

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



Twenty-second meeting of the Plants Committee
Tbilisi (Georgia), 19-23 October 2015

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 21st meeting of the Committee (PC21, Veracruz, May 2014).

Changes proposed by the Secretariat to Rule 13 (election of the Chair and Vice-Chair)

3. At their 27th and 21st meetings (Veracruz, April-May 2014), the Animals and Plants Committees were invited by the Secretariat to consider an amendment to Rule 13 of the Rules of Procedure for their meetings concerning the election of the Chair and Vice-Chair of both Scientific Committees (see documents [AC27 Doc. 3](#) and [PC21 Doc. 3](#)).
4. The Secretariat observed that both Committees had developed a practice of selecting an "interim" Chair (and in some instances an "interim" Vice-Chair) at an informal gathering at the end of the meeting of the Conference of the Parties (CoP), with formal confirmation of the post-holders occurring at the first meeting of the Committees after the CoP. The Secretariat noted that this posed several problems: (i) the selected persons are active immediately after the CoP, but have no formal status under the Rules of Procedure; and (ii) members of the Animals or Plants Committees who are not present at the CoP are not able to participate in the decision-making.
5. The Secretariat's considerations were discussed further during a joint session of the Scientific Committees (Veracruz, May 2014). The Committees agreed that Rule 13 of their Rules of Procedure should contain provisions for selecting a Chair and a Vice-Chair for each Committee shortly after each regular meeting of the Conference of the Parties, and that this should follow a simpler process than the one proposed by the Secretariat. The Committees further requested the Secretariat to prepare a proposal for amending Rule 13 to that effect for their consideration at their next meetings.
6. Accordingly, the Secretariat suggests two options for filling in the positions of Chair and Vice-Chair immediately following the CoP:
 - a) The regional representatives or their alternates present at the CoP elect a Chair and Vice-Chair immediately following the CoP and in case no quorum is attained, by a postal procedure that is discharged by the previous Chair or Vice-Chair *ad interim*.
 - b) The previous Chair and Vice-Chair hold office until their successors are elected at the first meeting of the Committee after the regular meeting of the Conference of the Parties.
7. If the Committee chooses option a), it should be mindful that the current wording in Rules 32 to 34, which set out the postal procedure, presumes that a Chair has already been selected, and assigns

responsibilities to that person in the procedure. This could be resolved by asking the previous Chair or Vice-Chair to hold their position *ad interim* for the period of the postal procedure to oversee the election process. The Secretariat would therefore propose the following amendments to Rule 13 (additions underlined, deletions shown in strikeout):

Option a)

Rule 13

1. Immediately fFollowing each regular meeting of the Conference of the Parties, the regional representatives of the Committee present shall elect its Chair and Vice-Chair from among them.
 2. In the absence of a quorum of the regional representatives or their alternates, the election of the Chair and Vice-Chair shall be conducted by the postal procedure contained in Rules 32 to 34, in which case the duties of the Chair shall be discharged by the previous Chair or Vice-Chair *ad interim*.
8. The option described above assumes that sufficient members of the Scientific Committees are present at the CoP, including newly elected members. This could be explored by encouraging Parties with regional representatives, or that propose candidates as representatives, to include these persons in their delegations for the CoP, possibly with external support.
9. If the Committee chooses option b), the Secretariat suggests that Rule 13 could be amended as follows:

Option b)

Rule 13

~~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.~~

1. At the beginning of the first regular meeting of the Committee after the 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. Pending the election of the Chair and Vice-Chair of the Committee, the duties of the Chair and the Vice-Chair shall be discharged by the previous Chair and Vice-Chair *ad interim*.

Changes proposed by the Secretariat to Rule 20 (Submission of documents)

10. Rule 20 concerns the submission of documents to meetings of the Scientific Committees. In organizing the present meeting, the Secretariat noted that certain important documents from Parties nearly missed the deadline for their submission for minor logistical reasons. The Secretariat observes that in the case of the Rules of Procedure for meetings of the Standing Committee, some flexibility is allowed to accommodate for such situations. Its Rule 20 stipulates that *“Documents to be considered at a meeting shall normally be provided to the Secretariat at least 60 days before the meeting where they are to be discussed,...”*. Resolution Conf. 11.1 (Rev. CoP16) on Establishment of Committee resolves 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.*
11. In order to provide for exceptional circumstances whereby documents cannot be submitted within the normal deadlines, but also to promote consistency between the Rules of Procedure of the Committees, the Secretariat proposes the following amendments to Rule 20:

Rule 20

Documents to be considered at a meeting shall normally be provided to the Secretariat by Parties, or by members of the Committee, at least ~~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 Chair and to the regional representative(s) of their region.

Changes proposed by the Secretariat to Rule 22 (Dissemination of documents)

12. Rule 22 concerns the dissemination of meeting documents. At its 21st meeting (PC21, Veracruz, May 2014), the Secretariat proposed amendments to this rule in paragraph 4 of document PC21 Doc.3, to harmonize it with the corresponding rule in the Rules of Procedure of the Standing Committee (Rule 21). There was broad support for the proposed changes to Rule 22, and the Committee agreed to consult with the Plants Committee about these prior to the present meeting. The amendments proposed by the Secretariat, and further alignments between Rule 22 and the Standing Committee's Rule 21, were addressed in the joint session of AC27 and the 21st meeting of the Plants Committees (Veracruz, 2014).
13. Accordingly, the Secretariat suggests that in place of the existing Rule 22, the Committee adopts the language of the Standing Committee's Rules of Procedure regarding the dissemination of documents 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 deadline for the submission of documents, 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. At least 14 days before each meeting of the Plants Committee, the Secretariat shall, to the extent possible, place on its website in the three working languages all documents mentioned in Rule 20 and paragraph 1.a) of Rule 22 above.
3. 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.

14. At its 28th meeting, the Animals Committee discussed the proposals in paragraphs 7, 9, 11 and 13 above adopted the amendments to Rule 13, 20 and 22 as follows:

Rule 13

1. Immediately following each regular meeting of the Conference of the Parties, the members and alternate members of the Committee present shall elect its Chair and Vice-Chair from among the Committee.
2. In the absence of a quorum of the members or their alternates, the election of the Chair and Vice-Chair shall be conducted by the postal procedure contained in Rules 32 to 34, in which case the duties of the Chair shall be discharged by the previous Chair or Vice-Chair *ad interim*.

Rule 20

Documents to be considered at a meeting shall normally be provided to the Secretariat by Parties, or by members of the Committee in one of the working languages, at least 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 Chair and to the regional representative(s) of their region.

Rule 22

1. At least 45 days before each meeting of the Animals 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. At least 14 days before each meeting of the Animals Committee, the Secretariat shall, to the extent possible, place on its website in the three working languages all documents mentioned in Rule 20 and paragraph 1.a) of Rule 22 above.
 3. 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.
15. The Animals Committee agreed to inform the Plants and the Standing Committees that it was supportive of an overall review of the Rules of Procedure for the meetings of the committees.
16. The Animals Committee agreed to seek a mandate at the 17th meeting of the Conference of the Parties to review the Terms of Reference of the Scientific Committees contained in Resolution Conf. 11.1 (Rev. CoP16) on *Establishment of committees*, and to seek similar agreement for such a review from the Plants Committee.

Recommendations

17. Taking into consideration the results of the 28th meeting of the Animals Committee, the Secretariat suggests that the proposals concerning amendments to Rules 13, 20 and 22 be discussed and agreed to at that present meeting.
18. The Committee is invited to adopt the Rules of Procedure as amended.

Rules of Procedure for meetings of the Plants Committee

(adopted at the 21th meeting, Veracruz, May 2014, effective from 9 May 2014)

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 Chair 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 Chair 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 Chair 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 Chair 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 Chair and Vice-Chair from among them.

Rule 14

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

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 Chair or of a simple majority of the regional representatives.

Rule 18

The time and place of meetings shall be determined by the Chair, 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 Chair 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 Chair.

These documents should also be submitted to the Chair 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 Chair, 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 Chair 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 Chair 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 Chair, 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 Chair, give way during his/her intervention to allow any other participant to request elucidation on a particular point.
5. The Chair 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 Chair 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 Chair shall call him/her to order without delay.
7. During the course of a debate the Chair 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 Chair 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 Chair 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. 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 Chair.

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 Chair for a decision by postal procedure. The Chair 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.