





## **I. REPRESENTATION AND CREDENTIALS**

### **Composition of delegations**

#### **Rule 1**

The delegation of each State participating in the Review Conference and observer delegations, including the African Union and the European Community,\* shall consist of a head of delegation and such other representatives, alternate representatives and advisers as may be required.

### **Alternates and advisers**

#### **Rule 2**

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

### **Credentials**

#### **Rule 3**

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Secretary-General of the Review Conference, if possible not less than one week before the opening of the Review Conference. The credentials shall be issued either by the Head of the State or Government or by the Minister for Foreign Affairs.

### **Credentials Committee**

#### **Rule 4**

A credentials committee of nine members shall be appointed at the beginning of the Review Conference. Its composition shall be based on that of the Credentials Committee of the General Assembly of the United Nations at its sixty-third session. It shall examine the credentials of representatives and report to the Review Conference without delay.

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\* The Durban Review Conference invites the African Union and the European Community, within their areas of competence, to participate in its deliberations on any matter of particular concern to the African Union and the European Community. The African Union and 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.

## **Provisional participation**

### **Rule 5**

Pending a decision of the Review Conference upon their credentials, representatives of States shall be entitled to participate provisionally in the Review Conference.

## **II. OFFICERS**

### **Elections**

#### **Rule 6**

The Review Conference shall elect from among the representatives of participating States the following officers: a President, 21 Vice-Presidents, a Rapporteur-General, and the Chairpersons of the Main Committee and the Drafting Committee established in accordance with rule 47. These officials shall be elected on the basis of ensuring equal geographic distribution and the representative character of the General Committee composed in accordance with rule 10. The Review Conference may also elect such other officers as it deems necessary for the performance of its functions.

#### **Acting President**

##### **Rule 7**

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

#### **Replacement of the President**

##### **Rule 8**

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

#### **Voting rights of the President**

##### **Rule 9**

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

### **III. GENERAL COMMITTEE**

#### **Composition**

##### **Rule 10**

The President, the Vice-Presidents, the Rapporteur-General of the Review Conference and the Chairpersons of the Main Committee and the Drafting Committee shall constitute the General Committee. The President of the Review Conference, or in his/her absence, one of the Vice-Presidents designated by him/her, shall serve as Chairperson of the General Committee. The Chairperson of the Credentials Committee may participate, without the right to vote, in the General Committee.

#### **Substitute members**

##### **Rule 11**

If the President or a Vice-President of the

**Duties of the secretariat**

**Rule 14**

(c) Adopt its agenda, the draft of which shall, until such adoption, be the provisional agenda of the Review Conference;

(d) Decide on the organization of its work.

## **VI. CONCLUSIONS OF THE REVIEW CONFERENCE**

### **Report**

#### **Rule 18**

The Review Conference shall adopt a report, the draft of which shall be prepared by the Rapporteur-General.

## **VII. CONDUCT OF BUSINESS**

### **Quorum**

#### **Rule 19**

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

### **General powers of the President**

#### **Rule 20**

1. In addition to exercising the powers conferred upon him/her elsewhere by these rules, the President shall preside at the plenary meetings of the Review Conference; he/she shall declare

rules. A representative 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.

## **Speeches**

### **Rule 22**

1. No one may address the Review Conference without having previously obtained the permission of the President. Subject to rules 21, 23 and 25 to 28, the President shall call upon speakers in the order in which they signify their desire to speak.
2. Debate shall be confined to the question before the Review Conference and the President may call a speaker to order if his/her remarks are not relevant to the subject under discussion.
3. The Review Conference may limit the time allowed to speakers and the number of times participants may speak on a question. Permission to speak on a motion to set such limits shall be accorded to only two representatives in favour of and two opposing such limits, after which the motion shall be immediately put to the vote. In any event, with the consent of the Review Conference, 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 him/her to order without delay.

## **Precedence**

### **Rule 23**



meeting at which the request is made. The representatives of a State 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; representatives shall in any event attempt to be as brief as possible.

### **Adjournment of debate**

#### **Rule 26**

A representative of any State participating in the Review Conference may at any time move the adjournment of the debate on the question under discussion. Permission to speak on the motion shall be accorded to only two representatives in favour of and two opposing the adjournment, after which the motion shall, subject to rule 29, be immediately put to the vote.

### **Closure of debate**

#### **Rule 27**

A representative of any State participating in the Review Conference may at any time move the closure of the debate on the question under discussion, whether or not any other representative has signified his/her wish to speak. In addition to the proposer of the motion, permission to speak on the motion shall be accorded to only two representatives opposing the closure, after which the motion shall, subject to rule 29, be immediately put to the vote.

### **Suspension or adjournment of the meeting**

#### **Rule 28**

Subject to rule 40, a representative of any State participating in the Review Conference 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 29, be immediately put to the vote.

### **Order of motions**

#### **Rule 29**

The motions indicated below shall have precedence in the following order over all proposals or other motions 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.

## **Submissions of proposals and substantive amendments**

### **Rule 30**

Proposals and substantive amendments shall normally be submitted in writing to the Secretary-General of the Review Conference, who shall circulate copies to all delegations. Unless the Review Conference decides otherwise, proposals and substantive amendments shall be discussed or put to a decision no earlier than 24 hours after copies have been circulated in all languages of the Review Conference to all delegations. The President may, however, permit the discussion and consideration of amendments, or of motions as to procedure, even though such amendments and motions have not been circulated or have only been circulated the same day.

## **Withdrawal of proposals and motions**

### **Rule 31**

A proposal or a motion may be withdrawn by its sponsor at any time before voting on it has commenced, provided that it has not been amended. A proposal or a motion thus withdrawn may be reintroduced by any representative.

## **Decisions on competence**

### **Rule 32**

Any motion calling for a decision on the competence of the Review Conference to discuss any matter or adopt a proposal submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal in question.

## **Reconsideration of proposals**

### **Rule 33**

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

## **VIII. DECISION-MAKING**

### **General agreement**

#### **Rule 34**

The Review Conference shall exert all possible efforts to ensure that its work and the adoption of its report are accomplished by general agreement.

## **Voting rights**

### **Rule 35**

Each State participating in the Review Conference shall have one vote.

## **Majority required**

### **Rule 36**

1. Subject to rule 34, decisions of the Review Conference on all matters of substance shall be taken by a two-thirds majority of the representatives present and voting.
2. Unless the Review Conference decides otherwise and except as otherwise provided, decisions of the Review Conference on all matters of procedure shall be taken by a simple majority of the representatives present and voting.
3. If the question arises whether a matter is one of procedure or of substance, the President of the Review Conference 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 or motion shall be regarded as rejected.

## **Meaning of the phrase "representatives present and voting"**

### **Rule 37**

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.

## **Method of voting**

### **Rule 38**

1. Except as provided in rule 45, the Review Conference shall normally vote by show of hands, except that a representative may request a roll-call, which shall then be taken in the English alphabetical order of the names of the States participating in the Review Conference, 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 Review Conference votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call. A representative may request a recorded vote, which shall, unless a representative requests otherwise, be taken without calling out the names of the States participating in the Review Conference.
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 Review Conference.

## **Explanation of vote**

### **Rule 39**

Representatives may make brief statements consisting solely of explanations of 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 vote thereon, except if it has been amended.

## **Conduct during voting**

### **Rule 40**

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.

## **Division of proposals**

### **Rule 41**

A representative may move that parts of a proposal or of an amendment should be voted on separately. If objection is made to the request for division, the motion for division shall be voted upon. Permission to speak on the motion for division shall be given only to two speakers in favour and two speakers against. If the motion for division is carried, those parts of the proposal or of the amendment which are approved shall then be put to the vote as a whole. If all operative parts of the proposal or of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

## **Amendments**

### **Rule 42**

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 considered as including amendments.

## **Order of voting on amendments**

### **Rule 43**

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 Review Conference 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 put to the vote. 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.

## **Order of voting on proposals**

### **Rule 44**

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

## **Elections**

### **Rule 45**

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

### **Rule 46**

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 cesof the6giot-3 Tw(n20.2obj)-1-1.15 TD-.0itr15 b(u)-1.-.0[( )-2110(A.0itr0

Rule 46

## **Representation on the Main Committee and the Drafting Committee**

### **Rule 48**

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

## **Other committees and working groups**

### **Rule 49**

1. In addition to the Committees referred to above, the Review Conference may establish such committees and working groups as it deems necessary for the performance of its functions.
2. Each committee may set up subcommittees and working groups.

## **Quorum**

### **Rule 50**

1. The Chairperson of a Committee may declare a meeting open and permit the debate to proceed when representatives of at least one quarter of the States participating in the Review Conference are present. The presence of representatives of a majority of the States participating in the Review Conference shall be required for any decision to be taken.
2. A majority of the representatives of the General or Credentials Committee or of any committee, subcommittee or working group shall constitute a quorum.

## **Officers, conduct of business and voting**

### **Rule 51**

These rules of procedure shall apply, mutatis mutandis, to the proceedings of Committees, subcommittees and working groups, except that:

- (a) Unless otherwise decided, each committee, subcommittee and working group shall elect its own officers;
- (b) The Chairpersons of the General and Credentials Committees, and the chairpersons of the committees, subcommittees and working groups established in accordance with rule 49, may exercise the right to vote;
- (c) Decisions of the Committees, other committees, subcommittees and working groups 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 33.



## **XI. PUBLIC AND PRIVATE MEETINGS**



## **Representatives of the specialized agencies**

### **Rule 61**

Representatives designated by the specialized agencies may participate, without the right to vote, in the deliberations of the Review Conference, its Committees and any other committee or working group on questions within the scope of their activities.

## **Representatives of other intergovernmental organizations and other entities**

### **Rule 62**

Representatives designated by other intergovernmental organizations and other entities invited to the Review Conference may participate as observers, without the right to vote, in the deliberations of the Review Conference, the Committees and any working group on questions within the scope of their activities.

## **Representatives of interested United Nations organs, bodies, programmes and relevant mechanisms, including human rights bodies and mechanisms**

### **Rule 63**

Representatives designated by interested organs, bodies, programmes and relevant mechanisms of the United Nations, including human rights bodies and mechanisms, in particular the special rapporteurs who have contributed to the preparatory process, may participate as observers, without the right to vote, in the deliberations of the Review Conference, its Committees and any other committee or working group on questions within the scope of their activities. The Chairperson of the Human Rights Council, the chairpersons or other designated members of human rights bodies and mechanisms, and of bodies established under international human rights instruments, as well as special and thematic rapporteurs or representatives and the chairpersons or designated members of working groups, may participate as observers in the deliberations of the Review Conference, any Committee and any committee or working group on questions within the scope of their activities.

## **Representatives of the Committee on the Elimination of Racial Discrimination**

### **Rule 64**

Members of the Committee on the Elimination of Racial Discrimination may participate as observers in the deliberations of the Review Conference, its Committees and any other committee or working group on questions within the scope of its activities.

## **Representatives of national human rights institutions**

### **Rule 65**

1. Participation of national human rights institutions in the Review Conference shall be based on arrangements and practices agreed upon by the Commission on Human Rights, including Commission resolution 2005/74 of 20 April 2005, while ensuring the most effective contribution

of these institutions. Representatives designated by national institutions for the protection and promotion of human rights may participate as observers in the deliberations of the Review Conference, any Committee and any other committee or working group on questions within the scope of their activities.

2. In the situation where a country does not have a national institution for the promotion and protection of human rights, representatives designated by ombudspersons or by specialized independent national bodies for the promotion and protection of racial equality may participate as observers in the deliberations of the Review Conference, any Committee and any other committee or working group on questions within the scope of their activities.

### **Representatives of non-governmental organizations**

#### **Rule 66**

1. Non-governmental organizations accredited to participate in the sessions and processes of the Preparatory Committee of the Review Conference may designate representatives to participate as observers in the Conference, any Committee and any committee or working group on questions within the scope of their activities.

2. The Review Conference decides to apply the following criteria and practices for participation by non-governmental organizations in its work:

(a) The mechanism established by the Economic and Social Council in its resolution 1996/31 of 26 July 1996, and practices observed by the Commission on Human Rights, shall be the framework for participation of, consultations with, and accreditation of non-governmental organizations, while ensuring their most effective contribution;

(b) Non-governmental organizations in consultative status with the Economic and Social Council are invited to participate fully in the Review Conference, pursuant to Council resolution 1996/31 of 26 July 1996;

(c) In the case of non-governmental organizations not in consultative status with the Economic and Social Council, but accredited to participate in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and its follow-up mechanisms the Secretariat shall apply the same accreditation process as decided pursuant to PC.1/2;

(d) In the case of non-governmental organizations not in consultative status with the Economic and Social Council and not accredited to participate in the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and its follow-up mechanisms the Secretariat shall apply the same accreditation process as decided pursuant to PC.1/2;

(e) Indigenous peoples' representatives that are accredited in accordance with the Economic and Social Council resolution 1995/32 of 25 July 1995, and who express willingness to participate, shall be accredited to the Review Conference. Other interested indigenous peoples' representatives can also be accredited, following standard procedures established under Council resolution 1996/31.

3. 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.

### **Written statements**

#### **Rule 67**

Written statements submitted by the designated representatives referred to in rules 59 to 66