved by the General Assembly or the possible requirement of expenditure unless it has received and taken account of a report from the Secretary-General on the programme budget implications of the proposal.

Regulation 13.2: Where, in the opinion of the Secretary-General, the proposed expenditure cannot be made from the existing appropriations, it shall not be incurred until the General Assembly has made the necessary appropriations, unless the Secretary-General certifies that provision can be made under the conditions of the resolution of the General Assembly relating to unforeseen and extraordinary expenses."

2/ The report of the Special Committee which drew up the conciliation procedures states, inter alia, that "... the Special Committee agrees that, while special conciliation could be conducted at the plenary level of the Conference, it should normally be conducted at the level of the sessional Committee concerned. The relevant Committee would normally be a committee of the whole and would have greater facilities available for adequate technical study and discussion of the proposal and for narrowing the differences between the parties concerned. If it could not arrive at a solution, it would be able to prepare the way for the Plenary of the Conference to arrive at a solution. Quite apart from these opportunities for conciliation at the session, the Conference might, either due to lack of time or to the need for further technical study, decide to appoint a conciliation committee to operate after the end of its session and report back to the Board, without necessarily waiting to submit its findings back to the Conference, which might meet only after three years." See: Proposals designed to establish a process of conciliation within the United Nations Conference on Trade and Development; report of the Special Committee (Official Records of the General Assembly, Nineteenth Session, Annexes, annex No. 13, document A/5749, para. 16).

3/ The text of this paragraph is identical to that of paragraph 25 of General Assembly resolution 1995 (XIX) and therefore contains, inter alia, provisions which do not specifically apply to the proceedings of the Conference.

Annex I

Establishment of the United Nations Conference on Trade and Development as an organ of the General Assembly

GENERAL ASSEMBLY RESOLUTION 1995 (XIX) OF 30 DECEMBER 1964, AS AMENDED BY GENERAL ASSEMBLY RESOLUTION 2904 (XXVII) OF 26 SEPTEMBER 1972, GENERAL ASSEMBLY RESOLUTIONS 31/2 A OF 29 SEPTEMBER 1976 AND 31/2 B OF 21 DECEMBER 1976, AND GENERAL ASSEMBLY RESOLUTION 34/3 OF 4 OCTOBER 1979

The General Assembly

Convinced that sustained efforts are necessary to raise the standards of living in all countries and to accelerate the economic growth of the developing countries,

Considering that international trade is an important instrument for economic development,

Recognizing that the United Nations Conference on Trade and Development has provided a unique opportunity to make a comprehensive review of the problems of trade and of trade in relation to economic development, particularly those problems affecting the developing countries,

Convinced that adequate and effectively functioning organizational arrangements are essential if the full contribution of international trade to the accelerated economic growth of the developing countries is to be successfully realized through the formulation and implementation of the necessary policies,

Taking into account that the operation of existing international institutions was examined by the United Nations Conference on Trade and Development, which recognized both their contributions and their limitations in dealing with all the problems of trade and related problems of development,

Believing that all States participating in the United Nations Conference on Trade and Development should make the most effective use of institutions and arrangements to which they are or may become parties,

Convinced that, at the same time, there should be a further review of both the present and the proposed institutional arrangements, in the light of the experience of their work and activities,

Taking note of the widespread desire among developing countries for a comprehensive trade organization,

Recognizing that further institutional arrangements are necessary in order to continue the work initiated by the Conference and to implement its recommendations and conclusions,

I

Establishes the United Nations Conference on Trade and Development as an organ of the General Assembly in accordance with the provisions set forth in section II below;

II

1. The members of the United Nations Conference on Trade and Development (hereinafter referred to as the Conference) shall be those States which are Members of the United Nations or members of the specialized agencies or of the International Atomic Energy Agency.

2. The Conference shall normally be convened at intervals of not more than four years. The General Assembly shall determine the date and location of the sessions of the Conference, taking into account the recommendations of the Conference or of the Trade and Development Board, established under paragraph 4 below.

3. The principal functions of the Conference shall be:

(a) To promote international trade, especially with a view to accelerating economic development, particularly trade between countries at different stages of development, between developing countries and between countries with different systems of economic and social organization, taking into account the functions performed by existing international organizations;

(b) To formulate principles and policies on international trade and related problems of economic development;

(c) To make proposals for putting the said principles and policies into effect and to take such other steps within its competence as may be relevant to this end, having regard to differences in economic systems and stages of development;

(d) Generally, to review and facilitate the co-ordination of activities of other institutions within the United Nations system in the field of international trade and related problems of economic development, and in this regard to co-operate with the General Assembly and the Economic and Social Council with respect to the performance of their responsibilities for co-ordination under the Charter of the United Nations;

(e) To initiate action, where appropriate, in co-operation with the competent organs of the United Nations for the negotiation and adoption of multilateral legal instruments in the field of trade, with due regard to the adequacy of existing organs of negotiation and without duplication of their activities;

(f) To be available as a centre for harmonizing the trade and related development policies of Governments and regional economic groupings in pursuance of Article 1 of the Charter;

(g) To deal with any other matters within the scope of its competence.



TRADE AND DEVELOPMENT BOARD

Composition

4. A permanent organ of the Conference, the Trade and Development Board (hereinafter referred to as the Board), shall be established as part of the United Nations machinery in the economic field.

5. Membership of the Board shall be open to all members of the Conference. Those members of the Conference wishing to become members of the Board shall communicate their intention to do so, in writing, to the Secretary-General of the Conference.

6. The lists of States contained in the annex shall be reviewed periodically by the Conference in the light of changes in membership of the Conference and other factors.

7. The Secretary-General of the Conference shall bring the communications referred to in paragraph 5 above to the attention of the President of the Board who, at the commencement of the following regular, special or resumed session of the Board, or during such session as the case may be, shall announce the membership of the Board. Membership of the Board shall be for an indefinite period, subject to the provisions of paragraph 8 below.

8. Any member of the Board wishing to relinquish its membership shall inform the Secretary-General of the Conference, in writing, of its intention to do so. The Secretary-General of the Conference shall bring such communications to the attention of the President of the Board who, at the commencement of the following regular, special or resumed session, or during such session as the case may be, shall announce the revised membership of the Board.

9. Each member of the Board shall have one representative with such alternates and advisers as may be required.

10. Any member of the Conference shall be entitled to participate in the deliberations of the Board on any item on its agenda of particular concern to that member, with all the rights and privileges of a Board member except the right to vote.

11. The Board may make arrangements for representatives of the intergovernmental bodies referred to in paragraphs 18 and 19 below to participate, without vote, in its deliberations and in those of the subsidiary bodies and working groups established by it. Such participation may also be offered to non-governmental organizations concerned with matters of trade and of trade as related to development.

12. The Board shall adopt its own rules of procedure.

13. The Board shall meet as required in accordance with its rules. It shall normally meet twice in any particular year.

## Functions

14. When the Conference is not in session, the Board shall carry out the functions that fall within the competence of the Conference.

15. In particular, the Board shall keep under review and take appropriate action within its competence for the implementation of the recommendations, declarations, resolutions and other decisions of the Conference and to ensure the continuity of its work.

16. The Board may make or initiate studies and reports in the field of trade and related problems of development.

17. The Board may request the Secretary-General of the United Nations to prepare such reports, studies or other documents as it may deem appropriate.

18. The Board shall, as required, make arrangements to obtain reports from and establish links with intergovernmental bodies whose activities are relevant to its functions. In order to avoid duplication it shall avail itself, whenever possible, of the relevant reports made to the Economic and Social Council and other United Nations bodies.

19. The Board shall establish close and continuous links with the regional economic commissions of the United Nations and it may establish such links with other relevant regional intergovernmental bodies.

20. In its relations with organs and agencies within the United Nations system, the Board shall act in conformity with the responsibilities of the Economic and Social Council under the Charter, particularly those of co-ordination, and with the relationship agreements with the agencies concerned.

21. The Board shall serve as a preparatory committee for future sessions of the Conference. To that end, it shall initiate the preparation of documents, including a provisional agenda, for consideration by the Conference, as well as make recommendations as to the appropriate date and place for its convening.

22. The Board shall report to the Conference and it shall also report annually on its activities to the General Assembly through the Economic and Social Council. The Council may transmit to the Assembly such comments on the reports as it may deem necessary.

23. The Board shall establish such subsidiary organs as may be necessary to the effective discharge of its functions. It shall establish, in particular, the following committees:

(a) A committee on commodities which, inter alia, will carry out the functions which are now performed by the Commission on International Commodity Trade and the Interim Co-ordinating Committee for International Commodity Arrangements;

(b) A committee on manufactures;

(c) A committee on invisibles and financing related to trade. The Board shall give special consideration to the appropriate institutional means for dealing with problems of shipping, and shall take into account the recommendations contained in annexes A.IV.21 and A.IV.22 of the Final Act of the Conference. a/

The terms of reference of the latter two subsidiary bodies and other subsidiary organs established by the Board shall be adopted after consultation with the appropriate organs of the United Nations and shall take fully into account the desirability of avoiding duplication and overlapping of responsibilities. In determining the size of the subsidiary organs and in electing their members, the Board shall take fully into account the desirability of including in the membership of these bodies member States with a special interest in the subject-matter to be dealt with by them. It may include any State member of the Conference, whether or not that State is represented on the Board. The Board will determine the terms of reference and rules of procedure of its subsidiary organs.

#### VOTING

24. Each State represented at the Conference shall have one vote. Decisions of the Conference on matters of substance shall be taken by a two thirds majority of the representatives present and voting. Decisions of the Conference on matters of procedure shall be taken by a majority of the representatives present and voting. Decisions of the Board shall be taken by a simple majority of the representatives present and voting.

#### PROCEDURES

25. The procedures set forth in the present paragraph are designed to provide a process of conciliation to take place before voting and to provide an adequate basis for the adoption of recommendations with regard to proposals of a specific nature for action substantially affecting the economic or financial interests of particular countries.

##### (a) Levels of conciliation

The process of conciliation within the meaning of the present paragraph may take place under the conditions stated with regard to proposals which are before the Conference, the Board or Committees of the Board. In the case of Committees of the Board, the process of conciliation shall apply only to those matters, if any, with respect to which a Committee has been authorized to submit, without further approval, recommendations for action.

##### (b) Request for conciliation

A request for conciliation within the meaning of the present paragraph may be made:

- (i) In the case of proposals before the Conference, by at least 10 members of the Conference;
- (ii) In the case of proposals before the Board, by at least five members of the Conference, whether or not they are members of the Board;
- (iii) In the case of proposals before Committees of the Board, by three members of the Committee.

The request for conciliation under the present paragraph shall be submitted, as appropriate, to the President of the Conference or to the President of the Board. In the case of a request relating to a proposal before a Committee of the Board, the Chairman of the Committee concerned shall submit the request to the President of the Board.

(c) Initiation of conciliation by a presiding officer

The process of conciliation within the meaning of the present paragraph may also be initiated whenever the President of the Conference, the President of the Board or the Chairman of the Committee concerned is satisfied that the required number of countries as specified in subparagraph (b) above are in favour of such conciliation. In cases where the process of conciliation is initiated at the level of a Committee, the Chairman of the Committee concerned shall refer the matter to the President of the Board for action to be taken in accordance with subparagraph (f) below.

(d) Time for request or initiation of conciliation

The request for conciliation (or the initiation of conciliation by the President of the Conference or the President of the Board, as the case may be) may be made only after the debate on the proposal has been concluded within the organ concerned and prior to the vote on that proposal. For the purposes of this provision, the presiding officer of the organ concerned shall, at the conclusion of the debate on any proposal, afford an appropriate interval for the submission of requests for conciliation before proceeding to the vote on the proposal in question. In the event that conciliation is requested or initiated, voting on the proposal in question shall be suspended and the procedures provided for below shall be followed.

(e) Subjects in regard to which conciliation is appropriate or excluded

The institution of the process of conciliation shall be automatic under the conditions stated in subparagraphs (b) and (c) above. The categories in (i) and (ii) below shall serve as guidelines:

- (i) Appropriate for conciliation shall be proposals of a specific nature for action substantially affecting the economic or financial interests of particular countries in the following fields:

Economic plans or programmes or economic or social readjustments;

Trade, monetary or tariff policies, or balance of payments;

Policies of economic assistance or transfer of resources;  
Levels of employment, income, revenue or investment;  
Rights or obligations under international agreements or treaties.

(ii) Proposals in the following fields shall not require conciliation:

Any procedural matter;

Any proposal for study or investigation, including such proposals related to the preparation of legal instruments in the field of trade;

Establishment of subsidiary bodies of the Board within the scope of its competence;

Recommendations and declarations of a general character not calling for specific action;

Proposals involving action proposed in pursuance of recommendations which were unanimously adopted by the Conference.

(f) Nomination of a conciliation committee

When a request for conciliation is made or initiated, the presiding officer of the organ concerned shall immediately inform the organ. The President of the Conference or the President of the Board shall, as soon as possible, after consultation with the members of the organ concerned, nominate the members of a conciliation committee and submit the nominations for the approval of the Conference or the Board, as appropriate.

(g) Size and composition of the conciliation committee

The conciliation committee shall, as a rule, be small in size. Its members shall include countries especially interested in the matter with respect to which such conciliation was initiated and shall be selected on an equitable geographical basis.

(h) Procedure within the conciliation committee and submission of its report

The conciliation committee shall begin its work as soon as possible and it shall endeavour to reach agreement during the same session of the Conference or the Board. No vote shall take place in the conciliation committee. In the event that the conciliation committee is unable to conclude its work or fails to reach agreement at the same session of the Conference or the Board, it shall report to the next session of the Board or to the next session of the Conference, whichever meets earlier. However, the Conference may instruct the conciliation committee appointed by it to submit its report to the following session of the Conference in the event that the committee shall not have concluded its work or shall have failed to reach agreement during the same session of the Conference.

(i) Extension of the mandate of the conciliation committee

A proposal to continue a conciliation committee beyond the session at which it is required to report shall be decided by a simple majority.

(j) Report of the conciliation committee

The report of the conciliation committee shall indicate whether or not the committee was able to reach an agreement and whether or not the committee recommends a further period of conciliation. The report of the committee shall be made available to the members of the Conference.

(k) Action on the report of the conciliation committee

The report of the conciliation committee shall have priority on the agenda of the organ to which it is submitted. If the organ adopts a resolution on the proposal which was the subject of the report of the conciliation committee, that resolution shall refer explicitly to the report of the conciliation committee and to the conclusion reached by the conciliation committee in the following form, as appropriate:

"Noting the report of the Conciliation Committee appointed on (date) (document number),

"Noting also that the Conciliation Committee [was able to reach an agreement] [recommends a further period of conciliation] [was unable to reach agreement],"

(l) Reports of the Board and the Conference

The reports of the Board to the Conference and to the General Assembly and the reports of the Conference to the Assembly shall include, inter alia:

- (i) The texts of all recommendations, resolutions and declarations adopted by the Board or the Conference during the period covered by the report;
- (ii) In respect of recommendations and resolutions which are adopted after a process of conciliation, there shall also be included a record of the voting on each recommendation or resolution, together with the texts of the reports of the conciliation committees concerned. In the report, the record of voting and the texts of the reports shall normally follow the resolution to which they pertain.

(m) Good offices of the Secretary-General of the Conference

The good offices of the Secretary-General of the Conference shall be utilized as fully as practicable in connection with the process of conciliation.

(n) Proposals involving changes in the fundamental provisions of the present resolution

A process of conciliation shall also be applied under the terms and conditions laid down above in regard to any proposal for a recommendation to

the General Assembly which would involve changes in the fundamental provisions of the present resolution. Any question as to whether a particular provision shall be considered fundamental for the purposes of the present subparagraph shall be determined by a simple majority of the Conference or the Board.

#### SECRETARIAT

26. Arrangements shall be made, in accordance with Article 101 of the Charter, for the immediate establishment of an adequate, permanent and full-time secretariat within the United Nations Secretariat for the proper servicing of the Conference, the Board and its subsidiary bodies.

27. The secretariat shall be headed by the Secretary-General of the Conference, who shall be appointed by the Secretary-General of the United Nations and confirmed by the General Assembly.

28. Adequate arrangements shall be made by the Secretary-General of the United Nations for close co-operation and co-ordination between the secretariat of the Conference and the Department of Economic and Social Affairs, including the secretariats of the regional economic commissions and other appropriate units of the United Nations Secretariat as well as with the secretariats of the specialized agencies.

#### FINANCIAL ARRANGEMENTS

29. The expenses of the Conference, its subsidiary bodies and secretariat shall be borne by the regular budget of the United Nations, which shall include a separate budgetary provision for such expenses. In accordance with the practice followed by the United Nations in similar cases, arrangements shall be made for assessments on States not members of the United Nations which participate in the Conference.

#### FUTURE INSTITUTIONAL ARRANGEMENTS

30. The Conference will review, in the light of experience, the effectiveness and further evolution of institutional arrangements with a view to recommending such changes and improvements as might be necessary.

31. To this end it will study all relevant subjects, including matters relating to the establishment of a comprehensive organization based on the entire membership of the United Nations system of organizations to deal with trade and with trade in relation to development.

32. The General Assembly expresses its intention to seek advice from the Conference before making changes in the fundamental provisions of the present resolution.

#### Note

a/ See Proceedings of the United Nations Conference on Trade and Development, Vol.I, Final Act and Report (United Nations publication, Sales No. : 64.II.B.11).

ANNEX

Lists of States referred to in paragraph 6 a/

A b/

Afghanistan	Malaysia
Algeria	Maldives
Angola	Mali
Bahrain	Mauritania
Banladesh	Mauritius
Benin	Mongolia
Bhutan	Morocco
Botswana	Mozambique
Burkina Faso	Namibia
Burma	Nepal
Burundi	Niger
Cameroon	Nigeria
Cape Verde	Oman
Central African Republic	Pakistan
Chad	Papua New Guinea
China	Philippines
Comoros	Qatar
Congo	Republic of Korea
Côte d'Ivoire	Rwanda
Democratic Kampuchea	Samoa
Democratic People's Republic of Korea	Sao Tome and Principe
Democratic Yemen	Saudi Arabia
Djibouti	Senegal
Egypt	Seychelles
Equatorial Guinea	Sierra Leone
Ethiopia	Singapore
Fiji	Solomon Islands
Gabon	Somalia
Gambia	South Africa
Ghana	Sri Lanka
Guinea	Sudan
Guinea-Bissau	Swaziland
India	Syrian Arab Republic
Indonesia	Thailand
Iran (Islamic Republic of)	Togo
Iraq	Tonga
Israel	Tunisia
Jordan	Uganda
Kenya	United Arab Emirates
Kuwait	United Republic of Tanzania
Lao People's Democratic Republic	Vanuatu
Lebanon	Viet Nam
Lesotho	Yemen
Liberia	Yugoslavia
Libyan Arab Jamahiriya	Zaire
Madagascar	Zambia
Malawi	Zimbabwe



Australia  
Austria  
Belgium  
Canada  
Cyprus  
Denmark  
Finland  
France  
Germany, Federal Republic of  
Greece  
Holy See  
Iceland  
Ireland  
Italy  
Japan  
Liechtenstein

Antigua and Barbuda  
Argentina  
Bahamas  
Barbados  
Belize  
Bolivia  
Brazil  
Chile  
Colombia  
Costa Rica  
Cuba  
Dominica  
Dominican Republic  
Ecuador  
El Salvador  
Grenada

Albania  
Bulgaria  
Byelorussian Soviet Socialist  
Republic  
Czechoslovakia  
German Democratic Republic

B

Luxembourg  
Malta  
Monaco  
Netherlands  
New Zealand  
Norway  
Portugal  
San Marino  
Spain  
Sweden  
Switzerland  
Turkey  
United Kingdom of Great Britain  
and Northern Ireland  
United States of America

C c/

Guatemala  
Guyana  
Haiti  
Honduras  
Jamaica  
Mexico  
Nicaragua  
Panama  
Paraguay  
Peru  
Saint Lucia  
Saint Vincent and the Grenadines  
Suriname  
Trinidad and Tobago  
Uruguay  
Venezuela

D

Hungary  
Poland  
Romania  
Ukrainian Soviet Socialist  
Republic  
Union of Soviet Socialist  
Republics

Notes

a/ As revised by the Conference at its sixth session in pursuance of paragraph 6 of General Assembly resolution 1995 (XIX).

b/ At its twenty-ninth session, the Trade and Development Board decided that, pending action by the Conference in pursuance of paragraph 6 of General Assembly resolution 1995 (XIX), Brunei Darussalam should, for the purposes of elections, be treated as if it were one of the group of countries listed in part A of the annex to the said resolution.

c/ At its first part of its twenty-seventh session, the Trade and Development Board decided that, pending action by the Conference in pursuance of paragraph 6 of General Assembly resolution 1995 (XIX), Saint Kitts and Nevis should, for the purposes of elections, be treated as if it were one of the group of countries listed in part C of the annex to the said resolution.

Annex II

Arrangements for the participation of non-governmental organizations in the activities of the United Nations Conference on Trade and Development a/

I. CRITERIA TO BE APPLIED IN THE ESTABLISHMENT OF THE LIST OF NON-GOVERNMENTAL ORGANIZATIONS PROVIDED FOR IN RULE 79 OF THE RULES OF PROCEDURE OF THE TRADE AND DEVELOPMENT BOARD

1. The organization shall be concerned with matters of trade and of trade as related to development. In this connection the organization shall provide the necessary evidence that it is concerned with matters falling within the terms of the functions which devolve upon the United Nations Conference on Trade and Development (UNCTAD) under General Assembly resolution 1995 (XIX) of 30 December 1964.

2. In considering an application from a non-governmental organization under rule 79 of the rules of procedure the Secretary-General of the Conference and the Bureau of the Board shall be guided by the principle that relationship arrangements are to be made, on the one hand, for the purpose of enabling the Board and/or its subsidiary bodies to secure information or advice from organizations having special competence in the subjects for which relationship arrangements are made, and, on the other hand, to enable organizations which represent important elements of public opinion to express their views. Therefore, the participation of each organization in the activities of UNCTAD should involve only the subjects for which that organization has a special competence or in which it has special interest.

3. The aims and purposes of the organization shall be in conformity with the spirit, purposes and principles of the Charter of the United Nations.

4. The organization shall undertake to support the work of UNCTAD and to promote knowledge of its principles and activities, in accordance with its own aims and purposes and the nature and scope of its competence and activities.

5. The organization shall be of recognized standing and shall represent a substantial proportion of the organized persons within the particular field in which it operates. To meet this requirement, a group of organizations may be represented by a joint committee or other body authorized to carry on consultations for the group as a whole. It is understood that when a minority opinion develops on a particular point within such a liaison committee, it will be presented to UNCTAD along with the opinion of the majority.

6. The organization shall have an established headquarters with an executive officer. It shall have a conference, convention or other policy-making body. In submitting its application under rule 79, the organization shall indicate the name of the executive officer, or of its authorized representative who shall be in charge of maintaining liaison with the Secretary-General of UNCTAD.

7. The organization shall have authority to speak for its members through its authorized representatives. Evidence of this authority shall be presented, if requested.

8. The organization shall be international in its structure, with members who exercise voting rights in relation to the policies or action of the international organizations. Any international organization which is not established by intergovernmental agreement shall be considered as a non-governmental organization for the purposes of rule 79.

9. An international organization which is a member of a committee or of a group composed of international organizations which has already been included in the list provided for in rule 79 shall not normally be included in the list.

10. In considering the inclusion of a non-governmental organization in the list provided for under rule 79, the Secretary-General of UNCTAD and the Bureau of the Board will take into account whether or not the field of activity of the organization is wholly or mainly within the field of a specialized agency or an intergovernmental organization of those referred to in paragraph 18 of General Assembly resolution 1995 (XIX).

11. In including a non-governmental organization in the list provided for in rule 79 regard shall be had to the nature and scope of its activities and to the assistance that may be expected by UNCTAD in carrying out the functions set out in General Assembly resolution 1995 (XIX).

12. In establishing the list provided for in rule 79, the Board shall distinguish between:

(a) Organizations which exercise functions, and have a basic interest, in most of the activities of the Board and which would, therefore, be entitled to the rights provided for in rule 79 of the Board at meetings of the Board, and under rule 78 of the Committees at meetings of all the Committees (to be known as organizations in the General Category); and

(b) Organizations which have a special competence in, and are concerned with, specific matters falling within the terms of reference of one or two Committees or of the Board itself and which would, therefore, be entitled to the rights provided for in rule 78 of the rules of procedure of the Committees concerned and, when the Board has these specific matters under consideration, the rights provided under rule 79 of the Board (to be known as organizations in the Special Category).

## II. PROCEDURES TO BE APPLIED BY THE BUREAU IN DISCHARGING ITS FUNCTIONS UNDER RULE 79 OF THE RULES OF PROCEDURE OF THE BOARD

1. The Bureau shall meet upon the recommendation of the Secretary-General of UNCTAD whenever matters falling within the terms of rule 79 must be considered. Whenever possible, the Secretary-General of UNCTAD shall also consult the members of the Bureau by mail.

2. The Bureau shall consider the applications which have been submitted to the Secretary-General of UNCTAD by non-governmental organizations as well as the explanatory memoranda and other documentation that the organizations may have attached to their applications. In this connection, due account

shall be taken of the recommendations and explanatory notes submitted by the Secretary-General regarding each application.

3. Upon the basis of the documentation submitted under paragraph 2 above and of the criteria for the establishment of relationship arrangements with non-governmental organizations, the Bureau shall then give advice to the Secretary-General of UNCTAD as to which non-governmental organizations should be included in the list provided for in rule 79. If required, the matter shall be put to the vote and decided by majority vote of the members of the Bureau present and voting. Any recommendation of the Bureau against the inclusion of a non-governmental organization in the list shall be considered as final.

#### III. ARRANGEMENTS FOR THE ASSOCIATION OF NATIONAL NON-GOVERNMENTAL ORGANIZATIONS WITH THE ACTIVITIES OF UNCTAD (THE REGISTER)

National non-governmental organizations of recognized standing which are deemed to have a significant contribution to make to the work of UNCTAD may be entered by the Secretary-General of UNCTAD in a Register established for that purpose. Entry in the Register of a national organization shall be subject to prior consultation with the member State concerned.

#### IV. SECRETARIAT RELATIONS WITH NON-GOVERNMENTAL ORGANIZATIONS

The Secretary-General of UNCTAD shall be authorized, within the means at his disposal, to offer to non-governmental organizations which are included in the list provided for in rule 79 (i.e. non-governmental organizations in the General and Special Categories) and to non-governmental organizations entered in the Register referred to in part III above, the following facilities:

1. Distribution of such documents of the Board and its subsidiary organs as shall in the judgement of the Secretary-General of UNCTAD be appropriate.
2. Access to the press documentation of UNCTAD and, periodically, to such other public information material relating to the activities of UNCTAD as may be considered appropriate.
3. Arrangements for informal discussions of matters of special interest to groups or organizations.

#### V. APPLICATION OF RULE 79 OF THE BOARD AND RULE 78 OF THE COMMITTEES OF THE BOARD

For the purposes of applying rule 79 of the Board and rule 78 of the Committees of the Board only non-governmental organizations admitted to either the General or the Special Category provided for in part I, paragraph 12, above shall be deemed to be included in the list referred to in those rules and, consequently, to be entitled to the rights set out therein.

172nd plenary meeting,  
20 September 1968.

#### Note

a/ Board decision 43 (VII) of 20 September 1968, replacing Board decision 14 (II) of 7 September 1965.



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