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Note by the Chairman of Subcommittee 1

During PrepCom-3, Subcommittee 1 had three informal meetings. At its formal meeting of 19 September 2003 at 1230 hours, the rules contained in Documents WSIS/PC-3/DOC/6(Rev.1) and WSIS/PC-3/DOC/6(Rev.1)(Corr.1) were approved.

The attached consolidated version is submitted to PrepCom-3 for approval.

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Chairman of Subcommittee 1

Draft rules of procedure of the World Summit on the Information Society

I. Representation and credentials

Rule 1 Composition of delegations

The delegation of each State participating in the Summit and that of the European Community shall consist of a head of delegation and such other representatives as may be required.

Rule 2 Alternates and advisers

The head of delegation may designate an alternate representative or an adviser to act as a representative.

Rule 3 Issue of credentials

For each phase of the Summit, the credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs or, in the case of the European Community, by the President of the European Commission.

Rule 4 Submission of credentials

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Summit, if possible not less than one week before the date fixed for the opening of the Summit.

Rule 5 Credentials Committee

A Credentials Committee of nine members shall be appointed at the beginning of the Summit. Its composition shall be based on that of the Credentials Committee of the General Assembly of the United Nations at the time the respective Summit phase is held. It shall examine the credentials of representatives and report to the Summit without delay.

Rule 6 Provisional participation in the Summit

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

II. Officers

Rule 7 Elections

The Summit shall elect from among the representatives of participating States the following officers: a President, fifteen Vice-Presidents, one of whom shall serve as 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 Summit may also elect such other officers, as it deems necessary for the performance of its functions.

Rule 8
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 Summit, 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 Summit 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 Summit.

Rule 9
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 10
Replacement of the President

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

III. Bureau

Rule 11
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 Chairpersons of the Credentials Committee and other committees established by the Summit in accordance with rule 44 may participate, without the right to vote, in the Bureau.

Rule 12
Functions

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

IV. Secretariat of the Summit

Rule 13

Duties of the Secretary-General of the Summit

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

Rule 14

Duties of the secretariat of the Summit

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

- (a) provide interpretation for meetings;
- (b) receive, translate and circulate documents of the Summit;
- (c) publish and circulate the official documents of the Summit;
- (d) official documents shall be made available sufficiently in advance of the Summit;
- (e) make and arrange for the keeping of sound recordings;
- (f) arrange for the custody and preservation of the documents of the Summit in accordance with the practise of the United Nations.
- (g) generally perform all other work that the Summit may require.

Rule 15

Statements by the secretariat of the Summit

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

V. Opening of the Summit

Rule 16

Temporary President

The Secretary-General of the United Nations or, in her/his absence, any person designated by her/him for that purpose, shall open the first meeting of the Summit and preside until the Summit has elected its President.

Rule 17

Decisions concerning organization

The Summit shall at its first meeting:

- (a) Adopt its rules of procedure;

- (b) Elect its officers and constitute its subsidiary bodies;
- (c) Adopt its agenda, the draft of which shall, until such adoption, be the provisional agenda of the Summit;
- (d) Decide on the organization of its work.

VI. Conduct of business

Rule 18 Quorum

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

Rule 19 Speeches

1. No one may address the Summit without having previously obtained the permission of the President. Subject to rules 20, 21, 23 to 26 and, as appropriate, Chapter XI, the President shall call upon speakers in the order in which they signify their desire to speak. The secretariat of the Summit shall be in charge of drawing up a list of speakers.
2. Debate shall be confined to the question before the Summit and the President may call a speaker to order if her/his remarks are not relevant to the subject under discussion.
3. The Summit 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 Summit, 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 committee 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 Summit, 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 Summit or of the European Community who requests it. Any other representative may be granted the opportunity to make a reply.¹
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.

Rule 24
Adjournment of debate

A representative of any State participating in the Summit 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 Summit 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 Summit 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.

¹ Observers do not have the right of reply

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 substantive amendments shall normally be submitted in writing to the Secretary-General of the Summit or his designated representative, who shall circulate copies to all delegations. Unless the Summit decides otherwise, substantive proposals shall be discussed or put to a decision no earlier than 24 hours after copies have been circulated in all languages of the Summit to all delegations. The President may, however, permit the discussion and consideration of amendments, even through these amendments have not been circulated or have been circulated only the same day.

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 Summit 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 Summit, 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.

VII. Decision-making

Rule 32
Consensus

1. The Summit 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 specialised agency and the delegation of the European Community only.

Rule 33
Voting rights

Each State participating in the Summit shall have one vote.

Rule 34
Majority required

1. In case there is no consensus, decisions of the Summit 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 Summit 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 Summit, 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 Summit 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 Summit.
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 38
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 Summit 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.

Rule 41
Order of voting on amendments

When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Summit 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 proposals

1. If two or more proposals, other than amendments, relate to the same question, they shall, unless the Summit decides otherwise, be voted upon in the order in which they were submitted. The Summit 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 Summit decides to proceed without taking a ballot when there is an agreed candidate or slate.

VIII. Subsidiary bodies

Rule 44
Committees

1. The Summit may establish such committees as it deems necessary for the performance of its functions.

2. Except as otherwise provided in these rules, each State participating in the Summit as well as the European Community may be represented on each committee.

Rule 45
Officers, conduct of business and decision-making

The rules contained in chapters II, VI (except rules 18 and 28) and VII above shall be applicable, mutatis mutandis, to the proceedings of the committees.

IX. Languages and records

Rule 46
Languages of the Summit

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

Rule 47
Interpretation

1. Speeches made in a language of the Summit shall be interpreted into the other such languages.

2. A participant may speak in a language other than a language of the Summit if the participant concerned provides for interpretation into one such language.

Rule 48
Languages of official documents

Official documents of the Summit shall be made available in the languages of the Summit.

Rule 49
Sound recordings of meetings

Sound recording of meetings of the Summit shall be made and kept in accordance with the practise of the United Nations. Unless otherwise decided by the Summit, no such recordings shall be made of the meetings of any working group thereof.

X. Public and private meetings

Rule 50²

The plenary meetings of the Summit and of any committee shall be held in public unless the body concerned decides otherwise. All decisions taken by the Plenary of the Summit at a private meeting shall be announced at an early public meeting.

Rule 50bis

As a general rule, meetings of the Bureau, subcommittees and working groups shall be held in private.

XI. 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 plenary meetings of the Summit, and, as appropriate, any other committee or working group.

Rule 52³

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 plenary meetings of the Summit, and, as appropriate, any other committee or working group on questions within the scope of their activities.

² Public meetings of the Summit will be accessible to duly registered participants only.

³ For the purpose of rule 52, the term “specialised agency” includes the International Atomic Energy Agency, the World Tourism Organization, the World Trade Organization, the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization and the Organization for the Prohibition of Chemical Weapons.

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 Summit may participate as observers, without the right to vote, in the deliberations of the plenary meetings of the Summit, and, as appropriate, any other committee or working group 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 plenary meetings of the Summit, and, as appropriate, any other committee or working group 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 Summit may designate representatives to sit as observers at public meetings of the Summit and its committees.

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 56⁴
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 plenary meetings of the Summit, and, as appropriate, any other committee or working group.

⁴ American Samoa, Anguilla, Aruba, British Virgin Islands, Commonwealth of the Northern Mariana Islands, French Polynesia, Guam, Montserrat, Netherlands Antilles, New Caledonia, Puerto Rico and the United States Virgin Islands.

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 Summit, provided that a statement submitted on behalf of a non-governmental organization or any other actor from civil society or from the business sector is related to the work of the Summit and is on a subject in which the non-governmental organization, the civil society or the business sector entity has a special competence.

XII. Suspension and amendment of the rules of procedure

Rule 58
Method of suspension

Any of these rules may be suspended by the Summit 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 Summit taken by a two-thirds majority of the representatives present and voting, after the Bureau has reported on the proposed amendment.
