



Economic and Social Council

Distr.: General
8 August 2022

Original: English

Economic Commission for Europe

Inland Transport Committee

Working Party on Intermodal Transport and Logistics

Sixty-fifth session

Geneva, 19–21 October 2022

Item 8 of the provisional agenda

Activities of the United Nations Economic Commission for Europe

Inland Transport Committee and its subsidiary bodies

Draft Rules of Procedure of the Working Party on Rail Transport

Note by the secretariat

I. Background

1. The Inland Transport Committee (ITC) has invited those of its Working Parties that had not adopted their own Rules of Procedure (RoP) to inform ITC about their plans to align their RoP to those of ITC or about the compelling reasons that might necessitate following Economic Commission for Europe (ECE) RoP or developing their own (ECE/TRANS/294, para 18).
2. The Working Party on Intermodal Transport and Logistics (WP.24) has not developed so far its own RoP. It should thus consider whether it wishes to develop such for consideration and adoption by ITC or whether it wishes to apply either the ITC or the ECE RoP.

II Rules of Procedure of the Inland Transport Committee

3. WP.24 may wish to consider the applicability of ITC RoP to its sessions.
4. Rule 1 on participation assigns the role of full members also to non-ECE member states on segments of the meeting that deal with legal instruments to which these countries are contracting parties. In this context, WP.24 should consider that it manages two United Nations transport legal instruments: the European Agreement on Important International Combined Transport Lines and Related Installations (AGTC) and the Protocol on Combined Transport on Inland Waterways to the European Agreement on Important International Combined Transport Lines and Related Installations (AGTC Protocol). Both instruments are open in principle for accession to countries other than ECE member countries if they have been admitted to the Commission in a consultative capacity and so this Rule could potentially be applicable to WP.24.
5. Rules 2-4 on holding of sessions, Rules 5-8 on agenda, Rules 9-11 on representation would be applicable to WP.24 with adjustments made to relevant bodies referred in the text to reflect the fact that ITC is the parent body to WP.24.

6. Rules 12 through 16 would be applicable to WP.24 for election of its Chair and up to two Vice-chairs. WP.24 may wish to consider whether it wishes to limit the number of terms for the chairs to two like this is done in ITC ToR or keep it more open.
7. Rules 17-18 on Bureau would not be applicable to WP.24 as WP.24 does not establish its Bureau.
8. Rules 19-21 on subsidiary bodies could be simplified for WP.24, since WP.24 does not establish in principle other bodies than teams of specialists. The roles of ITC and EXCOM as the bodies for endorsement and approval would need to be inserted.
9. Rules 22-24 on the secretariat would be applicable to WP.24.
10. Rules 25-34 could in principle be applicable to WP.24. WP.24 may wish to consider if it wishes to apply the same requirements for quorum and validation of its decisions, which as per Rule 25 would require presence of one third of the WP.24 full members. Given that not all the ECE member States use railways and so combined transport based on railways, WP.24 may wish to apply a lower proportion. WP.24 may also consider whether or not to simplify this rule by saying: One [third/fourth/fifth] of full members shall constitute a quorum.
11. Rules 35-40 on voting would be applicable to WP.24. At the same time, WP.24 may consider whether it wishes to keep the sub-paragraph on vote by mechanical means. In fact, as mechanical means for voting do not constitute a well-established practice at the United Nations Office in Geneva, WP.24 may wish not to include the rules pertaining to mechanical means for voting.
12. Rules 41-43 on languages would be applicable to WP.24.
13. Rule 43 on records would be applicable to WP.24.
14. Rule 44 on publicity of the meetings stipulates that ITC meetings are held in public. Should WP.24 wish to hold its meetings in private, this rule would need to be changed.
15. Rule 45 on reports would be applicable to WP.24 with the adjustment that WP.24 reports to ITC.
16. Rule 46 on amendments and suspension would be applicable to WP.24 with the adjustment that such are adopted by ITC and approved by EXCOM.
17. The Annex contains the text of the ITC RoP with changes made – bold text for additions and strikethrough for deletion – to showcase specific adjustments for a potential WP.24 own RoP, if WP.24 agrees it would prefer to be governed by such. In addition, comments are inserted in ‘[]’ and marked as text in italics.

III Reasons for following the Commission’s Rules of Procedure

18. No compelling reasons are known to the secretariat for which WP.24 should request following the Commission’s RoP.

Annex

Draft Rules of Procedures for Working Party on Intermodal Transport and Logistics

Rules of Procedure of the ~~Inland Transport Committee~~ Working Party on Intermodal Transport and Logistics

Chapter I Participation

Rule 1

(a) ECE member States participate at the ~~HC~~**sessions of Working Party on Intermodal Transport and Logistics (WP.24)** as full members with voting rights.

(b) Non-ECE Member States have the right to participate as full members to the segments of the ~~HC~~**WP.24** session that deal with legal instruments¹ to which they are contracting parties and remain in a consultative capacity in other parts.

(c) States that do not fall under subparagraphs (a) and (b) may participate in the ~~HC~~**WP.24** sessions in a consultative capacity.

(d) Specialized agencies, intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council, may, in accordance with ~~paragraphs 12² and 13² of the Terms of Reference of the Economic Commission for Europe (“ECE” or “the Commission”)~~**Rule 1(d) of the Rules of Procedure of the Inland Transport Committee (ITC)**, participate in a consultative capacity in the ~~Committee~~**WP.24 session** in discussions that the ~~Committee~~**WP.24** may hold on any matter of particular concern to those agencies or organizations.

(e) Non-governmental organizations not in consultative status with the Economic and Social Council may, subject to the approval of the ~~Committee~~**WP.24** and respecting the principles set forth in Economic and Social Council resolution 1996/31, parts I and II, participate with consultative status in discussions that ~~the Committee~~**WP.24** may hold on any matter of interest to these organizations.

(f) Consultations with specialized agencies and the International Atomic Energy Agency (IAEA) shall be conducted in accordance with Rule 51 of the Rules of Procedure of the Economic Commission for Europe (ECE).

(g) Consultations with non-governmental organizations shall be conducted in accordance with Rules 52 and 53 of the Rules of Procedure of ECE. Non-governmental organizations with consultative status under paragraph (d) shall be treated as non-governmental organizations included on the list.

¹ ~~See appendix for the list of legal instruments.~~

² ~~Paragraph 12: “The Commission shall invite representatives of specialized agencies and may invite representatives of any intergovernmental organizations to participate in a consultative capacity in its consideration of any matter of particular concern to that agency or organization, following the practices of the Economic and Social Council.”~~

³ ~~Paragraph 13: “The Commission shall make arrangements for consultation with non-governmental organizations which have been granted consultative status by the Economic and Social Council, in accordance with the principles approved by the Council for this purpose and contained in Council resolution 1996/31, parts I and II.”~~

Chapter II Sessions

Rule 2

Sessions of ~~the Committee~~ **WP.24** shall be held on dates fixed by ~~the Committee~~ **WP.24**, after consultation with the secretariat, at previous meetings.

Rule 3

Sessions shall ordinarily be held at the United Nations Office at Geneva (UNOG). ~~The Committee~~ **WP.24** may, with the concurrence of ~~the Commission or the Executive Committee if the Commission is not in session~~ **ITC**, decide to hold a particular session elsewhere. In that case, the relevant United Nations rules and regulations shall apply.

Rule 4

The secretariat shall, at least forty-two days before the commencement of a session of ~~the Committee~~ **WP.24**, distribute a notice of the opening date of the session, together with a copy of the provisional agenda. The basic documents relating to each item appearing on the provisional agenda of a session shall be transmitted not less than forty-two days before the opening of the session, provided that in exceptional cases the secretariat may, for reasons to be stated in writing, transmit such documents not less than twenty-one days before the opening of the session.

Chapter III Agenda

Rule 5

The provisional agenda for each session shall be drawn up by the secretariat in consultation with the Chair ~~and the Bureau~~.

Rule 6

The provisional agenda for any session shall include:

- (a) Items arising from previous sessions of ~~the Committee~~ **WP.24**;
- (b) Items proposed by the ~~Economic Commission for Europe~~ **ECE** or its Executive Committee (**EXCOM**);
- (c) **Items proposed by ITC**;
- ~~(d)~~ **(d)** Items proposed by any member of the Committee, or non-member of the Committee which may propose items that are related to legal instruments to which they are contracting parties;
- ~~(e)~~ **(e)** Items proposed by a specialized agency in accordance with the agreements of relationship concluded between the United Nations and such agencies; and
- ~~(f)~~ **(f)** Any other items which the Chair ~~or the Bureau~~ or the secretariat see fit to include.

Rule 7

The first item upon the provisional agenda for each session shall be the adoption of the agenda.

Rule 8

~~The Committee-WP.24~~ may amend the agenda at any time during the session.

Chapter IV Representation

Rule 9

Each full member, as defined in rule 1, shall be represented on ~~the Committee-WP.24~~ by an accredited representative.

Rule 10

A representative may be accompanied to the sessions of ~~the Committee-WP.24~~ by alternate representatives, advisers and experts and, when absent, he or she may be replaced by an alternate representative.

Rule 11

(a) Each full member shall submit the names of a representative, alternate representatives and experts to the secretariat at the latest one week before the opening of the session.

(b) The secretariat shall prepare a provisional list of above-mentioned persons scheduled to attend the session and make it available to the permanent missions and permanent observer missions to the United Nations Office at Geneva two working days before the opening of the session.

(c) The secretariat shall prepare a list of the names of all persons attending the session and make it available to them at the end of the session.

Chapter V ~~Officers and other members of the Bureau~~

Rule 12

(a) ~~The Committee-WP.24~~ shall, every two years, elect a State from among the ECE member States, as the Chair who shall hold office for a maximum of two consecutive terms and until the term of office of its successor commences [*comment: WP.24 may wish to consider whether it wishes to limit the numbers of terms to two*]. The representative of the elected State will be the Chair. ~~The Committee-WP.24~~ will also, at the same meeting, elect up to ~~four~~**two** ECE member States whose representatives will become Vice-Chairs for the same period. ~~The Chair and Vice-Chairs of the Committee will also serve as the Chair and Vice-Chairs of the Bureau.~~

~~(b) — The Committee at the same meeting shall also elect a limited number, subject to decision of the ITC,⁴ of ECE member States as Bureau members for the same period as the Chair and Vice-Chairs.~~

~~(e)~~(b) Nominations for the positions referred to in paragraphs (a) ~~and (b)~~ above will be submitted to the secretariat, if possible, ten days before the start of the session during which elections will be conducted.

Rule 13

If the Chair is absent from a meeting, or any part thereof, one of the Vice-Chairs, designated by the Chair, shall preside.

Rule 14

If the Chair, ~~or~~ Vice-Chairs ~~or a member of the Bureau~~ ceases to represent his or her State, the new representative of that State will become the new Chair, ~~or~~ Vice-Chair ~~or member of the Bureau~~ for the unexpired portion of the term. If the Chair, ~~or~~ Vice-Chair ~~or a member of the Bureau~~ can no longer hold office, the alternate representative will become the new Chair or Vice-Chair ~~or member of the Bureau~~ for the unexpired portion of the term.

Rule 15

The Vice-Chair acting as Chair shall have the same powers and duties as the Chair.

Rule 16

The Chair or the Vice-Chair acting as Chair shall participate in the meetings of ~~the Committee WP.24~~ in this capacity and not as the representative of their State. ~~The Committee WP.24~~ shall admit an alternate representative to represent that member in the meetings of ~~the Committee WP.24~~ and to exercise its right to vote.

~~—~~ **Chapter VI** **Bureau**

Rule 17

~~The Committee shall adopt the terms of reference and the rules of procedure of its Bureau and may amend these when necessary. The Committee provides general guidance to the Bureau.~~

Rule 18

The key functions of the Bureau are:

(a) ~~To monitor and ensure implementation of decisions and recommendations of the Committee, as appropriate, during intersessional periods;~~

⁴ This rule based on the decision of the Inland Transport Committee adopted at its seventy fourth session in 2012 in which it “decided to enlarge [...] the composition of its Bureau up to one fourth of the ECE member States, including the Chair and the Vice-Chairs” (ECE/TRANS/224, para. 96). The rule is also on the decision of the Committee at its eightieth session in 2018 in which it decided “to increase the number of ITC Vice-Chairs to four” (ECE/TRANS/274, para. 127).

~~(b) — To ensure effective and transparent preparations of forthcoming sessions and, for that purpose, to collectively outreach to and consult with all members of the Committee, and other stakeholders as appropriate;~~

~~(e) — To ensure effective conduct of business during the sessions and to facilitate reaching agreement on decisions and recommendations.~~

Chapter VII

Subsidiary bodies ~~other than the Bureau~~

Rule 197

With **the endorsement of ITC and** the approval of **EXCOM** ~~of the Commission, the Committee WP.24~~ may establish such bodies, ~~such as continually acting Working Parties or other~~ subsidiary bodies, **such as teams of specialists**, as it deems necessary for the performance of its functions and shall define the powers and composition of each of them. Such autonomy as may be necessary for the effective discharge of the technical responsibilities laid upon them may be delegated to them.

Rule 2018

~~The Committee WP.24 shall adopt~~**prepare** the terms of reference ~~and rules of procedure for~~ its subsidiary bodies **and recommend them to ITC for adoption**. ~~Unless the Committee decides otherwise, the present rules of procedure shall apply to the procedure of any subsidiary body until such time as the Committee adopts the relevant rules of procedure. Subsidiary bodies of the Committee may develop and recommend for adoption by the Committee their rules of procedure.~~

Rule 2119

Subsidiary bodies should, ~~as set out in rule 1,~~ consult **those entities identified in Rule 1** non-governmental organizations with general consultative status with the Economic and Social Council which, because of their importance as regards their activity and the number of their members, play a part on questions within the competence of the Committee and deemed of interest to such organizations. ~~These organizations could in appropriate cases be invited to be represented at meetings of subsidiary bodies.~~ **according to the procedures set out in that Rule⁵**

Chapter VIII

Secretariat

Rule 220

The Executive Secretary shall act in that capacity at all meetings of ~~the Committee WP.24~~ and of its subsidiary bodies. He or she may appoint another member of the staff to take his/her place at any meeting.

⁵ This rule cannot be considered as implying, between the non-governmental organizations with general consultative status with ECOSOC, any discrimination contrary to the decision and rules of the General Assembly or the Economic and Social Council.

Rule 231

A representative of the secretariat may at any meeting make either oral or written statements concerning any question under consideration.

Rule 242

The secretariat shall be responsible for the necessary arrangements being made for the meetings of ~~the Committee-WP.24 including its Bureau~~, and its subsidiary bodies.

**Chapter ~~IX~~VIII
Conduct of business****Rule 253**

The Chair may declare a meeting open and permit the debate to proceed when at least one third of the members of the Committee are present. The presence of one third of ECE member States shall be required for any decision to be taken. *[comment: WP.24 may wish to consider whether it wishes to maintain this proportion or change/lower it]*

Rule 264

In addition to exercising the powers conferred upon him/her elsewhere by these rules, the Chair shall declare the opening and closing of each meeting of ~~the Committee-WP.24~~, shall direct the discussion, ensure the observance of these rules, and shall accord the right to speak, put questions to the vote, and announce decisions. The Chair may also call a speaker to order if his/her remarks are not relevant to the subject under discussion.

Rule 275

During the discussion of any matter a representative may raise a point of order. In this case the Chair shall immediately state his/her ruling. If it is challenged, the Chair shall forthwith submit his/her ruling to ~~the Committee-WP.24~~ for decision and it shall stand unless overruled.

Rule 286

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 proposer of the motion, one representative shall be allowed to speak in favour of, and one representative against, the motion, after which the motion shall be put to the vote immediately.

Rule 297

A representative may at any time move the closure of the debate whether or not any other representative has signified his wish to speak. Not more than two representatives may be granted permission to speak against the closure, after which the motion shall be put to the vote immediately.

Rule ~~30~~28

~~The Committee-WP.24~~ may limit the time allowed to each speaker, if it is considered in the interest of ensuring an orderly session.

Rule 3129

Principal motions and resolutions shall be put to the vote in the order of their submission unless ~~the Committee~~ **WP.24** decides otherwise.

Rule 320

When an amendment revises, adds to or deletes from a proposal the amendment shall be put to the vote first, and if it is adopted, the amended proposal shall then be put to the vote.

Rule 331

If two or more amendments are moved to a proposal, ~~the Committee~~ **WP.24** shall vote first on the amendment furthest removed in substance from the original proposal, then, if necessary, on the amendment next furthest removed and so on, until all the amendments have been put to the vote.

Rule 342

~~The Committee~~ **WP.24** may, at the request of a representative, decide to put a motion or proposal to the vote in parts. If this is done, the text resulting from the series of votes shall be put to the vote as a whole.

**Chapter IX
Voting****Rule 353**

Each full member of ~~the Committee~~ **WP.24** shall have one vote.

Rule 364

Decisions of ~~the Committee~~ **WP.24** shall normally be taken by consensus. In the absence of consensus, decisions of ~~the Committee~~ **WP.24** shall be made by a majority of the full members present and voting.

For the purpose of these rules, the phrase “members present and voting” means members casting an affirmative or negative vote. Members which abstain from voting are considered as not voting.

Rule 375

~~The Committee~~ **WP.24** shall take no action in respect of any country without the agreement of the Government of that country.

Rule 386

~~(a) The Committee~~ **WP.24** may vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the English alphabetical order of the names of the full members.

[comment: WP.24 may wish to consider whether it wishes to keep or delete paragraph (b) and (c), as below.]

~~(b) — When the Committee WP.24 votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll call. A representative may request a recorded vote. In the case of a recorded vote, the Committee shall, unless a representative requests otherwise, dispense with the procedure of calling out the names of the full members.~~

~~(e) — The vote of each full member in a roll call or a recorded vote shall be inserted in the record.~~

Rule 397

All elections shall be decided by secret ballot, unless, in the absence of any objection, ~~the Committee WP.24~~ decides to proceed without taking a ballot on an agreed candidate or slate.

Rule 4038

If a vote is equally divided upon matters other than elections, a second vote shall be taken. If this vote also results in equality, the proposal shall be regarded as rejected.

Chapter XI Languages

Rule 4139

English, French and Russian shall be the working languages of ~~the Committee WP.24~~.

Rule 420

Interventions made in any of the working languages shall be interpreted into the other working languages.

Chapter XII Records

Rule 431

As soon as possible, the text of all reports, resolutions, recommendations and other formal decisions made by ~~the Committee WP.24~~ and its subsidiary bodies shall be communicated to the participants listed in Rule 1.

Chapter XIII Publicity of meetings

Rule 442

The meetings of ~~the Committee WP.24~~ shall ordinarily be held in public. ~~The Committee WP.24~~ may decide that a particular meeting or meetings shall be held in private. *[comment: WP.24 may consider if it wishes to hold its meeting in public or private]*

Chapter XIVII Reports

Rule 453

The ~~Committee~~ **WP.24** shall submit to the ~~Commission~~ **ITC** a full report on its activities and plans, including those of any subsidiary bodies, once a year.

Chapter XIV Amendments and suspensions

Rule 464

Any of these rules of procedure may be amended or suspended by the ~~Committee~~ **WP.24** provided that the proposed amendments or suspensions **are adopted by ITC and approved by EXCOM and** do not attempt to set aside the ~~Committee~~ **WP.24**'s terms of reference.
