

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

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Online, 5-7 May 2021

Strategic matters

CONDUCT OF COMMITTEES: GUIDANCE TO ASSIST CHAIRS OF  
WORKING GROUPS ESTABLISHED BY THE COMMITTEES

1. This document has been prepared by the Secretariat.
2. At its 18th meeting (CoP18, Geneva, 2019), the Conference of the Parties adopted the following Decision on *Conduct of committees* in the context of the adoption of Resolution Conf. 18.2 on *Establishment of committees*:

**18.3 Directed to the Secretariat**

*The Secretariat shall prepare draft guidance to assist chairs of working groups established by the Committees in fulfilling their tasks for consideration by the Standing Committee.*

3. In accordance with Decision 18.3, the Secretariat prepared a draft guidance to assist chairs of working groups established by the committees in fulfilling their tasks. In preparing the guidance, the Secretariat consulted with the Secretariats of other Multilateral Environmental Agreements that shared documents that provided useful inspiration for the draft set out in the Annex to the present document. These included the following:
  - a) A Guide for Working Group Chairs at CoP and SBSTTA meetings (version 15 September 2010):  
<https://www.cbd.int/doc/guidelines/wg-chair-guide-en.pdf>
  - b) Guide for Presiding Officers, UNFCCC Secretariat (Revised September 2017):  
[https://unfccc.int/sites/default/files/20170919\\_guideforpresidingofficers\\_final.pdf](https://unfccc.int/sites/default/files/20170919_guideforpresidingofficers_final.pdf)
  - c) Training manual for chairs of meetings of Basel, Rotterdam and Stockholm Conventions (May 2014):  
<http://www.basel.int/Portals/4/download.aspx?d=UNEP-CHW-RC-POPS-WS-CHAIRS.01-TrainingManual.English.pdf>
4. The first draft of this document was circulated to all Parties through Notification No. 2020/067 of 5 November 2020. Comments on the draft were received from Canada, Colombia, the European Union, the United Kingdom of Great Britain and North Ireland and the United States of America as well as IWMC-World Conservation Trust. The Secretariat took the comments into account in the revised version of the draft guidance annexed to the present document. The Secretariat would like to thank the commenters for taking the time to go through the draft guidance and provide their feedback.
5. Changes were made across the entire draft guidance. The Secretariat would like to draw the attention of the Committee to the following comments and amendments:
  - a) A few text boxes have been introduced to highlight certain key messages across the document. It is somewhat repetitive but facilitates the use of the guidance.

- b) In section 3, for the last sentence regarding the election of the chair by a working group (WG), it was suggested to clarify whether the WG could elect a chair from an observer organization. It is recalled that Rule 17, paragraph 2, in the committees' Rules of Procedure (RoPs) states that the officers (chairs) shall be elected from among the Members and alternative Members of the Committee, whenever possible. As indicated in the guidance, some WG chairs have been elected from among the Parties in the WG that were not Members or alternate Members of the Standing Committee. However, there seems to be no precedent of a WG electing a representative of an observer organization, agency or body to chair a WG. In order to clarify that WGs should be chaired by a representative of a Member or alternate Member of the Committee or of a Party, the Secretariat suggests deleting "whenever possible" in the last sentence of section 3 of the draft guidance.
  - c) With regard to the first two paragraphs of section 4 on the role of a WG chair, there were conflicting comments. As indicated in section 4, the role of a WG chair is to facilitate reaching an informed and technically sound decision by the establishing committee; the chair should avoid representing the views and positions of their Party or region. The Secretariat wishes to clarify that this does not prevent the election of a chair because of their expertise on the matter in particular with respect to a WG established by the AC or PC. Therefore, the current text does not exclude a Member/alternate Member of the AC/PC who is chairing a WG in their personal capacity from contributing their personal knowledge and experience to the WG.
  - d) In relation to the first paragraph of section 4, a question was raised with regard to the quorum of the WG if the chair is not counted as a representative of a Party in the WG. The Secretariat recalls Rule 17, paragraph 4 of the RoP indicating that "insofar as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of working groups". The Secretariat considers that the Rule 13 on quorum is not readily applicable to WGs.
  - e) With regard to section 5 on the role of WG members, it was noted that no distinction is made between WG members representing Parties and those representing observer bodies or agencies. The Secretariat considers that all members of a WG should follow the guidance in section 5. A reference to the status of observer bodies or agencies and the possibility of withdrawing their right to participate could be inserted here but it could be in conflict with the intention to create an inclusive environment that allows for all views to be expressed.
  - f) Several comments were made in relation to section 7 a) and Rule 16 of the RoP stating that meetings of the WG should be public unless otherwise decided. In view of Rule 17 that requires the Chair of the establishing committee to strike a regional balance of the Parties in the group as well as a balance between Parties and observer organizations, it was suggested that meetings of WGs need to be closed to the public and only attended by the members of the WG as decided by the establishing committee. It was further argued that in some instances each Party or observer organization may only participate with one representative to make the discussion manageable. The Secretariat suggests reflecting these comments in the last part of section 7 a), as they do seem to reflect the common practice, i.e. that meetings of WGs are not open to the public.
  - g) With regard to the second paragraph of section 9, divergent comments were made. Some commenters suggested that the chair should always circulate the draft report of the WG to the members to ensure that it accurately reflects the deliberations, whereas others considered that this is rarely possible due to time constraints. In this context, the Secretariat would like to emphasize the importance of good communication of the chair with the WG, including providing a clear, precise summary of the outcomes that the chair will include in the WG report. The Secretariat notes that the draft guidance already indicates that the draft report should only be circulated if there is sufficient time to do so and that if the draft report is circulated to the members, it should not lead to re-opening of the deliberations.
  - h) At the suggestion of one commenter, additional examples of WG reports have been included in the annex to the guidance, including from in-session WGs.
6. The Secretariat notes that while this guidance does not specifically address the constraints imposed by the current COVID-19 pandemic; most of the tools and good practices can also be applied under the present circumstances – with necessary adjustments. It is the first time that guidance for chairs of WGs of the permanent committees has been developed in the context of CITES; the Secretariat therefore invites chairs of the WGs, as well as members of the WGs, to provide any feedback, comments or suggestions to the Secretariat to further improve the guidance as may be needed. Finally, the Secretariat notes that further refinements to the lay-out of the guidance may be made to facilitate its use when the text has been endorsed by the Standing Committee.

## Recommendations

7. The Secretariat invites the Standing Committee to:
  - a) consider and endorse the guidance as set out in the Annex to the present document; and
  - b) request the Secretariat to finalize the guidance, taking into account any comments, and to make it available to chairs of committee working groups and on the CITES website.

## Guidance for chairs of CITES working groups established by the Standing Committee, Animals Committee and Plants Committee

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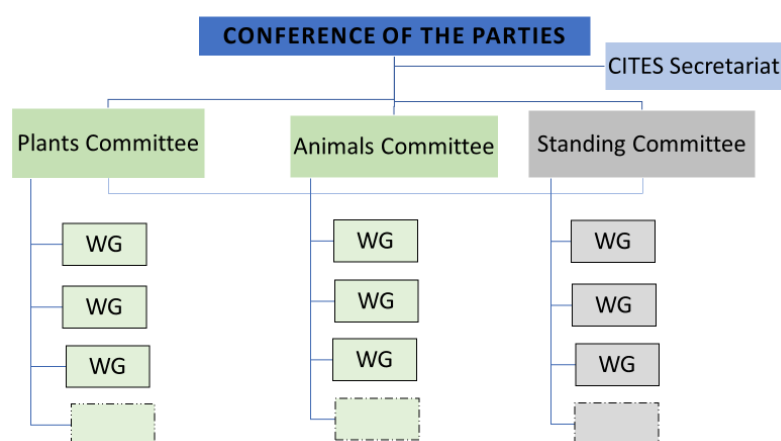
### 1. Introduction

The purpose of the present document is to provide guidance to assist chairs of working groups (WG) established by the Standing Committee, the Animals Committee or the Plants Committee in fulfilling their tasks by providing brief information and guidance, basic principles, and practical tips and tools.

### 2. Working groups in the CITES governing structure

The Conference of the Parties (CoP) is the main decision-making body of the Convention. The CoP has established three permanent committees by Resolution Conf. 18.2 on *Establishment of committees* with terms of reference for the Standing Committee (SC) included in Annex 1 and for the Animals (AC) and Plants (PC) Committees included in Annex 2.

At each regular meeting, the CoP adopts Decisions directed *inter alia* to each of the three committees (SC, AC and PC), typically directing the committee in question to carry out specific tasks or activities, or address specific issues, and report to the subsequent meeting of the CoP, and/or to the SC in case of work directed to the AC or PC, where there is an instruction to report to the SC.



Each of the committees may establish such in-session and intersessional working groups (WGs) as the committee deems necessary to carry out its functions and work. In-session WGs are expected to complete their tasks during the regular meeting of the committee, while intersessional WGs are established to work between meetings of the committee. For each WG, the establishing committee defines the composition and terms of

reference, in accordance with relevant Resolutions and Decisions of the Conference of the Parties and the relevant rules of procedure, and within the scope of the Convention.

#### **a. Intersessional working groups**

The lifespan of intersessional WGs should not exceed the period until the next meeting of the CoP (which in most cases means that the WG should complete its work by the last regular meeting of the relevant committee preceding the meeting of the CoP). Some issues are by nature ongoing and therefore some WGs may be “re-established” after the meeting of the CoP. The chair of the WG is generally expected to report to the committee that established it. For some matters, intersessional WGs may be established jointly by more than one committee (most commonly the AC and PC) in which instance the WG would report to a joint session of the two relevant committees or, if there is no joint session of the two committees, to their separate meetings. Intersessional WGs normally work electronically, unless otherwise decided by the CoP or the establishing committee. Normally, intersessional WGs work in only one official language, unless resources for interpretation and translation have been made available.

*The role of a WG is to facilitate the discussions of the establishing committee by, as much as possible, achieving a consensus outcome and recommendation to the committee for their consideration.*

#### **b. In-session working groups**

In-session WGs are established to discuss a specific issue or question as determined by the Chair of the establishing committee. An in-session WG generally meets during blocks of time set aside for such purposes during the meeting, or between plenary sessions of the committee meeting (with notice of the time and location of the WG meeting provided through announcements made by the Secretariat). Unless resources have explicitly been allocated for this purpose, there will normally not be simultaneous interpretation at meetings of in-session WGs. In-session WGs may also conduct their work electronically as appropriate. An in-session WG is expected to report to a later session of the plenary of the same meeting through the WG chair.

#### **c. Scope of the guidance**

This guidance is intended for use by chairs of both intersessional and in-session WGs. The scope and modalities of work for these two types of WGs may be quite different, which will have an impact on the tasks and tools of the chair. A separate section on intersessional WGs working electronically is intended specifically for chairs of such WGs, while the remaining parts of the guidance are intended for chairs of both types of WGs.

The guidance may also be useful for chairs of other bodies established by the committees, such as the Budget and Finance Subcommittee, and for chairs of WGs established by the CoP and its Committees.

Links to relevant Resolutions and Rules of Procedure are included in section 10 of the guidance.

### **3. Composition of working groups**

The composition of a WG is determined by the Chair of the establishing committee in accordance with Rule 17 of the Rules of Procedure of the SC, AC, and PC. The committee Chair should *inter alia* aim to ensure regional balance as well as a fair and balanced representation of Members and Parties on the one hand, and observer bodies and agencies on the other. In SC WGs, the number of observer organizations should not exceed the number of Parties. In AC/PC WGs, the number of observer organizations should not exceed the number of Members and Parties.

Occasionally, a Party or an observer organization may wish to join or decide to withdraw from an intersessional WG after it was established by one of the committees. According to the Rules of Procedure of the Standing Committee, the Party or observer should make the request in writing, including by email, to the chair of the WG in question, who shall inform the Chair of the establishing committee and the Secretariat.<sup>1</sup> Consistent with Rule 17, the chair may not accept additional requests to join the WG from observer organizations if this will lead to the number of observer organizations exceeding the number of Parties in the WG. Similarly, if the withdrawal of a member of an intersessional WG will mean that the WG then has more observer organizations than Parties

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<sup>1</sup> According to the current RoP of the AC/PC, a request to join or withdraw from a WG shall be made to the Chair of the Committee through the Secretariat. As the intention is that the RoP of the three committees shall be aligned as closely as possible, the RoP AC/PC will be amended to be brought into line with the RoP of the SC in due course.

(or Members of the AC/PC in the case of AC/PC WGs), the WG chair – in consultation with the Chair of the establishing committee, as appropriate – shall determine how to correct the membership imbalance.

Normally, the committee Chair appoints the chair of the WG, whenever possible from among the Members and alternate Members of the committee, or if not possible, from among Parties. In some cases, for instance in smaller in-session WGs, the Chair may choose to leave it to the WG to appoint its own chair. In such cases, the WG shall elect its own chair from among the Members and alternate Members of the committee or from among Parties.

#### **4. Role of a working group chair**

A WG chair is the person who presides over the work of the WG as established in its terms of reference, and who is expected to impartially expedite the business of the WG. If the chair of the WG is a representative of a Party, the representation of that Party in the WG should be exercised by another person. In such cases the WG chair presides over the group on behalf of the establishing committee and does not represent his or her delegation.

*The WG chair is impartial. The chair should try not to represent the views of their Party or region.*

The primary role of a chair is to carry out the directions of the establishing committee by facilitating the WG's consideration of the issues identified in the mandate or terms of reference (ToRs) of the WG, and its development of outputs, recommendations, approaches, or solutions for further consideration by the committee. The WG chair is responsible for reporting the outcomes of the WG to the relevant committee once the work is concluded. The aim of the WG chair is to facilitate an informed and technically sound decision-making process by the establishing committee, ideally conducive to the achievement of consensus by the committee.

##### **a. Characteristics of an effective chair**

A skilful WG chair is often a key factor in delivering a successful result. Highly effective chairs create an environment and provide the structure and process to make the deliberations of the WG efficient and effective. They should aim to be impartial, fair, professional and neutral in carrying out the duties of the chair. In doing so, the chair can, for example, encourage representatives to focus on key issues, invite all members of the WG to contribute to discussions, ask representatives to clarify complex positions, and probe in a balanced and objective way positions in an effort to identify opportunities, alternative solutions and compromises. The chair facilitates discussion of key issues in an inclusive and transparent manner to ensure that WG members have an opportunity to voice their views and contribute to the WG deliberations and outcomes. A WG chair also has the discretion to form smaller subgroups within the larger WG to attempt to resolve particular issues.

One of the key tasks of an effective WG chair is to ensure that the deliberations of the WG focus on the matters outlined in its mandate or terms of reference, and do not deviate. If issues arise that deviate from the mandate, the chair should clarify that those issues are outside the scope of the WG to address, but the chair can note the issues in the WG report for future consideration by the committee and eventually the CoP. Some characteristics of an effective WG chair include being:

- aware of the mandate of the WG and the expected output;
- transparent and clear (by setting out the mandate and procedure at the beginning, sticking to a systematic approach and limiting deliberations to topics that are relevant to the mandate, and indicating the approach taken);
- well-organized, proactive and efficient;
- impartial/objective/fair/unbiased/neutral/non-judgmental;
- open and inclusive, able to encourage constructive discussion and debate;
- responsive;
- polite and respectful; able to maintain order to allow all WG members to be heard;
- consistent and pragmatic, able to deal with problems that arise in the WG;
- a patient and attentive listener;

- able to accurately sum up points of convergence and divergence;
- able to foster consensus where possible; and
- conscious of limitations, such as time, language skills of WG members, resources of the Secretariat, etc.

In some instances, it can be a challenge to engage all WG members in the discussion. This may lead to an outcome that is not representative of the views in the group or in the committee. If the chair has the sense that this is about to happen, they may try to prompt less engaged WG members for their views, either by directly indicating that it would be useful to hear the views of those who have not yet contributed, or by prompting them directly. In assessing the level of engagement in discussions, the chair should also pay attention to whether WG members from different geographical regions have been heard, as well as whether the discussion is Party-driven or whether debate is dominated by WG members of observer organizations.

*Inclusivity and debate are important to arrive at a conclusion that will be generally accepted by the Committee; WG chairs should aim to engage and encourage fulsome participation by taking a clear, systematic approach to the mandate they have been given.*

At the same time, the chair should keep in mind that they are the facilitator of a discussion by the members of the WG. In difficult situations, chairs may therefore want to ask the WG to consider how it wishes to proceed, for instance by offering options for consideration rather than imposing a particular approach. In such situations, the chair may also use the option of reaching out to the Secretariat for advice, or seek additional guidance from the establishing committee Chair, if appropriate.

#### **b. Setting the scene**

Once the WG has been established and the chair of the WG has been appointed, the chair of the WG is responsible for setting the scene and initiating the work of the WG without unnecessary delay. The chair should reiterate **the mandate/ToRs of the WG** as formulated by the committee and contained in an executive summary of a session of the committee or the summary record of the meeting of the committee (if available). Occasionally, the WG is requested to further elaborate the ToRs where the committee has not been able to do so. This would then be the first order of business of the WG, and the chair would be responsible for ensuring that the ToRs, as elaborated by the WG, stay within the mandate provided by the committee. The WG chair may also outline what kind of **result or output** they anticipate the WG to produce, based on the ToRs/mandate of the WG.

At this point, the WG chair may invite any **clarifying questions** with regard to the mandate or the expected outputs. It is important that all members of the WG are fully informed of and committed to the mandate of the WG to allow for focused and targeted deliberations.

If possible, and in particular if the mandate is broad and covers several issues, it is advisable that the WG chair propose an **agenda or workplan** and/or inform the members of the WG how they intend to conduct the work (number of meetings, rounds of consultations, time allocated per issue, etc.)

The chair may also wish to draw the attention of the WG members to **pertinent documents**, including information documents, of the relevant committee(s) or the Conference of the Parties that provide useful background information for the WG.

It is preferable that the WG operates in the official working **language** of the majority of the members of the WG and hence the chair should at the outset determine which language would be the working language of the WG. The chair may invite participants that do not speak the language of the WG to make their interventions/contributions in one of the other working languages and invite other members to assist with translation/interpretation.

Finally, the WG chair should indicate the **timeline** for the conclusion of the work, taking into account the document deadline of the establishing committee (see Section 9). This applies to both in-session and intersessional WGs.

### **5. Role of working group members**

The primary role of WG members is to contribute to the fulfilment of the mandate of the WG. In doing so, WG members are expected to bring their knowledge, experience and views to the group. WG members are expected to be informed of the terms of reference of the WG, and to seek clarification from the WG chair if needed. In participating in the deliberations of the WG, members of WGs should:

- be mindful of the text and the objectives of the Convention and the principles on which it is based;
- bear in mind relevant Resolutions and Decisions;
- be constructive, professional and respectful, and engage in an appropriate and polite manner with other participants;
- be familiar with the relevant rules of procedure;
- be an active listener;
- focus interventions on the issues at hand and avoid any abusive or accusatory language;
- follow the WG chair's instructions regarding the conduct of business and decisions already taken by the WG;
- make contributions, presentations and interventions clear, concise, to the point, and relevant to the issues under discussion within the mandate of the WG, particularly for in-session WGs where the time for discussion and deliberation is very limited;
- avoid repeating earlier interventions expressing similar views;
- liaise with other participants of the WG, and, where appropriate, make joint interventions or contributions to avoid the same points being made repeatedly; and
- for intersessional WG working by email, using "reply all" when responding to emails from the chair.

## 6. Role of the Secretariat

A staff member of the Secretariat will be available to support the WG chair, if and as may be needed. Where possible, this will be the Programme Officer within the Secretariat who is responsible for the matter under discussion by the WG. If the chair is uncertain about who the assigned Secretariat staff member is, they should contact any Secretariat staff member to seek information and clarification. In providing assistance to the WG and the WG chair, the Secretariat will act impartially and in the interest of the Convention.

The Secretariat staff member responsible for supporting the WG chair, can assist the WG chair by:

- arranging for the collection of contact details and electronic addresses of WG members;
- for in-session WGs, arranging for meeting room allocation and equipment;
- supporting correspondence with WG members upon request of the WG chair, *inter alia* communicating specific arrangements to WG members;
- providing impartial advice on the conduct of the work, including the application of the rules of procedure;
- in case the WG chair has not appointed a rapporteur among the WG members, and upon request of the WG chair, taking notes summarizing and synthesizing the contributions from WG members;
- providing advice to, and assisting the WG chair in preparing draft reports of the WG, including draft CoP decisions and recommendations;
- monitoring progress of the WG and, in consultation with the WG chair, providing support where needed to contribute to the effectiveness of the WG;
- responding to questions and providing clarification, for instance on the mandate of the WG as provided by the establishing committee when requested by the WG chair;
- liaising with the Secretariat's conference services unit for production of outcome documents, including their translation and distribution; and



- providing any other support to the WG chair that may reasonably be required with respect to the work of the group, such as assistance with interpretation and translation.

## 7. Conduct of business

### a. General rules of procedure

Chairs should conduct meetings with the degree of formality appropriate to the WG. Generally, greater formality is needed for WGs with a larger membership. The rules of procedure of the relevant committee ([SC RoP](#), [AC RoP](#) or [PC RoP](#)) apply to the proceedings of WGs with the necessary adjustments. While each committee has adopted its own set of rules, these are very similar. Unless otherwise indicated, the referenced rule is the same for all three committees and hence for their WGs.

The chair of a WG should be familiar with the rules of procedure and with the adjustments required for WGs, including the following:

- order of speakers (Rule 14, paragraph 2)
- right to speak only when called upon by the Chair (Rule 14, paragraph 3)
- time limitations (Rule 14, paragraph 6)
- list of speakers (Rule 14, paragraph 7)
- points of order can only be made by Parties and should be ruled upon immediately (Rule 14, paragraph 4)

It has become practice that the deliberations of WGs are open only to members of the WG to ensure that the group is manageable and able to produce results. For intersessional WGs working by email, this is straightforward to implement. For in-session WG or online meetings of intersessional WG, it is advisable for the chair to do a roll call to verify who is participating and to invite persons who are not representing any WG members to leave the meeting. This is also important to be able to maintain the balance of representation required under Rule 17 of the RoP. The chair may also request members to limit the number of people from their Party or observer organization attending the meeting of an in-session WG.

### b. Good practices – tools

In addition to the general rules of order and debate, contained in the rules of procedure, there are some good practices that a WG chair may wish to observe:

- **Preparations with the Secretariat** – in some cases, the WG chair may wish to have a preparatory meeting, phone call or email exchange with the Secretariat to plan for the work and the types of support that might be needed;
- **Punctuality** – for in-session WGs, aim to begin and end meetings on the time announced. If the meeting is running over time, check regularly with the participants that they are willing to continue (if it is logistically possible);
- **Use of projector and screen** – in certain specific instances, e.g. for in-session WGs with a mandate to finalize the wording of an existing text, it may be helpful to project the text on a screen as this will enable all members of the WG to follow the negotiations. In other instances, the use of a projector may be counterproductive and hinder a productive and constructive discussion. It is the prerogative of the chair to determine whether projection is useful for the discussions in the WG, noting that projection equipment may not always be available. If the chair wishes to use a projector, they should check with the Secretariat in advance of the WG meeting;

*The chair should sum up areas of convergence and divergence often; repeat and verify to help ensure all WG members are on the same page and have a common understanding as the discussions' progress; this may help members focus their interventions and enable a consensus to appear.*

- **Interpretation** – for in-session WGs, there may be instances when interpretation in one or two of the Convention's working languages that are not used by the WG may be critically important. In such instances, the chair – in consultation with the Secretariat – should try to find a solution to allow for a multilingual discussion. For instance, there may be members within a WG who are willing and able to assist with interpretation, and WG chairs are encouraged to seek out such members and draw upon their support. In the case of regular AC and PC meetings, where blocks of time are set aside for WGs to operate, the regular interpreters servicing the meeting may be available to assist certain WGs in their deliberations. Recognizing that participants may not be speaking in their native tongue, the chair should always endeavor to use clear, direct, action-oriented language when providing suggested next steps, discussion questions or summing up.

- **Structure the discussion in parts** – for complex or multi-part mandates, the chair may wish to break down the discussion into parts or sections to allow the discussion to occur in a systematic manner. Depending on the time available and the nature of the discussion, the chair may wish to request WG members to address the sections separately or may wish to discuss each section in order. The chair might facilitate addressing complex mandates by posing discussion questions for the WG members to consider and respond.
- **Pose questions** – another way to break down a complex mandate is for the WG chair to pose discussion questions to stimulate input. This is particularly effective for intersessional WGs which tend to have larger, multi-part mandates. It can help organize participants to provide targeted responses that are relevant to the mandate and avoid just general positions or statements that may not advance the discussion.

### **c. Closing the deliberations (conclusions, recommendations)**

After one or more rounds of interventions and deliberations, the WG chair is expected to close the deliberations and determine whether there is consensus (i.e. no objections) on a particular issue. This involves listening carefully as the debate proceeds and identifying both areas of convergence and areas of divergence among the WG members. It is important for the chair to try to 'harness' areas of convergence and to 'lock them in' as they conclude the work of the WG. In this context, the chair should listen to all members of the WG and try to accommodate all views. However, the chair should also be mindful of the fact that WGs are Party-driven and Parties are responsible for implementation of the Convention and that decisions in the relevant committee are made by the Members of the committee.

The chair should also be mindful of the fact that consensus is not the same as unanimity. In other words, consensus means that all members can live with the outcome, even if it is not fully satisfactory or in line with their initial position. It is the outcome to which no member of the WG will object.

Once the areas of convergence have been identified and accepted, the chair should move to areas of non-convergence/no consensus. Here the chair may deploy different tools to see if further movement among the participants in the WG is possible. This can be informal consultations among a smaller group of participants ('friends of the chair'), one-on-one discussions, or breaks in the deliberations for reflection and consultations with stakeholders outside the WG. Time permitting, the WG chair may also wish to consult the Chair of the establishing committee for guidance.

Time permitting, the WG may also continue the work if it is considered that more time may lead to consensus. However, as noted above under 2, the life-span of intersessional WGs may not exceed the period until the next meeting of the CoP (in practice the last regular meeting of the SC, AC or PC prior to a CoP) and in-session WGs must complete their work within the duration of the meeting of the establishing committee. If the WG considers that more discussions could lead to consensus, the group can note this in its report to the establishing committee and in the case of an in-session WG, propose that the work be continued intersessionally through the establishment of an intersessional WG.

If, after using all the tools available, the WG chair concludes that no consensus is emerging, the chair has at least the following options:

- Present the approach that a majority of the WG members prefer, clearly indicating that this approach is not accepted by the WG by consensus;
- Present the different options to the committee and request further guidance or invite the committee to decide on the preferred option; or
- Present only the issues discussed with an indication that views expressed were so widely divergent that the WG was unable to provide any result on the matter.

*Voting should not occur in working groups.*

The WG chair has the prerogative to decide which approach to take, keeping in mind that the mandate of the WG is to assist the committee in finding a way forward on a particular issue. If at all possible, the chair should clearly communicate to the WG members which approach will be taken. WGs are not expected to make any decisions but to lay the foundations for decision-making by the establishing committee. Voting on the outcome should therefore not occur in WGs; this is generally not a good way to reflect the variety of views that may be useful for the committee in making its recommendations on the matter. See Section 9 on the presentation of the WG results to the committee.

## **8. Conduct of intersessional working groups working electronically**

For intersessional WGs that are conducting their work by electronic means, there are a few additional good practices to keep in mind for chairs of such WGs.

### **a. Ensure an accurate mailing list**

It is the responsibility of the chair, with the support of the Secretariat, to gather the contact details of intersessional WG members. This can be done during the meeting where the intersessional WG is established by collecting business cards from WG members, or by convening a short meeting to compile a list of contact details. With the assistance of the Secretariat, the WG chair should make every effort to ensure that they have accurate and complete contact information for each WG member. When members are joining or withdrawing from the WG in accordance with the RoP, the WG chair should ensure that the mailing list is updated accordingly.

### **b. Copy the Secretariat staff member assigned to the WG on correspondence to the WG**

Intersessional WGs have an assigned member of the Secretariat to support the chair as needed. The Secretariat staff member assigned to the WG should be copied on all WG correspondence.

### **c. Initiate the work without delay, provide a workplan with reasonable deadlines for responding**

The chair should ensure that the work is initiated as soon as possible after the meeting at which the WG was established, i.e. within 1-2 months after the meeting of the committee. To the extent possible, the chair should provide an indicative workplan for the intersessional work with milestones and deadlines. This will allow the chair and the members to ensure that the deliberations are concluded in time for the meeting of the establishing committee. When the chair invites the views of the members on the topic of the debate, they should set and communicate reasonable deadlines that will allow the members of the WG sufficient time to consult and formulate their response. There are no specific rules on this but allowing at least two weeks for responding would be considered reasonable.

*The WG chair should communicate in a clear language and should consider repeating the points made earlier, when the WG is operating by email where people may have lost the thread of the conversation, mindful that not everyone is working in their first language.*

### **d. Compile the views of members**

If possible, it may be helpful to compile the responses received from members in one document or in a table format, depending on the mandate. This is particularly useful when the mandate of the WG is extensive so the WG is considering many issues, and when the membership is broad. The compilation can be shared with members of the WG to increase transparency in the work and help inform the approach and suggested way forward.

### **e. Use virtual meeting facilities**

While most intersessional WGs conduct their work by emails, the WG chair may consider organizing remote discussions, such as telephone conferences or virtual meetings using online platforms, where such a discussion would be beneficial. In considering whether to organize a virtual meeting, the WG chair should be mindful that

some WG members may face challenges in participating in online meetings or to pay for long international phone calls. The chair should also set an appropriate time for such meetings, taking into account the different times zones of the WG members. At the request of the WG chair, the Secretariat will assist with the preparation and organization of such meetings.

**g. Keep the WG updated on developments affecting its operation**

The chair should notify the members of the WG as soon as possible about any changes made to the timelines, temporary suspension of the work, or postponement of future meetings or milestones.

**h. Informal meetings in the margins of the committee**

When appropriate, the chair may take the opportunity to arrange for informal meetings of present WG members in the margins of the meetings of the establishing committee.

**9. Presentation of the results of the working group**

The reports of in-session and intersessional WGs are different due to the specific characteristics of the two kinds of WGs. In both cases, it is the responsibility of the WG chair to ensure the preparation of the report of the WG and submit it to the Secretariat for further processing. The Secretariat may be consulted on the structure and content and is available to assist with the drafting upon request from the WG chair. However, the responsibility for the report rests with the chair of the WG. The assigned staff member of Secretariat will provide the relevant template for the WG report to the chair, which should be used in preparing their report.

If there is enough time, the chair should circulate the draft report with the members of the WG to ensure that the outcome document accurately reflects the deliberations of the WG. The chair should make clear that a review of the WG report does not constitute an opportunity for members of the WG to reopen the discussions that have already been concluded in the previous stage.

**a. In-session working groups**

For in-session WGs, the report should only contain the text on the way forward proposed by the WG. There should be no background information about the number of meetings of the WG, the membership, the nature of interventions made, etc. The membership and terms of reference are included in the WG report template provided by the Secretariat; any supplementary information can be provided by the chair of the WG orally during the presentation of the report to the committee.

In order for the committee to consider and decide on an in-session WG report, the report must be available in the three official languages of the Convention and circulated no later than during the session preceding the session at which they are to be discussed. Therefore, it must be submitted to the Secretariat at least one session earlier. For example, outcome documents from WGs should be submitted to the Secretariat by close of business (18:00) on the day before they are to be discussed. If a document is submitted by 6pm on Thursday, it will be available in the three languages for the committee members by 09:00 on Friday for discussion on Friday at 14:00.

**b. Intersessional working groups**

Reports of intersessional WGs follow the procedures related to working documents of the committee contained in the rules of procedure. Such reports may be more detailed in terms of conduct of business than reports of in-session WGs but should be concise and to the point. The reports of intersessional WGs are usually structured as follows:

- Introduction: reference to the establishment of the WG, and its membership and mandate, including relevant CoP Decisions and/or Resolutions;
- Presentation of the various topics, considerations and conclusions by the WG;
- If relevant, an indication of the level of agreement by the members (consensus, majority) as well as the level of engagement of Parties and observer organizations in the WG;
- Recommendations: clearly stating the action(s) and decision(s) to be taken by the committee, including, where appropriate, relevant text of draft amendments to existing Resolutions and/or text of draft CoP Decisions.

- Annexes: The report may include such annexes as considered useful, e.g. the full the terms of reference of the WG.

The report should not be more than **12 pages** long and should be submitted to the Secretariat **60 days** before the meeting at which it is to be discussed. It is advisable for the chair to consult previous documents submitted to the committee to review examples of how such documents are drafted (see section 10 for a few references). Technical background documents may also be made available to the committee. If such technical documents are submitted as information documents, they may be referred to if they relate to existing agenda items, but such documents will not be translated and cannot be discussed in a plenary session of the Committee.

### **c. Presentation of the result to the committee**

The chair of the in-session or intersessional WG is expected to present the WG report to the establishing committee. This presentation should be concise, factual, and to the point, and take no more time than necessary. The presentation of the WG chair should contain the following elements:

- an explanation of the presented outcome of the WG, in particular which elements were accepted by consensus by the WG, and also explaining which have not been accepted; and
- a clear indication of which decision the WG is advising the committee to take (e.g. ‘take note’, ‘adopt the recommendations’, provide more time, decide on one of several options presented)

Time permitting, the presentation may also include:

- a summary of the terms of reference of the WG;
- a summary of the membership or a reference to a document where the membership can be found; and
- a very short summary of the conduct of business (number of meetings, etc.)

Once the chair has delivered the report of the WG to the establishing committee, the term of the chair is completed. The committee may – or may not – request the chair to continue the work, should a new WG be established on the same or a related topic.

## **10. Links to CITES documents**

Each chair should familiarize themselves with the documents relevant for their WG. The following CITES documents may be useful:

### **a. CITES documents**

- [The text of the Convention](#)
- [Resolution Conf. 18.2 on \*Establishment of committees\*](#)
- [Rules of procedure of the Conference of the Parties](#)
- [Rules of procedure of the Standing Committee](#)
- [Rules of procedure for meetings of the Animals Committee](#)
- [Rules of procedure for meetings of the Plants Committee](#)
- [Guide for participants at meetings of the CoP](#)
- CITES Glossary <https://cites.org/eng/resources/terms/glossary.php>

### **b. Examples of intersessional WG reports to SC, AC or PC**

- Special reporting requirements: Report of the Working Group to the Standing Committee ([SC66 Doc. 30.2](#))
- Simplified procedures for permits and certificates: Report of the Working Group to the Standing Committee ([SC70 Doc. 36](#))
- Combatting Wildlife Cybercrime: Report of the Working Group to the Standing Committee ([SC70 Doc. 30.3.1](#))
- Revision and replacement of the CITES Strategic vision 2008-2020: Report of the working group to the Standing Committee ([SC70 Doc. 11](#))

- Trade controls and traceability: Report of the intersessional working group to the Plants Committee ([PC24 Doc. 15.1](#))
- Implementation of the Convention relating to captive-bred and ranched specimens: Report of the intersessional Working Group to the Animals Committee ([AC28 Doc. 13.2](#))

**c. Examples of in-session WG reports to the CoP, SC, AC or PC**

- Draft decisions on the conservation of amphibians: Report of the working group to CoP18 Com. I ([CoP18 Com. I. 2](#))
- Draft decisions on the language strategy for the Convention: Report of the working group to CoP18 Com. II ([CoP18 Com. II. 1](#))
- European eels: Report of the in-session working group to the Standing Committee ([SC70 Com. 1](#))
- Great Apes: the report of the in-session WG to the Animals Committee ([AC30 Com. 2](#))
- Timber identification: Report of the in-session WG to the Plants Committee ([PC24 Com. 3](#))