

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

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Forty-first meeting of the Standing Committee  
Geneva (Switzerland), 8-12 February 1999

Future meetings of the Conference of the Parties

ORGANIZATIONAL AND PROCEDURAL ARRANGEMENTS

This document has been prepared by the Secretariat.

1. The Secretariat has already made known to the Standing Committee its intention to review and, where appropriate, revise the practical and procedural arrangements for future meetings of the Conference of the Parties.
2. Two of the Decisions forming the Action Plan adopted at the 10th meeting of the Conference of the Parties relate to this issue, as follows:
  - 10.107 Consideration shall be given to the structuring of the working programme at meetings of the Conference of the Parties to give ample time for regional meetings, with interpretation where needed;*
  - 10.108 Efforts shall continue, in co-operation with the Standing Committee, to develop a plan for the numbering of documents, in particular documents relating to the work of Committees I and II, for introduction for the 11th meeting of the Conference of the Parties.*
3. After raising this issue at the 40th meeting of the Conference of the Parties, the Secretariat invited the comments of the Parties, at the suggestion of the Standing Committee, through Notification to the Parties No. 1998/18 of 27 April 1998, taking the opportunity to seek comments on a number of issues about which concern had been expressed by the Parties.
4. In response, comments were received from the following Parties: Argentina, Cuba, Israel, Jamaica, Japan, Norway, Panama, the United Kingdom, the United States of America and Venezuela. In addition, the Secretariat has taken into account comments that it received in a copy of a letter from the Chairman of Committee I at the 10th meeting of the Conference of the Parties to the Chairman of the Standing Committee (Canada). The Secretariat also received comments from the following organizations: Center for International Environmental Law (CIEL, United States), Global Guardian Trust (GGT, Japan), Fondation internationale pour la sauvegarde de la faune (IGF, France), International Primate Protection League (IPPL, United States), IWMC World Conservation Trust (IWMC, Switzerland), the Species Survival Network (SSN, United States) and Wildlife and Countryside Link (Link, United Kingdom).
5. The Secretariat has attempted to summarize the salient points from these communications in the Annex to the present document. However, copies of the original documents are available from the Secretariat on request.
6. The Secretariat will now take these comments into account in preparing for the 11th meeting of the Conference of the Parties and will report at the 42nd meeting of the Standing Committee on the main changes proposed.

Comments received from Parties and organizations on the arrangements for  
future meetings of the Conference of the Parties

**Revision of the Rules of Procedure**

**Argentina** – It is inappropriate to make changes in something that is functioning well. The Rules of Procedure can be changed by the Parties whenever necessary.

**Cuba** – The Rules of Procedure should be adhered to closely.

**Israel** – No proposed changes, but seeks consistent and equitable application (i.e. limitations on debate should be imposed only as a last resort; abrogation of rules governing the use of Points of Order; the right of delegates to information; establishment of a working group to negotiate specific details of the elephant issue). Proposal to obtain the services of a competent professional parliamentarian.

**Japan** – There is no need to revise the Rules of Procedure but time should be taken to debate and adopt them.

**United States of America** – There is a need to increase awareness of the Rules of Procedure among participants in the meetings. The CITES Secretariat should act as a neutral party with the responsibility of explaining the Rules of Procedure to the chairmen and delegates. Suggests the preparation of a Guide to the Rules of Procedure, perhaps in co-operation with the United Nations Office of Legal Counsel. A good starting point would be the pamphlet prepared by the United Kingdom for CoP8. Training materials would also be helpful. Recommends that chairmen selected should be provided with a training session on the Rules of Procedure. A mock CoP should be included in the training provided to new Parties upon accession. Recommends specific changes and use of gender-neutral terms.

**CIEL** – Submits two documents: A Guide to the Rules of Procedure (11 pages); and Increasing Procedural Expertise at Meetings of the Conference of the Parties (seven pages). The former could form a useful basis for a guide and the latter is intended to provide helpful suggestions for improving procedures in the future.

**GGT** – Sees no reason to revise the current Rules, but sees a need to improve their application.

**IGF** – Correct application of existing rules is what is needed.

**Numbering of official documents**

**Argentina** – There is room for improvement, but no major problem is identified.

**Cuba** – There is room for rationalization in order to facilitate access to documents.

**Israel** – Reform is supported; no suggestions.

**Japan** – Present system is appropriate.

**United States of America** – The present system is confusing. Adoption of an entirely new numbering system is proposed. It would be preferable if the number of a document could correspond to the related agenda item number. A more user-friendly system is advocated: all agenda items should have a unique number, all official documents should have the same number as the

corresponding agenda item, eliminate the confusing use of 'Doc' and 'Com' designations. The United States would be pleased to provide a sample agenda based on CoP10 that outlines this proposal. Any new numbering of documents should correspond to a new system of numbering of the agenda. The sequence of proposals for amending the appendices should be taxonomic. A system of numbering these documents is suggested: those relating to animals starting with A1; those relating to plants starting with P1; others starting with 1.

**GGT** – The present system is appropriate.

**IGF** – Steps should be taken to label documents better and to avoid stapling short documents together.

**IWMC** –It should be more evident when one document originates from discussion of another document.

### **Use of the secret ballot**

**Argentina** –This is a substantive question and it is inappropriate for the Secretariat to seek comments.

**Canada** – Does not favour easier access to secret ballots, but voting should be accelerated and improved.

**Cuba** –The present system should be maintained and there should be no increase in the number of countries required to move for a secret vote.

**Israel** – The secret ballot should be discouraged in order to ensure accountability of the vote cast, not in the name of the individual but in the name of the Party. Israel opposes the present system in which a minority-inspired secret ballot tends to undermine the concepts of democracy and accountability.

**Japan** – Japan does not wish to limit the exercise of the right to request a secret ballot.

**Norway** –Strongly supports maintaining the current use of the secret ballot.

**Panama** – Favours widespread use of the secret ballot.

**United Kingdom** – Prefers restricted use of the secret ballot.

**United States of America** – Prefers to eliminate the secret ballot or to make it difficult to obtain. Secret ballots are time-consuming and prevent transparency. The voting should be accountable to the Party. The United States advocates eliminating the use of the secret ballot or, at least, returning to the pre-CoP9 Rules of Procedure.

**Venezuela** – Favours use of the secret ballot in order to respect national sovereignty.

**GGT** – Opposes any attempt to restrict the use of the secret ballot.

**IPPL** – IPPL is concerned about the use of the secret ballot, which eliminates accountability and runs counter to the need for more transparency.

**IGF** – Considers the provisions on use of the secret ballot to be restrictive and defends the use as a bulwark of national independence.

**IWMC** –Making the use of the secret ballot more difficult would be inappropriate and antidemocratic and should not be accepted.

## **Practical arrangements for secret ballots**

**Argentina** – Measures should be taken by the Secretariat to carry out secret ballots efficiently.

**Israel** – The present system has the potential for being abused. Proposes that ballots be distributed only after a vote in favour of the secret ballot has been conducted.

**Jamaica** – More effort should be made to explain the use of coloured voting cards.

**Japan** – More efficient procedures should be found.

**Panama** – Recommends the use of more identifiable voting cards and better ballot boxes.

**United Kingdom** – Argues in favour of electronic voting, postponement of ballots, and setting aside of a separate area.

**United States of America** – A new system is imperative, but should not be so simple as to encourage the frequent use of the secret ballot.

**GGT** – The present arrangements are satisfactory.

**IGF** – Loss of time could be avoided by ensuring that the procedure for secret ballots is clear in advance and that ballots are properly labelled for the appropriate Committee

**IWMC** – The system adopted in the latter part of CoP10 should be maintained. It is not necessary to call the Parties to vote by name if the ballot papers are appropriately coded. Debates could continue (on another subject if necessary) during the counts of the votes.

## **Seating arrangements for participants and separation of observers and official delegations**

**Argentina** – No problems are identified.

**Cuba** – The present separation of official and observer delegations should be maintained. Practical measures are recommended, such as restricting the number of seats per delegation and expansion of the seating area.

**Israel** – The right of participation has been unjustly suppressed by the present rules. Better seating arrangements and reasonable access to delegations for observers should be provided.

**Japan** – Seating should be by alphabetical order only.

**GGT** – Present arrangements are adequate, but the Rules of Procedure should be strictly implemented.

**IGF** – The present rules are adequate. There should be a strict implementation of the separation of accredited delegations and observers from NGOs.

**IWMC** – The Rules of Procedure on this issue are clear and sufficient. Most difficulties are of a practical nature. The following suggestions are made: limit of seating for delegations to four in plenary/Committee I room (two at the table), two in Committee II room; provide seating for all Parties even if participation is not announced in advance; reserve an open-seating area for additional representatives of Parties with large delegations; reserve places for non-party States, UN institutions and intergovernmental organizations or those with a special relationship with the Secretariat; strictly implement separation of NGOs and official delegations; issue an information document about seating arrangements before the meeting.

## **Possibilities for interventions by observers**

**Canada** – Observers should have greater access to delegates, which has become difficult because of an increase in agenda items, and an increase in the number of Parties participating in the meetings at an increased rate of participation. Establishment of a culture of punctuality is preferable to introducing night sessions. The use of fora such as the Global Biodiversity Forum, held in advance of CoP 10, is useful for building consensus.

**Cuba** – Debate should be limited to Parties to the Convention, but a representative of NGOs should be able to speak in their collective name.

**Israel** – Abrogation of the right of observers to participate in debate is an unacceptable injustice.

**Japan** – Observers should have an opportunity to intervene in debate.

**United States of America** – Inputs from observers should be encouraged.

**GGT** –Rule 7 should be applied.

**IGF** – While time is always too short, every effort should be made to encourage free expression and exchange of ideas and information.

**IWMC** – The meetings are, above all, meetings of the Parties. Several suggestions are made to improve the use of time for interventions: limitations on the number of speakers for each issue and of the time allotted from the beginning of each meeting; giving the floor only to observer organizations with special expertise; not to give the floor to national observer organizations (as they should refer to their national delegations); establishment of guidelines for participants; etc.

## **Clearance of documents from observer organizations**

**Canada** – Only formal documents cleared through the Secretariat should be distributed via the pigeon holes for the delegations. All other material should be freely available on tables with no sanction from the Bureau or Secretariat.

**Cuba** – The unwieldy accumulation of documents should be better managed.

**Israel** – Observers and Parties should have the right to circulate any and all documents.

**Japan** – There should be stricter management of background documents.

**IPPL** - Inconsistent application of censorship is worse than censorship, and this issue should be reviewed carefully.

**GGT** – Rule 28 should be implemented more strictly.

**IGF** –Documents should be vetted after the meeting.

**IWMC** – Informal documents from Parties might not require vetting. More important than changing the current procedure for other documents is for the Standing Committee or Bureau to decide in advance on sanctions, which should be announced.

## **Miscellaneous**

**Canada** - Suggests that consideration of species proposals be alternated. (Plants first in odd-numbered meetings of the CoP, animals first in even-numbered meetings.) An accelerated approval process for uncontested proposals is suggested, which would have the added benefit of encouraging

Parties to consult before submission. Canada suggests larger, light-coloured background voting cards in order to facilitate counting. Prior testing of interpretation equipment should be conducted. The efficient handling of proposals to amend the annotations to listings must be dealt with between sessions. IUCN Analyses are important source of information on annotations.

**Israel** – CITES should emphasize transparency by applying the Rules of Procedure in a more forthright manner. Open meetings will ensure transparency, greater trust and respect. The trend to provide inadequate time for presentation and debate should be corrected.

**Jamaica** – All conference documents should be accessible using electronic mail. Care should be taken to ensure full distribution of species proposals to all range States. All conference documents should be available by e-mail and the use of a CITES conference Web site is recommended. Careful attention should be paid to proposals for discussion of species on the agenda.

**Japan** – Steps should be taken to prevent abusive behaviour and insulting language. Representatives of NGOs should have accepted credentials. Better documentation should be provided about NGOs and their representatives.

**United Kingdom** – Preparation of a guide on basic ground rules, the submission of documents, the role of the Bureau and the rights and responsibilities of the Parties is suggested. Several suggestions are made regarding the submission of documents. Maintenance of the daily journal introduced at CoP10 and improvements in the circulation of documents. Advocates the use of a voice-mail. Suggests study of numbering systems for documents and the use of colour paper to distinguish categories of documents. The use of electronic technology for the dissemination of information is encouraged. Regarding participation in debates, a number of suggestions are made: written guidance from the chairmen on how they plan to manage the debates; encouragement of joint interventions; compilation of speakers lists; appointment of spokesmen for NGOs; introduction of informal evening round-table discussions.

**United States of America – Availability of documents for distribution prior to the COP** – documents should be submitted electronically to the Secretariat. All documents should be posted on the CITES Web site as soon as they are received and translations posted as they become available. A notification should be issued asking whether Parties have the capacity to download documents electronically. The resulting significant savings should be used to help Parties that do not have Internet access. The United States is willing to work with the Secretariat. **Length of documents** – 2-3 page summaries of any species proposal longer than 10 pages should be submitted. Long versions of the document would be provided only on request. Use of a visual count of votes is archaic; electronic system should be used. An electronic voting system would ensure efficiency, accuracy and removal of ambiguity. **Organization of the meetings** – Changes in the organization of meetings are necessary reducing procedural and ceremonial time and management should be improved, including: staggering of breaks, registration and ceremonies on Sunday evening and perhaps special sessions before the meeting. Particular attention should be paid to various aspects of seating arrangements.

**IWMC** – Regarding agenda items considered in plenary sessions only and acceptance of new documents, derogations from established rules are regrettable. Better implementation of existing rules is essential.

**Link** – Several proposals are made for improving the flow of documents. The preparation of a guide to rules of procedure is proposed. Development of reliable Internet links is suggested. Several proposals are made for allocating time for debate and for facilitating access to delegates.

**SSN** - Recommends establishing a grievance procedure in support of the Guidelines for Participation in Meetings of the Conference of the Parties, and requests flexibility and speed in dealing with documents and personal communications. They advocate returning to the former system using the grievance system to deal with conflicts. Delegate-observer dialogue should be facilitated through

judicious use of space and separation. SSN requests that the Guidelines be included in the registration materials of future meetings of the Parties.

**IPPL** – Visitor's passes should be used sparing and certainly not as a means of avoiding payment of registration fees. Chairmen should be neutral and should encourage, not discourage, participation. Delegations and observers should better co-ordinate scheduling of social events.