

First Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons

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Agenda item 6

Adoption of the rules of procedure

Provisional rules of procedure of the Meeting of States Parties to the Treaty on the Prohibition of Nuclear Weapons

I. Participation in the Meeting

Rule 1

Participation in the Meeting

1. States Parties to the Treaty on the Prohibition of Nuclear Weapons (hereafter “the Treaty”) present at the Meeting of States Parties shall be participants. All other States may participate in the Meeting of States Parties as observers.

2. The United Nations, its specialized agencies and related organizations,¹ the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies, representatives selected by the States Parties of Treaties establishing Nuclear Weapon Free Zones and the International Campaign to Abolish Nuclear Weapons may attend the Meeting of States Parties as observers without the right to vote.

3. Other relevant international organizations or institutions, regional organizations and relevant non-governmental organizations whose purpose and activities are consistent with the object and purpose of the Treaty may attend the Meeting of States Parties as observers. Such organizations or institutions, shall inform the President of their interest to participate in the Meeting of States Parties no later than 30 days prior to the beginning of the Meeting of States Parties or 15 days prior to the beginning of an extraordinary Meeting of States Parties. Said interest shall be accompanied by information on the organisation’s purpose, programmes and activities in areas relevant to the scope of the Conference.

4. Any organizations or institutions in paragraph 3 of Rule 1 that are in consultative status with the Economic and Social Council (ECOSOC) in accordance with the provision of Council resolution 1996/31 of 25 July 1996 may attend the meetings as

¹ For the purpose of these rules, the term “related organizations” includes the International Atomic Energy Agency, the International Criminal Court, the International Organization for Migration, the International Seabed Authority, the International Tribunal for the Law of the Sea, the Organization for the Prohibition of Chemical Weapons, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the World Trade Organization and any other related organization.

observers. For any organizations that do not have consultative status with ECOSOC, the President of the Meeting will circulate to all States Parties a list of new applications received from relevant organizations or institutions in paragraph 3 of Rule 1 that have expressed an interest in participating in the Meeting pursuant to Rule 44, taking into consideration criteria such as inter alia whether the organizations' or institutions' purpose, programmes and activities are consistent with the object and purpose of the Treaty, no less than 10 days before the meeting on a non-objection basis. The participation of these organizations or institutions is ultimately subject to the final approval of the Meeting of States Parties.

Rule 2

Composition of delegations

Each State participating in the Meeting of States Parties shall designate a head of delegation and such other representatives, alternate representatives and advisers as may be required. The inclusion in delegations where possible of representatives of affected communities as well as due regard to gender balance is encouraged. An alternate representative or an adviser may act as a representative upon designation by the head of delegation.

Rule 3

Submission of credentials

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Meeting of States Parties, if possible, not less than one week before the date fixed for the opening of the Meeting of States Parties. The credentials shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs.

Rule 4

Credentials Committee

A Credentials Committee of five members shall be appointed at the beginning of the Meeting of States Parties on the proposal of the President. It shall examine the credentials of representatives and report to the Meeting of States Parties without delay.

Rule 5

Provisional participation in the Meeting of States Parties

Pending a decision of the Meeting of States Parties on their credentials, representatives shall be entitled to participate provisionally in the Meeting of States Parties.

II. Officers

Rule 6 Elections

1. The Meeting of States Parties shall elect from among the representatives of States Parties the following officers: a President and three Vice Presidents per 50 States Parties to the Treaty at the time of the election. The Meeting of States Parties may also elect such other officers as it deems necessary for the performance of its functions. These officers shall be elected with due regard and respect for the multilateral principle of equitable geographical distribution where possible, bearing in mind also the geographical composition of States Parties. Gender balance² should also be taken in consideration when electing these officers.
2. The President shall hold office until a successor is elected. The terms of Vice Presidents and any other officers shall end as soon as the Meeting of States Parties for which they were elected has been closed, unless otherwise decided by the Meeting of States Parties.
3. The Meeting of States Parties shall elect the President of the next Meeting of States Parties or Review Conference, whichever is earlier, before the closure of the Meeting.

Rule 7 General powers of the President

1. In addition to exercising the powers conferred upon the president elsewhere by these rules, the President shall preside at the plenary meetings of the Meeting of States Parties, declare the opening and closing of each meeting, direct the discussion, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions. The President shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Meeting of States Parties the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times each representative may speak on a question, the adjournment or closure of the debate and the suspension or the adjournment of a meeting.
2. The President, in the exercise of official functions, remains under the authority of the Meeting of States Parties.

Rule 8 Acting President

1. If the President is absent from a meeting or any part thereof, they shall designate one of the Vice-Presidents to take the President's place.
2. A Vice-President acting as President shall have the same powers and duties as the President.

² Due regard shall be given to equitable gender **balance** when States Parties which have been elected as Vice-Presidents designate their representatives to perform the functions of Vice-Presidents.

Rule 9

Replacement of the President

If the President is unable to perform official functions, a new President shall be elected.

Rule 10

Voting rights of the President

The President, or a Vice-President acting as President, shall not vote in the Meeting of States Parties, but may appoint another member of their delegation to vote in their place.

III. Bureau

Rule 11

Composition

The President and the Vice-Presidents shall constitute the Bureau. The President, or, if absent, one of the Vice-Presidents designated by the president, shall serve as Chair of the Bureau. The Chair of the Credentials Committee and of any other committees established by the Conference in accordance with rule 45 may participate in the Bureau. If the President or a Vice-President of the Conference is to be absent during a meeting of the Bureau, they may designate a member of their delegation to sit and vote in the Bureau.

Rule 11bis

Functions

The Bureau shall assist the President in the general conduct of the business of the Meeting of States Parties and, subject to the decisions of the Meeting of States Parties, shall ensure the coordination of its work.

IV. Secretariat of the Meeting of States Parties

Rule 12

1. There shall be a Secretary-General of the Meeting of States Parties. The Meeting of States Parties may request the Secretary-General of the United Nations to appoint an official to act in that capacity.
2. The Secretary-General of the Meeting of States Parties shall act in that capacity in all meetings of the Meeting of States Parties and its subsidiary organs and shall be responsible for making all the necessary arrangements for carrying out the work of the Meeting of States Parties including interpretation, document management including archival tasks, preparation and circulation of records and audiovisual recordings.
3. The Secretary-General of the Meeting of States Parties may designate a member of the secretariat to act in that role at such meetings.

4. The secretariat shall make all appropriate arrangements relating to meetings and provide necessary conference services as required by the States Parties. The Secretary-General of the Meeting of States Parties shall direct the staff required by the Meeting of States Parties.

Rule 13

Statements by the secretariat

The Secretary-General of the United Nations, the Secretary-General of the Meeting of States Parties, or any member of the secretariat designated by either of them for that purpose, may, at any time make either oral or written statements concerning any question under consideration.

V. Sessions of the Meeting of States Parties

Rule 14

Date and venue of Meetings of States Parties and Review Conferences

Meetings of States Parties shall be convened by the Secretary-General of the United Nations on a biennial basis, Review Conferences every five years, unless otherwise agreed by the States Parties. Each regular Meeting of States Parties or Review Conference shall decide on the date, the duration and the venue of the next regular Meeting of States Parties or Review Conference, whichever is earlier.

Rule 15

Notification of Meetings of States Parties, Extraordinary Meetings of States Parties and Review Conferences

The Secretary-General of the United Nations shall notify all States Parties, signatory States and other States, as well as all entities referred to in rule 1, paragraphs 2 and 3, at least 90 days in advance of each regular Meeting of States Parties or a review conference and at least 30 days in advance of each extraordinary Meeting of States Parties, specifying the dates and venue. The Secretary-General of the United Nations shall make the above-mentioned information publicly available.

Rule 16

Extraordinary Meetings of States Parties

1. Extraordinary meetings of States Parties shall be convened, as may be deemed necessary, by the Secretary-General of the United Nations, at the written request of any State Party provided that this request is supported by at least one third of the States Parties.

2. A State Party requesting to convene an extraordinary Meeting of States Parties shall submit such a request to the Secretary-General of the United Nations at least 45 days in advance of the proposed date. The requesting State Party shall also suggest a venue for the extraordinary meeting, and it will be assisted by the secretariat in securing one.

3. An extraordinary Meeting of States Parties shall be convened by the Secretary-General of the United Nations, after, as appropriate, consultation with the President,

in the event that a designation of a competent international authority has not been made prior to the entry into force of the Treaty for a State Party to which paragraph 1 or 2 of Article 4 of the Treaty applies.

VI. Agenda

Rule 17

Preparation of the Provisional Agenda

1. The provisional agenda for all regular Meetings of States Parties shall be drawn up by the secretariat in consultation with the President, on the basis of Article 8, paragraph 1, of the Treaty, and shall also include other items agreed upon at previous Meetings of States Parties as well as items proposed by States Parties. Any item proposed for inclusion in the agenda by a State Party shall be accompanied by an explanatory memorandum containing, where relevant, references to basic documents.
2. States Parties requesting to hold an extraordinary Meeting of States Parties shall indicate the item or items to be considered at the extraordinary Meeting and shall include in the request an explanatory memorandum containing, where relevant, references to basic documents.

VII. Conduct of business

Rule 18

Quorum

The President may declare a meeting open and permit the debate to proceed when at least one third of the States Parties participating in the meeting are present. The presence of a majority of the States Parties shall be required for any decision to be taken.

Rule 19

Statements

1. No representative may address the Meeting of States Parties without having previously obtained the permission of the President. Unless otherwise decided by the President, under each agenda item, States Parties will speak first, followed by signatory States and other observers. Speakers delivering statements on behalf of a group of States Parties may be accorded precedence, followed by statements made on behalf of groups of signatory States. The Chair, Vice-Chairs or a representative designated by any subsidiary organ, such as a subcommittee or working group, may be accorded precedence for the purpose of explaining the conclusions arrived at by the organ concerned. The secretariat shall be in charge of drawing up a list of speakers.
2. Debate shall be confined to the question before the Meeting of States Parties, and the President may call a speaker to order if the speaker's remarks are not relevant to the subject under discussion.
3. The Meeting of States Parties may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. Permission to speak on a motion to set such limits shall be accorded to only two representatives in favour of and two opposing such limits, after which the motion shall be

immediately put to the vote. In any event, with the consent of the Meeting of States Parties, the President shall limit each intervention on procedural matters to five minutes. When the debate is limited and a speaker exceeds the allotted time, the President shall call the speaker to order without delay.

Rule 20

Points of order

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

Rule 21

Closing of the list of speakers

During the course of a debate, the President may announce the list of speakers and, with the consent of the Meeting of States Parties, declare the list closed. When the debate on an item is concluded because there are no more speakers, the President shall declare the debate closed.

Rule 22

Right of reply

1. Notwithstanding rule 21, the President shall accord the right of reply to a representative of any State Party who requests it.
2. The statements made under this rule shall normally be made at the end of the last meeting of the day, or at the conclusion of the consideration of the relevant item if that is sooner.
3. The representatives of a State Party may make no more than two statements under this rule at a given meeting on any item. The first shall be limited to five minutes and the second to three minutes. Representatives shall in any event attempt to be as brief as possible.

Rule 23

Adjournment of debate

A representative may at any time move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, permission to speak on the motion shall be accorded to only two representatives in favour and to two opposing the adjournment, after which the motion shall, subject to rule 26, be immediately put to the vote.

Rule 24

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 representatives have signified their wish to speak. Permission to speak on the motion shall be accorded to only two representatives opposing the closure, after which the motion shall, subject to rule 26, be immediately put to the vote.

Rule 25

Suspension or adjournment of the meeting

Subject to rule 43, 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, subject to rule 26, be immediately put to the vote.

Rule 26

Order of motions

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

- (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 27

Submission of proposals and substantive amendments

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Meeting of States Parties, who shall circulate copies to all delegations. Unless the Meeting of States Parties decides otherwise, no substantive proposal shall be considered unless copies have been circulated in all languages of the Meeting of States Parties to all delegations at least 24 hours before the meeting. The President may, at the president's discretion, permit the discussion of amendments, even when such amendments have not been circulated or have been circulated only on the same day.

Rule 28

Withdrawal of proposals and motions

A proposal or a motion may be withdrawn by its sponsor at any time before a decision on it has been taken, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

Rule 29

Decisions on competence

Subject to rule 26, any motion calling for a decision on the competence of the Meeting of States Parties to discuss any matter or to adopt a proposal submitted to it shall be decided before the matter is discussed or a decision is taken on the proposal in question.

Rule 30

Reconsideration of proposals

When a proposal has been adopted or rejected, it may not be reconsidered unless the Meeting of States Parties, by a two-thirds majority of the States Parties present and voting, so decides. Permission to speak on a motion to reconsider shall be accorded to only two speakers opposing reconsideration, after which the motion shall be immediately put to the vote.

VIII. Decision-making

Rule 31

Consensus

The Meeting of States Parties shall make its best endeavours to reach consensus on matters of substance.

Rule 32

Voting rights

Each State Party participating in the Meeting of States Parties shall have one vote.

Rule 33

Majority required

1. Pursuant to Article 10 (2) of the Treaty, a Meeting of States Parties may agree upon amendments to the Treaty which shall be adopted by a positive vote of a majority of two thirds of the States Parties.
2. Subject to rule 31, if the President of the Conference determines that all efforts to reach consensus have been exhausted or to ensure that a decision can be reached before the end of the current session of the Meeting, decisions of the Meeting of States Parties on all matters of substance shall be taken by a two-thirds majority of the States Parties present and voting.
3. Subject to rule 31, if the President of the Conference determines that all efforts to reach consensus have been exhausted or to ensure that a decision can be reached before the end of the current session of the Meeting, decisions on all matters of procedure shall be taken by a majority of the States Parties present and voting.
4. If the question arises as to whether a matter is one of procedure or of substance, the President shall rule on the question. An appeal against this ruling shall be put to the vote immediately, and the President's ruling shall stand unless overruled by a majority of the States Parties present and voting.

Rule 34

Meaning of the phrase “States Parties present and voting”

For the purpose of these rules, the phrase “States Parties present and voting” means States Parties casting an affirmative or negative vote. States Parties which abstain from voting shall be regarded as not voting.

Rule 35

Method of voting

The Meeting of States Parties shall vote by mechanical means. Should this not be possible, the Meeting may vote by show of hands or by standing, or by a roll-call, if requested. The roll-call shall be taken in the English alphabetical order of the names of the States Parties participating in the Meeting of States Parties, beginning with the delegation whose name is drawn by lot by the President. The name of each Member State shall be called in all roll calls, and its representative shall reply “yes”, “no” or “abstention”. The vote of each Member State participating in a roll call or a recorded vote shall be inserted in any record of or report on the Conference.

Rule 36

Conduct during voting

After the President has announced the commencement of voting, no representative shall interrupt the voting except on a point of order in connection with the process of voting.

Rule 37

Explanation of vote

1. Representatives may make brief statements consisting solely of explanations of vote, before the voting has commenced or after the voting has been completed. The President may limit the time to be allowed for such explanations. The representative of a State Party sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended.
2. When the same matter is considered successively in several organs of the Meeting of States Parties, the representatives of a State Party should, as far as possible, explain the votes of their delegation in only one such organ, unless those votes differ.
3. Similarly, explanatory statements of position may be made in connection with a decision taken without a vote.

Rule 38

Division of proposals

A representative may move that parts of a proposal be decided on separately. If a representative objects, the motion for division shall be voted upon. Permission to speak on the motion shall be accorded to only two representatives in favour of and two opposing the division. If the motion is carried, those parts of the proposal that are subsequently approved shall be put to the Meeting of State Parties for decision as

a whole. If all operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

Rule 39

Amendments

A proposal is considered an amendment to another proposal if it merely adds to, deletes from or revises part of that proposal. Unless specified otherwise, the word “proposal” in these rules shall be considered as including amendments.

Rule 40

Order of voting on amendments

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 Meeting of States Parties shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

Rule 41

Order of voting on proposals

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Meeting of States Parties decides otherwise, be voted on in the order in which they were submitted. The Meeting of States Parties may, after each vote on a proposal, decide whether to vote on the next proposal.
2. Revised proposals shall be voted on in the order in which the original proposals were submitted, unless the revision substantially departs from the original proposal. In that case the original proposal shall be considered as withdrawn and the revised proposal shall be treated as a new proposal.
3. A motion requiring that no decision be taken on a proposal shall be put to the vote before a decision is taken on the proposal in question in accordance with rules 31 and 33.

Rule 42

Elections

All elections shall be held by secret ballot unless, in the absence of any objection, the Meeting of States Parties decides to proceed without taking a ballot when there is an agreed candidate or slate of candidates.

Rule 43

Balloting

1. When one or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes, shall be elected.
2. If the number of candidates so elected is fewer than the number of places to be filled, additional ballots shall be held to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, in a number not more than twice the places remaining to be filled.

Rule 44

Decision-making in the period between Meetings of States Parties

1. The President may circulate, in cases where the President deems it necessary in the period between Meetings of States Parties, draft decisions of the Meeting of States Parties to all States Parties under a silence procedure of at least 10 days or 72 hours in cases of exceptional urgency. If the silence is not broken, the decision shall be considered adopted.
2. The Meeting of States Parties shall take note of the decisions adopted through the procedure referred to in paragraph 1 of this rule at its first meeting held after its adoption. The decisions shall be reflected in the report of the Meeting of States Parties at which the decisions are taken note of.

IX. Subsidiary organs

Rule 45

Subsidiary organs

The Meeting of States Parties may establish committees, working groups or other subsidiary organs as appropriate. These organs shall apply chapters II (except rule 6, paragraphs 2 and 3), VII (except rule 18) and VIII (except rule 44) of the present rules *mutatis mutandis*, except that the Chairs of these subsidiary organs may exercise the right to vote.

Rule 46

Quorum

A majority of the members of the Bureau or the Credentials Committee or of any committee, working group or other subsidiary organ shall constitute a quorum.

X. Languages and records

Rule 47

Languages of the Meeting of States Parties

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Meeting of States Parties, unless otherwise decided.

Rule 48

Interpretation

1. Statements made in a language of the Meeting of States Parties during plenary meetings of the Meeting of States Parties shall be interpreted into the other such languages.
2. A representative may speak in a language other than a language of the Meeting of States Parties if the delegation concerned provides for interpretation into one such language.

Rule 49

Languages of official documents

All recommendations and decisions, including any final documents, of the Meeting of States Parties, as well as documents referenced in the Treaty shall be distributed by the secretariat to States Parties as official documents of the Meeting of States Parties and shall be made available electronically to Signatory States and observers in the languages of the Meeting of States Parties. For documents not submitted in English, all participants and observers are encouraged to provide unofficial English translations and translations into other UN languages, if in a position to do so.

Rule 50

Audiovisual recordings of meetings

Audiovisual recordings of meetings of the Meeting of States Parties and its committees shall be made and kept in accordance with the practice of the United Nations, unless otherwise decided. Unless otherwise decided by the Meeting of States Parties or the committee concerned, no such recordings shall be made of the meetings of any working group thereof.

XI. Public and private meetings

Rule 51

General principles

1. The meetings of the Meeting of States Parties shall be held in public unless the meeting concerned decides otherwise. All decisions taken by the plenary of the Meeting of States Parties at a private meeting shall be announced at an early public meeting of the plenary.

XII. Observers

Rule 52

Rights of observers

1. The signatory States and those organizations and entities referred to in rule 1, paragraph 2 shall have the same rights as States Parties with the exceptions that they:
 - (a) May not participate in decision-making; and
 - (b) May not make, or be among the speakers called on to speak in favour of or against, any procedural motion or request, raise points of order or appeal against a ruling of the President.
2. The observers that are not signatory States or organizations and entities referred to in rule 1, paragraph 2:
 - (a) May make oral statements in accordance with rule 19;
 - (b) May submit written statements and documents, which shall be distributed electronically by the secretariat to all delegations in the quantities and in the language in which the statements are made available to it, provided that a statement submitted is related to the work of the Meeting of States Parties. Written statements and documents shall not be made available at the expense of the Meeting of States Parties and shall not be issued as official documents.
 - (c) May receive official documents;
 - (d) May not participate in decision-making;
 - (e) May not make, or be among the speakers called on to speak in favour of or against, any procedural motion or request, raise points of order or appeal against a ruling of the President.

XIII. Amendment of the rules of procedure

Rule 53

Method of amendment

These rules may be amended by a decision of the Meeting of States Parties taken by a two-thirds majority of the States Parties present and voting, after the Bureau has reported on the proposed amendment.

Rule 54

Reference to rules of procedure of the United Nations conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination

Any procedural matter arising at meetings which is not covered by these rules shall be resolved in accordance with the rules of procedure of the United Nations conference to negotiate a legally binding instrument to prohibit nuclear weapons, leading towards their total elimination (A/CONF.229/2017/5).