

UNITED NATIONS

**Terms of Reference
and
Rules of Procedure
of the
Economic Commission for
Latin America**



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TERMS OF REFERENCE OF THE COMMISSION

as adopted by the Economic and Social Council at its sixth session and amended at its ninth, thirteenth, twenty-eight and forty-seventh sessions

1. The Economic Commission for Latin America, acting within the framework of the policies of the United Nations and subject to the general supervision of the Council, shall, provided that the Commission takes no action in respect to any country without the agreement of the Government of that country:

(a) Initiate and participate in measures for facilitating concerted action for dealing with urgent economic problems arising out of the war and for raising the level of economic activity in Latin America and for maintaining and strengthening the economic relations of the Latin American countries both among themselves and with other countries of the world;

(b) Make or sponsor such investigations and studies of economic and technological problems and development within territories of Latin America as the Commission deems appropriate;

(c) Undertake or sponsor the collection, evaluation and dissemination of such economic, technological and statistical information as the Commission deems appropriate;

(d) Give special attention in its activities to the problems of economic development and assist in the formulation and development of co-ordinated policies as a basis for practical action in promoting economic development in the region;

(e) Assist the Economic and Social Council and its Technical Assistance Committee in discharging their functions with respect to the United Nations technical assistance programme, in particular by assisting in their appraisal of these activities in the Latin American region;

(f) In carrying out the above functions, deal as appropriate with the social aspects of economic development and the interrelationship of the economic and social factors.

2. The Commission shall direct its activities especially towards the study and seeking of solutions of problems arising in Latin America from world economic maladjustment and towards other problems connected with the world economy, with a view to the co-operation of the Latin American countries in the common effort to achieve world-wide recovery and economic stability.

3. (a) Membership of the Commission shall be open to Members of the United Nations in North, Central and South America, and in the Caribbean area, and to France, the Netherlands and the United Kingdom. Any territory, or part or group thereof, within the geographic scope of the Commission's work, may, on presentation of its application to the Commission by the Member responsible for the international relations of such territory, part or group of territories, be eligible for admission by the Commission as an associate member of the Commission. If it has become responsible for its own international relations, such territory, part or group of territories may be admitted as an associate member of the Commission on itself presenting its application to the Commission.

(b) Representatives of associate members shall be entitled to participate without vote in all meetings of the Commission, whether sitting as commission or as committee of the whole.

(c) Representatives of associate members shall be eligible to be appointed as members of any committee or other subordinate body which may be set up by the Commission, and shall be eligible to hold office in such body.

4. The geographical scope of the Commission's work is the twenty Latin American States Members of the United Nations, participating territories in Central and South America which have frontiers adjoining any of these States, and participating territories in the Caribbean area.

5. The Commission is empowered to make recommendations on any matters within its competence directly to the Governments of members or associate members con-

cerned, Governments admitted in a consultative capacity, and the specialized agencies concerned. The Commission shall submit for the Council's prior consideration any of its proposals for activities that would have important effects on the economy of the world as a whole.

6. The Commission shall invite any Member of the United Nations not a member of the Commission to participate in a consultative capacity in its consideration of any matter of particular concern to that non-member, following the practices of the Economic and Social Council.

7. (a) The Commission shall invite representatives of specialized agencies to attend its meetings and to participate, without vote, in its deliberations with respect to items on its agenda relating to matters within the scope of their activities; and may invite observers from such other inter-governmental organizations as it may consider desirable in accordance with the practices of the Council.

(b) The Commission shall make arrangements for consultation with non-governmental organizations which have been granted consultative status by the Council, in accordance with the principles approved by the Council for this purpose.

8. (a) The Commission shall take measures to ensure that the necessary liaison shall be maintained with other organs of the United Nations and with the specialized agencies, with special attention to the avoidance of the duplication of efforts.

(b) The Commission shall establish appropriate liaison and co-operation with other regional economic commissions, in accordance with the resolutions and directives of the Economic and Social Council and the General Assembly.

9. The Commission shall co-operate with and take the necessary measures to co-ordinate its activities with the appropriate organs of the Inter-American System and as may be necessary with the Caribbean Commission in order to avoid any unnecessary duplication of effort between those organs and itself; to this end the Commission is empowered to, and shall seek to, make working arrangements with the appropriate organs of the Inter-American System regarding the joint or independent study or execution of economic problems within its competence and the fullest exchange of

information necessary for the co-ordination of efforts in the economic field. The Commission shall invite the Pan American Union to nominate a representative to attend meetings of the Commission in a consultative capacity.

10. The Commission may, after discussion with any specialized agency concerned, and with the approval of the Council, establish such subsidiary bodies as it deems appropriate, for facilitating the carrying out of its responsibilities.

11. The Commission shall adopt its own rules of procedure, including the method of selecting its Chairman.

12. The Commission shall submit to the Council once a year a full report on its activities and plans, including those of any subsidiary bodies. For those years in which the Commission does not hold a session, the Executive Secretary shall submit to the Economic and Social Council a full report of its activities and plans, including those of any subsidiary bodies, after approval by the Chairman of the Commission and circulation to Governments of member States for their comments and any necessary modifications.

13. The administrative budget of the Commission shall be financed from the funds of the United Nations.

14. The Secretary-General of the United Nations shall appoint the staff of the Commission, which shall form part of the Secretariat of the United Nations.

15. The headquarters of the Commission shall be at Santiago, Chile. The first session of the Commission shall be held during the first half of the present year in that city. The Commission shall at each session decide upon the place of meeting for its next session, with due consideration for the principle that the countries of Latin America be chosen in rotation.

16. The Council shall, from time to time, make special reviews of the work of the Commission.

RULES OF PROCEDURE OF THE COMMISSION

as adopted by the Commission at its first session and amended at its second, third, fourth, fifth, eighth and thirteenth sessions, and by the Committee of the Whole at its session in February 1952

CHAPTER I

Sessions

Rule 1

(a) The Commission shall at each session recommend the date and place for its next session, subject to the approval of the Council, and in consultation with the Secretary-General. Sessions of the Commission shall be held within forty-five days of the communication to the Executive Secretary of a request to that effect by the Economic and Social Council, and in that case, the Secretary-General shall establish the place of such sessions in consultation with the Chairman of the Commission.

(b) In special cases the date and place of the sessions may be altered by the Secretary-General in consultation with the Chairman of the Commission and the Council's Interim Committee on Programme of Conferences. At the request of the majority of the members of the Commission, the Secretary-General, in consultation with the Chairman of the Commission and the Council's Interim Committee on Programme of Conferences, may also alter the date and place of the session.

Rule 2

The Commission's recommendation regarding the place of meeting for its session shall be taken with due consideration

for the principle that the countries of Latin America be chosen in rotation.

Rule 3

The Executive Secretary shall ensure that, at least six weeks before the commencement of a session, member Governments shall receive a notice of the opening date of the session, together with a copy of the provisional agenda and at least three copies of each of the reports, studies and documents which are to be considered during the session.

Such reports, studies and documents shall be submitted to member Governments in the language which they indicate, in accordance with the provisions of rule 44 of the rules of procedure.

Rule 4

The Commission shall invite any Member of the United Nations not a member of the Commission to participate in a consultative capacity in its consideration of any matter of particular concern to that Member.

Rule 5

The Commission shall invite representatives of specialized agencies to attend its meetings and to participate, without vote, in its deliberations with respect to items on its agenda relating to matters within the scope of their activities; and may invite observers from such other inter-governmental organizations as it may consider desirable in accordance with the practices of the Council.

Rule 6

The Commission shall invite the Inter-American Economic and Social Council to nominate a representative to attend meetings of the Commission in a consultative capacity.

CHAPTER II

Agenda

Rule 7

The provisional agenda for each session shall be drawn up by the Executive Secretary in consultation with the Chairman and shall be communicated to the members of the Commission, to the specialized agencies, to the Inter-American Economic and Social Council, to the non-governmental organizations in category A and to the appropriate non-governmental organizations in category B and on the Register, together with the notice convening the Commission.

Rule 8

The provisional agenda for any session shall include:

- (a) Consideration of the report of the Executive Secretary referred to in rule 24;
- (b) Items arising from previous sessions of the Commission;
- (c) Items proposed by the Economic and Social Council;
- (d) Items proposed by any member of the Commission;
- (e) Items proposed by a specialized agency in accordance with the agreements of relationship concluded between the United Nations and such agencies;
- (f) Items proposed by the Inter-American Economic and Social Council;
- (g) Items proposed by non-governmental organizations in category A subject to the provisions of rule 10; and
- (h) Any other items which the Chairman or the Executive Secretary deems fit to include.

Rule 9

Before the Executive Secretary places an item proposed by a specialized agency, or by the Inter-American Economic and Social Council, on the provisional agenda, he shall carry

out with the agency or organization concerned such preliminary consultations as may be necessary.

Rule 10

Non-governmental organizations in category A may propose items for the provisional agenda of the Commission subject to the following conditions:

(a) An organization which intends to propose such an item shall inform the Executive Secretary at least sixty-three days before the commencement of the session and before formally proposing an item shall give due consideration to any comments the Executive Secretary may make;

(b) The proposal shall be formally submitted with the relevant basic documentation not later than forty-nine days before the commencement of the session. The item shall be included in the agenda of the Commission if it is adopted by a two-thirds majority of those present and voting.

Rule 11

After the agenda has been adopted the Commission may amend it at any time.

In the event that a member Government does not receive the reports, studies and documents to be considered during a session six weeks in advance, as provided in rule 3, it shall have the right to request that the items to which those reports, studies and documents refer should be excluded from the agenda, and the Commission shall immediately grant such a request.

Notwithstanding the foregoing provisions, if, when an item is submitted for consideration by the Commission, three-quarters or more of the members accredited to attend a given session insist that it should nevertheless be discussed, that majority decision shall prevail.

CHAPTER III

Representation and credentials

Rule 12

Each member shall be represented on the Commission by an accredited representative.

Rule 13

A representative may be accompanied to the sessions of the Commission by alternate representatives and advisers and, when absent, he may be replaced by an alternate representative.

Rule 14

The credentials of each representative appointed to the Commission, together with a designation of alternate representatives, shall be submitted to the Executive Secretary without delay.

Rule 15

The Chairman and the Vice-Chairmen shall examine the credentials and report upon them to the Commission.

CHAPTER IV

Officers

Rule 16

The Commission shall, at the commencement of each session, elect from among the representatives a Chairman, two Vice-Chairmen and a Rapporteur, who shall hold office until their successors are elected. They shall be eligible for re-election.

Rule 17

If the Chairman does not attend a meeting, or absents himself from a meeting, one of the Vice-Chairmen shall

preside. If, at a following meeting, the Chairman should again be absent, the other Vice-Chairman shall preside, the succession alternating in the Spanish alphabetical order. The provisions of this rule apply only to a single session or to a part thereof.

Rule 18

If the Chairman ceases to represent a member of the Commission or is so incapacitated that he can no longer hold office, one of the Vice-Chairmen shall be elected as Chairman for the unexpired portion of the term. The other Vice-Chairman shall continue to act in the capacity prescribed in the rules of procedure.

Rule 19

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

Rule 20

The Chairman or the Vice-Chairman shall participate in the meetings of the Commission as such and not as the representative of the member by whom he was accredited. The Commission shall admit an alternate representative to represent that member in the meetings of the Commission and to exercise its right to vote.

CHAPTER V

Secretariat

Rule 21

The Executive Secretary shall act in that capacity at all meetings of the Commission and of its subsidiary bodies. He may appoint another member of the staff to take his place at any meeting.

Rule 22

The Executive Secretary or his representative may at any meeting make either oral or written statements concerning any question under consideration.

Rule 23

The Executive Secretary shall direct the staff provided by the Secretary-General and required by the Commission and any subsidiary bodies thereof.

Rule 24

The Executive Secretary shall be responsible for the necessary arrangements being made for meetings.

At the beginning of the session he shall present a report on the work programme of the secretariat during the period between the previous and current sessions.

In the periods between sessions, the Executive Secretary shall see that, in so far as possible, the member Governments are informed of the results of the work in progress and of the opinions expressed by the member Governments regarding such results.

Rule 25

The Executive Secretary in carrying out his functions shall act on behalf of the Secretary-General.

Rule 26

Before new proposals which involve expenditure from the United Nations funds are approved by the Commission, the Executive Secretary shall prepare and circulate to members an estimate of that part of the cost involved in the proposals which could not be met out of the resources available to the secretariat. It shall be the duty of the Chairman to draw the attention of members to this estimate, and invite discussion on it before the proposals are approved.

CHAPTER VI

Conduct of business

Rule 27

A majority of the members of the Commission shall constitute a quorum, except as provided in the third paragraph of rule 11 of these rules of procedure.

Rule 28

In addition to exercising the powers conferred upon him elsewhere by these rules, the Chairman shall declare the opening and closing of each meeting of the Commission, 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 Chairman may also call a speaker to order if his remarks are not relevant to the subject under discussion.

Rule 29

During the discussion of any matter a representative may raise a point of order. In this case the Chairman shall immediately state his ruling. If it is challenged, the Chairman shall forthwith submit his ruling to the Commission for decision and it shall stand unless overruled.

Rule 30

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.

Rule 31

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 representative may be granted permission to speak against the closure.

Rule 32

The Chairman shall take the sense of the Commission on a motion for closure. If the Commission is in favour of the closure, the Chairman shall declare the debate closed.

Rule 33

The Commission may limit the time allowed to each speaker.

Rule 34

Draft resolutions, and substantive amendments or motions, shall be introduced in writing and handed to the Executive Secretary, who shall circulate copies to the representatives twenty-four hours before they are discussed and voted upon, unless the Commission decides otherwise.

Rule 35

Principal motions and resolutions shall be put to the vote in the order of their submission unless the Commission decides otherwise.

Rule 36

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 37

If two or more amendments are moved to a proposal, the Commission 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 38

The Commission may, at the request of a representative, decide to put a motion or resolution 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 VII

Voting

Rule 39

Each member of the Commission shall have one vote.

Rule 40

Decisions of the Commission shall be made by a majority of the members present and voting, except as provided in rule 10 and the third paragraph of rule 11 of these rules of procedure.

Rule 41

The Commission shall normally vote by show of hands. If any representative requests a roll call, a roll call shall be taken in the Spanish alphabetical order of the names of the members.

Rule 42

All elections shall be decided by secret ballot.

Rule 43

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

CHAPTER VIII

Languages

Rule 44

The final text of the Commission's report to the Economic and Social Council and of its resolutions shall be prepared in Spanish, French, English and Portuguese, which shall be the official languages of the Commission. The first three languages mentioned shall be the working languages of the Commission. ^{1/}

Rule 45

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

^{1/} Approved by the Economic and Social Council in resolution 301 (XI) of 7 August 1950.

CHAPTER IX

Records

Rule 46

Summary records of the meetings of the Commission shall not normally be kept. However, the Commission reserves the right to request summary records for any discussion which may require special treatment. Any delegation may always, at its request, have its views recorded in the annual report of the Commission.

Rule 47

As soon as possible the text of all reports, resolutions, recommendations and other formal decisions made by the Commission, its sub-commissions or other subsidiary bodies and its committees shall be communicated to the members of the Commission, to associate members if and when admitted, to all other Members of the United Nations, to the specialized agencies, to the Inter-American Economic and Social Council, to non-governmental organizations in category A and to the appropriate non-governmental organizations in category B and on the Register.

CHAPTER X

Public and closed meetings

Rule 48

The meetings of the Commission shall ordinarily be held in public. The Commission may decide that a particular meeting or meetings shall be held in private.

CHAPTER XI

Consultation with the specialized agencies and International Atomic Energy Agency

Rule 49

(a) Where an item proposed for the provisional agenda for a session of the Commission contains a proposal for new activities to be undertaken by the United Nations relating to

matters which are of direct concern to one or more specialized agencies or the International Atomic Energy Agency, the Executive Secretary shall enter into consultation with the agency or agencies concerned and report to the Commission on the means of achieving co-ordinated use of the resources of the respective agencies.

(b) Where a proposal put forward in the course of a meeting for new activities to be undertaken by the United Nations relates to matters which are of direct concern to one or more specialized agencies or the International Atomic Energy Agency, the Executive Secretary shall, after such consultation as may be possible with the representatives at the meeting of the other agency or agencies concerned, draw the attention of the meeting to these implications of the proposal.

(c) Before deciding on proposals referred to above, the Commission shall satisfy itself that adequate consultations have taken place with the agencies concerned.

CHAPTER XII

Relations with non-governmental organizations

Rule 50

(a) Non-governmental organizations in categories A and B and on the Register may designate authorized representatives to sit as observers at public meetings of the Commission.

(b) Written statements relevant to the work of the Commission or its subsidiary bodies may be submitted by organizations in categories A and B on subjects for which these organizations have a special competence. Such statements shall be circulated by the Executive Secretary to the members of the Commission except those statements which have become obsolete, e. g. those dealing with matters already disposed of.

(c) The following conditions shall be observed regarding the submission and circulation of such written statements:

(i) The written statements shall be submitted in one of the official languages of the Commission;

(ii) They shall be submitted in sufficient time for appropriate consultation to take place between the Executive Secretary and the organization before circulation;

(iii) The organization shall give due consideration to any comments which the Executive Secretary may make in the course of such consultation before transmitting the statement in final form;

(iv) A written statement submitted by an organization in category A or B will be circulated in full if it does not exceed 2 000 words. Where a statement is in excess of 2 000 words, the organization shall submit a summary which will be circulated or shall supply sufficient copies of the full text in the three working languages for distribution. A statement will also be circulated in full, however, upon the specific request of the Commission;

(v) The Executive Secretary may invite organizations on the Register to submit written statements. The provisions of paragraphs (i), (iii) and (iv) above shall apply to such statements;

(vi) A written statement or summary, as the case may be, will be circulated by the Executive Secretary in the working languages of the Commission.

Rule 51

(a) The Commission may consult with organizations in categories A or B either directly or through a committee or committees established for the purpose. In all cases, such consultations may be arranged on the invitation of the Commission or at the request of the organization. On the recommendation of the Executive Secretary and at the request of the Commission, organizations on the Register may also be heard by the Commission.

(b) Subject to the relevant rules of procedure or financial implications, the Commission may recommend that an organization which has special competence in a particular field should undertake specific studies or investigations or prepare specific papers for the Commission. The limitations of rule 51, paragraph (c) (iv), shall not apply in this case.

CHAPTER XIII

Sub-commissions, committees and other subsidiary bodies

Rule 52

The Commission may, after discussion with any specialized agency concerned and with the approval of the Economic and Social Council, establish such sub-commissions or other subsidiary bodies as it deems appropriate for facilitating the carrying out of its responsibilities 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 53

The Commission may establish such committees and sub-committees as it deems necessary to assist it in carrying out its tasks.

Rule 54

Sub-commissions or other subsidiary bodies shall adopt their own rules of procedure unless otherwise decided by the Commission.

CHAPTER XIV

Reports

Rule 55

The Commission shall submit to the Economic and Social Council once a year a full report on its activities and plans, including those of any subsidiary bodies, and shall make interim reports at each regular session of the Council.^{2/}

^{2/} Under the terms of its resolution 234 B (IX) of 12 August 1949, the Economic and Social Council decided to amend paragraph 12 of the Commission's terms of reference by deleting the requirement for the Commission to "make interim reports at each regular session of the Council".

CHAPTER XV

Amendments and suspensions

Rule 56

Any of these rules of procedure may be amended or suspended by the Commission provided that the proposed amendments or suspensions do not attempt to set aside the terms of reference laid down by the Economic and Social Council.

