

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



Sixty-ninth meeting of the Standing Committee
Geneva (Switzerland), 27 November – 1 December 2017

Administrative and financial matters

ADOPTION OF THE RULES OF PROCEDURE

1. This document has been prepared by the Secretariat.

Mandate

2. At its 17th meeting (CoP17, Johannesburg, 2016), the Conference of the Parties adopted the Rules of Procedure for CoP17 (RoP CoP17).¹ The Conference of the Parties also adopted Decisions 17.2 and 17.3 directed to the Standing Committee as follows:

17.2 *The Standing Committee shall review its Rules of Procedure and align them as closely as possible with the Rules of Procedure of the Conference of the Parties mutatis mutandis.*

17.3 *Resolution Conf. 11.1 (Rev. CoP17) on Establishment of committees contains provisions that are relevant for the Rules of Procedure of the Committees. In reviewing the Rules of Procedure, the Standing Committee at its 70th meeting, with input from the Animals and Plants Committees, shall identify possible inconsistencies and overlap and make such suggestions as appropriate to revise Resolution Conf. 11.1 (Rev. CoP17), for consideration at the 18th meeting of the Conference of the Parties.*

In addition, the Conference of the Parties adopted the following Decision directed to the Animals and Plants Committees:

17.4 *Based on a proposal prepared by the Secretariat, the Animals and Plants Committees shall review their respective rules of procedure and align them as closely as possible with the Rules of Procedure of the Conference of the Parties and the Standing Committee, taking into account the unique composition and role of the Scientific Committees.*

Introduction

3. To assist the Standing Committee in completing the task directed to it in Decision 17.2, the Secretariat has prepared a set of draft revised rules of procedure in accordance with the guidance contained in the Decision. The draft is set out in Annex 1 to the present document with the changes indicated. In the draft the Secretariat has also indicated where the revised rules are based on RoP CoP17. Annex 2 contains a 'clean' version of the final draft Rules of Procedure as proposed by the Secretariat.
4. The SC69 document on the revision of Resolution 11.1 (Rev. CoP17) on *Establishment of Committees* addresses Decision 17.3.

¹ The consolidated Rules of Procedure of the Conference of the Parties can be found here: <https://cites.org/sites/default/files/eng/cop/E17-CoP-Rules.pdf>

Background

5. Reference is made to document CoP17 Doc. 11 setting out the background and the objective of the proposed revision agreed by the Standing Committee at its 66th meeting. As decided by the CoP in Decision 17.4, it is important to keep in mind that the Rules of Procedure of the Animals Committee (AC) and of the Plants Committee (PC) will need to be aligned with the revised Rules of the Standing Committee, once these have been adopted. At their recent meetings, the two Committees agreed to put aside this issue until the revised rules of procedure for the Standing Committee had been put in place.
6. In preparation of this document and the upcoming Standing Committee's deliberations, the Secretariat circulated a draft of the revised rules to all members of the Committee by e-mail and invited members to provide any comments to the Secretariat by 21 August 2017. A total of eight regional members and two Parties from North America² responded. All the comments received have been carefully reviewed and taken into account in the draft rules of procedure contained in the Annexes 1 and 2 to the present document.

Notes on the main amendments proposed to the Rules of Procedure and comments received

7. As requested by the Conference of the Parties (CoP), the Secretariat is proposing a draft set of revised rules that are aligned as closely as possible to the RoP CoP17, while also observing the relevant provisions of Resolution Conf. 11.1 (Rev. CoP17) and current Rules and practice. Further, to facilitate the application of the Rules, the Secretariat proposes to reduce the number of rules with each rule containing more paragraphs.

Representation and attendance

8. Rule 1 concerns the Members of the Committee. In Resolution Conf. 11.1 (Rev. CoP17), Parties have determined that membership of the Standing Committee comprises regional Members (with alternate Members elected for each regional Member), the Depositary Government and the previous and next host Party of the meetings of the CoP. Parties have also decided that only the regional Members or alternate Members have the right to vote, except in case of a tie, when the Depositary Government shall have the right to vote.³ The rules of procedure needs to reflect these different types of Members.
9. The Secretariat proposes to replace "alternate regional member" with "acting regional member" to clarify that the alternate member will only exercise the rights of the Member under the rules if the regional member is not present. The Secretariat also proposes to replace "alternate Representative" with "Alternative Representative" as used in the rules of the CoP.
10. Rule 4 concerns the attendance by observers representing intergovernmental and national governmental agencies and bodies and international or national NGOs. In the current rules, the Chair approves all requests for participation submitted by any such bodies or agencies by inviting them to the meeting. This provision stems from paragraph 2 b) vi) of Annex 1 of Resolution Conf. 11.1 (Rev. CoP17) which in turn dates back to Resolution Conf. 6.1, adopted in 1987 and reads as follows:

vi) the Chair may invite any person or a representative of any other country or organization to participate in meetings of the Committee as an observer without the right to vote;

11. Until the 49th meeting of the Standing Committee in 2003, the Standing Committee meetings were closed to virtually all non-Party observers. When this situation was first changed, the Standing Committee took a cautious approach. Experience over the years since then has shown that the contribution of observers to the Standing Committee meetings has enriched proceedings and increased transparency. The process of inviting non-Party observers is now well established and, in practice, the Chair has approved all observers technically qualified in protection, conservation or management of wild fauna and flora.
12. The Secretariat proposes to align the rules on attendance by observers of agencies and bodies as closely as possible with the Rule 4 of the Rules of the Conference of the Parties, which is in turn based on Article XI, paragraph 7, of the Convention. These Rules do not require the Secretariat to submit requests for participation to the Chair for approval. As a consequence, the Secretariat had proposed that the Chair of the Standing Committee would no longer formally have to approve and invite representatives of bodies and

² Bahamas, China, Canada, Guatemala, Hungary, Israel, Mexico, New Zealand, Peru and the United States of America

³ See Resolution 11.1 (Rev. CoP17), Annex 1, paragraph 2 (a), (i) and (b)

agencies as observers for them to be admitted to the meeting. In accordance with the Resolution, the Chair could still invite any person if the Chair so wishes, but they would need to comply with the Rules of Procedure as is currently the case. In addition to aligning with the CoP, this suggested practice would be in accordance with the practice and principles of the United Nations, see Economic and Social Council Resolution 1996/31 at <http://www.un.org/documents/ecosoc/res/1996/eres1996-31.htm>.

13. However, from the comments provided by Parties on the draft rules the Secretariat understands that Parties find that the current system works well and would prefer not to introduce changes to this rule. The Secretariat therefore suggests to use the Rules of the CoP while maintaining the approval by the Chair in line with present practice.

Credentials

14. Rule 5, paragraph 1 needs to be amended as a consequence of the changes to Rule 1, paragraph 1. Paragraph 2 has been moved from Rule 11 with some modifications: the Secretariat proposes to delete the option that credentials may be valid for more than one meeting as there is a risk of conflicting information. In paragraph 3, the Secretariat proposes to add a reference to regional economic integration organizations as non-Member observer Parties. Changes to paragraphs 5 and 6 are also consequences of changes in other parts of the Rules.

Officers and the Secretariat

15. There is currently no Alternate Vice-Chair of the Committee and no requirement in Resolution Conf. 11.1 (Rev. CoP17) to have one. The Secretariat therefore proposes to delete the reference to the Alternate Vice-Chair.

Arrangement of meetings

16. The proposed changes to Rule 8 are making it clear that the Chair of the Committee should consult with the Secretariat in determining the time and place of the meetings of the Committee and follow guidance and instructions by the CoP.
17. There is currently no rule on seating arrangements in the Rules of Procedure of the Standing Committee. The proposed Rule 9 on seating arrangements is adapted from the similar Rule 13 of the Rules of Procedure of the CoP, including the notion "as a general rule". Paragraph 1 of Rule 9 concerning the seating arrangement of Members is reflecting the current practice whereby regional and acting regional Members of the Standing Committee sit by the region they represent, while other Members are seated right behind.
18. Paragraphs 1 and 2 of the proposed Rule 10 on working languages have been moved from the current Rule 29, but are otherwise unchanged. Paragraph 3 is adapted from paragraph 2 of Rule 10 of the Rules of the CoP.

Documents

19. Based on the existing Rules 20 and 21, the relevant rules of the CoP (Rules 22, 24 and 30), the decision to move to paperless meetings as well as the experience with handling increasing amounts of information material brought to the attention of the delegations, the Secretariat had proposed a slightly revised approach to documents in the first draft introducing three categories of documents (working documents, information documents and other information material with different rules applying to them). In their comments, some Parties suggested to align with the Rules of the CoP, and the Secretariat is therefore proposing two new Rules on working documents (Rule 11) and Information documents (Rule 12), noting that there are currently no rules on information documents in the rules of the Standing Committee:
 - a) In Rule 11 (current Rules 20 and 21) concerning working documents to be considered at a meeting, the Secretariat proposes to add that such documents can be submitted by Chairs of the technical committees, in addition to Parties and the Secretariat. The deadlines for submitting documents and placing them on the website are unchanged. The Secretariat proposes to delete the obligation of the Secretariat to alert a Party that may be affected by any discussion of a working document. Furthermore, the Secretariat proposes to delete references to the distribution of paper copies of documents in view of the successful transition to paperless meetings.

- b) The second category (Rule 12) includes information documents on the protection, conservation or management of wild fauna and flora. This Rule is adapted from Rule 30 of RoP CoP17 and covers information documents that relate to a specific agenda item and are numbered and included in the list of official documents which can only be submitted by Parties and the Secretariat. It also covers other information material on protection, conservation or management of wild fauna and flora made available to the participants of the meeting by Parties or observers. This is aligned with the equivalent rule governing such documents contained in Rule 30 of the RoP CoP17.

Rules of order and debate

20. In Rule 13 on quorum, the Secretariat proposes that quorum should be required at any time and not just at the time of decision-making.
21. Rule 14 on the right to speak is fairly close to the similar Rule 19 of the RoP CoP17. In paragraph 4 of Rule 14, the Secretariat suggests to limit the right to make a point of order to Members, which is in accordance with UN practice.
22. In Rule 15 on decision-making, the Secretariat proposes to emphasize that decisions as far as possible shall be made by consensus – reflecting paragraph 1 of Rule 23 of the RoP CoP17. When the Committee fails to reach consensus, the Chair or regional/acting regional Members from at least two regions may propose that the decision be put to a vote. Only regional Members have the right to vote and therefore only regional Members should have the right to request a vote.
23. In Rule 16 on closed sessions, some Parties suggested to refer back to Rule 15 on Decision-making and the Secretariat proposes to take this proposal on board.

Working groups and sub-Committees

24. The current Rules provide little guidance on working groups. The Standing Committee has relied exclusively on paragraph 1 d) of Annex 1 of Resolution Conf. 11.1 (Rev. CoP17). Between CoP16 and CoP17, the Standing Committee has used an array of different subsidiaries, such as contact group, consultative group, sub-committee, sub-group, and working group. The Standing Committee may want to consider streamlining the use of its subsidiaries and limit this to the two mentioned in Resolution Conf. 11.1 (Rev. CoP17): working groups and sub-committees. For small drafting issues, in-session, short-lived and very informal drafting groups could be considered to be established as well – however, such groups are so informal that there is no need to provide for them in the Rules.

25. As noted in document SC66 Doc. 5.2, paragraph 7. c):

The current Rules of Procedure provide very little guidance on the establishment, composition, working modalities and mandates of Committee working groups, even though these have played an increasing role in the functioning of the governing bodies, particularly the SC, AC and PC. At present, the Standing Committee currently has 31 intersessional working groups, sub-committees, sub-groups, contact groups, consultative groups and advisory groups, working on a variety of key issues for the Convention. The Secretariat has observed that Parties have found it challenging to engage with all these groups simultaneously. It is also important to avoid any overlap between AC, PC and SC working groups on similar topics or species and to clarify the support role expected from the Secretariat.

26. In the RoP CoP17, the Conference of the Parties adopted a new Rule on working groups, in paragraph 3 of Rule 7. The Secretariat suggests to apply this rule *mutadis mutandis* to the Standing Committee as set out in Rule 17.
27. In this context, the Secretariat would like to recall Decision 17.8 on working groups which is currently being implemented by the Secretariat. It reads as follows:

The Secretariat shall maintain and publish on the CITES website a list of active intersessional working groups, established by the Standing Committee, and the Animals and the Plants Committees, including Chairs and members of such groups.

28. The Secretariat proposes a new Rule 18 to allow the Standing Committee to establish sub-Committees comprising Parties, noting that currently the Finance and Budget Sub-Committee has been established in accordance with Resolution Conf. 11.1 (Rev. CoP17).

Executive summary and summary records

29. New Rule 19 on executive summary and summary records is very close to the current Rules 27 and 28 with only two substantive changes. The Secretariat proposes that all decisions made by the Standing Committee enters into force on the last day of the meeting of the Committee – rather than on the day of the endorsement of the executive summary in which they are included, unless otherwise specified in the decision itself.
30. The second substantive change is the inclusion of the list of speakers in the summary record in paragraph 2. As this happens already, this is merely a consolidation of existing practice. Finally, a proposal to make audio recordings of the meeting available upon request have been included as a new paragraph 3 in rule 19.

Procedure for inter-sessional decision-making

31. The current Rules on the communication procedure are based on Article XV, paragraph 2 of the Convention related to amendments to Appendices I and II between meetings of the Conference of the Parties. As the Standing Committee has been established to make decisions in between meetings of the CoP, similar rules do not occur in the RoP CoP17. The existing communication procedure has been used five times over the past ten years and is rather resource demanding. The Secretariat proposes that its use be limited to exceptional situations where the Chair of the Standing Committee determines that the urgency of the matter requires the Standing Committee to become involved before its next meeting. At the same time, using electronic means allows for a faster process than the current one that is based on exchange of letters. Finally, it should be kept in mind that, at SC66, “several Parties expressed words of caution about a possible transition to e-voting.”⁴
32. Based on these considerations, the Secretariat proposes to adapt the current Rules for the purposes of the Standing Committee, e.g. by changing the title and the terminology and by introducing the use of electronic means, including e-mail and web-based solutions that may be developed over time. The Secretariat had also proposed to reduce the time lines throughout the process. However, Parties commenting on the draft were not in favour of this and the Secretariat therefore maintains the existing timelines in the present draft. Some additional amendments are suggested to clarify the Rules in case a recommendation is put to a vote.

Final provisions

33. The Secretariat is not proposing any changes to the final provisions.

Recommendations

34. The Standing Committee is invited to consider and adopt the draft Rules of Procedure contained in Annex 2 to the present document.

⁴ SC66 SR, page 2

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



Rules of Procedure of the Standing Committee

(as amended at the 65th meeting, Geneva, July 2014)

With proposed changes

Representation and attendance

Rule 1⁵

1. Each Member of the Committee shall be entitled to be represented at meetings of the Committee by a Representative, and an Alternate an Alternative Representative and such Advisors as the Member may deem necessary. 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.
2. If a regional Member is not represented at a meeting, its alternate Member shall be entitled to represent the region as the acting regional Member.
3. Members and acting regional Members shall submit the names of their Representative, Alternative Representative and any Advisors to the Secretariat at least seven days before the meeting through the person designated for communications regarding the work of the Committee.
4. The Representative shall exercise the voting right of a regional Member or an acting regional Member. In his/her absence, Alternate Representative shall act in his/her place. Only Members or alternate members acting 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 42.

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. Such Parties shall submit the names of these observers to the Secretariat at least seven days before the meeting through the national Management Authority.

Rule 53⁶.

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 meetings by observers who shall have the right to participate in meetings of the Committee but not to vote, and shall submit the names of these observers to the Secretariat at least 30 days before the meeting.

Rule 64⁷

1. The Chair may invite any person to attend a meeting of the Committee as an observer and may invite any body or agency to be represented at a meeting of the Committee by observers provided that any such person, is Any body or agency technically qualified in protection, conservation or management of wild fauna and flora. Such which is either:

⁵ Rule 3 of the Rules of the CoP17

⁶ Rule 4, paragraph 1, of the Rules of the CoP17

⁷ Rule 4, paragraphs 2 and 3, of the Rules of the CoP17

- a) an intergovernmental or a national governmental agency or body; or
- b) an international or national non-governmental agency or body, including a private sector entity

and which has informed the Secretariat of the Convention of its desire to be represented at the meeting by observers shall be permitted to be so represented in the meeting of the Standing Committee. Once admitted, 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 observers to participate shall may be withdrawn at any time if so agreed by one third of the Committee Members present.

- 2. a) ~~Any body or agency wishing~~ Bodies and agencies referred to participate in a meeting of the Committee in accordance with paragraph 1 of this Rule desiring to be represented at the meeting by observers shall submit a request the names of these observers to the Secretariat of the Convention at least 30 days before the meeting, or in the case of an emergency meeting at least seven days prior to that meeting.

~~b) Any such request from a body or agency shall be accompanied by:~~

~~i) relevant information with regard to its technical qualifications;~~

~~ii) the observer/s who have been authorized to represent it at the meeting; and provide~~

~~iii) proof a) evidence of the approval of the State in which the national non-governmental body or agency it is located or, in which the international the case of a national non-governmental body or agency is headquartered; or~~

b) evidence that it has a legal persona and an international character, and a relevant remit and programme of activities in the case of an international non-governmental body or agency, unless it has already been registered by the Secretariat.

- 3. The Secretariat shall forward each request received and relevant information to the Chair ~~and the members of the Committee~~ for approval.

Credentials

Rule 7⁸

- 1. The Representative or, in his/her absence, the ~~Alternate~~ Alternative Representative of a regional Member or in the absence of the Member, the acting regional Member, shall, before exercising the voting rights of the Member at a meeting, have been granted credentials by or on behalf of a proper authority enabling him or her to represent the Member/acting Member at the meeting.
- 2. Credentials in the form of a letter from the Minister for Foreign Affairs, the competent Minister or the Management Authority authorized to communicate with the Secretariat or a note verbale from the permanent mission may be accepted. Verifiable copies of credentials may also be accepted. ~~Rule 8~~ Credentials shall not be accepted if they have been signed by the person whom they accredit.
- 3. Any observer representing a Party not a member of the Committee, a State not Party to the Convention or an intergovernmental organization in a meeting, agency or body, shall have been granted credentials by or on behalf of a proper authority enabling him ~~or~~ her to represent the State, regional economic integration organization, agency or organization body.

Rule 9

- 4. The credentials required under ~~Rules 7 and 8~~ this Rule shall be presented to the Secretariat ~~of the Convention, where possible at least one week before the meeting~~, together with a translation into one of the three working languages if they are not in one of those languages.

Rule 10

⁸ Rule 5, paragraphs 1, 2, 4 and 5 of the Rules of the CoP17

The Secretariat shall review the credentials and report to the Committee at the earliest opportunity, and shall provide a list of the credentials received in accordance with ~~Rules 7 and 8~~this Rule, and draw attention to any potential problems.

Rule 11

5. 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/acting regional Members, or their Alternative Representatives/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 12

6. Pending a decision on their credentials, Representatives and Alternative Representatives of Members or acting Members and observers referred to in ~~Rule 8~~Rules 2 and 3 may participate provisionally in the meeting. The right to participate in the meeting shall not extend to persons whose credentials the Standing Committee has decided are unacceptable.

Officers and Secretariat

Rule 436

1. Immediately following each regular meeting of the Conference of the Parties, the regional Members of the Committee shall elect its Members to serve as Chair, Vice-Chair and Alternate Vice-Chair from among the regional Members.

Rule 14

2. The Representative of the Member elected as 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 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 15

3. ~~The Vice-Chair and Representative of the Alternate Member~~ elect ed as 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 467⁹

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

Arrangement of the meeting

Rule 178

1. Subject to guidance provided by the Conference of the Parties, meetings of the Committee shall be called at the request of the Chair or of a simple majority of the Members.

⁹ Rule 6 of the Rules of the CoP17

Rule 18

2. The time and place of meetings shall be determined by the Chair in consultation with the Secretariat in accordance with any instructions provided by the Conference of the Parties.

Rule 10

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

Rule 9¹⁰

1. Delegates of regional Members and acting regional Members shall be seated by the region they represent; delegates of other Members shall be seated immediately behind. Seating limitations may require that no more than four delegates of any Member be seated with the delegation of the Member with additional delegates seated with observers.
2. Behind delegations of the Members, shall be seated delegations of Parties not members of the Committee, as a general rule, in accordance with the alphabetical order of the English language names of the Parties they represent. Seating limitations may require that no more than four delegates of any Party not member of the Committee be present at plenary sessions.
3. Observers shall be seated in one or more designated areas within the meeting room. Seating limitations may require that no more than two observers from any Observer body or agency, be present at plenary sessions.

Rule 10¹¹

1. English, French and Spanish are the working languages of the meetings of the Committee. No working document may be discussed at a meeting unless it has been made available in accordance with Rule 11 in these languages.
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.

Rule 20

3. Interventions made in any of the working languages shall be interpreted into the other two in plenary sessions of the Committee. Interpretation shall normally not be provided in sessions of working groups, unless resources have explicitly been allocated for this purpose by the Conference of the Parties.

Documents

Rule 11

1. Working documents to be considered at a meeting shall be provided to the Secretariat in one of the working languages and shall normally be provided at least 60 days before the meeting where they are to be discussed, and should not be longer than 12 pages.

Rule 21

42. At least 45 days before each meeting of the Standing Committee, the Secretariat shall:

— a) — to the extent possible place on its website, in the language in which they have been received,

a) all documents submitted by any Party, the Chair of the Animals or the Plants Committee, or submitted by an observer at the request of the Chair in the language in which they have been received; and

¹⁰ Rule 13, paragraphs 2-4, of the Rules of the CoP17

¹¹ Rule 10, paragraphs 1-3, of the Rules of the CoP17

~~b) documents prepared by the Secretariat, provide and distribute printed copies of documents for the meeting to all members and alternate members of the Committee who request them.~~

~~3. At least 14 days before each meeting of the Standing 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 21 above the present Rule.~~

~~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.~~

Rule 12¹²

1. Information documents on the protection, conservation or management of wild fauna and flora may be submitted for the attention of the participants to the meeting by:

a) any Representative of any Party, or any observer representing a State not party to the Convention or an intergovernmental organization;

b) the Chair of the Animals or the Plants Committee

c) any observer representing any other organization; and

d) the Secretariat.

2. No approval is required for the distribution of such documents. However, they shall clearly identify who is presenting them.

3. Information documents from the States and organizations referred to in paragraph 1 of this Rule may, on request, be made available by the Secretariat. Paper copies shall be provided in sufficient numbers for distribution. Information documents submitted by Parties and by the Secretariat relating to specific items on the agenda of the meeting shall be numbered by the Secretariat and included in its list of official documents.

4. The CITES logo may not be used on information materials and other material unless explicitly authorized by the CITES Secretariat.

5. Any Party may complain to the Secretariat if any information document or material that has been distributed is considered offensive.

Rules of order and debate

Rule 22¹³

A quorum for a meeting shall consist of Representatives or ~~Alternate~~ Alternative Representatives of seven regional Members or ~~alternate~~ acting regional Members from at least four regions. No ~~decisions~~ session shall be ~~taken at a meeting~~ take place in the absence of a quorum.

Rule 23¹⁴

1. The right to speak shall extend to all participants whose credentials are under consideration or have been accepted, to the Chairs of the Animals and Plants Committees and to observers who have been admitted to the meeting in accordance with Rule 2, 3 or 4, 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 of the Committee. Amongst observers, precedence shall be given to representatives of Parties, non-Party States, intergovernmental organizations and nongovernmental

¹² Rule 30 of the Rules of the CoP17

¹³ Rule 19 of the Rules of the CoP17

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, which can be made only by Members. 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 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 Chair or by a Representative Member, limit the time to be allowed to each speaker and the number of times the ~~members of a delegation or the observers~~ speaker 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 2415

1. ~~The Decisions of the Committee shall be taken as far as possible take decisions by consensus unless a vote is requested by. Whenever the Committee fails to reach consensus, the Chair or by Representatives or Alternate~~ Alternative Representatives of regional Members or alternate acting regional Members from at least two regions may propose that the adoption of the decision be put to a vote.

Rule 25

2. In the case of a vote, the decision of the Committee shall be taken by a simple majority of the regional ~~members~~ Members or alternate acting regional members voting Members casting an affirmative or negative vote. 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 2616

At the request of the Chair or of any ~~Representative or Alternate Representative~~ regional Member or acting regional Member, 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~~ in accordance with paragraph 2 of Rule 15. Parties represented at the meeting by observers shall be entitled to be represented at closed sessions.

Working Groups and Sub-Committees¹⁴

Rule-2717

1. The Standing Committee may establish such in-session and intersessional working groups as may be necessary for the Committee to carry out its functions. Such working groups shall normally work electronically unless the Committee or the Conference of the Parties have determined otherwise. For each working group, the Committee shall define the terms of reference, in accordance with relevant Resolutions and Decisions of the Conference of the Parties and shall determine the composition of the working group, striving to achieve regional balance. The membership of each working group shall be limited to the Members and non-member Parties and to those observer bodies and agencies with expertise on the matter invited by the Chair to join the working group. The Chair shall aim to ensure a fair and balanced representation of Members, non-member Parties and observer bodies and agencies with the number of observers not exceeding the number of Parties (Members and non-members).
2. Intersessional working groups should normally conclude their work at the last meeting of the Committee preceding a meeting of the Conference of the Parties. Any Party or Observer wishing to join or withdraw

¹⁴ Rule 7, paragraph 2, of the Rules of the CoP17

from an intersessional working group should make the request in writing to the Chair of the Standing Committee through the Secretariat. Unless appointed by the Chair of the Standing Committee, each working group shall elect its own officers, whenever possible from among the Members and alternate Members of the Committee.

3. Subject to resource constraints, the Secretariat shall provide support and guidance to intersessional working groups.
4. Insofar as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of working groups.

Rule 18

The Standing Committee may appoint subcommittees from among the Members of the Committee with specific terms of reference to implement defined tasks. The terms of reference shall also define the composition, mode of operation and lifespan of the subcommittee.

Executive summary and summary record

Rule 19

1. A concise executive summary of the decisions of the Committee shall be prepared by the ~~Secretary~~ Secretariat 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 acting regional Members 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~~ on the last day of the meeting of the Standing Committee, unless otherwise specified.

Rule 28

- A2. A consolidated summary record of each meeting shall be prepared by the Secretariat ~~Secretary~~ and made available on the CITES website ~~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; 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~~ list of Members and observers participating in the debate shall be included in the summary record as well. The Secretariat shall take into account the comments received within 20 days of the circulation and shall communicate, upon approval of the Chair of the Committee - the Secretariat shall make the final summary record to all Parties after it is approved by the Chair, available on the website of the Convention.

3. The Secretariat shall make and keep a sound recording of the audio of all plenary sessions of the Committee, and shall make the recordings available to any Party upon request.

Rule 29

1. ~~The working languages of meetings of the Committee shall be English, French and Spanish and no working document may be discussed at a meeting unless it has been made available in accordance with Rules 20 and 21 in these languages.~~
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

Procedure for intersessional decision-making

Rule 3020

1. In exceptional cases, where the urgency of a matter requires a decision to be made between meetings of the Committee ~~Any member~~, a Member or the Secretariat may submit a proposal-recommendation to the Chair for a decision by postal email procedure, or using any other electronic procedure which has been

agreed by the Committee. With the approval of the Chair, the Secretariat shall ~~send the proposal~~ communicate any such recommendation to the Secretariat for communication to the Members, who shall comment within 40 days of the communication of the ~~proposal~~ recommendation; any comments received by the Secretariat within this time limit shall also be so communicated to the Members.

Rule 31

2. ~~If no objection from a regional member~~ Regional Members may object to a proposal ~~is received by the Secretariat~~ recommendation within 25 days of the date when the results of the consultation on the ~~proposal~~ recommendation were communicated to the Members. ~~If no objection is received by the Secretariat within the deadline~~, the proposal shall be considered as adopted, and notice of the adoption shall be given to all Members and Parties.

Rule 32

3. If any regional Member objects to a ~~proposal~~ recommendation within the applicable time limit, the ~~proposal~~ recommendation shall be put to a vote, by email or using any electronic procedure which has been agreed to by the Committee. The ~~proposal~~ recommendation shall be considered as decided if supported by a simple majority of the regional Members casting an affirmative or negative vote within 14 days of the notification of the vote provided that votes are received from at least seven regional Members from at least four regions. If insufficient votes are received or no majority is achieved, the ~~proposal~~ recommendation shall be referred to the next meeting of the Committee.

Final provisions

Rule 3321

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 3422

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.

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



Rules of Procedure of the Standing Committee

(as amended at the 65th meeting, Geneva, July 2014)

Final draft Rules of Procedure

Representation and attendance

Rule 1¹⁵

1. Each Member of the Committee shall be entitled to be represented at meetings of the Committee by a Representative, an Alternative Representative and such Advisors as the Member may deem necessary. Each Member shall designate a person with whom communications regarding the work of the Committee should be conducted between meetings of the Committee.
2. If a regional Member is not represented at a meeting, its alternate Member shall be entitled to represent the region as the acting regional Member.
3. Members and acting regional Members shall submit the names of their Representative, Alternative Representative and any Advisors to the Secretariat at least seven days before the meeting through the person designated for communications regarding the work of the Committee.
4. The Representative shall exercise the voting right of a regional Member or an acting regional Member. Only Members or acting 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 2

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. Such Parties shall submit the names of these observers to the Secretariat at least seven days before the meeting through the national Management Authority.

Rule 3¹⁶

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 meetings by observers who shall have the right to participate in meetings of the Committee but not to vote, and shall submit the names of these observers to the Secretariat at least 30 days before the meeting.

Rule 4¹⁷

1. Any body or agency technically qualified in protection, conservation or management of wild fauna and flora which is either:
 - a) an intergovernmental or a national governmental agency or body; or

¹⁵ Rule 3 of the Rules of the CoP17

¹⁶ Rule 4, paragraph 1, of the Rules of the CoP17

¹⁷ Rule 4, paragraphs 2 and 3, of the Rules of the CoP17

- b) an international or national non-governmental agency or body, including a private sector entity

and which has informed the Secretariat of the Convention of its desire to be represented at the meeting by observers shall be permitted to be so represented in the meeting of the Standing Committee. Once admitted, these observers shall have the right to participate but not to vote. However, the right of any such observers to participate may be withdrawn at any time if so agreed by one third of the Members present.

2. Bodies and agencies referred to in paragraph 1 of this Rule desiring to be represented at the meeting by observers shall submit the names of these observers to the Secretariat of the Convention at least 30 days before the meeting, and provide:
 - a) evidence of the approval of the State in which it is located in the case of a national non-governmental body or agency; or
 - b) evidence that it has a legal persona and an international character, and a relevant remit and programme of activities in the case of an international non-governmental body or agency, unless it has already been registered by the Secretariat.
3. The Secretariat shall forward each request received and relevant information to the Chair for approval.

Credentials

Rule 5¹⁸

1. The Representative or, in his/her absence, the Alternative Representative of a regional Member or in the absence of the Member, the acting regional Member, shall, before exercising the voting rights of the Member at a meeting, have been granted credentials by or on behalf of a proper authority enabling him or her to represent the Member/acting Member at the meeting.
2. Credentials in the form of a letter from the Minister for Foreign Affairs, the competent Minister or the Management Authority authorized to communicate with the Secretariat or a *note verbale* from the permanent mission may be accepted. Verifiable copies of credentials may also be accepted. Credentials shall not be accepted if they have been signed by the person whom they accredit.
3. Any observer representing a Party not a member of the Committee, a State not Party to the Convention or an intergovernmental agency or body, shall have been granted credentials by or on behalf of a proper authority enabling him/her to represent the State, regional economic integration organization, agency or body.
4. The credentials required under this Rule shall be presented to the Secretariat where possible at least one week before the meeting, together with a translation into one of the three 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, and shall provide a list of the credentials received in accordance with this Rule, and draw attention to any potential problems.
5. 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/acting regional Members, or their Alternative Representatives, shall examine the credentials requiring further review and shall report thereon at the meeting.
6. Pending a decision on their credentials, Representatives and Alternative Representatives of Members or acting Members and observers referred to in Rules 2 and 3 may participate provisionally in the meeting. The right to participate in the meeting shall not extend to persons whose credentials the Standing Committee has decided are unacceptable.

¹⁸ Rule 5, paragraphs 1, 2, 4 and 5 of the Rules of the CoP17

Officers and Secretariat

Rule 6

1. Immediately following each regular meeting of the Conference of the Parties, the regional Members of the Committee shall elect Members to serve as Chair and Vice-Chair from among the regional Members.
2. The Representative of the Member elected as 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 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.
3. The Representative of the Member elected as 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 7¹⁹

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.

Arrangement of the meeting

Rule 8

1. Subject to guidance provided by the Conference of the Parties, meetings of the Committee shall be called at the request of the Chair or of a simple majority of the Members.
2. The time and place of meetings shall be determined by the Chair in consultation with the Secretariat in accordance with any instructions provided by the Conference of the Parties.
3. Notice of meetings shall normally be given by the Secretariat at least 75 days in advance of the meeting; in case of emergency meetings, notice should be given at least 14 days in advance of the meeting.

Rule 9²⁰

1. Delegates of regional Members and acting regional Members shall be seated by the region they represent; delegates of other Members shall be seated immediately behind. Seating limitations may require that no more than four delegates of any Member be seated with the delegation of the Member with additional delegates seated with observers.
2. Behind delegations of the Members, shall be seated delegations of Parties not members of the Committee, as a general rule, in accordance with the alphabetical order of the English language names of the Parties they represent. Seating limitations may require that no more than four delegates of any Party not member of the Committee be present at plenary sessions.
3. Observers shall be seated in one or more designated areas within the meeting room. Seating limitations may require that no more than two observers from any observer body or agency, be present at plenary sessions.

Rule 10²¹

1. English, French and Spanish are the working languages of the meetings of the Committee. No working document may be discussed at a meeting unless it has been made available in accordance with Rule 11 in these languages.

¹⁹ Rule 6 of the Rules of the CoP17

²⁰ Rule 13, paragraphs 2-4, of the Rules of the CoP17

²¹ Rule 10, paragraphs 1-3, of the Rules of the CoP17

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.
3. Interventions made in any of the working languages shall be interpreted into the other two in plenary sessions of the Committee. Interpretation shall normally not be provided in sessions of working groups, unless resources have explicitly been allocated for this purpose by the Conference of the Parties.

Documents

Rule 11

1. Working documents to be considered at a meeting shall be provided to the Secretariat in one of the working languages and shall normally be provided at least 60 days before the meeting where they are to be discussed, and should not be longer than 12 pages.
2. At least 45 days before each meeting of the Standing Committee, the Secretariat shall to the extent possible place on its website:
 - a) all documents submitted by any Party, the Chair of the Animals or the Plants Committee, or submitted by an observer at the request of the Chair in the language in which they have been received; and
 - b) documents prepared by the Secretariat.
3. At least 14 days before each meeting of the Standing Committee, the Secretariat shall, to the extent possible, place on its website in the three working languages all documents mentioned in the present Rule.

Rule 12²²

1. Information documents on the protection, conservation or management of wild fauna and flora may be submitted for the attention of the participants to the meeting by:
 - a) any Representative of any Party, or any observer representing a State not party to the Convention or an intergovernmental organization;
 - b) the Chair of the Animals or the Plants Committee;
 - c) any observer representing any other organization; and
 - d) the Secretariat.
2. No approval is required for the distribution of such documents. However, they shall clearly identify who is presenting them.
3. Information documents from the States and organizations referred to in paragraph 1 of this Rule may, on request, be made available by the Secretariat. Paper copies shall be provided in sufficient numbers for distribution. Information documents submitted by Parties and by the Secretariat relating to specific items on the agenda of the meeting shall be numbered by the Secretariat and included in its list of official documents.
4. The CITES logo may not be used on information materials and other material unless explicitly authorized by the CITES Secretariat.
5. Any Party may complain to the Secretariat if any information document or material that has been distributed is considered offensive.

²² *Rule 30 of the Rules of the CoP17*

Rules of order and debate

Rule 13

A quorum for a meeting shall consist of Representatives or Alternative Representatives of seven regional Members or acting regional Members from at least four regions. No session shall take place in the absence of a quorum.

Rule 14²³

1. The right to speak shall extend to all participants whose credentials are under consideration or have been accepted, to the Chairs of the Animals and Plants Committees and to observers who have been admitted to the meeting in accordance with Rule 2, 3 or 4, 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 of the Committee. Amongst observers, precedence shall be given to representatives of Parties, non-Party States, intergovernmental organizations and nongovernmental 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, which can be made only by Members. 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 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 Chair or by a Member, limit the time to be allowed to each speaker and the number of times the speaker 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 15

1. The Committee shall as far as possible take decisions by consensus. Whenever the Committee fails to reach consensus, the Chair or Representatives or Alternative Representatives of regional Members or acting regional Members from at least two regions may propose that the adoption of the decision be put to a vote.
2. In the case of a vote, the decision of the Committee shall be taken by a simple majority of the regional Members or acting regional Members casting an affirmative or negative vote. 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 16

At the request of the Chair or of any regional Member or acting regional Member, 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 in accordance with paragraph 2 of Rule 15. Parties represented at the meeting by observers shall be entitled to be represented at closed sessions.

²³ *Rule 19 of the Rules of the CoP17*

Working groups and sub-Committees

Rule 17²⁴

1. The Standing Committee may establish such in-session and intersessional working groups as may be necessary for the Committee to carry out its functions. Such working groups shall normally work electronically unless the Committee or the Conference of the Parties have determined otherwise. For each working group, the Committee shall define the terms of reference, in accordance with relevant Resolutions and Decisions of the Conference of the Parties, and shall determine the composition of the working group, striving to achieve regional balance. The membership of each working group shall be limited to the Members and non-member Parties and to those observer bodies and agencies with expertise on the matter invited by the Chair to join the working group. The Chair shall aim to ensure a fair and balanced representation of Members, non-member Parties and observer bodies and agencies with the number of observers not exceeding the number of Parties (Members and non-members).
2. Intersessional working groups should normally conclude their work at the last meeting of the Committee preceding a meeting of the Conference of the Parties. Any Party or Observer wishing to join or withdraw from an intersessional working group should make the request in writing to the Chair of the Standing Committee through the Secretariat. Unless appointed by the Chair of the Standing Committee, each working group shall elect its own officers, whenever possible from among the Members and alternate Members of the Committee.
3. Subject to resource constraints, the Secretariat shall provide support and guidance to intersessional working groups.
4. Insofar as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of working groups.

Rule 18

The Standing Committee may appoint subcommittees from among the Members of the Committee with specific terms of reference to implement defined tasks. The terms of reference shall also define the composition, mode of operation and lifespan of the subcommittee.

Executive summary and summary record

Rule 19

1. A concise executive summary of the decisions of the Committee shall be prepared by the Secretariat 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 acting regional Members for endorsement after the meeting. The decisions of the Committee shall come into effect on the last day of the meeting of the Standing Committee, unless otherwise specified.
2. A consolidated summary record of each meeting shall be prepared by the Secretariat and made available on the CITES website 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 the representative of any Party that was read into the record during the meeting. The list of Members and observers participating in the debate shall be included in the summary record as well. The Secretariat shall take into account the comments received within 20 days of the circulation and – upon approval of the Chair of the Committee – the Secretariat shall make the final summary record available on the website of the Convention.
3. The Secretariat shall make and keep a sound recording of the audio of all plenary sessions of the Committee, and shall make the recordings available to any Party upon request.

²⁴ Rule 7, paragraph 2, of the Rules of the CoP17

Procedure for intersessional decision-making

Rule 20

1. In exceptional cases, where the urgency of a matter requires a decision to be made between meetings of the Committee, a Member or the Secretariat may submit a recommendation to the Chair for decision by email procedure or using any other electronic procedure which has been agreed by the Committee. With the approval of the Chair, the Secretariat shall communicate any such recommendation to the Members, who shall comment within 40 days of the communication of the recommendation; any comments received by the Secretariat within this time limit shall also be so communicated to the Members.
2. Regional Members may object to a recommendation within 25 days of the date when the results of the consultation on the recommendation were communicated to the Members. If no objection is received by the Secretariat within the deadline, the proposal shall be considered as adopted, and notice of the adoption shall be given to all Members and Parties.
3. If any regional Member objects to a recommendation within the applicable time limit, the recommendation shall be put to a vote by email or using any electronic procedure which has been agreed to by the Committee. The recommendation shall be considered as decided if supported by a simple majority of the regional Members casting an affirmative or negative vote within 14 days of the notification of the vote provided that votes are received from at least seven regional Members from at least four regions. If insufficient votes are received or no majority is achieved, the recommendation shall be referred to the next meeting of the Committee.

Final provisions

Rule 21

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 22

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.