

**RULES OF PROCEDURE OF THE
ADMINISTRATIVE COUNCIL OF THE
PERMANENT COURT OF ARBITRATION**

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Done at The Hague, September 19th, 1900

In accordance with Article 28 of the Convention for the Pacific Settlement of Inter-national Disputes, the Diplomatic Representatives of the Signatory Powers accredited to The Hague have constituted themselves as an Administrative Council presided over by the Netherlands Minister for Foreign Affairs.

A meeting was held at which the Council settled its Rules of Procedure as follows:

Article I

Every proposal concerning the Court of Arbitration shall be communicated by the President to the members of the Council.

Article II

Convocation of the members of the Council shall be effected by the President, giving a minimum of 48 hours' notice.

Any member of the Council may however, if he thinks it necessary, through the President call a meeting of the Council.

Article III

In the absence of the President the Council shall be presided over by the member occupying the highest position in the Corps Diplomatique, in order of seniority.

Article IV

As was agreed at the sitting of the Third Commission of the Peace Conference held on 15 July 1899, Heads of Mission not normally resident in The Hague are required to have an address for service there for the reception of all communications or convocations directed to them.

Article V

The letter of convocation must include the agenda for the meeting. No decision may be taken on matters not mentioned in the agenda.

*Article VI**

Voting shall be done by roll-call. In matters concerning the appointment, suspension or dismissal of officials and employees, the Council shall use voting papers.

Decisions are to be taken by majority vote.†

If the votes are equally divided, the proposal shall be deemed to have been rejected.

Article VII

Order of voting shall follow the alphabetic list of the Signatory Powers to the Convention. The President shall vote last.

Article VIII

The International Bureau, subject to the control and direction of the Council, is established as a permanent institution.

It is to serve as intermediary to the Powers and as Registry for the Court, under the conditions provided by the Convention, and to facilitate the business of the Council.

The Secretary-General at its head shall be appointed by the Council for a five-year term of office.

Article IX

The Secretary-General shall receive his instructions from the President on behalf of the Administrative Council.

He shall be responsible for the archives and in charge of the staff.

He shall reside at The Hague.

* *Editorial Note:* At its 184th meeting held on December 6, 2011, the Administrative Council adopted Financial Regulations and Rules (“FRR”) which, *inter alia*, set out the procedure for the election of the members of the Financial Committee (see *FRR* Regulation 2.5). At its 188th meeting held on December 12, 2013, the Administrative Council adopted the recommendation of the Working Group on Election Procedure which set out the procedure for the election of the Chair of the Budget Committee (see *Decision of the Administrative Council on Procedures for the election of the Chair of the Budget Committee*).

† *Editorial Note:* At the 188th Administrative Council meeting held on December 12, 2013, a question concerning the calculation of a majority was raised to which the Acting President replied that the Presidency understood Article VI to require “a majority of votes actually cast . . . [with] abstentions not to be counted.”

Article X

Appointment or dismissal of the Secretary-General shall take place at a meeting convoked with a minimum of fifteen days' notice.

Article XI‡

The financial supervision of the International Bureau shall be entrusted to a committee.

This committee is composed of three members of the Administrative Council, resident in The Hague. Its membership shall be renewed annually on the first of January, by replacement of one member, according to the alphabetic order of the Powers.

The committee shall hold its meetings at the seat of the International Bureau; the President shall have the right to attend the meetings.

The Secretary-General's financial administration and the budget shall be examined by the committee which shall submit an annual report on these matters to the Administrative Council.

Article XII

Votes to approve the Secretary-General's accounts and the budget are to be taken at a meeting of the Council after these have been communicated to the members of the Council at least 15 days before the meeting.

‡ *Editorial Note:* At its 174th meeting held on November 8, 2004, the Administrative Council established a Budget Committee (open to the representatives of all Member States) to exist and function parallel to the Financial Committee. Subsequently, at its meeting of December 6, 2011, the Administrative Council adopted the *FRR* which elaborate upon the role and responsibilities of the Financial and Budget Committees.