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**ECONOMIC COMMISSION FOR EUROPE**

INLAND TRANSPORT COMMITTEE

Diplomatic Conference Organized Jointly  
by CCNR, the Danube Commission and ECE  
for the Adoption of the Convention on  
the Contract for the Carriage of Goods  
by Inland Waterway  
(Budapest, 25 September – 3 October 2000,  
agenda item 4)

**ADOPTION OF THE RULES OF PROCEDURE**

Draft rules of procedure

**RULES OF PROCEDURE OF THE DIPLOMATIC CONFERENCE \*\***

Note: In the rules of procedure set out below, “CCNR” means the Central Commission for the Navigation of the Rhine, “DC” means the Danube Commission and “ECE” means the United Nations Economic Commission for Europe.

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\* Distributed by the Central Commission for the Navigation of the Rhine under the symbol CMNI/CONF.(00)1-Add.1.

\*\* Hereinafter referred to as the “Conference”.

## **CHAPTER I**

### **PARTICIPATION, COMPOSITION OF DELEGATIONS AND CREDENTIALS**

#### Rule 1

##### **Participation**

1. Every member State of CCNR, DC and ECE, particularly States having inland waterways which are part of the European inland waterways network, shall be entitled to participate in the Conference.
2. The following may participate in the discussions of the Conference on the invitation of the secretariat or, if they so request, in a consultative capacity and without the right to vote:
  - any Member State of the United Nations and the United Nations specialized agencies;
  - intergovernmental organizations and representatives of non-governmental organizations representing inland navigation and recognized as such by CCNR, DC and ECE.

#### Rule 2

##### **Composition of delegations**

1. Each member State shall be represented in the Conference by an accredited representative and such alternate representatives and advisers as may be deemed necessary.
2. An alternate representative or an adviser may be designated, if necessary, to act as a representative.

#### Rule 3

##### **Credentials**

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Executive Secretary of the Conference not less than one week, if possible, before the Conference opens. The credentials shall be issued by the Head of State or Government, the Minister for Foreign Affairs or any other authority duly empowered to do so by one of these.

#### Rule 4

##### **Credentials Committee**

A Credentials Committee of three members shall be appointed at the beginning of the Conference. It shall examine the credentials and report to the Conference without delay.

Rule 5

**Provisional participation in the Conference**

Pending a decision on their credentials by the Conference, representatives may participate provisionally in the Conference.

**CHAPTER II**

**OFFICERS**

Rule 6

**Election of officers**

The Conference shall elect a President and a Vice-President and one or two rapporteurs from among the representatives or alternate representatives of the participating States referred to in rule 1, paragraph 1.

Rule 7

**President**

1. The President, in the exercise of his/her functions, remains under the authority of the Conference.
2. In addition to the powers conferred upon him/her elsewhere by these rules, the President shall preside over the Conference. He/she shall declare the opening and closing of each meeting of the Conference, shall direct the discussion, ensure the observance of these rules, and shall accord the right to speak, put questions to the vote and announce decisions. The President may also decide a limitation on the time to be allowed to speakers and on the number of times each representative may speak on a question, the opening or closure of the debate and the suspension or the adjournment of a meeting.

Rule 8

**President ad interim**

1. If the President is absent from a meeting or any part thereof, he/she shall designate one of the Vice-Presidents to take his/her place.
2. A Vice-President acting as President shall have the same powers and perform the same duties as the President.

Rule 9

**Replacement of the President**

If the President is unable to continue to carry out his/her functions, the Conference shall elect one of the two Vice-Presidents as the new President. If the new President is unable to continue to carry out his/her functions, the other Vice-President designated by the Conference shall act as President for the unexpired portion of the term.

Rule 10

**Non-participation of the President in voting**

The President, or the Vice-President acting as President, shall not participate in the meetings of the Conference as the representative of the State by whom he/she was accredited. The Conference shall empower an alternate representative or an adviser to represent that State at the conference and to exercise its right to vote.

**CHAPTER III**

**SECRETARIAT**

Rule 11

**Secretariat**

The secretariat of the Conference shall be composed of the secretariats of CCNR, DC and ECE under the responsibility of an Executive Secretary. The Executive Secretary shall be designated by agreement among the three secretariats. Failing such agreement, he shall be designated by the Conference. The Executive Secretary shall act in consultation with the secretariats of CCNR, DC and ECE and with the competent authorities of the host country which shall make available the human and material resources required for the successful conduct of the Conference.

Rule 12

**Duties of the secretariat**

The secretariat shall be responsible for all necessary arrangements for the successful conduct of the Conference and in particular shall:

- (a) Interpret speeches made at meetings;
- (b) Receive, translate, reproduce and circulate the documents of the Conference;
- (c) Publish and circulate the official documents of the Conference;
- (d) Generally perform all other work that the Conference may entrust to it.

Rule 13

**Statements by the secretariat**

The secretariat may at any time make either oral or written statements concerning any question under consideration.

**CHAPTER IV**

**CONDUCT OF BUSINESS**

Rule 14

**Quorum**

A quorum shall be constituted when half of the representatives of the States participating in the Conference, referred to in rule 1, paragraph 1, are present. The presence of representatives of a majority of the States so participating shall be required for any decision to be taken.

Rule 15

**Speeches**

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 16 to 24, the President shall call upon speakers in the order in which they indicate their desire to speak. The secretariat shall draw up a list of speakers.
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 each participant may speak on any question. Permission to speak on a motion to set such limits shall be accorded only to one representative in favour of and to one opposing such limits, after which the motion shall be immediately put to the vote. In any event, with the consent of the Conference, the President shall limit each intervention on procedural matters to five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Rule 16

**Precedence**

Precedence may be accorded to the rapporteur.

Rule 17

**Point of order**

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

Rule 18

**Order of motions and resolutions**

Subject to rule 17, the following motions shall take precedence, in the order given below, over all other proposals or motions presented:

- (i) adjournment of the meeting;
- (ii) closure of the meeting;
- (iii) adjournment of the debate on the question under discussion;
- (iv) closure of the debate on the question under discussion.

Other motions and resolutions shall be put to the vote in the order in which they were submitted, unless the Conference decides otherwise.

Rule 19

**Closing of the list of speakers**

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

Rule 20

**Adjournment of the debate**

A representative may, during the discussion of any matter, move the adjournment of the debate. In addition to the proposer of the motion, one representative shall be allowed to speak in favour of, and one representative against, the motion.

Rule 21

**Closure of the debate**

(a) 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. Not more than two representatives may be granted permission to speak against the closure.

(b) The President shall take the sense of the Conference on a motion for closure. If the Conference is in favour of the closure, the President shall declare the debate closed.

Rule 22

**Adjournment or closure of the meeting**

During the discussion of an issue, a representative may request the adjournment or closure of the meeting. Motions of this nature shall not be debated but immediately put to the vote.

Rule 23

**Basic proposals**

The draft text of the Convention on the Contract for the Carriage of Goods by Inland Waterway, contained in document ECE/TRANS/CMNI/CONF/2 and CMNI/CONF.(99)2 constitute the basic proposals before the Conference for discussion.

Rule 24

**Other proposals and amendments**

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

Rule 25

**Withdrawal of a proposal, an amendment or a motion**

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

Rule 26

**Decision concerning competence**

Any motion to the effect that a decision must be taken on the competence of the Conference to adopt a proposal before it shall be put to the vote before the proposal in question is voted.

Rule 27

**Reopening of the discussion on a proposal or amendment**

When a proposal or an amendment has been adopted or rejected, it may not be reconsidered unless the Conference, by a two-thirds majority of the representatives present and voting, so decides.

Permission to speak on the motion to reconsider shall be accorded only to two speakers opposing the motion, after which it shall be put to the vote immediately.

**CHAPTER V**

**VOTING**

Rule 28

The Conference shall make its best endeavours to ensure that the work of the Conference is accomplished by general agreement.

Rule 29

**Right of vote**

Each State participating in the Conference, as referred to in rule 1, paragraph 1, shall have one vote.

Rule 30

**Majority required**

(a) The decisions of the Conference concerning all substantive issues, including the adoption of the draft CMNI Convention, shall be made by a two-thirds majority of the representatives present and voting;

(b) The decisions of the conference concerning all procedural issues shall be made by a majority of representatives present and voting;



(c) If the question arises as to whether an issue is substantive or procedural, the Conference shall decide by a majority of representatives present and voting.

(d) When a vote is equally divided, the proposal or the motion shall be regarded as rejected.

#### Rule 31

#### **Meaning of the expression “representatives present and voting”**

Within the meaning of these rules of procedure, the expression “representatives present and voting” shall mean representatives who vote in favour or against. Representatives who abstain from voting or who cast an invalid vote shall be considered as not voting.

#### Rule 32

#### **Method of voting**

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

#### Rule 33

#### **Rules to be observed during the vote**

After the President has announced the commencement of voting, no representative shall interrupt the vote except on a point of order in connection with the process of the vote in question. The President may, however, permit explanations of their votes by representatives either before or after the voting. The President may limit the time to the allowed for such explanations.

#### Rule 34

#### **Division of proposals**

Parts of a proposal may be voted on separately, if a representative requests that the proposal should be divided. Those parts of a proposal which have been approved shall then be put to the vote as a whole; if all the operative parts of a proposal have been rejected, the proposal shall be considered rejected as a whole. For the purpose of this rule, the word “proposal” shall be considered as including amendments.

#### Rule 35

#### **Vote on amendments**

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 on. A proposal is considered an amendment to another proposal if it merely adds to, deletes from or revises part of that proposal.

#### Rule 36

### **Vote on proposals**

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

#### Rule 37

### **Elections**

All elections shall be by secret ballot, unless, in the absence of any objection, the Conference decides to proceed without taking a ballot on one or more agreed candidates.

## **CHAPTER VI**

### **SUBSIDIARY BODIES**

#### Rule 38

1. The Conference may establish, as required, commissions, committees or working groups.
2. The rules contained in chapters II, V (except rule 14) and VI above shall be applicable, mutatis mutandis, to the proceedings of commissions, committees or working groups unless their decisions are taken by a majority of representatives present and voting.

## **CHAPTER VII**

### **LANGUAGES**

#### Rule 39

### **Official and working languages**

English, Dutch, French, German and Russian shall be the official languages of the Conference.

English, French, German and Russian shall be the working languages of the Conference.

Rule 40

**Interpretation**

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

**CHAPTER VIII**

**RECORDS**

Rule 41

The secretariat shall prepare the records of the decisions of plenary meetings of the Conference.

**CHAPTER IX**

**PUBLICITY OF MEETINGS**

Rule 42

The plenary meetings of the Conference shall be held in public unless the Conference decides otherwise. The meetings of the subsidiary bodies of the Conference shall be held in private unless the Conference decides otherwise.

**CHAPTER X**

**AMENDMENTS TO THE RULES OF PROCEDURE**

Rule 43

The Conference shall itself decide on the amendments to be made to these rules of procedure by a majority of representatives present and voting.

**CHAPTER XI**

**SIGNATURE OF THE INSTRUMENTS**

Rule 44

**Signature of the Final Act**

The Final Act resulting from the proceedings of the Conference shall be submitted to the delegations for signature.

Rule 45

**Signature of the Convention**

(a) The representatives or alternate representatives who sign the Convention or any other treaty instrument which may be established by the Conference and opened for signature must have full powers.

(b) The full powers shall be issued either by the Head of State or Government or the Minister for Foreign Affairs.

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