



Advisory Centre on WTO Law
Centre Consultatif sur la Législation de l'OMC
Centro de Asesoría Legal en Asuntos de la OMC

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**RULES OF PROCEDURE
OF THE GENERAL ASSEMBLY OF
THE ADVISORY CENTRE ON WTO LAW**

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I. MEETINGS

Rule 1

The General Assembly shall meet as appropriate but at least twice a year unless it decides otherwise.

Rule 2

Meetings of the General Assembly shall be convened by the Executive Director by a notice issued not less than ten calendar days prior to the date set for the meeting. In the event that the tenth day falls on a weekend or a holiday, the notice shall be issued no later than the preceding working day. Meetings may be convened with shorter notice for matters of significant importance or urgency at the request of a Member concurred in by the majority of the members.

II. AGENDA

Rule 3

A list of the items proposed for the agenda of the meeting shall be communicated to members together with the convening notice for the meeting. It shall be open to any Member to suggest items for inclusion in the proposed agenda up to, and not including, the day on which the notice of the meeting is to be issued.

Rule 4

Requests for items to be placed on the agenda of a forthcoming meeting shall be communicated to the Executive Director in writing, together with the accompanying documentation to be issued in connection with that item. Documentation for consideration at a meeting shall be circulated not later than the day on which the notice of the meeting is to be issued.

Rule 5

A proposed agenda shall be circulated by the Executive Director one or two days before the meeting.

Rule 6

The first item of business at each meeting shall be the consideration and approval of the agenda. Representatives may suggest amendments to the proposed agenda, or additions to the agenda under "Other Business". Representatives shall provide the Chairperson or the Secretariat, and the other members directly concerned, whenever possible, advance notice of items intended to be raised under "Other Business".

Rule 7

The General Assembly may amend the agenda or give priority to certain items at any time in the course of the meeting.

III. REPRESENTATION

Rule 8

Each Member shall be represented by an accredited representative.

Rule 9

Each representative may be accompanied by such alternates and advisers as the representative may require.

IV. OBSERVERS

Rule 10

Representatives of States or separate customs territories may attend the meetings as observers on the invitation of the General Assembly in accordance with paragraphs 9 to 11 of the guidelines in Annex 2 to these rules.

Rule 11

Representatives of international intergovernmental organizations may attend the meetings on the invitation of the General Assembly.

V. OFFICERS

Rule 12

The General Assembly shall elect a Chairperson from among the representatives of members. The General Assembly may also elect a Vice-Chairperson. The election shall take place at the first meeting of the year and shall take effect at the end of the meeting. The Chairperson and the Vice-Chairperson shall hold office until the end of the first meeting of the following year.

Rule 13

If the Chairperson is absent from any meeting or part thereof, the Vice-Chairperson shall perform the functions of the Chairperson. If the Vice-Chairperson is also absent, the General Assembly shall elect an interim Chairperson for the meeting or that part of the meeting.

Rule 14

If the Chairperson can no longer perform the functions of the office, the General Assembly shall designate a Chairperson to perform those functions pending the election of a new Chairperson.

Rule 15

The Chairperson shall not normally participate in the proceedings as the representative of a Member. The Chairperson may, however, at any time request permission to do so.

VI. CONDUCT OF BUSINESS

Rule 16

In accordance with Article 4 paragraph 2 of the Agreement, a simple majority of the members shall constitute a quorum.

Rule 17

In addition to exercising the powers conferred elsewhere by these rules, the Chairperson shall declare the opening and closing of each meeting, shall direct the discussion, accord the right to speak, submit questions for decision, announce decisions, rule on points of order and, subject to these rules, have complete control of the proceedings. The Chairperson may also call a speaker to order if the remarks of the speaker are not relevant.

Rule 18

During the discussion of any matter, a representative may raise a point of order. In this case the Chairperson shall immediately state the ruling. If the ruling is challenged, the Chairperson shall immediately submit it for decision and it shall stand unless overruled.

Rule 19

During the discussion of any matter, a representative may move the adjournment of the debate. Any such motion shall have priority. In addition to the proponent of the motion, one representative may be allowed to speak in favour of, and two representatives against, the motion, after which the motion shall be submitted for decision immediately.

Rule 20

A representative may at any time move the closure of the debate. In addition to the proponent of the motion, not more than one representative may be granted permission to speak in favour of the motion and not more than two representatives may be granted permission to speak against the motion, after which the motion shall be submitted for decision immediately.

Rule 21

During the course of the debate, the Chairperson may announce the list of speakers and, with the consent of the meeting, declare the list closed. The Chairperson may, however, accord the right of reply to any representative if a speech delivered after the list has been declared closed makes this desirable.

Rule 22

The Chairperson, with the consent of the meeting, may limit the time allowed to each speaker.

Rule 23

Representatives shall endeavour, to the extent that a situation permits, to keep their oral statements brief. Representatives wishing to develop their position on a particular matter in fuller detail may circulate a written statement for distribution to members, the summary of which, at the representative's request, may be reflected in the records of the General Assembly.

Rule 24

In order to expedite the conduct of business, the Chairperson may invite representatives that wish to express their support for a given proposal to show their hands, in order to be duly recorded in the records of the General Assembly as supporting statements; thus, only representatives with dissenting views or wishing to make explicit points or proposals would actually be invited to make a statement. This procedure shall only be applied in order to avoid undue repetition of points already made, and will not preclude any representative who so wishes from taking the floor.

Rule 25

Representatives should avoid unduly long debates under "Other Business". Discussions on substantive issues under "Other Business" shall be avoided, and the General Assembly shall limit itself to taking note of the announcement by the sponsoring delegation, as well as any reactions to such an announcement by other delegations directly concerned.

Rule 26

While the General Assembly is not expected to take action in respect of an item introduced as "Other Business", nothing shall prevent the General Assembly, if it so decides, to take action in respect of any such item at a particular meeting, or in respect of any item for which documentation was not circulated at least ten calendar days in advance.

Rule 27

Representatives should make every effort to avoid the repetition of a full debate at each meeting on any issue that has already been fully debated in the past and on which there appears to have been no change in members' positions already on record.

Rule 28

Proposals and amendments to proposals shall normally be introduced in writing and circulated to all representatives not later than twelve hours before the commencement of the meeting at which they are to be discussed.

Rule 29

If two or more proposals are moved relating to the same question, the meeting shall first decide on the most far-reaching proposal and then on the next most far-reaching proposal and so on.

Rule 30

When an amendment is moved to a proposal, the amendment shall be submitted for decision first and, if it is adopted, the amended proposal shall then be submitted for decision.

Rule 31

When two or more amendments are moved to a proposal, the meeting shall decide first on the amendment farthest removed in substance from the original proposal, then, if necessary, on the amendment next farthest removed, and so on until all the amendments have been submitted for decision.

Rule 32

Parts of a proposal may be decided on separately if a representative requests that the proposal be divided.

VII. DECISION-MAKING

Rule 33

The General Assembly shall take decisions in accordance with the decision-making provisions of the Agreement establishing the Advisory Centre on WTO Law, in particular Article 4 thereof entitled "Decision-Making".

Rule 34

When, in accordance with the Agreement, in particular Article 4, paragraph 2, decisions are required to be taken by vote, such votes shall be taken by ballot. Ballot papers shall be distributed to representatives of members present at the meeting and a ballot box placed in the conference room. However, the representative of any Member may request, or the Chairperson may suggest, that a vote be taken by the raising of cards or by roll call. In addition, where in accordance with the Agreement a vote by a qualified majority of all members is required to be taken, the General Assembly may decide, upon request from a Member or the suggestion of the Chairperson, that the vote be taken by airmail ballots or ballots transmitted by telegraph or telefax in accordance with the procedures described in Annex 1 to these rules.

VIII. LANGUAGES

Rule 35

English, French and Spanish shall be the working languages of the Secretariat of the Centre.

IX. RECORDS

Rule 36

Records of the discussions of the General Assembly shall be in the form of reports.¹

X. PUBLICITY OF MEETINGS

Rule 37

The meetings of the General Assembly shall ordinarily be held in private. It may be decided that a particular meeting or meetings should be held in public.

Rule 38

After a private meeting has been held, the Chairperson may issue a communiqué to the press.

XI. REVISION

Rule 39

The General Assembly may decide at any time to revise these rules or any part of them.

¹ Representatives may, upon their request, verify those portions of the draft records containing their statements, prior to the issuance of such records.

ANNEX 1: RULES FOR AIRMAIL BALLOTS AND BALLOTS TRANSMITTED BY TELEGRAPH OR TELEFAX

1. In any case where the General Assembly decides that a vote be taken by airmail ballots or ballots transmitted by telegraph or telefax, ballot papers shall be distributed to representatives of members present at the meeting and a notice shall be sent to each Member. The notice shall contain such information as the Chairperson considers necessary and a clear statement of the question to which each Member shall be requested to answer "yes" or "no".
2. The Chairperson of the General Assembly shall determine the date and hour by which votes must be received. The time-limit shall be set at no later than thirty days after the date the notice is sent. Any Member from which a vote has not been received within such time-limit shall be regarded as not voting.
3. Members entitled to participate in a vote by airmail ballots or ballots transmitted by telegraph or telefax are those which are members at the time of the decision to submit the matter in question to a vote.

ANNEX 2: GUIDELINES FOR OBSERVER STATUS FOR GOVERNMENTS IN THE CENTRE

1. Governments seeking observer status in the General Assembly shall address a communication to that body indicating their reasons for seeking such status. Such requests shall be examined on a case-by-case basis by the General Assembly.
 2. Governments accorded observer status at sessions of the General Assembly shall, in accordance with the procedures described below, be invited to attend sessions of the General Assembly as observers.
 3. The purpose of observer status in the General Assembly is to allow a government to better acquaint itself with the Advisory Centre on WTO Law and its activities, and to prepare and initiate negotiations for accession to the Agreement establishing the Advisory Centre on WTO Law, in accordance with Article 16 of said Agreement.
 4. Governments wishing to request observer status in the General Assembly shall address to that body a communication expressing the intent to accede to the Agreement within a maximum period of two years.
 5. The General Assembly shall examine requests for observer status by governments on a case-by-case basis.
 6. Observer status in the General Assembly shall be granted initially for a period of two years.
 7. Observer governments shall have access to the main documents of the Centre.
 8. Representatives of governments accorded observer status may be invited to speak at meetings of the General Assembly normally after members have spoken. The right to speak does not include the right to make proposals, unless a government is specifically invited to do so, nor to participate in decision-making.
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