

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

Strategic matters

Rules of Procedure

ADOPTION BY THE STANDING COMMITTEE OF A CODE OF RESPONSIBILITY
FOR NGOS PARTICIPATING IN CITES MEETINGS

This document has been submitted by Saint Vincent and the Grenadines.*

I – INTRODUCTION

- 1.1 The rights granted by the text of the CITES Convention (Article XI) to “Non-Governmental Agencies or Bodies” to participate in the CITES activities guarantee global involvement and participation in the CITES activities and decisions.
- 1.2 Going back as far as CoP5 (Buenos Aires, 1985), Parties have complained of undue pressure and related unacceptable activities by NGOs, accepted as observers, interfering in their Rights as a Sovereign nation.
- 1.3 It is the general perception that, while most of the NGOs behave in the respect of the Sovereign rights of the Party-states and of the integrity of the Convention, other NGOs might not necessarily be informed of their role and responsibilities. This is most likely due to the lack of a *Code of Responsibility* providing guidance and directives in that respect.
- 1.4 Another justifying factor is the increasing number of NGOs participating for the first time in the CITES process and meetings.
- 1.4 It is therefore important for the Standing Committee, in order to maximize the potential of the relationship between Parties and the NGOs communities, to adopt a *Code of Responsibility* that shall be effective for CITES CoP 18.

II – LEGAL AUTHORITY

- 2.1 The authority for the Standing Committee to enact a Code of Responsibility is drawn from Article 1. of Annex 1 to Resolution Conf. 11.1 (Rev. CoP17) which states:

“...within the policy agreed to by the Conference of the Parties, the Standing Committee shall:

...

* The geographical designations employed in this document do not imply the expression of any opinion whatsoever on the part of the CITES Secretariat (or the United Nations Environment Programme) concerning the legal status of any country, territory, or area, or concerning the delimitation of its frontiers or boundaries. The responsibility for the contents of the document rests exclusively with its author.

e) *carry out, between one meeting of the Conference of the Parties and the next, such interim activities on behalf of the Conference as may be necessary.*”

2.2 We consider it “necessary” for the Standing Committee to enact a Code of Responsibility in time for CITES CoP18 in 2019.

III – RECOMMENDED ACTION

3.1 The CITES meetings and debates generate more and more passion and global involvement. Proper guidance and guidelines shall facilitate the relationship between Parties and observer NGOs.

3.2 It is recommended that the attached *Code of Responsibility* be enacted by the CITES Standing Committee, to be effective by CoP18.

3.2 The Government of St. Vincent and the Grenadines is of the opinion that the attached Code of Responsibility will enhance the relationship between Parties to the Convention and NGOs accepted as Observers for all CITES convened meetings.

3.3 The Government of St. Vincent and the Grenadines is also of the opinion that the adoption of the Code of Responsibility will enhance the credibility and respectability of the Convention.

Code of Responsibility
For Non-governmental Organisations (NGOs)
at meetings of the
Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)
Hereinafter referred to as “the Convention”

Preamble

- This Code of Responsibility shall apply to all meetings of the Convention convened and arranged by the Secretariat of the Convention;
- The text of the Convention grants “*international agencies or bodies, either governmental or non-governmental ... and national non-governmental agencies of bodies ... the right to participate but not to vote.*” (Article XI, par. 7).
- As it is recognized that such privileges and rights carry certain responsibilities, they must be exercised in the respect of the integrity of the Convention and of the sovereignty of its member States. These responsibilities apply not only to International Governmental Organizations (IGO) but to Non-governmental organizations (NGO) as well.
- Responsibilities of IGOs accepted as observers at CITES meetings are based on general principles guiding the relationships between governments and between intergovernmental organizations. NGOs participating in CITES meetings do not benefit from any instruments guiding their relationship with the other components of the CITES institution.
- This Code of Responsibility will assist in providing governance, clarity and transparency in the relationship between NGOs, CITES and Parties to the Convention.

Article I. Interventions

- 1.1 Interventions must be made in accordance with the Rules of procedure governing the various CITES meetings, in accordance with the decisions of the Bureau and with the guidance of the Presiding officer.
- 1.2 It is the duty of each NGO to behave with due and proper respect for the meeting proceedings and for all Contracting Governments and other governments attending CITES meetings and to abide by this Code of Responsibility.

Article II. Documentation

- 2.1 Only official meeting documents submitted by member States or prepared by the Secretariat may be distributed through pigeon-holes. The Secretariat is solely responsible for each distribution. NGOs may, however, make “for information” documents available to participants using tables designated for that purpose. Such documents must indicate which organization is responsible for them. Documents that do not meet this requirement will be removed by the Secretariat.
- 2.2 While “for information” documents will not be reviewed by the Secretariat before being placed on the designated tables, those NGOs distributing such documents remain responsible for their content. These documents shall not contain statements that defame any participating organization or person, or cause serious offence to any representative of member States. All documents placed on designated tables are expected to conform to accepted standards of civil behavior and decorum.

Article III. Behavior and demonstrations

- 3.1 Behavior of NGOs, accepted as observers, shall not be disruptive to the proceedings of the meeting. The Chair of the proceedings may have anyone disrupting a meeting removed from the room.
- 3.2 Demonstrations at the meeting venue shall take place at sites designated for such purposes by the host government. In any event, demonstrations shall neither take place within the meetings rooms or their immediate vicinity within the venue of the meeting controlled by the CITES nor impede access to the meeting venue, nor shall they threaten the physical safety of delegations attending the meeting.
- 3.3 Efforts to influence the attitude or votes of any accredited delegation must be conducted in a discreet and respectful manner.

Article IV Use of electronic equipment

- 4.1 Mobile telephones shall be switched off or put in "silent" mode before entry of the observer into the meeting room.
- 4.2 The use of audio and /or visual equipment is permitted during the sessions of CITES meetings provided that such recording is carried out unobtrusively and without disturbance to the meeting.
- 4.3 The use of recording equipment is not permitted in working groups, drafting groups and sub-committee meetings, or during secret ballot voting unless the Bureau or the Chair decides otherwise.

Article V Financial assistance

- 5.1 Should they wish to contribute to CITES activities and projects, NGOs are required to register with the Standing Committee, to become an "accepted institution" for financial donations to the CITES Secretariat for its various projects.
- 5.2 No financial assistance shall be provided directly or indirectly to officials of CITES member States for their participation in the various CITES convened and arranged meetings. Financial assistance for that purpose shall be directed through the CITES Sponsored Delegates Project.
- 5.3 NGOs accredited at CITES and their affiliates shall be accountable and transparent about any financial assistance they provide to CITES Parties in relation to the implementation and enforcement of the Convention.
- 5.4 Parties subject to offers of financial assistance, by NGOs, for their traveling needs to attend CITES meetings and/or for CITES related projects, shall immediately report the extent of the offer to the CITES Secretariat.

Article VI Publicity and advertising

- 6.1 At least thirty (30) days prior to meetings of the Conference of the Parties (CoP) and, for the whole duration of the CoP, NGOs accepted as observers and their affiliates shall refrain from publicity and posting banners in public areas of the venue of the meeting.
- 6.2 This prohibition extends to advertisements in all media including newspapers, radio and TV covering the CITES meeting.

Article VII General provisions

- 7.1 Any failure to conform to the provisions of this Code of Responsibility may result in the rejection, suspension and/or withdrawal of the acceptance of an organization as an observer.
- 7.2 Complaints and differences in views and philosophy are natural and should be respected. Any participant shall refrain from measures, including verbal, written, or physical attacks designed to deter the exercise of the rights of others to hold and express different views.
- 7.3 Any participant who has a grievance in this regard should submit a written complaint to the Secretariat, who will try to resolve the problem with the parties concerned. If this fails, the Secretariat will report the matter to the Standing Committee who shall liaise with the parties concerned to seek a resolution.
- 7.4 A copy of this Code of Responsibility will be issued to each NGO observer at the beginning of each meeting.
- 7.5 When submitting their application to attend a CITES meeting, each NGO and every member of its delegation must agree, in writing, to comply with the requirements of this Code of Responsibility.