

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

Forty-fifth meeting of the Standing Committee
Paris (France), 19-22 June 2001

Strategic and administrative matters

ADOPTION OF THE RULES OF PROCEDURE

Introduction

1. This document has been prepared by the Secretariat.
2. The current Rules of Procedure of the Standing Committee, adopted at the 41st meeting (Geneva, 1999) are contained in the Annex to this document.
3. The Secretariat wishes to propose one amendment to these Rules with respect to the distribution of documents before meetings. It also wishes to inform the Committee of its intentions with respect to the preparation of future summary reports, since this matter is dealt with in Rules 25 and 26 of the Rules of Procedure.

Distribution of documents

4. The Rules of Procedure of the Standing Committee apply also to the other Committees as far as is practicable [see Resolution Conf. 11.1, under "RESOLVES", paragraph e)]. Under these Rules (see Rule 20 in the Annex) the Secretariat shall distribute documents for a meeting at least 45 days before the proposed date of the meeting. They are provided simultaneously in the three working languages of the Convention.
5. The Animals and Plants Committees would like to amend their Rules of Procedure to have the documents for meetings placed on the Secretariat's website as soon as they become available and in the original language in which they are submitted. The Secretariat considers as a matter of principle that it should not apply for the Animals and Plants Committees unless it applies also for the Standing Committee. However, it has no objection in principle to the change.
6. Consequently the Secretariat proposes that Rule 20 of the Rules of Procedure of the Standing Committee be amended as follows (new part in italics):

All documents submitted to the Secretariat by 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 in which they have been submitted. The Secretariat shall distribute *printed* documents for any meeting at least 45 days before the proposed date of the meeting where they are to be discussed. The documents shall be provided to all members of the Committee, to all Parties that may be directly affected by any discussion of the documents and to all Parties that have informed the Secretariat of their intention to be represented at the meeting.

Summary reports

7. The preparation of a full summary record of each meeting of the Committee has become more and more difficult to complete on time and the Secretariat must recognize that it has been unable, since the 41st meeting, to meet the deadline established in Rule 26 of the Rules of Procedure. The missing records will however be provided in the near future.
8. Because of the increasing burden of producing a full record, as has been done in the past, the Secretariat intends in future to provide an abbreviated record of meetings of the Standing Committee. This is for three reasons. The first is that Rule 25 requires that a concise executive summary of decisions of the Committee be prepared and endorsed before the closure of each meeting, and this is done. The second is that there is a high cost to producing a full record of each meeting, since this requires that rapporteurs be employed during the meeting and to write up the record after the meeting. The third reason is that, after each meeting, the task of producing and translating the summary record competes with other priorities and a way needs to be found to minimize this competition.
9. The Secretariat therefore intends, starting with the 45th meeting of the Standing Committee, to produce a shorter summary record than hitherto. It will contain, for each agenda item, a short statement about the main arguments or issues raised in the meeting, any statement that a Party has requested be included in the record, and a record of the decision or action taken by the Committee. With this approach, the Secretariat will be able to ensure that it provides the summary records of Standing Committee meetings in good time, in all the working languages, to all Parties for the least possible cost.
10. The Secretariat wishes to bring this matter to the attention of the Committee so that it has an opportunity to comment.

RULES OF PROCEDURE OF THE STANDING COMMITTEE
(adopted at the 41st meeting, February 1999)

Representation and attendance

Rule 1

Each member of the Standing Committee shall be entitled to be represented at meetings of the Committee by a Representative and an Alternate Representative. Each member shall also designate a person with whom communications regarding the work of the Committee should be conducted between meetings of the Committee and an alternate.

Rule 2

If a regional member is not represented at a meeting, its alternate member shall be entitled to represent the region.

Rule 3

The Representative shall exercise the voting right of a member or alternate member. In his/her absence, the Alternate Representative shall act in his/her place. Only members or alternate members representing the six regions shall have the right to vote, except in the case of a tie vote when the Depositary Government shall have the right to vote to break the tie.

Rule 4

Parties not members of the Committee shall be entitled to be represented at meetings of the Committee by observers who shall have the right to participate but not to vote.

Rule 5

The Chairman may invite any other person or a representative of any country or organization to participate in meetings of the Committee as an observer without the right to vote.

Credentials

Rule 6

The Representative or, in his/her absence, the Alternate Representative of a member shall, before exercising the voting rights of the member at a meeting and before making any intervention, have been granted powers by or on behalf of a proper authority enabling him or her to represent the member at the meeting.

Rule 7

Any observer representing a Party or an organization shall, before making any intervention in a meeting, have been granted powers by or on behalf of a proper authority enabling him or her to represent the Party or organization at the meeting.

Rule 8

The credentials required under Rules 6 and 7 shall be presented to the Secretariat of the Convention, which shall review the credentials and report to the Committee at the earliest opportunity, indicating whether credentials have been presented for each participant and the form of the credentials received, drawing attention to any potential problems.

Rule 9

On the basis of the report of the Secretariat, the Committee shall decide whether to accept the credentials presented and whether any of them require further review by members of the Committee. In the latter case, a Credentials Committee of not more than three Representatives of members, or their Alternates, shall examine the credentials requiring further review and shall report thereon to the meeting. Credentials in the form of a letter from the Minister for Foreign Affairs or the Minister responsible or the Director of the Management Authority or a *note verbale* from a permanent mission may 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 10

Pending a decision on their credentials, representatives of members and observers may participate provisionally in the meeting.

Officers

Rule 11

During each regular meeting of the Conference of the Parties, the regional members of the Committee shall elect its Chairman, Vice-Chairman and Alternate Vice-Chairman from among the regional members.

Rule 12

The Chairman shall preside at meetings of the Committee, approve the provisional agenda prepared by the Secretariat and maintain liaison with other Committees between meetings of the Committee. He/she shall represent the Committee and the Parties 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 13

The Vice-Chairman and the Alternate 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 14

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 15

The Committee shall normally meet at least once every year.

Rule 16

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

Rule 17

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

Rule 18

Notice of meetings shall normally be given by the Secretariat at least 75 days, and in case of emergency meetings at least 14 days, in advance of the meeting.

Rule 19

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.

Rule 20

The Secretariat shall distribute documents for any meeting at least 45 days before the proposed date of the meeting where they are to be discussed. The documents shall be provided to all members of the Committee, to all Parties that may be directly affected by any discussion of the documents and to all Parties that have informed the Secretariat of their intention to be represented at the meeting.

Rule 21

A quorum for a meeting shall consist of Representatives or Alternate Representatives of seven regional members or alternate regional members from at least four regions. No decision shall be taken at a meeting in the absence of a quorum.

Rule 22

Decisions of the Committee shall be taken by consensus unless a vote is requested by the Chairman or by Representatives or Alternate Representatives of regional members or alternate regional members from two regions.

Rule 23

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 unless the tie is broken by the vote of the Depositary Government.

Rule 24

At the request of the Chairman or of any Representative or Alternate 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 25

A concise executive summary of the decisions of the Standing Committee shall be prepared by the Secretary and endorsed by the Standing Committee before the closure of each meeting.

Rule 26

A summary record of each meeting shall be prepared by the Secretary and sent to the Parties represented at the meeting within 40 days. The Secretary shall take into account the comments received within 20 days of the circulation and shall communicate the final summary record to all Parties after it is approved by the Chairman.

Rule 27

The working languages of the meetings of the Committee shall be English, French and Spanish.

Communication procedure

Rule 28

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 29

If no objection from a regional 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 30

If any regional 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 31

Any working document submitted for consideration by the Committee may be classified as "Restricted" or "Confidential" by the Secretariat when it determines that the document contains information that might be detrimental if disclosed to non-Parties or to organizations; Parties should use their best efforts to maintain such restriction or confidentiality unless the classification has been removed by the Secretariat or the Committee.

Rule 32

In matters not covered by the present Rules, the Rules of Procedure as adopted by the last regular meeting of the Conference of the Parties shall be applied *mutatis mutandis*.

Rule 33

These Rules shall come into force on adoption by the Committee, and may be amended by the Committee as required.