

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



Twenty-first meeting of the Plants Committee
Veracruz (Mexico), 2-8 May 2014

Administrative matters

RULES OF PROCEDURE

1. This document has been prepared by the Secretariat.
2. The Annex to the present document contains the Rules of Procedure of the Plants Committee that are currently in force and were adopted at the 19th meeting of the Committee (Geneva, 2011).

Changes proposed by the Secretariat to Rules 22, 29 and 30.

3. Rule 22 concerns the dissemination of meeting documents. At the 26th meeting of the Animals Committee (AC26, Geneva and Dublin, March 2012), the Secretariat proposed orally that Rule 22 be amended with the addition of the words "On request" at the start of the second sentence as most members regularly indicated that they did not need printed copies of meeting documents and that such a change would reduce costs. The Committee agreed in principle to such a change, but preferred to have the proposal in writing.
4. In order to reflect the intention of the Secretariat proposal mentioned in paragraph 3 of the present document, but also to promote consistency of approach, the Secretariat suggests that the Committee adopts the language of the Standing Committee Rules of Procedure on this matter, in place of the existing Rule 22, as follows (additions underlined, deletions shown in ~~strikeout~~):

Rule 22

~~All documents submitted to the Secretariat by a member, an alternate member or a Party, or submitted by an observer at the request of the Chairman, shall be placed on the Secretariat's website as soon as possible after they are received, but no later than 10 days after the submission deadline, in the original language (which shall be a CITES working language) in which they have been submitted. The Secretariat shall distribute printed and translated documents for any meeting to the members and alternate members of the Committee at least 45 days before the proposed date of the meeting where they are to be discussed. The Secretariat shall alert all Parties that may be directly affected by any discussion of the documents and provide copies to all Parties that request them. Documents shall be placed on the Secretariat's website in the three working languages at least two weeks before the meeting in order to be considered for discussion.~~

1. At least 45 days before each meeting of the Plants Committee, the Secretariat shall:
 - a) place on its website, in the language in which they have been received, all documents submitted by any member, Party or international non-governmental organization, or submitted by an observer at the request of the Chair; and

b) provide and distribute printed copies of documents for the meeting to all members and alternate members of the Committee who request them.

2. When the Secretariat believes that a Party may be directly affected by any discussion of a document to be considered by the Committee, it shall alert the Party concerned and inform it where the document may be viewed on the CITES website. It shall provide printed documents to all Parties that request them.

5. The last sentence of Rule 30 states that "The Committee's recommendations contained in the summary record will come into effect when it is approved by the Chairman of the Committee". However, this is confusing as Rule 29 states that Committee decisions will be endorsed by the Committee in the executive summaries which are adopted at the meeting or, failing this, by email shortly thereafter. All recommendations and decisions of the Committee should be included in the executive summaries and apply as soon as these are endorsed by the Committee.
6. To clarify this matter, the Secretariat proposes that the last sentence of Rule 30 be deleted and Rule 29 be amended to make clear when the Committee's recommendations come into effect. The changes are shown as follows (additions underlined, deletions shown in strikeout):

Rule 29

A concise executive summary of the decisions of the Committee shall be prepared by the Secretary for endorsement by the Committee before the closure of the meeting. However, the executive summary of the last day of each meeting shall be sent by email to the members and alternate regional representatives (when replacing a representative) for endorsement after the meeting. The decisions of the Committee shall come into effect upon endorsement of the executive summary in which they are contained.

Rule 30

A summary record of each meeting shall be prepared in the three working languages by the Secretary and sent to the members, alternate members and Parties represented at the meeting within 40 days. This shall be presented in the order of the agenda and comprise three parts for each agenda item: a short statement indicating the main points of the discussion; the text indicating the decision that was made, as it appears in the executive summary; and the text of any statement provided by any member, alternate member or the observer from any Party that was read into the record during the meeting. The names of the members, alternate members, and observers participating in the debate shall be also included at the end of each topic. The Secretary shall take into account the comments received within 20 days of the circulation and shall communicate the final summary record to members, alternate members and all Parties after it is approved by the Chairman. ~~The Committee's recommendations contained in the summary record will come into effect when it is approved by the Chairman of the Committee.~~

7. In line with United Nations editorial conventions, the Standing Committee amended its own Rules of Procedure to refer to "Chair" and "Vice-Chair", rather than "Chairman" and "Vice-Chairman". The Secretariat proposed that this also be applied in the Rules of Procedure of the Animals Committee.

Election of Chair and Vice-Chair

8. Rule 13 states that the regional representatives of the Committee shall elect their Chairman and Vice-Chairman following each regular meeting of the Conference of the Parties. The increase in the amount of intersessional work undertaken by the Chair and Vice-Chair has meant that in recent years, the Plants Committee has developed a practice of selecting an interim Chair at an informal gathering at the end of each meeting of the Conference of the Parties (CoP), with formal confirmation of the post-holder occurring at the first meeting of the Committee after the CoP. The Plants Committee has also started to select an interim Chair and Vice-Chair on such occasions. Under this practice, the selected persons are active immediately after the CoP, but have no formal status under the Rules of Procedure, and members of the Plants Committee who are not present at the CoP, often those from developing countries, are not able to participate in the decision-making.
9. Other biodiversity-related multilateral environmental agreements have not faced this problem as either their scientific subsidiary body meetings are held on the margins of a CoP (e.g. the Convention on the

Conservation of Migratory Species of Wild Animals), or their Chairs and Vice-Chairs are selected either by the CoP or by an oversight body (e.g. the Ramsar Convention and Convention on Biological Diversity). It is not possible at present for the Plants Committee to elect its Chair and Vice-Chair using the postal procedure set out in Rules 32 to 34, because the current wording presumes that a Chair has already been selected and assigns responsibilities to that person in the postal procedure.

10. Following the review of arrangements for the chairmanship of the scientific committees under Decision 14.6, the Conference of the Parties decided to retain the principle that the committees elect their own Chair and Vice-Chair (see document CoP15 Doc. 9). Arranging an official meeting of the Plants Committee at the close of each meeting of the Conference of the Parties would have budgetary implications and, as not all Committee members elected at a CoP will be present at that meeting, it would not be possible know in advance who to invite to such a meeting.
11. The Secretariat suggests therefore that Rule 13 could be amended to provide for a special postal procedure to select a Chair and Vice-Chair. The proposed changes are shown underlined below and are based on the procedure for selection of the Next Host Country at each CoP.

Rule 13

1. Following each regular meeting of the Conference of the Parties, the regional representatives of the Committee shall elect its Chair and Vice-Chair from among them.
2. Regional representatives wishing to be elected as either Chair or Vice-Chair shall send a supporting statement of not more than one page to the Secretariat within 30 days of the close of the meeting of the Conference of the Parties indicating the post for which they seek election.
3. If there is more than one candidate for a post, the Secretariat shall translate the supporting statements of the candidates into the working languages of the Convention and distribute them as soon as possible to voting members of the Committee.
4. Regional representatives shall submit their votes to the Secretariat within 30 days of the date of transmission by the Secretariat.
5. If no candidate obtains the absolute majority in the first ballot, a second ballot shall be taken restricted to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the Chair of the Standing Committee shall decide between the candidates by drawing lots.
6. If in the first ballot there is a tie amongst candidates obtaining the second largest number of votes, a special ballot shall be held amongst them for reducing the number of candidates to two.
7. In the case of a tie amongst three or more candidates obtaining the largest number of votes in the first ballot, a special ballot shall be held amongst them for reducing the number of candidates to two. If a tie then results amongst two or more candidates, the Chair of the Standing Committee shall reduce the number to two by drawing lots, and a further ballot shall be held in accordance with paragraph 5 of this Rule.

Recommendations

12. The Secretariat suggests that the situation described in paragraphs 8 to 10 and the suggestion in paragraph 11 of the present document be discussed during the joint sessions of AC27 and PC20, so that any amendment to the Rules of Procedure of the Committees can be agreed at their next meetings.
13. The Committee is invited to adopt the Rules of Procedure in the Annex to the present document, with the amendments detailed in paragraphs 4, 6 and 7 of the present document.

RULES OF PROCEDURE FOR MEETINGS OF THE PLANTS COMMITTEE
(adopted at the 19th meeting, Geneva, April 2011, effective from 22 April 2011)

Representation and attendance

Rule 1

The membership of the Committee shall consist of the regional representatives elected at each meeting of the Conference of the Parties and the specialist on botanical nomenclature elected by the Conference of the Parties. Each regional representative shall be entitled to represent his/her region at meetings of the Committee.

Rule 2

If a regional representative is not present at a meeting or session, his/her alternate shall be entitled to represent the region.

Rule 3

Regional representatives or alternate regional representatives replacing a regional representative shall have the right to vote.

Rule 4

Representatives of Parties and alternate regional representatives not replacing a regional representative shall be entitled to be present at meetings of the Committee as observers who shall have the right to participate but not to vote.

Rule 5

The United Nations, its Specialized Agencies, the International Atomic Energy Agency, as well as any State not a Party to the Convention may also be represented at meetings by observers who shall have the right to participate but not to vote.

Rule 6

All members and all observers referred to in Rules 4 and 5 should inform the Secretariat of their intention to participate at the latest 30 days before the meeting.

Rule 7

1. The Chairman may invite any person or representative of any body, agency or organization verifiably technically qualified in protection, conservation or management of wild fauna and flora to participate in meetings of the Committee including those carried out in working groups as an observer without the right to vote. The Chairman may limit the number of delegates representing a non-governmental organization to one for practical reasons.
2. Such invitations will only be possible up to 30 days before the meeting. The list of invited observers will be published after this deadline. The right of any such observer to participate shall be withdrawn if so agreed by the Committee in the time period between the publication of this list and the beginning of the meeting.
3. Any person, body, agency or organization wishing to participate in a meeting of the Committee in accordance with paragraph 1 shall submit a request to the Chairman at the latest 30 days before the meeting. This request shall be accompanied by relevant information with regard to the technical qualifications of the person or body.

Credentials

Rule 8

Any observer representing a State or an organization in a meeting in accordance with Rules 4 and 5, shall have been granted credentials by or on behalf of a proper authority enabling him or her to represent the State or organization before making any intervention in a meeting.

Rule 9

The credentials required under Rule 8 shall be presented to the Secretariat of the Convention, together with a translation into one of the working languages if they are not in one of those languages. The Secretariat shall review the credentials and report to the Committee at the earliest opportunity, indicating whether credentials have been presented for each participant according to Rules 4 and 5 and the form of the credentials received, drawing attention to any potential problems.

Rule 10

On the basis of the report of the Secretariat, the Committee shall decide whether to accept the credentials presented and whether any of them requires further review by regional representatives of the Committee. In the latter case, a Credentials Committee of not more than two regional representatives or alternate regional representatives from the Committee shall examine the credentials requiring further review and shall report thereon at the meeting. Credentials in the form of a letter from the Ministry for Foreign Affairs or the Ministry responsible or the Director of the Management Authority, or a *note verbale* from a permanent mission may be accepted. Verifiable copies of credentials may also be accepted. Credentials shall however not be accepted if they have been signed by the person whom they accredit. Credentials may be valid for more than one meeting if this is specified in the text thereof.

Rule 11

Pending a decision on their credentials, observers representing a State or an organization according to Rules 4 and 5 may participate provisionally in the meeting.

Rule 12

For observers, according to Rule 7 the original of their personal invitation letter by the Chairman serves as credentials.

Officers

Rule 13

Following each regular meeting of the Conference of the Parties, the regional representatives of the Committee shall elect its Chairman and Vice-Chairman from among them.

Rule 14

The Chairman shall preside at meetings of the Committee, approve the provisional agenda prepared by the Secretariat and maintain liaison with other CITES committees between meetings of the Committee.

He/she shall represent the Committee as required within the limits of the Committee's mandate, and shall carry out such other functions as may be entrusted to him/her by the Committee.

Rule 15

The Vice-Chairman shall assist the Chairman in his/her functions, and shall act on his/her behalf at meetings in the absence of the Chairman.

Rule 16

The Secretariat of the Convention shall service and act as secretary for meetings of the Committee.

However, in the event of a closed session, the meeting shall provide for its own rapporteur, if needed.

Meetings

Rule 17

Meetings of the Committee shall be called at the request of the Chairman or of a simple majority of the regional representatives.

Rule 18

The time and place of meetings shall be determined by the Chairman, in consultation with the Secretariat and the Committee, and in line with any instructions provided by the Conference of the Parties.

Rule 19

Notice of meetings shall normally be given by the Secretariat at least 90 days in advance of the meeting.

Rule 20

Documents to be considered at a meeting shall be provided to the Secretariat by Parties, or by members of the Committee, at the latest 60 days before the meeting where they are to be discussed. Whenever possible, they should be limited to 12 pages (not including annexed graphics, maps, illustrations and figures). Documents submitted by Parties should also be submitted to the Chairman and to the regional representative(s) of their region.

Rule 21

Non-governmental organizations may provide documents through the CITES Management Authority of the Party where they are located. However, international non-governmental organizations, recognized under the provisions applied at meetings of the Conference of the Parties, may send documents to the CITES Secretariat. In both cases the decision to distribute these documents shall be taken by the Secretariat in consultation with the Chairman.

These documents should also be submitted to the Chairman and to the member(s) representing the region.

Rule 22

All documents submitted to the Secretariat by a member, an alternate member or a Party, or submitted by an observer at the request of the Chairman, shall be placed on the Secretariat's website as soon as possible after they are received, but no later than 10 days after the submission deadline, in the original language (which shall be a CITES working language) in which they have been submitted. The Secretariat shall distribute printed and translated documents for any meeting to the members and alternate members of the Committee at least 45 days before the proposed date of the meeting where they are to be discussed. The Secretariat shall alert all Parties that may be directly affected by any discussion of the documents and provide copies to all Parties that request them. Documents shall be placed on the Secretariat's website in the three working languages at least two weeks before the meeting in order to be considered for discussion.

Rule 23

Documents may also be submitted for information purposes only (Inf. documents). These will not be translated and can not be discussed at the meeting. However, such documents may be referred to, if they relate to the existing Agenda items, but not discussed.

Rule 24

A quorum for a meeting shall consist of six regional representatives or alternate regional representatives (when replacing a representative) from at least four regions. No decision shall be taken at a meeting in the absence of a quorum.

Rule 25

1. The right to speak shall extend to all members and alternate members and to observers whose credentials are under consideration or have been accepted, and to observers who have been admitted to the meeting in accordance with Rules 4, 5 or 7, as well as to the Secretariat.
2. The Chairman shall, as a general rule, call upon speakers in the order in which they signify their desire to speak and shall give precedence to the members and alternate members of the Committee. Amongst observers, precedence shall be given to representatives of Parties, non-Party States, intergovernmental organizations and non-governmental organizations, in this order. However the Chairman may depart from this general rule and call on speakers in the order that he/she judges appropriate to ensure the timely progress of the debate.
3. Participants shall speak only if called upon by the Chairman, who may call a speaker to order if his/her remarks are not relevant to the subject under discussion.
4. A speaker shall not be interrupted except on a point of order. He/she may, however, with the permission of the Chairman, give way during his/her intervention to allow any other participant to request elucidation on a particular point.
5. The Chairman of another committee or a working group may be accorded precedence for the purpose of explaining the conclusion arrived at by that committee or working group.
6. The Committee may, on a proposal by the Chairman or by a member, limit the time to be allowed to each speaker and the number of times the members, alternate members or observers may speak on any question. When the debate is subject to such limits, and a speaker has spoken for his/her allotted time, the Chairman shall call him/her to order without delay.
7. During the course of a debate the Chairman may announce the list of speakers and, with the consent of the Committee, declare the list closed. He/she may, however, accord the right of reply to any participant if an intervention delivered after he/she has declared the list closed makes this desirable.

Rule 26

Decisions of the Committee shall be taken by consensus unless a vote is requested by the Chairman or by regional representatives or alternate regional representatives (when replacing a representative) from two regions.

Rule 27

In the case of a vote, the decision of the Committee shall be taken by a simple majority of the regional representatives or alternate regional representatives voting. In the case of a tie, the motion shall be considered as rejected.

Rule 28

At the request of the Chairman or of any regional representative the Committee shall decide by a vote whether the discussion of any particular subject shall be held in closed session; any such vote shall be decided by a simple majority. Parties represented at the meeting by observers shall be entitled to be represented at closed sessions.

Rule 29

A concise executive summary of the decisions of the Committee shall be prepared by the Secretary for endorsement by the Committee before the closure of the meeting. However the executive summary of the last day of each meeting shall be sent by email to the members and alternate regional representatives (when replacing a representative) for endorsement after the meeting.

Rule 30

A summary record of each meeting shall be prepared in the three working languages by the Secretary and sent to the members, alternate members and Parties represented at the meeting within 40 days. This shall be presented in the order of the agenda and comprise three parts for each agenda item: a short statement indicating the main points of the discussion; the text indicating the decision that was made, as it appears in the executive summary; and the text of any statement provided by any member, alternate member or the observer from any Party that was read into the record during the meeting. The names of the members, alternate members, and observers participating in the debate shall be also included at the end of each topic. The Secretary shall take into account the comments received within 20 days of the circulation and shall communicate the final summary record to members, alternate members and all Parties after it is approved by the Chairman. The Committee's recommendations contained in the summary record will come into effect when it is approved by the Chairman of the Committee.

Rule 31

1. The working languages of the meetings of the Committee shall be English, French and Spanish and no working document shall be discussed at a meeting unless it has been made available in accordance with Rules 21, 22 and 23 in these languages, or has been verbally presented at the meeting in the three working languages of the Committee.
2. Documents arising out of the discussion of the foregoing may be discussed provided that copies have been circulated no later than during the session preceding the session at which they are to be discussed.

Communication procedure

Rule 32

Any member may submit a proposal to the Chairman for a decision by postal procedure. The Chairman shall send the proposal to the Secretariat for communication to the members, who shall comment within 40 days of the communication of the proposal; any comments received by the Secretariat within this time limit shall also be so communicated to the members.

Rule 33

If no objection from a regional representative to a proposal is received by the Secretariat within 25 days of the date when the results of the consultation on the proposal were communicated to the members, the proposal shall be considered as adopted, and notice of the adoption shall be given to all members.

Rule 34

If any regional representative objects to a proposal within the applicable time limit, the proposal shall be put to a vote. The proposal shall be considered as decided by a simple majority of the regional representatives. If no majority is achieved, the proposal shall be referred to the next meeting of the Committee.

Final Provisions

Rule 35

In matters not covered by the present Rules, the Rules of Procedure currently in effect for meetings of the Conference of the Parties shall apply *mutatis mutandis*.

Rule 36

These Rules shall come into force on adoption by the Committee, and shall remain valid for each of its meetings unless amended by decision of the Committee.