

**CONFERENCE OF THE PARTIES TO THE AMENDMENT TO THE CONVENTION ON
THE PHYSICAL PROTECTION OF NUCLEAR MATERIAL**

Vienna, 28 March to 1 April 2022

Rules of Procedure

These Rules of Procedure (hereinafter “Rules”) apply to the Conference of the Parties to the Amendment to the Convention on the Physical Protection of Nuclear Material (CPPNM) scheduled to take place from 28 March to 1 April 2022, which is being convened pursuant to Article 16.1 of the CPPNM as amended with the objective ‘to review the implementation of this Convention and its adequacy as concerns the preamble, the whole of the operative part and the annexes in the light of the then prevailing situation’. Decisions taken at the Conference are not legally binding and will affect neither the rights and legal obligations of Parties to the Amendment to the CPPNM nor the rights and legal obligations of Parties to the CPPNM only.

I. Representation and credentials

Rule 1 Composition of delegations

- 1) Each Party to the Amendment to the Convention on the Physical Protection of Nuclear Material (hereinafter “Party” or “Parties”) shall be represented at the Conference of the Parties to the Amendment to the Convention on the Physical Protection of Nuclear Material (hereinafter “Conference”) by one delegate, who may be accompanied by as many alternates, advisers, technical advisers, experts and persons of similar status as may be required by the delegation.
- 2) Each delegate may designate any member in their delegation to act in their place during the Conference.

Rule 2 Submission of credentials

The credentials of each delegate and the names of the persons constituting the Party’s delegation shall be submitted to the Director General of the International Atomic Energy Agency (IAEA) if possible not less than seven days in advance of the Conference. The credentials shall be issued either by the Head of State or Government or by the Ministry of Foreign Affairs of the State concerned, or in the case of an international organization or a regional organization of an integration or other nature, which is a Party, by the competent authority of that organization.

Rule 3 Examination of credentials

The credentials of all delegates shall be examined by the Secretary General of the Conference who shall submit a report thereon to the Bureau established under Rule 14. Thereafter, the Bureau shall report to the Conference.

Rule 4 Provisional participation

Any delegate to whose admission a Party has made objection shall be seated provisionally with the same rights as other delegates until the Bureau of the Conference, pursuant to Rule 3, has reported and the Conference has given its decision.

II. Participation and attendance

Rule 5 Representatives of States not party to the Amendment to the Convention on the Physical Protection of Nuclear Material (CPPNM)

- 1) Representatives of States party to the CPPNM but not to the Amendment shall be invited to participate in the Conference as observers and take part in its deliberations, without taking part in the adoption of decisions. They may also address the Plenary, make proposals, receive documents of the Conference, and submit documents to the participants in the Conference.
- 2) Representatives of States not party to the CPPNM shall be invited to attend the Conference as observers and may address the Plenary, receive the documents of the Conference, and submit documents to the participants in the Conference.

Rule 6 Representatives of the United Nations, the specialized agencies and of the other intergovernmental organizations

- 1) Representatives of the United Nations, the specialized agencies and the IAEA shall be invited to attend the Conference as observers and may address the Plenary, receive the documents of the Conference, and submit documents to the participants in the Conference.
- 2) International organizations and regional organizations of an integration or other nature which, in accordance with Article 18 of the CPPNM as amended, have the right to sign or accede to the CPPNM as amended, may be represented as observers and may address the Plenary, receive the documents of the Conference, and submit documents to the participants in the Conference.
- 3) Representatives of other intergovernmental organizations invited to regular sessions of the General Conference of the IAEA and representatives of other intergovernmental organizations with expertise relevant to the CPPNM as amended shall be invited upon their request to attend the Conference as observers, subject to the approval of the Parties by consensus prior to the Conference, and may address the Plenary, receive the documents of the Conference, and submit documents to the participants in the Conference.

Rule 7 Non-governmental organizations

A non-governmental organization, which is invited to attend regular sessions of the General Conference of the IAEA as observer or has informed the Depositary of its wish to be represented, may be represented at the Conference as observer, subject to approval of the Parties by consensus prior to the Conference. It may attend the Opening and Closing sessions of the Plenary, address certain sessions as determined by the Parties, and receive documents of the Conference as determined by the Parties.

III. Officers of the Conference

Rule 8 Temporary President

The Director General of the IAEA, as depositary of the CPPNM and its Amendment, shall open the first meeting of the Conference and preside until the Conference has elected the Co-Presidents.

Rule 9 Election

The Conference will elect two Co-Presidents and eight Vice-Presidents. The Co-Presidents will, having due regard to equitable geographical representation, propose to the Conference the names of the eight Vice-Presidents. The Co-Presidents and Vice-Presidents shall hold office until the close of the Conference.

Rule 10 Acting President

If one or both of the Co-Presidents is absent during a meeting or any part thereof, the other Co-President or, in the case of both Co-Presidents being absent, a Vice-President designated by the Co-Presidents, shall take his/her/their place.

IV. Secretariat of the Conference

Rule 11 Duties of the Secretary General of the Conference

The Director General of the IAEA shall be the Secretary General of the Conference. The Secretary General, or the Secretary General's representative, shall act in that capacity at all meetings of the Conference and may designate a member of the Secretariat to act in the Secretary General's place at these meetings. The Secretary General of the Conference or the Secretary General's representative may at any time, with the approval of the presiding officers, make oral or written statements to such meetings.

Rule 12 Direction of the Staff

The Secretary General of the Conference shall provide and direct the staff required by the Conference and shall be responsible for all the necessary arrangements for the meetings of the Conference.

Rule 13 Duties of the Staff

Under the direction of the Secretary General of the Conference, staff shall receive, translate, reproduce and distribute documents of the Conference and the Bureau; interpret speeches made at meetings; have custody of documents of the Conference in the archives of the Agency; publish the reports of the meetings of the Conference; distribute all documents of the Conference to the Parties; and generally perform all other work which the Conference may require.

V. Bureau of the Conference

Rule 14 Bureau

- 1) There shall be a Bureau of the Conference consisting of the Co-Presidents of the Conference and the Vice-Presidents. Co-Chairs of the meetings convened in preparation for the Conference, or designated alternates from the Co-Chairs' respective delegations, will be invited to participate in the Bureau, except on matters pursuant to Rule 3.
- 2) The Bureau shall consider requests for the inclusion of additional items on the agenda of the Conference and shall report thereon to the Conference. In considering matters relating to the agenda of the Conference, the Bureau shall not discuss the substance of any item, except insofar as this bears upon the question whether the Bureau should recommend the inclusion of the item in the agenda, the rejection of the request for inclusion, and what priority should be accorded to an item the inclusion of which has been recommended.
- 3) The Bureau shall assist the Co-Presidents of the Conference in conducting and co-ordinating the work of the Conference.
- 4) No two members of the Bureau shall be members of the same delegation and it shall be so constituted as to ensure its representative character.
- 5) The Bureau shall receive the report on credentials by the Secretary General of the Conference and report thereon to the Conference.

VI. Conduct of business

Rule 15 The presiding officers

The Co-Presidents of the Conference, or, in their absence, the Vice-President(s) appointed by the Co-Presidents to take their place, shall be the presiding officers of the Conference.

Rule 16 General powers of the presiding officers

In addition to exercising the powers which are conferred upon them by these Rules, the presiding officers shall declare the opening and closing of each meeting of the Conference, shall direct its discussions, ensure observance of these Rules, accord the right to speak, put questions and announce decisions. They shall rule on points of order and, subject to these Rules, shall have control of the proceedings of the Conference and over the maintenance of order at its meetings. The presiding officers may propose to the Conference the limitation of the time to be allowed to speakers, the limitation of the number of times each delegate may speak on any question, the closure of the list of speakers or the closure of the debate. They may propose the suspension or adjournment of the meeting or the adjournment of the debate on the item under discussion. The presiding officers, in the exercise of their functions, shall remain under the authority of the Conference.

Rule 17 Quorum

A majority of the Parties shall constitute a quorum at a plenary meeting of the Conference.

Rule 18 Speeches

No one may address the Conference without having previously obtained the permission of the presiding officers. Subject to Rule 19 of these Rules, the presiding officers shall call upon speakers in the order in which they signify their desire to speak. The presiding officers may call a speaker to order if his/her remarks are not relevant to the subject under discussion.

Rule 19 Precedence

The presiding officers may accord precedence to the Secretary General of the Conference.

Rule 20 Points of order

During the discussion of any matter, a delegate may rise to a point of order, and the point of order shall be immediately decided by the presiding officers in accordance with these Rules. A delegate may appeal against the ruling of the presiding officers. The appeal shall be immediately put to the vote and the presiding officers' ruling shall stand unless overruled by a majority of the Parties present and voting. A delegate rising to a point of order may not speak on the substance of the matter under discussion.

Rule 21 Time-limit on speeches

The Conference may limit the time to be allowed to each speaker and the number of times each delegate may speak on any question. When debate is limited and a delegate has spoken his/her allotted time, the presiding officers shall call him/her to order without delay.

Rule 22 Closing of list of speakers

During the course of a debate the presiding officers may announce a list of speakers and, with the consent of the Conference, declare the list closed. They may, however, accord the right of reply to any delegate if a speech delivered after the list has been closed makes this desirable.

Rule 23 Adjournment of debate

During the discussion of any matter, a delegate may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two delegates may speak in favour of, and two against, the motion, after which the motion shall be immediately put to the vote. The presiding officers may limit the time to be allowed to speakers under this Rule.

Rule 24 Closure of debate

A delegate may at any time move the closure of the debate on the item under discussion, whether or not any other delegate has signified his/her 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 presiding officers shall declare the closure of the debate. The presiding officers may limit the time to be allowed to speakers under this Rule.

Rule 25 Suspension or adjournment of meeting

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

Rule 26 Order of procedural motions

Subject to Rule 20 of these Rules, the following motions shall have precedence in the following order over all other proposals or motions before the meetings:

- (a) To suspend the meeting;
- (b) To adjourn the meeting;
- (c) To adjourn the debate on the item under discussion; and
- (d) For the closure of the debate on the item under discussion.

Rule 27 Proposals and amendments

Proposals and substantive amendments shall normally be introduced in writing and handed to the Secretary General who shall circulate copies to all delegations. As a general rule, no proposal or substantive amendment shall be discussed or decided upon unless its text has been distributed to all delegations not later than a half day preceding the meeting. The presiding officers may, however, permit the discussion and consideration of non-substantive amendments, or of motions as to procedure, even though these amendments or motions have not been distributed or have been distributed the same day.

Rule 28 Decisions on competence

Subject to Rule 26 of these Rules, any motion calling for a decision on the competence of the Conference to adopt a proposal submitted to it shall be decided upon before a decision is taken on the proposal in question.

Rule 29 Withdrawal of proposals

Any proposal may be withdrawn by its proposer at any time before a decision on it has been taken, or in the case of a proposal or motion as to procedure at any time before voting upon it has commenced. A proposal which has thus been withdrawn may be reintroduced by any delegate.

Rule 30 Reconsideration of proposals and amendments

Proposals or amendments adopted by consensus may not be reconsidered unless the Conference reaches a consensus on such reconsideration.

VII. Decision-making

Rule 31 Voting rights

Each Party shall have one vote in the Conference.

Rule 32 Adoption of decisions

- 1) Matters of substance shall be decided by consensus.
- 2) Decisions of the Conference on matters of procedure and in elections shall be taken by a majority of the Parties present and voting.
- 3) If the question arises whether a matter is one of procedure or of substance, the presiding officers of the Conference shall rule on the question. An appeal against this ruling shall immediately be put to a vote, and the presiding officers' ruling shall stand unless the appeal is approved by a majority of the Parties present and voting.

Rule 33 Meaning of Parties present and voting

For the purpose of these Rules, the phrase "Parties present and voting" shall mean Parties casting a valid affirmative or negative vote. Parties who abstain from voting shall be considered as not voting.

Rule 34 Methods of voting

The normal method of voting shall be by show of hands. Any Party may request a vote by roll-call. The roll-call shall be taken in the English alphabetical order of the names of Parties entitled to vote, beginning with the Party whose name is drawn by lot by the presiding officers. Each delegate present shall reply "yes" or "no" or "abstention". The result of the vote shall be inserted in the record of the meeting.

Rule 35 Conduct during voting

After the voting has commenced, no delegate shall interrupt the voting except on a point of order in connection with the actual conduct of the voting.

Rule 36 Explanation of vote

The presiding officers may permit Parties to explain their votes, either before or after the voting, except when the vote is taken by secret ballot. The presiding officers may limit the time to be allowed for such explanations. The presiding officers shall not permit the proposer of a proposal or of an amendment to explain his/her vote on his/her own proposal or amendment.

Rule 37 Equally divided votes

If a vote is equally divided in voting other than elections, the proposal voted upon shall be considered as not adopted.

VIII. Voting in elections

Rule 38 Secret ballot

- 1) All elections shall be by secret ballot unless, in the absence of any objections, the Conference decides to proceed without taking a ballot on an agreed candidate.
- 2) When candidates are to be nominated, each nomination shall be made by only one representative, after which the Conference shall immediately proceed to the election.

Rule 39 Elections to fill one elective place

When only one elective place is to be filled and no candidate obtains in the first ballot the majority required, a second ballot shall be taken which shall be restricted to the two candidates who obtained the largest number of votes in the first ballot. If in the second ballot the votes are equally divided, the presiding officers shall decide between the candidates by drawing lots.

Rule 40 Elections to fill two or more elective places

When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining in the first ballot the majority required shall be elected. If the number of candidates obtaining the majority required is less than the number of elective places to be filled, there shall be not more than two ballots in respect of each elective place remaining to be filled. If in the first ballot for an unfilled elective place no candidate obtains the majority required, a second ballot shall be taken which shall be restricted to the two candidates who obtained the largest number of votes in the first ballot for that elective place. If in the second ballot for that elective place the votes are equally divided, the presiding officers shall decide between the candidates by drawing lots. A candidate who fails to be elected for any one elective place will be eligible for election to any other remaining elective place.

IX. Languages and Records

Rule 41 Official and working languages

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Conference. Arabic, Chinese, English, French, Russian and Spanish shall be the working languages of the Conference. Speeches made during the Conference in any one of the working languages shall be interpreted into the other working languages.

Rule 42 Interpretation from other languages

Any delegate may make a speech in a language other than the working languages provided, however, if the delegate does so the delegate shall provide for interpretation into one of the working languages. In such cases, interpretation into the other working languages by the interpreters of the Secretariat may be based on the interpretation provided by the delegate.

Rule 43 Languages of records and important documents

No summary records of meetings shall be prepared. Official documents of the Conference will be made available in the working languages of the Conference.

Rule 44 Distribution of documents

The texts of all documents shall be distributed by the Secretariat as soon as possible.

X. Amendment, suspension and interpretation of Rules**Rule 45 Amendment of Rules**

These Rules may be amended by a decision of the Conference taken by consensus.

Rule 46 Suspension of Rules

Any of these Rules may be suspended by a decision of the Conference taken by consensus.

Rule 47 Interpretation of Rules

In the interpretation of these Rules, recourse may be had to the Rules of Procedure of the General Conference of the IAEA (GC(XXXI)/INF/245/Rev.1). In the event of any conflict between any provision of the Rules and any provision of the Convention, the Convention shall prevail.