



# Economic and Social Council

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## Economic Commission for Europe

### Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents

#### Tenth meeting

Geneva, 4–6 December 2018

Item 5 of the provisional agenda

## Rules of Procedure for the Meeting of the Conference of the Parties

### I. Introduction

1. The draft rules of procedure for the meetings of the Conference of the Parties were endorsed by the open-ended group, established by the Meeting of the Signatories to prepare the first meeting of the Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents, at its third meeting in Rome on 8–9 June 2000. The Conference of the Parties adopted the rules of procedure (CP.TEIA/2000/2) at its first meeting which took place in Brussels from 22 to 24 November 2000, and requested the UN/ECE secretariat to reissue the rules of procedure as a separate document (ECE/CP.TEIA/3). The rules of procedure were initially amended at the fourth meeting of the Conference of the Parties which took place from 15 to 17 November 2006 in Rome (ECE/CP.TEIA/15, Part I, paras. 12–13). Subsequently, the rules of procedure were amended by the ninth meeting of the Conference of the Parties which took place in Ljubljana from 28 to 30 November 2016 (ECE/CP.TEIA/32/Add.1). The present document is a revised and amended version of the draft rules of procedure (CP.TEIA/2000/2).

### II. Purpose

#### Rule 1

2. These rules of procedure shall apply to the meetings of the Conference of the Parties convened in accordance with article 18 of the Convention on the Transboundary Effects of Industrial Accidents.

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### **III. Definitions**

#### **Rule 2**

3. For the purposes of these rules:

(a) “Convention” means the Convention on the Transboundary Effects of Industrial Accidents, adopted at Helsinki, Finland, on 17 March 1992;

(b) “Parties” means Contracting Parties to the Convention;

(c) “Conference of the Parties” means the body established by the Parties in accordance with article 18 of the Convention;

(d) “Meeting” means an ordinary or extraordinary meeting of the Conference of the Parties convened in accordance with article 18 of the Convention;

(e) “Regional economic integration organization” means an organization in accordance with article 27 of the Convention;

(f) “Chairperson” and “Vice-Chairpersons” mean the Chairperson and the Vice-Chairpersons elected in accordance with rule 19 of these rules of procedure;

(h) “Bureau” means the Chairperson, the Vice-Chairpersons and the representatives of other ECE member States and regional economic integration organizations elected in accordance with rule 22 of these rules of procedure;

(i) “Secretariat” means, in accordance with article 20 of the Convention, the Executive Secretary of the United Nations Economic Commission for Europe (ECE).

### **IV. Place of Meetings**

#### **Rule 3**

4. Ordinary meetings shall be held at the United Nations Office at Geneva, unless other appropriate arrangements are made by the Parties in consultation with the secretariat. Extraordinary meetings shall also be held at the United Nations Office at Geneva, unless other appropriate arrangements are made by the Bureau in consultation with the secretariat.

### **V. Dates of Meetings**

#### **Rule 4**

5. The Conference of the Parties shall set the indicative date for the opening and the duration of its next ordinary meeting.

#### **Rule 5**

6. The secretariat shall notify all Parties of the date and venue of a meeting at least six weeks before it is due to take place.

## VI. Observers

### Rule 6

7. The secretariat shall notify those ECE member States and regional economic integration organizations that are entitled to become a Party to the Convention as well as the organizations of the United Nations system and other international governmental organizations with specific competence on issues of the Convention, of any meeting at least six weeks before it is due to take place, so that they may be represented as observers.

8. Any other State, Member of the United Nations, may also be represented as observer.

### Rule 7

9. The secretariat shall notify international non-governmental organizations that have special qualifications with regard to matters relating to the Convention and have informed the secretariat of their wish to participate of any meeting held in public, so that they may be represented as observers.

10. The Conference of the Parties may approve the admission of representatives of international non-governmental organizations that have special qualifications with regard to matters relating to the Convention as observers to its meetings held in private. It may similarly terminate any such approval.

### Rule 8

11. Such observers may participate in the meetings without the right to make decisions or to vote.

## VII. Agenda

### Rule 9

12. In consultation with the Bureau, the secretariat shall prepare the provisional agenda of each meeting.

### Rule 10

13. The provisional agenda for a meeting shall include, where appropriate:

- (a) Items specified in article 18, paragraph 2, of the Convention;
- (b) Items arising from previous meetings;
- (c) Any item proposed by the Bureau or the secretariat;
- (d) Any item proposed by a Party before the agenda is distributed by the secretariat.

14. The first item on the provisional agenda for each meeting shall be the adoption of the agenda.

### Rule 11

15. The secretariat shall distribute the provisional agenda for a meeting together with available supporting documents to the Parties, to other ECE member States and to the organizations specified in paragraph 1 of rule 6 of these rules of procedure at least six weeks before the opening of the meeting.

**Rule 12**

16. The secretariat shall, in consultation with the Chairperson, include any question suitable for the agenda that may arise between the distribution of the provisional agenda and the opening of the meeting in an addendum to the provisional agenda, which the Conference of the Parties shall consider together with the provisional agenda.

**Rule 13**

17. When adopting the agenda of its meeting, or at any time during the meeting, the Conference of the Parties may add, delete, defer or amend items.

## **VIII. Representation and Credentials**

**Rule 14**

18. Each Party participating in the meetings shall be represented by a delegation consisting of a head of delegation and such other representatives and advisers as it thinks appropriate.

**Rule 15**

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

**Rule 16**

20. The credentials of all representatives of Parties shall be submitted to the secretariat at the opening of any meeting. Any later change in the composition of the delegation shall also be submitted to the secretariat.

**Rule 17**

21. The Officers of the Conference of the Parties shall examine the credentials and submit their report to the Conference of the Parties.

**Rule 18**

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

## **IX. Officers**

**Rule 19**

23. At the commencement of each meeting, a Chairperson and two Vice-Chairpersons shall be elected from among the representatives of the Parties present at the meeting. They shall serve as Officers of the Conference of the Parties and remain in office until their successors are elected. They shall be eligible for re-election.

24. The Chairperson shall participate in the meeting in that capacity and shall not at the same time exercise the rights of a representative of a Party. In such a case, the Party concerned shall designate another representative who shall be entitled to represent it in the meeting.

**Rule 20**

25. In addition to exercising the powers conferred upon the Chairperson elsewhere by these rules, the Chairperson shall:

- (a) Declare the opening and closing of the meeting;
- (b) Preside at the sessions of the meeting;
- (c) Ensure the observance of these rules;
- (d) Accord the right to speak;
- (e) Put questions to the vote and announce decisions;
- (f) Rule on points of order;
- (g) Subject to these rules, exercise control over the proceedings and maintain order.

26. The Chairperson may, moreover, propose:

- (a) The closure of the list of speakers;
- (b) A limitation on the time allowed to speakers and on the number of times each representative may speak on a question;
- (c) The adjournment or closure of the debate;
- (d) The suspension or adjournment of the meeting.

27. In the exercise of his/her functions, the Chairperson remains under the authority of the Conference of the Parties.

**Rule 21**

28. If the Chairperson is absent from a meeting or is unable to complete his/her term of office or to perform his/her functions, a Vice-Chairperson shall act as Chairperson.

**X. Bureau****Rule 22**

29. The Bureau shall consist of not more than 10 members, as follows:

- (a) The Officers;
- (b) Representatives of other Parties.

30. At the commencement of each meeting, the members of the Bureau other than the Officers shall be elected by the Parties present at the meeting, taking into account the need for a balanced representation of the different geographical subregions of ECE and gender. They shall be eligible for re-election. Candidatures shall be communicated by the Parties to the secretariat at least eight weeks ahead of the meeting. The secretariat shall communicate the list of candidates to the Parties at the latest six weeks before the meeting.

31. The Bureau shall be chaired by the Chair of the Conference of the Parties. If the Chair is absent or is unable to complete his or her term of office or to perform his or her functions, a Vice-Chair shall act as Chair.

32. The terms of reference of the Bureau shall be established by the Conference of the Parties.

33. The Bureau of the Conference of the Parties may conduct its business in a specific language, indicated in its terms of reference.

34. These rules of procedure shall apply, *mutatis mutandis*, to the proceedings of the Bureau. Rules 14 to 18 and 47, 48, and 49 shall not apply to their proceedings. A representative may speak in a language other than the working language if he or she provides for interpretation into the working language.

35. In case a representative of a Party or other member State or regional economic integration organization is unable to complete their term of office or to perform his or her function, the Party or other member State or regional economic integration organization may appoint another representative. In this case the Party or other member State or regional economic integration organization shall notify the Chair and the secretariat without undue delay, and at least 14 days before the next meeting of the Bureau.

## **XI. Subsidiary bodies**

### **Rule 23**

36. The Conference of the Parties may establish subsidiary bodies as it deems necessary for the performance of its functions and the implementation of the programme of work.

37. The Conference of the Parties shall determine the matters to be considered by these bodies.

38. The Conference of the Parties shall establish the terms of reference of such bodies. It may at any time terminate their mandate.

39. The subsidiary bodies of the Conference of the Parties may conduct their business in a specific language, indicated in the terms of reference of each subsidiary body.

40. In electing the members of the subsidiary bodies with a limited membership, the Conference of the Parties shall take account of the need for a balanced representation of the different geographical subregions of ECE and gender. The members of subsidiary bodies shall be eligible for re-election. Candidates shall be communicated by the Parties to the secretariat at least eight weeks ahead of the meeting. The secretariat shall communicate the list of candidates to the Parties at the latest six weeks before the meeting.

41. Unless the Conference of the Parties decides otherwise, subsidiary bodies shall elect their own chair and, as required, vice-chairs at the commencement of the first meeting of the subsidiary body after a meeting of the Conference of the Parties or when at least one third of the Parties present at the meeting request it.

42. These rules of procedure shall apply, *mutatis mutandis*, to the proceedings of subsidiary bodies. Rules 14 to 18 and paragraph 2 of rule 27 shall not apply to their proceedings.

43. In case an elected officer or member of a subsidiary body is unable to complete his or her term of office or to perform his or her functions, the Party to whom the member of the subsidiary body belongs may appoint another representative subject to notifying the chair of the respective subsidiary body and the secretariat without undue delay, and at least 14 days before the next meeting of the relevant body.

## **XII. Secretariat**

### **Rule 24**

44. The Executive Secretary of the United Nations Economic Commission for Europe shall provide secretariat services for the Conference of the Parties and all meetings organized under its auspices. He/she may delegate these functions to a member of his/her staff.

### **Rule 25**

45. For meetings the secretariat shall:

(a) Prepare the documents requested by the Conference of the Parties in consultation with the Bureau;

(b) Arrange for interpretation;

(c) Arrange for the translation, reproduction and distribution of the documents;

(d) Arrange for the custody and preservation of the documents in the archives of the United Nations Economic Commission for Europe.

## **XIII. Conduct of Business**

### **Rule 26**

46. The meetings shall ordinarily be held in public. The Conference of the Parties may decide that a meeting or parts of it shall be held in private.

### **Rule 27**

47. The Chairperson may declare a meeting open and permit debate to proceed.

48. The Conference of the Parties can make decisions only if more than half the Parties are represented.

### **Rule 28**

49. The Chairperson shall determine the list and order of speakers at a meeting. Without prejudice to rules 29, 30, 31 and 33, the Chairperson shall call upon speakers in the order in which they indicate their wish to speak. The secretariat shall be in charge of drawing up a list of such speakers. The Chairperson may call a speaker to order if his/her remarks are not relevant to the subject under discussion.

50. The Conference of the Parties may, on a proposal from the Chairperson or from any Party, limit the time allowed to each speaker and the number of times each representative may speak on a question. Before a decision is taken, two representatives may speak in favour of and two against a proposal to set such limits. When the debate is limited and a speaker exceeds the allotted time, the Chairperson shall call him/her to order without delay.

51. The Executive Secretary or his/her representative may at any meeting make either oral or written statements concerning any question under consideration.

### **Rule 29**

52. An officer of a subsidiary body of the Conference of the Parties may be accorded precedence by the Chairperson of the Conference of the Parties for the purpose of explaining the conclusions arrived at by this body.

**Rule 30**

53. During the discussion of any matter, a representative may at any time raise a point of order, which shall be decided immediately by the Chairperson in accordance with these rules. A representative may appeal against the ruling of the Chairperson. The appeal shall immediately be put to the vote and the ruling shall stand unless overruled. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

**Rule 31**

54. Any motion calling for a decision on the competence of the Conference of the Parties to discuss any matter or to adopt a proposal or an amendment to a proposal submitted to it shall be decided on before the matter is discussed or a decision is taken on the proposal or amendment in question.

**Rule 32**

55. Without prejudice to paragraph 2 of this rule, proposals and amendments to proposals shall normally be presented in writing and handed to the secretariat, which shall circulate copies to the Parties. As a general rule, no proposal shall be discussed or decided on at any meeting unless copies of it have been circulated to delegations not later than 24 hours in advance. The Chairperson may, however, permit the discussion and consideration of amendments to proposals or of procedural motions even though those amendments or motions have not been circulated or have been circulated only the same day.

56. Proposals for amending the Convention, including its annexes, shall be submitted to the secretariat at least 120 days before the meeting at which they are proposed for adoption so that the secretariat can communicate them to the Parties at least 90 days before the meeting, in accordance with article 26, paragraph 2, of the Convention.

**Rule 33**

57. Subject to rule 30, the following motions shall have precedence, in the order indicated below, over all other proposals or motions:

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

58. Permission to speak on a motion falling within (a) to (d) above shall be granted only to the proposer and, in addition, to one speaker in favour of and two against the motion, after which it shall immediately be put to the vote.

**Rule 34**

59. A proposal or motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the proposal or motion has not been amended. A proposal or motion that is withdrawn may be reintroduced by any other Party.

**Rule 35**

60. When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting, unless the Conference of the Parties decides in favour of reconsideration by a two-thirds majority of the Parties present and voting. Permission to speak on a motion to

reconsider shall be accorded only to the mover and one other supporter, after which it shall immediately be put to the vote.

## **XIV. Decision-Making**

### **Rule 36**

61. The Conference of the Parties shall make every effort to reach its decisions by consensus.

62. If all efforts at consensus have been exhausted and no agreement reached, the Chairperson may, as a last resort, put the matter to the vote.

### **Rule 37**

63. If two or more proposals relate to the same question, the Conference of the Parties shall decide on the proposals in the order in which they have been submitted, unless it decides otherwise. The Conference of the Parties may decide whether or not to take a decision on the next proposal.

### **Rule 38**

64. Any representative may request that any part of a proposal or of an amendment to a proposal be decided on separately. If objection is made to the request for division, the Chairperson shall permit two representatives to speak, one in favour of and the other against the motion, after which a decision shall be taken immediately.

### **Rule 39**

65. If the motion referred to in rule 38 is adopted, those parts of a proposal or of an amendment to a proposal that have been approved shall then be decided on as a whole. If all the operative parts of a proposal or amendment have been rejected, the proposal or amendment shall be considered to have been rejected as a whole.

### **Rule 40**

66. A motion is considered to be an amendment to a proposal if it merely adds to, deletes from, or revises that proposal. The Conference of the Parties shall decide on an amendment before it decides on the proposal to which that amendment relates.

### **Rule 41**

67. If two or more amendments to a proposal are moved, the Conference of the Parties shall first decide on the amendment furthest removed in substance from the original proposal, then on the amendment next furthest removed therefrom, and so on, until all amendments have been decided on.

## **XV. Voting**

### **Rule 42**

68. When a matter is put to the vote, the decisions — except for amendments to the Convention and its annexes, and to these rules of procedure — shall be taken:

(a) By a simple majority of the Parties present and voting on procedural matters; and

(b) By a three-fourths majority of the Parties present and voting on substantive matters.

69. If the question arises whether a matter is one of a procedural or substantive nature, the Chairperson shall rule on it. An appeal against this ruling shall immediately be put to the vote and the Chairperson's ruling shall stand unless overruled by a simple majority of the Parties present and voting.

70. Except as provided for in paragraph 4 of this rule, each Party shall have one vote.

71. Regional economic integration organizations shall, in matters within their competence, exercise their right to vote with a number of votes equal to the number of their member States that are Parties. Such organizations shall not exercise their right to vote if their member States exercise theirs, and vice versa.

72. "Parties present and voting" means Parties present and casting an affirmative or negative vote. Parties abstaining from voting shall be considered as not voting.

#### **Rule 43**

73. Except for elections, voting shall normally be by show of hands. A roll call shall be taken if one is requested by any Party. It shall be taken in the English alphabetical order of the names of the Parties present at the meeting beginning with the Party whose name is drawn by lots by the Chairperson. However, if at any time a Party requests a secret ballot, that shall be the method of voting on the issue in question.

#### **Rule 44**

74. The voting of each Party participating in a vote by roll call shall be recorded in the report of the meeting.

#### **Rule 45**

75. After the Chairperson has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of voting. The Chairperson may permit the Parties to explain their votes, either before or after the voting, and may limit the time allowed for such explanations.

#### **Rule 46**

76. In the absence of consensus, elections shall be decided by means of a secret ballot.

## **XVI. Official Languages**

#### **Rule 47**

77. The official languages of the Conference of the Parties shall be English, French and Russian.

#### **Rule 48**

78. Statements made during meetings in an official language shall be interpreted into the other official languages.

79. A representative may speak in a language other than an official language if he/she provides for interpretation into one of the official languages.

**Rule 49**

80. Official documents of the Conference of the Parties shall be drawn up in one of the official languages and translated into the other official languages.

**XVII. Amendments to the Rules of Procedure**

**Rule 50**

81. Amendments to these rules of procedure shall be adopted by consensus of the Conference of the Parties.

**XVIII. Overriding Authority of the Convention**

**Rule 51**

82. In the event of a conflict between any provision of these rules and any provision of the Convention, the provision of the Convention shall prevail.

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