

DRAFT RULES OF PROCEDURE  
OF  
THE ECONOMIC SOCIAL AND  
CULTURAL COUNCIL  
OF THE  
AFRICAN UNION

*Revised February, 2005*

Revised DRAFT RULES OF PROCEDURE OF THE ECONOMIC SOCIAL AND CULTURAL COUNCIL OF THE AFRICAN UNION

**DEFINITIONS AND ABBREVIATIONS**

**Rule 1**

In these Rules of Procedure:

‘Assembly’ means the Assembly of Heads of State and Government of the African Union;

‘CODA’ means.....;

‘Commission’ means the Commission of the African Union;

‘CSO/s’ means Civil Society Organization/s in Africa;

‘ECOSOCC’ means the Economic Social and Cultural Council of the African Union;

‘General Assembly’ means the General Assembly of the Economic Social and Cultural Council of the African Union;

“Interim Presiding Officer” means the interim presiding officer elected by the interim General Assembly of ECOSOCC to preside over its affairs during the interim period before the inauguration in office of ECOSOCC

‘Member’ means Civil Society Organization elected into the Economic Social and Cultural Council of the African Union;

‘Member State’ means Member State of the African Union;

‘Representative’ means the duly accredited representative of a member of ECOSOCC

“Sectoral Committee” means a committee established by the General Assembly under Rule 15

‘STC’ means Specialised Technical Committee of the African Union;

‘Union’ means the African Union

**The General Assembly**

**Rule 2**

The General Assembly of ECOSOCC shall comprise the representatives elected by the national, regional and continental members of ECOSOCC in accordance with Article 4 of the ECOSOCC statute and accredited by the Credentials Committee in accordance with Rule 17.

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<sup>1</sup> . I am of the view that what needs a definition more is ‘cluster’ rather than committee and as I was not able to gather from either the Interim Rules or the Draft Rules, I have deleted the definition of Committee and have instead substituted a definition for Sectoral Committee.

## **ELECTIONS**

### **The Bureau of The General Assembly**

#### **Rule 3**

1. At its first meeting, the General Assembly comprising the duly elected representatives of the members of ECOSOCC, and with the Interim Presiding Officer in the chair, shall elect from amongst its members a Presiding Officer and four (4) Deputy Presiding Officers who shall constitute the first members of the Bureau of the General Assembly
2. The only matters, which shall be discussed under the chairmanship of the Interim Presiding Officer at the first Meeting of the General Assembly, shall be the elections referred to in paragraph 1.
3. At the first elections presided over by the Interim Presiding Officer, the General Assembly shall have regard to the equitable geographical distribution among the five (5) regions of Africa of:
  - (a) the office of Presiding Officer
  - (b) the four (4) Deputy Presiding Officers
4. In any subsequent elections of the Presiding Officer, and the Deputy Presiding Officers the General Assembly and the election tribunal set up under Rule 5 shall have regard to the following considerations:
  - (a) The equitable geographical rotation of the office of Presiding Officer among the 5 regions of Africa.
  - (b) The four Deputy Presiding Officers shall be elected on the basis of equitable geographical distribution from other regions other than the one to which the Presiding Officer belongs.
5. At the conclusion of the elections referred to in paragraph 1 the Interim Presiding Officer shall hand over the conduct of the proceedings to the Presiding Officer and shall vacate the chair.

#### **Rule 4**

For the first election of the members of the Bureau the Interim Presiding Officer shall receive the nomination of candidates and shall submit the list to the General Assembly at its inaugural session.

## **Election Tribunal**

### **Rule 5**

1. The Presiding Officer, shall set up an ad hoc 10-member Election Tribunal ('the Tribunal') made up of accredited representatives not seeking to be elected to any position. The Tribunal shall be headed by an Election Officer.
1. Members of the Tribunal shall be chosen on the basis of equitable geographical distribution.
2. The Tribunal shall receive the nomination of candidates and shall submit the list or lists of candidates for all elective posts in ECOSOCC to the General Assembly.

### **Method Of Elections**

#### **Rule 6**

- 1 Candidates for any election shall be nominated by a duly accredited representative and seconded by another.
- 2 Except where the General Assembly decides otherwise, voting shall be by secret ballot.
- 3 The candidate with the highest number of valid votes cast shall be declared duly elected unless a special majority is required.
- 4 Where only one elective post is to be filled by the election, and no candidate emerges as winner after the first ballot:
  - (a) A second ballot shall be held and which shall be restricted to the two candidates with the largest number of votes in the first ballot.
  - (b) If the second ballot results in a tie, the Election Officer shall draw lots in order to decide between the two candidates.
- 5 Where the first ballot produces a tie of more than three or more candidates, a special ballot shall be held to reduce their number to two and if the special ballot still results in a tie, the Election Officer shall eliminate one or more candidates by drawing lots until there are only two candidates. Thereafter another secret ballot shall be taken between the two candidates.

## **Term of Office Of The Bureau**

### **Rule 7**

1. The Presiding Officer, the Deputy Presiding Officers and the other members of the Bureau shall hold office for a term of two (2) years which shall commence on the date of the inauguration of ECOSOCC. They shall be eligible for re-election.
2. The outgoing Presiding Officer shall convene the meeting at which the Bureau is elected for the last two years of a four-year period. The outgoing Presiding Officer shall take the chair if he is not seeking re-election.

## **The Presiding Officer**

### **Rule 8**

1. The Presiding Officer shall preside over the meetings of the General Assembly and the Standing Committee and shall involve the Deputy presiding Officers closely in carrying out the functions pertaining to the office.
2. The Presiding Officer shall represent ECOSOCC at all external functions and relations and shall formally report to the General Assembly on any action taken on its behalf during the period between ordinary sessions. The reports so presented shall not be the subject of debate.
3. At the end of his or her term of office, the Presiding Officer shall present a report of achievements. The report may be the subject of a debate by the General Assembly.

## **Acting Presiding Officer**

### **Rule 9**

1. If the Presiding Officer has cause to be absent from a meeting, or any part thereof, the Deputy Presiding Officer designated by him or her shall preside.
2. The Deputy Presiding Officer when acting as Presiding Officer shall have the same powers as, and shall perform all the duties of, the Presiding Officer.

## **Replacement Of Members Of The Bureau**

### **Rule 10**

1. If the Presiding Officer or any of the Deputy Presiding Officers cease to represent a member of ECOSOCC, or is so incapacitated as to be no longer capable of carrying out the functions of his or her office, he or she shall cease to hold office.

2. If the Presiding Officer ceases to hold office under paragraph 1 of this rule, the other members of the Bureau shall designate one of the Deputy Presiding Officers as Acting Presiding Officer until a new Presiding Officer is elected and takes office.

## **Functions Of The Bureau**

### **Rule 11**

1. The Bureau and the Presiding Officer shall perform the following functions:-
  - a. The political responsibility for the general management of ECOSOCC. They shall ensure that the activities of ECOSOCC, its organs and its staff are in accordance with its institutional aims
  - b. Such other powers that may be devolved on the bureau by ECOSOCC or the Standing Committee.

## **Meetings Of The Bureau**

### **Rule 12**

The Presiding Officer shall convene the meetings of the Bureau as he or she may see fit or at the request of at least two (2) of its members

## **THE STANDING COMMITTEE**

### **Establishment Of The Standing Committee**

#### **Rule 13**

1. At the first meeting of ECOSOCC, immediately after the election of the Bureau, with the Presiding Officer in the Chair, the General Assembly shall elect the members of the Standing Committee from amongst the duly accredited representatives of the members of ECOSOCC. The Chairperson of each Sectoral<sup>2</sup> Committee shall serve as ex officio members of the Standing Committee.

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<sup>2</sup> It is not apparent what the word 'cluster' adds to the intended meaning of Committee. Unless the word has a special or technical meaning in the context of meetings generally or ECOSOCC in particular, I suggest that it should be deleted here and everywhere else that it occurs as I cannot not see that anything would be lost by simply saying 'Sectoral Committee'. If 'cluster' does have a special meaning or significance in this context, it should be retained but defined in Rule 1.

## **Rules Of Procedure Of The Standing Committee**

### **Rule 14**

Subject to these rules, the Standing Committee shall make such other rules as it may consider necessary to facilitate the efficient performance of its functions.

## **SECTORAL COMMITTEES**

### **Membership Of The Sectoral Committees**

#### **Rule 15**

1. The General Assembly shall establish at least 12 Sectoral Committees as its key operational mechanism.
2. The number of members who shall constitute each Committee shall be determined by the General Assembly.
3. Every representative of a member of ECOSOCC shall belong to at least one Committee except the Presiding Officer. No member may belong to more than two Committees except where there is a justifiable need to ensure fair representation of the Member States of the Union.
4. Each Committee shall be headed by a Chairperson assisted by a Secretary.
5. The Chairperson of each Sectoral Committee shall be elected by the General Assembly

### **Term of Office of the Sectoral Committees**

#### **Rule 16**

Subject to Rules 79(2), 79(3) and 79(6) members of each Committee shall serve for a term of four years.

## **THE CREDENTIALS COMMITTEE**

### **Establishment of the Credentials Committee**

#### **Rule 17**

1. At its inaugural meeting, ECOSOCC shall establish and elect a Credentials Committee.
2. The General Assembly shall elect nine representatives from among its members to the Credentials Committee to serve for a term of two (2) years.<sup>3</sup>
3. A candidate for election to the Credentials Committee shall be nominated by a member and supported by two others members.

### **Functions And Powers Of The Credential Committee**

#### **Rule 18**

1. The Credentials Committee shall be responsible for examining the qualifications and credentials of the representatives of members of ECOSOCC.
2. The Credentials Committee shall carry out such other functions as the General Assembly may assign to it.

### **Rules of Procedure of the Credentials Committee**

#### **Rule 19**

The Standing Committee shall adopt and whenever it considers necessary may amend the Rules of Procedure of the Credentials Committee.

## **THE SECRETARIAT**

### **Establishment of the Secretariat**

#### **Rule 20**

The Commission shall establish a Secretariat for ECOSOCC. The Secretariat shall co-ordinate ECOSOCC's activities with CODA and shall serve as the focal point for ECOSOCC activities.<sup>4</sup>

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<sup>3</sup> I have assumed that the nominations will be followed by elections.

## **Duties of the Secretariat**

### **Rule 21**

1. In addition to its duties under Rule 20, the Secretariat shall perform such other duties as the Commission may assign to it

## **CONSULTATIONS OF ECOSOCC**

### **Opinions And Advisory Reports**

#### **Rule 22**

1. When a matter requiring an opinion or advisory report is referred to ECOSOCC by the Commission, the Pan-African Parliament, the Specialised Technical Committee of the African Union (STCs) or any other authorised organ of the Union, the Presiding Officer, in consultation with the other members of the Standing Committee, shall identify a Committee with the relevant expertise from among the Sectoral Committees to consider the matter .
2. The Presiding Officer shall immediately notify the Chairperson of the Committee of the matter and the time limit, if any, for the dealing with the matter.
3. The Sectoral Committee to which a matter has been referred shall forth-with, or within the time limit prescribed, if any, prepare and submit - the draft opinions and/or advisory reports on the questions referred to it in accordance with these rules .
4. Subject to the approval of the Standing Committee, the Sectoral Committee, may consult with and hold joint meetings with any other Committee or organ of the Commission of the Union.

### **Meetings of the Committee to consider a referral**

#### **Rule 23**

1. The Chairperson shall as soon as possible after the referral, convene and chair the meeting of the members of the Committee, table the referral before them and intimate them of the time limit set for the presentation of the opinion or advisory report.

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<sup>4</sup> It is not immediately clear whether it is the Secretariat or CODA that should be the focal point for ECOSOCC activities? In trying to remove the ambiguity, I have assumed that it is the Secretariat that shall be the focal point and not CODA. It is also not clear whether what is intended is that the Secretariat should coordinate its own activities or those of ECOSOCC with the activities of CODA. I have assumed that it is the activities of ECOSOCC that are to be coordinated.

2. The presence of half of the members of the Committee at the beginning of the meeting shall constitute a quorum.
3. If no quorum is formed, the Chairperson shall close the meeting and adjourn it to another date. If no quorum is formed on the adjourned date a quorum shall be formed by the members present irrespective of their number.
4. In the absence of the Chairperson, the members present shall nominate one of their number to chair the meeting.
5. The Secretary to the Committee and the Rapporteurs shall record the minutes of the meeting.
6. The Committee shall set up a study group.
7. Subject to these Rules, and the approval of the bureau, the Committees shall be responsible for determining draw up the rules of procedure that will regulate their proceedings. In case of conflict of interpretation, the decision of the Chairperson of the Committee shall prevail.

### **Formulation of Draft Opinions And Advisory Reports**

#### Rule) 24

- 1.a. The study group established under Rule 23 shall have two rapporteurs and where necessary shall be assisted by experts
  - b. Subject to the modalities laid down in the Rules of Procedure, the Committee shall collect the views expressed at the meeting and shall formulate the draft opinions or advisory report there-from.
2. The opinion or advisory report shall represent the views of the Committee as a whole and shall include an explanatory statement as well as a summary of the legal basis of the opinion or advisory report
3. The preamble to the opinion or advisory report shall state the result of the voting, if any, and if a vote is held, the names of the voters.
4. The draft opinion or draft advisory report of the Committee shall be submitted to the the Standing Committee.
5. The Standing Committee shall discuss the draft opinion or advisory report submitted to it and shall vote upon it. Where in the opinion of Standing Committee the rules for formulating the draft opinions or advisory reports have not been followed or that

further study needs to be conducted, the Standing Committee may refer the matter back to the Committee.

6. The final text of the draft opinion or advisory report shall be submitted to the General Assembly and shall comprise only the texts voted and agreed upon in accordance with the procedure laid down in these Rules

## **Amendments Of Texts Of Opinions And Advisory Reports**

### **Rule 25**

1. A proposed amendment must be in writing and signed by the supporters of the amendment. It must specify the part or parts of the text to which the proposed amendment relates and be supported by a brief explanatory note.
2. A proposed amendment shall be lodged with the Secretariat at least 48 hours before the meeting at which it is to be considered. The Standing Committee shall determine the procedure for the lodging of proposed amendments.
3. Notwithstanding Rule 25, where in the case of the Standing Committee at least ten members and in the case of the General Assembly at least twenty members sign the proposed amendment, the proposed amendment may be lodged even after the time limit for lodgment has expired.
4. An amendment is anything that adds to, deletes from or changes a part of the text of an opinion or advisory
5. Where a proposed amendment is not an amendment as defined in paragraph 4 but is in essence a counter-opinion or advisory report, the bureau shall decide, after consultation with the Chairperson of the Sectoral Committee whether to put the counter-opinion or counter advisory report before the meeting or to refer the matter back to the Sectoral Committee for further study.
6. Without prejudice to the power of the Presiding Officer to put forward compromise proposals orally with the consent of the supporters of the proposed amendment and unless otherwise agreed at the meeting, only two supporters of the proposed amendment and opponents shall speak. Any compromise proposals shall be put to the vote.
7. Where the Standing Committee rejects part or parts of a draft opinion or advisory report but at least twenty five percent of the members voted in favour of the rejection the Standing Committee shall attach the rejected part or parts of the draft opinion or advisory report together with the number of votes cast in favour of their rejection and shall submit them to the General Assembly.

## **Submission of Final Opinions and Advisory Reports**

### **Rule 26**

1. Opinions and Advisory Reports adopted by the General Assembly shall be sent to the Commission, the Pan African Parliament, STCs and any other organ of the African Union that requests for it.
2. The modalities for following up on the opinion or advisory report shall be formulated by the Standing Committee.

## **Emergency Opinions And Advisory Reports**

### **Rule 27**

1. Where the Commission or Pan African Parliament, a STC or any other organ of the Union requests an urgent opinion or advisory report and has set a urgent deadline and it is not possible to convene an Extra-Ordinary Meeting of ECOSOCC, urgency procedures may be applied in order for an opinion or advisory report to be rendered within the deadline that has been set.
2. The Standing Committee shall formulate the urgency procedure and shall present them to the next session of the ECOSOCC General Assembly for confirmation. The urgency procedure shall not be subject to debate.
3. Where the urgency results from the deadline imposed on a Sectoral Committee to submit an opinion or advisory report, the Chairperson of the Committee may organize the work of the Committee otherwise than as provided in these Rules or the Rules of Procedure established by the Committee in order to facilitate the meeting of the deadline.

## **MEETINGS**

### **Ordinary Plenary Session**

#### **Ordinary Sessions**

### **Rule 28**

Unless otherwise provided by these rules, the Ordinary Sessions of ECOSOCC shall be convened by the Presiding Officer assisted by the Standing Committee.

## **Extra-Ordinary Sessions**

### **Rule 29**

Extra-ordinary Sessions shall be held if requested by:

- a. A two-third majority or a number nearest to two-third majority of the members of the General Assembly
- b. The Standing Committee in consultation with the Bureau
- c. The Commission

### **Request By Member States And Other Organs Of The Union**

#### **Rule 30**

1. A request for an Extra-Ordinary Meeting may also be made by a Member State of the Union or the Pan African Parliament. In the event of such a request, the Presiding Officer, shall communicate the request to all the members of ECOSOCC.
2. The Bureau in consultation with the Standing Committee shall signify its agreement to hold the session within 5 days of the receipt of the request.
3. If no agreement is reached within five days, the Presiding Officer shall refer the request to members of ECOSOCC who shall decide whether or not to accede to the request.
4. The members of ECOSOCC shall send their views on the request within eight days of the date of the referral.
5. The ECOSOCC shall be convened if a majority of the members concur in the request for a Meeting.
6. Unless a majority of the members of ECOSOCC otherwise decide, the Presiding Officer shall convene an Extra-Ordinary Session within four (4) weeks from the date the request was received or two (2) weeks from the date the majority of the members concur in the holding of the Session.

Subject to Rule 26(6) the Standing Committee shall decide the date and venue of an Extra-Ordinary Session

## **Notification Of Opening Dates Of Sessions**

### **Rule 31**

The Presiding Officer shall circulate the Notice of the opening date and venue of an Ordinary Session at least six (6) weeks before the commencement of the Ordinary Session and at least seven (7) days before an Extra-Ordinary Session.

## **Venue Of Sessions**

### **Rule 32**

Unless otherwise decided by the Standing Committee or a majority of the members of ECOSOCC agree an alternative venue, the Sessions shall be held at the Headquarters of the Union

## **Change of Date And Venue**

### **Rule 33**

The Presiding Officer in consultation with the Standing Committee may, in special cases, alter the date and place of a meeting. At the request of the majority of the members of ECOSOCC, the Presiding Officer may also alter the date and place of a meeting.

## **AGENDA**

### **Provisional Agenda**

#### **Rule 34**

1. The provisional agenda for each meeting shall be drawn up by the Standing Committee.
2. The provisional agenda shall include:
  - (a) All items required by these Rules of Procedure
  - (i) All items arising from the previous meeting of the General Assembly.
  - (b) All items proposed by:
    - (i) The General Assembly
    - (ii) The Commission

- (iii) The Pan African Parliament
- (iv) A Specialised Technical Committee
- (v) The Standing Committee
- (vi) A Member State of the Union
- (vii) Any other organ of the Union

3. Members of a Sectoral Committee may propose items on matters of special interest to them and which are within their competence for inclusion in the provisional agenda.
4. The Standing Committee shall take the following factors into consideration when considering a request made under Rule 30 (3):
  - (a) Whether adequate relevant documents relating to the proposal have been submitted.
  - (b) The possibility of the item being more appropriately dealt with by another organ other than ECOSOCC.
  - (c) The extent to which the item may lend itself to early resolution by ECOSOCC.
5. The decision of the Standing Committee proposal under Rule 30.4 shall be final.
6. The Provisional Agenda shall be communicated to members of ECOSOCC, the Commission as well as the Member States of the Union and the other organs of the Union at least four (4) weeks before the session.

### **Provisional Agenda For An Extra Ordinary Session**

#### **Rule 35**

1. The provisional agenda for an Extra-Ordinary Session of ECOSOCC shall comprise only those items proposed for consideration in the request for the convening of the Extra-Ordinary Session.
2. The provisional agenda shall accompany the Notice calling the Extra-Ordinary Session.

#### **Supplementary Items**

#### **Rule 36**

1. A member of the General Assembly, the Commission, Member States of the Union or any of the other organs of the Union may submit to the Standing Committee proposals for supplementary items to be included in the provisional agenda of an Ordinary Session not later than two (2) weeks before the session.

2. An explanatory note shall accompany such proposal and if requested, the proposal shall be accompanied by a draft resolution.

### **Emergency Supplementary items**

#### **Rule 37**

1. A proposal may be made for the inclusion of an emergency supplementary item if the item relates to a matter or event of particular importance occurring during the two (2) weeks preceding the opening date of the session.
2. In order for the item to be considered as an emergency supplementary item and to be included in the agenda for the Session, the proposal must receive the approval of two-third or number nearest two-third majority of accredited representatives of members present and voting.

### **Ad- Hoc Committee On Supplementary Items**

#### **Rule 38**

1. The Standing Committee may establish a five member ad hoc committee to consider all requests for inclusion of supplementary items in the agenda.
2. The ad hoc committee shall consider a request made under paragraph 1, debate it and prepare a report and/or a draft resolution for consideration by the accredited representatives of members of ECOSOCC at the session.

### **Adoption Of The Agenda**

#### **Rule 39**

1. The first order of business at a meeting (at which no election is held) shall be adoption of the agenda for that meeting based on the provisional agenda and supplementary items, if any.
2. In the course of the deliberation on the adoption of the agenda, any organ or body or committee which has proposed an item for the provisional agenda or supplementary item shall be entitled to be heard.

## **Circulation Of Documents**

### **Rule 40**

1. The basic documents relating to each item on the provisional agenda shall be transmitted in all the working languages of ECOSOCC at least seven (7) days before the opening of an Ordinary Session, provided that in exceptional cases the Secretariat may, for reasons stated in writing, transmit such documents not less than three (3) days before the opening of the session.
2. If the relevant documents relating to an item on the agenda have not been circulated before the opening date of an Ordinary Session, the item shall be postponed to another session unless the majority of the accredited representatives decide otherwise.

## **Revision Of The Agenda**

### **Rule 41**

The Presiding Officer may revise the agenda by adding, deleting, deferring or amending items on the agenda. Once adopted, only items that the Presiding Officer considers to be important and urgent shall be added to the agenda during a meeting.

## **Representation And Credentials**

### **Rule 42**

1. Each member of ECOSOCC shall be represented at a Session by an accredited representative.
2. An accredited representative may be accompanied to the meeting by an alternate representative.
3. The credentials of each representative and an alternate shall be submitted to the Secretariat at least seven (7) days before an Ordinary Session and four (4) days before an Extra-Ordinary Session.
4. All questions regarding the validity of the credentials of any representative shall be submitted in writing to the Secretariat
5. The Secretariat shall immediately forward all credentials and questions submitted to it to the Credentials Committee.

6. The Credentials Committee has sole authority to decide all questions concerning credentials and accredited representatives must wear approved credentials at all times during meetings.

## **CONDUCT OF BUSINESS**

### **Quorum**

#### **Rule 43**

1. The presence of the accredited representatives of at least one-third of the members of ECOSOCC shall form a quorum. Representatives may request a quorum verification through a motion and if the motion is carried the Presiding Officer shall proceed with quorum verification by initiating a Roll Call. The Presiding officer may rule the motion dilatory and the ruling shall not be subject to appeal.
2. If no quorum is formed, the Presiding Officer shall adjourn the meeting to a time he or she considers appropriate. The numbers of accredited representatives present at an adjourned meeting shall form a quorum.

### **Powers of The Presiding Officer At Meetings**

#### **Rule 44**

1. The Presiding Officer shall declare open and close the plenary meetings of the General Assembly, preside over the discussion and generally ensure the observance of these rules. In this regard, The Presiding Officer shall:
  - a. maintain order; and
  - b. rule on points of order and procedure.
2. The Presiding Officer may on his or her own initiative or at the request of a duly accredited representative, propose the following to the General Assembly:
  - a. The closure of the list of speakers after announcing the names on the list;
  - b. Limit the time each speaker may speak;
  - c. Determine the number of times an accredited representative may speak on an item under discussion;
  - d. Adjourn or close a debate with the consent of the General Assembly;
  - e. Suspend or adjourn a meeting.

3. In taking a decision under Rule 44.2, only two accredited representatives shall be allowed to speak on the motion in favor of each proposal and two against. The motion shall thereafter immediately be put to the vote.
4. The Presiding Officer shall be assisted by the Deputy Presiding Officers.

## **PROPOSALS**

### **Format and Submission Of Draft Proposals**

#### **Rule 45**

1. Any member may submit a motion or a draft proposal on a subject or item on the provisional agenda. A draft proposal shall contain at least one preamble and one operative clause and must be sponsored by at least 10 duly accredited representatives. It shall be submitted to the Secretariat not later than the opening of the meeting at which that subject or item will be debated.
2. The procedure for the submission of draft proposals or motions for a subject or item on the provisional agenda as well as the supplementary items shall be determined by the Standing Committee.

### **Introducing Proposals**

#### **Rule 46**

1. Once the format of a proposal has been approved, copies shall be distributed amongst the duly accredited representatives. During the meeting, a representative may rise to introduce the proposal which shall be considered to be procedural in nature only, and therefore no yields or comments shall be recognized.
2. As soon as the operative clauses of the proposal are read, the proposal shall be taken to be on the floor, along with other proposals already introduced.
3. A proposal shall be deemed to be on the floor until debate on it is adjourned or closed.
4. Unless the Rules prescribe a special majority proposals shall be passed by a simple majority.

## **Amendment Of Proposals**

### **Rule 47**

1. Any proposal that is on the floor can be amended. The proposed amendment must be legible, organized in content and flow and in the format designated by the Standing Committee.
2. An amendment is any alteration that adds to, deletes from, or changes part of a proposal. A motion totally replacing the original proposal or which is not directly related to it is not an amendment and shall be ruled out of order by the Presiding Officer. Any changes to a proposal, which has the approval of all its sponsors, shall be regarded as modifications and shall not be treated as amendments nor put to the vote. An amendment, which is counter to an amendment already adopted, shall be ruled dilatory and out of order by the Presiding Officer.

## **Challenge of Competence**

### **Rule 48**

At any time before voting ~~gun~~ begins, a duly accredited representative may challenge the competence of the meeting to discuss or adopt a proposal or an amendment to a proposal. The motion shall be seconded by another accredited representative. Two accredited representatives may speak in favor and two against and a vote will immediately be taken. A two-third or number nearest two-third majority vote is required to pass the motion. If the motion is approved, the proposal or amendment will be withdrawn and will not be re-introduced.

## **Speeches During Debate**

### **Rule 49**

1. When each item on the Agenda is opened for debate, the Presiding Officer shall ask intending speakers to raise their placards. Those who signify their intention to speak will be assigned a position on the list of speakers.
2. Subject to the rules relating to procedural points and right of reply, the Presiding Officer shall <sup>5</sup> give the floor to speakers in the order in which their names appear on the list of speakers. Where no list of speakers is taken, then in the order in which they signify their desire to speak.

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<sup>5</sup> . I believe 'yielding' (the floor) is more appropriately used to refer to a speaker already on the floor and who is asked to 'give way' to another speaker who wishes e.g. to make a point of order, rather than the Chairperson calling on a speaker whose turn it is to speak.

3. Debates shall be restricted to the issue under discussion and the Presiding Officer may call to order any speaker whose remarks are not relevant to the issue under discussion or who prejudices the debate by using abusive language or making offensive remarks. The Presiding Officer may, if necessary, withdraw permission to speak and may have the objectionable words deleted from the record.
4. The Presiding Officer shall immediately call to order any speaker who exceeds the time limit set for each speaker.
5. Except where otherwise provided in these rules, Speakers shall not be interrupted by other representatives.

### **Re-Opening of List Of Speakers**

#### **Rule 50**

An accredited representative may at any time request for and be permitted to speak for the purpose of submitting a procedural motion

### **Expiration Of The List Of Speakers**

#### **Rule 51**

1. The list of speakers expires as soon as the Presiding Officer recognizes the last speaker on list list of speakers
2. The Presiding Officer shall declare the debate closed when there are no more speakers and the meeting shall immediately thereafter proceed directly to voting.

### **Debate On Amendments**

#### **Rule 52**

A duly accredited representative may introduce an amendment when the floor is open provided the amendment is in the approved format . The general debate will be immediately suspended, and a speakers' list will be established for and against the proposed amendment. Two speakers shall speak for and two against and if no other accredited representative has signified an intention to speak, the debate will be closed. Thereafter, the amendment which shall require a simple majority to pass shall immediately be put to the vote.

### **Procedural Points**

### **Rule 53**

In order to raise a procedural point, a duly accredited representative shall raise his or her placard and call out: "Point of ...." to the Presiding Officer.

Points of Procedure shall be recognized in the order in which they are raised and in a fair and orderly manner

### **Point of Order**

#### **Rule 54**

1. A duly accredited representative may at any time during a debate raise a point of order if the procedure is not being properly followed. The point of order shall state the rule that has been violated and the Presiding Officer shall immediately rule on the validity of the point.
2. A point of order shall not be raised during a speech.
3. In raising a point of order, the representative shall not speak on the substantive matter under discussion.
4. If not satisfied with the decision of the Presiding Officer, the representative may appeal against the decision, which shall immediately be put to the vote.
5. Unless the appeal is upheld by the majority of those present and voting, the decision of the Presiding Officer shall stand.

### **Point Of Personal Privilege**

#### **Rule 55**

If the ability of a duly accredited representative to participate in a debate is affected for any reason, he or she may raise a Point of Personal Privilege, which shall be dealt with in a timely manner by the Presiding Officer. A point of Personal Privilege may be raised to interrupt a speaker

### **Point Of Inquiry**

#### **Rule 56**

1. A representative may raise a point of inquiry to ask the Presiding Officer for information on procedure and this shall be dealt with immediately by the Presiding Officer. A Point of inquiry may not be raised to interrupt a speaker.

2. A point of inquiry may also be used to question a speaker after he or she has finished speaking. The Presiding Officer shall ensure that points of inquiry are only used to raise questions of clarification or for additional information.
3. The Presiding Officer may limit the number of points of inquiry allowed during a debate.

### **Point Of Information**

#### **Rule 57**

An accredited representative may raise a point of information in order to question the Presiding Officer on any matter,. A point of information may not be raised to interrupt a speaker.

### **Right Of Reply**

#### **Rule 58**

1. Notwithstanding the provisions of Rule 47 , the Presiding Officer may, at the end of the debate?<sup>6</sup> at which a right of reply is requested, give the floor briefly to an accredited representative wishing to exercise this right.
2. A duly accredited representative may request for a right of reply only if a speaker uses unusual or extraordinary language which insults the personal or national honor of the accredited representative.
3. The request for a right of reply shall be made in writing and directed to the Presiding Officer. It shall state how the representative's personal or national honour has been wronged or insulted and by whom. No representative shall interrupt another representative in order to request a right of reply no matter the severity of the comment or remark. If the speaker is interrupted, the representative shall be called to order by the Presiding Officer.
4. The Presiding Officer may limit the time for the exercise of the right of reply and his or her decision on the matter shall be final

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<sup>6</sup> . It would seem to me that this is what it was intended to say as it would otherwise be absurd that a representative should have to wait for say one week for the meeting to end in order to reply to a point that may have been made on the first day of the meeting?

## **Appealing A Decision Of The Presiding Officer**

### **Rule 59**

1. Unless otherwise provided by these rules, rulings of the Presiding Officer are subject to appeal. An appeal shall be by a motion and the Presiding Officer may allow or deny a right of appeal.
2. Where the Presiding Officer allows a right to appeal, a simple majority vote shall be required to pass a motion to that effect. Two representatives shall speak in favor and two against - the decision of the Presiding Officer to allow the right of appeal.

## **Postponement Of Debate**

### **Rule 60**

1. When the floor is open, an accredited representative may move a motion for the postponement or suspension of the debate on any item under discussion.
2. The motion shall immediately be put to the vote after two duly accredited representatives have spoken in favor and two against the motion. The motion shall be passed by two-thirds or number nearest two-thirds majority.

## **Resumption Of Debate**

### **Rule 61**

A motion to resume the debate on an item that has been postponed may be made by a duly accredited representative when the floor is open. One speaker for and one against the motion shall be allowed to speak and the motion shall be passed by simple majority.

## **Closure Of Debate**

### **Rule 62**

1. The debate on any item shall continue until it is suspended or closed, or the meeting is suspended or adjourned, or the speakers' list is exhausted. Once the speakers' list is exhausted, the Presiding Officer shall announce closure of the debate and shall put the proposal, if any, immediately to the vote.
2. A duly accredited representative may move a motion for the closure of the debate on any item under discussion at any time during the discussion even though other speakers have signified their intention to speak.

3. Only two speakers in favor and two speakers against the motion shall be allowed to speak on the motion. Thereafter, the motion shall be put to the vote. Speeches shall be relevant to the motion, which requires a simple majority to be passed.
4. When the debate on a topic is closed, any proposed resolutions shall be voted on in the order they were submitted. If adopting one resolution necessarily implies excluding a subsequent proposed resolution, the subsequent resolution shall be ruled out of order.

### **Suspension Or Adjournment Of Meeting**

#### **Rule 63**

An accredited representative may, at any time during the discussion of any matter move a motion for the suspension or adjournment of the meeting and no discussion on this motion shall be permitted. The motion shall immediately be put to the vote and it shall require a two-thirds or number nearest two-thirds majority to pass.

### **Withdrawal Of A Motion**

#### **Rule 64**

An accredited representative may withdraw a motion if he or she considers the motion ill timed, inappropriate, or not conducive to the business of the meeting. The Presiding Officer may request a representative to withdraw a motion if it is not seen as constructive to the meeting.

### **Order of Procedural Motions**

#### **Rule 65**

The following motions shall have precedence in the order listed below, 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.

### **Dilatory Motions**

#### **Rule 66**

The Presiding Officer may rule a motion dilatory and therefore out of order if it merely repeats, or closely approximates to a recent or previous motion on which the meeting has

already rendered an opinion. The ruling of the Presiding Officer is shall not be subject to appeal.

NOTE: Rules 63 to 65 have been relocated as Rules 3, 4 and 5

## **VOTING RULES**

### **Voting Rights**

#### **Rule 67**

Each member of ECOSOCC shall have only one vote

### **Majority Required**

#### **Rule 68**

1. No decision shall be taken on any matter or issue unless two-thirds majority or a figure nearest two-thirds majority of the accredited representatives of the members of ECOSOCC are present and voting.
2. In determining a majority , only the “yes” and “no” votes shall be counted. A vote of “abstain” shall not be counted in determining whether there is a majority.

### **Methods Of Voting**

#### **Rule 69**

Voting may be by a show of hands, open ballot, or by secret ballot if so demanded by the rules or by a majority of the representatives. If the vote is a tie, the Presiding Officer shall have a casting vote.

### **Conduct During Voting**

#### **Rule 70**

After voting has commenced, no representative shall interrupt voting except to raise a point of order related to the voting procedure.

## **Explanation Of Vote**

### **Rule 71**

The Presiding Officer, if he or she deems it necessary, may allow brief statements by representatives to explain their votes before the commencement of voting or after voting has been completed. A representative shall explain his or her vote only when the vote contradicts what he or she had stated earlier the during debate.

## **Order of Voting On Amendments**

### **Rule 72**

When a motion is moved to amend a proposal, the amendment shall be voted upon first. If there are more than one amendment the meeting shall first vote on the amendment which in the opinion of the Presiding Officer is farthest removed in substance from the original proposal and then the amendment next farthest removed therefrom and so on until all the amendments have been put to the vote.

## **Order Of Voting On Proposals**

### **Rule 73**

1. If there are no amendments, or if amendments have been adopted, the Meeting shall vote on the proposal or amended proposal.
2. Where two or more proposals relate to the same matter, the Meeting shall vote upon them in the order in which they were submitted and after each vote on a proposal, the meeting shall decide whether to vote on the next proposal or not.
3. Where there is a motion that no decision be taken on a proposal, that motion shall have priority over the proposal and shall be put to the vote first.

## **Division Of The Draft Proposals Or Amendments**

### **Rule 74**

1. At any time before voting commences, an accredited representative may move a motion to divide an amendment or draft proposal to vote on clauses separately. Two accredited representatives shall speak in favor and two against the motion which shall require a simple majority of votes to pass.
2. The parts of an amendment or draft proposal which have been approved, shall be put to the vote as a whole. If the division causes the draft resolution to no longer be in the

proper format, or if all the operative parts of an amendment or resolution have been rejected, the amendment or proposal shall be deemed to have been rejected as a whole,

### **Voting On Texts Of Opinions Or Advisory Reports**

#### **Rule 75**

1. Unless the Standing Committee or General Assembly otherwise decide, where a Sectoral Committee has unanimously adopted and submitted a draft opinion or advisory report, the Standing Committee or General Assembly shall vote on the text without any discussion.
2. Texts of opinions and advisory reports shall be passed by at least two-thirds majority (or a number nearest to two-thirds) of accredited representatives present and voting.
3. Where a text fails to secure a majority of votes at the meeting of the Standing Committee or the General Assembly, the Presiding Officer, may, with the consent of the representatives, refer the draft opinion or advisory report back to the Sectoral Committee for re-examination, or appoint a Rapporteur-General to revise and submit a new draft opinion or advisory report at the next meeting in the case of Standing Committee or same session in the case of the General Assembly.

### **Adoption By Consensus**

#### **Rule 76**

1. An accredited representative may request the adoption of an amendment, draft proposal, or texts of opinion or advisory report by consensus at any time after closure of a debate. The Presiding shall encourage the adoption of amendments and draft proposals, texts of opinions and advisory reports by consensus.
2. The Presiding Officer shall ask whether there is any objection to a consensus. If there is no objection, the proposal shall be deemed to have been approved by consensus, but if there is any objection, a vote shall be taken in accordance with these rules.

## **FILLING OF VACANCIES AND REPLACEMENT OF MEMBERS**

### **Resignation And Termination Of Membership Of ECOSOCC**

#### **Rule 77**

1. Members of ECOSOCC may resign in writing and the resignations shall be addressed to the Presiding Officer who shall declare the seat vacant.
2. Where a member of ECOSOCC fails to maintain the eligibility requirements stipulated in the Statute, the Presiding Officer, after consultation with the Bureau, shall call upon ECOSOCC to remove that member from office and the seat shall be declared vacant.
3. The Presiding Officer shall notify the other members of ECOSOCC after verifying the vacancy created by the operations of this Rule and the vacancy so created shall be filled at the next election of ECOSOCC.

#### **Absence**

#### **Rule 78**

1. A member of ECOSOCC who has not been represented at a three consecutive meetings of the General Assembly or whose representative without a valid reason to attend three consecutive meetings to which he or she has been duly invited shall not be eligible for re-election.
2. A representative of a member of ECOSOCC who is unable to attend a meeting to which he or she has been duly invited shall give notice of his or her absence in writing to the Presiding Officer or the Chairperson of the Committee of which the representative is a member.
3. A representative who is unable to attend a meeting other than a meeting of the General Assembly, may, after giving notice to the Presiding Officer or Chairperson of the Committee that called the meeting, appoint another representative of a member of ECOSOCC to act as his proxy at the meeting. The form of proxy shall be determined by the Standing Committee.
4. A proxy so appointed shall attend only the meeting in respect of which the proxy was issued

## **Termination Of Tenure Of Representatives**

### **Rule 79**

1. A member of ECOSOCC may remove its representative by giving written notice of the removal to the Presiding Officer. The member may immediately replace the representative by another person who shall be duly accredited by the Credentials Committee.
2. Where a representative serving on either the Standing Committee or Sectoral Committee fails to attend three consecutive Committee meetings to which he or she has been duly invited and he or she has not appointed a proxy, the Chairperson of the Committee call upon the representative to vacate the seat
3. The representative of a member of ECOSOCC may tender his or her resignation in writing addressed to the Presiding Officer who shall declare the seat vacant.
4. When a vacancy is declared in accordance with this rule and if the term of office of the member has more than six months to run from the date of the declaration of the vacancy, the Standing Committee shall immediately notify the member concerned and the member shall within one month of the notification replace the representative.
5. The credentials of such representative shall immediately be forwarded to the Credentials Committee for accreditation.
6. If duly accredited, a representative appointed to fill a vacancy under these rules shall hold office for the remainder of the term of the member he or she is representing.

## **GENERAL CONSIDERATIONS**

### **Report Of Committees**

#### **Rule 80**

1. The Standing Committee and each Sectoral Committee shall submit to ECOSOCC a report on their activities as well as those of their subsidiary bodies. The Secretariat shall draw up the Guidelines for the contents of the reports to be submitted to ECOSOCC .
2. Such Reports shall be circulated at least four (4) weeks before the opening session of the General Assembly.

3. If in the opinion of the General Assembly the report does not contain sufficient information, it shall require additional information, indicating the manner as well as the time limit within which the additional information shall be submitted.

### **Participation of Other Intergovernmental Organizations or Civil Society Organizations**

#### **Rule 81**

Representatives of Intergovernmental Organizations or Civil Society Organizations, which have been granted Observer Status, may participate in the deliberations of ECOSOCC without the right to vote.

### **Publication And Distribution Of Texts Proposals, Resolutions and Decisions**

#### **Rule 82**

1. The texts of the proposals or resolutions and other formal decisions adopted by ECOSOCC shall be distributed to all its members and other participants at the session. Such texts shall also be communicated to the Commission, Pan African Parliament, Member States of the Union and other organs of the Union

### **Use of Terms**

#### **Rule 83**

The terms used in these Rules of Procedure are not gender-specific.

### **Correspondences With ECOSOCC**

#### **Rule 84**

Any Correspondence to ECOSOCC shall be addressed to the Presiding Officer.

### **Interpretations, Amendment And Suspension Of The Rules Of Procedure**

#### **Interpretations**

#### **Rule 85**

1. The headings of these rules are for reference purposes only and do not form part of the rules.

2. In case of conflict between the different versions of these Rules of Procedure, the English?? version shall prevail.

## **Amendments**

### **Rule 86**

1. These rules of procedure are subject to the approval of the General Assembly and shall remain in force until amended or suspended by the decisions of the General Assembly.
2. The Standing Committee may propose amendments to these rules of procedure.
3. These rules may be amended by at least two-thirds majority or a number nearest to two-thirds majority of members of ECOSOCC present and voting.
4. The proposed amendments shall be formulated in writing and sent to the Secretariat at least four (4) weeks before the session. The proposed amendments shall be communicated to the members of ECOSOCC and consideration of a proposal for amendment shall be included in the agenda for the session.
5. The General Assembly shall determine the date the new Rules of Procedure shall come into force at the time they are adopted.

## **Suspension**

### **Rule 87**

1. Any part of these rules may be suspended provided at least twenty-four hours notice of the proposal to suspend the rules is given to the Bureau.
2. The requirement for notice may be waived if no member of ECOSOCC objects to the suspension.
3. The proposal to suspend a rule shall be in writing and it shall be limited to specific and stated purposes. The period within which to achieve that purpose shall also be stated.

## **Entry Into Force**

### **Rule 88**

These Rules of Procedure shall enter into force upon their adoption by the General Assembly