

# RULES OF PROCEDURES OF THE COMMITTEE

## I. REPRESENTATION AND CREDENTIALS

### **Article 1 Membership**

The membership of the Trade Negotiating Committee (hereinafter referred to as the "Committee") shall consist of:

The Member States of the Organisation of the Islamic Conference, which have become participating states in the Framework Agreement on a Trade Preferential System among the Member States of the Organisation of the Islamic Conference (Herein referred to as the Agreement) as defined in the Agreement Article 13 (a) of the Agreement in Annex II.

### **Article 2 Representation**

Each Participating State shall be represented by an accredited representative, who may be accompanied by such alternate representatives and advisers as may be required. The alternate representatives and advisers should also be included in the credentials.

### **Article 3 Observers**

- a) The OIC Member States which are not participating States may attend the meetings of the committee as observers.
- b) The Committee, upon request, may invite sub-regional and regional economic groupings composed of the Member States of the Organisation of the Islamic Conference only, which are not participants in the Agreement to attend the meetings as observers.
- c) Under such terms and conditions as it shall decide, the Committee may invite representatives of the OIC institutions operating in economic and trade fields; namely SESRTCIC, IDB, ICCI and OISA and of the United Nations and its organs, specialized agencies of the United Nations, the World Trade Organisation and other appropriate international and intergovernmental organizations to attend the meetings as observers.

- d) Observers referred to here above may express their views in the discussions when called upon by the Chair to do so, however not having the right to vote.

#### **Article 4 Credentials**

The credentials of representatives of participating states and the names of alternate representatives, advisers and observers shall be submitted to the Chairman by the Secretariat of the Committee, normally before each session of the Committee.

### **II. MEMBERS OF THE BUREAU**

#### **Article 5 Elections**

The Committee shall elect a Chairman and Three Vice-Chairmen for a term of one round. The principle of rotation and equitable geographical distribution between the three groupings of the Organisation of the Islamic Conference shall as far as possible be observed.

#### **Article 6 Acting Chairman**

In the absence of the Chairman from any meeting or part thereof, the Chairman shall designate one of the Vice-Chairmen to chair the meeting on rotational basis. In circumstances where no such designation is made, the first vice-chairman will act as the Chairman. When acting as Chairman, the Vice-Chairman shall have the same powers and duties as the Chairman.

#### **Article 7 Replacement of the Chairman**

If the Chairman ceases to represent a Participating State, or is incapacitated, the Committee shall elect a new Chairman in accordance-" with article 5, who shall assume office immediately for the remainder of the term.

### **III. FUNCTIONS AND SESSIONS OF THE COMMITTEE**

#### **Article 8 Functions**

- a) The Committee shall perform such functions as may be necessary to facilitate the operation and further the objectives of the Agreement. The Committee shall be responsible, on behalf of the COMCEC, for reviewing the application of the Agreement and the instruments adopted within its framework, monitoring the implementation of the results of the negotiations, carrying out consultations, making recommendations and suggesting decisions as required, and, in general, undertaking whatever measures may be required to ensure the adequate implementation of the objectives and the provisions of the Agreement.
- b) The Committee shall receive the proposals of participating states concerning trade negotiations and disseminate them to other participants within 45 days at the latest before the date of the meeting of the Committee, yet, beyond this deadline proposals shall be accepted upon the agreement of the Committee.
- c) The Committee shall keep under review the possibility of promoting further negotiations for the enlargement of the schedules of concessions and for the enhancement of trade among Participating States. The Committee shall also ensure prompt and complete dissemination of trade information in order to promote trade among Participating States.
- d) The Committee shall review disputes and make recommendations thereon on request and at a meeting devoted to this purpose, in accordance with article 15 of the Agreement. The Committee shall adopt appropriate rules for this purpose.
- e) The committee may adopt any other measures it may deem useful so as to complete its mission in a more effective manner .

#### **Article 9 Sessions**

Sessions of the Committee shall normally be held every 4 months or as required. The date and venue of the next session of the Committee shall be decided by the Committee in its current session. The Committee may decide, with consensus, to meet earlier or later than 4 months.

#### **Article 10 Convening of sessions**

In coordination with the Chairman, the Secretariat of the Committee shall send to each member a written notification of the date and place of

each session of the Committee together with the draft agenda and relevant documentation at least 45 days in advance of a session.

**ARTICLE 11**  
**Agenda**

In coordination with the Chairman, the secretariat of the Committee shall draw up the draft agenda for each session. Any Member State may propose items for inclusion in the draft agenda at least one month in advance of a session. The Committee shall adopt the agenda at the beginning of each session.

**IV. CONDUCT OF THE COMMITTEE'S PROCEEDINGS**

**Article 12**  
**Quorum**

A simple majority of the participating States' representatives participating in the Committee shall constitute the quorum. Should the quorum be challenged and the meeting adjourned in consequence, the Committee, shall decide on such appropriate measures to ensure that the proceedings of the Committee could continue.

**Article 13**  
**Functions of the Chairman**

The Chairman shall chair all meetings of the Committee. In addition the Chairman shall declare the opening and closing of each meeting, shall direct the discussion, accord the right to speak, put questions to the vote in case of disagreements, announce decisions, rule on points of order and in accordance with these rules, have responsibility and control over the proceedings. The Chairman may also recall the rules to the speaker in case he makes irrelevant observations. He may also limit the time allowed to each speaker. The Chairman shall also exercise such powers as may be conferred upon him elsewhere under these rules or as may be decided by the Committee.

**Article 14**  
**Points of order**

- a) During the discussion of any matters, a representative of any participating State may raise a point of order. In this case, the Chairman shall immediately state his ruling in accordance with these rules of procedures. If this ruling is challenged, the Chairman

- shall immediately submit it for decision, and the ruling shall stand valid unless the Committee decides otherwise by a simple majority.
- b) A representative shall not, in raising a point of order, speak on the substance of the matter under discussion.

**Article 15**  
**Adjournment of the debate**

During the discussion of any matter, a representative may propose the adjournment of the debate. In addition to the proposer 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 immediately put to the vote.

**Article 16**  
**Suspension or adjournment of the meeting**

During the discussion of any matter a representative may propose the suspension or adjournment of the meeting. Such motions shall not be debated, but shall be put to the vote immediately.

**V. DECISION MAKING**

**Article 17**  
**Consensus and voting**

- a) The Committee shall take all the decisions relating to trade negotiations by consensus.
- b) However, in case the committee doesn't reach consensus on other matters, it shall put them to the vote.

**Article 18**  
**Voting rights**

Each Participating State shall be entitled to one vote.

**Article 19**  
**Majority required**

In case the Committee resorts to the vote as referred to in article 17 paragraph b), its decisions shall be taken as follows:

- a) Decisions of the Committee on matters of substance shall be taken by a two-thirds majority of the representatives of participating states present and voting.

- b) Decisions of the Committee on matters of procedure shall be taken by a simple majority of the representatives of participating states present and voting.
- c) If the question arises whether a matter is one of procedure or substance, the Chairman shall rule thereon. An appeal against this ruling shall be put to the vote immediately and the Chairman's ruling shall stand valid unless overruled by a simple majority of the representatives of participating states present and voting.
- d) For the purpose of these rules of procedures, the phrase "representatives of participating states present and voting" means representatives of participating states present and casting an affirmative or negative vote. Representatives who abstain from voting shall be considered as not voting.

**Article 20**  
**Method of voting**

The Committee shall normally vote by show of hands,

However, if a representative of a Member State requests secret vote, the Committee shall decide upon that by a simple majority of Participating States.

**Article 21**  
**Amendments and end of the application of  
the rules of procedures**

Except as otherwise specified in the Agreement, the Committee is entitled to propose to the COMCEC amendments to these rules of procedure or parts thereof or to put an end to their application at any time.

**Article 22**  
**Establishment of working groups and sub-committees**

- a) The Committee may establish such sub-committees and working groups as may be necessary to the effective discharge of its functions. The rules of procedure of the sub-committees shall be those of the Committee mutatis mutandis after the introduction of required amendments.
- b) These sub-committees and working groups shall be dissolved upon a decision by the Committee or at the end of the task that was assigned to them.

## **VI. WORKING LANGUAGES OF THE COMMITTEE AND REPORTS OF ITS PROCEEDINGS**

### **Article 23 Languages of the Committee**

Arabic, English and French shall be the languages of the Committee. A representative of a participating State may speak in a language other than a language of the Committee if the participating State concerned provides for interpretation into one of the languages of the Committee. Documents shall be issued in the languages of the Committee.

### **Article 24 Reports of the proceedings and decisions of the Committee**

- a) A report of the proceedings and decisions of the Committee shall be drafted in the official languages of the OIC and distributed to all the Members within three weeks after each session.
- b) Any Participating State may draw attention to any inaccuracy, omission or correction therein; appropriate action shall be taken thereon by the Committee in its next meeting after that matter is brought to the attention of the Secretariat formally.
- c) All documents of the Committee shall be classified as "Restricted", signifying that they are for official use only. The Committee may, however, at any time decide that information contained in any of its documents may be declassified or otherwise revealed.

### **Article 25 Publicity of Meetings**

The meetings of the Committee and of its sub-committees shall ordinarily be held in private unless the Committee decides otherwise.

### **Article 26 Secretariat of the Committee**

The COMCEC Coordination Office and the Islamic Centre for Development of Trade shall assume the functions of the Secretariat of the Committee.

Within this framework:

- a) The Secretariat shall extend consultancy and technical assistance to the participating States, regarding trade negotiations under the Framework Agreement of the TPS/OIC.
- b) The Secretariat shall be responsible, in cooperation with the national authorities of the host country, for the organisation of the

meetings of the committee, including the date and venue of each session, and the preparation of the draft agenda and the work programme.

- c) Draft agenda, work programme, technical studies, data and all the relevant documentation shall be circulated by the Secretariat among the Representatives of the participating States.
- d) The COMCEC Members and the relevant OIC institutions shall be informed about the activities of the committee by the Secretariat.
- e) The Secretariat shall publish the ensuing lists of concessions, and modifications made after the completion of each round of trade negotiations.
- f) The Secretariat shall work to facilitate the overall communication among the Representatives of the Participating States, and the relevant OIC institutions in the process of trade negotiations.
- g) The representatives of the Secretariat shall participate in all the meetings of the Committee, and present data, studies and clarifications sought on the items under consideration.

#### **Article 27** **Participation of Contracting States**

The Contracting state which becomes a participating state to the framework agreement after the Committee is established will be bound by all results of the negotiations and provisions regarding the work and status of the Committee, decided prior to its participation.

#### **Article 28** **Financial provisions**

- a) The Representatives of the participating States in the Committee shall cover their expenses.
- b) The organisational expenses of the Committee sessions will be covered by the host government.
- c) The Committee may seek financial support from the Participating states and some OIC institutions to cover some of the expenses accruing from trade negotiations.

#### **Article 29** **General provisions**

- a) The Committee shall submit its reports and recommendations to the Standing Committee for Economic and Commercial Cooperation of the Organisation of the Islamic Conference (COMCEC) for adoption.
- b) These rules of procedures shall be applied upon their adoption by the COMCEC.