

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

Forty-second meeting of the Standing Committee
Lisbon (Portugal), 28 September-1 October 1999

Future meetings of the Conference of the Parties

ORGANIZATIONAL AND PROCEDURAL ARRANGEMENTS

1. This document has been prepared by the Secretariat, which has 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. The Secretariat's proposals are presented in the Annex to this document.
2. The proposals take account of Decisions 10.107 and 10.108, adopted at the tenth meeting of the Conference of the Parties, 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. As reported at the 41st meeting of the Standing Committee, through Notification to the Parties No. 1998/18 (of 27 April 1998) the Secretariat sought comments from the Parties regarding problems encountered in the practical and procedural arrangements at past meetings of the Conference of the Parties and suggestions for improvements. Comments were received from ten Parties and from seven organizations. It is noteworthy that a large measure of satisfaction was expressed with existing arrangements, but suggestions were received for improvements in a number of areas. Salient points were summarized in document Doc. SC.41.17, but copies of all comments received are available to Parties on request from the Secretariat. The Secretariat would like to express its thanks again to all Parties and organizations that provided comments, constructive criticism and suggestions.
4. In formulating its proposals regarding arrangements for future meetings of the Conference of the Parties, the Secretariat has considered all of the comments received.
5. The Standing Committee is invited to provide to the Secretariat its comments on and suggested changes to the proposals in the Annex to this document.

PROPOSED ORGANIZATIONAL AND PROCEDURAL ARRANGEMENTS FOR MEETINGS OF THE CONFERENCE OF THE PARTIES

This document lists, under each main heading, a number of problems with previous meetings of the Conference of the Parties, which have been pointed out by Parties or by NGOs who have participated in such meetings as well as problems that the Secretariat has itself identified. The Secretariat has considered each of these problems and provides a commentary on each one and a proposed solution.

GUIDANCE AND HELP FOR PARTICIPANTS

1. Problem: At each meeting, a number of participants, especially if they have not previously attended a meeting, do not have a clear picture of the functioning of the meeting and of the roles of the various officials and official bodies. Moreover, a number of participants are not clear about what is expected of them.

Proposed solution: The Secretariat will prepare a guide for participants, outlining the role of the Bureau, the Chairmen of the Conference of the Parties and Committees I and II, and of the Secretariat and indicating the rights and responsibilities of participants. The guide should include a section on the Rules of Procedure. In preparing the guide, the Secretariat will take account of the document prepared by SSN and Wildlife Link, entitled "Guidelines for participation in meetings of the Conference of the Parties to CITES", and of the document by CIEL, entitled "A guide to the rules of procedure". The Secretariat has already contacted these organizations regarding the possible use of these documents. The section regarding the Rules of Procedure should reflect the draft Rules of Procedure that will be presented for adoption at CoP11.

2. Problem: Complaints of several kinds have emerged, in which inappropriate behaviour of delegates and observers have been cited as well as the unhelpfulness of the Secretariat.

Proposed solution: The Secretariat should include in the guide for participants a procedure to be followed in case of grievances. The proposed procedure requires that a mediator be nominated by the Standing Committee before the meeting and confirmed by the Bureau at its first meeting. The mediator should be identified to all participants at the beginning of the meeting. Any participant who has a grievance should always try first to resolve the problem with the other party concerned. If this fails, the complaint should be submitted to the mediator, who should investigate all complaints, try to resolve the problem with the parties concerned and, if this fails, report to the Bureau, which should decide on appropriate action. If it is considered that, in serious cases, the Bureau should be able to exclude an organization or participant, the Rules of Procedure would have to be amended to make this possible. Currently it is not possible as the right of participation is guaranteed to observers under Rule 2(2), once they have been admitted.

COMMUNICATION

3. Problem: Some observer organizations complain that they have found difficulties in getting messages to other observers and delegates, and difficulties in gaining access to delegations during the sessions.

Proposed solution: During the sessions it has always been possible for observers to ask the ushers to pass messages to delegates. This will continue. In cases where there are facilities for leaving voice-mail messages, these facilities will be used. The Secretariat will allow observers to leave messages in the pigeon holes for other observers or delegations if the name/signature contact details of the person leaving the message are clearly displayed on the message (or on

the envelope if there is one). In addition, the Secretariat recommends that the delegations of all Parties that have approved the attendance of national organizations as observers should set aside time to meet regularly with these organizations during the meeting of the Conference of the Parties and should inform them of their availability.

4. Problem: Sometimes, when there are organizational problems, the Secretariat hears about them only when they have persisted for some time or after the meeting.

Proposed solution: A senior member of the Secretariat staff will be available for 20 minutes at the end of the working sessions each day in the Plenary/Committee I meeting room to respond to any requests for information and to deal with any organizational problems.

RULES OF PROCEDURE

5. Problem: Several commentators have noted that there is no fundamental problem with the Rules of Procedure but, rather, they have not been correctly implemented. Some commentators have suggested the appointment of a professional parliamentarian to ensure that the Rules of Procedure are correctly and impartially applied.

Proposed solution: The correct and impartial application of the Rules of Procedure is the role of the Chairman, advised by the Secretariat. The Secretariat therefore does not intend to propose the appointment of a professional parliamentarian. The Secretariat does already prepare a manual for the Chairman of the Conference and briefs the candidate in advance. In future it will, during the briefing of candidates for the chairmanship of the Conference and of Committees I and II and the Budget Committee, put a particular emphasis on the Rules of Procedure. Moreover, it will ensure that a senior staff member familiar with the Rules of Procedure and their application is always available to advise Chairmen.

6. Problem: Many participants are not familiar with the Rules of Procedure and find them difficult to use and/or to understand.

Proposed solution: As indicated above (see paragraph 1), the Secretariat intends to provide a simplified guide to the Rules of Procedure for all participants and to circulate this in advance. The Management Authority of Spain has proposed a restructuring of the Rules of Procedure and a number of revisions to improve consistency and to take into account current practice. The Management Authority of the United States of America has suggested some specific changes to the Rules of Procedure. A proposed revision of the Rules of Procedure is presented by the Secretariat in document Doc. SC.42.6.1, Annex 3, on the basis of the proposal from Spain and after consideration of the comments from the United States of America.

7. Problem: A number of problems that have been identified require amendment to the Rules of Procedure or could be dealt with in part by making such amendment. The issues in question include:

- a) distribution of informative documents;
- b) use of secret ballots;
- c) late start of sessions because there is no quorum;
- d) expulsion of observers by the Bureau.

Proposed solution:

- a) The Secretariat has made a proposal to deal with this matter in document Doc. SC.42.6.1.
- b) No change is proposed. (See under VOTING below.)
- c) No change is proposed but, if this continues to be a problem, the Secretariat will in future suggest an amendment to indicate that a quorum is required only when decisions are being taken.
- d) No change is proposed but the Secretariat seeks the guidance of the Standing Committee.

REGISTRATION

8. Problem: No complaints were received but there are often long queues during registration, usually at the desk for people who have registration problems. This was because the database that held the pre-registration information was on a stand-alone PC, so that only one person could produce the registration cards and check the details for those who had forgotten to bring their cards or who had never received them.

Proposed solution: The Secretariat will endeavour to ensure that, during registration all the desks have PCs that are linked by a network to a server with a central database, accessible to all users simultaneously. If ever this is impossible (as in the past) the database will be split (e.g. Parties/NGOs or English/French/Spanish) to minimize waiting time for delegates.

WORKING PROGRAMME

9. Problem: Decision 10.107 states that "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." This contains a clear implication that additional time is required for regional meetings.

Proposed solution: In its first draft Working Programme for CoP11 (see Doc. SC.42.6.1, Annex 2) the Secretariat has included three hours for discussion in regional meetings on the first working day of the meeting (Monday 10 April) and an additional one hour on the seventh working day (Monday 17 April). The Secretariat suggests that the regional representatives should inform the Chairman of the Conference on the morning of 11 April whether additional time will be required, in which case it can be scheduled by the Bureau (preferably between or after sessions already scheduled).

10. Problem: A lack of time for discussion of some items is the result of a number of factors, primarily the large number of agenda items. Other factors include an increase in the number of Parties and observers, reportedly an increased rate of participation by Parties and the management of the debate. During the meeting, this problem has to be managed by the Chairmen, with the guidance of the Bureau. In advance of the meeting, though, the main influencing factors are the number of agenda items and proposals (to amend the appendices) put forward by Parties and the structure of the working programme as a starting point.

Proposed solution: The Secretariat, in preparing the provisional Working Programme will, as usual, take account of the number of agenda items to be discussed and the probable level of difficulty in dealing with them. When the Bureau discusses any revision of the Working Programme, it will need to be vigilant in ensuring that there is time for discussion of every item on the agenda and in particular for ample discussion in plenary session of items that are not to be referred to Committee I or Committee II, especially where reports from working groups are to be considered.

DOCUMENTATION

11. Problem: The distribution of documents before the meeting is costly and time consuming and it often takes several weeks for documents to reach their destination. In a few cases it appears that they do not arrive at all.

Proposed solution: Parties will be asked to inform the Secretariat if they are equipped to accept transmission of documents by e-mail. Documents will then be sent by this means to Parties able to receive them. All Parties will be asked to provide copies of their proposals or working documents in electronic format. All documents received in this format will be quickly placed on

the CITES Web site in exactly the form in which they are received. Documents not received in electronic form will be scanned and placed on the Web site. Other language versions will be added to the site as soon as they become available. The Web site will contain a list of documents that have been placed there and the language version available. Notifications to the Parties each month will update the information on which documents have been placed on the Web site.

12. Problem: A number of documents submitted are very long. Dealing with these adds to the costs of translation, document production and postage. In view of this, the Conference of the Parties recommended, at its 10th meeting, that the length of documents should not exceed 12 pages. In spite of this, the Secretariat has already received proposals for amendment of the appendices that exceed this length (submitted and circulated in accordance with Resolution Conf. 8.21).

Proposed solution: If the Secretariat receives a document longer than 12 pages, it will request the Party concerned to provide the translations or otherwise to provide a summary of not more than three pages. In the latter case, only the summary will be translated but the original document will be available to all Parties.

13. Problem: A number of commentators are under the mistaken impression that the requirement for approval of unofficial documents was introduced at CoP10 and complained about the introduction of this requirement. Because of the very large volume of unofficial documents at CoP10, review and approval of them by the Secretariat took a long time. The delays in some cases meant that the documents were not available until it was too late. Very few documents are rejected after review, raising questions about the utility of reviewing all documents in advance.

Proposed solution: This matter is dealt with in document Doc. SC.42.6.1, where an amendment to the relevant Rules of Procedure is proposed. If this is approved the distribution of unofficial documents will be as follows:

- a) through the pigeon holes:
 - i) documents from Parties, non-party States, intergovernmental organizations, on request;
 - ii) documents from others, only if the document is approved by the Secretariat;
- b) on tables in the public area:

no approval will be required, however the Bureau may exclude from the meeting observers circulating documents that abuse or vilify a Party, or bring the Convention into disrepute, and may have such documents removed.

14. Problem: At CoP10, most official documents were stapled together in batches. This created problems for participants because documents stapled together by the Secretariat had to be separated for use in different Committees. Even where this was not the case, the stapling made the documents difficult to use.

Proposed solution: Documents will not be stapled together in batches. Other ways to bind documents appropriately are being investigated.

15. Problem: Although some commentators say that the present system of numbering documents is appropriate, others find it confusing. In any case, Decision 10.108 of the Conference of the Parties states, "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." A number of commentators have suggested that document numbers should in some way reflect the agenda-item numbers.

Proposed solution: The Secretariat has taken the last comment above as an objective. However, it must be said that, since decisions or resolutions are adopted in relation to some agenda items but not others, an inevitable result of this approach is that there will be gaps in the sequences of documents. The Secretariat has started by restructuring the proposed Provisional Agenda (see Doc. SC.42.6.1, Annex 1) so that all substantive items for discussion are numbered sequentially,

with sub-items where necessary. The number of each agenda item can then appear on the working documents relating to that item.

As in the past the Secretariat plans to identify each document with a mark of up to four parts, for example:

Doc. 11.6 (Rev.2)

Status code

Numerical code

Meeting number

Document code

- a) Document codes: The following document codes will be used.

Discussion documents

Doc. Working documents

Prop. Proposals to amend the appendices

Draft decisions

Com.I Dec Draft decisions from Committee I

Com.II Dec Draft decisions from Committee II

Bud. Dec. Draft decisions from the Budget Committee

Draft resolutions

Com.I Res Draft resolutions from Committee I

Com.II Res Draft resolutions from Committee II

Bud. Res. Draft resolutions from the Budget Committee

Summary reports

Plen. Summary reports of plenary sessions

Com.I Rep. Summary reports of Committee I

Com.II Rep. Summary reports of Committee II

Bud. Rep. Summary reports of the Budget Committee.

WG Rep. Summary reports of Working groups

Other documents

Inf. Information documents

Cred. List of credentials

Part. List of participants

- b) Meeting number: The number simply indicates which meeting the document is produced for. For the 11th meeting of the Conference of the Parties, obviously the number is 11.
- c) Numerical code: In the case of documents in the first three categories (discussion documents, draft decisions, draft resolutions), and information documents, the number will be the number of the agenda item. In the case of a second or subsequent draft decision, draft resolution or information document relating to an agenda item, a letter of the alphabet will be added ('a' for the second document, 'b' for the third, etc.). In the case of other documents, the numerical code will be a serial number.
- d) Status code: There is a status code only if the document is a revised version of a document already distributed. The code (Rev. 1) will be used for the first revision, (Rev. 2) for the second revision, etc.

18. Problem: Pages of documents sometimes become separated, so that it is difficult to determine where they belong.

Proposed solution: The document reference number will be printed on all pages. A simple guide to documents will appear in the guide for participants.

SEATING

19. Problem: While some commentators feel that observers are sometimes separated too much from delegates, making access to them difficult, others believe that the separation (which is required by the Rules of Procedure) should be strictly implemented. In addition, participants have sometimes been disrupted when delegations arrived late, having not registered to attend the meeting.

Proposed solution: The following approach will be adopted in future:

- a) As in the past, for each delegation there will be two places at the table and two places behind, without a table (unless practical considerations prevent this). A place will be provided for representatives of every Party from the beginning of the meeting, regardless of whether it has registered in advance. Additional free-seating areas will be provided for delegations larger than four persons. Where possible, this will be at the sides of the room so that the delegates seated there can be called on by their delegations.
- b) Specific places will be reserved, as in the past, for non-party States, UN institutions and intergovernmental organizations and for organizations having a formal or special relationship with the Secretariat.
- c) No preference will be given to other international organizations.
- d) Where possible, the seating for observers will be on the same floor as the seating for delegates, to facilitate access in cases where the delegations wish to consult observers and to facilitate the participation of observers.
- e) If possible, the Secretariat will, before the meeting, send to participants a document regarding the seating arrangements.

ARRANGEMENTS FOR DEBATE

20. Problem: Many concerns have been expressed about observers being prevented from participating in the discussion at the 10th meeting of the Conference of the Parties. This was a result of a number of factors, including: the large volume of business; the late starting of sessions (notably because of failure to achieve a quorum in one committee); and the way in which the arrangements for debate were handled. It has also been noted by some commentators that interventions are often duplicative or of dubious relevance, so that time is not as well used as it could be. An additional problem has been that, in the plenary session, too little time has been allowed for the discussion of items that were not discussed in Committee I or Committee II.

Proposed solution:

- a) The Standing Committee should consider whether to propose a revision to the Rules of Procedure relating to the need for a quorum. Currently the Rules provide that no plenary session or session of Committee I or II shall take place in the absence of a quorum, i.e. one half of the Parties having delegations at the meeting. This could be revised so that, for example, a quorum is required only for voting. [Also see b)iv) below.]
- b) The Secretariat will revise its guidance to the chairmen, stressing in particular the following principles:
 - i) sessions should start on time;

- ii) starting from the beginning of the meeting, better use should be made of the possibility to limit the number of speakers and the time allocated to each speaker, however the limiting of time for debate should be a last resort;
 - iii) where a subject requires considerable debate, a list of speakers should be established and time should be allocated for contributions of observers;
 - iv) amongst observers, preference should be given, in this order, to non-party States, intergovernmental organizations, other NGOs (this could be reflected in the Rules of Procedure);
 - v) amongst observers, the floor should also be given to specialist organizations in preference to others where relevant (e.g. to the International Air Transport Association regarding transport of live animals, to the International Whaling Commission regarding whales, to the International Tropical Timber Organization regarding timber, etc.);
 - vi) where there are many observers that wish to intervene in a debate, they should be encouraged to appoint speakers to make combined interventions (to avoid duplicative statements) on the understanding that they will be invited to speak;
 - vii) so far as possible, working groups should be open to observers (even if they might not have the possibility to intervene).
- c) The Chairman of the Conference must be sure to give ample time in the plenary sessions for items that are not to be discussed in Committee I or II.
- d) A document entitled “Guidelines for participation in meetings of the Conference of the Parties to CITES” was prepared in 1998 by the CITES Group of Wildlife and Countryside Link (a British NGO umbrella group) and was sent to the Chairman of the Standing Committee. If it is agreed, the Secretariat will use this as a basis for a document for all participants, to brief them on what to expect at CITES meetings, the roles of the chairmen, the Bureau and the Secretariat, the seating arrangements, what is expected of participants, etc. The document should also contain guidance to speakers, including an encouragement to observers from NGOs to make combined interventions.

VOTING

21. Problem: A number of commentators thought that secret ballots should be less frequently used. Some thought that they should be more difficult or impossible to obtain, some noted that they were already more difficult to obtain in CITES than in most other conventions. Some believe that there should be no change regarding the rules relating to secret ballots.

Proposed solution: No change is suggested in the rules relating to secret ballots. However, during meetings, the Secretariat will urge Parties to show constraint in requesting secret ballots. It will ask the Bureau to endorse this urging.

22. Problem: In general, the practical conduct of votes is not problematic. At the 10th meeting of the Conference of the Parties, there were logistical problems relating to the ballot cards to use. These were resolved by the introduction of separate papers for the plenary session and for Committees I and II. The main problem is that conducting a secret ballot by traditional means takes a lot of time, reducing the time available for debate. A problem mentioned by one Party is that delegates may “sell” their ballot cards to other delegates

Proposed solution: The Secretariat intends to adopt the following practice in future.

- a) A clear explanation of the procedure for voting by secret ballot will be distributed to all Parties at each meeting in future.
- b) Whenever possible an electronic system of voting will be used.

- c) If electronic voting is used, delegations will be connected to the system only when their credentials have been accepted. If voting will be conducted with ballot cards, these will be provided to each Party only when its credentials have been accepted.
- d) At meetings where electronic voting is not available:
 - i) each country will receive a set of ballot cards comprising: six cards for the plenary sessions; six cards for Committee I; and six cards for Committee II. Each card in a set of six will be individually numbered from 1 to 6 in large figures. Each card will indicate the name of the session in which it can be used. A different colour will be used for the plenary sessions, for Committee I and for Committee II;
 - ii) a ballot box will be provided in the plenary sessions and in Committee I and Committee II and the name of each country will be marked on a register as its representative casts a vote.;

SOCIAL EVENTS

23. Problem: In the past, it has often happened that two or more social events took place at the same time because the organizers were not aware of other events that were planned. Some events were consequently not as well attended as they might have been.

Proposed solution: The Secretariat will establish a central register of social events planned during the period of a meeting of the Conference of the Parties. The information will also be published on the CITES Web site. Organizers of social events (and potential participants in them) should then consult the Web site or, if this is not possible, the Secretariat.

PUBLICATION OF PROCEEDINGS

24. Problem: For various reasons, the Proceedings have always taken a long time to produce after each meeting of the Conference of the Parties. To limit the size, the proposals to amend the appendices have not been published since the fourth meeting and are therefore not readily accessible for research after the meeting.

Proposed solution: The Secretariat will take the following approach in future.

- a) All discussion documents (working documents and proposals to amend the appendices) available before the meeting will be accessible through the CITES Web site.
- b) The proposals to amend the appendices will be provided to all participants at each meeting in a bound format at the time of the meeting.
- c) All documents produced during the meeting will be placed on the CITES Web site.
- d) For the Proceedings to be published in book form after the meeting, no corrections of the text or format will be made to any of the working documents or to draft decisions or draft resolutions produced by committees. This means that the only documents that will require work are the list of contents, the Decisions and Resolutions, the Summary reports (plenary, Committees I and II, Budget Committee and working groups), the lists of participants and the appendices to the Convention.