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Arms Trade Treaty  
**First Conference of States Parties**  
Cancun, 24-27 August 2015

**Rules of Procedure  
Arms Trade Treaty**

**I. Participants in the Conference**

**Rule 1 - States Parties**

States Parties to the Arms Trade Treaty (hereinafter called “the Treaty”) shall be full participants in the Conference of States Parties (hereinafter called “the Conference”) and shall exercise all rights in accordance with such status.

**Rule 2 - Signatory States**

Signatory States to the Treaty shall be participants in the Conference without taking part in the adoption of decisions.

**II. Observers in the Conference**

**Rule 3 – Observer States**

States that are neither parties nor signatories to the Treaty may attend the Conference as observers, deliver statements at plenary meetings, receive official documents and submit their views in writing to the Conference.

**Rule 4 - Representatives of the United Nations, its specialized agencies, international and regional intergovernmental organisations.**

Representatives of the United Nations, its specialized agencies, international and regional intergovernmental organisations, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies, may attend the Conference as observers, deliver statements at plenary meetings, receive official documents and submit their views in writing to the Conference.

**Rule 5 - Representatives of civil society, including Non-Governmental Organisations (NGOs), and industry.**

1. International coalitions of NGOs and associations representing industry may attend the Conference as observers, deliver statements at plenary meetings, receive official documents and submit their views in writing to the Conference. Requests for participation shall be transmitted to the President of the Conference (hereinafter

called “The President”) through the Secretariat at least 20 days prior the beginning of the session.

2. Representatives of civil society, including NGOs, and industry, may attend the Conference as observers, deliver statements at plenary meetings, receive official documents and submit their views in writing to the Conference. Requests for participation shall be transmitted to the President through the Secretariat at least 20 days prior the beginning of the session.

### **III. Representation at the Conference**

#### **Rule 6 - Representation**

1. States Parties, signatory States and observer States shall be represented at the Conference by one Head of Delegation, who may be accompanied by as many alternates and advisers as may be required. The Head of Delegation may designate an alternate representative or an adviser to act in his/her capacity.
2. The United Nations, its specialized agencies, international and regional intergovernmental organisations, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies, international coalitions of NGOs and associations representing industry, civil society, including NGOs, and industry, shall designate representatives to act on their behalf.

#### **Rule 7 - Submission of delegation information**

1. The composition of delegations of States Parties specifying the names of representatives, alternate representatives and advisers, shall be submitted to the Secretariat of the Conference via Note Verbale no less than ten days before the opening of the session of the Conference if the agenda of a session does not include a proposal for amending the Treaty. Any change in the composition of delegations shall be submitted without delay to the Secretariat.
2. The composition of delegations of signatory States, observer States, the United Nations and its specialized agencies, international and regional intergovernmental organisations, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies specifying the names of representatives, alternate representatives and advisers, shall be submitted to the Secretariat of the Conference via Note Verbale no less than ten days before the opening of the session of the Conference. Any change in the composition of delegations shall be submitted without delay to the Secretariat.
3. Observers who requested to participate in accordance with Rule 5 shall submit to the Secretariat via formal letter a list of names and positions of their representatives no less than ten days before the opening of the Conference.
4. Any objection by a State Party against the representation of a delegation of a State Party, signatory State or observer at an ordinary session or extraordinary meeting shall be presented to the President within 48 hours of the opening of the session or extraordinary meeting of the Conference. The objection shall thereafter be referred to the Conference for a procedural decision.

5. Any representative, to whose participation a State Party has made objections, shall be seated provisionally and exercise the rights according to its status until the Conference has given its decision.

#### **Rule 8 - Submission of Credentials**

1. When a proposal for amending the Treaty is included in the agenda of a session, representatives of States Parties shall submit to the Secretariat of the Conference credentials with the composition of delegations, the names of the Heads of Delegation, as well as the names of alternate representatives and advisers. Credentials shall be submitted no less than ten days before the opening of the Conference and shall be issued either by the Head of State or Government or by the Minister of Foreign Affairs or any other authority acting on their behalf.
2. A Credentials Committee shall be appointed at the beginning of a Conference for which a proposal to amend the Treaty is included in the agenda of a session. The Credentials Committee shall consist of five members to be appointed by the Conference on the proposal of the President. The Committee shall elect its own officers. It shall examine the credentials of representatives of States Parties and report to the Conference without delay.
3. Any representative to whose participation a State Party has made objections shall be seated provisionally with the same rights as other representatives until the Credentials Committee has reported and the Conference has given its decision.

### **IV. Officers of the Conference**

#### **Rule 9 - President and elected officers**

1. Before the end of each ordinary session, the Conference shall elect a President and four vice-Presidents for the following session of the Conference from among the representatives of participating States Parties.
2. The President and vice-Presidents shall commence their terms of office at the closure of the session in which they were elected and shall serve until their successors are elected at the end of the next ordinary session of the Conference. The President and vice-Presidents shall preside over any intervening extraordinary meeting of the Conference during their term.
3. The Conference may also elect such other officers as it deems necessary for the performance of its functions, including officers of any subsidiary body established pursuant to Article 17 paragraph 4 (f) of the Treaty from among the representatives of participating States Parties.
4. In addition to exercising the powers conferred upon him/her elsewhere by the present rules, the President shall preside at the plenary meetings of the Conference, declare the opening and closing of each such meeting, direct the discussions, ensure observance of the present rules, accord the right to speak, put questions to a vote and announce decisions. The President shall, subject to the present rules, have complete control of the proceedings and over the maintenance of order

thereat. The President may also propose to the Conference the adjournment or the closure of a debate, and the suspension or the adjournment of a meeting.

5. The President, in the exercise of his/her functions, remains under the authority of the Conference and shall observe the present rules.
6. The President may designate one of the four elected vice-Presidents to act on his/her behalf during the sessions. A vice-President acting as President shall have the same powers and duties as the President.
7. Notwithstanding Rule 9.2, if the President is unable to continue his or her functions, a new President shall be elected by the Conference for the remaining term of office of the President.

## **V. Secretary of the Conference of the States Parties**

### **Rule 10 - Secretary of the Conference of the States Parties**

The Head of the Secretariat of the Treaty shall be the Secretary of the Conference (hereinafter called "the Secretary") and shall act in this capacity at all sessions of the Conference and its subsidiary bodies. The Secretary shall be responsible for making all the necessary arrangements in connection with the ordinary and extraordinary sessions and, generally, perform all other work that the Conference may require, in accordance with Article 18 paragraph 3 (d) of the Treaty. The Secretary may designate a member of his/her staff to represent him/her at any such sessions.

## **VI. Sessions of the Conference of States Parties**

### **Rule 11 - Date and venue of sessions**

1. The Conference shall meet annually unless decided otherwise by the Conference. At each ordinary session, the Conference shall decide on the date and the duration of the next ordinary session.
2. The venue for each ordinary session shall be decided by the Conference at its preceding ordinary session, taking into consideration the importance of promoting the universalization of the Treaty. In the absence of a decision by States Parties on the venue of the next ordinary session of the Conference, it shall be held at the seat of the Secretariat.
3. A State Party wishing to host an ordinary session of the Conference shall submit an offer to the Secretariat no later than 45 days prior to the decision being taken to allow time for the Secretariat to prepare a financial report on the implications of hosting such an ordinary session of Conference. This report shall be submitted for the consideration of States Parties before the beginning of the session of the Conference where a decision will be taken on hosting the next ordinary session.

### **Rule 12 - Notification of sessions**

The Secretariat shall notify all States Parties, signatory States and the Secretary-General of the United Nations in his/her capacity as depositary of the Treaty, at least 90

days in advance of each ordinary session and at least 30 days in advance of each extraordinary meeting, specifying the dates and venue. The Secretariat shall make the above-mentioned information publicly available.

### **Rule 13 - Public and private meetings**

The plenary meetings of the Conference shall be public unless the Conference decides otherwise at the request of a State Party. Public sessions shall be open to the attendance by States Parties, signatory States, and observers to the Conference pursuant to Rules 3, 4 and 5 of the present Rules.

### **Rule 14 - Extraordinary meetings**

1. Extraordinary meetings of the Conference may be convened in accordance with Article 17 paragraph 5 of the Treaty.
2. A State Party requesting to convene an extraordinary meeting shall submit such a request to the Secretariat at least 45 days in advance of the proposed date. The requesting State Party may also suggest a venue for the extraordinary meeting. If, within 15 days of the request being circulated to them by the Secretariat, two-thirds of the States Parties support the proposal, the Secretariat shall convene the extraordinary meeting in accordance with Rule 12.
3. Extraordinary meetings shall take place at the seat of the Secretariat unless otherwise decided.

## **VII. Agenda**

### **Rule 15 - Preparation of the provisional agenda**

1. The provisional agenda for all ordinary sessions of the Conference shall be drawn up by the Secretariat in consultation with the President, on the basis of Article 17 paragraph 4 of the Treaty, and shall also include other items agreed upon by the Conference in previous sessions 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. The provisional agenda shall be made publicly available by the Secretariat no later than 60 days in advance of the opening of the session.
2. The provisional agenda of an extraordinary meeting shall consist only of those items for which the States Parties have decided to convene the extraordinary meeting. States Parties requesting to hold such meetings shall indicate the purpose of the extraordinary meeting and shall include in the request an explanatory memorandum containing, where relevant, references to basic documents. The provisional agenda shall be made publicly available by the Secretariat no later than 30 days in advance of the opening of an extraordinary meeting.

### **Rule 16 - Additional items**

Any item of an important and urgent character, proposed by a State Party and which has not been placed on the provisional agenda, shall be referred to the Secretariat, which shall report promptly thereon to the Conference. Such items may be placed on the agenda if the Conference so decides at the beginning of the session.

**Rule 17 - Approval of the agenda**

At each ordinary session, the provisional agenda and the additional items shall be submitted to the Conference for approval as soon as possible after the opening of the session.

**VIII. Conduct of business****Rule 18 - Seating**

The State Parties participating in the Conference shall be seated in English alphabetical order. Signatory States shall be seated in English alphabetical order after State Parties. Observer States shall be seated in English alphabetical order after States Parties and signatory States. Representatives of the United Nations, its specialised agencies, international and regional intergovernmental organisations, the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies, shall be seated in English alphabetical order after representatives of observer States. International coalitions of NGOs and associations representing industry, civil society, including NGOs, and industry shall be seated following these.

**Rule 19 - Quorum**

1. The President may declare a meeting of the Conference open and permit the debate to proceed when at least one third of the States Parties are present.
2. The presence of half of the States Parties shall be required for any substantive decision to be taken.
3. When a proposal for amending the Treaty is included in the agenda, the presence of two thirds of the States Parties shall be required for any decision to be taken with regard to those amendments.

**Rule 20 - Statements**

1. No representative may address the Conference without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their desire to speak.
2. The Secretariat shall be in charge of drawing up a list of speakers. Unless otherwise decided by the President for each specific session, observers States shall be invited to speak only after the list of speakers of States Parties and signatory States has been exhausted and other observers may speak thereafter. When a statement is delivered on behalf of a group of States Parties and signatory States, this statement is pronounced in priority.
3. The debate shall be confined to the item before the Conference, and the President may call a speaker to order if his/her remarks are not relevant to the item under discussion. Speakers who continue to make remarks not relevant to the item under discussion shall have their speaking rights withdrawn for the duration of the debate.

4. The President may limit the time allowed to each speaker and the number of times each representative may speak on any question. When a limit has been set and a speaker exceeds the allotted time, the President shall call him/her to order without delay.
5. During the course of a debate, the President may announce the list of speakers and, with the consent of the Conference, declare the list closed.

#### **Rule 21 - Statements by the Secretariat**

The Secretary of the Conference or any member of the Secretariat designated for that purpose may, at any time, but subject to Rule 20, make either oral or written statements concerning any item under consideration.

#### **Rule 22 - Points of order**

During the discussion of any matter, States Parties or signatory States may at any time raise a point of order, which shall be immediately decided upon by the President in accordance with these rules. A State Party 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 State Party or signatory State may not, in raising a point of order, speak on the substance of the matter under discussion.

#### **Rule 23 - Precedence**

Elected officers of subsidiary bodies may be accorded precedence for the purpose of presenting the conclusions arrived at by the body concerned.

#### **Rule 24 - Right of reply**

1. The President shall accord the right of reply to any State representative who requests it. Any other State representative may be granted the opportunity to make a reply.
2. A State representative 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 be as brief as possible.

#### **Rule 25 - Adjournment of debate**

States Parties may, at any time, request the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, permission to speak on the motion shall be accorded only to two representatives in favour and to two opposing the adjournment, after which the motion shall be immediately put to a vote. The President may limit the time to be allowed to speakers under this rule.

#### **Rule 26 - Closure of debate**

States Parties may, at any time, request the closure of the debate on the item under discussion, whether or not any other representative has signified his/her wish to speak. Permission to speak on the motion shall be accorded only to two States Parties

opposing the closure, after which the motion shall be immediately put to a vote. The President may limit the time to be allowed to speakers under this rule.

### **Rule 27 - Suspension or adjournment of a meeting**

States Parties may, at any time, request the suspension or the adjournment of a meeting. No discussion on such motions shall be permitted, and they shall be immediately put to a vote.

### **Rule 28 - 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 item under discussion; (d) to close the debate on the item under discussion.

### **Rule 29 - Submission of proposals**

States Parties shall submit proposals in writing to the Secretary of the Conference, who shall circulate copies to all delegations. Unless the President decides otherwise, no substantive proposal shall be considered unless copies have been circulated 24 hours before the meeting.

### **Rule 30 - 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. A proposal or a motion thus withdrawn may be reintroduced by any representative.

### **Rule 31 - Decisions on competence**

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

### **Rule 32 - Reconsideration of proposals**

When a proposal has been adopted or rejected, it may not be reconsidered at the same session unless the Conference, 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 only to two speakers opposing reconsideration, after which the motion shall be immediately put to a vote.

## **IX. Decision making**

### **Rule 33 - Decisions on matters of substance**

1. The Conference shall make every effort to achieve consensus on matters of substance. In a last attempt to reach consensus, the President shall consider deferring action on that decision for a period up to 24 hours, provided that a decision can be reached before the end of the current session of the Conference.



2. If all efforts to reach consensus have been exhausted, the Conference shall take the decision by a two-thirds majority of the States Parties present and voting.

**Rule 34 - Decisions on matters of procedure**

1. The Conference shall make every effort to reach consensus on matters of procedure.
2. If all efforts to reach consensus have been exhausted, the Conference shall take the decision by a simple majority of the States Parties present and voting.
3. If the question arises as to whether a matter is one of procedure or of substance, the President of the Conference shall rule on the question. An appeal against this ruling shall be put to a vote immediately, and the President's ruling shall stand unless overruled by a simple majority of the States Parties present and voting.
4. If a vote requiring a simple majority is evenly divided, the proposal shall be regarded as rejected.

**Rule 35 – Decision making on matters with financial implications**

1. The Conference of States Parties shall adopt financial rules for itself as well as governing the funding of any subsidiary bodies it may establish, as well as financial provisions governing the functioning of the Secretariat. At each ordinary session, it shall adopt a budget for the financial period until the next ordinary session.
2. Before the Conference takes a decision that the President deems to have significant financial implications, the Secretariat shall circulate a report on such implications, prepared in accordance with the financial rules adopted by the Conference, for the consideration of States Parties before the decision is submitted for adoption by the Conference.
3. The Conference shall make every effort to achieve consensus on matters with financial implications. In a last attempt to reach consensus, the President shall consider deferring action on that decision for a period up to 24 hours, provided that a decision can be reached before the end of the current session of the Conference.
4. If all efforts to reach consensus have been exhausted, the Conference shall take the decision by a two-thirds majority of the States Parties present and voting.

**Rule 36 - Voting rights**

1. Each State Party shall have one vote.
2. For the purpose of the present rules, the phrase "States Parties present and voting" means States Parties present and casting an affirmative or negative vote. States Parties that abstain from the vote shall be considered as not voting.

**Rule 37 - Methods of voting**

1. The normal method of voting shall be by show of hands. Any State Party may request a roll-call, which shall then be taken in the English alphabetical order of the names of the States Parties, beginning with the State Party whose name is drawn by lot by the President. The name of each State Party shall be called in all roll-calls, and its representative shall reply "yes", "no" or "abstention". The result of the vote shall be inserted in the record of the session.
2. The Conference may decide to vote on matters of substance by secret ballot. The decision on whether or not a vote is by secret ballot shall be taken by a simple majority of States Parties present and voting.
3. When possible, the Conference may vote by mechanical means. A non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll call.

**Rule 38 - Conduct during voting**

After the President has announced the commencement of a vote, the voting shall not be interrupted until the result has been announced, except on a point of order in connection with the actual conduct of the voting.

**Rule 39 - Explanation of vote**

Representatives of States Parties may make brief statements consisting solely of explanations of their votes before the voting has commenced or after the voting has been completed. 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. The President may limit the time to be allowed for such explanations.

**Rule 40 – Elections of Officers**

1. Elections shall be held by secret ballot, unless the Conference decides otherwise, in an election where the number of candidates does not exceed the number of elective places to be filled.
2. If, when only one elective place is to be filled, no candidate obtains the majority required in the first ballot, a second ballot shall be taken, confined to the two candidates that have obtained the largest number of votes. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.
3. In the case of a tie in the first ballot among the candidates obtaining the second largest number of votes, a special ballot shall be held among such candidates for the purpose of reducing their number to two; similarly, in the case of a tie among three or more candidates obtaining the largest number of votes, a special ballot shall be held; if a tie again results in the special ballot, the President shall eliminate one candidate by drawing lots and thereafter another ballot shall be held in accordance with paragraph 2.

4. When two 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 the majority required and the largest number of votes, shall be elected.
5. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places, provided that, if only one place remains to be filled, the procedures in paragraph 2 shall be applied. The ballot shall be restricted to the unsuccessful candidates having obtained the largest number of votes in the previous ballot, but not exceeding twice the number of places remaining to be filled. However, in the case of a tie between a greater number of unsuccessful candidates a special ballot shall be held for the purpose of reducing the number of candidates to the required number; if a tie again results among more than the required number of candidates, the President shall reduce their number to that required by drawing lots.
6. If such a restricted ballot is inconclusive, the President shall decide among the candidates by drawing lots.

#### **Rule 41 - Intersessional decision-making**

1. If matters arise intersessionally relating to the administration of activities already decided by the Conference and where the postponement to the next ordinary session of the Conference of a decision on the matter could lead to negative financial consequences or losses of efficiency, the President may submit a decision for adoption via silence procedure.
2. The Conference, on the proposal of the President, may agree that a decision on a matter of procedure intended for adoption at the Conference of States Parties may be finalized through intersessional decision via silence procedure.
3. When a decision is submitted for adoption via silence procedure, the President will set a deadline of no less than 20 days for States Parties to consider it and will circulate all relevant information through the Secretariat. As soon as the deadline has expired, the President will inform States Parties if a decision has been adopted. If the silence procedure has been broken, the President will immediately inform States Parties and the matter shall be deferred for consideration by the Conference at its following ordinary session.

### **X. Subsidiary bodies**

#### **Rule 42- Subsidiary bodies**

1. The Conference may establish subsidiary bodies, in accordance with Article 17 paragraph 4 (f) of the Treaty, including but not limited to, standing committees, subcommittees or working groups.
2. The Conference shall determine the matters to be considered by each subsidiary body, including its mandate, officers, composition, size, duration and budgetary issues and may authorize the President to make appropriate adjustments in the allocation of work. The Conference shall decide or authorize the subsidiary body to

decide whether its meetings are public or private. The subsidiary body may invite experts to attend private sessions.

3. The subsidiary bodies shall report back to the Conference, unless the Conference decides otherwise.

#### **Rule 43 - Applicability of the Rules of Procedure to subsidiary bodies**

These Rules of Procedure shall apply, where relevant, to subsidiary bodies of the Conference, unless the Conference decides otherwise.

### **XI. Amendments to or suspension of the Rules of Procedure**

#### **Rule 44- Amendments to the Rules of Procedure**

1. Proposals to amend these present Rules of Procedure shall be submitted by States Parties in writing to the Secretariat, which shall circulate the proposal to all States Parties and signatory States not less than 90 days before the next meeting of the Conference at which amendments may be considered.
2. Amendments to the present Rules of Procedure shall be decided by States Parties by consensus.

#### **Rule 45 - Method of suspension of the Rules of Procedure**

Any of the present Rules of Procedure may be suspended for a defined period of time by a decision of the Conference taken in accordance with Rule 33.

### **XII. Languages and records**

#### **Rule 46 – Official languages of the Conference**

Arabic, English, French, Spanish, Chinese and Russian shall be the official languages of the Conference.

#### **Rule 47 - Interpretation**

1. During formal meetings of the Conference, interpretation services shall be limited to those official languages of the Conference that are official languages of a State Party.

Signatory States or observer States contributing a participation fee towards the cost of the Conference, may request that interpretation services are provided for an additional official language of the Conference. This request shall be made no less than ten days before the beginning of the concerned meeting.

2. A representative may speak in a language other than an official language of the Conference if the delegation concerned provides interpretation from that language into an official language of the Conference. Interpretation into the other languages of the Conference by interpreters of the Secretariat may be based on the interpretation given in the first such language.

**Rule 48 - Official documents of the Conference**

All recommendations, decisions and other documents produced as per a decision of the Conference shall be distributed by the Secretariat to States Parties as official documents of the Conference and shall be made available electronically to signatory States and observers.

**Rule 49 - Languages and official documents**

1. Translation services of official documents of the Conference shall be limited to those official languages of the Conference that are official languages of a State Party.
2. Signatory States and observer States contributing a participation fee towards the cost of the Conference, may request that translation services for official documents shall be provided for an additional official language of the Conference. This request shall be addressed to the President through the Secretariat. For pre-session documents, the request shall be made no less than 30 days before the beginning of the ordinary session concerned and 20 days before the beginning of the extraordinary meeting concerned.

**Rule 50 - Recordings of sessions**

1. The Secretariat shall make and keep sound and video recordings of all formal plenary meetings of the Conference in accordance with the practice of the United Nations.
2. If the Conference so decides, sound and/or video recordings of formal sessions of subsidiary bodies shall also be made and kept by the Secretariat in accordance with the practice of the United Nations.