

SURVEY OF RULES OF PROCEDURE FOR CONFERENCES OF STATES PARTIES GOVERNING INTERNATIONAL TREATIES

The first meeting of the Conference of States Parties (CSP) for the Arms Trade Treaty (ATT) is set to take place within the first year after the ATT enters into force. One of the critical tasks the first CSP will undertake is the adoption of the CSP Rules of Procedure, which will govern its activities for years to come. In advance of the first CSP, ATT Legal¹ reviewed the Rules of Procedure for the Conferences of State Parties (CSPs) of 19 different international treaties, primarily in the areas of disarmament and arms control, human rights and humanitarian law, environmental protection, and crime and corruption.

In selecting the treaties for this survey, we took into account the subject matter of the treaty and the existence of an active Conference of States Parties governing that treaty. With regard to subject matter, we included treaties that touch on issues or mechanisms likely covered by the ATT, such as arms control and international human rights and humanitarian law. We also included treaties that have a trade regulation or crime prevention element to address the ATT's concern with the illicit trade of conventional arms. We sought to include the “core” treaties in each of these areas, and from there, we selected those that are governed by a Conference of States Parties (or in some cases, a Review Conference) with procedural rules that cover similar areas contemplated by the proposed CSP for the ATT.

This survey, which focuses on CSP participation, is the second in a series produced by ATT Legal and is designed specifically as a reference and research tool for governments and civil society organizations to assist in developing the CSP for the ATT. While this survey is in no way exhaustive, its aim is to provide a basis for discussion and further research.

PARTICIPATION

Just as with decision-making procedures, the level of participation afforded to States Parties, signatories, regional organizations, inter-governmental organizations, the United Nations and non-governmental organizations (NGOs) in Conferences of State Parties (Conferences or CSPs) can also affect the overall efficiency and effectiveness of treaty governance.

Please note that this survey includes only those provisions related to participation in the Meetings or Conferences of States Parties as set forth in the CSP Rules of Procedure for each treaty. It does not take into account participation modalities set forth in other documents, or the patterns and practices developed over time that may exist in the context of each individual treaty body.

Of the 19 sets of CSP Rules of Procedure reviewed, 8 CSPs provide specific participation procedures for signatory states, and 12 CSPs outline specific guidelines for NGO participation. Of the 8 CSP Rules of Procedure that include signatory provisions, 5 CSPs indicate that signatory states may participate or be represented in the CSP meetings without vote, 1 CSP permits signatories to participate as observers (CRPD) and 2 CSPs indicate that signatories can participate in the “deliberative process of the Conference” (CTOL and UNCAC).

¹The Arms Trade Treaty Legal Response Network (ATT Legal), a project of Control Arms, provides free legal assistance to UN delegations, government officials and civil society organizations in order to facilitate the ratification and effective implementation of the ATT

Of the 19 sets of CSP Rules of Procedure covered, 13 CSPs provide for NGO participation.² While the Mine Ban Treaty and the CCM provide the broadest level of participation, most CSPs permit NGOs, at a minimum, to attend public plenary meetings and receive Conference documents. Additionally, 5 CSPs specifically permit NGOs to make oral statements in plenary sessions.

Regional Economic Integration Organizations (REIOs) are permitted to sign, ratify or accede to 4 of the treaties covered (CRPD, Basel Convention, CTOC and UNCAC). As such, the REIOs that sign or ratify these treaties are permitted to participate and to vote (with certain limitations) along with the States Parties in the Conferences of States Parties.

Disarmament and Arms Control

The Disarmament and Arms Control section includes the Rules of Procedure for 5 of the major treaties in this field.³ Only 2 CSPs (BWC and CWC) provide specific provisions for signatory states. Both allow for signatory States to participate without vote in the CSPs “with prior written notification” to the Secretary General/Director General of the Conference. Also, the BWC and CWC allow signatory States to submit their views in writing – the BWC as “Conference documents”, and the CWC, only to the delegates.

The CSP Rules of Procedure for the Mine Ban Treaty and the Convention on Cluster Munition (CCM) are distinct from all of the other treaties covered in this survey. Instead of identifying the actions and activities that observers are permitted to take, these two treaties identify the actions and activities that observers MAY NOT undertake.

Of the 5 Disarmament and Arms Control treaties covered, 3 CSPs in this section (NPT, BWC and CWC) allow NGOs to attend public meetings and 1 CSP (CWC) permits NGOs to participate in activities of review conferences. As set forth above, the Mine Ban Treaty and the CCM provide the broadest participation for NGOs in this group by permitting general participation as observers with just a few specific restrictions.

Human Rights and Humanitarian Law

In contrast with the other topics covered in this survey, the Rules of Procedure for many of CSPs in the Human Rights and Humanitarian Law area provide very little guidance with regard to participation. With the exception of the CRPD, the CSPs covered ONLY provide for the participation of State Parties and the Secretary General of the United Nations (UNSG) and do not set out guidelines for the participation of intergovernmental organizations or NGOs. However, all of the CSPs covered in this section reference the Rules of Procedure for the United Nations General Assembly for any other procedural matters arising at the Meeting of States Parties not covered by the Rules of Procedure of the treaties.

²The Rules of Procedure for 6 of the Human Rights and Humanitarian Law CSPs covered do not provide guidelines for NGO participation.

³The Rules of Procedure for the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) are not included in this survey because their framework for voting procedures, which provides only a reference to procedures set forth in the treaty itself for amending the treaty and its protocols, does not comport with the established framework for the ATT CSP that appears in Article 17 of the ATT.

Environmental Protection

While neither CSP covered in this survey provide a distinction between the participation of signatory States and other States, in both Conferences, international organizations and NGOs are allowed to participate without vote in matters of direct concern to their organization.

Crime and Corruption

All 3 sets of CSP Rules of Procedures surveyed in the Crime and Corruption section provide specific guidelines for signatory states. The Assembly of States Parties for the ICC permits signatory states to be represented without vote and to submit written statements to State Parties and Observer States. The Conferences for the CTOC and UNCAC allow signatories to attend meetings, deliver statements to the Conference, receive documents, submit views in writing and “participate in the deliberative process”.

All 3 Conferences in this section allow NGOs to attend public meetings, receive conference documents and to make oral statements (with the invitation of the President and subject to the Approval of the conference) through limited representatives on related questions. The Assembly of States Parties for the ICC also permits NGOs to submit written statements to the State Parties and Observer States.

Other Treaties

The CSP Rules of Procedure for the United Nations Convention on the Law of the Sea (UNCLOS) permit signatory states to participate in deliberations without a vote. The UNCLOS CSP also allows invited intergovernmental organizations and NGOs to attend public meetings, make oral statements and submit written statements on questions within the scope of their activities. The WHO Framework Convention on Tobacco Control (FCTC) allows intergovernmental organizations and NGOs to participate without vote in public meetings and to make oral statements only after specific observers.

DISARMAMENT AND ARMS CONTROL

TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS

NPT/CONF.2010/1
2010 Review Conference of Parties to the Treaty

NPT

	Requirements for Observer Status	Plenary - Public unless designated otherwise	Committee Meetings - Private unless designated otherwise	Subsidiary Bodies - Private
States Parties	-	full representation with vote	full representation	full representation unless otherwise decided by consensus
Other States	may apply to SG of Conference	<ul style="list-style-type: none"> attend public meetings receive Conference documents submit documents to participants 	attend public meetings	
National Liberation Organizations	<ul style="list-style-type: none"> UNGA observers may apply to SG of Conference Conference decides 			
United Nations (UNSG and Director General of the IAEA)	-		<ul style="list-style-type: none"> attend meetings receive Conference documents submit material, orally and in writing 	
International and Regional Intergovernmental Organizations (See Rule 44(3))	may apply to Conference for Observer Agency status	<ul style="list-style-type: none"> attend public meetings receive Conference documents submit in writing (by invitation) views and comments on questions within their competence, which may be circulated as Conference documents 	attend public meetings	
Non-Governmental Organizations	-	<ul style="list-style-type: none"> attend meetings receive Conference documents upon request 	attend Main Committee meetings	

THE CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION

BWC/CONF.VII/7
Seventh Review Conference of the State Parties

BCW

	Requirements for Observer Status	Plenary - Public unless decided otherwise	Committee Meetings - Private	Subsidiary Bodies - Private
State Parties	-	full representation with vote	full representation	full representation unless otherwise decided
Signatories	with prior written notification to the SG of the Conference	<ul style="list-style-type: none"> attend meetings of the Conference without vote address plenary meetings receive Conference documents submit views in writing to Conference 	attend meetings of the Conference without vote	
Other States	<ul style="list-style-type: none"> apply to SG of Conference Conference decides 	<ul style="list-style-type: none"> attend public meetings receive Conference documents submit documents to participants 	-	
National Liberation Organizations	<ul style="list-style-type: none"> UNGA observers may apply to SG of Conference Conference decides 		attend public meetings of the Committee of the Whole	-
United Nations (UNSG)	-	<ul style="list-style-type: none"> attend meetings; receive Conference documents submit material, both orally and in writing 	<ul style="list-style-type: none"> attend meetings submit material, both orally and in writing 	
Specialized Agencies and Regional Intergovernmental Organizations	<ul style="list-style-type: none"> apply to SG of Conference for Observer Agency status Conference decides 	<ul style="list-style-type: none"> attend public meetings receive Conference documents submit in writing (by invitation) views and comments on questions within their competence, which may be circulated as Conference documents 	-	
Non-Governmental Organizations	-	<ul style="list-style-type: none"> attend meetings receive Conference documents upon request 	-	

CWC	Requirements for Observer Status	Plenary - Public until designated otherwise	Committee Meetings - Private unless designated otherwise	Subsidiary Bodies - Private unless designated otherwise
State Parties	-	full representation with vote	full representation in committees in which the delegation is represented	full representation in subsidiary bodies in which the delegation is represented
Signatories	upon prior written notification to the Director General	<ul style="list-style-type: none"> attend and participate in public meetings without vote deliver statements receive Conference documents submit views in writing to delegations 		-
Other States	<ul style="list-style-type: none"> may apply to the Director General Conference decides 	<ul style="list-style-type: none"> attend and participate in public meetings without vote Receive Conference documents 		-
United Nations (UNSG and specialized agencies)	in accordance with their respective relationship agreements or subject to the approval of the Conference	attend and participate without vote in sessions of the Conference on matters of common interest between them and the Organization		
International Organizations		attend and participate without vote in plenary meetings of the Conference on matters of common interest between them and the Organization		-
Non-Governmental Organizations	-	<ul style="list-style-type: none"> attend meetings participate in the activities of review conferences according to approved guidelines 		-

MINE BAN TREATY

	Requirements for Observer Status	Plenary - Public unless designated otherwise	Committee Meetings	Working Group/Subsidiary Bodies
State Parties	-	full representation with vote	may be established by MSP	
Other States		participate in the MSP as observers, which may NOT: <ul style="list-style-type: none"> participate in decision-making make a procedural motion or request raise points of order or appeal against a ruling of the President 		
United Nations Agencies and Specific Organizations (see Rule 1(3))				
Other Relevant International and Regional Organizations				
Non-governmental Organization/Others				

CCM

	Requirements for Observer Status	Plenary - Public unless designated otherwise	Committee Meetings - Private	Subsidiary Bodies - Private
State Parties		full representation with vote	-	
Other States		participate in the MSP as observers, which MAY NOT <ul style="list-style-type: none"> • participate in decision-making • make or speak in favor of or against any procedural motion or request • raise points of order or appeal against a ruling of the President 		
United Nations Agencies and Specific Organizations (see Rule 1(2))	-			
Other Relevant International and Regional Organizations	<ul style="list-style-type: none"> • request and receive provisional invitation from the President-designate, considering whether the proposed observer is a non-profit entity and whether its purpose and activities are consistent with the object and purpose of the Convention 			
Non-Governmental Organizations	<ul style="list-style-type: none"> • obtain final approval of the MSP 			

HUMAN RIGHTS AND HUMANITARIAN LAW

ICERD

	Requirements for Observer Status	Meetings - Public unless designated otherwise
State Parties	-	full representation with vote
United Nations (UNSG)	-	may make oral/written statements concerning any question under consideration

IX. Reference to rules of procedure of the General Assembly

Rule 20 - Any procedural matter arising at meetings which is not covered by these rules shall be dealt with by the Chairman in the light of the rules of procedure of the General Assembly which may be applicable to the matter at issue.

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

CCPR/SP2/REV.1
Meeting of State Parties

ICCPR	Requirements for Observer Status	Meetings - Public unless designated otherwise
State Parties	-	full representation with vote
United Nations (UNSG)	-	may make oral/written statements concerning any question under consideration
IX. Reference to rules of procedure of the General Assembly Rule 20 - Any procedural matters arising at the Meeting of States Parties which are not covered by these rules shall be dealt with by the Chairman in the light of the rules of procedure of the General Assembly of the United Nations which may be applicable to the matter at issue.		

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

CEDAW/SP/2/REV.1
Meeting of State Parties

CEDAW	Requirements for Observer Status	Meetings - Public unless designated otherwise
State Parties	-	full representation with vote
States that have ratified/acceded but where Convention has not yet fully entered into force	-	participate without the right to vote
United Nations (UNSG)	-	may make oral/written statements concerning any question under consideration
X. Reference to rules of procedure of the General Assembly Rule 21 - Any procedural matter arising at meetings which is not covered by these rules shall be dealt with by the Chairman in the light of the rules of procedure of the General Assembly which may be applicable to the matter at issue.		

CONVENTION AGAINST TORTURE AND OTHER CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

CAT/SP/2/REV.1
Meeting of State Parties

CAT	Requirements for Observer Status	Meetings - Public unless designated otherwise
State Parties	-	full representation with vote
United Nations (UNSG)	-	may participate and may make oral/written statements concerning any question under consideration
X. Reference to rules of procedure of the General Assembly Rule 20 - Any procedural matters arising at the Meeting of States Parties which are not covered by these rules shall be dealt with by the Chairman in the light of the rules of procedure of the General Assembly of the United Nations which may be applicable to the matter at issue.		

CONVENTION ON THE RIGHTS OF THE CHILD

CRC/SP/5
Meeting of State Parties

CRC	Requirements for Observer Status	Meetings - Public unless designated otherwise
State Parties	-	full representation with vote
United Nations (UNSG)	-	may participate and may make oral/written statements concerning any question under consideration
X. Reference to rules of procedure of the General Assembly Rule 20 - Any procedural matters arising at meetings of States Parties which are not covered by these rules shall be dealt with by the Chairperson in the light of the rules of procedure of the General Assembly of the United Nations which may be applicable to the matter at issue.		

CRPD

	Requirements for Observer Status	Meetings - Public unless designated otherwise
States Parties (and ratifying Regional Integration Organizations)	-	full representation with vote (Regarding RIO voting, see Article 44 of the Convention below)
Signatories (States and RIOs)	-	may participate as an observer ⁴
Other States and RIOs	<ul style="list-style-type: none"> • may apply to Bureau • subject to Conference objection 	
UNGA Observers	-	
United Nations and Specific Organizations (See Rule 25(4))	-	
Intergovernmental Organizations	<ul style="list-style-type: none"> • may apply to Bureau • subject to Conference objection 	
Non-Governmental Organizations	Accredited (See Rule 25(5))	
<p>Rule 26 - Any procedural matter arising at meetings which is not covered by these rules shall be dealt with by the Chairperson in the light of the rules of procedures of the General Assembly which may be applicable to the matter at issue</p>		

CPED

	Requirements for Observer Status	Meetings - Public unless designated otherwise
States Parties	-	full representation with vote
United Nations (UNSG)	-	may participate and may make oral/written statements concerning any question under consideration
<p>X. Reference to rules of procedure of the General Assembly</p> <p>Rule 20 - Any procedural matters arising at meetings of States Parties which are not covered by these rules shall be dealt with by the Chairperson in the light of the rules of procedure of the General Assembly of the United Nations which may be applicable to the matter at issue.</p>		

⁴The Rules of Procedure of the CRPD do not provide further definition or clarification concerning the privileges of an "observer".

ENVIRONMENTAL PROTECTION⁵

BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES

Conference of States Parties
Confirmed by the CSP 2013

BASEL CONVENTION	Requirements for Observer Status	Plenary - Public unless designated otherwise	Committee Meetings - Public unless designated otherwise	Working groups - Public unless designated otherwise
States Parties and Political/Economic Integration Organizations	-	full representation with vote		
Other States and Political/Economic Integration Organizations	<ul style="list-style-type: none"> upon invitation of the President with no objection from at least 1/3 of the Parties present 	participate without vote		
United Nations (Specialized Agencies and IAEA)	<ul style="list-style-type: none"> inform the Secretariat of interest in participating qualify in fields relating to the transboundary movement of hazardous wastes as well as their management and disposal upon invitation of the President and with no objection from at least 1/3 of the Parties present 	participate without the right to vote on matters of direct concern to their organization		
International Organizations				
Non-Governmental Organizations				

THE INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD AND AGRICULTURE

Governing Body of the International Treaty on Plant Genetic Resources for Food and Agriculture
updated 2014

ITPGR	Requirements for Observer Status	Sessions of the Governing Body - Public unless designated otherwise	Subsidiary Bodies - established as necessary
States Parties	-	full representation with vote	-
Other States	upon invitation of the Chairperson	participate without vote	-
United Nations (Specialized Agencies and IAEA)			
International Organizations	<ul style="list-style-type: none"> inform the Secretary of interest in participating qualify in fields relating to the subject matter of the Treaty upon invitation of the Chairperson, and with no objection from at least 1/3 of the Parties present 	participate without vote on matters of direct concern to their organization	-
Non-Governmental Organizations			
Specific International Institutions (International Agricultural Research Centers) pursuant to Article 15 of the Treaty	upon invitation of the Chairperson		-

⁵ The Rules of Procedure for the United Nations Framework Convention on Climate Change (UNFCCC) are not included in this survey because their voting procedures have not been adopted by the Conference of State Parties (COP). Currently, two alternative forms appear in the Draft Rules of Procedure. For the last 15 meetings of the COP, the Rules of Procedure have been applied, but not adopted, and with regard to voting, the practice has been to require a majority present and voting for procedural matters and consensus for matters of substance.

CRIME AND CORRUPTION

ROME STATUTE OF THE INTERNATIONAL CRIMINAL COURT

reproduced from Part II.C of ICC-ASP/1/3 and CORR.1

ICC	Requirements for Observer Status	Assembly - Public unless designated private under exceptional circumstances	Bureau - Private unless designated otherwise	Subsidiary Bodies - Public unless designated otherwise (general membership); Private unless designated otherwise (limited membership)
States Parties	-	full representation with vote	-	-
Signatories (Observer States)	-	<ul style="list-style-type: none"> represented in the Assembly without vote may submit written statements for distribution to States Parties and Observer States 	-	-
Other States	invited by the President and subject to approval of the Assembly	<ul style="list-style-type: none"> may be present during the work of the Assembly may be authorized by the Assembly to make a statement may submit written statements for distribution to States Parties and Observer States 	-	-
United Nations	standing invitation	participate without vote in the work and deliberations of the Assembly	may participate in meetings	
UNSG	-	the UNSG may participate and make oral/written statements concerning any question pertaining to UN activities and provide information as appropriate		<ul style="list-style-type: none"> UNSG may participate in the work and deliberation may make oral/written statements, in the deliberations
UNGA Observers	-	participate without vote	-	
Regional Intergovernmental Organizations and other International Organizations (See Rule 92(2))	<ul style="list-style-type: none"> invited to the Rome Conference; accredited to the PrepCom for the ICC or invited by the Assembly 	participate without vote in the deliberations	-	participate in public deliberations
Non-Governmental Organizations	<ul style="list-style-type: none"> invited to the Rome Conference registered to the PrepCom for the ICC or having consultative status with ECOSOC whose activities are relevant to the activities of the ICC or invited by the Assembly 	<ul style="list-style-type: none"> attend public meetings receive official documents make oral statements with limited representatives on related questions at opening and closing meetings, upon invitation of the President and subject to the approval of the Assembly submit written statements related to the work of the Assembly on a subject of special competence of the organization for distribution to States Parties and Observer States 	-	<ul style="list-style-type: none"> attend public meetings when deemed appropriate, at opening and closing meetings, make oral statements with limited representatives on related questions

CTOC

	Requirements for Observer Status	Plenary - Public unless designated otherwise	Bureau - Private unless designated otherwise
States Parties and REIOs (to the Convention or the Protocols)	-	full representation with vote	-
Signatories (States and REIOs)	written notification to UNSG	<ul style="list-style-type: none"> attend meetings of the Conference deliver statements to the Conference receive Conference documents submit views in writing to the Conference participate in the deliberative process of the Conference 	-
Other States and REIOs	<ul style="list-style-type: none"> apply to Bureau subject to Conference approval 	<ul style="list-style-type: none"> without participation in the adoption of decisions (consensus or vote) on substantive or procedural matters attend plenary meetings of the Conference deliver statements at plenary meetings with invitation of President in consultation with Bureau receive Conference documents submit views in writing to the Conference 	-
United Nations and Specific Organizations (See Rule 16(1))	written notification to UNSG		
UNGA Observers			
Other Intergovernmental Organizations	<ul style="list-style-type: none"> apply to Bureau subject to Conference approval 		
Non-Governmental Organizations with ECOSOC consultative status	<ul style="list-style-type: none"> relevant organizations may apply to Bureau subject to Conference approval 	<ul style="list-style-type: none"> without participation in the adoption of decisions (consensus or vote) on substantive or procedural matters may attend plenary meetings of the Conference with invitation of President and subject to the approval of the Conference, make oral statements through limited representatives on questions relating to their activities receive documents 	-
Other Non-Governmental Organizations			

UNCAC

	Requirements for Observer Status	Plenary - Public unless designated otherwise	Bureau - Private unless designated otherwise
States Parties and REIOs (to the Convention or the Protocols)	-	full representation with vote	-
Signatories (States and REIOs)	written notification to UNSG	<ul style="list-style-type: none"> attend meetings of the Conference deliver statements to the Conference receive Conference documents submit views in writing to the Conference participate in the deliberative process of the Conference 	-
Other States and REIOs	<ul style="list-style-type: none"> apply to Bureau subject to Conference approval 	<ul style="list-style-type: none"> without participation in the adoption of decisions (consensus or vote) on substantive or procedural matters attend plenary meetings of the Conference deliver statements at plenary meetings with invitation of President in consultation with Bureau receive Conference documents submit views in writing to the Conference 	-
United Nations and Specific Organizations (See Rule 16(1))	written notification to UNSG		
UNGA Observers			
Other Intergovernmental Organizations	<ul style="list-style-type: none"> apply to Bureau subject to Conference approval 		
Non-Governmental Organizations with ECOSOC consultative status	<ul style="list-style-type: none"> relevant organizations may apply to Bureau subject to Conference approval 	<ul style="list-style-type: none"> without participation in the adoption of decisions (consensus or vote) on substantive or procedural matters attend plenary meetings of the Conference with invitation of President and subject to the approval of the Conference, make oral statements through limited representatives on questions relating to their activities receive Conference documents 	-
Other Non-Governmental Organizations			

OTHER

SPLOS/2/REV.4
Meeting of States Parties

UNITED NATIONS CONVENTION ON THE LAW OF THE SEA

UNCLOS

	Requirements for Observer Status	Plenary - Public unless designated otherwise	Subsidiary Bodies - Private
States Parties	-	full representation with vote	-
Signatories	-	participate in deliberations without vote	-
Other States and Territories (See Rule 18 (1)(b), 18(1)(d) and Article 305 (c) - (e) of the Convention)	-		
United Nations (Specialized Agencies and Specific Organizations) (See Rule 18(2)-(3))	-	attend public meetings, (by invitation and MSP approval) make oral statements and submit written statements on questions within the scope of their activities to be distributed to MSP by Secretariat	-
Specific Intergovernmental Organizations (See Annex IX)	-	participate in deliberations without vote	-
Other Intergovernmental Organizations	by invitation	attend public meetings, (by invitation and MSP approval) make oral statements and submit written statements on questions within the scope of their activities to be distributed to MSP by Secretariat	-
Non-Governmental Organizations	recognized by ECOSOC and in relevant field or by invitation of the MSP along with demonstrated interest in relevant matters		-

WHO FRAMEWORK CONVENTION ON TOBACCO CONTROL

Conference of State Parties
Meeting of States Parties

FCTC

	Requirements for Observer Status	Meetings - Public unless designated otherwise	Subsidiary Bodies - Public unless designated otherwise by CoP or subsidiary body concerned
States Parties (including REIOs)	-	full representation with vote	full representation with vote
Other States and REIOs	-	<ul style="list-style-type: none"> attend and participate without vote in public meetings make oral statements only after the Parties REIOs may speak only to matters within their competency 	
Other WHO Member States and Associate Members	-		
International Intergovernmental Organizations	apply to Secretariat; Conference decides taking into account the 17th and 18th Preambular Paragraphs and Article 5.3 of the FCTC (see Annex), which emphasizes the importance of organizations not affiliated with the tobacco industry	<ul style="list-style-type: none"> participate without vote in public meetings make oral statements only after the observers listed above (see Rule 29) 	
Non-Governmental Organizations who participated in the development of the FCTC	-	<ul style="list-style-type: none"> participate without vote in public meetings make oral statements only after the observers listed above (see Rule 29 and 30) 	
Other NGOs whose aims and activities are in conformity with the spirit, purpose and principles of the Convention	apply; Conference decides taking into account the 17th and 18th Preambular Paragraphs and Article 5.3 of the FCTC (see Annex), which emphasizes the importance of organizations not affiliated with the tobacco industry		

ANNEX

DISARMAMENT AND ARMS CONTROL

Rule 1 - 1. Each State Party to the Treaty on the Non-Proliferation of Nuclear Weapons (hereinafter "the Treaty") may be represented at the Conference of the Parties to the Treaty (hereinafter the "Conference") by a head of delegation and such other representatives, alternate representatives and advisers as may be required.
VII. Committees

Rule 34 - Main Committees and subsidiary bodies

The Conference shall establish three Main Committees for the performance of its functions. Each such Committee may establish subsidiary bodies so as to provide for a focused consideration of specific issues relevant to the Treaty. As a general rule each State Party to the Treaty participating in the Conference may be represented in the subsidiary bodies unless otherwise decided by consensus.

Rule 35 - Representation on the Main Committees

Each State Party to the Treaty participating in the Conference may be represented by one representative on each Main Committee. It may assign to these Committees such alternate representatives and advisers as may be required.

Rule 43 - 1. The plenary meetings of the Conference and the meetings of the Main Committees shall be held in public unless the body concerned decides otherwise.

2. Meetings of other organs of the Conference shall be held in private.

X. Participation and Attendance - Rule 44

Rule 44 - 1. Observers - (a) Any other State which, in accordance with article IX of the Treaty, has the right to become a Party thereto but which has neither acceded to it nor ratified it may apply to the Secretary-General of the Conference for observer status, which will be accorded on the decision of the Conference. Such a State shall be entitled to appoint officials to attend meetings of the plenary and of the (b) Any national liberation organization entitled by the General Assembly of the United Nations to participate as an observer in the sessions and the work of the General Assembly, all international conferences convened under the auspices of the General Assembly and all international conferences convened under the auspices of other organs of the United Nations may apply to the Secretary-General of the Conference for observer status, which will be accorded on the decision of the Conference. Such a liberation organization shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees other than those designated closed meetings and to receive documents of the Conference. An observer organization shall also be entitled to submit documents to the participants in the Conference.

2. The Secretary-General of the United Nations and the Director General of the International Atomic Energy Agency, or their representatives, shall be entitled to attend meetings of the plenary and of the Main Committees and to receive the Conference documents. They shall also be entitled to submit material, both orally and in writing.

3. The Agency for the Prohibition of Nuclear Weapons in Latin America and the Caribbean, the South Pacific Forum, other international and regional intergovernmental organizations, the Preparatory Commission for the Comprehensive Nuclear Test-Ban Treaty Organization and any specialized agency of the United Nations may apply to the Secretary-General of the Conference for observer agency status, which will be accorded on the decision of the Conference. An observer agency shall be entitled to appoint officials to attend meetings of the plenary and of the Main Committees, other than those designated closed meetings, and to receive the documents of the Conference. The Conference may also invite them to submit, in writing, their views and comments on questions within their competence, which may be circulated as Conference

I. Representation and Credentials - A. Delegations of Parties to the Convention

Rule 1. - Each State Party to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction (hereinafter "the Convention") may be represented at the Conference by a head of delegation and such other representatives, alternate representatives and advisers as may be required.

VII. Other appropriate bodies of the Conference

Rule 34 - The Conference may establish appropriate bodies. As a general rule each State Party to the Convention participating in the Conference may be represented in those bodies unless otherwise decided.

X. Public and Private meetings

Rule 43 - 1. The plenary meetings of the Conference shall be held in public unless otherwise decided.

2. Meetings of the Committees and any other appropriate body established under rule 34 shall be held in private.

XI. Participation and attendance

Rule 44 - 1. Signatories - Any State signatory to the Convention which has not yet ratified it shall be entitled to participate, without taking part in the adoption of decisions, whether by consensus or by vote, in the deliberations of the Conference, subject to prior written notification to the Secretary-General of the Conference. This means that any of those signatory States shall be entitled to attend meetings of the Conference; to address plenary meetings; to receive the document of the Conference and to submit its views in writing to the Conference, which shall be considered as Conference documents.

Rule 44 - 2. Observers - (a) Any other State which, in accordance with article XIV of the Convention, has the right to become a Party thereto but which has neither signed nor ratified it may apply to the Secretary-General of the Conference for Observer status, which will be accorded on the decision of the Conference. Such a State shall be entitled to appoint officials to attend meetings of the Plenary other than those designated closed meetings, and to receive documents of the Conference. An Observer State shall also be entitled to submit documents to the participants in the Conference.

(b) Any national liberation organization entitled by the General Assembly of the United Nations to participate as an Observer in the sessions and the work of the General Assembly, all international conferences convened under the auspices of the General Assembly, and all international conferences convened under the auspices of other organs of the United Nations, may apply to the Secretary-General of the Conference for Observer status, which will be accorded on the decision of the Conference. Such a liberation organization shall be entitled to appoint officials to attend meetings of the Plenary and of the Committee of the Whole other than those designated closed meetings, and to receive documents of the Conference. An Observer organization shall also be entitled to submit documents to the participants in the Conference. "

3. The United Nations - The Secretary-General of the United Nations or his representative or representatives shall be entitled to attend meetings of the Plenary and any other appropriate body established under rule 34 and to receive the Conference documents. They shall also be entitled to submit material, both orally and in writing.

4. Specialized agencies and regional intergovernmental organizations - The specialized agencies as well as regional intergovernmental organizations may apply to the Secretary-General of the Conference for Observer Agency status which will be accorded on the decision of the Conference. An Observer Agency shall be entitled to appoint officials to attend meetings of the Plenary other than those designated closed meetings and to receive the documents of the Conference. The Conference may also invite them to submit, in writing, their views and comments on questions within their competence, which may be circulated as Conference documents.

NPT

BCW

III. Representation of members

Rule 23 - Composition of delegations - Each Member of the Organization shall be represented at the Conference by one representative, who may be accompanied by as many alternates and advisers as may be required by the delegation. The representative and all such alternates and advisers shall constitute the Member's delegation to the Conference."

Rule 25 - Representation on committees and other subsidiary bodies of the Conference - Each representative may designate any alternate or any adviser in his or her delegation to act for his or her delegation on any committee or other subsidiary body of the Conference on which his or her delegation is represented.

V. Participation of Signatory States, Observer States and Other Observers

Rule 29 - Signatory States - Any State signatory to the Convention which has not yet deposited its instrument of ratification in accordance with Article XXI, paragraph 2, of the Convention shall be entitled, subject to prior written notification to the Director-General, to participate, without taking part in the adoption of decisions, whether by consensus or by vote, in the deliberations of the Conference. This means that Signatory States shall be entitled to appoint observers to attend plenary meetings of the Conference other than those designated private meetings; to deliver statements at such meetings; to receive the documents of the Conference and to submit its views in writing to delegations."

Rule 30 - Observer States - Any other State which, in accordance with Article XX of the Convention, may accede to it may apply to the Director-General for observer status, which will be accorded on the decision of the Conference. Such a State shall be entitled to appoint an observer to attend and participate without the right to vote in the plenary meetings of the Conference other than those designated private meetings and to receive documents of the Conference.

Rule 31 - Representatives of the United Nations and of the specialized agencies - The Secretary-General of the United Nations or his or her representative and the representatives of the specialized agencies shall be entitled to attend and participate without vote in sessions of the Conference on matters of common interest between them and the Organization in accordance with their respective relationship agreements or subject to the approval of the Conference.

Rule 32 - Representatives of other international organizations - Representatives of international organizations, other than the United Nations and the specialized agencies shall be entitled to attend and participate without vote in plenary meetings of the Conference on matters of common interest between them and the Organization in accordance with their respective relationship agreements or subject to the approval of the Conference.

Rule 33 - Non-governmental organizations - Representatives of non-governmental organizations may attend the plenary sessions of the Conference, and participate in the activities of review conferences, in accordance with such rules or guidelines as the Conference has approved.

Rule 52 - Public and private meetings - Plenary meetings of the Conference shall be held in public unless declared private. Meetings of subsidiary bodies, including committees, shall be held in private unless designated otherwise. All decisions of the Conference taken at a private meeting shall be announced at an early public meeting. At the close of each private meeting of committees and other subsidiary bodies, the presiding officer may issue a communiqué through the Director-General.

I. Participation in the Meeting of the States Parties

Rule 1 - Participation in the Meeting of the States Parties - 1. States Parties present at the Meeting of the States Parties will be participants. Other States may participate in the Meeting of the States Parties as observers.

2. Relevant international organizations or institutions and regional organizations may attend the Meeting of the States Parties as observers.

3. The United Nations Secretary-General, the UNHCR, UNDP, UNICEF, WHO, WFP, the International Committee of the Red Cross and the International Federation of the Red Cross and Red Crescent Societies, the Sovereign Order of Malta, the International Campaign to Ban Landmines, and the Geneva International Centre for Humanitarian Demining may attend the Meeting of the States Parties as observers.

4. Others that have received an invitation from the Coordinating Committee may attend the Meeting of the States Parties as observers, subject to approval of the Meeting of the States Parties. In issuing invitations to others to attend the Meeting of the States Parties as observers, the Coordinating Committee shall take into consideration criteria such as whether the proposed observer is a non-profit entity and whether its purpose and activities are consistent with the object and purpose of the Convention.

5. The plenary meetings of the Meeting of the States Parties shall be held in public unless the Meeting decides otherwise.

II. Representation

Rule 2 - Designation of delegations - Each State or organization participating in the Meeting of the States Parties shall designate a head of delegation and such other representatives, alternate representatives and advisers as may be required.

V. Decision-making

Rule 24 - General rights of observers - Observers:

(a) May not participate in decision-making;

(b) May not make any procedural motion or request, raise points of order or appeal against a ruling of the President.

VII. Subordinate Bodies

Rule 35 - Subordinate bodies - The Meeting of the States Parties may establish committees, working groups or other subordinate bodies as appropriate.

Chapter I - Participation in the Meeting of States Parties

Rule 1 - 1. States Parties present at the Meeting of States Parties will be participants. Other States may participate in the Meeting of States Parties as observers.

2. The United Nations, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, the Geneva International Centre for Humanitarian Demining and the Cluster Munition Coalition may attend the Meeting of States Parties as observers.

3. Other relevant international organizations or institutions, regional organizations and relevant non-governmental organizations may attend the Meeting of States Parties as observers. Such organizations will submit a request in that regard to the President-designate who may issue an invitation on a provisional basis taking into consideration criteria such as whether the proposed observer is a non-profit entity and whether its purpose and activities are consistent with the object and purpose of the Convention. The participation of these organizations is subject to the final approval of the Meeting of States Parties.

CCM

Rule 2 - Designation of delegations

Each State or organization participating in the Meeting of States Parties shall designate a head of delegation and such other representatives, alternate representatives and advisers as may be required.

Rule 24 - General rights of observers

Observers:

(a) May not participate in decision-making;

(b) May not make, or be among the speakers called on to speak in favour of or against, any procedural motion or request, raise points of order or appeal against a ruling of the President.

Chapter V - Conduct of business

Rule 25 - Public meetings - The plenary meetings of the Meeting of States Parties shall be held in public unless the Meeting decides otherwise.

HUMAN RIGHTS AND HUMANITARIAN LAW

I. Representation and credentials

Rule 1 - Each State Party to the International Convention on the Elimination of All Forms of Racial Discrimination, hereinafter referred to as the Convention, shall be represented at the Meeting of States Parties, hereinafter referred to as the Meeting, by an accredited representative; if more than one representative is named, one shall be designated as the head of the delegation. Each delegation may also include such alternate representatives and advisers as may be required.

ICERD

Rule 7 - The Secretary General of the United Nations shall be responsible for making the arrangements connected with the Meeting. He or his representatives may make either oral or written statements to the Meeting concerning any question under consideration.

VIII. Publicity

Rule 19 - The meetings shall be held in public unless decided otherwise.

IX. Reference to rules of procedure of the General Assembly

Rule 20 - Any procedural matter arising at meetings which is not covered by these rules shall be dealt with by the Chairman in the light of the rules of procedure of the General Assembly which may be applicable to the matter at issue.

ICCPR

I. Representation and credentials

Rule 1 - Each State Party to the International Covenant on Civil and Political Rights (hereinafter referred to as the Covenant) shall be represented at the Meeting of States Parties (hereinafter referred to as the Meeting) by an accredited representative; if more than one representative is named, one shall be designated as the head of the delegation. Each delegation may also include such alternate representatives and advisers as may be required.

Rule

Rule 7 - The Secretary General of the United Nations shall be responsible for making the arrangements connected with the Meeting. He or his representatives may make either oral or written statements to the Meeting concerning any question under consideration.

VIII. Publicity

Rule 19 - The meetings shall be held in public unless decided otherwise.

IX. Reference to rules of procedure of the General Assembly

Rule 20 - Any procedural matters arising at the Meeting of States Parties which are not covered by these rules shall be dealt with by the Chairman in the light of the rules of procedure of the General Assembly of the United Nations which may be applicable to the matter at issue.

CEDAW

I. Representation and credentials

Rule 1 - Each State party to the Convention on the Elimination of All Forms of Discrimination Against Women, hereinafter referred to as the Convention, shall be represented at the Meeting of States Parties, hereinafter referred to as the meeting, by an accredited representative; if more than one representative is named, one shall be designated as the head of the delegation. Each delegation may also include such alternate representatives and advisers as may be required.

Rule 7 - The Secretary General of the United Nations shall be responsible for making the arrangements connected with the Meeting. He or his representatives may make either oral or written statements to the Meeting concerning any question under consideration.

VIII. Publicity

Rule 19 - The meetings shall be held in public unless decided otherwise.

IX. Observer

Rule 20 - States that have ratified or acceded to the Convention but in respect of which the Convention has not yet entered into force may participate fully in the meeting except for the right to vote.

X. Reference to rules of procedure of the General Assembly

Rule 21 - Any procedural matter arising at meetings which is not covered by these rules shall be dealt with by the Chairman in the light of the rules of procedure of the General Assembly which may be applicable to the matter at issue.

CAT

I. Representation and credentials

Rule 1 - Each State party to the Convention against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment (hereinafter referred to as the Convention) shall be represented at the Meeting of States Parties (hereinafter referred to as the meeting) by an accredited representative. If more than one representative is named, one shall be designated as the head of the delegation. Each delegation may also include such alternate representatives and advisers as may be required.

Rule 7 - The Secretary-General of the United Nations shall be responsible for making the arrangements connected with the Meeting. He or his representatives may participate in the meeting and may make either oral or written statements to the Meeting concerning any question under consideration.

IX. Publicity

Rule 19. - The meetings shall be held in public unless decided otherwise.

X. Reference to rules of procedure of the General Assembly

CRC

I. Representation and credentials

Rule 1 - Each State party to the Convention on the Rights of the Child (hereinafter referred to as the Convention) shall be represented at the Meeting of States Parties (hereinafter referred to as the meeting) by an accredited representative. If more than one representative is named, one shall be designated as the head of the delegation. Each delegation may also include such alternate representatives and advisers as may be required.

Rule 7 - The Secretary-General of the United Nations shall be responsible for making the arrangements connected with the Meeting. He or his representatives may participate in the meeting and may make either oral or written statements to the Meeting concerning any question under consideration.

IX. Publicity

Rule 19. - The meetings shall be held in public unless decided otherwise.

CPED

I. Representation and credentials

Rule 1 - Each State party to the International Convention for the Protection of All Persons from Enforced Disappearance (hereinafter referred to as the Convention) shall be represented at the meeting of States parties (hereinafter referred to as the meeting) by an accredited representative. If more than one representative is named, one shall be designated as the head of the delegation. Each delegation may also include such alternate representatives and advisers as may be required.

Rule 7 - The Secretary-General of the United Nations shall be responsible for making the arrangements connected with the Meeting. He or his representatives may participate in the meeting and may make either oral or written statements to the Meeting concerning any question under consideration.

IX. Publicity

Rule 19. - The meetings shall be held in public unless decided otherwise.

X. Reference to rules of procedure of the General Assembly

CRPD

VI. Representation and credentials

Rule 6 - Each State party to the Convention shall be represented at the Conference by an accredited representative. If more than one representative is named, one shall be designated as the head of the delegation. Each delegation may also include such alternate representatives and advisers as may be required."

XIII. Publicity

Rule 24. - The Conference shall meet in public unless decided otherwise.

XIV. Observers

Rule 25 - 1. Any State or regional integration organization signatory to the Convention in accordance with its article 42 shall be entitled to participate as an observer in the deliberations of the Conference.

2. Any other State or regional integration organization that has not signed the Convention, as well as other relevant intergovernmental organizations may apply to the bureau for observer status, which shall be accorded unless otherwise decided by the Conference.

3. Representatives designated by any organization having been granted observer status in the United Nations by a resolution of the General Assembly may participate as observers in the deliberations of the Conference.

4. Representatives designated by United Nations bodies, specialized agencies and funds, as well as representatives of functional commissions of the Economic and Social Council, may participate as observers in the deliberations of the Conference.

5. Representatives of accredited non-governmental organizations may participate as observers in the deliberations of the Conference. Accreditation shall be granted to:

(a) Non-governmental organizations in consultative status with the Economic and Social Council;

(b) Non-governmental organizations previously accredited to the Ad Hoc Committee on a Comprehensive and Integral International Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities;

(c) Other non-governmental organizations subject to the approval of the Conference by consensus"

XV. Reference to rules of procedure of the General Assembly

Rule 26 - Any procedural matter arising at meetings which is not covered by these rules shall be dealt with by the Chairperson in the light of the rules of procedures of the General Assembly which may be applicable to the matter at issue.

Article 44 - Regional integration organizations

1. "Regional integration organization" shall mean an organization constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by this Convention. Such organizations shall declare, in their instruments of formal confirmation or accession, the extent of their competence with respect to matters governed by this Convention. Subsequently, they shall inform the depositary of any substantial modification in the extent of their competence.

2. References to "States Parties" in the present Convention shall apply to such organizations within the limits of their competence.

3. For the purposes of article 45, paragraph 1, and article 47, paragraphs 2 and 3, any instrument deposited by a regional integration organization shall not be counted.

4. Regional integration organizations, in matters within their competence, may exercise their right to vote in the Conference of States Parties, with a number of votes equal to the number of their member States that are Parties to this Convention. Such an organization shall not exercise its right to vote if any of its member States exercises its right, and vice versa.

ENVIRONMENTAL PROTECTION

Observers

Rule 6 - 1. The Secretariat shall notify the United Nations and its specialized agencies, the International Atomic Energy Agency and any State and any political and/or economic integration organization not party to the Convention of any meeting so that they may be represented by observers.

2. Such observers may, upon invitation of the President, and if there is no objection from at least one third of the Parties present, participate without the right to vote in the proceedings of any meeting.

Rule 7 - 1. The Secretariat shall notify any body or agency, whether national or international, governmental or non-governmental, qualified in fields relating to the transboundary movement of hazardous wastes as well as their management and disposal, which has informed the Secretariat of its wish to be represented, of any meeting so that they may be represented by observers, subject to the condition that their admission to the meeting is not objected to by at least one third of the Parties present at the meeting.

2. Such observers may, upon invitation of the President, and if there is no objection from at least one third of the Parties present, participate without the right to vote in the proceedings of any meeting in matters of direct concern to the body or agency they represent."

"Representation and Credentials

Rule 16 - Each Party participating in the meeting shall be represented by a delegation consisting of a head of delegation and such other accredited representatives, alternate representatives and advisers as may be required."

Conduct of Business

Rule 29 - 1. Meetings of the Conference of the Parties shall be held in public, unless the Conference of the Parties decides otherwise;

2. Meetings of committees and working groups established by the Conference of the Parties, other than drafting and informal working groups, shall be held in public unless the committee or working group decides otherwise.

Voting

Rule 39 - 2. Political and/or economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their member States which are Parties. Such organizations shall not exercise their right to vote if their member States exercise theirs, and vice versa.

BASEL CONVENTION

ITPGR

Rule IV - Sessions - 4.7 Sessions of the Governing Body shall be held in public unless the Governing Body decides otherwise.

Rule VII - 7.1 The Secretary shall notify the United Nations, its specialized agencies and the International Atomic Energy Agency, as well as any State not a Contracting Party to the Treaty, of sessions of the Governing Body so that they may be represented as observers, at least twelve weeks before the opening of the session. Such observers may, upon invitation of the Chairperson, participate without the right to vote in sessions of the Governing Body.

2 The Secretary shall notify any other body or agency, whether governmental or non-governmental, qualified in fields relating to the subject-matter of the Treaty, which has informed the Secretary of its wish to be represented as an observer, of the sessions of the Governing Body at least twelve weeks before the opening of the session. Such observers may, upon invitation of the Chairperson, participate without the right to vote in sessions of the Governing Body on matters of direct concern to the body or agency they represent unless at least one third of the Contracting Parties present at the session object.

3 International institutions that have signed agreements with the Governing Body under Article 15 of the Treaty shall be invited to attend all sessions of the Governing Body as observers, at least twelve weeks before the opening of the session. Such observers may, upon invitation of the Chairperson, participate without the right to vote in sessions of the Governing Body on matters of direct concern to the international institutions they represent.

4 Before the opening of a session of the Governing Body the Secretary will circulate a list of observers who have requested approval to be represented at the session.

Rule 9 - 1 The Governing Body may establish such subsidiary bodies as it deems necessary for the accomplishment of its functions. The establishment of subsidiary bodies shall be subject to the availability of the necessary funds in the approved budget of the Treaty. When the related expenses are to be borne by the FAO, the determination of such availability shall be made by the Director-General of the FAO. Before taking any decision involving expenditure in connection with the establishment of subsidiary bodies, the Governing Body shall have before it a report from the Secretary or the Director-General of the FAO, as appropriate, on the administrative and financial implications thereof.

CRIME AND CORRUPTION TREATIES

I. General - Rule 1 - Use of terms - For the purposes of these Rules:

Observer States means States which have signed the Statute or the Final Act of the Rome Conference and which, pursuant to article 112, paragraph 1, of the Statute, may be observers in the Assembly; States Parties means States Parties to the Statute;

IV. Representation and credentials - Rule 23 - Representation

1. Each State Party shall be represented by one representative, who may be accompanied by alternates and advisers.

2. Each Observer State may be represented in the Assembly by one designated representative, who may be accompanied by alternates and advisers.

3. The representative may designate an alternate or an adviser to act in his/her capacity.

VIII. Participation of the United Nations

Rule 35 - Participation of the United Nations

1. The United Nations shall have a standing invitation to participate, without the right to vote, in the work and deliberations of the Assembly.

2. When issues of interest to the United Nations are taken up by subsidiary bodies, the Secretary-General, if he so desires, or his representative, may participate in the work and deliberations of such subsidiary bodies. The Secretary-General or his representative may make statements, in oral or written form, in the deliberations.

Rule 36 - Participation of the Secretary-General

The Secretary-General of the United Nations may participate in meetings of the Assembly and the Bureau. He/She may also designate a member of the United Nations Secretariat to participate on his/her behalf. He/She may make oral or written statements concerning any question under consideration by the Assembly which pertains to United Nations activities and provide information as appropriate

XII. Public and private meetings

Rule 42 - General principles - 1. The meetings of the Assembly shall be held in public unless the Assembly decides that exceptional circumstances require that the meetings be held in private.

2. As a general rule, meetings of the Bureau and of subsidiary bodies with limited membership shall be held in private unless the body concerned decides otherwise.

3. Meetings of subsidiary bodies with general membership shall be held in public unless the body concerned decides otherwise.

4. Decisions of the Assembly and the Bureau taken at a private meeting shall be announced at the following public meeting. At the close of a private meeting of the Bureau or of any subsidiary body, the President or the presiding officer may issue a communiqué through the Secretariat.

XX. Participation of observers and other participants

Rule 92 - Observers - 1. Representatives designated by entities, intergovernmental organizations and other entities that have received a standing invitation from the General Assembly of the United Nations pursuant to its relevant resolutions to participate, in the capacity of observers, in its sessions and work have the right to participate as observers, without the right to vote, in the deliberations of the Assembly.

2. Representatives designated by regional intergovernmental organizations or other international bodies invited to the Rome Conference, accredited to the Preparatory Commission for the International Criminal Court or invited by the Assembly may participate as observers, without the right to vote, in the deliberations of the Assembly.

3. The representatives referred to in paragraphs 1 and 2 above may also participate in the deliberations of subsidiary bodies under the conditions laid down in rule 42 of the present rules of procedure.

Rule 93 - Other participants - Non-governmental organizations invited to the Rome Conference, registered to the Preparatory Commission for the International Criminal Court, or having consultative status with the Economic and Social Council of the United Nations whose activities are relevant to the activities of the Court and other non-governmental organizations invited by the Assembly may, through their designated representatives:

(a) Attend meetings of the Assembly and meetings of its subsidiary bodies under the conditions laid down in rule 42 of the present Rules of Procedure;

(b) Receive copies of official documents;

(c) Upon the invitation of the President and subject to the approval of the Assembly, make oral statements through a limited number of representatives on questions relating to their activities at the opening and closing meetings of the Assembly;

(d) Make oral statements through a limited number of representatives on questions relating to their activities at the opening and closing meetings of subsidiary bodies, when the subsidiary body concerned deems it appropriate.

Rule 94 - States not having observer status - At the beginning of each session of the Assembly, the President may, subject to the approval of the Assembly, invite a given State which is not a party and does not have observer status to designate a representative to be present during the work of the Assembly. A representative who is so designated may be authorized by the Assembly to make a statement.

Rule 95 - Written statements submitted by the designated representatives referred to in rules 92, 93 and 94 shall be made available by the Secretariat to representatives of the States Parties and Observer States in the quantities and in the language or languages in which the statements are made available to it, provided that a statement submitted on behalf of a non-governmental organization is related to the work of the Assembly and is on a subject in which the organization has a special competence. Written statements shall not be made at the expense of the Assembly and shall not be issued as official documents.

ICC

I. General

Rule 1 - Use of terms - For the purposes of these rules:

(c) "States Parties" shall mean States Parties to the Convention in accordance with its articles 36, paragraphs 3 and 4, and 38; "States Parties" shall also mean, where applicable, States Parties to one or more of the Protocols to the Convention in conformity with the relevant provisions of the Protocol or Protocols in question;

(i) "Regional economic integration organization" shall mean an organization constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by the Convention and the Protocols and which has been duly authorized, in accordance with its internal procedures, to sign, ratify, accept, approve or accede to it; references to "States Parties" and "signatory States" under these rules shall apply, mutatis mutandis, to such organizations within the limits of their respective competence;

(j) "Entities and organizations" shall mean the entities and organizations a list of which is established by the General Assembly and which have received a standing invitation from the General Assembly to participate as observers in the sessions and work of all international conferences convened under its auspices.

IV. Representation of States Parties

Rule 12 - Representation of States Parties

Each State Party participating in a session shall be represented by one representative, who may be accompanied by alternate representatives and advisers as the State Party may require. The representative and all such alternate representatives and advisers shall constitute the State Party's delegation to the Conference.

Rule 13 - Alternates - Each representative may designate any alternate in his or her delegation to act in his or her place during the Conference.

V. Observers

Rule 14 - Participation of signatories - 1. Subject to prior written notification to the Secretary-General, any State or regional economic integration organization signatory to the Convention in accordance with its article 36, paragraphs 1 and 2, shall be entitled to participate as an observer in the Conference.

2. Participation of such signatories shall entitle them:

- (a) To attend meetings of the Conference;
- (b) To deliver statements at such meetings;
- (c) To receive the documents of the Conference;
- (d) To submit their views in writing to the Conference; and
- (e) To participate in the deliberative process of the Conference."

Rule 15 - Participation of non-signatories - 1. Any other State or regional economic integration organization that has not signed the Convention in accordance with its article 36, paragraphs 1 and 2, may apply to the bureau for observer status, which shall be accorded unless otherwise decided by the Conference.

2. Without taking part in the adoption of decisions on substantive and procedural matters, whether by consensus or by vote, at the Conference, such non-signatory States and regional economic integration organizations may:

- (a) Attend plenary meetings of the Conference;
- (b) Deliver statements at such meetings at the invitation of the President in consultation with the bureau;
- (c) Receive the documents of the Conference; and
- (d) Submit their views in writing to the Conference.

Rule 16 - Participation of entities and intergovernmental organizations - 1. Subject to prior written notification to the Secretary-General, representatives of entities and organizations that have received a standing invitation from the General Assembly to participate as observers in the sessions and work of all international conferences convened under its auspices, representatives of United Nations bodies, specialized agencies and funds, as well as representatives of functional commissions of the Economic and Social Council, shall be entitled to participate as observers in the deliberations of the Conference.

2. Representatives of any other relevant intergovernmental organization may also apply to the bureau for observer status, which shall be accorded unless otherwise decided by the Conference.

3. Without taking part in the adoption of decisions on substantive and procedural matters, whether by consensus or by vote, at the Conference, such entities and organizations may:

- (a) Attend plenary meetings of the Conference;
- (b) Deliver statements at such meetings at the invitation of the President in consultation with the bureau;
- (c) Receive the documents of the Conference; and
- (d) Submit their views in writing to the Conference.

Rule 17 - Participation of non-governmental organizations - 1. Relevant non-governmental organizations having consultative status with the Economic and Social Council may apply to the bureau for observer status, which should be accorded unless otherwise decided by the Conference.

2. Other relevant non-governmental organizations may also apply to the bureau for observer status. The secretariat shall circulate as a document a list of such organizations with sufficient information at least thirty days prior to the Conference. If there is no objection to a non-governmental organization, observer status should be accorded unless otherwise decided by the Conference. If there is an objection, the matter will be referred to the Conference for a decision.

3. Without taking part in the adoption of decisions on substantive and procedural matters, whether by consensus or by vote, at the Conference, such non-governmental organizations may:

- (a) Attend plenary meetings of the Conference;
- (b) Upon the invitation of the President and subject to the approval of the Conference, make oral statements at such meetings through a limited number of representatives on questions relating to their activities; and
- (c) Receive the documents of the Conference.

XII. Public and private meetings

Rule 40 - General principles - 1. The plenary meetings of the Conference shall normally be held in public unless the Conference decides otherwise.

2. Meetings of the bureau shall be held in private unless the bureau decides otherwise.

3. Decisions of the Conference taken at a private meeting shall be announced at the following public meeting.

Other Non-Governmental Organizations

I. General

Rule 1 - Use of terms - For the purposes of these rules:

(b) "States parties" shall mean States parties to the Convention in accordance with its articles 67, paragraphs 3 and 4, and 68

(h) "Regional economic integration organizations" Shall mean an organization constituted by sovereign States of a given region, to which its member States have transferred competence in respect of matters governed by the Convention and which has been duly authorized, in accordance with its internal procedures, to sign, ratify, accept, approve or accede to it; references to "States parties" and 'signatory States'" under these rules shall apply, mutatis mutandis, to such organizations within the limits of their respective competence; (i) "Entities and organizations" shall mean the entities and organizations a list of which is established by the General Assembly and which have received a standing invitation from the General Assembly to participate as observers in the sessions and work of all international conferences convened under its auspices."

"IV. Representation of States parties

Rule 12 - Each State Party participating in a session shall be represented by one representative, who may be accompanied by alternate representatives and advisers as the State Party may require. The representative and all such alternate representatives and advisers shall constitute the State Party's delegation to the Conference.

Rule 13 - Alternates - Each representative may designate any alternate in his or her delegation to act in his or her place during the Conference.

V. Observers

Rule 14 - Participation of signatories - 1. Subject to prior written notification to the Secretary-General, any State or regional economic integration organization signatory to the Convention in accordance with its article 67, paragraphs 1 and 2, shall be entitled to participate as an observer in the Conference.

2. Participation of such signatories shall entitle them:

- (a) To attend meetings of the Conference;
- (b) To deliver statements at such meetings;
- (c) To receive the documents of the Conference;
- (d) To submit their views in writing to the Conference; and
- (e) To participate in the deliberative process of the Conference."

Rule 15 - Participation of non-signatories - 1. Any other State or regional economic integration organization that has not signed the Convention in accordance with its article 67, paragraphs 1 and 2, may apply to the bureau for observer status, which shall be accorded unless otherwise decided by the Conference.

2. Without taking part in the adoption of decisions on substantive and procedural matters, whether by consensus or by vote, at the Conference, such non-signatory States and regional economic integration organizations may:

- (a) Attend plenary meetings of the Conference;
- (b) Deliver statements at such meetings at the invitation of the President in consultation with the bureau;
- (c) Receive the documents of the Conference; and
- (d) Submit their views in writing to the Conference."

Rule 16 - Participation of entities and intergovernmental organizations - 1. Subject to prior written notification to the Secretary-General, representatives of entities and organizations that have received a standing invitation from the General Assembly to participate as observers in the sessions and work of all international conferences convened under its auspices, representatives of United Nations bodies, specialized agencies and funds, as well as representatives of functional commissions of the Economic and Social Council, shall be entitled to participate as observers in the deliberations of the Conference.

2. Representatives of any other relevant intergovernmental organization may also apply to the bureau for observer status, which shall be accorded unless otherwise decided by the Conference.

3. Without taking part in the adoption of decisions on substantive and procedural matters, whether by consensus or by vote, at the Conference, such entities and organizations may:

- (a) Attend plenary meetings of the Conference;
- (b) Deliver statements at such meetings at the invitation of the President in consultation with the bureau;
- (c) Receive the documents of the Conference; and
- (d) Submit their views in writing to the Conference."

Rule 17 - Participation of non-governmental organizations - 1. Relevant non-governmental organizations having consultative status with the Economic and Social Council may apply to the bureau for observer status, which should be accorded unless otherwise decided by the Conference.

2. Other relevant non-governmental organizations may also apply to the bureau for observer status. The secretariat shall circulate as a document a list of such organizations with sufficient information at least thirty days prior to the Conference. If there is no objection to a non-governmental organization, observer status should be accorded unless otherwise decided by the Conference. If there is an objection, the matter will be referred to the Conference for a decision.

3. Without taking part in the adoption of decisions on substantive and procedural matters, whether by consensus or by vote, at the Conference, such non-governmental organizations may:

- (a) Attend plenary meetings of the Conference;
- (b) Upon the invitation of the President and subject to the approval of the Conference, make oral statements at such meetings through a limited number of representatives on questions relating to their activities; and
- (c) Receive the documents of the Conference."

XII. Public and private meetings

Rule 40 - General principles - 1. The plenary meetings of the Conference shall normally be held in public unless the Conference decides otherwise.

2. Meetings of the bureau shall be held in private unless the bureau decides otherwise.

3. Decisions of the Conference taken at a private meeting shall be announced at the following public meeting.

UNCLOS

Rule 2 - For the purpose of these Rules:

2. "Parties" means Parties to the Convention;
3. "Conference of the Parties" means the Conference of the Parties established by Article 23 of the Convention;
5. "Regional economic integration organization" means an organization as defined in Article 1(b) of the Convention;
8. "subsidiary body" means any body established pursuant to Article 23, paragraph 5(f) of the Convention;
10. "public" sessions or meetings means sessions or meetings that are open to attendance by Parties, States and regional economic integrations organizations that are not Parties, the Secretariat, inter-governmental and nongovernmental organizations accredited by the Conference of the Parties pursuant to Rule 31 and 11. "restricted" sessions or meetings means sessions or meetings held for a specific purpose and under exceptional circumstances that are open to attendance by Parties and essential Secretariat staff.

"Representation of States Parties

Rule 16 - Each Party participating in a session shall be represented by a delegation consisting of a head of delegation and such other accredited representatives, alternate representatives and advisers as it may require.

Rule 17 - An alternate representative or an adviser may act as a representative upon designation by the head of the delegation. "

- Rule 25 - 1. In accordance with Article 23.5(f) of the Convention, the Conference of the Parties may establish such subsidiary bodies as are necessary to achieve the objective of the Convention.
2. The Conference of the Parties shall determine the matters to be considered by each such subsidiary bodies, including its mandate, objectives, duration and budget, and may authorize the President, upon the request of the Chairperson of a subsidiary body to make appropriate adjustments in the allocation of work.
 3. Except as provided in Rules 26 - 28, these Rules shall apply, mutatus mutandus, to the proceedings of any subsidiary bodies subject to any modifications decided by the Conference of the Parties.

Rule 27 - 2. Sessions or meetings of subsidiary bodies shall be held in public, unless the Conference of the Parties or the subsidiary body concerned decided that they shall be restricted. This rule shall be implemented in conformity with Article 5.3 of the Convention.

Rule 29 - 1. Any Member State of WHO which is not a Party to the Convention, any Associate Member of the WHO, or any other State which is not a Party to the Convention but which is a Member of the United Nations, or its specialized agencies or of the International Atomic Energy Agency, and any regional economic integration organization, as defined in Article 1(b) of the Convention, which is not a Party to the Convention, may attend the public sessions of the Conference of the Parties or meetings of its subsidiary bodies as an observer.

2. Observers under this Rule may participate without the right to vote in the public meetings of the Conference of the Parties and its subsidiary bodies and may speak only after the Parties. Regional economic integration organizations may speak only on matters within their competency.

Rule 30 - 1. Any international intergovernmental organization may apply to the Secretariat for observer status, which may be granted by the Conference of the Parties, taking into account the 17th and 18th preamble paragraphs as well as Article 5.3 of the Convention.

2. Observers under this Rule may participate without the right to vote in public meetings of the Conference of the Parties and its subsidiary bodies and may speak after the observers referred in Rule 29.

Rule 31 - 1. Non governmental organizations which participated in the Intergovernmental Negotiating Body on the WHO Framework Convention on Tobacco Control and in the Open-ended Intergovernmental Working Group on the WHO Framework Convention on Tobacco Control are accredited as observers to the Conference of the Parties.

2. Other international and regional nongovernmental organizations whose aim and activities are in conformity with the spirit, purpose and principles of the Convention, may apply for observer status, which may be granted by the Conference of the Parties, based on the report of the Secretariat, and taking into account the 17th and 18th preambular paragraphs as well as Article 5.3 of the Convention. Such applications should be submitted to the Secretariat not later than ninety days before the opening of the session.

3. The Conference of the Parties shall review the accreditation of each nongovernmental organization at any of its regular sessions and thus determine the desirability of maintaining its observer status.

4. Observers under this Rule may participate without the right to vote in public meetings of the Conference of the Parties and of its subsidiary bodies and may speak after the observers referred to in Rules 29 and 30.

Conduct of Business

Rule 32 - Sessions of the Conference of the Parties shall be held in public, unless the Conference of the Parties decides that they shall be restricted. This Rule shall be implemented in conformity with Article 5.3 of the Convention.

Rule 49 - 1. Each Party shall have one vote, except as provided for in paragraph 2.

2. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their Member States that are Parties to the Convention. Such an organization shall not exercise its right to vote if any of its Member States exercises its right, and vice versa.

Preambular Paragraph 17 and 18 of the FCTC

Emphasizing the special contribution of nongovernmental organizations and other members of civil society not affiliated with the tobacco industry, including health professional bodies, women's, youth, environmental and consumer groups, and academic and health care institutions, to tobacco control efforts nationally and internationally and the vital importance of their participation in national and international tobacco control efforts,

Recognizing the need to be alert to any efforts by the tobacco industry to undermine or subvert tobacco control efforts and the need to be informed of activities of the tobacco industry that have a negative impact on tobacco control efforts,"

General Obligations

Article 5 - 3. In setting and implementing their public health policies with respect to tobacco control, Parties shall act to protect these policies from commercial and other vested interests of the tobacco industry in accordance with national law.