



## **RULES OF PROCEDURE OF THE GENERAL CONFERENCE**

The present Rules of Procedure were adopted at the Fourth Regular Session of the General Conference, held on the 8th of September 1969, as an addendum to Resolution 7 (I) and originally distributed as document OPANAL/8.

They were amended by Resolutions:

- 56 (III) at the Third Regular Session of the General Conference, held on August 23, 1973,
- 317 (E-VIII) at the Eighth Special Session of the General Conference, held on January 18, 1994, and
- 359 (XV) and 363 (XV) at the Fifteenth Regular Session of the General Conference, held on July 10, 1997.

## **Rules of Procedure of the General Conference**

### **I. Sessions**

#### ***Regular Sessions***

- Art.1. The General Conference shall hold Regular Sessions every two years during the month of November.
- Art.2. The General Conference shall determine its closing date at the beginning of each Regular Session, on the Bureau's recommendation.
- Art.3. The General Conference shall hold its Regular Sessions at the headquarters of the Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, hereinafter referred to as "the Agency", unless convened to take place elsewhere by a decision made during a previous Regular Session of the General Conference, or at the request of a majority of the Member States of the Agency.
- Art.4. The Secretary General shall notify the opening date of each Regular Session to all Member States, one month in advance.
- Art.5. The General Conference, in any Regular Session, may agree to temporarily suspend it and resume it at a later date.

#### ***Special Sessions***

- Art.6. The General Conference shall establish the date for the convening of Special Sessions.
- Art.7. The General Conference may hold Special Sessions whenever it is provided in the Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, hereinafter referred to as "the Treaty", or every time that, in the opinion of the Council, the circumstances so require. It shall necessarily meet when a definite absence of the Secretary General occurs, in accordance with Article 72 of these Rules of Procedure.
- Art.8. The Council may decide, or any State Party may request, to convene a Special Session of the General Conference for the purpose of considering the Reports resulting from any of the Special Inspections foreseen in Article 16 of the Treaty.
- Art.9. The Secretary General shall notify all Member States of the Agency of the opening of each Special Session no less than fourteen working days in advance.

## II. Agenda

### ***Regular Sessions***

Art.10. The Secretary General shall draw up a Provisional Agenda for each Regular Session and forward it to the Member States of the Agency on the same date that the notification referred to in Article 4, is made.

Art.11. The Provisional Agenda of each Regular Session shall include;

- a) the Annual Report which the Council shall submit on its work, as well as those Special Reports that it deems necessary or those requested by the General Conference;
- b) the Annual or Special Reports which the Secretary General shall submit, or those which the General Conference may request;
- c) Reports, proposals or suggestions related to the Control System;
- d) the items whose inclusion has been decided by the General Conference at a previous Session;
- e) the items proposed by the Council;
- f) the Reports submitted by Members of the Agency in accordance with Articles 14 and 15 of the Treaty;
- g) the items that the Secretary General considers necessary to submit to the General Conference;
- h) the items proposed by any Member State of the Agency;
- i) the items related to the Budget of the Agency of the following Fiscal Biennium and the Statement of Accounts related to the last Fiscal Biennium;
- j) any item on which the General Conference shall make a decision in that Session.

### ***Special Sessions***

Art.12. The Provisional Agenda of each Special Session shall be sent to the Member States of the Agency on the same date as the notification referred to in Article 9.

### ***Regular and Special Sessions***

Art.13. Supplementary items to the Agenda can be proposed if they are of an important and urgent nature. They shall be added to the Agenda if the General Conference so decides by a majority of the present and voting Members. No additional items shall be discussed until twenty-four hours have elapsed after their inclusion on the Agenda.

Art.14. An Explanatory Memorandum shall be submitted with every proposed item for its inclusion on the Agenda.

Art.15. During each Session, the Agenda and the list of supplementary items shall be submitted for the approval of the General Conference as soon as possible after the opening of the Session.

Art.16. The General Conference shall be able to amend or delete items from the Agenda by a majority of the present and voting Members.

### **III. Delegations**

Art.17. The Delegation of each Member State of the Agency shall consist of a maximum of three Representatives and of Alternate Representatives and Advisers which the Government of each State shall determine.

Art.18. Any Alternate Representative or Adviser may act as the Representative when so designated by the Head of the Delegation.

Art.19. If possible, the Secretary General shall be informed of the names of the Members of the Delegations at least ten days before the opening of each Session. The Secretary General shall present the list of the Members of the Delegations to the General Conference during the Session.

### **IV. Participation of Non-Member States of the Agency**

Art.20. Every Signatory State of the Treaty that is not yet Party to it and every State Party of any of the Additional Protocols may take part in the Debate regarding any matter appearing on the Agenda of the General Conference, without the right to vote, when the matter is considered of special concern for the interest of the State involved, or the State's participation could be particularly useful to the purposes of the Agency.

### **V. Observers**

Art.21. The General Conference shall decide on the admission of Observers from those States which have so requested.

### **VI. Participation of Non-Governmental Organizations**

Art.22. The General Conference shall reserve the right to decide on the participation of Non-Governmental Organizations at its Regular and Special Sessions, following a recommendation from the Council.

Art.23. The Secretariat shall be in charge of receiving and evaluating, on a preliminary basis, applications for the accreditation of Non-Governmental Organizations interested in taking part in the General Conference; said applications shall be submitted to the Council for consideration, together with an evaluation by the Secretariat.

Art.24. When evaluating the application of a Non-Governmental Organization and, if applicable, when extending a favorable recommendation to the General Conference, both the Secretary General and the Council shall consider:

- a) Criteria and Principles similar to those contained in Resolution 1996/31 of the United Nations Economic and Social Council on the participation of Non-Governmental Organizations;
- b) Whether the objectives, programs and activities of Non-Governmental Organizations reflect a genuine and verifiable interest in contributing to international peace and security, specifically by supporting the regime for the prohibition of nuclear weapons, as well as promoting the peaceful use of nuclear energy, and
- c) Giving preference to Non-Governmental Organizations recognized as advisory entities by the International Atomic Energy Agency.

Art.25. Any Non-Governmental Organization that has been accredited may participate in the Plenary of the subsequent Sessions of the General Conference, unless a decision to the contrary is reached by the General Conference.

Art.26. Non-Governmental Organizations accredited by the General Conference may only take the floor during Plenary Sessions, in accordance with the practice established by the United Nations and at the discretion of the Chairman of the Conference, who shall consider the respective request depending on the time available to and the work of the General Conference.

Should Non-Governmental Organizations wish to present written Statements to the General Conference, such Statements shall be distributed by the Secretariat to the Delegations in the quantities and languages provided, as long as such Statements bear relation to the topics being examined by the Conference.

Art.27. The General Conference may suspend or cancel the accreditation of a Non-Governmental Organization when deemed advisable or at the request of the Council.

## **VII. President and Vice-Presidents**

Art.28. The General Conference shall elect one President and two Vice-Presidents, who shall hold office until the closing of the Session for which they have been elected.

Art.29. At the opening of each Regular or Special Session, the General Conference shall be presided by the Head of the Delegation of which the previous President was a Member, until the

General Conference has elected a new President for its new Regular Session.

Art.30. When the President is absent from a meeting or any part thereof, he shall designate the Vice-President that shall take his place during his absence.

Art.31. A Vice-President acting as President, shall have the same powers and duties as the President.

Art.32. In addition to directing the discussions and exercising the powers conferred upon him elsewhere by these Rules, the President; subject to them, shall rule on points of order, and shall propose any measure related to the organization of work.

Art.33. The President is subject to the authority of the General Conference in the performance of his functions.

Art.34. If the President of the General Conference is unable to perform his functions, a new President shall be elected for the remaining period of the mandate. The same rule shall be applied for Vice-Presidents.

### **VIII. Subsidiary Committees**

Art.35. The General Conference may set up the Subsidiary Committees that it deems necessary, and they will be governed by the present Rules unless the General Conference or the Subsidiary Committees decide otherwise.

### **IX. Bureau of the General Conference**

Art.36. The President of the Conference, who shall direct its proceedings, the two Vice-Presidents, and the Presidents of the Main Committees shall constitute the Bureau of the General Conference. The Members of the Bureau shall be composed of different Delegations and shall be elected taking into account and assuring an equitable geographical distribution.

Art.37. Recommendations concerning the closing date of the Session shall be made by the Bureau of the General Conference. The Bureau shall advise the General Conference in the preparation of the Agenda of each meeting, in the determination of the order of priority of the items and in the Organization of Work. The Bureau shall meet when the President considers it necessary or at the request of any of its Members. However, the Bureau will not make any decision regarding political matters unless they have been expressly submitted by the General Conference.

### **X. Secretariat**

Art.38. The Secretary General shall act in that capacity in all meetings of the General Conference

and in its Subsidiary Committees. He may designate another officer of the Secretariat to act as his Representative in such meetings. He shall provide and direct the staff required by the General Conference and its Subsidiary Committees. His consent will be necessary to appoint the staff required for service abroad.

Art.39. The Secretariat shall undertake all the administrative work, including the keeping of archives and the publication and distribution of documents. It shall also fulfil the duties recommended by the General Conference.

Art.40. The General Conference shall establish the Secretariat's Personnel Regulations.

### **XI. Official and working languages**

Art.41. Spanish, French, English and Portuguese shall be the official languages of the General Conference and its organs. Spanish shall be the working language; however, the General Conference may adopt any other language, or languages, for this purpose, whenever considered convenient.

### **XII. Records**

Art.42. Verbatim Records shall be kept of all the Plenary Sessions of the General Conference.

Art.43. All Draft Resolutions and other important documents shall be made available by the Delegation that submits them in any of the official languages.

### **XIII. Meetings**

Art.44. The meetings of the General Conference and its Committees shall be Public, unless the Conference or the interested Committee decides that, due to special circumstances, they should be Private.

Art.45. Every decision adopted by the General Conference or any of its Committees during a private session, shall be announced in a future public meeting.

Art.46. The quorum of the General Conference shall consist of half of the Member States plus one.

Art.47. No Representative shall have the right to speak in the General Conference, without previous authorization of the President. The President shall afford the right to speak in the order that the Representatives have requested it. He may call a speaker to order, if his remarks are not relevant to the subject under discussion.

Art.48. The Secretary General or his Representative may make, at any time, oral as well as written Statements before the General Conference, concerning any issue within the body's field of

influence.

Art.49. During the discussion of any matter, any representative may, at any time, raise a Point of Order and it shall be immediately decided by the President. If this decision is appealed, the ruling of the President shall stand unless it is overruled by a majority of the Members.

Art.50. The General Conference may limit the time allowed to each speaker and the number of times each Representative may speak about the same subject.

Art.51. During the course of Debate, the President may announce the list of speakers and with the consent of the General Conference declare the list closed. However, the President may afford the right of reply to any Member, if a speech delivered, after he has declared the list closed, makes it advisable.

Art.52. During the discussion of any matter, a Representative may move to postpone the Debate. Permission to speak on this motion shall be granted only to two speakers opposing the postponement and two in favour.

Art.53. A Representative may at any time move to close the Debate on the item under discussion. Permission to oppose the closure of the Debate shall only be granted to two speakers opposing the closure, and the President may limit the time allowed to speak to the Representatives, by virtue of this Article.

Art.54. During the discussion of any item, a Representative may move to suspend or adjourn the meeting. No discussion on such motions shall be permitted, and they shall be immediately put to a vote. The President may limit the time allowed to speak to the Representative who moves the suspension or adjournment of the Session.

Art.55. Subject to Article 49, the following motions shall have precedence in the following order, over all other proposals and motions before the meeting:

- a) to suspend the meeting;
- b) to adjourn the meeting;
- c) to postpone the Debate on the item under discussion, and
- d) to close the Debate of the item under discussion.

Art.56. Resolutions and Amendments shall normally be submitted in writing and handed to the Secretary General, who shall circulate copies to the Representatives. As a general Rule, no proposal shall be discussed or voted upon without the circulation of these copies, at least twenty-four hours before the meeting. However, the President may propose another procedure.

Art.57. Any motion calling for a decision on the competence of the General Conference to adopt a proposal submitted to it, shall be put to a vote before a vote is taken on the proposal in question.

Art.58. A motion may, at any time, be withdrawn by its proposer before voting on it has commenced, provided that the motion has not been Amended. A motion which has thus been withdrawn, may be reintroduced by any Member.

Art.59. When a motion has been adopted or rejected, it shall not be discussed in the same Session, unless the General Conference so decides by a two-thirds majority of the present and voting Members. in regard to motions requiring new discussions the right to speak shall be granted to two speakers opposing the motion, after which it shall be immediately put to a vote.

#### **XIV. Voting**

Art.60. Each Member State of the General Conference shall have one vote.

Art.61. Decisions of the General Conference on important matters shall be made by a 2/3 majority vote of the present and voting Members. These matters shall be related to the Control System and the measures referred to in Article 20 of the Treaty, the admission of new Members, the election and removal of the Secretary General, the adoption of the Budget, and matters relating to it. Decisions on other subjects, as well as procedural motions and votes to determine which motions shall be adopted by a two-thirds majority, shall be decided by a simple majority of the Members present and voting.

Art.62. For the purpose of these Rules of Procedure, it will be understood that the phrase "Members present and voting" means Members casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

Art.63. The General Conference shall normally vote by a show of hands or by standing up, however any Representative may request a roll-call vote. Roll shall be taken in the Spanish alphabetical order of the names of the Members, beginning with a Member, whose name is drawn by lot. The name of each Member shall be called and the corresponding Representative shall answer "yea", "nay" or "abstention". The vote of each Member participating in a roll-call vote shall be recorded in alphabetical order.

Art.64. After the President has announced that the voting has commenced, no Representative shall interrupt the process except on a point of order in connection with the actual conduct of the voting. Statements by Members consisting solely of explanations of their votes may be permitted by the President, except when the vote is secret. The President shall not allow the author of a proposal or an Amendment to explain his vote on his own proposal or Amendment.

Art.65. Any Representative may request that the parts of a proposal or an Amendment be voted on separately. If any Member opposes the motion of division, said motion shall then be put to a vote. Two Representatives in favour and two against the motion of division shall be granted the right to speak. If the motion of division is adopted, those parts of the proposal or Amendment which have been approved, shall then be put to a vote as a whole. If all the operative parts of a proposal or an Amendment have been rejected, the proposal or Amendment shall be considered rejected as a whole.

Art.66. When a motion to amend a proposal is presented, the Amendment shall be voted on first. When two or more Amendments to a proposal are presented, the General Conference shall first vote on the Amendment that departs furthest from the original proposal, therefrom on the Amendment which, after this voting, is furthest from said proposal, and thereon until all the Amendments have been put to a vote. But, when the adoption of an Amendment necessarily implies the exclusion of another, the latter will not be put to a vote. If one or more Amendments are adopted, the modified proposal shall be put to a vote. A motion is considered as an Amendment to a proposal if it adds to, deletes from or revises the proposal.

Art.67. When two or more proposals relate to the same question, the General Conference shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. After each vote on a proposal, the General Conference may decide whether to vote on the next proposal.

Art.68. When a person or a Member is elected, if no candidate obtains the majority required in the first ballot, a second ballot shall be taken, limited to the two candidates obtaining the largest number of votes. If, in the second ballot, the votes are equally divided and a majority is required, the President shall decide between the candidates by drawing lots. When a two-thirds majority is required, the voting shall continue until one of the candidates obtains two-thirds of the votes, however, after a third ballot without a decisive result, it shall be possible to vote for any eligible person or Member. When two or more places must be filled at the same time and under the same conditions, the candidates who obtained the required majority during the first voting shall be declared elected. If the number of candidates obtaining a majority is less than the number of places or Members to be filled, additional ballots shall be held to fill the remaining places, restricting the voting to candidates who have obtained the greatest number of votes in the previous ballot, who shall number no more than twice the places to be filled. However, if the third ballot is inconclusive, it shall be possible to vote for any eligible person or Member.

Art.69. If a vote is equally divided on matters other than elections, a second ballot shall be taken in a following Session. In case of a tie, the proposal shall be rejected.

## **XV. Election of the Secretary General**

Art.70. The election of the new Secretary General by the General Conference shall be decided by secret ballot.

Art.71. The term of office of the Secretary General shall be four years; he may be re-elected for a single additional term. He may not be a national of the country in which the Agency has its headquarters. A Member State submitting a candidate to the office of the Secretary General shall have no outstanding debt with the Agency neither at the moment of the submission nor at the election. Member States having outstanding debt with the Agency which have negotiated with the Secretary General a specific program for its full payment, may submit a candidate to the office of the Secretary General provided it punctually complies with the specified payment program.

Art.72. In case of absolute default of the Secretary General, a new election shall be held to fill the

office for the remainder of the term. The General Conference shall hold a Special Session convened by the Deputy Secretary General, which shall take place within ninety days after the vacancy has occurred.

### **XVI. Council**

Art.73. The General Conference shall elect five of the Member States of the Agency as Members of the Council, taking into account an equitable geographical distribution.

Art.74. The Members of the Council shall be elected for a term of four years. However, in the first election, three shall be elected for two years. Outgoing Members may not be re-elected for the following period, unless the limited number of States for which the Treaty is in force so requires.

Art.75. If a Representative steps down as a Member of the Council before his term expires, a partial election shall take place at the following Session to elect a new Member for the remainder of the term.

### **XVII. Administrative and Budgetary Matters**

Art.76. The General Conference shall establish regulations for the financial administration of the Agency, and shall elect an External Auditor who shall hold office for a term of four years.

Art.77. The General Conference shall adopt the Budget of the Agency and shall fix the Scale of Financial Contributions to be paid by Member States, taking into account the systems and criteria used for the same purpose by the United Nations.

Art.78. The Secretary General shall submit to the General Conference or to the Subsidiary Committees, pursuant to Article 35, a Statement related to administrative and budgetary consequences of any proposal involving expenses. The General Conference or the Subsidiary Committees shall review the Statement before ruling on the proposal.

### **XVIII. Amendments to the Rules of Procedure**

Art.79. These Rules of Procedure may be amended by a two-thirds majority of the Member States of the Agency.