

RESOLUTION CONF. 4.6 (REV. COP15)

*SUBMISSION OF DRAFT RESOLUTIONS AND OTHER DOCUMENTS
FOR MEETINGS OF THE CONFERENCE OF THE PARTIES*

1. In document CoP16 Doc. 4, on *Rules of Procedure*, the Secretariat notes that draft decisions for consideration at meetings of the Conference generally outnumber draft resolutions. It has consequently proposed that text in the rules referring to the submission of draft resolutions should also apply to draft decisions. Assuming that this principle is agreed, the same should apply where appropriate in Resolution Conf. 4.6 (Rev. CoP15).
2. In the same document on the Rules of Procedure, the Secretariat has proposed that the deadline for submission of working documents for meetings of the Conference of the Parties, other than proposals to amend the Appendices, be reduced to 120 days before the meeting. If it is agreed to amend the Rules of Procedure in this way, the same amendment will be needed in Resolution Conf. 4.6 (Rev. CoP15).
3. The original text of the Convention was concluded in Chinese, English, French, Russian and Spanish. These are five out of the six languages of the United Nations, the other being Arabic. This is a matter of history and cannot be changed. However, some Arabic-speaking States have previously suggested the need for adoption of an official text of the Convention in Arabic. This subject could be added to the list of topics to be included in the agenda for the next extraordinary meeting of the Conference of the Parties, unless another solution is found before that time. As Resolution Conf. 4.6 (Rev. CoP15) already contains four items for inclusion of that agenda, the Secretariat suggests that, if the Parties agree, this item could also be included in the Resolution.
4. The Resolution would also benefit from minor grammatical corrections.

Recommendation

5. Annex 1.2 of the present document contains the amendments to Resolution Conf. 4.6 (Rev. CoP15) that the Secretariat proposes to be adopted.

PROPOSED AMENDMENTS TO RESOLUTION CONF. 4.6 (REV. COP15)

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NB: Text proposed to be deleted is ~~crossed out~~. Proposed new text is underlined.

CONSIDERING the volume of work involved in the preparation of documents to be submitted to the Conference of the Parties at its regular meetings;

AFFIRMING the obligation of the Parties to collaborate closely with the Secretariat in the organization of meetings of the Conference of the Parties;

RECOGNIZING the necessity that the Parties be informed in advance of the draft resolutions and other documents submitted by other Parties;

OBSERVING that Article XV, paragraph 1 (a), of the Convention requires Parties to communicate the text of proposed amendments to Appendices I and II to the Secretariat at least 150 days before the meeting of the Conference of the Parties;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

AGREES that the term “the text of the proposed amendment” in Article XV, paragraph 1, of the Convention includes the substantially complete supporting statement accompanying it, and this interpretation is extended to draft resolutions, draft decisions and other documents submitted for consideration at meetings of the Conference of the Parties;

RECOMMENDS that:

- a) the text of any draft resolution, draft decision or other document to be submitted for consideration at a meeting of the Conference of the Parties be communicated to the Secretariat at least ~~450~~ 120 days before the meeting;
- b) the Secretariat be authorized to accept draft resolutions, draft decisions and documents (other than proposals for amendment of Appendices I and II) after the ~~450~~ 120-day deadline only in exceptional circumstances, when it is established, to the satisfaction of the Secretariat, that the draft resolutions, draft decisions or documents could not have been communicated before the deadline;
- c) when drafting a resolution that is intended to treat a subject comprehensively, or to make significant changes in the way in which a subject is dealt with, a Party prepare the draft so that, if adopted, it will replace and repeal all existing Resolutions (or, as appropriate, the relevant paragraphs) on the same subject;
- d) when drafting resolutions and decisions which require the gathering of information, a Party consider whether such information could be sought via the annual or biennial report, or if a special report is needed, and generally ensure that the reporting burden is kept to a minimum;
- e) unless practical considerations dictate otherwise, draft resolutions not include:
 - i) instructions or requests to committees, working groups or the Secretariat, unless they are part of a long-term procedure;
 - ii) decisions on the presentation of the Appendices; and

- iii) recommendations (or other forms of decision) that will be implemented soon after their adoption and will then be obsolete;
- f) as a general rule, documents submitted for consideration at a meeting of the Conference of the Parties be no more than 12 pages in length; and
- g) when a draft resolution is adopted that merely adds points to the recommendations (or other decisions) in existing Resolutions, or makes minor amendment thereto, the existing Resolutions be replaced by revised versions with the agreed changes;

DIRECTS the Secretariat to put the following proposals on the agenda of the next extraordinary meeting of the Conference of the Parties, whenever this may be convened, as amendments to the Convention:

- a) the provisions of Article XVI, regarding the listing of Appendix-III parts and derivatives, should be brought into line with Convention procedures for Appendices I and II (Article XV);
- b) paragraph 5 of Article XIV should read: "Notwithstanding the provisions of Article IV, any export of a specimen" etc.;
- c) paragraphs 3 (b) and 5 (b) of Article III should include "either a Management Authority or a Scientific Authority of the State" etc.;
- d) the adoption of an official text of the Convention in Arabic; and
- e) correction of errors of an orthographical nature discovered in the text of the Convention;

DIRECTS the Secretariat further:

- a) when revising its publication of current Resolutions after each meeting of the Conference of the Parties, to correct the texts of already existing Resolutions to ensure that all references to other Resolutions are accurate;
- b) to update the Decisions after each meeting of the Conference of the Parties, to contain all the recommendations (or other forms of decision) that are not recorded in Resolutions and that remain in effect. The Decisions shall be sorted according to subject, using the subjects of the Resolutions for guidance, and within the section for each subject they shall be divided according to the body to which they are directed. The Secretariat shall distribute to the Parties a copy of the updated Decisions soon after each meeting of the Conference; and
- c) when revising the list of current Decisions for the purpose of suggesting amendments, deletions or continuity, the Secretariat shall provide justification of any proposed changes to a Decision at each meeting of the Conference of the Parties;

DECIDES that any draft resolutions or decisions submitted for consideration at a meeting of the Conference of the Parties that have budgetary and workload implications for the Secretariat or permanent committees must contain or be accompanied by a budget for the work involved and an indication of the source of funding; and

DECIDES further that the recommendations contained in Resolutions and Decisions adopted by the Conference of the Parties shall enter into effect 90 days after the meeting at which they are adopted, unless otherwise specified in the recommendation concerned.