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AT-LARGE COMMUNITY

DRAFT ORDINARY RULES OF PROCEDURE

FOR

MEETINGS OF DELIBERATIVE BODIES OF THE COMMUNITY

prepared by the ICANN Staff and the Secretariat of LACRALO

Introductory Note

These draft Rules of Procedure are presented to the community as the basis for Rules of Procedure to be used for meetings such as General Assemblies of RALOs, for the convening and operations of subcommittees established by RALOs, or in concert with the At-Large Advisory Committee.

It shall be for the RALOs, and the ALAC, to determine whether or not modifications will be made before adoption of these Rules, and RALOs may amend the rules for their use as they shall see fit; it is not necessary for the community as a whole to adopt rules which are identical.

Once adopted these rules are meant to be used as a routine matter in the operations of the meetings of the community.

The source of the Ordinary Rules is the Rules of Procedure used by the General Assembly of States Parties to the Convention Concerning the Protection of the World Cultural and Natural Heritage and closely follow the Rules of Procedure of the UN agency UNESCO.

Since the complete Rules in the source are very extensive, and might be thought more detailed than are needed for routine use by the At-Large community, the ICANN Staff and the LACRALO Secretariat present herein a simplified version of the complete Rules of Procedure.

The drafters have provided, however, that the full Rules of Procedure of the UN General Assembly may be invoked by participants of any meeting, or the Chair of any meeting, which

is using these Ordinary Rules, as needed, to allow complex situations or difficult negotiations to be facilitated in a rules-based framework.

The UNGA Rules of Procedure are available in several languages and may be retrieved from <http://documents.un.org/advance.asp> by searching for the symbol 'A/520'. The version current as of the date of this document is Rev 16.

The source of the Ordinary Rules may be retrieved from <http://whc.unesco.org/en/garules/> in both English and French versions.

[End of introduction]

ORDINARY RULES OF PROCEDURE

DEFINITIONS

The following terms when used in these Rules of Procedure shall have the meanings here indicated:

“General Assembly” or “Assembly” means any meeting or conference, or standing constituent body of the At-Large Community, as well as actual General Assembly sessions of a Regional At-Large Organisation;

“At-Large Structure” or “ALS” means any organisation that has applied for, and been granted, such status by the then-current process and according to the then-current requirements as decided by and defined by ICANN.

“Virtual Meeting” shall mean a meeting in which all participants are unable to participate synchronously with all other participants, such as a meeting conducted over time via an electronic mailing list. In a Virtual Meeting, any reference in the Rules to ‘speaking’ or to ‘speak’ shall mean ‘communicate’ and vice-versa.

I. PARTICIPATION AND ACCREDITATION

Rule 1 - Chief Participants

1.1 The two (2) representatives of each accredited At Large Structure on or before the opening of a session of the Assembly may participate in the work of the Assembly.

1.2 The representatives of At Large Structures that have applied for accreditation to ALAC but not yet accredited may participate in the work of the Assembly **as observers** subject to Rule 7.3.

1.3 Individuals representing themselves or other organizations who have participated in the work of the Assembly through a connection with an ALS previously may participate in the work of the Assembly **as observers** subject to Rule 7.3.

1.4 The **right to vote** in the General Assembly is reserved for the representatives of accredited ALSes per Rule 1.1 which have indicated their consent to be bound by the terms of the Memorandum of Understanding with ICANN, as may be amended from time to time, and the Operating Principles or other constitutive instruments of the Region, in the form and manner determined by the Secretariat of the Regional At-Large Organisation.

II. ORGANIZATION OF THE ASSEMBLY

Rule 2 - Election of Officers

2.1 The Assembly shall elect a Chairperson, at least two (2) Vice-Chairpersons and a Rapporteur by simple majority of accredited ALS present and voting. These offices shall be automatically vacated upon the adjournment of each General Assembly, unless the Assembly shall decide otherwise. The Chair and Vice-Chair of a meeting may be re-elected to serve in those positions by a later Assembly.

Rule 3 - Qualification Criteria for Officers

All officers must be official representatives of accredited At Large Structures.

III. CONDUCT OF BUSINESS

Rule 4 - Duties of the Chairperson

4.1 The Chairperson shall open and close each plenary meeting of the Assembly. He/She shall direct the discussions, ensure observance of these Rules, accord the right to speak, put questions to the vote and announce decisions. He/She shall rule on points of order and, subject to the present Rules, shall control the proceedings and the maintenance of order. He/She shall not vote, but he/she may instruct another member of his/her delegation to vote on behalf of the organisation of which he/she is a representative.

4.2 Should the Chairperson be absent during a meeting, or any part thereof, he/she shall be replaced by the Vice-Chairperson. A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

Rule 5 - Public Meetings

5.1 Meetings shall be held in public unless decided otherwise by the Assembly.

Rule 6 - Quorum

6.1 A quorum shall consist of a simple majority of the accredited ALS referred to in Rule 1.1 present and represented at the Assembly.

6.2 The Assembly shall not decide on any matter unless a quorum is present.

Rule 7 - Order and Time Limit of Speakers

7.1 The Chairperson shall call upon speakers in the order in which they signify their wish to speak.

7.2 For the convenience of the discussion, the Chair may limit the time to be allowed to each speaker. The chair may also, for the same purpose, limit the number of speakers on a question.

7.3 The consent of the Chair must be obtained whenever an observer wishes to address the Assembly.

Rule 8 - Points of Order

8.1 During a discussion, any delegate may raise a point of order; such a point of order shall be immediately decided upon by the presiding officer.

8.2 An appeal may be made against the ruling of the presiding officer. Such an appeal shall be put to the vote immediately and the presiding officer's ruling shall stand, unless overruled by a majority of the delegations present and voting.

Rule 9 - Procedural Motions

9.1 During a discussion, any delegate may move the suspension or adjournment of the meeting or the adjournment or closure of the debate.

9.2 Such a motion shall be put to the vote immediately. Subject to Rule 8.1, such motions shall have precedence in the following order over all other proposals or motions before the meeting:

- (a) Suspension of the meeting;
- (b) Adjournment of the meeting;
- (c) Adjournment of the debate on the question under discussion;
- (d) Closure of the debate on the question under discussion.

Rule 10 - Working Languages

10.1 The working languages of the Assembly shall be as decided by the Assembly from time to time.

10.2 Speeches made at the Assembly in one of the working languages shall be simultaneously interpreted into the other working languages, subject to the availability of interpreters and funding for the interpretation service.

Rule 11 - Resolutions and Amendments

11.1 Draft resolutions and amendments may be proposed by the participants referred to in Rule 1 and shall be transmitted in writing to the Secretariat of the Assembly, which shall circulate copies to all participants.

11.2 As a general rule, no draft resolution or amendment shall be discussed or put to the vote unless it has been circulated sufficiently in advance to all participants in the working languages of the Assembly.

Rule 12 - Voting

12.1 Each accredited At Large Structure referred to in Rule 1, subject to Rule 1.4, shall have one vote in the Assembly, save always that observers shall not have the right to vote.

12.2 Subject to the provisions of Rules 6.2 and 16, decisions shall be taken by a majority of the At Large Structures present and voting; for the purpose of the present Rules, the expression "At Large Structures present and voting" shall mean At Large Structures casting an affirmative or negative vote. At Large Structures abstaining from voting shall be regarded as having not voted.

12.3 Voting shall normally be by a show of hands. Electronic voting shall also be permitted where the Chair indicates that this manner of voting shall be used.

12.4 When the result of a vote by show of hands is in doubt, the presiding officer may take a second vote by a roll-call. A vote by roll-call shall also be taken if it is requested by not less than two delegations before the voting takes place.

12.5 When an amendment to a proposal is moved, the amendment shall be voted on first. When two or more amendments to a proposal are moved, the Assembly shall first vote on the amendment deemed by the presiding officer to be 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.

12.6 If one or more amendments are adopted, the amended proposal shall then be voted upon as a whole.

12.7 A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

12.8 The Assembly shall endeavour, when discussing any non-procedural question, to decide issues before it by general agreement. Voting shall be relied upon only to the extent that is necessary in cases where general agreement cannot be reached. Where a vote on a non-procedural question shall be required, the measure shall be carried if it receives a two-thirds vote of those ALSes present and voting.

12.9 The number of votes cast for or against any motion shall be limited by the following calculation with respect to any Assembly that is international in nature:

- a) The number of countries or territories covered by the entire membership of the Assembly shall form the numerator.
- b) The denominator shall be 100.
- c) The result of the division of (a)/(b) shall be multiplied by 100.
- d) The result of 12.9(c) shall be known as the Maximum Percentage.
- e) The votes cast by delegates representing ALSes normally domiciled in any one country may not in the aggregate exceed the Maximum Percentage. This calculation shall be separately applied to votes for and against any motion.

Rule 13 - Procedures for the Presentation of Candidatures

13.1 The Secretariat shall ask all accredited ALS whether they intend to stand for election in the General Assembly at least two months prior to the opening of the General Assembly. Candidature must be declared and filed with the Secretariat at least four weeks prior to the opening of the General Assembly.

13.2 At least four weeks prior to the opening of the General Assembly the Secretariat shall send to all accredited representatives the list of ALS and their candidates. This list of candidatures may be revised as necessary, subject to other qualification rules that may be adopted by the General Assembly.

13.3 This list of candidatures shall be finalized and closed at least 48 hours before the opening of the General Assembly.

IV. SECRETARIAT OF THE MEETING

Rule 15 - Secretariat

15.1 The Secretariat shall be elected on an annual basis by the General Assembly. He/She shall not vote, but he/she may instruct another member of his/her delegation to vote on his/her behalf. He/She may, at any time, make either oral or written statements to the Assembly on any question under discussion.

15.3 The Secretariat shall receive, translate and distribute all official documents and shall arrange for the interpretation of the discussions, as provided in Rule 10. It shall also perform all other duties necessary for the proper conduct of the work of the Assembly.

15.4 The Secretariat shall act as Chair of the meeting in order to conduct elections for the Chair and Vice-Chair, and shall cease to be Chair upon the election of the referenced officers.

15.5 Where there is a fee for membership of the organization of which the Assembly is the decision-making body, the Secretariat will provide information on the status of all compulsory and voluntary contributions to all requestors, as applicable, prior to the opening of the Assembly.

V. ADOPTION AND AMENDMENT OF THE RULES OF PROCEDURE

Rule 16 - Adoption

The General Assembly shall adopt its Rules of Procedure by a decision taken in plenary meeting by a simple majority of the representatives of ALS present and voting.

Rule 17 - Amendment

The Assembly may amend these Rules of Procedure by a decision taken in plenary meeting by a two-thirds majority of the representatives of ALS present and voting.

VI. ADDITIONAL RULES OF PROCEDURE

Rule 18 – Invocation of the UN General Assembly Rules of Procedure

18.1 Any delegate may, on a point of order, invoke any rule or rules of the then-current United Nations General Assembly Rules of Procedure where certain of those Rules would, in their view, facilitate the work of the Assembly. Subject to Rule 18.6, any UNGA Rule may be invoked.

18.2 The Chair of the Assembly may likewise invoke any rule or rules from the same source for the same reasons.

18.3 When Rule 18.1 or 18.2 is invoked, the Chair may terminate the operation of the rules so invoked at a time of his or her choosing, or, if he believes that the invocation is not in the interests of the Assembly, may refuse to allow the invocation.

18.4 Where the UNGA Rules of Procedure are invoked through the provisions of Rule 18.1 or 18.2, should a conflict arise between the rule or rules invoked and these rules, these Rules shall take precedence, except where the combination of these Rules and those invoked would result in an impractical or unworkable process in the judgment of the Chair.

18.5 The following terms in the UNGA Rules of Procedure shall have the following meanings when invoked under this Rule:

“President” shall mean “Chair”

Vice-President” shall mean “Vice-Chair”

“Member” “Members”, or “Members of the United Nations” shall mean that class of delegate referred to in Rule 1.2 of these Rules

“Secretary-General” shall indicate the senior person responsible for the operations of the Secretariat.

“United Nations” shall mean “Regional At-Large Organisation” or the relevant other process or body of the At-Large community, including the entire community where that would be the logical intent in the context of the rule, which is availing itself of these Rules of Procedure.

“Important Questions” shall mean “matters of substance”

“Security Council” shall mean “At-Large Advisory Committee”

18.6 The following UNGA Rules may not be invoked under either Rule 18.1 or 18.2. Where a range of rules is indicated, that range shall be inclusive of the indicated beginning and ending Rules:

Rules 4, 49, 51, 52, 55, 98(a), 98(b), 134 – 138, 142 – 151

VII. MODIFICATIONS TO THE RULES WHERE A VIRTUAL MEETING IS HELD

19 When a Virtual Meeting of the Assembly is held, the following Rules shall not apply:

6, 12.3

20 When a Virtual Meeting of the Assembly is held, the following Rules shall replace the original:

7 The Chair shall communicate the beginning and the ending of the debate upon a given topic. Members shall be out of order if they continue to communicate to the meeting on a question after the Chair has communicated the ending of debate and out of order communications shall not form a part of the record of the Assembly.

12.4 All Voting shall be conducted electronically. The Chair shall declare the length of time during which votes shall be cast, and the date and time of the closing of the vote. The Secretariat shall ensure that the results of the vote, including the votes cast and by which voter, are available to all representatives.