

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



Seventeenth meeting of the Plants Committee
Geneva (Switzerland), 15-19 April 2008

Rules of Procedure

PROPOSED AMENDMENTS

1. This document has been prepared by the Secretariat
2. At its 14th meeting (The Hague, 2007) the Conference of the Parties revised Resolution Conf. 11.1 (Rev. CoP13) on Establishment of committees. It resolved that: "The Animals and Plants Committees shall adopt their own Rules of Procedure, which shall, however, be in accordance with the Rules of Procedure of the Standing Committee as far as is practicable."
3. At the 16th meeting of the Plants Committee and 22nd meeting of the Animals Committee (Lima, July 2006) amendments were proposed to the Rules of Procedure. The Animals and Plants Committees did not come to a decision on the proposed Rules of Procedure. They agreed to establish an intersessional working group composed of the members and alternate members of both Committees and led by the Chairmen of the Animals and Plants Committees. Based on the Rules of Procedure proposed, the working group was to draft a new version for consideration at the 14th meeting of the Conference of the Parties (CoP14).
4. In Annex 1 to this document the Secretariat presents a draft of proposed Rules of Procedure for the Animals and Plants Committees. This draft is based on the version that was presented at CoP14 in document CoP14 Doc 8.4 Annex 2. New text is underlined and deleted text is in strikethrough. A clean copy of the proposed new Rules of Procedure is shown in Annex 2.
5. The Secretariat recommends that the Committees adopt the draft Rules of Procedure found in Annex 2 to this document.

DRAFT RULES OF PROCEDURE FOR MEETINGS OF THE ANIMALS AND PLANTS COMMITTEES

(Marked-up version)

Representation and attendance

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Rule 3

Members or alternate members replacing a member shall have the right to vote.

Rule 4

Representatives of Parties and alternate members not replacing a member 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 ~~according to~~ 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 ~~on a personal basis~~ any person or representative of any body, agency or organization ~~(NGO)~~ 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. ~~Bodies, or agencies or organizations~~ (NGOs) should be represented by one delegate only.
2. Such invitations will only be possible up to 30 days before the meeting. The list of invited ~~(NGO)~~ 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 ~~(NGO)~~ 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 and proof of the approval of the State in which the body is located.

Credentials

Rule 8

Any observer representing a State or an organization in a meeting ~~according to~~ 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 members of the Committee. In the latter case, a Credentials Committee of not more than two members or alternate members 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 members 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 members.

Rule 18

The time and place of meetings shall be determined by the Chairman, in ~~accordance with Resolution Conf. 13.1, second AGREES, paragraph b)~~ consultation with the Secretariat.

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 75 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 member(s) representing the 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, 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 documents shall also be provided to all Parties that may be directly affected by any discussion of the documents and 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.

Rule 24

A quorum for a meeting shall consist of six regional members or alternate members (when replacing a member) 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

In cases where a member or alternate member of the Animals and Plants Committee has a financial or personal interest that could call into question his or her impartiality, objectivity or independence regarding a subject to be discussed by the Committee, he or she must disclose the interest to the Committee in advance of the discussions. Following any such disclosure and where appropriate after consultations with the Secretariat, the member or alternate member may participate in the discussion but not in the making of any decision with regard to the subject.

Rule ~~26~~ 27

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

Rule ~~27~~ 28

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

Rule 28 29

At the request of the Chairman or of any member 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 30

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 members (when replacing a member) for endorsement after the meeting.

Rule 30 31

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 32

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 33

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 34

If no objection from a member 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 35

If any member 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 members. If no majority is achieved, the proposal shall be referred to the next meeting of the Committee.

Final Provisions

Rule 36

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 37

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.

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