



General Assembly

Distr.
GENERALA/38/298 ^{1,2}
8 August 1983

ORIGINAL: ENGLISH

Thirty-eighth session
Item 138 of the provisional agenda*

DRAFT STANDARD RULES OF PROCEDURE FOR UNITED NATIONS CONFERENCES

Report of the Secretary-General

1. By paragraph 6 of its resolution 35/10 C of 3 November 1980, the General Assembly requested the Secretary-General to propose draft standard rules of procedure for special conferences of the United Nations, for consideration by the Assembly at its thirty-sixth session. In response to that request, the Secretary-General submitted a report (A/36/199 and Corr.1), which was referred to the Fifth Committee; on the recommendation of that Committee, the Assembly deferred consideration of the report to its thirty-seventh session and recommended that at that session it should be referred to the Sixth Committee (decision 36/427 of 10 December 1981). At its thirty-seventh session, the Assembly decided, on the recommendation of the Sixth Committee, to defer consideration of the reports that the Secretary-General had submitted to it at that session (A/37/163 and A/C.6/37/5) and to invite Governments and the international organizations concerned to communicate to the Secretary-General, by 1 May 1983, their observations on those reports (decision 37/428). The comments of Governments and international organizations will appear, together with an index, as an addendum to the present document. The draft rules, guidelines and model conference agreement annexed to the present report contain the version of the texts submitted to the Assembly at its thirty-seventh session, including the revisions issued thereto. 1/
2. The greatest part of the proposed rules (i.e., those following draft rule 16) follows closely the rules of procedure of numerous United Nations conferences convened during the past decade, whose procedures, which were generally based on those of the General Assembly and to some extent on those of the Economic and Social Council, have to a considerable extent become standardized. 2/ In a few instances, those texts were slightly expanded because the previous rules could be

* A/38/150.

and were shaped to fit the special requirements of each particular conference while the proposed set must deal with all the contingencies that might arise in respect of many different conferences, for example, those scheduled for a single session and those for a series of sessions, those convened primarily to adopt treaty instruments and those that are instead charged with discussing a particular subject and reporting thereon to the Assembly. In addition, since the prior rules were often designed for conferences that would meet for only a few days, their provisions were pared down so as not to appear disproportionately long and detailed; by contrast, as the proposed rules are to be used for many meetings and various procedural situations, it has been found advisable to include certain additional details based on the actual practices of United Nations conferences and organs.

3. Draft rules 1 to 16 are new, since they deal largely with the preparatory process, which could not be encompassed by the previous rules, as those generally only came into force upon adoption by a conference when it met for the first time. These new rules, as well as those in annex I, are for the most part based either on accepted practices or on specific decisions recently taken by the General Assembly, in particular those incorporated in section I of the annex to resolution 35/10 C of 3 November 1980 and in the annex to resolution 36/117 D of 10 December 1981. Draft rule 16 is based on the invitation formula included in recent General Assembly resolutions convening special conferences. 3/

4. The proposed rules are expected to lead to considerable administrative savings, both for States and for the Organization, through three related but independent proposals for the modification relating to the present routine requirement for the submission and examination of credentials. These proposals would:

(a) Require the presentation of credentials only for certain treaty-making conferences, while eliminating this requirement for other types of conferences; 4/ the practice of requiring credentials, which originated at a time when long-range communications were such that it was not always possible to check whether a person appearing at an intergovernmental conference actually represented the authority that allegedly dispatched him, no longer has much relevance in an era of instant world-wide communications;

(b) Eliminate the need to establish a Credentials Committee, by transferring the most critical function of such a body - the examination of challenged credentials - to the General Committee while abolishing the function of routinely examining unchallenged credentials (see subparagraph (c)); 5/

(c) Abolish the requirement for the automatic examination of all credentials, which frequently introduces an unnecessarily contentious element into a non-political conference, while still retaining the possibility of challenging the participation of any delegation. 6/

5. The draft rules annexed hereto are so formulated that, if approved by the General Assembly, they will automatically govern all conferences hereafter convened by any organ of the United Nations, except to the extent otherwise specified by the

convening organ; thus, it might decide that a particular conference should be governed by a completely different set of rules, by rules that merely differ in some particular respects, or by rules that the conference is to adopt itself. 7/ However, unless such a decision is taken by the organ that convenes the conference, the standard rules will automatically apply, subject to certain variants that might be chosen as foreseen in the rules themselves, by the convening organ, 8/ by the preparatory organ 9/ or by the conference itself, 10/ and as supplemented by any rules that the conference itself might adopt consistent with the standard rules. 11/

6. The draft rules would supersede the rules for the calling of international conferences of States, approved by the General Assembly in its resolution 366 (IV) of 3 December 1949, excepting rule 1 thereof. Consequently, if the Assembly approves the new rules of procedure, it may wish to include in the enacting resolution a paragraph repealing the former rules, but recalling that in paragraph 1 of its resolution 35/10 C, which corresponds to that rule, it had invited "Member States and United Nations organs, when considering the convening of special conferences, to ensure that the objectives of the proposed conference are such that they have not been achieved and cannot be pursued within a reasonable time-frame through the established intergovernmental machinery of the United Nations and the specialized agencies".

7. The advantages of the proposed approach are twofold:

(a) A great deal of time would be saved by the Secretariat, by preparatory organs and by conferences themselves in not having to formulate and negotiate a separate set of rules of procedure for each of the many conferences convened by the United Nations, 12/ but only for those few whose special circumstances require particular rules;

(b) Since the proposed rules incorporate the many decisions and recommendations adopted or approved by the General Assembly in previous years concerning various administrative aspects of preparing for and servicing conferences, such as those relating to documentation, records, languages, duration and scheduling of sessions and in particular the preparatory process, 13/ these rules would give maximum assurance that the relevant decisions will in practice be observed by the several intergovernmental and Secretariat organs responsible for preparing and conducting United Nations conferences, as well as by the conferences themselves.

Notes

1/ Because of the addition of a new rule 76 on "Official records", the former rules 76 to 83 have been renumbered as rules 77 to 84. In addition, the date in draft rule 1 has been changed to 31 December 1983 (see note 7 below).

2/ In particular, the proposed rules follow closely the rules of procedure of the United Nations Conference on New and Renewable Sources of Energy (A/CONF.100/2).

3/ For example, for the United Nations Conference on the Least Developed Countries, General Assembly resolution 35/205 of 16 December 1980, sect. II, para. 4.

4/ Draft rule 18.

5/ Paragraph 1 of draft rule 19.

6/ Draft rule 19.

7/ Draft rule 1. This is similar to the approach taken in respect of United Nations pledging conferences, for which the General Assembly, by its decision 33/419 of 15 December 1978, adopted rules of procedure (reproduced in document A/33/580 (United Nations publication, Sales No. E.79.I.17)). The reason for excluding automatic application to conferences as to which the decision to convene is taken before 31 December 1983 (i.e., immediately after consideration of these draft rules is to be completed by the Assembly) is that the convening organ would not have had an opportunity to consider and take decisions on the several matters that would by the new rules be left to that organ; nevertheless, even such conferences could decide, on the recommendation of their preparatory organs, to adopt the new rules.

8/ For example, draft rules 3 and 18, para. 2.

9/ For example, draft rule 17, para. 1.

10/ For example, draft rules 20 and 21.

11/ Draft rule 82.

12/ During the past decade, separate rules of procedure were prepared for and adopted by about 100 conferences convened by the United Nations.

13/ See in particular those draft rules and annexed guidelines with footnotes relating to General Assembly decisions. These citations are to be deleted from any text adopted by the Assembly.

ANNEX

Draft rules of procedure for United Nations conferences

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DRAFT RULES OF PROCEDURE FOR UNITED NATIONS CONFERENCES

I. GENERAL

Rule 1

Applicability of these rules

These rules of procedure shall be applicable to all conferences convened by the United Nations pursuant to a decision taken after 31 December 1983, unless the convening organ authorizes a conference to adopt its own rules of procedure or to the extent it otherwise prescribes. 1/

Rule 2

Definitions

1. A "treaty-making conference" is a conference convened for the purpose of negotiating and adopting the texts of one or more multilateral legal instruments to which States may become parties.
2. The "convening organ" of a conference is the organ by or under whose authority the conference is convened.
3. The "preparatory organ" of a conference is the committee established or other organ designated pursuant to paragraph 1 of rule 3, or, as far as appropriate, the Secretary-General when acting under paragraph 2 of that rule.

II. PREPARATORY STAGE

Rule 3

Preparatory organ

1. The convening organ shall normally designate an existing intergovernmental subsidiary organ of the United Nations as the preparatory organ for the Conference. If no such intergovernmental organ is appropriate, an ad hoc intergovernmental preparatory committee may be established for this purpose. 2/

1/ A decision that other rules should be applicable can relate either to the rules as a whole or to only certain rules. It can take the form of a decision to adopt different rules for a certain type of conference (e.g., pledging conferences covered by the rules in the annex to General Assembly decision 33/419, reproduced in document A/33/580 (United Nations publication, Sales E.79.1.17)) or for a particular conference.

2/ Based on General Assembly resolutions 35/5, para. 2, and 35/10 C, para. 2.

/...

2. If no intergovernmental preparatory committee has been established or other organ designated pursuant to paragraph 1, the Secretary-General shall perform the functions of the preparatory organ for the Conference.

Rule 4

Sessions of the preparatory organ

1. If the preparatory organ is an existing intergovernmental organ, it shall, subject to paragraphs 2 and 4, perform its functions as preparatory organ as far as possible at its regular sessions, unless the convening organ authorizes particular sessions for this purpose.

2. The preparatory organ should hold as soon as practicable a short organizational session of a few days' duration in order to elect any officers pursuant to paragraph 2 of rule 6, to consider the organization and timing of a further session or sessions as authorized by the convening organ for the preparations for the Conference and as may be held within budgetary limits established by the General Assembly, to adopt a provisional agenda for its first such session and to provide initial guidance for the substantive activities of the Secretariat. 3/

3. If the preparatory organ is scheduled to hold several sessions, it should adopt at the end of each session a provisional agenda for the following session. 4/

4. The last session of the preparatory organ prior to the Conference should be scheduled so as to allow enough time, between the closing of the session and the opening of the Conference, for the circulation in good time of the organ's report in all the languages of the Conference. 5/

5. If the schedule of the sessions of the preparatory organ was prescribed or approved by the General Assembly or any other convening organ, any departures therefrom require the approval of the Committee on Conferences.

6. All sessions of the preparatory organ shall be convened at the headquarters of the unit of the Secretariat assigned to service the organ, unless otherwise decided by the General Assembly or unless an invitation is received from a Government that undertakes to defray, after consultation with the Secretary-General as to their nature and possible extent, the actual additional costs directly or indirectly involved. 6/ Paragraphs 1 and 2 of rule 15 shall apply as appropriate.

3/ Based on General Assembly resolution 35/10 C, annex, para. 1.

4/ Based on General Assembly resolution 35/10 C, annex, para. 2.

5/ Based on General Assembly resolution 35/10 C, annex, para. 3.

6/ Based on General Assembly resolution 31/140, sect. 1, para. 5.

Rule 5Rules of the preparatory organ

1. If the preparatory organ is an existing intergovernmental organ, its proceedings in its special capacity shall be governed by its normal rules of procedure, except to the extent required to comply with any specific provisions of these rules.
2. If the preparatory organ is specially established, its proceedings shall be governed by these rules of procedure as far as appropriate, except to the extent the convening organ provides otherwise.

Rule 6Officers of the preparatory organ

1. If the preparatory organ is an existing intergovernmental organ, it shall, unless it decides otherwise, perform its special functions under its regularly elected officers.
2. If the preparatory organ is specially established, it shall, unless it decides otherwise, elect a Chairman, three Vice-Chairmen and a Rapporteur to serve during the entire period of the functioning of the organ.

Rule 7Functions of the preparatory organ

The preparatory organ shall, on the basis of the decisions of the convening organ relating to the Conference:

- (a) Regarding the site and scheduling of and participation in the Conference:
 - (i) Make recommendations to the convening organ concerning these questions in so far as the latter has not delegated them;
 - (ii) Make such decisions as have been delegated by the convening organ to the preparatory organ;
 - (iii) Make recommendations to the Conference concerning these questions in so far as they have been delegated to the latter;
- (b) Make recommendations to the conference concerning the organization of its work and its structure, the application of these rules and the adoption of any supplementary rules of procedure, the composition of all subsidiary organs foreseen by these rules or recommended to be established, and any other decisions required by or foreseen by these rules;
- (c) Submit to the Conference a draft of its agenda;

(d) Supervise the preparation, in good time and in conformity with rule 10, of all documentation for the conference, whether requested from States or other entities invited to participate in or to observe the Conference, or to be submitted by the Secretary-General or by the preparatory organ itself;

(e) If appropriate, prepare for and submit to the Conference drafts of any instruments or documents that the Conference is expected to consider with a view to adoption.

Rule 8

National focal points

The preparatory organ shall invite each State, whenever appropriate and where possible, to designate early in the preparatory period a single national focal point for that period and to inform the Secretary-General thereof by a specified date. 7/

Rule 9

Functions of the Secretariat

1. As soon as possible after the decision to convene the Conference has been taken, the Secretary-General shall appoint an official of the Secretariat and designate a unit of the Secretariat to be responsible under the latter's supervision, for the Secretariat's work on the Conference during its preparatory stages. To the extent possible, such work should be provided from the existing Secretariat establishment with such temporary strengthening as may be required. 8/

2. If a preparatory organ has been established or designated, the Secretary-General shall:

(a) Submit to the preparatory organ at its organizational session an indicative outline of the work programme of the preparatory stages, derived from the general goals and objectives pronounced by the convening organ; 9/

(b) Inform the officers of the preparatory organ of the substance of all relevant measures to control and limit documentation that need to be applied to the documentation for the Conference and its preparatory organ; 10/

7/ Based on General Assembly resolution 35/10 C, annex, para. 4.

8/ Based on General Assembly resolution 35/10 C, para. 3.

9/ Based on General Assembly resolution 35/10 C, annex, para. 5.

10/ Based on General Assembly resolution 35/10 C, annex, para. 6.

(c) Indicate to the preparatory organ any request for documentation that exceeds the Secretariat's ability to produce such material on time and within the approved resources; 11/

(d) Submit to the preparatory organ, for consideration no later than at its last session, a draft document proposing organizational measures and arrangements for the Conference as well as a draft timetable for the work of the Conference throughout its entire duration. 12/

3. If no preparatory organ has been established or designated, the Secretary-General shall circulate to all States and other entities invited to participate in the Conference, well in advance of but not later than eight weeks prior to the date on which the Conference is scheduled to be convened, an annotated provisional agenda, a document on the organization of work and related arrangements (including a timetable) and all required and available substantive documentation. 13/

Rule 10

Documentation

1. All general measures to control and limit documentation in force at the time the decision is taken to convene the Conference shall apply to all documentation prepared for the Conference and its preparatory organ. 14/ Any such measures adopted later shall be taken into account as far as possible.

2. The guidelines in sections I and II of annex I hereto shall be followed to the extent feasible.

III. CONFERENCE SESSIONS

Rule 11

Scheduling of certain conferences

If the Conference is to submit a substantive report to the General Assembly, the Conference should be scheduled so as to allow a sufficient interval between the closing of the Conference and the opening of the regular session of the General

11/ Based on General Assembly resolution 33/56, sect. II, para. 2 (e).

12/ Based on General Assembly resolution 35/10 C, annex, para. 7.

13/ Based on General Assembly resolution 35/10 C, annex, para. 8.

14/ See para. 1 of the guidelines for the control and limitation of documentation for special conferences of the United Nations (hereinafter referred to as the "guidelines"), General Assembly resolution 36/117 D, annex (reproduced in document A/INF/38/1, annex III).

Assembly at which the report of the Conference is to be considered, for the circulation of the report, in good time, in all the official languages of the Assembly. 15/

Rule 12

Pre-conference consultations

1. If the convening organ or the preparatory organ considers it necessary, arrangements shall be made for a maximum of two days of informal meetings, immediately prior to the opening of the Conference, for:

(a) Pre-conference consultations to consider organizational matters, preferably on the day prior to the opening of the Conference;

(b) Consultations within regional groups. 16/

2. Except as otherwise decided, the officers of the preparatory organ shall perform their functions also in respect of the pre-conference consultations.

Rule 13

Site, date and duration

The number of sessions and the site, date of convening and maximum duration of each session of the Conference shall be determined by the convening organ, except in so far as it delegates the power to determine or to change any of these factors to some other organ or to the Conference itself.

Rule 14

Extension or division of sessions

Unless specifically authorized by the convening organ, the Conference may not extend the duration of any of its sessions or divide a session into separate parts, except if the Secretary-General:

(a) Determines that such an extension or division will not result in expenditures in excess of those budgeted for the session or that the expenditures involved can otherwise be absorbed, and that it will not interfere with other scheduled meetings of organs or conferences; or

(b) Authorizes such an extension or division after consultations with the Advisory Committee on Administrative and Budgetary Questions and the Committee on Conferences.

15/ Based on General Assembly resolution 35/10 C, annex, para. 11.

16/ Based on General Assembly resolution 35/10 C, annex, para. 12.

Rule 15

Arrangements with a host State

1. Unless the Conference meets entirely within premises of the United Nations or, by invitation, of another intergovernmental organization, the Secretary-General shall conclude with the host State, on the basis of the model agreement set out in annex II hereto, a Conference agreement specifying the arrangements to be made and the obligations to be undertaken by the host State and the Secretariat in connection with the Conference.
2. If the Conference agreement has not been concluded before a date to be specified by the convening organ, the preparatory organ or the Secretary-General in accepting, in principle, the invitation of a potential host State (which date shall, in respect of a conference to which all States are to be invited, be at least six months before the date on which the Conference is scheduled to be convened), the Secretary-General shall make arrangements for transferring the site of the Conference to any suitable and available premises of the United Nations or, by invitation, of another intergovernmental organization or host State with which an appropriate Conference agreement shall promptly be concluded.
3. The host State should establish, at its earliest convenience, a national preparatory committee or office to serve as focal point for local arrangements to be made in connection with the Conference. 17/

IV. PARTICIPATION AND REPRESENTATION

Rule 16

Invitations

1. Except as otherwise prescribed by the convening organ, the following shall be invited to participate fully in the Conference:
 - (a) All States;
 - (b) Namibia, represented by the United Nations Council for Namibia, in accordance with all applicable resolutions of the General Assembly.
2. Except as otherwise decided by the convening organ, the following entities shall also be invited to participate, without the right to vote, in the Conference:
 - (a) Organizations that have received a standing invitation from the General Assembly to participate, in the capacity of observers, in the sessions and work of all international conferences convened under the auspices of the Assembly in accordance with all applicable resolutions of the Assembly;

17/ Based on General Assembly resolution 35/10 C, annex, para. 9.

(b) National liberation movements recognized in its region by the Organization of African Unity, in accordance with all applicable resolutions of the General Assembly;

(c) Specialized and related 18/ agencies;

(d) Other intergovernmental organizations that indicate their interest to the preparatory organ and to which an invitation is authorized by that organ or by the Conference;

(e) United Nations organs authorized to participate by decision of a competent intergovernmental organ or by the Secretary-General;

(f) Non-governmental organizations in consultative status with the Economic and Social Council that indicate to the Secretary of the preparatory organ that they have a special interest in the subject-matter of the Conference, and other non-governmental organizations that may be designated under the authority of the convening organ or the preparatory organ on the basis of their special competence.

3. Except as otherwise specified by the convening organ or by these rules, neither the preparatory organ nor the Conference shall have authority to make decisions concerning participation in the Conference.

Rule 17

Composition of delegations

1. Each State participating in the Conference shall be represented by a head of delegation and by no more than two other representatives, unless a different number is specified by the preparatory organ, and by such alternate representatives and advisers as may be required.

2. In designating the members of their delegations, States should take into account any recommendations made by the convening organ or the preparatory organ concerning the level, nature and qualifications of such representatives.

3. The head of delegation may designate an alternate representative or an adviser to act as a representative.

4. Other participants and observers shall be represented by designated representatives.

18/ Other organizations that have a relationship agreement or an established relationship with the United Nations, such as the International Atomic Energy Agency, the World Tourism Organization and the General Agreement on Tariffs and Trade.

Rule 18

Notification of delegations

1. The names and titles of the members of the delegation of each participant and observer shall be submitted to the Executive Secretary, if possible not less than one week before the date on which the Conference is scheduled to be convened.
2. In respect of a treaty-making conference, the convening organ may specify that the representatives of States shall submit credentials issued by the Head of the State or Government or by the Minister for Foreign Affairs; ^{19/} except if such credentials specify otherwise, they shall remain valid for all sessions of the Conference, unless they are withdrawn or replaced by new credentials. Credentials shall be submitted to the Executive Secretary, who shall report thereon to the Conference if it so requests.

Rule 19

Objection to a delegation

1. If an objection is raised against the participation of a delegation, such objection shall be considered by the General Committee, whose report thereon shall be submitted to the Conference.
2. Pending a decision of the Conference regarding an objection against the participation of a delegation, the latter shall be entitled to participate provisionally in the Conference with the same rights as other delegations within the same category.

V. OFFICERS

Rule 20

Election

Unless the Conference decides otherwise, it shall elect, with due regard to equitable geographical distribution:

- (a) From among the representatives of participating States, the following officers: a President, a Vice-President in charge of co-ordination, and a

^{19/} Such a requirement would make the Conference one of plenipotentiaries. Whether or not credentials are required for a treaty-making conference, representatives desiring to sign any treaty instrument promulgated by the Conference will have to submit full powers acceptable to the depositary.

Rapporteur-General, as well as a Chairman for each Main Committee and for any Drafting Committee that may be established; 20/

(b) From among the heads of delegations of participating States, as many other Vice-Presidents as are required to bring the total number of officers to twenty-nine. 21/

Rule 21

Term of office and replacement

1. Unless the Conference decides otherwise, all officers shall serve for all sessions of the Conference.
2. If an officer resigns or ceases to be able to perform his functions or to be a representative of a participating State, the Conference shall as soon as possible elect a new officer. If the office thus vacated is that of the President, the other officers shall select one of the Vice-Presidents to serve as Acting President until the new President has been elected.

Rule 22

Absence of the President

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

Rule 23

Voting rights of the President

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

20/ It is advisable to arrange that the total number of officers elected under this subparagraph equals the number of geographical groups represented at the Conference.

21/ This is the number of members of the General Committee of the General Assembly under rule 38 of its rules of procedure (A/520/Rev.14) (United Nations publication, Sales No. E.82.I.9).

VI. GENERAL COMMITTEE

Rule 24

Composition

1. The officers elected pursuant to rule 20 shall constitute the General Committee. The chairman or another designated representative of any subsidiary organ not represented on the Committee may participate in its proceedings, without the right to vote.
2. If any member of the General Committee is to be absent from one of its meetings, he may designate another member of his delegation to participate and vote in his place. The chairman of any subsidiary organ represented on the Committee may also designate a vice-chairman to participate in the proceedings of the Committee, without the right to vote.

Rule 25

Officers

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

Rule 26

Functions

In addition to performing other functions specified in these rules, the General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the co-ordination of its work.

VII. SECRETARIAT

Rule 27

Direction of the secretariat of the Conference

1. The Secretary-General shall designate, as early as possible, an Executive Secretary of the Conference and, if appropriate, a Special Representative.
2. The Executive Secretary, under the general direction of any special Representative of the Secretary-General, shall direct the secretariat of the Conference.

Rule 28

Administrative duties of the secretariat of the Conference

The secretariat of the Conference shall, in accordance with these rules and any pertinent directives of the General Assembly:

- (a) Interpret speeches made at meetings;
- (b) Make and arrange for the keeping of sound recordings and provide any authorized summary records of meetings;
- (c) Receive, translate and circulate the documents of the Conference;
- (d) Report the proceedings of the Conference in appropriate journals;
- (e) Publish and circulate any report or final act of the Conference as well as any official records;
- (f) Arrange for the custody of the documents and records of the Conference in the archives of the United Nations;
- (g) Generally perform all other work that the Conference may require in connection with its proceedings.

Rule 29

Statements by the Secretariat

The Secretary-General, or any member of the Secretariat designated by him for that purpose, may, subject to rule 36, make statements concerning any question under consideration.

VIII. OPENING OF THE CONFERENCE

Rule 30

Temporary President

At the opening of the first session of the Conference, the Secretary-General, or a member of the Secretariat designated by him, shall preside until the Conference has elected its President.

Rule 31

Decisions concerning organization

1. On the basis of recommendations submitted by the preparatory organ, or by the Secretary-General if no such organ has been designated or established, and those

emerging from any pre-conference consultations, the Conference shall, to the extent possible at its first meeting:

- (a) Elect its officers and constitute its subsidiary organs;
- (b) Make decisions concerning the application of these rules and adopt any supplementary rules of procedure;
- (c) Adopt its agenda, the draft of which shall, until such adoption, be the provisional agenda of the Conference;
- (d) Decide on the organization of its work.

2. Recommendations resulting from pre-conference consultations shall, in principle, be acted on without further discussion. 22/

Rule 32

Formal messages

Messages by heads of State or Government available during the opening meeting of the Conference shall be read by the head of the delegation concerned, from his seat, prior to any substantive opening statement by the Secretary-General. 23/

IX. CONDUCT OF BUSINESS

Rule 33

Quorum

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

Rule 34

General powers of the President

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, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. He shall, subject to these rules, have complete

22/ Based on General Assembly resolution 35/10 C, annex, para. 13.

23/ Based on General Assembly resolution 35/10 C, annex, para. 15.

control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the closing of the list of speakers, a limitation on the time allowed to speakers and on the number of times the representatives of each participant in the Conference may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a meeting.

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

Rule 35

Points of order

Subject to rule 56, a representative may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be immediately put to the vote, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the question under discussion.

Rule 36

Speeches

1. No one may address the Conference without having previously obtained the permission of the President. Subject to rules 35, 38 and 40 to 43, the President shall call upon speakers in the order in which they signify their desire to speak.

2. All interventions 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 question 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. Permission to speak on a motion to set such limits shall be accorded only to two representatives in favour of and to two opposing such limits, after which the motion shall be immediately put to the vote. In any event, the limitations specified in rules 37 and 40 shall be observed, and the President shall limit each intervention on a procedural question 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.

Rule 37

General debate

1. No general debate shall be held unless the Conference so decides on the basis of a recommendation of the convening organ or the preparatory organ. Whenever a

/...

general debate takes place, no general discussion should be held in any Main Committee.

2. If a general debate is to be held by the Conference, it should start at the second meeting 24/ and its duration should be determined as part of the decisions on the organization of the work of the Conference. In order to assess the number of meetings to be allocated to the general debate, a list of speakers therefor should be opened well in advance of the opening date of the Conference and closed at the end of the second day of the Conference.
3. Unless the Conference decides otherwise, in the general debate interventions by representatives of States shall be limited to fifteen minutes and those of other participants to ten minutes. 25/

Rule 38

Precedence

The Chairman or Rapporteur of a Main Committee or a representative designated by any other subsidiary organ may be accorded precedence for the purpose of explaining the conclusions arrived at by the organ.

Rule 39

Closing the list of speakers

In 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, the President shall, with the consent of the Conference, declare the debate closed. Such closure shall have the same effect as closure pursuant to rule 42.

Rule 40

Right of reply

1. Notwithstanding rule 39, the President shall accord the right of reply to the delegation of any State participating in the Conference that requests it. Other delegations may be granted the opportunity to make a reply.
2. Replies made pursuant to the present rule:

(a) Shall be made at the end of the last meeting of the day, or at the conclusion of the consideration of the relevant item if that is sooner;

24/ Based on General Assembly resolution 35/10 C, annex, para. 16.

25/ Based on General Assembly resolution 35/10 C, annex, para. 17.

(b) Shall be limited to two per item for any delegation at a given meeting, the first of which is not to exceed five minutes and the second three minutes. 26/

Rule 41

Adjournment of debate

A representative may at any time move the adjournment of the debate on the question under discussion. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the adjournment, after which the motion shall, subject to rule 44, be immediately put to the vote.

Rule 42

Closure of debate

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 motion shall be accorded only to two representatives opposing the closure, after which the motion shall, subject to rule 44, be immediately put to the vote.

Rule 43

Suspension or adjournment of the meeting

Subject to rule 56, a representative may at any time move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted and they shall, subject to rule 44, be immediately put to the vote.

Rule 44

Priority of motions

The motions indicated below shall have priority in the following order over all proposals or other motions before the Conference:

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

26/ Based on General Assembly resolution 35/10 C, annex, para. 18.

Rule 45Basic proposals

1. Any draft texts submitted to the Conference by the convening organ or the preparatory organ shall, if such organ so recommends or the Conference so decides, constitute the basic proposals for consideration by the Conference. 27/
2. Basic proposals shall have priority over all other proposals submitted to the Conference, unless it decides otherwise.
3. The preparatory organ may establish a target date, in advance of the date on which the Conference is to be convened, by which any amendments relating to the basic proposals should be submitted to the Executive Secretary of the Conference; amendments so submitted shall receive priority in their processing by the Secretariat and their consideration by the Conference.

Rule 46Other proposals and substantive amendments

Other proposals and substantive amendments shall normally be submitted in writing to the Executive Secretary of the Conference, who shall circulate copies thereof to all delegations in the languages of the Conference. Unless the Conference decides otherwise, substantive proposals shall not be discussed or put to the vote until the day after copies thereof have been circulated to the delegations of all States participating in the Conference.

Rule 47Withdrawal of proposals and motions

A proposal or a motion may be withdrawn by its sponsor at any time before voting on it has commenced, provided that it has not been amended by decision of the Conference. A proposal or a motion thus withdrawn may be reintroduced by any representative with its original priority, provided he does so promptly and it has not been substantially changed.

Rule 48Decisions on competence

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 further or a decision is taken on the proposal in question.

27/ Based on a standard provision of the rules of procedure of codification conferences (e.g., rule 27 of those of the Conference on Succession of States in Respect of Treaties (A/CONF.80/8)).

Rule 49

Consideration of programme budget implications

Before the Conference takes a decision or makes a recommendation the implementation of which might have programme budget implications for the United Nations, it shall receive and consider a report from the Secretary-General on such implications. 28/

Rule 50

Reconsideration of proposals

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

2. The Conference may decide to limit this rule to the reconsideration of proposals at the same session.

X. DECISION-MAKING

Rule 51

Consensus

1. The Conference shall make every effort to ensure that all its substantive decisions are taken by consensus or general agreement. 29/

2. Notwithstanding any measures that may be taken in compliance with paragraph 1, a proposal or motion before the conference shall be voted on if a representative so requests. 30/

28/ Based on regulation 13.1 of the Financial Regulations of the United Nations as amended by General Assembly resolution 37/234, sect. II, para. 1.

29/ Based on provisions appearing in several recent conference rules (e.g., draft rule 30 of the provisional rules of procedure of the Second United Nations Conference on the Exploration and Peaceful Uses of Outer Space (A/CONF.101/1)).

30/ Based on rule 59 of the rules of procedure of the Economic and Social Council (E/5715/Rev.1) (United Nations publication, Sales No. E.83.I.9).

Rule 52

Voting rights

Each State participating in the Conference shall have one vote.

Rule 53

Majority required

1. Unless the Conference decides otherwise and subject to paragraph 1 of rule 51, decisions on all matters of substance shall be taken by a two-thirds majority of the representatives present and voting.
2. Unless the Conference decides otherwise and except as otherwise provided in these rules, decisions on all matters of procedure shall be taken by a simple majority of the representatives present and voting.
3. If the question arises whether a matter is one of procedure or of substance, it shall be decided by the Conference by a majority of the representatives present and voting.
4. If a vote is equally divided on a decision requiring a simple majority, the proposal or motion shall be regarded as rejected.
5. For the purpose of these rules, the phrase "representatives present and voting" means representatives casting an affirmative or negative vote. Representatives who abstain from voting shall be regarded as not voting.

Rule 54

Method of voting

1. Except as provided in rule 61, the Conference shall normally vote by show of hands, but any representative may request a roll-call, which shall then be taken in the English alphabetical order of the names of the States participating in the Conference, beginning with the delegation whose name is drawn by lot by the President. The name of each such State shall be called in all roll-calls, and its representative shall reply "yes", "no" or "abstention".
2. When the Conference votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call. A representative may request a recorded vote, which shall, unless a representative requests otherwise, be taken without calling out the names of the States participating in the Conference.
3. The vote of each State participating in a roll-call or a recorded vote shall be inserted in any record of or report on the meeting.

Rule 55

Explanation of vote or position

1. Representatives may make brief statements consisting solely of explanations of vote, before the voting has commenced or after the voting has been completed. The President may limit the time to be allowed for such explanations. The representatives of a State sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.
2. When the same matter is considered successively in several organs of the Conference, the representatives of a State should, as far as possible, explain their votes only in one such organ unless those votes differ. 31/
3. Similarly, explanatory statements of position may be made in connection with a decision taken without a vote.

Rule 56

Conduct during voting

After the President has announced the commencement of a vote, the voting shall not be interrupted until the result has been announced, except on a point of order in connection with the process of voting.

Rule 57

Division of proposals

A representative may move that parts of a proposal be voted on separately. If a representative objects, the motion for division shall be voted upon. Permission to speak on the motion shall be accorded only to two representatives in favour of and to two opposing the division. If the motion is carried, those parts of the proposal that are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

Rule 58

Amendments

1. A proposal is considered an amendment to another proposal if it merely adds to, deletes from or revises part of that proposal. Unless specified otherwise, the word "proposal" in these rules shall be considered as including ~~amendments~~.
2. Unless the Conference decides otherwise, amendments may be subject to sub-amendments, but the latter may not be subject to further amendment.

31/ Based on General Assembly decision 34/401, para. 7.

Rule 59

Order of voting on amendments

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 vote first 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 shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.
2. When the Conference decides, in accordance with rule 57, to consider an extensive text in convenient portions (such as paragraphs or articles), each of these shall be treated as a separate proposal for the purpose of paragraph 1.

Rule 60

Order of voting on proposals

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Conference decides otherwise, be voted on 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.
2. Revised proposals shall be voted on in the order in which the original proposals were submitted, unless the revision substantially departs from the original proposal. In that case, the original proposal shall be considered as withdrawn and the revised proposal shall be treated as a new proposal.
3. A motion requiring that no decision be taken on a proposal shall have priority over that proposal.

Rule 61

Elections

1. All elections shall be held by secret ballot unless, in the absence of any objection, the Conference decides to proceed without taking a ballot on an agreed candidate or slate. 32/
2. When candidates are to be nominated, each nomination shall be made by only one representative, after which the Conference shall immediately proceed to the election. 32/

32/ Based on rule 68 of the rules of procedure of the Economic and Social Council.

Rule 62

Balloting

1. When one or more elective places are to be filled at one time under the same conditions, each delegation entitled to vote may cast a vote for as many candidates as there are places to be filled, and those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes shall be elected.

2. If the number of candidates so elected is less than the number of places to be filled, additional ballots shall be held to fill the remaining places. From such ballots the candidates obtaining the least number of votes in the previous ballot may be eliminated on the proposal of the President.

XI. SUBSIDIARY ORGANS

Rule 63

Main Committees

The Conference shall establish one or more Main Committees on which each State participating in the Conference may be represented, as specified in its decisions under paragraph 1 of rule 31, relating to the organization of the Conference.

Rule 64

Drafting Committee

1. A treaty-making conference shall and any other conference may establish a Drafting Committee which, unless the Conference decides otherwise, shall consist of a Chairman, elected by the Conference pursuant to subparagraph (a) of rule 20, and of eighteen other members, selected so that each language in which any instrument to be adopted by the Conference is to be authentic will be adequately represented, and with due regard to equitable geographical distribution. The Rapporteur-General shall be an ex-officio member of the Committee, without the right to vote.

2. The Drafting Committee shall prepare drafts and give advice on drafting as requested by the Conference or any Main Committee. Subject to any general instructions of the Conference, it shall co-ordinate and review the drafting of all texts referred to it and shall report, as appropriate, either to the Conference or the Main Committee concerned.

Rule 65

Working groups

The Conference, the Main Committees and the Drafting Committee may establish working groups. In the establishment of working groups, account shall be taken of the availability of conference-servicing facilities.

Rule 66

Officers

1. Each Main Committee shall, unless it decides otherwise, elect three Vice-Chairmen and a Rapporteur.
2. Each other subsidiary organ shall elect such officers as it considers necessary, in addition to any that may have been elected for it by the Conference pursuant to subparagraph (a) of rule 20.

Rule 67

Procedures

The rules relating to officers (rules 20 to 23), the Secretariat of the Conference (rules 27 to 29), the conduct of business of the Conference (rules 33 to 50), decision-making (rules 51 to 62) and other participants and observers (rules 79 to 80) shall be applicable, mutatis mutandis, to the proceedings of committees and working groups, except as these may otherwise provide and except that:

(a) The chairmen of subsidiary organs other than Main Committees may exercise the right to vote;

(b) The Chairman of a Main Committee may declare a meeting open and permit the debate to proceed when representatives of at least one quarter of the States participating in the current session of the Conference are present and the Chairman of any subsidiary organ of limited membership may do so when representatives of a majority of its members are present;

(c) Decisions of committees and working groups shall be taken by a majority of the representatives present and voting, but, except at a treaty-making conference, the reconsideration of a proposal shall require the majority established by paragraph 1 of rule 50.

Rule 68

Reports

The reports of any subsidiary organ shall be prepared in conformity with section III.B of annex I hereto.

XII. LANGUAGES

Rule 69

Languages of the Conference

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Conference, unless the convening organ decides that not all these languages are required.

Rule 70

Interpretation

1. Speeches made in a language of the Conference shall be interpreted into the other such languages, unless such interpretation has not been requested by the representative of any State participating in the Conference.
2. A representative may speak in a language other than a language of the Conference if the delegation concerned provides for interpretation into one such language.

Rule 71

Languages of documents

1. Any reports submitted by the General Committee, a Main Committee or a Drafting Committee, as well as any report or final act of the Conference, shall be published in the languages of the Conference.
2. All resolutions and other formal decisions of the Conference shall be published in the languages of the Conference.
3. Treaty instruments adopted by a treaty-making conference shall be published in the languages in which they are authentic.

XIII. RECORDS AND REPORTS

Rule 72

Verbatim records

1. No conference shall have verbatim records.
2. Statements made at the Conference shall not be reproduced in extenso either as separate documents or in or attached to any summary record or report of a subsidiary organ or of the Conference unless, in exceptional cases, they are of a technical nature and served or are to serve as bases for discussion, and a decision to reproduce them has been taken by the Conference or the organ concerned. 33/

33/ Based on General Assembly resolutions 2292 (XXII), annex, para. (b); 2538 (XXIV), para. 10 (e); and 31/140, sect. II, para. 5.

Rule 73

Summary records

1. No conference shall have summary records, except that the convening organ may authorize such records for a treaty-making conference. 34/
2. If the Conference is authorized to have summary records, these shall only be provided for plenary meetings of the Conference and for meetings of those Main Committees specified by the convening organ, or by the preparatory organ consistently with the statement of financial implications previously considered by the convening organ, and the bodies concerned shall dispense with such records whenever possible. 35/

Rule 74

Sound recordings

Sound recordings of plenary meetings of the Conference and of meetings of the Main Committees, the General Committee and the Drafting Committee shall be made and kept in accordance with the practice of the United Nations. Unless otherwise decided by the organ that established a working group, no such recordings shall be made of the meetings of the latter.

Rule 75

Report or Final Act of the Conference

1. A treaty-making conference that adopts one or more treaty instruments shall normally approve and open for signature a Final Act. Such a conference may also, and all other conferences shall, issue a report addressed to the convening organ, unless that organ has directed otherwise.
2. Unless the Conference decides otherwise, the draft of a report to the convening organ shall be prepared and submitted to the Conference by the Rapporteur-General, who may be assisted by "friends" designated by each regional group the members of which are participating in the Conference. 36/ The report shall conform as far as possible to section III.D of annex I hereto. Unless the Conference decides otherwise, the Rapporteur-General, in consultation with his "friends", may authorize corrections to and editorial changes in the report adopted by the Conference.

34/ See paragraph 2 of the guidelines annexed to General Assembly resolution 36/117 D (reproduced in document A/INF/38/1, annex III).

35/ Based on General Assembly resolutions 1272 (XIII), para. 2; 32/71, sect. II, para. 3; and 33/56, sect. I, para. 2 (see A/INF/38/1, para. 18).

36/ Based on General Assembly resolution 35/10 C, annex, para. 14.

3. The draft of a Final Act shall be prepared by the Secretariat and submitted by it, through the Rapporteur-General, to the Drafting Committee, which shall report thereon to the Conference.

Rule 76

Official records

For each treaty-making conference a set of official records shall be published containing the texts of all relevant conference documents and of any summary records.

XIV. PUBLIC AND PRIVATE MEETINGS

Rule 77*

General principles

1. The plenary meetings of the Conference and the meetings of the Main Committees shall be held in public unless the organ concerned decides otherwise.
2. Meetings of other organs of the Conference shall be held in private unless the Conference or the organ concerned decides otherwise.

Rule 78*

Communiqués on private meetings

At the close of a private meeting, the organ concerned may issue a communiqué to the press through the secretariat of the Conference.

XV. OTHER PARTICIPANTS AND OBSERVERS

Rule 79*

General rights of participation

Except as otherwise provided by the General Assembly or by another convening organ or, subject to such provisions, by the Conference, the representatives of participants other than full participants:

- (a) May not make any procedural motion or request, raise points of order or appeal against rulings of the President;
- (b) May not introduce substantive proposals;

* Rules 77 to 84 were originally rules 76 to 83 in document A/37/163.

(c) May intervene, with the permission of the President, in the debates in plenary meetings of the Conference and, with the permission of the Chairman, in meetings of the Main Committees;

(d) May be given, in the case of participants listed in paragraph 2 (a) and (b) of rule 16, an opportunity to reply in accordance with rule 40;

(e) May participate in working groups, as appropriate and as authorized by the convening organ, the Conference or the working group concerned.

Rule 80*

written statements

Written statements submitted by representatives of participants other than full participants shall be distributed by the secretariat of the Conference to all delegations in the quantities and in the languages in which the statements are made available to it at the site of the Conference, provided that a statement submitted on behalf of a non-governmental organization is on a subject in which it has a special competence, is related to the work of the Conference and conforms to paragraph 9 of annex I hereto.

XVI. RULES OF PROCEDURE

Rule 81*

Amendment

These rules may be amended by the General Assembly, upon a report of its Administrative and Budgetary (Fifth) Committee or its Legal (Sixth) Committee.

Rule 82*

Supplementary rules

These rules may be supplemented by rules adopted by the Conference by a two-thirds majority of the representatives present and voting, on the recommendation of a preparatory organ or of the General Committee, provided that such supplementary rules are not inconsistent with these rules or with applicable decisions of the General Assembly or any other convening organ.

Rule 83*

Other procedural matters

Any procedural matter not covered by these rules or by any supplementary rules adopted by the Conference shall be settled in accordance with the rules and

practices of the convening organ or, if these are insufficient, by the rules applicable to committees of the General Assembly. 37/

Rule 84*

Suspension

Any of these rules or any of its supplementary rules may be suspended by the Conference, provided that twenty-four hours' notice of the proposal for the suspension has been given, which may be waived if no representative objects; subsidiary organs may by unanimous consent waive rules pertaining to them. Any such suspension shall be limited to a specified and stated purpose and to a period required to achieve that purpose, and shall not be inconsistent with the decisions of the General Assembly taken to achieve administrative simplification and budgetary savings in the conduct of conferences, with any decisions of the convening organ, or with the rights of States participating in the Conference but temporarily absent from a given meeting.

37/ Based on rule 22 of the rules of procedure for United Nations pledging conferences (A/33/580).

ANNEX I

Guidelines for the preparation and distribution of
documentation for United Nations conferences

I. GENERAL PRINCIPLES

1. In order to foster the attainment of the stated objectives of the Conference, both during the preparatory period and during the Conference itself, particular attention shall be given to harmonizing the design of the Conference with the documentation arrangements therefor. a/
2. The Conference and all its subsidiary organs, as well as any preparatory organ, should bear in mind the need to keep their requests for documents to the minimum compatible with the efficient conduct of their work and within the limits of the available resources of the Secretariat. b/
3. All delegations should restrict both the number and the volume of the documents they submit for processing to what is strictly required by decisions of the convening organ or of any preparatory organ of the Conference and is clearly relevant to agenda items under discussion, and exercise restraint in submitting lengthy documents to be distributed as documents of the Conference. c/

II. PRE-CONFERENCE DOCUMENTATION

A. General

4. Pre-conference documents prepared by the Secretariat should normally contain no more than 20 pages and shall not exceed 24 pages, including annexes and appendices, except under compelling circumstances.
5. As to the contents of pre-conference documents prepared by the Secretariat: d/
 - (a) At the beginning, there should be a summary giving a comprehensive but concise description of the contents of the document;
 - (b) Historical introductions should be reduced to the minimum required to present background issues of substance;

a/ Based on General Assembly resolution 36/117 D, para. 1.

b/ Based on General Assembly resolution 33/56, sect. II, para. 1 (a).

c/ Based on General Assembly resolution 2538 (XXIV), para. 8.

d/ Based on paragraph 3 of Economic and Social Council resolution 1979/41, as applied to the General Assembly (see Assembly resolution 34/50, para. 2).

(c) If based on government replies to a questionnaire or on submissions of intergovernmental bodies, such replies and submissions should not be reproduced in or annexed to the document, but the Secretariat should hold these available in the languages in which received;

(d) There should be included a very succinct indication of the points for discussion (with cross-references to the relevant paragraphs) and of the main issues in the document requiring intergovernmental consideration and review.

6. Pre-conference documents should be distributed, in all required languages, at least six weeks before the date on which the session of the Conference or its preparatory organ at which they are to be considered is scheduled to be convened, in so far as allowed by the subjects dealt with, the schedule of meetings and the reports received. e/

7. Eight weeks before the date on which a session of the Conference or of its preparatory organ is scheduled to be convened, the Secretariat shall circulate, with the annotated agenda, a report on the state of preparedness, in all required languages, of all the documents for the session. Where necessary, that report shall indicate which documents will not be available for distribution in accordance with paragraph 6, with an explanation for the delay and an indication of the dates on which they are expected to be circulated. f/

B. Papers from Governments and other entities

8. The following should be observed, as far as feasible, in respect of technical reports, case studies and similar background papers requested from Governments or intergovernmental organizations:

(a) The submission of such papers for the Conference should only be proposed if they are expected to constitute an integral part of the preparatory process for and in the Conference itself, taking into account the time required for a meaningful integration of such papers into that preparatory process and into the Conference;

(b) The convening organ or any preparatory organ should adopt specific rules to limit the length of national papers or summaries thereof, to the extent possible, taking into account experience gained from comparable past conferences;

(c) Each paper or report and each summary or abstract should be prepared in the format described in a circular to be distributed by the Secretariat in requesting the contribution;

e/ Based on General Assembly resolution 33/56, sect. II, para. 2 (d).

f/ Based on General Assembly resolution 33/56, sect. II, para. 2 (c), and Economic and Social Council resolution 1979/69, subparagraph (d), as applied to the General Assembly (see Assembly resolution 34/50, para. 2).

(d) A firm deadline for the submission of such papers or reports and their summaries and abstracts should be established, taking into account the purpose for which they are required in the preparatory process, but in any event should not be later than eight weeks before the date on which the Conference is scheduled to be convened;

(e) The Secretariat shall list all papers or reports, as well as summaries or abstracts received, in an information document, in which these are grouped in various appropriate ways (e.g., alphabetically by country, by region or by subject);

(f) If the Conference is not held at the headquarters of the Secretariat unit assigned to service it, such papers or reports shall not be redistributed at the Conference site; instead, a library should be established at that site, which shall contain in single copies all relevant materials pertaining to the Conference;

(g) The Secretariat should keep the total number of copies printed of this type of documentation under constant review and adjust it to a realistic level of demand. g/

9. Submissions by non-governmental organizations shall bear a uniform cover page with a document symbol and number provided by the Secretariat. It shall be the responsibility of each submitting non-governmental organization to ensure that this cover page appears on each copy of its submission. The Secretariat shall then distribute such a report if it is submitted in a sufficient number of copies and within the established deadline. Such reports are not to be translated or reproduced by the Secretariat, nor to be transported to the Conference site by the Secretariat if the Conference is held away from the headquarters of the Secretariat unit assigned to service it. A list of all documents submitted by non-governmental organizations shall be issued by the Secretariat. h/

III. IN-SESSION DOCUMENTATION

A. Records of meetings

10. Summary records shall be limited to 10 single-spaced pages per three-hour meeting. i/ They shall be issued in final form, subject to a consolidated corrigendum for each organ, issued for all meetings during a session of the

g/ Subparagraphs (b) to (g) are based on paragraph 3 of the guidelines annexed to General Assembly resolution 36/117 D (reproduced in document A/INF/38/1, annex III).

h/ Based on paragraph 4 of the guidelines.

i/ Criterion endorsed in paragraph 2 of General Assembly resolution 3415 (XXX) and reproduced in paragraph 16 (e) of document A/INF/38/1.

Conference, of revisions requested by delegations within the deadline indicated therefor and approved by the presiding officer of the organ concerned. j/

11. Summary records should not normally reflect valedictory statements, the discussion of organizational or procedural matters or the adoption of reports, or routine exchanges of views. k/

B. Reports of subsidiary organs

12. Reports submitted by subsidiary organs of the Conference should be concise and contain precise information confined to a description of the work done by the organ, to the conclusions it has reached, to its decisions and to the recommendations made to the organ to which the report is addressed.

C. Journal

13. Where the proceedings of the Conference cannot be included in a journal available on a current basis at the site of the Conference, the Secretariat shall daily publish a conference journal. l/

D. Conference report

14. A report by the Conference should generally contain, in the indicated order:

(a) Matters calling for action by the convening organ or other addressee of the report;

(i) The text of any draft resolutions and decisions recommended for adoption by the addressee of the report;

(ii) A concise statement of any other issues requiring action by the addressee of the report;

(iii) Any other matters requiring the special attention of the addressee of the report;

(b) A brief account of the events leading to the convening of the Conference;

j/ Based on General Assembly resolution 3415 (XXX) (see A/INF/38/1, paras. 15 and 16 (e)). See also paragraph 2 of rule 20 of the rules of procedure for United Nations pledging conferences (A/33/580).

k/ Based on criteria suggested by the Secretary-General at the thirtieth session of the General Assembly (A/C.5/1670, para. 14 (2)).

l/ Based on a recommendation of the Committee on Conferences (Official Records of the General Assembly, Thirty-fifth Session, Supplement No. 32 (A/35/32), para. 70, recommendation 3, para. 13).

(c) An account of the organization of the work of and attendance at the Conference, including a list of officers, a description of the structure of the Conference and a list of the delegations represented (but not the names of individual participants);

(d) An account of the proceedings of the Conference, including a summary of any general debate;

(e) A repertorial summary of the work of each subsidiary organ and of the action in plenary on the reports and recommendations prepared by the subsidiary organs, as well as of action by the Conference on any draft resolutions or decisions considered without reference to a subsidiary organ;

(f) A summary of any statements of position or reservations made in the course of the adoption of the report of the Conference or pertaining to specific paragraphs of the report;

(g) A list of the documents of the Conference.

15. A report by the Conference should be prepared on the basis of the following principles:

(a) Introductions containing background information should, as far as possible, be confined to matters of substance rather than procedure and should contain only what it is essential to bring to the notice of the organ to which the report is addressed;

(b) Any account of the deliberations should be concise and should be supplemented, as necessary and possible, by cross-references to any meeting records; summary records of the organ, or extracts therefrom, should not be included in, or annexed to its report;

(c) Texts available in easily accessible documents should not be incorporated in or annexed to the report; working papers or extracts therefrom should not be included as annexes; texts not easily accessible should not be annexed when their substance can conveniently be incorporated in the main body of the report;

(d) Where appropriate, reports should include a summary of the proposals, conclusions and recommendations contained therein. m/

m/ Based on General Assembly resolution 2836 (XXVI), para. 3.

ANNEX II

Model conference agreement

AGREEMENT BETWEEN THE UNITED NATIONS AND THE GOVERNMENT OF
[State] REGARDING THE ARRANGEMENTS FOR THE [CONFERENCE ON
.....]

WHEREAS a/ at its _____ meeting, held on [date] the [convening organ] accepted the invitation of the Government of [State] (the "Government") to hold the [Conference on] (the "Conference") at (city, State), and

WHEREAS the General Assembly of the United Nations, in paragraph 5 of section I of its resolution 31/140 of 17 December 1976, decided that sessions of United Nations bodies may be held away from their established headquarters when the Government issuing the invitation for a session to be held within its territory has agreed to defray, after consultations with the Secretary-General of the United Nations as to their nature and possible extent, the actual additional costs directly or indirectly incurred,

NOW THEREFORE, the United Nations and the Government hereby agree as follows:

Article I

Date and place of the Conference

The Conference shall be held at [city], from _____ to _____.

Article II

Attendance at the Conference

1. As specified [by the convening or the preparatory organ or in the rules of procedure of the Conference], the Conference shall be open to participation by the representatives or observers of:

- (a) States;
- (b) Namibia, represented by United Nations Council for Namibia;
- (c) Organizations that have received standing invitations from the General Assembly to participate in conferences in the capacity of observers, and national liberation movements;
- (d) Specialized and related agencies of the United Nations;

a/ When appropriate, further preambular paragraphs may be inserted concerning the decisions authorizing the Conference or concerning its motivation and objectives.

- (e) Other intergovernmental organizations;
- (f) Intergovernmental organs of the United Nations;
- (g) Non-governmental organizations;
- (h) Officials of the United Nations Secretariat;
- (i) Other persons invited by the United Nations.

2. The Secretary-General of the United Nations shall designate the officials of the United Nations assigned to attend the Conference for the purpose of servicing it.

3. The public meetings of the Conference shall be open to representatives of information media accredited by the United Nations at its discretion after consultation with the Government.

Article III

Premises, equipment, utilities and supplies b/

1. The Government shall provide the necessary premises, including conference rooms for informal meetings, office space, working areas and other related facilities, as specified in the schedule hereto. The Government shall at its expense furnish, equip and maintain in good repair all these premises and facilities in a manner that the United Nations considers adequate for the effective conduct of the Conference. The conference rooms shall be equipped for reciprocal simultaneous interpretation between [number] languages and shall have facilities for sound recording in that number of languages as well as facilities for press, television, radio and film operations, to the extent required by the United Nations. The premises shall remain at the disposal of the United Nations 24 hours a day from two weeks prior to the Conference until a maximum of six days after its close.

2. The Government shall provide, if possible within the conference area: bank, post office, telephone and cable facilities, as well as appropriate eating facilities, a travel agency and a secretarial service centre, equipped in consultation with the United Nations, for the use of delegations to the conference on a commercial basis. c/

b/ Depending on the practical requirements and arrangements for the Conference, the details of this article, and of articles IV and V, may vary to some extent. The schedule referred to at the end of the first sentence of paragraph 1 is to be prepared separately for each conference to reflect its special requirements and the particular facilities that are to be made available.

c/ Based on General Assembly resolution 35/10 C, annex, para. 10.

3. The Government shall bear the cost of all necessary utility services, including local telephone communications, of the secretariat of the Conference and its communications by telex or telephone with United Nations [Headquarters in New York or other established headquarters or appropriate United Nations offices] when such communications are authorized by or on behalf of the Executive Secretary of the Conference.

4. The Government shall bear the cost of transport and insurance charges, from any established United Nations office to the site of the Conference and return, of all United Nations equipment and supplies required for the adequate functioning of the Conference. The United Nations shall determine the mode of shipment of such equipment and supplies.

Article IV

Accommodation

The Government shall ensure that adequate accommodation in hotels or residences is available at reasonable commercial rates for persons participating in or attending the Conference.

Article V

Medical facilities

1. Medical facilities adequate for first aid in emergencies shall be provided by the Government within the conference area.
2. For serious emergencies, the Government shall ensure immediate transportation and admission to a hospital.

Article VI

Transport

1. The Government shall provide transport between the _____ airport and the conference area and principal hotels for the members of the United Nations Secretariat servicing the Conference upon their arrival and departure.
2. The Government shall ensure the availability of transport for all participants and those attending the Conference between the _____ airport, the principal hotels and the conference area.
3. The Government shall provide an adequate number of cars with drivers for official use by the principal officers and the secretariat of the Conference, as well as such other local transportation as is required by the secretariat in connection with the Conference.

Article VII

Police protection

The Government shall furnish such police protection as may be required to ensure the effective functioning of the Conference in an atmosphere of security and tranquility free from interference of any kind. While such police services shall be under the direct supervision and control of a senior officer provided by the Government, this officer shall work in close co-operation with a designated senior official of the United Nations.

Article VIII

Local personnel

1. The Government shall appoint a Liaison Officer who shall be responsible, in consultation with the United Nations, for making and carrying out the administrative and personnel arrangements for the Conference as required under this Agreement.

2. The Government shall recruit and provide an adequate number of secretaries, typists, clerks, personnel for the reproduction and distribution of documents, assistant conference officers, ushers, messengers, bilingual receptionists, telephone operators, cleaners and workmen required for the proper functioning of the Conference, as well as drivers for the cars referred to in article VI, paragraphs 1 and 3. The exact requirements in this respect will be established by the United Nations in consultation with the Government. Some of the persons shall be available at least one week before the opening of the Conference and until a maximum of six days after its close, as required by the United Nations.

Article IX

Financial arrangements

1. The Government, in addition to the financial obligations provided for elsewhere in this Agreement, shall in accordance with General Assembly resolution 31/140, section I, paragraph 5, bear the actual additional costs directly or indirectly involved in holding the conference in [host State] rather than at [name of city in which the established headquarters of the United Nations organ or body holding the Conference is located]. Such costs, which are provisionally estimated at approximately \$US _____, shall include, but not be restricted to, the actual additional costs of travel and staff entitlements of the United Nations officials assigned to plan for or attend the Conference, as well as the costs of shipping any necessary equipment and supplies. Arrangements for the travel of United Nations officials required to plan for or service the Conference and for the shipment of any necessary equipment and supplies shall be made by the Secretariat in accordance with the Staff Regulations and Rules of the United Nations and its related administrative practices regarding travel standard, baggage allowances, subsistence payments and terminal expenses.

2. The Government shall, not later than [date], deposit with the United Nations the sum of \$US _____, representing the total estimated costs referred to in paragraph 1. If necessary, the Government shall make further advances as requested by the United Nations so that the latter will not at any time have to finance temporarily from its cash resources the extra costs that are the responsibility of the Government.
3. The deposit and the advances required by paragraph 2 shall be used only to pay the obligations of the United Nations in respect of the Conference.
4. After the Conference, the United Nations shall give the Government a detailed set of accounts showing the actual additional costs incurred by the United Nations and to be borne by the Government pursuant to paragraph 1. These costs shall be expressed in United States dollars, using the United Nations official rate of exchange at the time the payments are made. The United Nations, on the basis of this detailed set of accounts, shall refund to the Government any funds unspent out of the deposit or the advances required by paragraph 2. Should the actual additional costs exceed the deposit, the Government shall remit the outstanding balance within one month of the receipt of the detailed accounts. The final accounts shall be subject to audit as provided in the Financial Regulations and Rules of the United Nations, and the final adjustment of accounts shall be subject to any observations which may arise from the audit carried out by the United Nations Board of Auditors, whose determination shall be accepted as final by both the United Nations and the Government.

Article X

Liability

1. The Government shall be responsible for dealing with any action, claim or other demand against the United Nations or its officials and arising out of:
 - (a) Injury to persons or damage to or loss of property in the premises referred to in article III that are provided by or are under the control of the Government;
 - (b) Injury to persons or damage to or loss of property caused by, or incurred in using, the transport services referred to in article VI that are provided by or are under the control of the Government;
 - (c) The employment for the Conference of the personnel provided by the Government under article VIII.
2. The Government shall indemnify and hold harmless the United Nations and its officials in respect of any such action, claim or other demand.

Article XI

Privileges and immunities

1. The Government on the Privileges and Immunities of the United Nations, adopted by the General Assembly on 13 February 1946, to which the [host State] is a party, d/ shall be applicable in respect of the Conference. In particular, the representatives of States and of the intergovernmental organs referred to in article II, paragraph 1 (a) and (b), above, shall enjoy the privileges and immunities provided under article IV of the Convention, the officials of the United Nations performing functions in connection with the Conference referred to in article II, paragraphs 1 (g) and 2, above, shall enjoy the privileges and immunities provided under articles V and VII of the Convention and any experts on mission for the United Nations in connection with the Conference shall enjoy the privileges and immunities provided under articles VI and VII of the Convention.
2. The representatives or observers referred to in article II, paragraph 1 (c), (e), (f) and (h), above, shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in connection with their participation in the Conference.
3. The personnel provided by the Government under article VIII, above, shall enjoy immunity from legal process in respect of words spoken or written and any act performed by them in their official capacity in connection with the Conference.
4. The representatives of the specialized or related agencies, referred to in article II, paragraph 1 (d), above, shall enjoy the privileges and immunities provided by the Convention on the Privileges and Immunities of the Specialized Agencies or the Agreement on the Privileges and Immunities of the International Atomic Energy Agency, as appropriate. e/
5. Without prejudice to the preceding paragraphs of the present article, all persons performing functions in connection with the Conference, including those referred to in article VIII and all those invited to the Conference, shall enjoy the privileges, immunities and facilities necessary for the independent exercise of their functions in connection with the Conference.
6. All persons referred to in article II shall have the right of entry into and exit from [host State], and no impediment shall be imposed on their transit to and from the conference area. They shall be granted facilities for speedy travel. Visas and entry permits, where required, shall be granted free of charge, as speedily as possible and not later than two weeks before the date of the opening of the Conference, provided the application for the visa is made at least three weeks

d/ Include this clause only if the host State is a party.

e/ If the host State is not a party to these agreements, application of the United Nations convention, mutatis mutandis, may be provided for instead.

before the opening of the Conference; if the application is made later, the visa shall be granted not later than three days from the receipt of the application. Arrangements shall also be made to ensure that visas for the duration of the Conference are delivered at [specified point(s) of entry] to participants who were unable to obtain them prior to their arrival. Exit permits, where required, shall be granted free of charge, as speedily as possible, and in any case not later than three days before the closing of the Conference.

7. For the purpose of the Convention on the Privileges and Immunities of the United Nations, the conference premises specified in article III, paragraph 1, above, shall be deemed to constitute premises of the United Nations in the sense of section 3 of the Convention and access thereto shall be subject to the authority and control of the United Nations. The premises shall be inviolable for the duration of the Conference, including the preparatory stage and the winding-up.

8. All persons referred to in article II, above, shall have the right to take out of [host State] at the time of their departure, without any restriction, any unexpended portions of the funds they brought into [host State] in connection with the Conference and to reconvert any such funds at the rate at which they had originally been converted. f/

9. The Government shall allow the temporary importation, tax-free and duty-free, of all equipment, including technical equipment accompanying representatives of information media, and shall waive import duties and taxes on supplies necessary for the Conference. It shall issue without delay any necessary import and export permits for this purpose.

Article XII

Settlement of disputes

Any dispute between the United Nations and the Government concerning the interpretation or application of this Agreement that is not settled by negotiation or other agreed mode of settlement shall be referred at the request of either party for final decision to a tribunal of three arbitrators, one to be named by the Secretary-General of the United Nations, one to be named by the Government and the third, who shall be the chairman, to be chosen by the first two; if either party fails to appoint an arbitrator within 60 days of the appointment by the other party, or if these two arbitrators should fail to agree on the third arbitrator within 60 days of their appointment, the President of the International Court of Justice may make any necessary appointments at the request of either party. However, any such dispute that involves a question regulated by the Convention on the Privileges and Immunities of the United Nations shall be dealt with in accordance with section 30 of that Convention.

f/ This paragraph is not required if the Conference is held in a State with a freely convertible currency.

Article XIII

Final provisions

1. This Agreement may be modified by written agreement between the United Nations and the Government.

2. This Agreement shall enter into force immediately upon signature by the Parties and shall remain in force for the duration of the Conference and for such a period thereafter as is necessary for all matters relating to any of its provisions to be settled.

SIGNED this _____ day of _____ 19____ at [city] in duplicate in [English or French], both texts being equally authentic.

For the United Nations

For the Government of _____
