

Fifteenth Annual Conference of the High Contracting Parties to Amended Protocol II to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

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Item 4 of the agenda

Confirmation of the rules of procedure

Rules of procedure for annual conferences of the High Contracting Parties to the Amended Protocol II to the Convention on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects

(As amended by the Fifteenth Annual Conference held on 13 November 2013)

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Chapter I

Representation and credentials

Composition of delegations

Rule 1

1. Each State party to the Amended Protocol II to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (hereinafter “the Convention”) may be represented at the Annual Conference. States non-parties to the Amended Protocol II may participate as observers.

2. The delegation of each State participating in the Conference shall consist of a head of delegation and such other representatives, alternate representatives and advisers as may be required. An alternative representative or an adviser may act as a representative upon designation by the head of delegation.

Submission of credentials

Rule 2

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 later than 24 hours after the opening of the Conference. Any later change in the composition of delegations shall also be submitted to the Secretary-General of the Conference. The credentials shall be issued by the Head of State or Government, or by the Minister for Foreign Affairs.

Chapter II

Officers

Elections

Rule 3

The Conference shall elect from among the States parties participating in the Conference a President and 3 Vice-Presidents. These officers shall be elected so as to ensure the representative character of the General Committee provided for in Rule 7.

Acting President

Rule 4

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

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

Replacement of the President

Rule 5

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

Participation of the President in decision-making

Rule 6

The President, or a Vice-President acting as President, shall not participate in making decisions, but may designate another member of his delegation to do so in his place.

Chapter III

General Committee

Composition

Rule 7

The General Committee shall be composed of the President, who shall preside, 3 Vice-Presidents and the Chairmen of any other subsidiary organs.

Chairman

Rule 8

The President or, in his absence, one of the Vice-Presidents designated by him, shall serve as Chairman of the General Committee.

Functions

Rule 9

In addition to carrying out other functions provided for in these rules, the General Committee shall assist the President in the general conduct of the business of the Conference and, subject to decisions of the Conference, shall ensure the coordination of its work.

Chapter IV

Secretariat

Duties of the Secretary-General

Rule 10

1. There shall be a Secretary-General of the Conference. He shall act in that capacity in all meetings of the Conference, and of any other subsidiary organ, and may designate a member of the Secretariat to act in his place at these meetings.

2. The Secretary-General of the Conference shall direct the staff required by the Conference and its subsidiary organs.

Duties of the Secretariat

Rule 11

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

- (a) Interpret speeches made at meetings;
- (b) Receive, translate, reproduce and distribute the documents of the Conference;
- (c) Publish and circulate the instruments adopted by the Conference, including its Final Document, and all the official documents of the Conference;
- (d) Prepare and circulate summary records of plenary meetings;
- (e) Make and arrange for the keeping of sound recordings of meetings;
- (f) Arrange for the custody and preservation of the records of the Conference in the Archives of the United Nations; and
- (g) Generally perform all other work required in connection with the servicing of the Conference.

Statements by the Secretariat

Rule 12

The Secretary-General or any member of the Secretariat designated for that purpose may, subject to Rule 16, make either oral or written statements concerning any question under consideration.

Chapter V

Conduct of business

Quorum

Rule 13

A majority of the States parties to the Amended Protocol II participating in the Conference shall constitute a quorum.

General powers of the President

Rule 14

1. In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall preside at the plenary meetings of the Conference, declare the opening and closing of each such meeting, direct the discussions, accord the right to speak, put questions to the Conference for decision and announce such decisions. He shall rule on points of order and, subject to these rules, have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the

number of times the representatives of each participant may speak on a question, the adjournment or closure of the debate, and the suspension or the adjournment of a meeting.

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

Points of order

Rule 15

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

Speeches

Rule 16

1. No one may address the Conference without having previously obtained the permission of the President, who shall, subject to Rules 14 and 15 and 17 to 21, call upon speakers in the order in which they signify their desire to speak.

2. Debate shall be confined to the question before the Conference and the President may call a speaker to order if his remarks are not relevant to the subject under discussion.

3. The Conference may limit the time allowed to speakers and the number of times the representatives of each participant may speak on a question; a motion to set such limit shall be put to the Conference for decision immediately. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Precedence

Rule 17

The Chairman or another representative of a subsidiary organ may be accorded precedence for the purpose of explaining the conclusions arrived at by that organ.

Closing of the list of speakers

Rule 18

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. When there are no more speakers on the list, the President may declare the debate closed.

Rights of reply

Rule 19

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

as brief as possible and preferably to deliver their statements at the end of the meeting at which this right is requested.

Suspension or adjournment of the meeting

Rule 20

A representative may at any time move the suspension or the adjournment of the meeting. Such motions shall not be debated but shall be put to the Conference for decision immediately.

Adjournment of debate

Rule 21

A representative may at any time move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two representatives may speak in favour of and two against the motion, after which it shall be put to the Conference for decision immediately.

Closure of debate

Rule 22

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 a wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be put to the Conference for decision immediately.

Order of motions

Rule 23

Subject to rule 15, the following motions shall have precedence in the indicated 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;
- (d) To close the debate.

Submission of proposals and substantive amendments

Rule 24

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Conference, who shall circulate copies to all delegations in the languages of the Conference. As a general rule, no proposal shall be discussed or put to a decision unless copies of it have been circulated to all delegations in their respective working languages not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments, or motions as to procedure, even though these amendments and motions have not been circulated or have only been circulated the same day.

Withdrawal of proposals and motions

Rule 25

A proposal or motion may be withdrawn by its sponsor at any time before a decision on it has been taken, provided that it has not been amended. A proposal or motion thus withdrawn may be reintroduced by any representative.

Decisions on competence

Rule 26

Any motion calling for a decision on the competence of the Conference to discuss any matter or to adopt a proposal submitted to it shall be decided before the matter is discussed or a decision is taken on the proposal in question.

Reconsideration

Rule 27

When a proposal or motion has been adopted or rejected it may not be reconsidered unless the Conference takes a decision to that effect. Permission to speak on a motion to reconsider shall be accorded only to two speakers opposing reconsideration, after which the matter shall be put to the Conference for decision immediately.

Chapter VI

Decision-making

Adoption of decisions

Rule 28

The Conference shall conduct work and take decisions in accordance with established practice under the Convention. This practice does not derogate from the provision of Article 8 (1) (a) of the Convention with respect to the calling of a Conference of High Contracting Parties of the Convention to consider proposals for amendments.

Chapter VII

Subsidiary organs

Rule 29

If it deems appropriate for the conduct of its business the Conference may establish subsidiary organs open to the participation of all States Parties to the Amended Protocol II.

Officers

Rule 30

Each subsidiary organ shall have a chairman, a vice-chairman and such other officers as it considers necessary.

Applicable rules

Rule 31

The rules contained in Chapters II, V and VII shall be applicable, mutatis mutandis, to the proceedings of any subsidiary organs, except that:

- (a) The chairman of any subsidiary organ may participate in making decisions;
- (b) A majority of the representatives on any subsidiary organ of limited membership shall constitute a quorum.

Chapter VIII

Languages and records

Languages of the Conference

Rule 32

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

Interpretation

Rule 33

1. Speeches made in a language of the Conference shall be interpreted into the other such languages.
2. A representative may speak in a language other than a language of the Conference if he provides for interpretation into one such language. Interpretation into the other such languages by interpreters of the secretariat may be based on the interpretation given in the first such language.

Language of official documents

Rule 34

Official documents and all instruments adopted by the Conference, including its Final Document, shall be made available in the languages of the Conference.

Records and sound recordings of meetings

Rule 35

1. Summary records of the plenary meetings of the Conference shall be prepared and circulated as soon as possible in all the languages of the Conference, to all representatives, who shall inform the secretariat, within five working days after such circulation, of any corrections they wish to have made.
2. The secretariat shall make sound recordings of meetings of the Conference. Such recordings shall be made of meetings of any subsidiary organs when the body concerned or the organ that established it so decides.

Chapter IX

Public and private meetings

Rule 36

1. The plenary meetings of the Conference shall be held in public unless otherwise decided.
2. Meetings of other subsidiary organs established under Rule 29 shall be held in private.

Chapter X

Other participants and observers

Representatives of organizations which have been granted observer status in the United Nations

Rule 37

Representatives designated by any organization having been granted observer status in the United Nations by a resolution of the General Assembly may participate as observer in the deliberations of the Conference and in its subsidiary organs.

Representatives of United Nations organs, of related agencies and of other intergovernmental organizations

Rule 38

Representatives designated by organs of the United Nations, by specialized or other related agencies and by other intergovernmental organizations invited to the Conference may participate as observers in its deliberations and in its subsidiary organs.

International Committee of the Red Cross

Rule 39

Representatives designated by the International Committee of the Red Cross may participate as observers in the deliberations of the Conference and in its subsidiary organs in order, in particular, that the Conference may avail itself of the relevant expertise of the International Committee of the Red Cross.

Representatives of non-governmental organizations

Rule 40

1. Non-governmental organizations may designate representatives to attend public meetings of the Conference and to make available written contributions on matters on which they have a special competence, at their own cost. They will also be entitled upon request to receive the documents of the Conference.
2. Upon the invitation of the presiding officer of the plenary and subject to the approval of that body, representatives of such organizations may make oral statements on questions in which they have a special competence in plenary meetings.

Written statements

Rule 41

Written statements submitted by the designated representatives referred to in Rules 38, 39 and 40 shall be distributed by the Secretariat to all delegations in the quantities and in the languages in which the statements are made available to the Secretariat for distribution.

Chapter XI

Amendment or suspension of the rules of procedure

Method of amendment

Rule 42

These Rules may be amended by a decision of the Conference upon recommendation of the General Committee.

Method of suspension

Rule 43

These Rules may be suspended by a decision of the Conference, provided that 24 hours notice of the motion for suspension has been given, which may be waived if no representative objects; subsidiary organs may, by their own decisions, waive rules pertaining to them. Any suspension shall be limited to a specific and stated purpose and to the period required to achieve it.
