



法律委员会 — 第 36 届会议

(2015 年 11 月 30 日至 12 月 3 日，蒙特利尔)

议程项目 5：修订法律委员会会议事规则

修订《议事规则》第 6 条和第 44 条

(由秘书处提交)

1. 引言

1.1 根据《法律委员会会议事规则》(Doc 7669 号文件 LC/139/5) 第 47 条 (a) 款 “[s]ubject to the provisions of its Constitution, the Committee may make at any session such amendments to these rules as may be deemed necessary or appropriate”。

2. 修订《议事规则》第 6 条

2.1 《议事规则》第 6 条规定：

“Chairman and Vice-Chairmen

The Committee shall elect at the end of every second session, from among the representatives of States, a Chairman and the First, Second, Third and Fourth Vice-Chairmen. Such officers shall hold office from the time of adjournment of the session when they were elected until the end of the session during which their successors are duly elected. They shall not be eligible for re-election for the next succeeding term for the same position.”

2.2 法律委员会第 35 届会议结束之际选举主席和副主席之前，委员会曾指出在其第 34 届和第 35 届会议上，此前当选的主席缺席并没有主持委员会的任何会议。因此，已经提出一项非正式建议以修订《议事规则》，即当主席辞职或因其他原因不能在他或她的剩余任期履行职务时，第一副主席将成为主席，其他副主席则升任高于其目前位次，第四副主席职位保持空缺。虽然委员会当时决定不修改《议事规则》，但考虑到前述讨论，一些代表团提出需要适时进行修改。

2.3 目前，第二和第四副主席职位均空缺。鉴于委员会主席和副主席上次选举是在第 35 届会议结束时才进行，按照《议事规则》第 6 条，第 37 届会议结束之前不会举行下次选举。因此，请委员会考虑上述职位是否应继续空缺到彼时，或按照以下方式修订规则第 6 条：

- (a) 允许副主席在任期末届满阶段升任高于其目前位次。目前情况下，第三副主席将升任至第二副主席位置，而第三和第四副主席职位保持空缺；和
- (b) 当副主席职位在任期内空缺又不能按照上述（a）分段继承方式填补，委员会应为这一任期末满部分的空缺职位选出一位副主席。倘若委员会决定修订第 6 条，将提交另一份工作文件（LC/36-WP/6-1 — 关于选举的说明），供委员会审议选举第三和第四副主席。

3. 修订《议事规则》第 44 条

3.1 国际民航组织大会在其第 22 届会议上（1977 年），批准了理事会的建议：“（a）大会采用中文作为国际民航组织的一种工作语文；和（b）逐步引入中文，自 1978 年开始，首先在大会和理事会会议上提供中文口译。”这一决定已正式实施。1995 年，大会在其第 31 届会议上通过了第 A31-16 号决议：“加强国际民航组织内中文的使用”，力争国际民航组织的中文使用实现与本组织其他语文同一水平的目标。

3.2 鉴于上述情况，请委员会审议修订《议事规则》第 44 条，在委员会使用的现有其他五种语文之外添加中文。

4. 法律委员会的行动

4.1 请法律委员会：

- 1) 注意到本工作文件；和
- 2) 考虑是否按照第 2 段和第 3 段所述修订《议事规则》。第 6 条和第 44 条的修订草案载于附录，供委员会审议和考虑。

APPENDIX

RULES OF PROCEDURE

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SECTION III – OFFICERS

Rule 6

Chairman and Vice-Chairmen

- a) The Committee shall elect at the end of every second session, from among the representatives of States, a Chairman and the First, Second, Third and Fourth Vice-Chairmen. Such officers shall hold office from the time of adjournment of the session when they were elected until the end of the session during which their successors are duly elected. Subject to Rule 6 (d), they ~~They~~ shall not be eligible for re-election for the next succeeding term for the same position.
- b) If the office of the Chairman or any of the offices of the Vice-Chairmen are vacated during the term, the next Vice-Chairman in line shall automatically succeed to the vacated office for the unexpired portion of the term.
- c) If the office of a Vice-Chairman is vacated during the term which cannot be filled in the manner described in Rule 6 (b), the Committee shall, at the end of the first session following the vacancy, elect from among the representatives of States, a Vice Chairman to fill the vacant office for the unexpired portion of the term.
- d) Individuals serving as officers for the unexpired portion of a term pursuant to Rules 6 (b) and (c) shall not be precluded from re-election for the next succeeding term for the same position.

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Section IX – LANGUAGES

Rule 44

- a) Documents of the Committee, including texts of draft conventions, recommendations, resolutions and decisions shall be prepared and circulated in the English, Arabic, ~~Chinese~~, French, Russian and Spanish languages.
- b) The English, Arabic, ~~Chinese~~, French, Russian and Spanish languages shall be used in the deliberations of the Committee and of Sub-Committees and Working Groups. Speeches made in any of ~~five~~ ~~six~~ languages shall be interpreted into the other ~~four~~ ~~five~~ languages, except where such interpretation is dispensed with by consent of all those concerned.

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