

Rules of Procedure of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization





CTBTO

preparatory commission for the
comprehensive nuclear-test-ban
treaty organization

PREPARATORY COMMISSION

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CTBT/PC/II/1/Add.1, Appendix 1: Rules of Procedure of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization (issued on 16 May 1997)

Also included are subsequent changes to the following rules as approved by the Preparatory Commission:

Amendments to Rules of Procedure

Rule Amended	Source Document (Date of Issue)	Date of Entry into Force
Rule 5	CTBT/PC-34/2/Annex II (7 July 2010)	29 June 2010
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I. COMPOSITION

RULE 1

Members

All States which have signed the Comprehensive Nuclear-Test-Ban Treaty shall be members of the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization hereinafter referred to as the “Commission”.

II. REPRESENTATION

RULE 2

Representation

1. Each member of the Commission shall be represented by an accredited representative (hereinafter referred to as “representative”), who may be accompanied by alternates and advisers.
2. The representative may designate an alternate or an adviser to act as a representative.

RULE 3

Submission of Credentials and Notification of Delegations

1. The credentials of representatives shall be submitted to the Executive Secretary as soon as possible.

2. The credentials shall be issued by either: (a) the Head of State or Government; or (b) the Minister for Foreign Affairs; or (c) other authority responsible for foreign affairs. They shall remain valid until they are withdrawn or replaced by new credentials.
3. Members shall notify the Executive Secretary of the names of alternates and advisers.

RULE 4

Credentials Committee

1. The Credentials Committee shall consist of six members, who shall be appointed by the Commission upon the proposal of the Chairman. It shall examine the credentials of representatives and report to the Commission without delay.
2. The Credentials Committee appointed at the beginning of the first session of the Commission shall continue to serve for all sessions. It shall examine only the credentials of representatives newly accredited, unless the Commission decides otherwise.

RULE 5

Observers

1. Representatives of non-signatory States to the CTBT which are to have IMS facilities on their territories

may attend, without the right to participate in the decision making process, meetings of the Commission and its subsidiary bodies. Costs related to the attendance of such meetings shall be borne by the non-signatory State concerned.

2. Representatives of the United Nations or entities having received a standing invitation to participate in the sessions of the United Nations General Assembly may attend, without the right to participate in the decision making process, meetings of the Preparatory Commission and its subsidiary bodies. Costs related to the attendance of such meetings shall be borne by the organization or entity concerned.
3. Upon invitation of the Preparatory Commission, representatives of any United Nations specialized agency, related organization or intergovernmental organization may attend, without the right to participate in the decision making process, meetings of the Preparatory Commission and its subsidiary bodies. Costs related to the attendance of such meetings shall be borne by the organization concerned.

RULE 6

Provisional Participation

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

III. STRUCTURE AND OFFICERS

RULE 7

Structure and Sessions of the Commission

1. The work of the Commission shall be conducted in plenary sessions which shall take decisions in accordance with these rules of procedure.
2. The Commission may establish such subsidiary bodies as necessary for the exercise of its functions and shall determine their composition, competence and rules of procedure. In the absence of specific rules of procedure, the rules of procedure of the Commission shall apply *mutatis mutandis*.
3. The subsidiary bodies shall be open to all members.
4. Sessions of the Commission shall be held as decided by the Commission.

RULE 8

Officers and Their Terms of Office

1. The Commission shall elect a Chairman, six Vice-Chairmen and such other officers as it may decide. The Vice-Chairmen shall be elected upon the recommendation of each geographical region as indicated in

paragraph 2, in conjunction with the election of each Chairman.

2. The terms of office of the Chairman and the Vice-Chairmen shall be one year. The chairmanship of the Commission shall rotate among representatives from African States, Eastern European States, Latin American and Caribbean States, Middle Eastern and South Asian States, North American and Western European States, and South-East Asian, Pacific and Far Eastern States in English alphabetical order, starting with a representative from African States.
3. The terms of office of the other officers of the Commission shall be decided by the Commission.

IV. THE PROVISIONAL TECHNICAL SECRETARIAT

RULE 9

Functions

The Commission shall have a Provisional Technical Secretariat (hereinafter referred to as the “Secretariat”). The Secretariat shall assist the Commission in its activity and exercise such functions as the Commission may determine.

RULE 10

Composition

The Secretariat shall be composed of the Executive Secretary, who shall be its head and chief executive officer, and such other staff as may be required for the efficient functioning of the Preparatory Commission.

RULE 11

The Executive Secretary

The Executive Secretary, appointed by the Commission, shall act in that capacity at all meetings of the Commission and its subsidiary bodies. He or she may designate a member or members of his or her staff to act as his or her representative.

V. CONDUCT OF BUSINESS

RULE 12

Quorum

A majority of the members of the Commission shall constitute a quorum.

RULE 13

General Powers and Functions of the Chairman

1. In addition to exercising the powers conferred upon the Chairman elsewhere by these rules, he or she shall preside at the plenary sessions of the Commission, declare the opening and closing of each such session, direct the discussions, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. The Chairman shall, subject to these rules, have complete control of the proceedings and over the maintenance of order thereat. The Chairman may propose to the Commission the closing of the list of speakers, limitation of the time allowed to speakers and on the number of times each representative may speak on any question, the adjournment or the closure of debate and the suspension or the adjournment of a meeting.
2. The Chairman, in the exercise of his or her functions, remains under the authority of the Commission.
3. If the Chairman is absent from a plenary session or any part thereof, or is temporarily unable to perform his or her functions, he or she shall request a Vice-Chairman to act in his or her place. A Vice-Chairman acting as a Chairman shall have the same powers and functions as the Chairman.
4. If the Chairman is permanently unable to perform his or her functions, a new Chairman shall be elected for the unexpired term.

5. The Chairman, or the Vice-Chairman acting as a Chairman, shall not vote but may designate another member of his or her delegation to vote in his or her stead.

RULE 14

Speeches

1. No one may address the Commission without having previously obtained the permission of the Chairman. Subject to Rule 15, paragraph 2, and Rules 16 to 19, the Chairman 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 Commission and the Chairman may call a speaker to order if his or her remarks are not relevant to the question under discussion.

RULE 15

Closing of Lists of Speakers and Right of Reply

1. In the course of the debate, the Chairman may announce the list of speakers, and with the consent of the Commission, declare the list closed.
2. Notwithstanding paragraph 1, the Chairman shall accord the right of reply to any representative who requests it.

RULE 16

Points of Order

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

RULE 17

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 be immediately decided.

RULE 18

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 be immediately decided.

RULE 19

Suspension or Adjournment of the Meeting

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 be immediately decided.

RULE 20

Priority of Motions

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

- (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.

RULE 21

Proposals and Amendments

Proposals and amendments shall normally be submitted in writing to the Secretariat. The Secretariat shall circulate copies thereof to all members. Unless the Commission decides otherwise, proposals shall not be discussed or considered for decision until the day after copies thereof have been circulated.

RULE 22

Decisions on Competence

Subject to Rule 20, any motion calling for a decision on the competence of the Commission to adopt a proposal submitted to it shall be decided upon before a decision is taken on the proposal in question.

RULE 23

Withdrawal 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 Commission. A proposal or a motion thus withdrawn may be reintroduced by any representative.

RULE 24

Reconsideration of Proposals

1. When a proposal has been adopted or rejected, it may not be reconsidered unless the Commission, by a two thirds majority of the members 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 Commission may decide to limit this rule to the reconsideration of proposals at the same session.

VI. DECISION MAKING

RULE 25

Voting Rights

Each member of the Commission shall have one vote.

RULE 26

Decisions on Procedural Questions and on Matters of Substance

1. All decisions of the Commission should be taken by consensus.
2. If, notwithstanding all the efforts to achieve consensus, an issue under the ruling of the Chairman comes up for voting, the Chairman shall defer the vote for 24 hours and during this period of deferment shall make every effort to facilitate achievement of consensus and shall report to the Commission before the end of the period.
3. If consensus is not possible at the end of 24 hours, the Commission shall take decisions on questions of procedure by a simple majority of the members present and voting. Decisions on matters of substance shall be taken by a two thirds majority of the members present and voting. When the issue arises as to whether the question is one of substance or not, that question shall be treated as a matter of substance unless otherwise decided by the Commission by the majority required for a decision on matters of substance.

4. The period of deferment of a vote for 24 hours, as specified in paragraphs 2 and 3, shall not apply to decisions taken pursuant to Rules 16 to 19.

RULE 27

Appointment of the Executive Secretary

1. The appointment of the Executive Secretary shall be considered a decision on a matter of substance.
2. If, in accordance with Rule 26, the decision cannot be taken by consensus, the Commission shall determine the leading candidate. If there is more than one candidate, the leading candidate shall be considered the candidate obtaining the greatest number of votes in a secret ballot in which each member entitled to vote may cast one vote.
3. The Commission shall subsequently decide on the leading candidate and, if appropriate, the next leading candidate by secret ballot. The candidate obtaining a two thirds majority of the members present and voting shall be considered appointed.

RULE 28

Meaning of the Phrase "Members Present and Voting"

For the purpose of these Rules, the phrase "members present and voting" means members casting an affirmative or

negative vote. Members who abstain from voting shall be regarded as not voting.

RULE 29

Methods of Voting

The Commission 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 members of the Commission, beginning with the member whose name is drawn by lot by the Chairman. The name of each member shall be called in all roll-calls, and its representative shall reply “yes”, “no” or “abstention”.

RULE 30

Conduct During Voting

After the Chairman 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 31

Explanation of the Vote

1. Representatives may make brief statements consisting solely of explanations of a vote, before the voting has commenced or after the voting has been completed. The Chairman may limit the time to be allowed for such explanations. The representative sponsoring a

proposal or motion shall not speak in explanation of the vote thereon, except when it has been amended.

2. Similarly, explanatory statements of position may be made in connection with a decision taken without a vote.
3. Explanations of vote and explanatory statements of position may be included in the report of the plenary session, at the request of a representative.

RULE 32

Elections

1. Subject to Rule 26, all elections of officers of the Commission shall be held by secret ballot, unless, in the absence of any objection, the Commission decides to proceed without taking a ballot on an agreed candidate or slate.
2. When two or more elective places are to be filled at one time under the same conditions, each member entitled to vote may cast a vote for as many candidates as there are places to be filled. Those candidates, in a number not exceeding the number of such places, obtaining in the first ballot the majority required for decisions on matters of substance, and the largest number of votes, shall be elected.
3. 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. In such additional ballots, the voting shall be restricted to the candidates

having obtained the greatest number of votes in the previous ballot with the number of candidates not exceeding twice the number of places that remain to be filled.

VII. MEETINGS, LANGUAGES AND DOCUMENTATION

RULE 33

Nature of Meetings

1. Plenary sessions of the Commission shall be closed, unless the Commission decides otherwise.
2. Meetings of subsidiary bodies of the Commission shall be closed unless the Commission or the body concerned decides otherwise.

RULE 34

Languages

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

RULE 35

Interpretation

1. Speeches made in plenary sessions in a language of the Commission shall be interpreted into the other

languages of the Commission, unless otherwise decided by consensus by the members participating in the meeting.

2. Representatives may speak in a language other than a language of the Commission if the member concerned provides for interpretation into one of the languages of the Commission.

RULE 36

Documents

All documents submitted by a member to the Secretariat shall be in one of the languages of the Commission.

RULE 37

Recommendations and Decisions, Reports and Official Records

1. All recommendations and decisions of the Commission shall be published in the languages of the Commission and shall be distributed by the Secretariat to all members of the Commission as soon as possible.
2. Reports of plenary sessions of the Commission shall be issued by the Secretariat in the languages of the Commission and shall contain the text of all recommendations and decisions of the Commission.
3. Reports of meetings of subsidiary bodies of the Commission and their recommendations shall be

issued by the Secretariat. Reports containing recommendations to, or otherwise requesting action or a decision to be taken by, the Commission shall be issued in the languages of the Commission.

4. A set of official records shall be published by the Secretariat in the languages of the Commission, containing the text of all recommendations and decisions of the Commission, and recommendations of subsidiary bodies to plenary sessions of the Commission, as well as a complete list of all conference documents and reports.

VIII. AMENDMENT OF RULES

RULE 38

Amendments

These rules may be amended by the Commission in accordance with the procedures for decisions on matters of substance as set forth in Rule 26.