

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

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Fifty-third meeting of the Standing Committee  
Geneva (Switzerland), 27 June-1 July 2005

Strategic and administrative matters

RULES OF PROCEDURE

1. This document has been prepared by the Secretariat.
2. The current Rules of Procedure of the Standing Committee were adopted at its 47th meeting (Santiago, November 2002).
3. During the 50th meeting of the Standing Committee (Geneva, March 2004) it was noted that the Animals and Plants Committees are obliged to follow the Rules of Procedure of the Standing Committee as far as is practicable. However, it is clear that there are ways in which the Rules of Procedure of the Standing Committee do not apply to the Animals and Plants Committees. Since the Rules of Procedure of the Standing Committee apply also to other Committees (as far as practicable), the Secretariat has reviewed the Rules with a view to proposing adjustments that will facilitate their applicability to the Animals and Plants Committees.
4. While conducting this review, it has also noted a number of other areas where amendments in the Rules would be desirable in order to provide clarity, or as a result of problems identified or changes in CITES practices.
5. As a result of this review, the Secretariat is proposing a number of changes to the Rules of Procedure of the Standing Committee. These are presented in the Annex to the present document. Proposed additions are underlined, proposed deletions are crossed out and a short explanation is given in italics. The Secretariat recommends that these changes be adopted.

## Rules of Procedure of the Standing Committee

### 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.

*Explanation: The word 'Standing' has been deleted here and throughout the text to help to make the Rules more generically applicable to CITES committees.*

#### 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 Depository 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 United Nations, its Specialized Agencies, the International Atomic Energy Agency, as well as any State not a Party to the Convention may be represented at the meeting by observers who shall have the right to participate in meetings of the Committee but not to vote.

#### Rule 6

1. The Chairman may, after consultation with members of the ~~Standing~~ Committee and the Secretariat, invite any person or any body or agency technically qualified in protection, conservation or management of wild fauna and flora to be represented at meetings of the Committee by observers. These observers shall have the right to participate only during the discussion of specific agenda items determined by the Committee, but not to vote. However, the right of any such observer to participate shall be withdrawn if so agreed by the Committee.
2. Any person or body wishing to participate in a meeting of the Committee in accordance with paragraph 1 shall submit a request to the Secretariat at least 30 days ~~one month~~ before the meeting, or in the case of an emergency meeting at least seven days prior to that 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. The Secretariat shall forward this request and relevant information to the Chairman and the members of the Committee.

*Explanation: This minor suggested change is to avoid any ambiguity regarding the exact date of the deadline, since months vary in length.*

## Credentials

### Rule 7

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, have been granted credentials ~~powers~~ by or on behalf of a proper authority enabling him or her to represent the member at the meeting.

*Explanation: Change is suggested to enhance clarity.*

### Rule 8

Any observer representing a ~~Party-State~~ or an organization in a meeting, shall have been granted credentials ~~powers~~ by or on behalf of a proper authority enabling him or her to represent the ~~Party-State~~ or organization.

*Explanation: First and third changes are suggested because, in accordance with Rule 5, non-party States may also be represented by observers. Second change is suggested to enhance clarity.*

### Rule 9

The credentials required under Rules 7 and 8 shall be presented to the Secretariat of the Convention, together with a translation into English, French or Spanish if they are not in one of those languages ~~in one of the working languages of the Convention~~. The Secretariat 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.

*Explanation: This proposed change reflects an amendment to the Rules of Procedure of the Conference of the Parties, agreed at CoP13.*

### 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 three Representatives of members, or their Alternates, shall examine the credentials requiring further review and shall report thereon at 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. 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, representatives of members and observers may participate provisionally in the meeting.

## Officers

### Rule 12

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 13

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 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.

*Explanation: The change proposed is simply to be more specific and thus provide clarity.*

#### Rule 14

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 15

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 16

The Committee shall normally meet at least once every year.

*NB: There is now a possible discrepancy between this rule and Resolution Conf. 13.1, which states, under the second "AGREES", paragraph c), that "no more than two regular meetings of the Standing Committee ... should be convened between meetings of the Conference of the Parties". The Standing Committee generally expects to meet once in each non-CoP year as well as meeting immediately before and immediately after a CoP. It may be considered that the meeting immediately before the CoP is held mainly for the business of preparing for the CoP itself, and that the meeting immediately afterwards is mainly for the purpose of electing a Chairman and Vice-Chairmen. If these are not considered as "regular" meetings, there is no discrepancy.*

#### 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.

#### Rule 19

Notice of meetings shall normally be given by the Secretariat at least 90 ~~75~~ days, and in case of emergency meetings at least 14 days, in advance of the meeting.

*Explanation: This is a consequence of the change proposed to Rule 20, to ensure that Parties continue to have at least 15 days between the announcement of the date of a meeting and the deadline for the submission of documents.*

#### Rule 20

Documents to be considered at a meeting shall normally be provided to the Secretariat at least 75 ~~60~~ days before the meeting where they are to be discussed, and should not be longer than 12 pages.

*Explanation: The deadline of 60 days for the submission of documents was agreed several years ago, when there were far fewer items to be dealt with by the Standing Committee and the other committees. Extending the period between the deadline for submitting documents and the deadline for distributing them would help to ensure that all documents can be translated in time and to minimize the number of documents sent for external*

*translation (thus limiting the costs). In addition, the limit to the length of documents reflects a decision of the Conference of the Parties in Resolution Conf. 4.6 (Rev. CoP13).*

#### Rule 21

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 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 ~~members of the Committee, to all Parties that request them~~ 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.

*Explanation: This proposed change reflects the continuing efforts to reduce the Secretariat's costs. For CoP13, documents were not distributed on paper but all Parties were reminded several times that they could be printed from the CITES website and that if this was not possible they could be obtained from the Secretariat. The documents for meetings of the Standing Committee are also available on the website in advance. It is therefore proposed that printed copies be sent only to the members and alternate members as well as to Parties that specifically request them.*

#### Rule 22

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 23

1. The right to speak shall extend to all participants whose credentials are under consideration or have been accepted, and to observers who have been admitted to the meeting in accordance with Rule 4, 5 or 6, 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 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 a committee or 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 Representative, limit the time to be allowed to each speaker and the number of times the members of a delegation or the 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 24

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 25

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 26

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 27

As far as practicable, a ~~A~~ concise executive summary of the decisions of the ~~Standing~~ Committee shall be prepared by the Secretary for endorsement ~~and endorsed~~ by the ~~Standing~~ Committee before the closure of each meeting.

*Explanation: Implementation of the current text poses problems in the case of the final day of the usual five-day meetings and in the case of the shorter meetings immediately before and after the meetings of the Conference of the Parties. An addition is proposed to avoid asking for the impossible.*

#### Rule 28

A summary record of each meeting shall be prepared by the Secretary and sent to the 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 ~~(without reference to any particular Party)~~; the text indicating the decision that was made, as it appears in the executive summary; and the text of any statement provided by the representative of any Party that was read into the record during the meeting. 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.

*Explanation: The text proposed for deletion seems unnecessary. Its deletion will facilitate the applicability of this Rule to the Animals and Plants Committees. In any case, the summarized presentation generally means there is no reference to particular Parties.*

#### Rule 29

The working languages of the meetings of the Committee shall be English, French and Spanish and no document may be discussed at a meeting unless it has been made available in advance in these languages.

*Explanation: This proposed change reflects an instruction from the Conference of the Parties contained in Action Point 1.12.3 of the Strategic Vision.*

### **Communication procedure**

#### Rule 30

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 31

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 32

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 33

In matters not covered by the present Rules, the Rules of Procedure currently in effect ~~as adopted by the last regular meeting~~ for meetings of the Conference of the Parties shall apply ~~be applied~~ *mutatis mutandis*.

*Explanation: The Conference of the Parties, like the Standing Committee, has adopted Rules that remain valid but may be amended. The proposed change therefore reflects the fact that the Conference adopts amendments at its meetings rather than a complete set of Rules.*

#### Rule 34

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.