
Fifth Review Conference of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

28 September 2016

Original: English

Geneva, 12–16 December 2016
Item 4 of the provisional agenda
Adoption of the rules of procedure

Draft Rules of Procedure of the Fifth Review Conference of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

Submitted on recommendation by the Preparatory Committee of the Fifth Review Conference of the High Contracting Parties to the Convention

**Chapter I
Representation and credentials**

**Rule 1
Composition of delegations**

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

2. The delegation of each State participating in the Conference shall consist of a head of delegation and such other representatives, alternate representatives and advisers as may be required.

**Rule 2
Designated representatives**

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

GE.16-16663(E)



* 1 6 1 6 6 6 3 *

Please recycle



Rule 3
Submission of credentials

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Conference, if possible not later than 24 hours after the opening of the Conference. Any later change in the composition of delegations shall also be submitted to the Secretary-General of the Conference. The credentials shall be issued by the Head of State or Government, or by the Minister for Foreign Affairs.

Rule 4
Credentials Committee

1. There shall be a Credentials Committee of five members elected by the Conference on the proposal of the President.
2. The Credentials Committee shall examine the credentials of representatives and report to the Conference.

Rule 5
Provisional participation

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

Chapter II
Officers

Rule 6
Elections

The Conference shall elect from among the States parties participating in the Conference a President, ten Vice-Presidents as well as the Chairperson and a Vice-Chairperson for each of the Main Committees, the Drafting Committee and the Credentials Committee. These officers shall be elected so as to ensure the representative character of the General Committee provided for in rule 10.

Rule 7
Acting President

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

Rule 8
Replacement of the President

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

Rule 9
Participation of the President in decision-making

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

Chapter III
General Committee**Rule 10**
Composition

The General Committee shall be composed of the President, who shall preside, ten Vice-Presidents, the Chairpersons and the Vice-Chairpersons of the Main Committees, the Drafting Committee and the Credentials Committee.

Rule 11
Substitute members

1. In case of absence, the President or a Vice-President, may designate a member of his delegation as his substitute.

2. In case of absence, the Chairpersons and the Vice-Chairpersons of the Main Committees or of the Drafting Committee or of the Credentials Committee shall designate another officer of the respective Committee or, if none is available, a member thereof as his substitute. However, such a substitute shall not have the right to participate in making decisions if he or she is of the same delegation as another member of the General Committee.

Rule 12
Chairperson

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

Rule 13
Functions

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

Chapter IV Secretariat

Rule 14 Duties of the Secretary-General

1. There shall be a Secretary-General of the Conference. He shall act in that capacity in all meetings of the Conference, its Committees and working groups, and may designate a member of the Secretariat to act in his place at these meetings.

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

Rule 15 Duties of the secretariat

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

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

Rule 16 Costs

The costs of the Review Conference will be met by the States parties to the Convention participating in the Review Conference in accordance with the United Nations scale of assessment, adjusted to take into account differences between the United Nations membership and the participation of States parties in the Conference. States which are not States parties to the Convention and which accept the invitation to take part in the Review Conference will share in the costs to the extent of their respective rates of assessment under the United Nations scale.

Rule 17 Statements by the secretariat

The Secretary-General or any member of the secretariat designated for that purpose may, subject to rule 20, make either oral or written statements concerning any question under consideration.

Chapter V

Conduct of business

Rule 18

Quorum

A majority of the States Parties to the Convention participating in the Conference shall constitute a quorum.

Rule 19

General powers of the President

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

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

Rule 20

Points of order

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

Rule 21

Speeches

1. No one may address the Conference without having previously obtained the permission of the President, who shall, subject to rules 19 and 20 and 22 to 26, call upon speakers in the order in which they signify their desire to speak.

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

3. The Conference may limit the time allowed to speakers and the number of times the representatives of each participant may speak on a question; a motion to set such limit shall be put to the Conference for decision immediately. In any event, the President shall limit interventions on procedural questions to a maximum of five minutes. When the

debate is limited and a speaker exceeds the allotted time, the President shall call him to order without delay.

Rule 22

Precedence

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

Rule 23

Closing of the list of speakers

During the course of a debate the President may announce the list of speakers and, with the consent of the Conference, declare the list closed. When there are no more speakers on the list, the President may declare the debate closed.

Rule 24

Rights of reply

The right of reply shall be accorded by the President to a representative of a State participating in the Conference who requests it; any other representative may be granted the opportunity to make a reply. Representatives should attempt, in exercising this right, to be as brief as possible and preferably to deliver their statements at the end of the meeting at which this right is requested.

Rule 25

Suspension or adjournment of the meeting

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

Rule 26

Adjournment of debate

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

Rule 27

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

Rule 28
Order of motions

Subject to rule 19, the following motions shall have precedence in the indicated order over all other proposals or motions before the meeting:

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

Rule 29
Basic proposals

The draft proposals submitted to the Conference by the Group of Governmental Experts of the High Contracting Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to have Indiscriminate Effects shall constitute the basic proposals for consideration by the Conference.

Rule 30
Submission of other proposals and substantive amendments

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

Rule 31
Withdrawal of proposals and motions

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

Rule 32
Decisions 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 or a decision is taken on the proposal in question.

Rule 33

Reconsideration

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

Chapter VI

Decision-making

Rule 34

Adoption of decisions

The Conference shall conduct its work and take decisions in accordance with Article 8 of the Convention.

Chapter VII

Subsidiary organs

Rule 35

Main Committees

There shall be two Main Committees, which shall receive their assignments from the Conference and report to it.

Rule 36

Drafting Committee

1. There shall be a Drafting Committee composed of representatives of the same States which are represented on the General Committee. It shall coordinate the drafting of and edit all texts referred to it by the Conference or by a Main Committee, without altering the substance of the texts, and report to the Conference or to the Main Committee as appropriate. It shall also, without reopening the substantive discussion on any matter, formulate drafts and give advice on drafting as requested by the Conference or a Main Committee.

2. Representatives of other States may also attend the meetings of the Drafting Committee and may participate in its deliberations when matters of particular concern to them are under discussion.

Rule 37

Working groups

The Conference and the Main Committees may establish working groups.

**Rule 38
Officers**

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

**Rule 39
Applicable rules**

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

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

**Chapter VIII
Languages and records****Rule 40
Languages of the Conference**

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

**Rule 41
Interpretation**

1. Speeches made in a language of the Conference shall be interpreted into the other such languages.

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

**Rule 42
Languages of official documents**

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

**Rule 43
Records and sound recordings of meetings**

1. Summary records of the plenary meetings of the Conference shall be prepared and circulated as soon as possible in all the languages of the Conference, to all representatives, who shall inform the secretariat, within five working days after such circulation, of any corrections they wish to have made.

2. The secretariat shall make sound recordings of meetings of the Conference and of the Main Committees. Such recordings shall be made of meetings of other subsidiary organs when the body concerned or the organ that established it so decides.

Chapter IX

Public and private meetings

Rule 44

Plenary and Committees

The plenary meetings of the Conference and the meetings of the Main Committees shall be held in public unless the body concerned decides otherwise, for instance for the negotiation of proposals.

Rule 45

Working groups

As a general rule, meetings of other committees and working groups shall be held in private.

Chapter X

Other participants and observers

Rule 46

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

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

Rule 47

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

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

Rule 48

International Committee of the Red Cross

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

Rule 49
Representatives of non-governmental organizations

1. Non-governmental organizations may designate representatives to attend public meetings of the Conference and its Main Committees and to make available written contributions on matters on which they have a special competence, at their own cost. They will also be entitled upon request to receive the documents of the Conference.

2. Upon the invitation of the presiding officer of the plenary and subject to the approval of that body, representatives of such organizations may make oral statements on questions in which they have a special competence in plenary meetings.

Rule 50
Written statements

Written statements submitted by the designated representatives referred to in rules 46 to 48 shall be distributed by the secretariat to all delegations in the quantities and in the languages in which the statements are made available to the secretariat for distribution.

Chapter XI
Amendment or suspension of the Rules of Procedure**Rule 51**
Method of amendment

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

Rule 52
Method of suspension

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