

RULES OF PROCEDURE

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CHAPTER I

REPRESENTATION AND CREDENTIALS

Composition of delegations

Rule 1

Each delegation participating in the Conference shall consist of accredited representatives and such alternate representatives and advisers as it may deem necessary.

Alternates or advisers

Rule 2

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

Submission of credentials

Rule 3

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General if possible not later than forty-eight hours after the opening of the Conference. Any subsequent change in the composition of delegations shall also be submitted to the Secretary-General. The credentials shall be issued either by the Head of State or Government, or by the Minister for Foreign Affairs, and in the case of representatives of National Liberation Movements, by their competent authority, forwarded by the regional inter-governmental organizations concerned. In the absence of a contrary indication, credentials shall have effect also for any subsequent sessions of the Conference, unless they are withdrawn or superseded by new credentials.

Credentials Committee

Rule 4

A Credentials Committee shall be appointed at the beginning of the Conference. It shall consist of ten members, who shall be appointed by the Conference on the proposal of the President of the Conference. It shall examine the credentials of representatives and report to the Conference without delay. In the event of subsequent sessions of the Conference it shall examine only the credentials of representatives newly accredited to those sessions.

Provisional participation in the ConferenceRule 5

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

## CHAPTER II

## OFFICERS

ElectionsRule 6

The Conference shall elect a President and nineteen Vice-Presidents, as well as the Chairmen of the Main Committees provided for in rule 46 and the Chairman of the Drafting Committee provided for in rule 47. These officers shall be elected on the basis of ensuring the representative character of the General Committee. The Conference may also elect such other officers as it deems necessary for the performance of its functions. The term of office shall cover any subsequent sessions of the Conference.

PresidentRule 7

The President shall preside at the plenary meetings of the Conference.

Rule 8

The President, in the exercise of his functions, remains under the authority of the Conference.

Acting PresidentRule 9

If the President is absent from a meeting or any part thereof, he shall appoint one of the Vice-Presidents to take his place.

Rule 10

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

Replacement of the President

Rule 11

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

The President shall not vote

Rule 12

The President, or Vice-President acting as President, shall not vote in the Conference, but shall appoint another member of his delegation to vote in his place.

CHAPTER III

GENERAL COMMITTEE

Composition

Rule 13

The General Committee of the Conference shall be composed of the President and Vice-Presidents of the Conference, the Chairmen of the Main Committees, the Ad Hoc Committee of the whole, the Drafting Committee and the Credentials Committee, and the Secretary-General.

Substitute members

Rule 14

If the President or a Vice-President of the Conference finds it necessary to be absent during a meeting of the General Committee, he may designate a member of his delegation to sit and vote in the Committee. In case of absence, the Chairman of a Main Committee shall designate the Vice-Chairman of that Committee as his substitute, and the Chairman of the Drafting Committee shall designate a member of the Drafting Committee. When serving on the General Committee, the Vice-Chairman of a Main Committee or member of the Drafting Committee shall not have the right to vote if he is of the same delegation as another member of the General Committee.



FunctionsRule 15

The General Committee shall assist the President in the general conduct of the business of the Conference and, subject to the decisions of the Conference, shall ensure the co-ordination of its work.

## CHAPTER IV

## SECRETARIAT

Duties of the Secretary-General and the SecretariatRule 16

1. The Secretary-General, designated by the Swiss Government, shall act in that capacity in all meetings. He may designate another member of the Secretariat to replace him in case of absence.

2. The Secretary-General shall provide and direct the staff required by the Conference; he shall make all arrangements relating to meetings and, generally, perform all other work which the Conference may require.

## CHAPTER V

## CONDUCT OF BUSINESS

QuorumRule 17

1. The President may declare the meeting open and allow business to proceed when the representatives of at least a majority of the States participating in the Conference are present.

2. The Chairman of a commission, committee, sub-commission, sub-committee or working group may declare the meeting open and allow business to proceed when the representatives of at least one third of the States members of the body in question are present.

3. No decision may be taken unless a majority of the members are present.

General powers of the PresidentRule 18

In addition to exercising the powers conferred upon him elsewhere by these rules, the President shall declare the opening and closing of each plenary meeting of the Conference; direct the discussions at such meetings; accord the right to speak; put questions to the vote and announce decisions. He shall rule on points of order and, subject to these rules of procedure, have complete control of the proceedings and over the maintenance of order thereat. The President may propose to the Conference the limitation of time to be allowed to speakers, the limitation of the number of times each representative may speak on any question, the closure of the list of speakers or the closure of the debate. He may also propose the suspension or the adjournment of the meeting or the adjournment of the debate on the question under discussion.

SpeechesRule 19

1. No person may address the Conference without having previously obtained the permission of the President. Subject to rules 20 and 21, the President shall call upon speakers in the order in which they signify their desire to speak. The Secretariat shall be in charge of drawing up a list of such speakers. The President may call a speaker to order if his remarks are not relevant to the subject under discussion and should occasion arise, require him to stop speaking.

2. 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 the appeal is approved by a majority of the representatives present and voting. A representative appealing against the President's ruling may not speak on the substance of the matter under discussion.

PrecedenceRule 20

The Chairman or Rapporteur of a committee, or the representative of a sub-committee or working group, may be accorded precedence for the purpose of explaining the conclusions arrived at by his committee, sub-committee or working group.

Points of orderRule 21

During the discussion of any matter, a representative may rise to a point of order, and the point of order shall be immediately decided by the President in accordance with the rules of procedure. 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 the appeal is approved by a majority of the representatives present and voting. A representative rising to a point of order may not speak on the substance of the matter under discussion.

Time-limit on speechesRule 22

The Conference may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. Before a decision is taken in that regard, two representatives may speak in favour of, and two against, the motion to limit. When the debate is limited and a representative has spoken his allotted time, the President shall call him to order without delay.

Closing of list of speakersRule 23

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. He may, however, accord the right of reply to any representative if a speech delivered after he has declared the list closed makes this desirable.

Adjournment of debateRule 24

During the discussion of any matter, a representative may move the adjournment of the debate on the question under discussion. In addition to the proposer of the motion, two representatives may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote. The President may limit the time to be allowed to speakers under this rule.

Closure of debate

Rule 25

A representative may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his wish to speak. Permission to speak on the closure of the debate shall be accorded only to two speakers opposing the closure, after which the motion shall be immediately put to the vote. If the Conference is in favour of the closure, the President shall declare the closure of the debate. The President may limit the time to be allowed to speakers under this rule.

Suspension or adjournment of the meeting

Rule 26

During the discussion of any matter, a representative may move the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be immediately put to the vote. The President may limit the time to be allowed to the speaker moving the suspension or adjournment.

Order of procedural motions

Rule 27

Subject to rule 21, the following motions shall have precedence in the following order over all other proposals or 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) For the closure of the debate on the question under discussion.

Basic proposals

Rule 28

The draft additional Protocols, prepared by the International Committee of the Red Cross, to the Geneva Conventions of 12 August 1949 shall constitute the basic proposals for discussion by the Conference.

Other proposals and amendmentsRule 29

Other proposals and amendments thereto shall normally be introduced in writing and handed to the Secretary-General of the Conference, who shall circulate copies to the delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting of the Conference unless copies of it have been circulated to all delegations not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of amendments, or motions as to procedure, even though these amendments and motions have not been circulated or have only been circulated the same day.

Decisions on competenceRule 30

Subject to rule 21, any motion calling for a decision on the competence of the Conference to discuss any matter or to adopt a proposal or an amendment submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal or amendment in question.

Decisions on the competence of the Conference shall constitute matters of substance and be treated as such.

Withdrawal of motionsRule 31

A motion may be withdrawn by its proposer at any time before voting on it has commenced, provided that the motion has not been amended. A motion which has thus been withdrawn may be reintroduced by any representative.

Reconsideration of proposalsRule 32

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

International Committee of the Red Cross  
and technical advisers

Rule 33

1. The International Committee of the Red Cross having prepared the draft Protocols, its experts shall join in the work of the Conference and may present oral or written statements on all matters submitted to the Conference for consideration.

2. The Conference may invite to one or more of its meetings any person whose technical advice it may consider useful in its work.

CHAPTER VI

VOTING

Voting rights

Rule 34

Each State represented at the Conference shall have one vote.

Required majority

Rule 35

1. Decisions of the Conference on all matters of substance shall be taken by a two-thirds majority of the representatives present and voting.

2. Decisions of the Conference on matters of procedure shall be taken by a majority of the representatives present and voting.

3. If the question arises 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 immediately be put to the vote and the President's ruling shall stand unless the appeal is approved by a majority of the representatives present and voting.

4. Any decision relating to invitations to participate in the Conference shall be adopted by a simple majority of votes of the representatives present and voting.

Meaning of the expression  
"Representatives present and voting"

Rule 36

For the purpose of these rules, the phrase "representatives present and voting" means representatives present and casting an affirmative or negative vote. Representatives who abstain from voting shall be considered as not voting.

Method of voting

Rule 37

The Conference shall normally vote by show of hands or by standing, but any representative may request a roll-call. The roll-call shall be taken in the French alphabetical order of the names of the States participating in the Conference, beginning with the delegation whose name is drawn by lot by the President.

Conduct during voting

Rule 38

After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connexion with the actual conduct of the voting. The President may permit representatives to explain their votes, either before or after the voting, except when the vote is taken by secret ballot. The President may limit the time to be allowed for such explanations.

Division of proposals and amendments

Rule 39

A representative may move that parts of a proposal or an amendment shall be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. If the motion for division is carried, those parts of the proposal or amendment which are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

Voting on amendments

Rule 40

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 Conference shall first vote 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 amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

Voting on proposals

Rule 41

If two or more proposals relate to the same question, the Conference shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted.

Elections

Rule 42

All elections shall be held by secret ballot unless otherwise decided by the Conference.

Rule 43

1. If, when one person or one delegation is to be elected, no candidate obtains in the first ballot a majority of votes of the representatives present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. If in the second ballot the votes are equally divided, the President shall decide between the candidates by drawing lots.

2. In the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the preceding paragraph.



Rule 44

When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot an absolute majority of votes of the representatives present and voting shall be elected. If the number of candidates obtaining such majority is less than the number of persons or delegations to be elected, the Conference shall take a second ballot, to which a relative majority shall apply, until all the places have been filled.

Equally divided votesRule 45

If a vote is equally divided on matters other than elections, the proposal shall be regarded as rejected.

## CHAPTER VII

## COMMITTEES

Main CommitteesRule 46

The Conference shall establish Main Committees on which all participating delegations may be represented.

Drafting CommitteeRule 47

1. The Conference shall appoint, on the proposal of the General Committee, a Drafting Committee, which shall consist of fifteen members, including the Rapporteurs of the Main Committees and two Vice-Presidents. The term of office shall cover any subsequent sessions. This committee shall prepare drafts and give advice on drafting as requested by the Conference or by the Main Committees. It shall co-ordinate and review the drafting of all texts adopted, and shall report as appropriate either to the Conference or to the Main Committees.

2. Any delegation may attend the meetings of the Drafting Committee. Sponsors of proposed amendments referred to the Drafting Committee shall be entitled, at their own request or at the request of the Chairman of the Drafting Committee, to participate fully in the Committee's discussion of their amendments. In addition, the Chairman may, if he considers it helpful, permit other delegations present to speak in the Committee on specific questions under discussion.

Other committees, commissions and working groups

Rule 48

In addition to the Main Committees and the Drafting Committee mentioned above, the Conference may establish such committees, commissions and working groups as it deems necessary for the performance of its functions. The appointment of members of the committees and commissions shall be made by the President subject to approval by the Conference, unless the Conference decides otherwise. The appointment of members of sub-committees, sub-commissions and working groups shall be made by the President of the Committee or Commission concerned subject to approval by such Committee or Commission, which may decide otherwise.

Officers

Rule 49

Except in the case of the Chairmen of the Main Committees and the Chairman of the Drafting Committee, each committee, sub-committee and working group shall elect its own officers. The Main Committees shall elect two Vice-Chairmen and a Rapporteur.

Officers, conduct of business and voting in committees

Rule 50

The rules contained in chapters II, V and VI shall be applicable, mutatis mutandis, to the proceedings of committees, sub-committees and working groups, except that the Chairman of the Drafting Committee and the chairmen of sub-committees and working groups may exercise the right to vote, and that decisions of committees and sub-committees shall be taken by a majority of the representatives present and voting, but not in the case of a reconsideration of proposals or amendments, in which the majority required shall be that established by rule 32.

CHAPTER VIII

LANGUAGES AND RECORDS

Official and working languages

Rule 51

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

Interpretation from official languagesRule 52

Statements made in any of the official languages shall be interpreted into the other official languages.

Interpretation from other languagesRule 53

Any representative may make a speech in a language other than the official languages. In this case he shall himself provide for interpretation into one of the official languages. Interpretation into the other official languages by the interpreters of the Secretariat may be based on the interpretation given in the first official language.

Summary recordsRule 54

Summary records of the plenary meetings of the Conference and of the meetings of the General Committee and of the Main Committees shall be kept by the Secretariat in the working languages. They shall be sent as soon as possible to all representatives, who shall inform the Secretariat within five working days after the circulation of the summary record of any changes they wish to have made.

## CHAPTER IX

## PUBLIC AND PRIVATE MEETINGS

Plenary meetings and meetings of committeesRule 55

1. The plenary meetings of the Conference and the meetings of the Main Committees shall be held in public unless the body concerned decides otherwise.

2. Press representatives shall have access to the seats reserved for them upon the production of cards issued by the Secretariat in accordance with the instructions of the Secretary-General.

3. Members of the public shall have access to the seats reserved for them upon the production of cards issued by the Secretariat according to the instructions of the Secretary-General.

Meetings of sub-committees or working groups

Rule 56

As a general rule meetings of a sub-committee or working group shall be held in private.

Communiqués to the Press

Rule 57

At the close of any private meeting a communiqué may be issued to the Press through the Secretary-General.

CHAPTER X

NATIONAL LIBERATION MOVEMENTS

Rule 58

National Liberation Movements recognized by the regional intergovernmental organizations concerned and invited by the Conference to participate in its work shall participate fully in the deliberations of the Conference and its Main Committees. Notwithstanding anything contained in these rules of procedure, the statements made or the proposals and amendments submitted by delegations of such National Liberation Movements shall be circulated by the Conference Secretariat as Conference documents to all the participants in the Conference, it being understood that only delegations representing States will be entitled to vote.

CHAPTER XI

OBSERVERS

United Nations

Rule 59

The representatives of the United Nations shall join in the work of the Conference and may participate, without the right to vote, in the deliberations of the Conference and its Committees.

Specialized agencies of the United Nations  
and other intergovernmental bodies

Rule 60

The representatives of specialized agencies of the United Nations and of other intergovernmental bodies invited to the Conference as observers may participate, without the right to vote, in the deliberations of the Conference and its Main Committees. They shall have access to all documents. In addition, written statements of such specialized agencies and intergovernmental bodies shall be distributed by the Secretariat to the delegations at the Conference.

Non-governmental organizations

Rule 61

Non-governmental organizations and groups of international non-governmental organizations invited as observers may participate in the deliberations of the Conference and the Main Committees. They shall not have the right to vote. The Conference and its Main Committees shall decide as the case arises whether such observers shall be permitted to present written or oral statements on problems relating to their sphere of activity. Documents may be made available to them by the Secretariat.

League of Red Cross Societies

Rule 62

The League of Red Cross Societies, being the international federation of National Red Cross, Red Crescent and Red Lion and Sun Societies, may submit to the Conference orally through its experts or in writing, statements on any question concerning its members' humanitarian activities.

CHAPTER XII

AMENDMENTS TO THE RULES OF PROCEDURE

Rule 63

These rules of procedure may be amended by a decision of the Conference taken by a majority of the representatives present and voting.



AMENDMENTS MADE TO THE RULES OF PROCEDURE  
DURING THE CONFERENCE

CDDH/2/Rev.1

CONTENTS

Insert a new CHAPTER X and rule 58 as follows (see CDDH/37/Rev.1):

CHAPTER X - NATIONAL LIBERATION MOVEMENTS

Rule 58 - National Liberation Movements

CHAPTER XI (CHAPTER X of document CDDH/2)

Rule 59 (rule 58 of document CDDH/2)

Rule 60 (rule 59 of document CDDH/2)

Rule 61 (rule 60 of document CDDH/2)

Rule 62 - new rule in document CDDH/2/Rev.1

CHAPTER XII (CHAPTER XI of document CDDH/2)

Rule 63 (rule 61 of document CDDH/2)

Rule 1

Replace the words "The delegation of each State" by the words "Each delegation".

Rule 3

For "twenty-four hours" read "forty-eight hours".

At the beginning of the second sentence replace the words "Any later change" by the words "any subsequent change".

After the words "the Minister for Foreign Affairs" add the following phrase:

"and in the case of representatives of National Liberation Movements, by their competent authority, forwarded by the regional intergovernmental organizations concerned".



CDDH/2/Rev.1 (continued)

Rule 4

Replace the word "nine" by the word "ten", and at the end of the second sentence, add the words "of the Conference".

Rule 6

Replace the word "six" by the word "nineteen".

Rule 13

After the words "the Main Committees," insert the words "the Ad Hoc Committee of the whole, of the Drafting Committee and the Credentials Committee,".

Rule 19

Add a second paragraph worded as follows:

"2. 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 the appeal is approved by a majority of the representatives present and voting. A representative appealing against the President's ruling may not speak on the substance of the matter under discussion."

Rule 35

Add a fourth paragraph:

"4. Any decision relating to invitations to participate in the Conference shall be adopted by a simple majority of votes of the representatives present and voting."

Rule 37

Delete paragraph 2.

Rule 46

Replace the word "States" by the word "delegations" and the words "may have representation" by "may be represented".

Delete the phrase "provided that they notify the President to that effect by such date as is fixed by the Conference."

CDDH/2/Rev.1 (continued)

Rule 47

At the end of the first sentence, add the words "and two Vice-Presidents".

Add a second paragraph worded as follows:

"2. Any delegation may attend the meetings of the Drafting Committee. Sponsors of proposed amendments referred to the Drafting Committee shall be entitled, at their own request or at the request of the Chairman of the Drafting Committee, to participate fully in the Committee's discussion of their amendments. In addition, the Chairman may, if he considers it helpful, permit other delegations present to speak in the Committee on specific questions under discussion."

Rule 48

For "appointments" read "appointment".

Rule 51

Replace the text of rule 51 in document CDDH/2 by the following:

"Rule 51

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

Rule 55

Insert the word "Main" before the word "Committees".

CHAPTER X

Insert the following new CHAPTER X and rule 58:

"CHAPTER X

NATIONAL LIBERATION MOVEMENTS

Rule 58

National Liberation Movements recognized by the regional intergovernmental organizations concerned and invited by the Conference to participate in its work shall participate fully in the deliberations of the Conference and its Main Committees.

CDDH/2/Rev.1 (continued)

Notwithstanding anything contained in these rules of procedure, the statements made or the proposals and amendments submitted by delegations of such National Liberation Movements shall be circulated by the Conference Secretariat as Conference documents to all the participants in the Conference, it being understood that only delegations representing States will be entitled to vote."

CHAPTER XI - CHAPTER X in document CDDH/2.

Rule 59

Rule 58 in document CDDH/2.

Rule 60

Rule 59 in document CDDH/2.

Rule 61

Rule 60 in document CDDH/2.

Rule 62

Insert the following new rule 62:

"Rule 62

The League of Red Cross Societies, being the international federation of National Red Cross, Red Crescent and Red Lion and Sun Societies, may submit to the Conference orally through its experts or in writing, statements on any question concerning its members' humanitarian activities."

CHAPTER XII - CHAPTER XI in document CDDH/2.

Rule 63

Rule 61 in document CDDH/2.

CDDH/2/Rev.2

Rule 3

In the last sentence, replace the words "for a second session" by the words "for any subsequent sessions" and delete the phrase "if one is held".

CDDH/2/Rev.2 (continued)

Rule 4

Replace the words "of a second session" by the words "of subsequent sessions" and the words "that session" by the words "those sessions".

Rule 6

Replace the words "a second session" by the words "any subsequent sessions" and delete the words "if one is held".

Rule 47

Replace the words "for a second session" by the words "any subsequent sessions", and delete the words "if one is held".

CDDH/2/Rev.3

Rule 1

Replace the words "as may be required" by the words "as it may deem necessary".

Rule 51

Replace the text of rule 51 in document CDDH/2/Rev.1 by the following:

"Rule 51

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