



United Nations
Educational, Scientific and
Cultural Organization



Convention for the fight
against the illicit trafficking
of cultural property

2 MSP

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**Meeting of States Parties to the Convention on the Means of Prohibiting and Preventing
the Illicit Import, Export and Transfer of Ownership of Cultural Property
(UNESCO, Paris, 1970)**

**Second Meeting
Paris, UNESCO Headquarters, Room II
20-21 June 2012**

Provisional agenda item 3:

**Adoption of the Rules of Procedure of the
Meeting of States Parties to the UNESCO
Convention on the Means of Prohibiting and
Preventing the Illicit Import, Export and Transfer
of Ownership of Cultural Property (1970)**

Decision required: paragraph 4

1. As part of the organization of the Second Meeting of States Parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970), the Secretariat of UNESCO has prepared the relevant documentation. The following provisional Rules of Procedure are based on the Rules of Procedure of the General Assembly of the States Parties to the Convention concerning the Protection of the World Cultural and Natural Heritage (Paris, 1972) and the Rules of Procedure of the General Assembly of the States Parties to the Convention for the Safeguarding of the Intangible Cultural Heritage (Paris, 2003).

2. The provisional Rules of Procedure comprises five chapters: (I) Participation, (II) Organization of the Meeting of States Parties, (III) Conduct of Business, (IV) Secretariat of the Meeting of States Parties, and (V) Adoption and Amendment of the Rules of Procedure.

3. The Rules of Procedure are the following and will become the definitive Rules of Procedure after their adoption by the Meeting of States Parties:

I. PARTICIPATION

Article 1 – Participants

The representatives of the States Parties to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property adopted by the General Conference on 14 November 1970 (hereinafter referred to as “the Convention”) may participate, with the right to vote, in the Meeting of States Parties.

Article 2 – Representatives and observers

2.1 The representatives of Member States of UNESCO not parties to the Convention, of Associate Members and of permanent observer missions to UNESCO may participate in the work of the Meeting of States Parties as observers, without the right to vote, and subject to Article 7.3.

2.2 Representatives of the United Nations and organizations of the United Nations system and other intergovernmental organizations that have concluded mutual representation agreements with UNESCO, as well as observers of intergovernmental and international non-governmental organizations invited by the Director-General, may participate in the work of the Meeting of States Parties, without the right to vote, and subject to Article 7.3.

2.3 Other representatives or observers invited by the Director-General may participate in the work of the Meeting of States Parties, without the right to vote, and subject to Article 7.3

II. ORGANIZATION OF THE MEETING OF STATES PARTIES

Article 3 – Election of officers

The Meeting of States Parties shall elect a Chairperson, one or more Vice-Chairperson(s) and a Rapporteur.

Article 4 – Duties of the Chairperson

- 4.1 In addition to exercising the powers conferred upon him/her elsewhere by the present Rules of Procedure, the Chairperson shall open and close each plenary meeting of the Meeting of States Parties. He/She shall direct the discussions, ensure observance of these Rules of Procedure, 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 of Procedure, 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 his/her behalf.
- 4.2 Should the Chairperson be absent during a meeting, or any part thereof, he/she shall be replaced by a Vice-Chairperson. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

III. CONDUCT OF BUSINESS

Article 5 – Public nature of meetings

Sessions shall be held in public unless decided otherwise by the Meeting of States Parties.

Article 6 – Quorum

- 6.1 A quorum shall consist of a majority of the States referred to in Article 1 and represented at the Meeting of States Parties.
- 6.2 The Meeting of States Parties shall not decide on any matter unless a quorum is present.

Article 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 Chairperson may limit the time to be allowed to each speaker.
- 7.3 The consent of the Chairperson must be obtained whenever an observer wishes to address the Meeting of States Parties.

Article 8 – Points of order

- 8.1 During a discussion, any delegation may raise a point of order; such a point of order shall be immediately decided upon by the Chairperson.
- 8.2 An appeal may be made against the ruling of the Chairperson. Such an appeal shall be put to the vote immediately and the Chairperson's ruling shall stand, unless overruled by a majority of the delegations present and voting.

Article 9 – Procedural motions

- 9.1 During a discussion, any delegation 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 Article 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.

Article 10 – Working languages

- 10.1 The working languages of the Meeting of States Parties shall be Arabic, Chinese, English, French, Russian and Spanish.

Article 11 – Resolutions and amendments

- 11.1 Draft resolutions and amendments may be proposed by the participants referred to in Article 1 and shall be transmitted in writing to the Secretariat of the Meeting of States Parties, 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 Meeting of States Parties.

Article 12 – Voting

- 12.1 The representative of each State referred to in Article 1 shall have one vote in the Meeting of States Parties.
- 12.2 Unless otherwise provided, decisions shall be taken by a majority of the States present and voting.
- 12.3 For the purpose of the present Rules of Procedure, the expression “States present and voting” shall mean States casting an affirmative or negative vote. States abstaining from voting shall be regarded as having not voted.
- 12.4 Voting shall normally be carried out by show of hands. When the result of a vote by show of hands is in doubt, the Chairperson may take a second vote by roll-call. A vote by roll-call shall also be taken if it is requested by no 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 Meeting of States Parties shall first vote on the amendment deemed by the Chairperson 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 adds to, deletes from or revises part of that proposal.

IV. SECRETARIAT OF THE MEETING OF STATES PARTIES

Article 13 – Secretariat

- 13.1 The Director-General of UNESCO or his/her representative shall participate in the work of the Meeting of States Parties, without the right to vote. He/She may, at any time, make either oral or written statements to the Meeting of States Parties on any question under discussion.
- 13.2 The Director-General of UNESCO shall appoint an official of the Secretariat of UNESCO to act as Secretary to the Meeting of States Parties, as well as other officials who shall together constitute the Secretariat of the Meeting of States Parties.
- 13.3 The Secretariat is charged with the tasks of receiving, translating and distributing all official documents of the Meeting of States Parties, and of interpreting discussion in accordance with Article 10 of the present Rules of Procedure. It shall perform any other task necessary for the proper conduct of the work of the Meeting of States Parties.

V. ADOPTION AND AMENDMENT OF THE RULES OF PROCEDURE

Article 14 – Adoption

The Meeting of States Parties shall adopt its Rules of Procedure by a decision taken in plenary meeting by a majority of States present and voting.

Article 15 – Amendment

The Meeting of States Parties may amend these Rules of Procedure by a decision taken in plenary meeting by a two-thirds majority of States present and voting.

4. The Meeting of States Parties may wish to adopt the following resolution:

DRAFT RESOLUTION 2.MSP 3

The Meeting of States Parties,

1. Having considered the provisional Rules of Procedure contained in document C70/12/2.MSP/3,
2. Adopts the Rules of Procedure as contained in the aforementioned document.