

**STANDING RULES OF PROCEDURE FOR THE MULTI-PARTY
NEGOTIATING PROCESS**

1. Application

These Rules of Procedure apply at Plenary meetings and at meetings of the Negotiating Forum and the Negotiating Council.

2. Participants

The participating parties entitled to be represented at meetings are those listed in the List of Participating Parties annexed hereto. The Negotiating Forum can add parties to or delete parties from the list, on the recommendation of the Negotiating Council. Observers can be admitted as decided.

3. Delegates

3.1 Each participating party shall be entitled to be represented by:

3.1.1 Ten delegates at Plenary meetings;

3.1.2 Three delegates and two advisers at meetings of the Negotiating Forum;

3.1.3 One delegate and two advisers at meetings of the Negotiating Council; the leader of the delegation can appoint an adviser to take his/her place as an alternate if necessary.

3.2 Each participating party shall submit and register the names of its delegates and advisers with the [name of the forum] Administration.

3.3 Advisers can be substituted at any time provided that the substituting advisers are registered with the Administration in advance and that the leaders of the delegations notify the Chairpersons whenever an adviser is substituted during the course of a meeting.

- 3.4** In the event of a dispute concerning the credentials of a delegate or an adviser, the issue will be decided by the meeting itself upon the receipt of a factual report and recommendation of the Planning Committee.

4. Agreements and Decisions

- 4.1** All agreements are to be arrived at and decisions taken by general consensus.
- 4.2** If general consensus cannot be achieved, the method of sufficient consensus will be used.
- 4.3** Sufficient consensus means that:
- 4.3.1** There is a lack of general consensus;
 - 4.3.2** There is enough agreement from enough participating parties to enable the process to move forward;
 - 4.3.3** Parties who disagree can record their objections or rejections formally, but will, in the spirit of cooperation, not hinder the process from going forward.
- 4.4** The ruling that there is consensus/sufficient consensus or not, shall be taken by the Chair in his/her discretion, however:
- 4.4.1** Before ruling that there is sufficient consensus or not, the Chair shall ensure that the disagreeing parties, especially those who consider themselves materially affected, as well as the meeting, shall have had sufficient opportunity to utilise a variety of mechanisms in order to reach the widest possible consensus. In particular such mechanisms shall include adjournments to enable informal discussions between participants, setting up technical committees composed as the meeting deems appropriate for the particular matter under consideration, as well as allowing participants to consult their principals. The Chair and the meeting shall decide upon the specific mechanism/s on the basis of the nature of the issues around which the disagreement exists, with the view to arriving at consensus/sufficient consensus. These mechanisms are intended for resolving substantive issues and not for formal and administrative decisions.

- 4.5 **The ruling that there is consensus/sufficient consensus or not can however be challenged by any party who disagrees. The meeting will then deal with it as is appropriate.**

5. Quorum

The Chair may declare a meeting open and permit the debate to proceed when delegates of at least two-thirds of the participating parties are present

6. Speeches and interventions

6.1 **Every delegate shall be entitled to speak**

6.2 **If a speaking order has been agreed upon, the Chair shall call the speakers in that order**

6.3 **In general, the Chair shall call on speakers in that order in which they signify their desire to speak. The Chair however, shall ensure that each delegation is afforded a reasonable opportunity to speak**

6.4 **The Chair shall apply the standard rules applicable to meetings, except as otherwise stipulated herein**

7. Chairing of meetings

7.1 **Plenary meetings shall be chaired by an independent Chairperson/s to be decided upon by the Negotiating Council**

7.2 **The Negotiating Forum and the Negotiating Council shall be chaired by a core panel of Chairpersons, appointed on merit and capability by the Negotiating Council from its own ranks and serving on a rotating basis**

8. Minutes and Documentation

8.1 **The proceedings of Plenary meetings shall be recorded and transcribed and copies of the transcript made available to all delegates**

8.2 The proceedings of meetings of the Negotiating Forum and Negotiating Council shall be recorded in full, but only agreements and decisions shall be minuted

9. Media

9.1 All Plenary meetings and meetings of the Negotiating Forum shall be open to the media

9.2 The Negotiating Council shall itself decide on whether, and if so which of its meetings shall be open to the media

10 Amendment of the Rules of Procedure

10.1 These Rules of Procedure can be amended by the Negotiating Council