

10 July 2009

Original: English

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**Conference on Facilitating the Entry into Force  
of the Comprehensive Nuclear-Test-Ban Treaty**

New York, 24-25 September 2009

**DRAFT RULES OF PROCEDURE****CONTENTS**

<i>Rule</i>		<i>Page</i>
I.	REPRESENTATION AND CREDENTIALS.....	4
1.	Participating States .....	4
2.	Composition of delegations .....	4
3.	Credentials .....	4
4.	Credentials Committee .....	5
5.	Provisional participation.....	5
II.	OFFICERS.....	5
6.	Election.....	5
7.	Acting President.....	5
8.	Participation of the President in decision-taking.....	5
III.	GENERAL COMMITTEE.....	6
9.	Composition.....	6
10.	Functions.....	6
IV.	SECRETARIAT .....	6
11.	Duties of the Secretary of the Conference .....	6
12.	Duties of the Secretariat.....	6
V.	SECRETARY-GENERAL OF THE UNITED NATIONS.....	7
13.	Duties of the Secretary-General.....	7
VI.	EXECUTIVE SECRETARY OF THE PREPARATORY COMMISSION FOR THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY ORGANIZATION .....	7



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14.	Duties of the Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization .....	7
VII.	CONDUCT OF BUSINESS .....	8
15.	Quorum .....	8
16.	General powers of the President .....	8
17.	Points of order .....	8
18.	Speeches .....	8
19.	Precedence .....	9
20.	Closing of the list of speakers .....	9
21.	Rights of reply .....	9
22.	Suspension or adjournment of the meeting .....	10
23.	Adjournment of debate .....	10
24.	Closure of debate .....	10
25.	Order of motions .....	10
26.	Submission of proposals and amendments .....	11
27.	Withdrawal of proposals and motions .....	11
28.	Decision on competence .....	11
29.	Reconsideration of proposals .....	11
VIII.	DECISION-TAKING .....	12
30.	Adoption of decisions .....	12
31.	Meaning of the phrase “ratifiers present and voting” .....	12
32.	Method of voting .....	12
33.	Conduct during voting .....	12
IX.	SUBSIDIARY ORGANS OF THE CONFERENCE .....	13
34.	Subsidiary organs .....	13
X.	LANGUAGES AND RECORDS .....	13
35.	Languages of the Conference .....	13
36.	Interpretation .....	13
37.	Languages of official documents .....	13
38.	Sound recordings of meetings .....	13
XI.	OPEN AND CLOSED MEETINGS .....	14
39.	Open and closed meetings .....	14
XII.	OTHER STATES, INTERGOVERNMENTAL ORGANIZATIONS, ENTITIES AND NON-GOVERNMENTAL ORGANIZATIONS .....	14
40.	Other States .....	14
41.	Specialized agencies, related organizations and intergovernmental organizations .....	14

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42.	Entities having been granted observer status in the United Nations	
	General Assembly.....	14
43.	Non-governmental organizations.....	15
XIII.	AMENDMENT OR SUSPENSION OF THE RULES OF PROCEDURE .....	15
44.	Method of amendment .....	15
45.	Method of suspension .....	15

The purpose of the Conference is to examine the extent to which the requirement for entry into force set out in Article XIV, paragraph 1 of the Comprehensive Nuclear-Test-Ban Treaty (hereinafter “the Treaty”) has been met and to consider and decide by consensus what measures consistent with international law may be undertaken to accelerate the ratification process in order to facilitate the early entry into force of the Treaty.

## **I. REPRESENTATION AND CREDENTIALS**

### Participating States

#### Rule 1

1. Each State that has already deposited its instrument of ratification of the Treaty before the opening of the Conference (hereinafter “ratifier”) may participate in and be represented at the Conference convened pursuant to paragraph 3 of Article XIV of the Treaty.
2. Each State Signatory, which has not yet deposited its instrument of ratification of the Treaty before the opening of the Conference (hereinafter “signatory”), may attend the Conference in accordance with paragraph 4 of Article XIV of the Treaty.
3. The term “participating States” refers to ratifiers and signatories.

### Composition of delegations

#### Rule 2

The delegation of a participating State shall consist of a head of delegation and such other alternates and advisers as may be required. The head of delegation may designate an alternate or adviser to act in his or her place.

### Credentials

#### Rule 3

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

Credentials Committee

Rule 4

The Conference shall establish a Credentials Committee, which shall consist of five representatives of ratifiers appointed by the Conference on proposal of the President. The Committee shall examine the credentials of representatives and report to the Conference without delay.

Provisional participation

Rule 5

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

**II. OFFICERS**

Election

Rule 6

The Conference shall elect a President and up to six Vice-Presidents. A majority of the Vice-Presidents shall be chosen from the ratifiers. The officers shall be so elected as to ensure a representative distribution of posts.

Acting President

Rule 7

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

Participation of the President in decision-taking

Rule 8

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

### **III. GENERAL COMMITTEE**

#### Composition

##### Rule 9

1. The General Committee shall be composed of the President of the Conference and the Vice-Presidents of the Conference chosen from among the participating States.
2. If the President is unable to attend a meeting of the General Committee, he or she may designate a Vice-President from a ratifier to preside at such meeting and a member of his or her delegation to attend the meeting in his or her place. If a Vice-President is unable to attend, he or she may designate a member of his or her delegation to attend the meeting in his or her place.

#### Functions

##### Rule 10

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.

### **IV. SECRETARIAT**

#### Duties of the Secretary of the Conference

##### Rule 11

1. There shall be a Secretary of the Conference. The Secretary-General of the United Nations shall nominate the Secretary of the Conference. He or she shall act in that capacity in all meetings of the Conference and its subsidiary organs and may designate a member of the Secretariat to act in his or her place at these meetings.
2. The Secretary of the Conference shall direct the staff of the Conference.

#### Duties of the Secretariat

##### Rule 12

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 official documents of the Conference;
- (d) Make and arrange for the keeping of sound recordings of the meetings of the Conference;
- (e) Arrange for the custody and preservation of the records of the Conference in the archives of the United Nations; and
- (f) Generally perform all other work that the Conference may require.

## **V. SECRETARY-GENERAL OF THE UNITED NATIONS**

### Duties of the Secretary-General

#### Rule 13

The Secretary-General shall act at the Conference in his capacity as Secretary-General of the United Nations. The Secretary-General may designate a member of the Secretariat of the United Nations as his representative to participate in the Conference on his behalf. The Secretary-General or his representative shall be entitled to make oral or written statements concerning any matter under consideration by the Conference.

## **VI. EXECUTIVE SECRETARY OF THE PREPARATORY COMMISSION FOR THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY ORGANIZATION**

### Duties of the Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization

#### Rule 14

The Executive Secretary of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization may act at the Conference in that capacity. The Executive Secretary may designate a member of the Provisional Technical Secretariat of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization as his representative to participate in the Conference on his behalf. The Executive Secretary or his representative shall be entitled, within his competence as Executive Secretary, to make oral or written statements concerning any matter under consideration by the Conference.

## VII. CONDUCT OF BUSINESS

### Quorum

#### Rule 15

The presence of representatives of a majority of the ratifiers shall be required for any decision to be taken.

### General powers of the President

#### Rule 16

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 meeting, direct the discussions, ensure observance of these rules, 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. He or she may propose to the Conference the closure of the list of speakers, a limitation on the time to be allowed to speakers 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 or her functions, remains under the authority of the Conference.

### Points of order

#### Rule 17

A representative of a participating State 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 of a participating State 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 a majority of ratifiers present and voting. A representative of a participating State may not, in raising a point of order, speak on the substance of the matter under discussion.

### Speeches

#### Rule 18

1. No one may address the Conference without having previously obtained the permission of the President, who shall, subject to rules 17, 19 and 22 to 24, 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 or her remarks are not relevant to the subject under discussion.
3. The Conference may limit the time allowed to each speaker and the number of times each representative of a participating State may speak on a question. Before a decision is taken, two representatives of participating States may speak in favour and two against, a proposal to set such limits. In any event, the President shall limit interventions on procedural questions to a maximum of three minutes. When the debate is limited and a speaker exceeds the allocated time, the President shall call him or her to order without delay.

### Precedence

#### Rule 19

The Chairman of a subsidiary organ may be accorded precedence for the purpose of explaining the conclusion arrived at by that organ.

### Closing of the list of speakers

#### Rule 20

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

### Rights of reply

#### Rule 21

1. Notwithstanding rule 20, the President shall accord the right of reply to a representative of a participating State who requests it.
2. Replies made pursuant to this rule shall normally be made at the end of the last meeting of the day.
3. No delegation may make more than one statement under this rule at a given meeting.
4. An intervention in the exercise of the right of reply for any delegation at a given meeting shall be limited to three minutes.

Suspension or adjournment of the meeting

Rule 22

A representative of a ratifier may at any time move the suspension or the adjournment of the meeting. Such motions shall not be debated but shall, subject to rule 25, be put immediately to the Conference for decision.

Adjournment of debate

Rule 23

A representative of a ratifier 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 of participating States may speak in favour of, and two against, the adjournment, after which the motion shall, subject to rule 25, be put immediately to the Conference for decision.

Closure of debate

Rule 24

A representative of a ratifier may at any time move the closure of the debate on the question under discussion, whether or not any other representative of a participating State 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, subject to rule 25, be put immediately to the Conference for decision.

Order of motions

Rule 25

Subject to rule 17, the motions indicated below shall have the precedence in the following order over all other proposals or motions before the meeting:

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

### Submission of proposals and amendments

#### Rule 26

Proposals and amendments put forward by participating States shall normally be submitted in writing to the Secretariat of the Conference, which shall circulate copies to all delegations. As a general rule, no proposal shall be discussed or put to a decision unless copies of it have been circulated to all delegations not later than a day preceding the meeting. The President may, however, permit the consideration of amendments or proposals, even though the amendments or proposals have not been circulated or have only been circulated the same day.

### Withdrawal of proposals and motions

#### Rule 27

A proposal or a 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 a motion thus withdrawn may be reintroduced by any representative of a participating State.

### Decision on competence

#### Rule 28

Subject to rules 17 and 25, any motion by a participating State 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. If consensus is not attainable, the Conference shall take a decision by a two-thirds majority of the ratifiers present and voting, taking into account, to the maximum extent possible, views expressed at the Conference by signatories.

### Reconsideration of proposals

#### Rule 29

When a proposal 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 it shall be put immediately to the Conference for a decision.

## VIII. DECISION-TAKING

### Adoption of decisions

#### Rule 30

1. Decisions on the measures referred to in paragraph 2 of Article XIV of the Treaty shall be taken by consensus of ratifiers, taking into account, to the maximum extent possible, views expressed at the Conference by signatories.
2. Decisions on matters of procedure shall be taken by a majority of ratifiers present and voting, taking into account, to the maximum extent possible, views expressed at the Conference by signatories.
3. When an issue arises as to whether a question is one of substance, as provided for in paragraph 1 above, or of procedure, that question shall be treated as a matter of substance.

### Meaning of the phrase “ratifiers present and voting”

#### Rule 31

For the purpose of these rules, the phrase “ratifiers present and voting” means representatives of ratifiers present and casting an affirmative or negative vote. Ratifiers who abstain from voting shall be considered as not voting.

### Method of voting

#### Rule 32

The ratifiers shall normally vote by show of hands or by standing, but any ratifier may request a roll call. The roll call shall be taken in the English alphabetical order of the names of the ratifiers, beginning with the delegation whose name is drawn by lot by the President. The name of each ratifier shall be called in all roll calls and its representatives shall reply “yes”, “no” or “abstention”. In the case of a decision on a matter of procedure, a vote will be taken consistent with paragraph 2 of rule 30.

### Conduct during voting

#### Rule 33

The President shall announce the commencement of voting, after which no representative of a ratifier shall be permitted to intervene until the result of the vote has been announced, except on a point of order in connection with the process of voting.

## IX. SUBSIDIARY ORGANS OF THE CONFERENCE

### Subsidiary organs

#### Rule 34

1. The Conference may establish such subsidiary organs as may be needed for the conduct of its work.
2. The rules of procedure of the Conference shall apply, mutatis mutandis, to its subsidiary organs, unless decided otherwise.

## X. LANGUAGES AND RECORDS

### Languages of the Conference

#### Rule 35

The languages of the Treaty shall be the official languages of the Conference.

### Interpretation

#### Rule 36

1. Speeches made in a language of the Conference shall be interpreted into other official languages of the Conference.
2. A representative of a participating State may make a speech in a language other than a language of the Conference if his or her delegation provides for interpretation into one such language.

### Languages of official documents

#### Rule 37

Official documents of the Conference shall be made available in the languages of the Conference.

### Sound recordings of meetings

#### Rule 38

Sound recordings of meetings of the Conference and its subsidiary organs shall be made and kept in accordance with the practice of the United Nations.

## **XI. OPEN AND CLOSED MEETINGS**

### Open and closed meetings

#### Rule 39

1. The plenary meetings of the Conference shall be open unless otherwise decided by the Conference.
2. Meetings of the subsidiary organs shall be restricted to participating States as defined in rule 1, unless otherwise decided by the Conference.

## **XII. OTHER STATES, INTERGOVERNMENTAL ORGANIZATIONS, ENTITIES AND NON-GOVERNMENTAL ORGANIZATIONS**

### Other States

#### Rule 40

Any State which, in accordance with Article XI of the Treaty, has the right to sign the Treaty, but has not yet done so, may attend the Conference. Representatives of these States shall be entitled to attend open meetings of the Conference, to address the Conference under the agenda item allocated for this purpose, to receive the documents of the Conference and to submit written contributions on matters under consideration by the Conference.

### Specialized agencies, related organizations and intergovernmental organizations

#### Rule 41

Any specialized agency, related organization or intergovernmental organization having received a standing invitation to participate as an observer in the sessions and the work of the United Nations General Assembly may apply to the Secretariat of the Conference to attend the Conference. Permission to attend will be granted on the decision of the Conference. Such a specialized agency, related organization or intergovernmental organization shall be entitled to attend open meetings of the Conference, to receive the documents of the Conference and to submit written contributions on matters under consideration by the Conference.

### Entities having been granted observer status in the United Nations General Assembly

#### Rule 42

Any entity having received a standing invitation to participate as an observer in the sessions and the work of the United Nations General Assembly and maintaining permanent observer missions or permanent offices at United Nations Headquarters may apply to the Secretariat of the Conference to attend the Conference. Permission to attend will be granted on the decision of the Conference. Such an entity shall be entitled to attend open meetings of the Conference, to receive the documents of the Conference and to submit written contributions on matters under consideration by the Conference.

### Non-governmental organizations

#### Rule 43

Any non-governmental organization (NGO) that wishes to attend the Conference may apply to the Secretariat of the Conference to attend the Conference. Permission to attend will be granted on the decision of the Conference. Such a non-governmental organization shall be entitled to attend open meetings of the Conference, to receive upon request the documents of the Conference and to make available at its own cost written contributions on matters under consideration by the Conference. At the invitation of the President of the Conference, a representative chosen by NGOs attending the Conference from among their number would be allowed to address the Conference under the agenda item allocated for this purpose.

## **XIII. AMENDMENT OR SUSPENSION OF THE RULES OF PROCEDURE**

### Method of amendment

#### Rule 44

Subject to Article XIV of the Treaty, these rules of procedure may be amended by a decision by a majority of ratifiers present and voting.

### Method of suspension

#### Rule 45

Subject to Article XIV of the Treaty, any of these rules may be suspended by the Conference, provided that 24 hours' notice of the proposal for the suspension has been given, which may be waived if no representative of a ratifier objects. Any such suspension shall be limited to a specific and stated purpose and to a period required to achieve that purpose.

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