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ORGANISATION EUROPÉENNE POUR LA RECHERCHÉ NUCLÉAIRE
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RULES OF PROCEDURE FOR THE COUNCIL

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RULES OF PROCEDURE FOR THE COUNCIL *

(Adopted by the Council on 24 February, 1955, under the provisions of Article V, 7 of the Convention)

Rule 1

Officers of the Council

(a) the Council shall elect a President and two Vice-Presidents who shall hold office for one year and may be re-elected on not more than two consecutive occasions (V, 9).

(b) The President, or the Vice-President who is acting as President, shall participate in the proceedings as such, and not as the delegate of a Member State.

(c) The Director-General of the Organization, as Secretary of the Council, will provide a Secretariat for the Council.

Rule 2

Conduct of Business

(a) In addition to exercising the powers conferred upon him elsewhere by these Rules, the President shall declare the opening and closing of each session, shall direct the discussion, ensure observance of these Rules, accord or withdraw the right to speak, put questions to the vote and announce decisions. The President, subject to these Rules, shall have control of the proceedings of order thereat. He shall rule on points of order and shall, in particular, have the power to propose adjournment or closure of the debate, or adjournment or suspension of a session.

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* - For convenience, there is also included among the procedural rules certain matters concerning the caonstitution and powers of the Council, but which have a bearing on its procedure.
- Number in brackets refer to the relevant Articles of the Convention for the establishment of the European Organization for Nuclear Research

(b) If the president finds it necessary to be absent during a session, or any part thereof, he shall appoint one of the Vice-Presidents to take the chair. A Vice-President acting as President shall have the same powers and duties as the President.

(c) The President shall call upon delegates in the order in which they signify their desiere to speak. The Presidnet shall, however, grant priority for a point foorder and such point fo order shall be immediately decided upon b the President. An appeal may be made against his ruling, but any discussion on such appeal shall be limited to the delegate making the appeal and the President. If the difference of opinion is maintained, the matter shall be put to the vote immediately.

(d) The President, in the exercise of his functions, remains under the authority of the Council

Rule 3

Attendance of Delegates and Advisers

(a) Each Member State shall be represented by not more than two delegates who may be accompanied by advisers 8V, 1).

(b) Participation as a delegate shall be subject to production of credentials issued by the Head of the State concerned, or the Head of its Governement, or the competent Minister. The authority to issue redentials may be delegated in writing to a governmental organization of the Member of the ortganization. A delegate shall continue to hold that position until such time as the Director-General is notified of the termination of his appointment.

(c) The names of advisers shall be notified previously in writing to the Director-General

(d) If a delegate is unable to attend a sitting, he may appoint one of the advisers of his delegation as an alternate for the particular meeting concerned. The Director-General should be informed in writing beforehand.

(e) No official of the Organization may act as a delegate or an adviser of a Member State.

(f) The Director-General of the Organization (or with the consent of the Council his duly authorized representative) (VI, 1(a)), the Chairman of the Finance Committee shall attend the sessions of the Council

Rule 4

Attendance of Observers from non-Member States

The Council may by a two-thirds majority of all Member States permit at its sessions the attendance of duly accredited observers from non-Member States.

Rule 5

Attendance of Representatives of International Organizations

(a) The Concil shall permit the attendance at its sessions of duly accredited observers from UNESCO (VIII).

(b) The Council shall permit the attendance at its sessions of duly accredited representatives or observers from other organizations with which the Organization has concluded an agreement in accordance with the provisions of Article VIII of the Convention.

(c) Where the attendance of observers from, or representatives of , another organization has not been formally provided for in an agreement concluded in accordance with Article VIII of the Convention, the council ay by a majority of two-thirds of all its members decide to permit the attendance of such observers or representatives; by the same majority it may authorize them to participate in the discussions.

Rule 6

Sessions to be held in Public

The sessions of the Council shall be held in public unless otherwise decided by the Council

Rule 7

Frequency of Meetings

(a) The Council shall meet at least once a year, and shall normally meet in ordinary session twice annually. It shall in any event meet between 1 September and 30 December each year to approve the budget 8V, 3 and Financial Protocol 1 (2)).

(b) In an emergency, the Council shall meet in extraordinary session at the request of the President. If required by five Member States, the President must instruct the Director-General to convene an extraordinary session.

Rule 8

Agenda

(a) A provisional agenda prepared by the Director-General in agreement with the President shall be sent to Member States not less than 21 days before each ordinary session. Papers to be considered by the Council must be circulated in time for them to reach delegates, if possible, at least ten days before the date of the session.

(b) In the ase of an extraordinary session a detailed description of the business to be dicussed shall be circulated with the notice convening the session.

(c) The provisional agenda for an ordinary session shall be considered for adoption at the opening of the session. Before adoption of the agenda the Council may decide to add, delte, modify or combine items or re-arrange the papers may be added to the agenda during the session only if the Council so decides.

(d) An application by any State to become a Member of the Organization shall be considered by the Council only on the expiration of at least three months' notice given by the Director-General in writing to all Member States (III, 2 (b)).

(e) Proposals for amendment fo the Convention or of the Financial Protocol shall not be considered by the Council until at least three months after the Director-General has notified all Member States of the proposed amendment (X, 1)

Rule 9

Minutes

(a) Minutes of each session of the Council, giving the substance of the discussion and recording the decisions reached, shall be prepared and shall be signed by the President. The draft minutes shall be circulated to all delegates as soon as possible after the end of the session. At the beginning of each session the minutes of the previous session, after consideration of any amendments which may have been submitted, shall be approved by the Council Any proposed amendments of substance shall be circulated in writing before the session.

(b) Decisions of the Council shall normally be recorded by an appropriate summary in the minutes of the session. At the discretion of the President or on request of a majority of delegations present, a decision shall be in the temrs of a formal resolution.

Rule 10

Press Communiqués

Press communiqués upon the proceedings of the Council or of its subordinate bodies shall be issued only by the President or with his specific authority.

Rule 11

Resolutions, Amendments and Motions

(a) Any delegate to the Council of any alternate occupying the place of a delegate may move resolutions or amendments in accordance with the following rules:

(b) The text of any reolution or amendment shall be submitted to the President in writing. This text shall, whenever possible, be distributed before being put to the vote.

(c) If there are several amendments to a resolution, the President shall determine the order in which they shall be discussed and put to the vote, subject to the following provisions:

(i) every amendment or resolution shall be put to the vote;

(ii) amendments may be voted on either individually or as against other amendments according to the President's decision;

(iii) if a resolution is amended as a result of a vote, that resolution as amended shall be put to the Council for a final vote.

(d) A delegates may, with the consent of the seconder, withdraw a motion or an amendment which he has moved, unless an amendment to it is under dicussion or has been adopted.

(e) A motion or an amendment withdrawn by its author may be moved again by another delegate. In that case it shall be discussed and put to the vote.

(f) In the case of motions as to procedure, no notice in writing need be handed to the President or be distributed. Motions as tho procedure include the following: a motion to refer a matter back, a motion to postpone consideration of a question, a motion to adjourn the sitting, a motion to adjourn a debate on a particular question or an incident, a motion that the Council proceed with another item on the agenda of the session. Such motions shall not be debated, but, on being seconded, shall immediately be put to the vote.

(g) No resolution or amendment shall be discussed or voted upon unless and until it has been seconded.

(h) A resolution may not be amended after it has been adopted.

Rule 12

Resolutions involving Expenditure

No resolution involving expenditure additional to that adopted in the annual budget shall be deemed to be approved by the council until it has approved an estimate submitted by the Director-General for the additional expenditure involved (Financial Protocol, Article 2).

Rule 13

Voting

(a) Each Member State shall have one vote in the Council, subject to the rovisions in the Convention as regard:

(i) activities specified in supplementary programmes (V, 4);
(ii) unpaid contributions (V, 5);
(iii) non-deposit of instruments of ratification or accession (V, 11).

(b) The Council shall normally vote by show of hands, except that any delegate may request a roll-call which shall then be taken in the French alphabetical order of the names of the Member States, beginning with a Member State whose name shall be drawn by lot by the President. The vote of each delegation participating in a roll-call shall be included in the record of the session.

(c) The decision of the Council on the admission of a new Member shall be by secret ballot. Council decisions may be by secret ballot in ther instances upon demand of two or more delegates present. In the case of votes by secret ballot the number of abstentions shall be recorde.

(d) In all voting by secret ballot, two tellers selected from among the delegates present shall assist in the counting of votes.

(e) Decisions of the Council, to be valid, shall require the voting majority specified in the relevant provsion of the Convention. (The several provisions are set out in the Annex hereto.)

Rule 14

Quorum

The presence of delegates from a majority of the Member States shall be necessary to constitute a quorum at any meeting of the Council (V, 8)

Rule 15

Place of Meeting

Sessions shall be at the seat of the Organization except when the Council shall decide to meet elsewhere (I and V, 3).

Rule 16

Notice of Meeting

(a) The Director-General of the Organization shall give the Member States at least 21 days' notice, in writing, of ordinary sessions.

(b) Except in cases of extreme urgency, of which the President shall be the judge, the Director-General shall give at least 10 days' notice, in writing, of extraordinary sessions.

Rule 17

Setting up of Subordinate Bodies

The Council shall set up a Finance Committee, with functions as laid down in accordance with the provisions of Article 3 of he Financial Protocole to the Convention. The Council may establish such other subordinate bodies as may be necessary for the purposes of the Organization, and shall determine their terms of reference (V, 10).

Rule 18

Official and Working Languages

At sessions of the Council and its subordinate bodies, interpretation shall be provided in English, French and German. Documents laid before the Council and its subordinate bodies shall be presented in English and French, but shall carry a summary in English, French and German.

Rule 19

Amendments to Rules

Subject to the provisions of the Convention the present Rules may be amended by a decision of the Council.

Rule 20

Interpretation

In the event of conflict between any provision of these Rules and the Convention, the Convention shall prevail.

REQUIREMENTS FOR VOTING MAJORITIES

1. Council Decisions not otherwise specifically provided for in the Convention

   Simple majority of the Member States represented and voting (Article V, 6).

2. Supplementary Programme

   Approval by two-thirds majority of all Member States (Article II, 4).

3. Admission of Additional Members

   Unanimous decision of Member States (Article III, 2 (a)).

4. Voting by a Member State in Arrear with Contributions

   Two-thirds majority of all Member States (Article V, 5).

5. Subordinate Bodies (Creation and Terms of Reference)

   Two-thirds majority of all Member States (Article v, 5).

6. Director-General: Appointment and Dismissal

   Two-thirds majority of all Member States (Article VI, 1 (a)).

7. Staff: Appointments and Dismissals

   Two-thirds majority of all Member States (Article VI, 3).

8. Appointments and Dismissals: Delegation of Council's Powers

   Two-thirds majority of all Member States (Article VI, 3).

9. Staff Regulations: Adoption

   Two-thirds majority of all Member States (Article VI, 3).

10. Scale of Financial Contributions

    Two-thirds majority of all Member States (Article VIII, 1(b)).

11. Adjustment of Contributions: Allowance for Special Circumstances

    Two-thirds majority of all Member States (Article VIII, 1(b) (ii)).

12. Supplementary Programme: Contributions of Participants

    Two-thirds majority of all Member States (Article VII, 2).

13. Special Contributions of New Member States

    Two-thirds majority of all Member States (Article VII, 3).

14. Co-operation with Organizations and Institutions other than UNESCO

Two-thirds majority of all Member States (Article VIII).

15. Attendance of Observers from non-Member States

Two-thirds majority of all Member States (Article VIII).

16. Amendments to Convention

Not by voting but by acceptance in writing by all Member States (Article X, 2).

17. Amendments to Financial Protocol

Two-thirds majority of all Member States (Article X, 3).

18. Cessation of Membership for non-Fulfilment of Obligations

Two-thirds majority of all Member States (Article XIII).

19. Dissolution

By agreement between Member States (Article XIV).