



Economic and Social Council

Distr.: General
16 February 2022

Original: English

Economic Commission for Europe

Inland Transport Committee

Working Party on the Transport of Perishable Foodstuffs

Seventy-eighth session

Geneva, 3-6 May 2022

Item 11 of the provisional agenda

Other business

Comparison between the rules of procedure of the Inland Transport Committee and those of the Working Party

Note by the secretariat

Introduction

1. At its seventy-seventh session, the Working Party requested the secretariat to prepare a comparison between the rules of procedure of the Inland Transport Committee (ITC) and those of the Working Party as regards the rules governing participation at the sessions and the adoption of amendments.
2. The corresponding rules are reproduced and commented in the following table.



Item	<i>ITC Rules of procedures (ECE/TRANS/294, Annex III)</i>	<i>Rules of procedures of the Working Party (ECE/TRANS/WP.11/229)</i>	<i>Comments</i>
Participation	<p>Rule 1</p> <p>(a) ECE member States participate at the ITC sessions as full members with voting rights.</p> <p>(b) Non-ECE Member States have the right to participate as full members to the segments of the ITC session that deal with legal instruments to which they are contracting parties and remain in a consultative capacity in other parts.</p> <p>(c) States that do not fall under subparagraphs (a) and (b) may participate in the ITC sessions in a consultative capacity.</p> <p>(d) Specialized agencies, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council, may, in accordance with paragraphs 12 and 13 of the Terms of Reference of the Economic Commission for Europe (“ECE” or “the Commission”), participate in a consultative capacity in the Committee in discussions that the Committee may hold on any matter of particular concern to those agencies or organizations.</p> <p>(e) Non-governmental organizations not in consultative status with the Economic and Social Council may, subject to the approval of the Committee and respecting the principles set forth in Economic and Social Council resolution 1996/31, parts I and II, participate with consultative status in discussions that the Committee may hold on any matter of interest to these organizations.</p> <p>(f) Consultations with specialized agencies and the International Atomic Energy Agency (IAEA)</p>	<p>Rule 1</p> <p>(a) Member countries of ECE shall be considered full participants of WP.11;</p> <p>(b) Non-member countries of ECE as defined in paragraph 11 of the Terms of Reference of ECE may participate in a consultative capacity in WP.11 on any matter of particular concern to them. These countries may however participate as full members at sessions of WP.11 if they are ATP Contracting Parties;</p> <p>(c) Specialized agencies, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council, may, in accordance with paragraphs 12 and 13 of the Terms of Reference of ECE, participate in a consultative capacity in WP.11 in discussions that WP.11 may hold on any matter of particular concern to those agencies or organizations;</p> <p>(d) Non-governmental organizations not in consultative status with the Economic and Social Council may, subject to the approval of WP.11 and respecting the principles set forth in Economic and Social Council resolution 1996/31, parts I and II, participate with consultative status in discussions that WP.11 may hold on any matter of interest to these organizations.</p> <p>(e) Consultations with specialized agencies shall be conducted in accordance with Rule 51 of the Rules of Procedure of ECE;</p> <p>(f) Consultations with non-governmental organizations shall be conducted in accordance with Rules 52 and 53 of the Rules of Procedure of ECE. Non-governmental organizations with consultative</p>	<p><i>Rule 34 of ECE/TRANS/WP.11/229 indicates that full participants shall have one vote in WP.11 <u>but only ATP Contracting Parties may vote on amendments to the ATP or the ATP Handbook.</u></i></p> <p><i>All parties to ATP may participate in WP.11 as full members, with voting rights, including non UNECE countries which are parties to ATP; those which are not parties may also participate but as observers, i.e. without voting rights.</i></p> <p><i>Paragraph (c) of the ITC would allow States which are not Member of the United Nations to participate in the ITC sessions in a consultative capacity. Countries which are neither United Nations’ Member States nor Contracting Parties to ATP are not entitled to participate in the meetings of WP.11.</i></p>

Item	<i>ITC Rules of procedures (ECE/TRANS/294, Annex III)</i>	<i>Rules of procedures of the Working Party (ECE/TRANS/WP.11/229) Comments</i>
Representation	<p>shall be conducted in accordance with Rule 51 of the Rules of Procedure of ECE.</p> <p>(g) Consultations with non-governmental organizations shall be conducted in accordance with Rules 52 and 53 of the Rules of Procedure of ECE. Non-governmental organizations with consultative status under paragraph (d) shall be treated as non-governmental organizations included on the list.</p> <p>Rule 9</p> <p>Each full member, as defined in rule 1, shall be represented on the Committee by an accredited representative.</p> <p>Rule 10</p> <p>A representative may be accompanied to the sessions of the Committee by alternate representatives, advisers and experts and, when absent, he or she may be replaced by an alternate representative.</p> <p>Rule 11</p> <p>(a) Each full member shall submit the names of a representative, alternate representatives and experts to the secretariat at the latest one week before the opening of the session.</p> <p>(b) The secretariat shall prepare a provisional list of above-mentioned persons scheduled to attend the session and make it available to the permanent missions and permanent observer missions to the United Nations Office at Geneva two working days before the opening of the session.</p>	<p>status under paragraph (d) shall be treated as non-governmental organizations included on the list.</p> <p>Rule 9</p> <p>Representation at sessions of WP.11 by participants as defined in Rule 1 shall be by an accredited representative.</p> <p>Rule 10</p> <p>The representative may be accompanied by alternate representatives, advisers or experts. If absent, a representative may be replaced by an alternate representative.</p> <p>Rule 11</p> <p>(a) The names of representatives, alternate representatives, advisers and experts shall be submitted to the ECE secretariat at the latest one week before the opening of the session.</p> <p>(b) The secretariat shall prepare a provisional list of persons scheduled to attend the session and make it available to the permanent missions of participating countries to the Office of the United Nations in Geneva two working days before the opening of the session. Unless notified otherwise by the permanent mission concerned before the opening of the session, the persons appearing in this list shall be considered as duly accredited.</p>

The difference is shown in bold.

Item	<i>ITC Rules of procedures (ECE/TRANS/294, Annex III)</i>	<i>Rules of procedures of the Working Party (ECE/TRANS/WP.11/229)</i>	<i>Comments</i>
Quorum and voting	<p>(c) The secretariat shall prepare a list of the names of all persons attending the session and make it available to them at the end of the session.</p> <p>Rule 25</p> <p>The Chair may declare a meeting open and permit the debate to proceed when at least one third of the members of the Committee are present. The presence of one third of ECE member States shall be required for any decision to be taken.</p>	<p>(c) The secretariat shall prepare a list of the names of all persons attending the session and make it available to them at the end of the session.</p>	<p><i>WP.11 does not have a quorum for opening the session or for decision making.</i></p>
Way of voting	<p>Rule 38</p> <p>(a) The Committee may vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the full members.</p> <p>(b) When the Committee votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call. A representative may request a recorded vote. In the case of a recorded vote, the Committee shall, unless a representative requests otherwise, dispense with the procedure of calling out the names of the full members.</p> <p>(c) The vote of each full member in a roll-call or a recorded vote shall be inserted in the record.</p>	<p>Rule 35</p> <p>Decisions regarding the ATP shall be carried by a unanimous vote in favour. Decisions regarding the ATP Handbook shall be carried by a majority vote in favour provided that there are no more than three votes against the proposal. All other decisions shall chiefly be taken by consensus but in the absence of consensus, decisions shall be taken by a majority of the full participants present and voting.</p> <p>Rule 36</p> <p>The WP.11 shall normally vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the members.</p>	<p><i>The Rules of Procedures of the Working Party could be updated to include more details on the way to conduct and record roll calls and to include the possibility of votes by mechanical means.</i></p>
Vote equally divided	<p>Rule 40</p> <p>If a vote is equally divided upon matters other than elections, a second vote shall be taken. If this vote also results in equality, the proposal shall be regarded as rejected.</p>		<p><i>There are not rules in WP.11 rules of procedure to deal with equally divided vote on matters other than elections.</i></p>

<i>Item</i>	<i>ITC Rules of procedures (ECE/TRANS/294, Annex III)</i>	<i>Rules of procedures of the Working Party (ECE/TRANS/WP.11/229)</i>	<i>Comments</i>
Votes on motions and resolutions	<p>Rule 31</p> <p>Principal motions and resolutions shall be put to the vote in the order of their submission unless the Committee decides otherwise.</p> <p>Rule 32</p> <p>When an amendment revises, adds to or deletes from a proposal the amendment shall be put to the vote first, and if it is adopted, the amended proposal shall then be put to the vote.</p> <p>Rule 33</p> <p>If two or more amendments are moved to a proposal, the Committee shall vote first on the amendment furthest removed in substance from the original proposal, then, if necessary, on the amendment next furthest removed and so on, until all the amendments have been put to the vote.</p> <p>Rule 34</p> <p>The Committee may, at the request of a representative, decide to put a motion or proposal to the vote in parts. If this is done, the text resulting from the series of votes shall be put to the vote as a whole.</p>	<p>Rule 29</p> <p>Principal motions and resolutions shall be put to the vote in the order of their submission unless WP.11 decides otherwise.</p> <p>Rule 30</p> <p>When an amendment revises, adds to or deletes from a proposal the amendment shall be put to the vote first, and if it is adopted, the amended proposal shall then be put to the vote.</p> <p>Rule 31</p> <p>If two or more amendments are moved to a proposal, WP.11 shall vote first on the amendment furthest removed in substance from the original proposal, then, if necessary, on the amendment next furthest removed and so on, until all the amendments have been put to the vote.</p> <p>Rule 32</p> <p>WP.11 may, at the request of a representative, decide to put a motion or resolution to the vote in parts.</p>	<p><i>This applies to votes on proposals of amendments. Same rules apply for ITC and the Working Party.</i></p>