

AGENCY FOR THE
PROHIBITION OF NUCLEAR
WEAPONS IN LATIN AMERICA
AND THE CARIBBEAN



General
Dist.

S/Inf.1052
November 19, 2010

RULES OF PROCEDURE OF THE GENERAL CONFERENCE

Rules of Procedure of the General Conference (*)

I. Sessions

Regular Sessions

- Article 1. The General Conference shall hold regular sessions every two years, preferably in previous date to that of the start of the works of the First Committee of the General Assembly of the United Nations.
- Article 2. The General Conference shall determine its closing date at the beginning of each Regular Session, on the Bureau's recommendation.
- Article 3. The General Conference will 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 decision taken on a previous Regular Session of the General Conference, or by request of a majority of the Member States of the Agency.
- Article 4. The Secretary General shall notify the opening date of each Regular Session to all Member States, one month in advance.
- Article 5. The General Conference, in any Regular Session, may agree to temporarily suspend it and to resume it at a later date.

Special Sessions

- Article 6. The General Conference shall establish the date for the meeting of Special Sessions.
- Article 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.

The present Rules of Procedure were adopted in 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.

It was 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,
- 359 (XV) and 363 (XV) at the Fifteenth Regular Session of the General Conference, held on July 10, 1997, and
- 534 (E-XX) at the Twentieth Special Session of the General Conference, held on November 18, 2010.

- Article 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.
- Article 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

- Article 10. The Secretary General on each Regular Session shall draw up and notify to Member States of the Agency the Provisional Agenda on the same date that the notification referred to in Article 4, is made.
- Article 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 such Special Reports as 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 in 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 Biannual Economic Exercise and the Statement of Accounts related to the last Biannual Economic Exercise;

j) any item on which the General Conference shall take a decision in that Session.

Special Sessions

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

Regular and Special Sessions

Article 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 in the Agenda.

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

Article 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.

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

III. Delegations

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

Article 18. Any Alternate Representative or Adviser may be able to act by designation of the Head of his Delegation.

Article 19. The Secretary General shall be informed of the names of the Members of the Delegations if possible at least ten days before the opening of each Session. The Secretary General shall notify to the General Conference the list of Members of the Delegations during the Session.

IV. Participation of Non-Member States of the Agency

Article 20. Every Signatory State of the Treaty which is not yet Party to it and every State Party of any of the Additional Protocols, may take part in the Debate regarding to any matter appearing in the Agenda of the General Conference, without the right of voting, when it is considered that such matter concerns, in a special way, the interest of the State involved, or that such participation could be particularly useful to the purpose of the Agency.

V. Observers

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

VI. Participation of Non-Governmental Organizations

Article 22. It shall be a prerogative of the General Conference to decide on the participation of Non-Governmental Organizations at its Regular and Special Sessions, following a recommendation of the Council.

Article 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 for consideration by the Council, together with an evaluation by the Secretariat.

Article 24. In evaluating the application of a Non-Governmental Organization and, if applicable, in 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) give preference to Non-Governmental Organizations recognized as advisory entities by the International Atomic Energy Agency.

Article 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.

Article 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 application depending on the time available to and 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.

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

VII. President and Vice-Presidents

Article 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.

Article 29. At the opening of each Regular or Special Session the General Conference shall be presided by the Head of the Delegation to which the previous President was Member, until the General Conference has elected a new President for its new Regular Session.

Article 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.

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

Article 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.

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

Article 34. If the President of the General Conference is incapacitated 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

Article 35. The General Conference may set up the Subsidiary Committees which 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

Article 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.

Article 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 Order of the Day 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 by request of any of its Members. However, the Bureau will not take any decision regarding political matters unless it has been expressly submitted by the General Conference.

X. Secretariat

Article.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. To appoint the staff required for service abroad his consent will be necessary.

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

Article 40. The General Conference shall establish the Statute for the Staff of the Secretariat.

XI. Official and working languages

Article 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

Article 42. Verbatim Records shall be taken of all the Plenary Sessions of the General Conference.

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

XIII. Meetings

Article 44. The meetings of the General Conference and its Committees shall be Public, unless the same Conference or the interested Committee decide that, when exceptional circumstances, they should be Private.

- Article 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.
- Article 46. The *quorum* of the General Conference shall be half of the Member States plus one.
- Article 47. No Representative shall have the right to speak in the General Conference, without previous authorization of the President. The President shall accord 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.
- Article 48. The Secretary General or his Representative may make at any time oral as well as written Statements before the General Conference, concerning any question within its competence.
- Article 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 against, the ruling of the President shall stand unless it is overruled by a majority of the Members.
- Article 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.
- Article 51. During the course of the 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 accord the right of reply to any Member, if a speech delivered after he has declared the list closed, makes it advisable.
- Article 52. During the discussion of any matter, a Representative may move the postponement of the Debate. Permission to speak on this motion shall be accorded only to two speakers opposing the postponement and two in favour.
- Article 53. A Representative may at any time move the closure of the Debate on the item under discussion. Permission to speak on the closure of the Debate shall be accorded only to two speakers opposing the closure, and the President may limit the time allowed to speak to the Representatives, by virtue of this Article.
- Article 54. During the discussion of any item, a Representative may move the suspension or the adjournment of the meeting. No discussion on such motions shall be permitted, and they shall be immediately put to the vote. The President may limit the time allowed to speak to the Representative who moves the suspension or adjournment of the Session.
- Article 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 meetings;
 - b) to adjourn the meeting;

- c) to postpone the Debate on the item under discussion, and
- d) for the closure of the Debate of the item under discussion.

- Article 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 and voted upon without the circulation of these copies, at least twenty-four hours before the meeting. However, another procedure may be proposed by the President.
- Article 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 the vote before a vote is taken on the proposal in question.
- Article 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.
- Article 59. When a motion has been adopted or rejected, it shall not be discussed on 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 accorded to two speakers opposing the motion, after which the motion shall be immediately put to vote.

XIV. Voting

- Article 60. Each Member State of the General Conference shall have one vote.
- Article 61. Decisions of the General Conference on important matters, shall be made by the vote of a majority of two thirds 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 remotion of the Secretary General, the adoption of the Budget and all matters concerned with it. Decision on other subjects, as well as procedural motions and also to determine the ones that shall be adopted by a two-thirds majority, shall be made by simple majority of the Members present and voting.
- Article 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.
- Article 63. The General Conference shall normally vote by show of hands or standing up, except that any Representative may request a roll-call. Roll-call shall be taken in the Spanish alphabetical order of the names of the Members, beginning with the Member whose name is drawn by lot. The name of each Member shall be called and the Representative shall answer "yes", "no" or "abstention". The vote of each Member participating in a roll-call shall be inserted in the record in an alphabetical order.

- Article 64. After the President has announced that it has commenced, no Representative shall interrupt the voting 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.
- Article 65. Any Representative may request that the parts of a proposal or an Amendment shall be voted separately. If any Member opposes the motion of division, such motion shall then be put to the vote. Two Representatives in favour and two against the motion or 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 the 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 to have been rejected as a whole.
- Article 66. 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 General Conference shall first vote on the Amendment furthestmost from the original proposal, therefrom on the Amendment which, after this voting, is furthest from said proposal, thereon until all the Amendments have been put to the vote. But, when the adoption of an Amendment necessarily implies the exclusion of another, the latter will nor be put to the vote. If one or more Amendments are adopted, the modified proposal shall be put to the vote. A motion is considered as an Amendment to a proposal if it adds to, deletes from or revises that proposal.
- Article 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.
- Article 68. When a person or a Member is to be elected, if no candidate obtains in the first ballot the majority required, a second ballot shall be taken, confined 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 for its validity, the President shall decide between the candidates by drawing lots. When a two-thirds majority is required, the ballots shall continue until one of the candidates obtains two-thirds of the votes, however, after the third ballot without a decisive result, it shall be possible to vote for any eligible person or Member. When two or more places have to 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 such majority is less than the number of places or Members to be filled, there shall be held additional ballots 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 not more than twice the places to be filled; however, after the third ballot is inconclusive, it shall be possible to vote for any eligible person or Member.

Article 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 regarded as rejected.

XV. Election of the Secretary General

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

Article 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 candidacy to the office of the Secretary General shall have no outstanding with the Agency neither at the moment of the submission nor at the election. Member States having outstanding with the Agency which have negotiated with the Secretary General a specific program for its full payment, may submit a candidacy to the office of the Secretary General provided it punctually complied with said specific program of payments.

Article 72. In case of absolute vacancy 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 called for by the Under Secretary General, which shall take place before ninety days of such vacancy has elapsed.

XVI. Council

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

Article 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.

Article 75. If a Representative ceases as a Member of the Council before his expiration term, a partial election shall take place on the following Session to elect a new Member for the remaining term.

XVII. Administrative and Budgetary Matters

Article 76. The General Conference shall establish the Financial Rules to administrate the Agency, and shall elect an External Auditor who shall hold office for a term of four years.

- Article 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.
- Article 78. The Secretary General shall submit to the General Conference or to the Subsidiary Committees, according to Article 35, a Statement related to administrative and budgetary consequences of any proposal involving expenses. The General Conference or the Subsidiary Committees shall take into account such Statement before its decision on the proposal.

XVIII. Amendments to the Rules of Procedure

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