



**CONVENTION ON  
MIGRATORY  
SPECIES**

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THIRTY FIFTH STANDING  
COMMITTEE MEETING  
Rome, 5 December 2008

**DRAFT RULES OF PROCEDURE OF THE 35<sup>th</sup> CMS STANDING COMMITTEE**

**General Functions**

Rule 1

The Committee provides general policy, operational and financial direction to the Secretariat concerning the implementation and the expansion of the Convention. It also provides guidance and advice on the preparation of agendas and other requirements of the meetings, and on any other matters brought to it by the Secretariat in the exercise of its function.

Rule 2

It carries 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.

Rule 3

It oversees, between the meetings of the Conference of the Parties, the development and execution of the Secretariat's budget as derived from the Trust Fund and other sources, and also all aspects of fund raising undertaken by the Secretariat.

Rule 4

It represents the Conference of the Parties, vis-à-vis the Government of the host country of the Secretariat's headquarters, UNEP and other international organizations for consideration of matters relating to the Convention and its Secretariat.

Rule 5

It makes recommendations or draft resolutions, as appropriate, for consideration by the Conference of the Parties.

## **Representation and Attendance**

### **Rule 6**

The Committee shall consist of no more than twelve Parties, who shall be nominated by the Conference of the Parties. The membership of the Committee shall consist of three Parties elected from Europe and three from Africa, two from Asia, two from South and Central America and the Caribbean and one each from North America and Oceania, as well as the Depository Government and, if appropriate, the host Parties of the previous and next meetings of the Conference of the Parties. Furthermore, Alternate Members shall similarly be nominated by the Conference of the Parties to attend meetings of the Committee as the regional member in the absence of the member of the region to which it belongs.

### **Règle 6**

Le Comité ne sera pas constitué de plus de 12 Parties, qui seront nommées par la Conférence des Parties. La composition du Comité comprendra trois Parties européennes, trois Parties africaines, deux de l'Asie, deux d'Amérique du sud, centrale et Caraïbes, une d'Amérique du Nord et une d'Océanie, ainsi que le gouvernement dépositaire et, le cas échéant, les Parties hôtes de la réunion précédente et suivante de la Conférence des Parties. En outre, des Membres alternatifs seront nommés de même par la Conférence des Parties pour assister aux réunions du Comité en tant que membre régional en l'absence du membre de la région à laquelle il appartient.

### **Regla 6**

El Comité estará formado por no más de doce partes, que serán designadas por la Conferencia de la Partes. La membresía del Comité consistirá en tres Partes elegidas de Europa y tres de África, dos de Asia, dos de América del Sur y Central y el Caribe y una de América del Norte y una de Oceanía, así como el Gobierno Depositario y cuando sea adecuado, las Partes anfitrionas de la reuniones previas y siguientes de la Conferencia de la Partes. Asimismo, los miembros suplentes serán designados de forma similar por la Conferencia de las Partes, a fin de asistir a las reuniones del Comité como miembro regional en caso de ausencia del miembro de la región a la que pertenece.

### **Rule 7**

Each member of the Standing Committee shall be entitled to be represented at meetings of the Committee by a Representative and an Alternate Representative. The Representative shall exercise the voting rights of a Member. In his absence, the Alternate Representative shall act in his or her place.

### **Rule 8**

If an extraordinary meeting or a special meeting of the Conference of the Parties is held between two regular meetings, the host Party of that meeting shall participate in the work of the Committee on matters related to the organization of the meeting.

## Rule 9

Each meeting of the Conference of the Parties shall elect eight regional representatives to serve as alternative members and, in particular, to attend the meetings of the Standing Committee in the absence of the member of the region for which they are the alternate member.

The term of office of regional members and alternates shall expire at the close of the next ordinary meeting of the Conference of the Parties following the meeting at which they were originally elected. Regional members may not serve more than two consecutive terms of office.

## Rule 10

Parties not members of the Committee shall be entitled to be represented at meetings of the Committee by an observer who shall have the right to participate but not to vote. The Chairperson of the Scientific Council shall have the right to participate in meetings of the Committee as an observer without the right to vote.

## Rule 11

The Chairperson may invite any person or representative of any other country or organization to participate in meetings of the Committee as an observer without the right to vote.

## **Officers**

### Rule 12

The members of the Committee shall elect the Chairperson and Vice-Chairperson at the first meeting after the meeting of the Conference of the Parties.

### Rule 13

The Chairperson shall preside at meetings of the Committee, approve for circulation the provisional agenda prepared by the Secretariat and maintain liaison with other committees and with the Scientific Council between meetings of the Committee. The Chairperson may 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 by the Committee.

### Rule 14

The Vice-Chairperson shall assist in the execution of the Chairperson's functions, and shall preside at meetings in the absence of the Chairperson.

### Rule 15

The Secretariat of the Convention shall provide a secretary for meetings of the Committee.

## Rule 15a

The Committee may establish sub-committees and inter-sessional working groups to progress its business. Elections of officers of, and any votes taken at such sub-committees and working groups should be conducted in accordance with these Rules of Procedure.

## Règle 15a

Le Comité peut établir des sous-comités et des groupes de travail intersessionnels pour poursuivre ses travaux. L'élection de responsables de, et tout vote pris à de tels sous-comités et groupes de travail devront être conduits en accord avec ces Règlements Intérieurs.

## Regla 15a

El Comité puede establecer subcomités y grupos de trabajo en los periodos entre sesiones para avanzar sus asuntos. La elección de los oficiales de los oficiales de los mismos, y cualquier voto realizado en dichos subcomités y grupos de trabajo debe ser tramitado de acuerdo a estas reglas de Procedimiento.

## **Elections**

### Rule 16

If in an election to fill one place no candidate obtains an overall majority in the first ballot, a second ballot shall be taken, restricted to the two candidates obtaining the largest number of votes.

If in the second ballot the votes are equally divided, the presiding officer shall decide between the candidates by drawing lots.

### Rule 17

If in the first ballot there is a tie amongst candidates obtaining the second largest number of votes, a special ballot shall be held amongst them for reducing the number of candidates to two.

### Rule 18

In the case of a tie amongst three or more candidates obtaining the largest number of votes in the first ballot, a special ballot shall be held amongst them for reducing the number of candidates to two. If a tie then results amongst two or more candidates, the presiding officer shall reduce the number to two by drawing lots, and a further ballot shall be held in accordance with Rule 16.

## **Meetings**

### Rule 19

The Committee shall normally meet at least once every year.

#### Rule 20

Meetings of the Committee shall be called at the request of the Chairperson or at least three members.

#### Rule 21

The time and place of meetings shall be determined by the Chairperson, in consultation with the Secretariat.

#### Rule 22

Notice of meetings to all Parties including the time and venue, shall be given by the Secretariat at least 45 days and, in the case of emergency meetings, at least 14 days in advance of the meeting.

#### Rule 23

A quorum for a meeting shall consist of four members of the Committee. No decision shall be taken at a meeting in the absence of a quorum.

#### Rule 24

Decisions of the Committee shall be taken by consensus unless a vote is requested by the Chairperson or by three members.

#### Rule 25

Decisions of the Committee by voting (pursuant to Rule 24) shall be taken by a simple majority of the members present. In the case of a tie, the motion shall be considered as rejected.

#### Rule 26

A summary record of each meeting shall be prepared by the Secretariat as soon as possible and shall be communicated to all Parties.

#### Rule 27

The Committee shall decide on the working languages of its meetings, which in any case shall have simultaneous interpretation in English, French and Spanish.

### **Communication Procedure**

#### Rule 28

Any member or the Secretariat may make a proposal to the Chairperson for a decision by postal procedure. The Secretariat shall communicate the proposal to the members for comments within 60 days of communication; any comments received within these limits shall also be so communicated.

#### Rule 29

If no objection to a proposal is received by the Secretariat by the date when the comments on the proposal were due to be communicated, the proposal shall be considered as adopted, and notice of the adoption shall be given to all members.

#### Rule 30

If any member objects to a proposal within the applicable time limit, the proposal shall be referred to the next meeting of the Committee.

### **Other functions**

#### Rule 31

The Committee shall submit to each ordinary meeting of the Conference of the Parties a report on its work since the previous ordinary meeting.

#### Rule 32

The Committee shall receive reports from other Committees established under the Convention.

### **Final Provisions**

#### Rule 33

In matters not covered by the present Rules, the Rules of Procedure as adopted by the last regular meeting of the Conference of the Parties shall be applied *mutatis mutandis*.

#### Rule 34

These Rules shall come into force on adoption by the Committee by consensus, and may be amended by the Committee as required. The Committee shall, by consensus, establish its own Rules of Procedure.