

RULES OF PROCEDURE
For the International Conference on the adoption of the text
of the Convention on International Through Railway Traffic

The participants in the International Conference convened for the consideration and adoption of the text of the Convention on International Through Railway Traffic (hereafter, Conference),

recognizing the relevance of development of international railway traffic;

considering it necessary to expand the activity of the Organisation for Co-operation between Railways (hereinafter referred to as OSJD) in the field of international railway transport;

based on the decision of the XLIV session of OSJD Ministers Conference (Baku, 7 - 10 June 2016) to convene the International Conference on the adoption of the text of draft Convention on International Through Railway Traffic (hereafter, Convention);

wishing to ensure the most efficient and productive way to conduct the Conference;

having regard to Statute of the OSJD;

having regard to Article 5 and 9 of Vienna Convention on the Law of Treaties of 23 May 1969;

have established the following Rules of Procedure for the International Conference on the adoption of the text of Convention on International Through Railway Traffic (hereafter, Rules):

Chapter I
GENERAL PROVISIONS

Article 1
SCOPE OF APPLICATION

1. These Rules of Procedure shall apply to the Conference convened to consider and adopt the text of the Convention.
2. The draft Convention, which was approved by the XLIII session of OSJD Ministers Conference (Ulan-Bator, 2-5 June 2015) for the transmission to the OSJD Member States in order to follow the established domestic procedure, shall be submitted to the Conference for consideration.

Article 2
PARTICIPANTS, OBSERVERS AND REGIONAL ECONOMIC INTEGRATION
ORGANISATIONS
CREDENTIALS OF REPRESENTATIVES OF PARTICIPANTS

1. Participation in the Conference shall be as follows:
 - 1.1. OSJD Member States (hereafter, Participants);
 - 1.2. interested states, international inter-governmental and non-governmental organisations invited in accordance with the decision of the XLIV session of Ministers Conference of the Organisation for Co-operation between Railways or the Conference (hereafter, Observers);

1.3. regional economic integration organisations whose members are OSJD Members

2. The credentials of representatives of Participant shall be issued by the Head of the State or Government or by the Minister for Foreign Affairs.

3. In relation to regional economic integration organisations, the credentials shall be issued by a person that is entitled to do so in accordance with the rules of the respective organisation.

Article 3 COMPOSITION OF DELEGATIONS

1. The delegation of each Participant shall consist of the head of delegation and other members of delegation.

2. A member of delegation may act as the head of delegation if it is stipulated by the credentials, of which the Conference Secretary shall be notified in writing.

Article 4 SUBMISSION OF CREDENTIALS

1. The name list of delegation members of each Participant shall be submitted to the Secretary not less than one week before opening the session. The credentials and information on any alterations in the composition of delegation members shall be submitted to the Secretary prior to opening a Session.

2. In case of non-ability to participate in the Conference, the transfer of credentials to other Participants shall not be allowed.

Article 5 CREDENTIALS COMMITTEE

The Credentials Committee shall be elected at the beginning of each Session, which shall consist of five Participants. The Committee shall elect its chairman. The Committee shall examine the credentials of Participants and submit its report to the Conference.

Chapter II PRESIDIUM, SECRETARIAT AND WORKING BODIES OF THE CONFERENCE

Article 6 PRESIDIUM AND SECRETARIAT

1. The Presidium headed by the Chairman shall exercise the overall work management of the Conference.

2. The Presidium shall be composed of Chairman of the Conference and two Vice-chairmen shall be elected by the Conference from among Participants.

3. The Chairman shall exercise the overall management of the Conference session in accordance with these Rules. For this purpose, the Chairman shall be entitled to the following rights and obligations:

- 3.1. proposes adopting a procedure for conducting and ensures its observation;
 - 3.2. opens and closes the sessions of the Conference;
 - 3.3. manages debates;
 - 3.4. gives the floor;
 - 3.5. puts issues to vote and declares decisions;
 - 3.6. proposes to the Conference:
 - to determine the time to be presented to speakers;
 - to interrupt or terminate debates or close the Conference;
 - 3.7. exercises other duties and obligations stipulated in the provisions of these Rules.
4. In case of his absence at a Session or any part of a Session, the Chairman shall, with the Conference being notified, appoint any Vice-chairmen to act as Chairman with the same duties and obligations as those of the Chairman.
5. The Chairman, or the Vice-Chairman acting as Chairman, shall not participate in voting. This provision shall not limit the Participants' rights provided for in Paragraph 1, Article 15 of these Rules.
6. The Chairman of OSJD Committee shall act as the Secretary, who shall manage the work of the Conference Secretariat. The OSJD Committee shall fulfill the functions of the Conference Secretariat, which shall:
- 6.1. provide the preparation, translation, reproduction and distribution of documents of the Conference;
 - 6.2. ensure the interpretation of speeches made at the Sessions;
 - 6.3. publish and circulate the official documents of the Conference;
 - 6.4. prepare and circulate reports on the opened Sessions;
 - 6.5. make sound recordings of meetings and arrange them for keeping;
 - 6.6. arrange for the custody and preservation of the documents of the Conference in the archives of OSJD;
 - 6.7. perform other required functions relating to organisation of the Conference's work.
7. The Secretary or a staff member of OSJD Committee designated to act as Secretary may make either oral or written statements concerning any matter under consideration.

Article 7

ELECTION OF THE CHAIRMAN AND ITS VICE-CHAIRMEN

1. The Chairman and his Vice-Chairmen shall be elected by the Conference among the Participants that are OSJD member states. These officials shall be elected on a permanent basis with the principle of a fair regional representation being observed; therefore, more than one representative of a Participant shall not be included in the Presidium.
2. The Chairman and his Vice-Chairmen shall be elected by secret ballot.

3. The Chairman of OSJD Committee or, in his absence, the Deputy Chairman of OSJD Committee designated by him for that purpose, shall open the Session of the Conference and chair it until the Conference has elected its Chairman.

Article 8
WORKING BODIES OF THE CONFERENCE

The Conference may, with a view to facilitating the adoption of the text of the Conference, establish the working bodies required to carry out concrete tasks relating to the Conference work, with deadlines specified by it.

Chapter III
SESSIONS AND AGENDA

Article 9
SESSIONS

1. Sessions shall take place at the seat of the OSJD, unless otherwise decided by the Conference.
2. At each session, the Conference shall decide on the opening date, duration and provisional agenda of the next Session. The Conference should endeavour not to hold a Session at the time that would make difficult the attendance of a significant number of delegations.

Article 10
AGENDA

1. The Secretariat shall, at least eight weeks before the opening day of the Session, transmit to the Participants the provisional agenda in the languages of the Conference along with other documents of the Conference. All the documents of the Conference shall be made available on the Website of the OSJD.

An information letter that includes the date and venue of the Conference with the link referring to the Website of the OSJD shall be transmitted to the Observers and regional economic integration organisations.

2. The Secretariat shall, in consultation with the Chairman, include in the provisional agenda the supplementary items proposed by the Participants and received by the Secretariat no later than four weeks before the beginning of the Session.
3. Any item of the agenda of the Session, which was not considered or completed during the Session, shall be included in the provisional agenda of the next Session, unless otherwise decided by the Conference.
4. The agenda of the Session shall be adopted by the Participants in the beginning of the Session.

Chapter IV
ORDER OF BUSINESS OF THE SESSIONS

Article 11
QUORUM

The Session of the Conference shall be quorate if no less than sixteen Participants being OSJD member states are present at the Session.

In the case of the change of the number of the OSJD Member States, this provision shall be subject to revision.

Article 12
SPEECHES

1. The Secretariat shall compile the list of speakers in accordance with the agenda of the Session.

The Chairman shall give the floor to the speakers in such an order as they have declared their wish to make a speech.

2. The Chairman, the Secretary and the Lawyer of the OSJD Committee may be given the floor, out of turn, for making clarifications as to issues under consideration.

Article 13
DEBATES

1. Debates shall be limited to the matter under consideration by the Conference.

2. The Conference shall decide on the adjournment of the issue under consideration or closure of debates in accordance with the proposal made by a Participant or the Chairman.

Chapter V
DECISIONS

Article 14
GENERAL CONSENT

The Conference shall do its best to ensure that decisions of the Sessions are adopted by general consent.

Article 15
ADOPTION OF DECISIONS

1. Each Participant shall have one vote.

2. The Secretary, Observers and regional economic integration organisations may make speeches, participate in debates and submit proposals without having the right to vote.

3. Decisions on all the issues except for the procedural issues shall be adopted by a three-fourths majority of the Participants taking part in voting.
4. Decisions on procedural issues shall be adopted by a simple majority of the Participants taking part in voting.
5. The Participants who abstain during the voting shall be regarded as not voting.
6. In the event of a dispute, whether one or another issue is a procedural issue, the Chairman shall decide on its nature. Any appeal against the ruling of the Chairman shall be put to the vote, and the ruling of the Chairman shall stand unless overruled by a majority of the Participants taking part in voting.
7. Except as provided for in Article 7, the Conference shall vote by the questioning of the Participants. Voting shall be carried out in the sequence of the roll-call of the States of the Participants according to order of the Russian alphabet.

Chapter VI FINAL PROVISIONS

Article 16 MINUTES

1. The work results of the Conference shall be included in the minutes of the Conference, the drafting of which the Chairman shall be responsible for. The minutes of the Conference shall be signed by all the Participants and the Chairman.
2. The minutes of the Conference shall contain the agenda, the list of Participants, Observers and regional economic integration organisations, the reflection of progress of work of the Session and the results of consideration of agenda items, the texts of decisions taken and the texts of agreed Articles of the Convention. If the Participants have special opinions, they shall submit them in written form to include them in the minutes.
3. The original minutes of the Conference shall be deposited by the Chairman with the Secretariat.
4. The work of the Sessions shall be recorded by means of an information-carrying medium the original of which shall be deposited with the Secretariat.

Article 17 LANGUAGES

1. The working languages of the OSJD and the English language shall be the languages of the Conference.

2. Each Participant or Observer or regional economic integration organisations may speak other languages. In this case, it shall provide for interpretation into any language of the Conference.

3. All the documents of the Conference shall be drafted and printed in the languages of the Conference. The texts in the languages of the Conference shall be equally authentic.

Article 18 **FINAL PROVISIONS**

1. Any participant may submit proposals to modify or supplement these Rules.

2. Decisions to modify and supplement these Rules shall be adopted by a three-fourths majority of the Participants taking part in voting.

3. The texts of these Rules written in the languages of the Conference shall be equally authentic. In the case of the differences in the interpretation of the texts, clarifications shall be made on the basis of the language, in which these Rules have been initially drawn up.

4. These Rules shall enter into force on the day of their adoption by the Conference.