

29 November 2012

**ASSEMBLY OF PARTIES
FIRST SESSION**

Doc #: AOP1-Res-1

RESOLUTION

The Assembly of Parties,

Adopts the *Rules of Procedure for the Assembly of Parties of the International Anti-Corruption Academy*, as annexed.

**Rules of Procedure
for the
Assembly of Parties
of the
International Anti-Corruption Academy**

Laxenburg/Vienna, 2012

Adopted by the 1st session of the AoP

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I. General

Rule 1 Use of Terms

For the purposes of these Rules:

- (a) "Academy" means the International Anti-Corruption Academy;
- (b) "Agreement" means the Agreement for the Establishment of the International Anti-Corruption Academy as an International Organization;
- (c) "Assembly" means the Assembly of Parties of the Academy;
- (d) "Board" means the Board of Governors of the Academy;
- (e) "Bureau" means the Bureau of the Assembly as defined in Rules 30 to 31;
- (f) "Dean" means the Dean of the Academy;
- (g) "Executive Secretary" means the Executive Secretary to the Assembly as defined in Rule 32;
- (h) "International Organization/International Organizations" means Intergovernmental Organization/Intergovernmental Organizations;
- (i) "Observer/Observers" means Observer/Observers to the Assembly as defined in Rules 14 to 17;
- (j) "Party/Parties" means the Party/Parties to the Agreement for the Establishment of the International Anti-Corruption Academy as an International Organization;
- (k) "Regions" refers to the United Nations Regional Groups;
- (l) "Rules" means the Rules of Procedure for the Assembly of Parties to the Agreement;
- (m) "Session" means any session of the Assembly convened in accordance with Article V of the Agreement and with the present Rules;
- (n) "Secretariat" means the Secretariat of the Assembly as defined in Rule 32.

Rule 2 Scope of Application

These Rules of Procedure shall apply to any session of the Assembly convened in accordance with Article V of the Agreement.

II. Sessions

Rule 3 Regular Sessions

1. The Assembly shall meet in regular sessions, which shall be held annually unless it decides otherwise.

2. Unless otherwise decided by the Assembly, sessions shall be held preferably in the fourth quarter of each year.
3. The date of commencement and duration of each regular session shall be decided by the Assembly at the previous session, on the recommendation of the Bureau of the Assembly made in consultation with the Secretariat.

Rule 4 Special Sessions

1. Special sessions of the Assembly shall be held as agreed by a majority of Parties. The Board or the Dean may recommend to the Bureau to convene for special sessions.
2. Any Party or the Bureau may request the Secretariat to convene a special session of the Assembly. The Secretariat shall immediately inform the other Parties of the request and enquire whether they concur in it. If within thirty days of the date of the communication of the Secretariat a majority of the Parties concur in the request, a special session of the Assembly shall be convened. Such special session shall be held at the earliest convenient date, subject to the availability of funding, including extrabudgetary funding.

Rule 5 Notification of Sessions

The Secretariat shall notify the Parties, as well as the Observers referred to in Rules 14 to 17, at least sixty days in advance of a regular session and at least thirty days in advance of a special session, of the opening date, place, and expected duration thereof.

Rule 6 Place of Sessions

The sessions of the Assembly shall take place at the seat of the Academy (which, for this purpose, shall include Vienna), unless the Assembly decides otherwise or other appropriate arrangements are made by the Secretariat in consultation with the Parties.

Rule 7 Temporary Adjournment of Sessions

The Assembly may decide at any session to adjourn temporarily and resume its meetings at a later date.

III. Agenda

Rule 8 Drawing up of the Provisional Agenda

1. The provisional agenda for a session shall be drawn up by the Secretariat.
2. The provisional agenda for a session shall include:

- (a) Items arising from the provisions of the Agreement;
- (b) Items the inclusion of which has been decided at a previous session of the Assembly;
- (c) Items relating to the organization of the session;
- (d) Any item proposed by any Party, the Bureau, the Board or the Dean.

Rule 9 Communication of the Provisional Agenda

The provisional agenda for a session shall be communicated by the Secretariat to the Parties, the Board, and the Observers, at least sixty days in advance of a regular session and at least thirty days in advance of a special session, together with any supplementary documentation, if necessary.

Rule 10 Explanatory Memorandum

Any item proposed for inclusion in the agenda shall be accompanied by an explanatory memorandum and, if possible, by basic documents or by a draft recommendation or decision.

Rule 11 Adoption of the Agenda

At each session, the provisional agenda shall be submitted to the Assembly for consideration and approval as soon as possible after the opening of the session.

IV. Representation of Parties

Rule 12 Representation of Parties

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

Rule 13 Alternates

Each representative may designate any alternate in his or her delegation to act in his or her place during the Assembly.

V. Observers

Rule 14 Participation of Signatories and UNODC

1. Subject to prior written notification to the Executive Secretary, any Signatory, and UNODC shall be entitled to participate as an Observer in the Assembly.
2. Participation of such Signatories and UNODC shall entitle them:
 - (a) To attend meetings of the Assembly;
 - (b) To deliver statements at such meetings;
 - (c) To receive the documents of the Assembly;
 - (d) To submit their views in writing to the Assembly; and
 - (e) To participate in the deliberative process of the Assembly.

Rule 15 Participation of Non-Signatories

1. Any other State or International Organization than the ones referred to in Rule 12 may apply to the Bureau for observer status, which shall be accorded unless otherwise decided by the Assembly.
2. Without taking part in the adoption of decisions, whether by consensus or by vote, at the Assembly, such States and International Organizations may:
 - (a) Attend plenary meetings of the Assembly;
 - (b) Deliver statements at such meetings at the invitation of the President in consultation with the Bureau;
 - (c) Receive the documents of the Assembly; and
 - (d) Submit their views in writing to the Assembly.

Rule 16 Participation of Entities, United Nations Bodies, Specialized Agencies and Funds as well as Functional Commissions of the Economic and Social Council of the United Nations

1. Subject to prior written notification to the Executive Secretary, representatives of entities and organizations that have received a standing invitation from the General Assembly of the United Nations 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 of the United Nations, shall be entitled to participate as Observers in the Assembly.
2. Without taking part in the adoption of decisions, whether by consensus or by vote, at the Assembly, such entities and organizations may:



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

Rule 17 **Participation of Non-governmental Organizations**

1. Relevant non-governmental organizations having consultative status with the Economic and Social Council of the United Nations may apply to the Bureau for observer status, which should be accorded unless otherwise decided by the Assembly.

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 Assembly. If there is no objection to a non-governmental organization, observer status should be accorded unless otherwise decided by the Assembly. If there is an objection, the matter will be referred to the Assembly for a decision.

3. Without taking part in the adoption of decisions, whether by consensus or by vote, at the Assembly, such non-governmental organizations may:

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

VI. Credentials

Rule 18 **Submission of Credentials**

1. The credentials of representatives of each Party and the names of the persons constituting the Party's delegation shall be submitted to the Executive Secretary if possible not later than twenty-four hours in advance of the opening of the session.

2. Any later change in the composition of the delegation shall also be submitted to the Executive Secretary.

3. The credentials shall be issued by the Head of State or Government, by the Minister for Foreign Affairs, or by the Permanent Representative of the Party in accordance with its domestic law or, in the case of an international organization, by the competent authority of that organization.



Rule 19 Examination of Credentials

The Bureau of any session shall examine the credentials and submit its report to the Assembly.

Rule 20 Provisional Admission to a Session

Pending a decision of the Bureau upon their credentials, representatives shall be entitled to participate provisionally in the session. Any representative of a Party to whose admission another Party has made objection shall be seated provisionally with the same rights as other representatives of Parties until the Bureau has reported and the Assembly has taken its decision.

Rule 21 Notification regarding Participation of Representatives of Observers

The names of representatives of Observers and of alternates and advisers who accompany them shall be submitted to the Executive Secretary if possible not later than seven days in advance of the opening of the session. Any later change in the composition of the delegation shall also be submitted to the Executive Secretary.

VII. Officers

Rule 22 Election

1. At the opening of each session, a President, two Vice-Presidents, and two Rapporteurs shall be elected from among the representatives of the Parties that are present at the session.
2. The President, the Vice-Presidents, and the two Rapporteurs shall serve as the officers of the session.
3. In electing the officers of the session, each of the five Regions shall be represented by one officer. The offices of the President and Rapporteurs of the Assembly shall normally be subject to rotation among the five Regions.

Rule 23 Term of Office

The President, the Vice-Presidents and the two Rapporteurs shall hold office until their successors are elected at the next session.

Rule 24 Acting President

If the President finds it necessary to be absent during a session or any part thereof, he or she shall designate one of the Vice-Presidents to take his or her place.

Rule 25 Powers and Duties of the Acting President

A Vice-President acting as President shall have the same powers and duties as the President.

Rule 26 Replacement of the President

1. If the President is unable to perform his or her functions, the Assembly shall elect a new President from among the representatives of the Parties of the same Region as the President.

2. If such a replacement becomes necessary after the closure of the session, the officers shall select a new President from among the Vice-Presidents. The Party of the replaced President shall have the right to fill the vacancy in the Bureau thus created.

Rule 27 General Powers of the President

In addition to exercising the powers conferred upon him or her elsewhere by these Rules, the President shall declare the opening and closing of each plenary meeting of the session, direct the discussions in plenary meeting, ensure observance of these Rules, accord the right to speak, put questions to the vote, and announce decisions. He or she shall rule on points of order and, subject to these Rules, shall have complete control of the proceedings at any meeting and over the maintenance of order thereat. The President may, in the course of the discussion of an item, propose to the Assembly the limitation of the time to be allowed to speakers, the limitation of the number of times each representative may speak, the closure of the list of speakers or the closure of the debate. He or she may also propose the suspension or the adjournment of the meeting or the adjournment of the debate on the item under discussion. He or she may also make statements on behalf of the Assembly.

Rule 28 The President Shall Remain under the Authority of the Assembly

The President, in the exercise of his or her functions, shall remain under the authority of the Assembly.

Rule 29 The President Shall Not Vote

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



VIII. Bureau

Rule 30 Composition and Functions

The President, the Vice-Presidents, and the two Rapporteurs shall constitute the Bureau of the Assembly, which shall meet as necessary during the session to review the progress of work and to make recommendations for furthering such progress. It shall also meet at such other times as the President deems necessary or upon the request of any other of its members. The Bureau shall assist the President in the general conduct of work that falls within the competence of the President and perform such other functions as foreseen by these Rules.

Rule 31 Replacement of Officers of the Bureau

If an officer of the Bureau other than the President resigns or is otherwise unable to complete the assigned term of office or to perform the functions of that office, a representative of the same Party shall be named by the Party concerned to replace the said officer for the remainder of that officer's mandate.

IX. Executive Secretary and Secretariat

Rule 32 Executive Secretary and Secretariat

1. The Dean shall act as Executive Secretary and shall participate in that capacity in all sessions of the Assembly. He or she shall be supported by the Secretariat composed of staff of the Academy.
2. The Executive Secretary may designate a member of the Secretariat to act in his or her place at those meetings.
3. Under the direction of the Executive Secretary, the Secretariat shall receive, reproduce and distribute documents, reports and decisions of the Assembly; prepare, print, and circulate the reports of the session; have the custody and proper preservation of the documents in the archives of the Academy; distribute all documents of the Assembly; assist the Bureau in the performance of their functions; and, generally, perform all other work and functions that the Assembly may require. The Secretariat may decide to issue materials in electronic form only.

X. Language

Rule 33 Official and Working Language

1. English shall be both the official and the working language of the Assembly.
2. Subject to the availability of voluntary contributions, any of the UN official languages can be additionally used to facilitate the work of the Assembly.

Rule 34

Interpretation of Speeches Made in a Language other than the Official Language

Any representatives may make a speech in a language other than the official language of the Assembly. In that case, he or she shall provide for interpretation and/or translation into the official language of the Assembly.

Rule 35

Language of Documents Submitted by Parties and Observers

All documents submitted by Parties and Observers to the Secretariat shall be in the official language of the Assembly.

Rule 36

Language of Recommendations and Decisions

All recommendations, decisions and other documents shall be published in the official language of the Assembly.

XI. Records

Rule 37

Sound and Video Recordings of Meetings

Sound, and if necessary video, recordings of meetings of the Assembly may be made by the Secretariat.

XII. Public and Private Meetings

Rule 38

General Principles

1. The plenary meetings of the Assembly shall normally be held in public unless the Assembly decides otherwise.
2. Meetings of the Bureau shall be held in private unless the Bureau decides otherwise.
3. Decisions of the Assembly taken at a private meeting shall be announced at the following public meeting.

XIII. Conduct of Business

Rule 39

Quorum

1. The President may declare a meeting of the Assembly open and permit the debate to proceed when at least one third of the Parties participating in the session are present.

2. The presence of a majority of the Parties shall be required for any decision to be taken.

Rule 40 Speeches

No representative may address the Assembly without having previously obtained the permission of the President. The President shall call upon speakers in the order in which they signify their desire to speak. The President may call a speaker to order if his or her remarks are not relevant to the subject under discussion.

Rule 41 Statements by the Secretariat

The Executive Secretary, or a member of the Secretariat designated by him or her as his or her representative, may at any time make either oral or written statements to the Assembly concerning any question under consideration by it.

Rule 42 Points of Order

During the discussion of any matter, a representative of a Party may rise to a point of order and the point of order shall be immediately decided by the President in accordance with these Rules. A representative of a Party 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 Parties present and voting. A representative of a Party rising to a point of order may not speak on the substance of the matter under discussion.

Rule 43 Time Limit on Speeches

The Assembly may limit the time to be allowed to each speaker and the number of times each representative may speak on any question. Before a decision is taken, two representatives of Parties may speak in favour of, and two against, a proposal to set such limits. When the debate is limited and a representative exceeds his or her allotted time, the President shall call him or her to order without delay.

Rule 44 Closing of the List of Speakers and Right of Reply

During the course of a debate, the President may announce the list of speakers and, with the consent of the Assembly, declare the list closed. He or she may, however, accord the right of reply to any representative if a speech delivered after he or she has declared the list closed makes this desirable.

Rule 45 Adjournment of Debate

During the discussion of any matter, a representative of a Party may move the adjournment of the debate on the item under discussion. In addition to the proposer of the motion, two representatives of Parties may speak in favour of, and two against, the motion, after which the motion shall be immediately decided upon, if necessary by



being put to the vote. The President may limit the time to be allowed to speakers under this rule.

Rule 46 Closure of Debate

A representative of a Party may at any time move orally the closure of the debate on the item under discussion, whether or not any other representative has signified his or her wish to speak. Permission to speak on the closure of the debate shall be accorded only to two representatives of Parties opposing the closure, after which the motion shall be immediately decided upon, if necessary by being put to the vote. If the Assembly is in favour of the closure, the President shall declare the closure of the debate. The President may limit the time to be allowed to speakers under this rule.

Rule 47 Suspension or Adjournment of the Meeting

During the discussion of any matter, a representative of a Party may move orally the suspension or the adjournment of the meeting. Such motions shall not be debated, but shall be immediately put to the vote. The President may limit the time to be allowed to the speaker moving the suspension or adjournment of the meeting.

Rule 48 Order of Procedural Motions

Subject to Rule 41, the procedural motions indicated below shall have precedence in the following order over all other proposals or motions before the meeting:

- (a) To suspend the meeting;
- (b) To adjourn the meeting;
- (c) To adjourn the debate on the item under discussion;
- (d) To close the debate on the item under discussion.

Rule 49 Proposals and Amendments

Proposals and amendments shall be submitted by Parties in accordance with Rule 12 and Signatories and UNODC pursuant to Rule 14, normally in writing, to the Secretariat, which shall circulate copies to the delegations. As a general rule, no proposal shall be discussed or considered for decision at any meeting of the Assembly unless copies of it have been circulated to all participants in the official language of the Assembly not later than one day in advance of the meeting. 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.

Rule 50 Proposals of Amendments to the Agreement

Proposals of amendments to the Agreement shall be communicated to the Parties by

the Secretariat at least six months in advance of the session at which they are proposed for consideration and decision.

Rule 51 Decisions on Competence

Subject to Rule 47, any motion by a Party calling for a decision on the competence of the Assembly to adopt a proposal submitted to it shall be put to the vote before a decision is taken on the proposal in question.

Rule 52 Withdrawal of Proposals and Motions

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

Rule 53 Reconsideration of Proposals and Amendments

When a proposal or amendment has been adopted or rejected, it shall not be reconsidered at the same session unless the Assembly, by a two-thirds majority of the Parties present and voting, so agrees. Permission to speak on a motion to reconsider shall be accorded only to two speakers of Parties opposing reconsideration, after which the motion shall be immediately put to the vote.

XIV. Decision-making

Rule 54 Consensus

Parties shall make every effort to adopt decisions in the Assembly by consensus.

Rule 55 Voting Rights

If consensus cannot be reached, decisions shall be taken by vote and pursuant to Article V, paragraph 2 of the Agreement, each Party shall have one vote.

Rule 56 Majority Voting

Parties shall make every effort to adopt decisions in the Assembly by consensus. If reasonable efforts to reach consensus have been exhausted and no agreement has been reached, all decisions of the Assembly shall be taken by a simple majority of the Parties present and voting, except as provided otherwise in the Agreement.



Rule 57 Amendments to the Agreement

The Agreement shall be amended only with the consent of all Parties to the Agreement. Notification of such consent shall be made in writing to the Depositary by the Executive Secretary. Any such amendment shall come into force upon receipt by the Depositary of the notification of all Parties to this Agreement, or at such other date as the Parties may agree.

Rule 58 Meaning of the Phrase “Parties present and voting”

For the purposes of these Rules, the phrase “Parties present and voting” means Parties casting an affirmative or negative vote. Parties that abstain from voting are considered as not voting.

Rule 59 Method of Voting

The Assembly shall normally vote by show of hands or by standing, but any single representative may request a roll-call. The roll-call shall be taken in the English alphabetical order of the names of the Parties, beginning with the Party whose name is drawn by lot by the President. The name of each Party shall be called in any roll-call and one of its representatives shall reply “yes”, “no” or “abstention”. The result of the voting shall be inserted in the report in the English alphabetical order of the names of the Parties.

Rule 60 Conduct during Voting

After the President has announced the commencement of voting, no representative shall interrupt the voting, except that representatives of Parties may interrupt on a point of order in connection with the actual conduct of the voting.

Rule 61 Explanation of Vote or Position

1. Representatives of Parties may make brief statements consisting solely of explanations of their votes before the voting has commenced or after the voting has been completed, except when the vote is taken by secret ballot. The representative of a Party sponsoring a proposal or motion shall not speak in explanation of vote thereon, except if it has been amended. The President may limit the time to be allowed for such explanations.

2. Similarly, explanatory statements of position may be made in connection with a decision taken without a vote.

Rule 62 Division of Proposals and Amendments

A representative of a Party may move that parts of a proposal or of an amendment shall be voted on separately. If objection is made to the request for division, the

motion for division shall be first voted upon. Permission to speak on the motion for division shall be given only to two representatives of Parties in favour and two representatives against. If the motion for division is carried, those parts of the proposal or of the amendment which are subsequently approved shall 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.

Rule 63

Voting on Amendments

1. When an amendment to a proposal is moved, the amendment shall be voted first. When two or more amendments are moved to a proposal, the Assembly shall first vote on the amendment deemed by the President 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. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

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

Rule 64

Voting on Proposals

If two or more proposals relate to the same question, the Assembly shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Assembly may, after each vote on a proposal, decide whether to vote on the next proposal.

Rule 65

Elections

1. All elections shall be held by secret ballot unless, in the absence of any objection, the Assembly decides to proceed without taking a ballot on an agreed candidate or slate of candidates. There shall be no nominations.

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

3. If the number of candidates obtaining such majority is less than the number of places to be filled, additional ballots shall be held to fill the remaining places.

Rule 66

Equally Divided Votes

If a vote is equally divided, the President shall give additional time for reconsideration of the issue before the proposal is once again put to the vote. In case the vote is still equally divided, the proposal voted upon shall be considered rejected.



XV. Budgetary and Financial Questions

Rule 67 Expenses

The Parties shall be responsible for all costs and allowances of their representatives in connection with travel to and from and attendance at sessions of the Assembly.

Rule 68 Statements of Financial Implications

Any proposal or amendment that may have financial implications shall be accompanied by a statement of financial implications prepared by the Secretariat, which shall be made available to the Assembly prior to its consideration of and action upon the proposal or amendment in question.

XVI. Interpretation, Amendment and Suspension of the Rules of Procedure

Rule 69 Interpretation of Rules

The headings of these Rules, which were inserted for reference purposes only, shall be disregarded in the interpretation of the Rules.

Rule 70 Method of Amendment

These Rules may be amended by a decision of the Assembly taken by a simple majority of the Parties present and voting.

Rule 71 Suspension of Rules

Any of these Rules may be suspended, subject to the provisions of the Agreement, by a decision of the Assembly taken by a simple majority of the Parties present and voting.

Rule 72 Overriding Authority of the Agreement

In the event of any conflict between any provision of these Rules and the provision of the Agreement, the Agreement shall prevail.

Rule 73 Entry into Force

These Rules shall enter into force immediately after their adoption.