

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES  
OF WILD FAUNA AND FLORA



Nineteenth meeting of the Conference of the Parties  
Panama City (Panama), 14 – 25 November 2022

Administrative and financial matters

Rules of Procedure of the Conference of the Parties

PROPOSED AMENDMENT TO RULE 26

1. This document has been submitted by Botswana and Zimbabwe.\*
2. This document proposes changes to the Rules of Procedure for the Conference of the Parties (CoP), specifically Rule 26 – Right to vote. The proposed changes are shown in a table showing original rule and the amendments respectively. The table is preceded by an explanation of the rationale for the proposal

Rationale for the change

3. The rules of procedure with reference to voting on proposals for amendment of Appendices I and II, related resolutions and annotations are now patently unjust. This document proposes the review of Rule 26 (Right to vote). The rules on the right to vote need to be adjusted to take account of the key roles played by some Parties in the conservation of endangered species and the burden/liabilities of conservation of the same. The voting procedure as provided for by Rule 26 is unjust under the current circumstances where countries without significant populations of species are determining the voting outcomes on issues whose impacts do not affect them in any way, yet burdensome on parties with significant populations. The voting rules are currently not assisting in addressing conservation challenges and implications on affected parties, including local communities. Countries whose ecosystems and human lives are suffering due overabundance of these species or animals should have a bigger voice in decision making and this should be reflected in having more votes. Countries which have healthy and sometimes overabundant populations beyond ecological carrying capacity of specific species listed under either Appendix I or II have been victims of the current voting procedures removing incentives to conserve such species.

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\* *The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.*

<b>Rule 26 - Right to vote</b>	
Original version (as amended at the 17th meeting, Johannesburg, 2016)	<p><b>Rule 26 Right to vote</b></p> <ol style="list-style-type: none"> <li>1. Each Party shall have one vote, except as provided for in the Convention.</li> <li>2. The duly accredited Representative of a Party shall exercise the voting rights of that Party.</li> </ol>
Proposed changes (added text is underlined)	<p><b>Rule 26 Right to vote</b></p> <ol style="list-style-type: none"> <li>1. Each Party shall have one vote, except as provided for in the Convention <u>or these Rules of Procedure</u></li> <li>2. <u>When deciding on proposals for amendment of Appendices I and II, related resolutions and annotations, the CoP shall assign a number of votes per Representative of the Party proportionate to the population size of the species under discussion or whose status is subject to voting. Parties with larger populations shall be allocated more votes in comparison with Parties with smaller populations using a formula to be decided by the CoP.</u></li> <li>3. The duly accredited Representative of a Party shall exercise the voting rights of that Party.</li> </ol>
Proposed Final version	<p><b>Rule 26 Right to vote</b></p> <ol style="list-style-type: none"> <li>1. Each Party shall have one vote, except as provided for in the Convention or these Rules of Procedure</li> <li>2. When deciding on proposals for amendment of Appendices I and II, related resolutions and annotations, the CoP shall assign a number of votes per Representative of the Party proportionate to the population size of the species under discussion or whose status is subject to voting. Parties with larger populations shall be allocated more votes in comparison with Parties with smaller populations using a formula to be decided by the CoP.</li> <li>3. The duly accredited Representative of a Party shall exercise the voting rights of that Party.</li> </ol>

#### COMMENTS OF THE SECRETARIAT

- A. The Secretariat recommends that the Conference of the Parties not adopt the amendments to rule 26 of the Rules of Procedure proposed in document CoP19 Doc. 4.2. Within the context of the United Nations, every Member State has one vote regardless of how large or small they are.
- B. The proposed system of voting shares is more used in corporate law and corporate governance where shareholders have a say depending on the number of shares they have. Given the level playing field established by the principle of 'one country, one vote,' the proposed amendment to Rule 26 would contradict this principle.

TENTATIVE BUDGET AND SOURCE OF FUNDING  
FOR THE IMPLEMENTATION OF DRAFT RESOLUTIONS OR DECISIONS

According to Resolution Conf. 4.6 (Rev. CoP18) on *Submission of draft resolutions, draft decisions and other documents for meetings of the Conference of the Parties*, the Conference of the Parties decided that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding.

The proposed changes have no significant budgetary or workload implications for the Secretariat or for the permanent committees.