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REPORT BY THE CHAIRMAN OF SUBCOMMITTEE 1 ON RULES OF PROCEDURE

Subcommittee 1 was set up to consider the Rules of procedure of the Preparatory Committee and the Summit, including arrangements for accreditation (agenda item 10, Documents WSIS/PC-1/DOC/5, 6 and 3 (chapter 4)).

The Subcommittee held four meetings during PrepCom-1. At its fourth meeting it adopted the draft Rules of procedure of the Preparatory Committee (see Annex 1) by consensus¹. At the same meeting, it adopted a draft decision on Arrangements for participation (see Annex 2) by consensus. These two texts are submitted to the Plenary meeting for final approval.

Amb. D. STAUFFACHER
Chairman, Subcommittee 1

Annexes: 2

¹ Reservation by Syria: Syria considers that these Rules of procedure are valid for the Preparatory Committee but will not apply to the Summit itself.

ANNEX 1

DRAFT RULES OF PROCEDURE OF THE PREPARATORY COMMITTEE OF THE WORLD SUMMIT ON THE INFORMATION SOCIETY

I Sessions

Rule 1

Place and dates of sessions

The place and dates of each session of the Preparatory Committee shall be fixed by the Preparatory Committee during its previous session.

Rule 2

Notification of dates and place of sessions

The Secretary-General of the International Telecommunication Union (ITU) shall notify the members of the Preparatory Committee, of the dates and place of each session at least eight weeks in advance.

II Agenda

Rule 3

Drawing up of the provisional agenda

1. The Secretary-General of the ITU, in consultation with the Bureau, shall draw up the provisional agenda for each session on the basis of items suggested by:

- (a) The Preparatory Committee at a previous session;
- (b) A Member State of the United Nations or of any specialized agency.

2. Items suggested for inclusion in the provisional agenda pursuant to subparagraph (b) of paragraph 1 shall be submitted with basic documents in sufficient time to reach the Secretary-General of the ITU not less than five weeks before the first meeting of each session.

Rule 4

Communication of the provisional agenda

The Secretary-General of the ITU shall, not less than four weeks before the opening of the session, communicate the provisional annotated agenda for a session of the Preparatory Committee in the official languages referred to in rule 48 and make the basic documents related to each item appearing thereon available to the Member States of the United Nations and of any specialized agency. It will also appear on the website.

Rule 5

Adoption of the agenda

The Preparatory Committee shall, at the beginning of each session, adopt the agenda for that session on the basis of the provisional agenda referred to in rule 3.

III Opening of the first session of the Preparatory Committee

Rule 6

Opening of the first session of the Preparatory Committee

The Secretary-General of the ITU or, in her/his absence, any person designated by her/him for that purpose, shall open the first session of the Preparatory Committee.

Rule 7

Decisions concerning organization

The Preparatory Committee shall at its first session:

- (a) Adopt the rules of procedure of the Preparatory Committee;
- (b) Elect its officers.

IV Representation

Rule 8

Composition of delegations

1. The delegation of each Member State of the United Nations or of any specialized agency and the delegation of the European Community² participating as Members in the Preparatory Committee, shall consist of a head of delegation and such other representatives as may be required.
2. A State or the European Community intending to send a delegation to a session of the Preparatory Committee shall so inform the Secretary-General of the ITU, if possible, not less than one week before the opening of the session, indicating the name and functions of the members of the delegation.

V Officers

Rule 9

Elections

The Preparatory Committee shall elect from among the representatives of participating States the following officers: a President and fourteen Vice-Presidents, one of whom shall act as the Rapporteur; these officials being elected on the basis of ensuring the representative character of the Bureau, as well as two ex officio Vice-Presidents nominated by the host countries of the Summit. The Preparatory Committee may also elect such other officers as it deems necessary for the performance of its functions.

² The Preparatory Committee of the World Summit on the Information Society invites the European Community, within its areas of competence, to participate in its deliberations on any matter of particular concern to the European Community. The European Community shall not have the right to vote, but may submit proposals which may be put to the vote at the request of any State.

Rule 10

General powers of the President

1. In addition to exercising the powers conferred upon her/him elsewhere by these rules, the President shall preside at the plenary meetings of the Preparatory Committee, declare the opening and closing of each meeting, submit questions for decision, if necessary put questions to the vote and announce decisions. The President shall rule on points of order and, subject to these rules, shall have control of the proceedings and over the maintenance of order thereat. The President may propose to the Preparatory Committee 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, the suspension or the adjournment of a meeting and any other motion deemed appropriate.
2. The President, in the exercise of her/his functions, remains under the authority of the Preparatory Committee.

Rule 11

Acting President

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

Rule 12

Replacement of the President

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

VI Bureau

Rule 13

Composition

The President and the Vice-Presidents, one of whom shall act as the Rapporteur, shall constitute the Bureau. The President, or in her/his absence one of the Vice-Presidents designated by her/him, shall serve as Chairperson of the Bureau. The Chairperson of each subcommittee established by the Preparatory Committee in accordance with rule 44 and any other officer elected by the Preparatory Committee in accordance with rule 9 may participate, without the right to vote, in the Bureau.

Rule 14

Functions

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

VII Secretariat of the Preparatory Committee

Rule 15

Duties of the Secretary-General of the Preparatory Committee

1. The Secretary-General of the ITU or her/his designated representative shall act in the capacity of Secretary-General of the Preparatory Committee in all meetings of the Preparatory Committee and its subsidiary bodies and shall direct the staff of the secretariat.
2. The Secretary-General of the Preparatory Committee may designate a member of the secretariat of the Preparatory Committee to act in her/his place at these meetings.

Rule 16

Duties of the secretariat of the Preparatory Committee

The secretariat of the Preparatory Committee shall, under the supervision of the Preparatory Committee and in accordance with these rules:

- (a) Provide interpretation for meetings;
- (b) Receive, translate and circulate documents of the Preparatory Committee;
- (c) Publish and circulate the official documents of the Preparatory Committee;
- (d) Official documents shall be made available sufficiently in advance of a meeting of the Preparatory Committee;
- (e) Make and arrange for the keeping of sound recordings;
- (f) Arrange for the custody and preservation of the documents of the Preparatory Committee;
- (g) Generally perform all other work that the Preparatory Committee may require.

Rule 17

Statements by the secretariat of the Preparatory Committee

With the permission of the President, the Secretary-General of the Preparatory Committee, or any member of the secretariat of the Preparatory Committee designated for that purpose may, subject to rule 19, at any time, make either oral or written statements concerning any question under consideration.

VIII Conduct of business

Rule 18

Quorum

The presence of representatives of a majority of the States participating in the session of the Preparatory Committee shall be required for any decision to be taken.

Rule 19

Speeches

1. No one may address the Preparatory Committee without having previously obtained the permission of the President. Subject to rules 20, 21, 23 to 26 and, as appropriate, Chapter XIII, the President shall call upon speakers in the order in which they signify their desire to speak. The secretariat of the Preparatory Committee shall be in charge of drawing up a list of speakers.

2. Debate shall be confined to the question before the Preparatory Committee and the President may call a speaker to order if her/his remarks are not relevant to the subject under discussion.

3. The Preparatory Committee may limit the time allowed to each speaker and the number of times each participant may speak on any question. Permission to speak on a motion to set such limits shall be accorded only to two representatives of States in favour of and to two opposing such limits, after which the motion shall be immediately put to the vote. In any event, with the consent of the Preparatory Committee, 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 her/him to order without delay.

Rule 20

Points of order

During the discussion of any matter, a representative of a State may at any time raise a point of order, which shall be immediately decided by the President in accordance with these rules. A representative of a State 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 representatives present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 21

Precedence

The Chairperson of a subcommittee may be accorded precedence on the list of speakers for the purpose of explaining the conclusions arrived at by the body concerned.

Rule 22

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 Preparatory Committee, declare the list closed.

Rule 23

Right of reply

1. Notwithstanding rule 22, the President shall accord the right of reply to a representative of any State participating in the Preparatory Committee or of the European Community who requests it. Any other representative may be granted the opportunity to make a reply.³

2. The statements made under this rule shall normally be made at the end of the last meeting of the day of the body concerned, or at the conclusion of the consideration of the relevant item if that is sooner.

3. The representatives of a State or of the European Community 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.

4. The statements made under this rule shall attempt to be as brief as possible.

³ Observers do not have the right of reply.

Rule 24

Adjournment of debate

A representative of any State participating in the Preparatory Committee 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 only to two representatives of States in favour and to two opposing the adjournment, after which the motion shall, subject to rule 27, be immediately put to the vote.

Rule 25

Closure of debate

A representative of any State participating in the Preparatory Committee may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified her/his wish to speak. Permission to speak on the motion shall be accorded only to two representatives of States opposing the closure, after which the motion shall, subject to rule 27, be immediately put to the vote.

Rule 26

Suspension or adjournment of the meeting

Subject to rule 37, a representative of any State participating in the Preparatory Committee 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 27, be immediately put to the vote.

Rule 27

Order of motions

The motions indicated below shall have precedence in the following order over all proposals or other motions and points of order 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 28

Submission of proposals and amendments

Proposals and amendments shall normally be submitted in writing to the Secretary-General of the Preparatory Committee or her/his designated representative, who shall circulate copies to all participants. However, the President of the Preparatory Committee or the Chairperson of the appropriate subcommittee shall decide in each case whether an oral proposal or amendment submitted during a session must be presented in writing for publication and distribution.

Rule 29

Withdrawal of proposals, amendments and motions

A proposal, an amendment 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. Except as otherwise provided

in these rules, a proposal, an amendment or a motion thus withdrawn may be reintroduced by any representative.

Rule 30

Decisions on competence

Subject to rule 27, any motion submitted by a representative of any State participating calling for a decision on the competence of the Preparatory Committee to adopt a proposal submitted to it shall be put to the vote before a decision is taken on the proposal in question.

Rule 31

Reconsideration of proposals

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

IX Decision-making

Rule 32

Consensus

1. The Preparatory Committee shall make every effort to ensure that its work is accomplished by consensus.
2. Negotiations are conducted by Member States of the United Nations or of any specialized agency and the delegation of the European Community only.

Rule 33

Voting rights

Each State participating in the Preparatory Committee shall have one vote.

Rule 34

Majority required

1. In case there is no consensus, decisions of the Preparatory Committee on all such matters shall be taken by a majority of the representatives present and voting.
2. If a vote is equally divided, the proposal, amendment or motion shall be regarded as rejected.

Rule 35

Meaning of the phrase "representatives present and voting"

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

Rule 36

Method of voting

1. Except as provided in rule 43, the Preparatory Committee shall normally vote by show of hands, except that a representative of a State may request a roll-call, which shall then be taken in the English alphabetical order of the names of the States participating in the Preparatory Committee, beginning with the delegation whose name is drawn by lot by the President. The name of each State shall be called in all roll-calls, and its representative shall reply "yes", "no" or "abstention".
2. When the Preparatory Committee votes by mechanical/electronic means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call. A representative of a State may request a recorded vote, which shall, unless a representative of a State requests otherwise, be taken without calling out the names of the States participating in the Preparatory Committee.
3. The vote of each State participating in a roll-call or a recorded vote shall be inserted in any record of or report on the meeting.

Rule 37

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 38⁴

Explanation of vote

Representatives of States may make brief statements consisting solely of explanations of their 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 sponsoring a proposal or motion shall not speak in explanation of its vote thereon, except if it has been amended.

Rule 39

Division of proposals

A representative of a State may move that parts of a proposal be decided on separately. If a representative of a State objects, the motion for division shall be voted upon. Permission to speak on the motion shall be accorded only to two representatives of States in favour of and to two opposing the division. If the motion is carried, those parts of the proposal that are subsequently approved shall be put to the Preparatory Committee 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 40

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 regarded as including amendments.

⁴ This provision shall apply by analogy when a decision is taken by consensus.

Rule 41

Order of voting on amendments⁵

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 Preparatory Committee 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 voted upon. 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 42

Order of voting on proposals⁶

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Preparatory Committee decides otherwise, be voted upon in the order in which they were submitted. The Preparatory Committee may, after each vote on a proposal, decide whether to vote on the next proposal.
2. Revised proposals shall be voted upon 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 regarded 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 vote is taken on the proposal in question.

Rule 43

Elections

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

X Subsidiary bodies

Rule 44

Subcommittees

1. The Preparatory Committee may establish subcommittees as it deems necessary for the performance of its functions.
2. Except as otherwise provided in these rules, each State participating in the Preparatory Committee as well as the European Community may be represented on each subcommittee.

⁵ This provision shall apply by analogy when a decision is taken by consensus.

⁶ This provision shall apply by analogy when a decision is taken by consensus.

Rule 45

Officers, conduct of business and decision-making

The rules contained in chapters V, VIII (except rules 18 and 28) and IX above shall be applicable, *mutatis mutandis*, to the proceedings of the subcommittees.

XI Languages and records

Rule 46

Languages of the Preparatory Committee

Arabic, Chinese, English, French, Russian and Spanish shall be the languages of the Preparatory Committee.

Rule 47

Interpretation

1. Speeches made in a language of the Preparatory Committee shall be interpreted into the other such languages.
2. A participant may speak in a language other than a language of the Preparatory Committee if the participant concerned provides for interpretation into one such language.

Rule 48

Languages of official documents

Official documents of the Preparatory Committee shall be made available in the languages of the Preparatory Committee.

Rule 49

Sound recordings of meetings

Sound recordings of plenary and subcommittee meetings of the Preparatory Committee shall be made and kept, unless otherwise decided by the Preparatory Committee.

XII Public and private meetings

Rule 50

The meetings of the Preparatory Committee and its subcommittees are public unless decided otherwise by the body concerned.

XIII Other participants and observers

Rule 51

Representatives of entities, intergovernmental organizations and other entities that have received a standing invitation from the General Assembly to participate in the capacity of observer in the sessions and work of all international conferences convened under its auspices

Representatives designated by entities, intergovernmental organizations and other entities that have received a standing invitation from the General Assembly to participate in the capacity of observer in the sessions and work of all international conferences convened under its auspices have the right

to participate as observers, without the right to vote, in the deliberations of the Preparatory Committee, and, as appropriate, any other subcommittee.

Rule 52

Representatives of the specialized agencies

Representatives designated by the specialized agencies may participate as observers, without the right to vote, in the deliberations of the Preparatory Committee, and, as appropriate, any other subcommittee on questions within the scope of their activities.

Rule 53

Representatives of other intergovernmental organizations

Save where otherwise specifically provided with respect to the European Community in these rules of procedure, representatives designated by other intergovernmental organizations invited to the Preparatory Committee may participate as observers, without the right to vote, in the deliberations of the Preparatory Committee, and, as appropriate, any other subcommittee on questions within the scope of their activities.

Rule 54

Representatives of interested United Nations organs

Representatives designated by interested organs of the United Nations may participate as observers, without the right to vote, in the deliberations of the Preparatory Committee, and, as appropriate, any other subcommittee on questions within the scope of their activities.

Rule 55

Representatives of non-governmental organizations, civil society and business sector entities

1. Non-governmental organizations, civil society and business sector entities accredited to participate in the Committee may designate representatives to sit as observers at public meetings of the Preparatory Committee and its subcommittees.
2. Upon the invitation of the presiding officer of the body concerned and subject to the approval of that body, such observers may make oral statements on questions in which they have special competence. If the number of requests to speak is too large, the non-governmental organizations, civil society and business sector entities shall be requested to form themselves into constituencies, such constituencies to speak through spokespersons.

Rule 56

Associate members of regional commissions

Representatives designated by associate members of regional commissions may participate as observers, without the right to vote, in the deliberations of the Preparatory Committee, and, as appropriate, any other subcommittee on questions within the scope of their activities.

Rule 57

Written statements

Written statements submitted by the designated representatives referred to in rules 51 to 56 shall be distributed by the secretariat to all delegations in the quantities and in the language in which the statements are made available to it at the site of the Preparatory Committee, provided that a statement submitted on behalf of a non-governmental organization or a business sector entity is related to the work of the Preparatory Committee and is on a subject in which the non-governmental organization or the business sector entity has a special competence.

XIV Suspension and amendment of the rules of procedure

Rule 58

Method of suspension

Any of these rules may be suspended by the Preparatory Committee provided that 24 hours' notice of the proposal for the suspension has been given, which may be waived if no representative of a State objects. Any such suspension shall be limited to a specific and stated purpose and to a period required to achieve that purpose.

Rule 59

Method of amendment

These rules of procedure may be amended by a decision of the Preparatory Committee taken by a two-thirds majority of the representatives present and voting, after the Bureau has reported on the proposed amendment.

ANNEX 2

DRAFT DECISION

Arrangements for participation

The first meeting of the Preparatory Committee of the World Summit on the Information Society (PrepCom-1) decides that:

- Accredited NGOs and business sector entities are encouraged to actively participate in the intergovernmental preparatory process and the Summit as observers
 - All of these actors would have the same status
 - NGOs and business sector entities will be allowed to make the following substantive contributions:
 - Substantive written contributions along with executive summaries thereof would be welcomed on the basis of the Summit themes with fixed deadlines. They will be published by the Executive Secretariat on the WSIS website and circulated upon request in hard copies to the governments.
 - All executive summaries would be compiled by the Secretariat in a document according to the Summit themes, identifying the sources.
 - The document will be widely circulated before the second preparatory meeting and all stakeholders would have the opportunity to discuss its contents and hold workshops and meetings to coordinate positions.
 - As an informal part of the preparatory committee meetings, a number of multi-stakeholders thematic roundtables will be organized. The outcome of these thematic roundtables will be a Chairman's summary of the discussion, which will be submitted to the preparatory committee and incorporated in its records.
 - They are invited to nominate speakers to make statements in the preparatory committee, in accordance with the rules of procedure, reporting on the proceedings of parallel and networked series of events, with a view to contributing effectively to the success of the Summit.
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