
Document WSIS/PC-1/DOC/6-E
28 June 2002
Original: English

WSIS Executive Secretariat

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

1. Pursuant to Resolution 73 adopted by the Plenipotentiary Conference of the International Telecommunication Union, at its 1998 session held in Minneapolis, USA, the Council of the International Telecommunication Union, in its Resolution 1179, at its 2001 session, endorsed the proposal of the Secretary-General of the International Telecommunication Union to hold the World Summit on the Information Society in two phases, the first in Geneva from 10 to 12 December 2003 and the second in Tunis in 2005.
2. The General Assembly of the United Nations, in its Resolution A/RES/56/183 of 21 December 2001, welcomes Resolution 1179 adopted by the Council of the International Telecommunication Union, in which the Council endorsed the proposal of the Secretary-General of the International Telecommunication Union to hold the World Summit on the Information Society.
3. The General Assembly recommends that the preparations for the Summit take place through an open-ended intergovernmental preparatory committee, which would define the Agenda of the Summit, finalize both the draft declaration and the draft plan of action, and decide on the modalities of the participation of other stakeholders in the Summit.
4. The General Assembly invites the International Telecommunication Union to assume the leading managerial role in the Executive Secretariat of the Summit and its preparatory process.
5. The General Assembly invites Governments to participate actively in the preparatory process of the Summit and to be represented in the Summit at the highest possible level.
6. The General Assembly encourages effective contributions from and the active participation of all relevant United Nations bodies, in particular the Information and Communication Technologies Task Force, and encourages other intergovernmental organizations, including international and regional institutions, non-governmental organizations, civil society and the private sector to contribute to, and actively participate in, the intergovernmental preparatory process of the Summit and the Summit itself.
7. The Executive Secretariat used the rules of procedure of the Durban Conference and the Monterrey Summit, as well as the draft rules of procedure of the Johannesburg Summit as a basis for the draft rules of procedure attached herewith.

8. Furthermore, in order to resolve as many issues as possible, an informal consultation process was undertaken with the diplomatic Missions in Geneva. While this process was extremely beneficial in resolving many matters, consultations were still ongoing on a few outstanding matters, and in particular on Chapter XI dealing with the participation of organizations and entities other than States. These issues have been bracketed in this document.

9. The Preparatory Committee for the World Summit on the Information Society is invited to consider the draft rules of procedure contained in the Annex, taking into account the considerations outlined above.

ANNEX

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 World Summit on the Information Society (hereinafter referred to as “the Summit”), and that of the European Community¹ shall consist of a head of delegation and such other representatives, alternate representatives and advisers 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

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. 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

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. It shall examine the credentials of representatives and report to the Summit without delay.

Rule 5

Provisional participation in the Summit

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

¹ 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.

II. Officers

Rule 6 Elections

The Summit shall elect from among the representatives of participating States the following officers: a President nominated by the host country, fourteen Vice-Presidents and a Rapporteur-General which shall be elected on the basis of ensuring the representative character of the General Committee, and one ex officio Vice-President nominated by the other host country. The Summit may also elect such other officers, as it deems necessary for the performance of its functions.

Rule 7 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 8 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 9 Replacement of the President

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

Rule 10 Voting rights of the President

The President, or a Vice-President acting as President, shall not vote in the Summit, but may appoint another member of her/his delegation to vote in her/his place.

III. General Committee

Rule 11 Composition

The President, the Vice-Presidents and the Rapporteur-General shall constitute the General Committee. The President, or in her/his absence one of the Vice-Presidents designated by her/him, shall serve as Chairperson of the General Committee. The Chairpersons of the Credentials Committee and other committees established by the Summit in accordance with rule 46 may participate, without the right to vote, in the General Committee. The Secretary-General of the Summit or her/his designated representative may attend the General Committee in an advisory capacity.

Rule 12 Substitute members

If the President or a Vice-President of the Summit is to be absent during a meeting of the General Committee, she/he may designate a member of her/his delegation to sit and vote in the Committee. In case of absence of the Chairperson of committees established by the Summit in accordance with rule 46, these committees shall designate the Vice-Chairperson of their committee as her/his substitute.

Rule 13 Functions

The General Committee 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 14 Duties of the Secretary-General of the Summit

1. [The Secretary-General of the International Telecommunication Union] 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.
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.
3. The Secretary-General of the Summit or her/his designated representative shall direct the staff required by the Summit.

Rule 15 Duties of the secretariat of the Summit

The secretariat of the Summit shall, 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) Prepare and circulate records of public meetings;
- (e) Make and arrange for the keeping of sound recordings;
- (f) Arrange for the custody and preservation of the documents of the Summit;
- (g) Generally perform all other work that the Summit may require.

Rule 16

Statements by the secretariat of the Summit

The Secretary-General of the Summit, or any member of the secretariat of the Summit designated for that purpose may, subject to rule 20, at any time, make either oral or written statements concerning any question under consideration.

V. Opening of the Summit

Rule 17

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 18

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 19

Quorum

The President may declare a meeting open and permit the debate to proceed when at least one third of the representatives of the States participating in the Summit are present. The presence of representatives of a majority of participating States shall be required for any decision to be taken.

Rule 20

Speeches

1. No one may address the Summit without having previously obtained the permission of the President. Subject to rules 21, 22, 24 to 27 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 21 **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 22 **Precedence**

The Chairperson or Rapporteur of a committee or working group may be accorded precedence on the list of speakers for the purpose of explaining the conclusions arrived at by the body concerned.

Rule 23 **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 24 **Right of reply**

1. Notwithstanding rule 23, 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.]

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. Representatives shall in any event attempt to be as brief as possible.

Rule 25
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 28, be immediately put to the vote.

Rule 26
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 28, be immediately put to the vote.

Rule 27
Suspension or adjournment of the meeting

Subject to rule 38, 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 28, be immediately put to the vote.

Rule 28
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 29
Submission of proposals and amendments

Proposals and amendments shall normally be submitted in writing to the Secretary-General of the Summit or her/his designated representative, who shall circulate copies to all participants. 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 participants. The President may permit the discussion and consideration of amendments, even though these amendments have not been circulated or have been circulated only the same day.

Rule 30
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 31
Decisions on competence

Subject to rule 28, 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 32
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 33
[Consensus] [General agreement]

The Summit shall make every effort to ensure that its work is accomplished by [consensus] [general agreement].

Rule 34
Voting rights

Each State participating in the Summit shall have one vote.

Rule 35
Majority required

1. Subject to rule 33, decisions of the Summit on all matters of substance shall be taken by a two-thirds majority of the representatives present and voting.
2. Except as otherwise provided in these rules, decisions of the Summit on all 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 shall rule on the question. An appeal against this ruling shall be put to the vote immediately, and the President's ruling shall stand unless overruled by a majority of the representatives present and voting.
4. If a vote is equally divided, the proposal, amendment or motion shall be regarded as rejected.

Rule 36
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 37
Method of voting

1. Except as provided in rule 44, 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 38
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 39
Explanation of vote²

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.

² This provision shall apply by analogy when a decision is taken by [consensus] [general agreement].

Rule 40
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 41
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 42
Order of voting on amendments³

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 43
Order of voting on proposals⁴

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.

³ This provision shall apply by analogy when a decision is taken by [consensus] [general agreement].

⁴ This provision shall apply by analogy when a decision is taken by [consensus] [general agreement].

Rule 44
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.

Rule 45

1. When one or more elective places are to be filled at one time under the same conditions, those candidates, in a number not exceeding the number of such places, obtaining in the first ballot a majority of the votes cast and the largest number of votes, shall be elected.

2. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places, the voting being restricted to the candidates obtaining the largest number of votes in the previous ballot, in a number not exceeding twice the number of places remaining to be filled.

VIII. Subsidiary bodies

Rule 46
Other committees and working groups

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

2. Each committee may set up sub-committees and working groups.

3. Except as otherwise provided in these rules, each State participating in the Summit as well as the European Community may be represented by one representative on each committee, sub-committee or working group. They may assign to these committees, sub-committees and working groups such alternate representatives and advisers as may be required.

Rule 47
Officers

Except as otherwise provided in rules 4 and 6, each committee, sub-committee and working group shall elect its own officers.

Rule 48
Quorum

1. The Chairperson of a committee may declare a meeting open and permit the debate to proceed when representatives of at least [one quarter] [one third] of the States participating in the Summit are present. The presence of representatives of a majority of participating States shall be required for any decision to be taken.

2. A majority of the members of the General or Credentials Committee shall constitute a quorum provided that they are representatives of participating States.

Rule 49
Officers, conduct of business and decision-making

The rules contained in chapters II, VI (except rules 19 and 29) and VII above shall be applicable, mutatis mutandis, to the proceedings of committees, sub-committees and working groups, except that:

(a) The Chairpersons of the General and Credentials Committees may exercise the right to vote;

(b) Committees, sub-committees and working groups shall make every effort to ensure that their work is accomplished by [consensus] [general agreement]. In the absence of [consensus] [general agreement] decisions shall be taken by a majority of the representatives present and voting, except that the reconsideration of a proposal or an amendment shall require the majority established by rule 32.

IX. Languages and records

Rule 50
Languages of the Summit

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

Rule 51
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 52
Languages of official documents

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

Rule 53
Sound recordings of meetings

Sound recordings of meetings of the Summit and committees shall be made and kept. Unless otherwise decided by the Summit or committees concerned, no such recordings shall be made of the meetings of any sub-committee or working group thereof.

X. Public and private meetings

General principles

Rule 54

The plenary meetings of the Summit and the meetings 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 of the Plenary.

Rule 55

As a general rule, meetings of the General or Credentials Committees, sub-committees or working groups shall be held in private.

Rule 56

Communiqués on private meetings

At the close of a private meeting, the Chairperson of the body concerned may issue a communiqué through the Secretary-General of the Summit or her/his designated representative.

XI. Other participants and observers

Rule 57

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 Summit, committees, and, as appropriate, any other sub-committee or working group.

Rule 58

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

Rule 59
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 Summit, committees, and, as appropriate, any other sub-committee or working group on questions within the scope of their activities.

Rule 60
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 Summit, committees, and, as appropriate, any other sub-committee or working group on questions within the scope of their activities.

Rule 61
[Representatives of non-governmental organizations⁵]

OPTION A

[1. Non-governmental organizations accredited to participate in the Summit may designate representatives to sit as observers at public meetings of the Summit and 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 shall be requested to form themselves into constituencies, such constituencies to speak through spokespersons.]

OPTION B

[1. Non-governmental organizations accredited to participate in the Summit may designate representatives to participate as observers, without the right to vote, in the deliberations of the Summit, committees, and, as appropriate, any other sub-committee or working group on questions within the scope of their activities.

⁵ It is recalled that paragraph 23.3 of Agenda 21 provides that “any policies, definitions or rules affecting access to and participation by non-governmental organizations in the work of the United Nations institutions or agencies associated with the implementation of Agenda 21 must apply equally to all major groups”. Agenda 21 defines major groups as comprising women, children and youth, indigenous people, non-governmental organizations, local authorities, workers and their trade unions, business and industry, the scientific and technological community and farmers. Therefore, based on Agenda 21, rule 61 shall apply equally to non-governmental organizations and other major groups.

2. If the number of requests to speak is too large, the non-governmental organizations shall be requested to form themselves into constituencies, such constituencies to speak through spokespersons.]

Rule 62
[Representatives of business sector entities]

OPTION A

[1. Business sector entities accredited to participate in the Summit may designate representatives to sit as observers at public meetings of the Summit and 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 business sector entities shall be requested to form themselves into constituencies, such constituencies to speak through spokespersons.]

OPTION B

[1. Business sector entities accredited to participate in the Summit may designate representatives to participate as observers, without the right to vote, in the deliberations of the Summit, committees, and, as appropriate, any other sub-committee or working group on questions within the scope of their activities.

2. If the number of requests to speak is too large, the business sector entities shall be requested to form themselves into constituencies, such constituencies to speak through spokespersons.]

Rule 63
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 Summit, committees, and, as appropriate, any other sub-committee or working group.

Rule 64
Written statements

Written statements submitted by the designated representatives referred to in rules 57 to 63 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 a business sector entity is related to the work of the Summit and is on a subject in which the non-governmental organization or the business sector entity has a special competence.

XII. Suspension and amendment of the rules of procedure

Rule 65

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 66

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 General Committee has reported on the proposed amendment.
