

STANDING COMMITTEE OF THE CONVENTION ON MIGRATORY SPECIES

RULES OF PROCEDURE

Recommendation:

It is recommended that the Standing Committee adopt the Rules set out below as its Rules of Procedure.

STANDING COMMITTEE OF THE CONVENTION ON MIGRATORY SPECIES

Rules of Procedure

Preamble

In December 2008, the Ninth Meeting of the Conference of the Parties re-established the Standing Committee through Resolution 9.15. This resolution specifies:

1. Terms of Reference of the Standing Committee
2. Membership of the Standing Committee
3. Duties of Regional Representatives
4. Some administrative matters

Those parts of the Resolution 9.15 relating to 1 to 3 above are reproduced as Annex 1 to these rules.

Resolution 9.15 contains a provision for the Standing Committee to establish its own Rules of Procedure. These are contained in this document and supplement Resolution 9.15.

Rules of Procedure

Rule 1 - Officers

(1) At the first meeting of the Committee following each regular meeting of the Conference of the Parties, the Members of the Committee shall elect its Chair and Vice-Chair from among their Members. The Executive Secretary will preside over the elections.

(2) In an election to fill one place, if 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 overall. If in the second ballot the votes are equally divided, the Presiding Officer shall decide between the candidates by drawing lots.

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

- (4) In the case of a tie among three or more candidates obtaining the largest number of votes in the first ballot, a special ballot shall be held among them for reducing the number of candidates to two. If a tie then results among 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 1 (2).
- (5) The Chair shall participate in meetings of the Committee in that capacity and shall not at the same time exercise the rights of a geographic member. The Member concerned shall designate another representative to represent the Member in the meeting and exercise the right to vote.
- (6) The Chair 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 Chair may represent the Committee and the Conference of 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.
- (7) The Vice-Chair shall assist in the execution of the Chair's functions, shall preside at meetings in the absence of the Chair, and, if the Chair resigns during their term of office, shall assume the Chair.
- (8) If the Vice-Chair assumes the role of Chair or resigns during his/her term, the Members of the Committee shall elect a new Vice-Chair from among their number to serve out the remainder of the term.
- (9) If a Member resigns from the Committee, the Alternate Member shall assume that role and the Secretariat shall organize the election of a replacement Alternate from among the Parties of the region concerned to serve the remainder of the term.

Rule 2 - Observers

- (1) Any Party or any observer admitted to the COP immediately preceding the meeting of the Committee, after advising the Secretariat of their intention to attend, is able to observe a meeting of the Committee at their own expense.
- (2) Any body or agency that is not a member of the Committee and wishes to observe a meeting shall submit a request to the Secretariat at least 30 days before the meeting, or in the case of an emergency meeting, at least seven days before that meeting. Any such request from a body or agency shall be accompanied by:
 - (i) Relevant information with regard to its technical qualifications;
 - (ii) Name/s of the observer/s who have been authorized to represent it at the meeting; and
 - (iii) Confirmation that, if accepted, the observer will meet their own expenses.
- (3) The Secretariat shall forward each request received and relevant information to the Chair and the members of the Committee for approval.

Rule 3 - Meetings

- (1) The Committee shall normally meet at least once every year.
- (2) Extraordinary meetings of the Committee shall be called at the request of the Chair or at least three Members.
- (3) The time and place of meetings shall be determined by the Chair, in consultation with the Secretariat.
- (4) Notice of meetings to all Parties including the time and venue, shall be given by the Secretariat at least 75 days and, in the case of emergency meetings, at least 14 days in advance of the meeting.
- (5) The Committee shall decide on the working languages for its meetings, which shall in any case have simultaneous interpretation into the working languages of the Convention.
- (6) Documents to be considered at a meeting shall normally be provided to the Secretariat in one of the languages of the Convention at least 60 days before the meeting where they are to be discussed, and should not be longer than 12 pages.
- (7) The Secretariat shall place on its website, in the language in which they have been received, all documents submitted by any Party, or documents submitted by an observer and approved for publication on the website by the Chair, at least 45 days, and in the case of emergency meetings at least 7 days before each meeting of the Standing Committee.
- (8) The Secretariat shall post all documents for the meeting on its website, which shall be translated into the three working languages of the Convention, at least 40 days, and in the case of an emergency meeting at least 7 days before each meeting of the Standing Committee.
- (9) A quorum for a meeting shall consist of five Members of the Committee from at least three regions. No decision shall be taken at a meeting in the absence of a quorum.
- (10) 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.
- (11) 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.
- (12) 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 members of a delegation or the observers 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.
- (13) 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. The Chair may accord the right of reply

to any participant if an intervention delivered after he/she has declared the list closed makes this desirable.

(14) Decisions of the Committee shall be taken by consensus unless a vote is requested by the Chair or by three Members.

(15) Only Members of the Committee may vote. Each Member shall have one vote which is to be exercised by a nominated delegate of that Member.

(16) Decisions of the Committee by means of a vote on procedural matters relating to forwarding the business of the Committee shall be taken by a simple majority of the Members present and voting and on other matters shall be taken by a majority of two thirds of the votes cast. 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.

(17) A draft report of each meeting shall be prepared by the Secretariat and shall be communicated to all Parties within 60 days of the end of the meeting.

Rule 4 - Subsidiary Bodies

(1) 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.

Rule 5 - Communication Procedure

(1) Any Member may make a proposal to the Chair for a decision by postal procedure (i.e. by means of documents with a signature - letters, faxes or scanned e-mail attachments) or other verifiable electronic means. The Secretariat shall communicate the proposal to the Members who shall comment within 30 days and all comments will be circulated to members of the Committee.

(2) 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.

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

Rule 6 - Final Provisions

(1) These Rules shall come into force on adoption by the Committee by consensus, and shall remain valid for each of its meetings unless amended by decision of the Committee or by a Resolution of the COP.

(2) In matters not covered by the present Rules, the Rules of Procedure as adopted by the preceding ordinary meeting of the Conference of the Parties shall be applied *mutatis mutandis*.

(3) In accordance with decisions of the Conference of the Parties, funding may be made available for the Chair, Vice Chair and one representative of each member of the Committee to participate in the work of the Committee.

Annex 1

Extract from Resolution 9.15 adopted by the Conference of the Parties at its Ninth Meeting (Rome, 1-5 December 2008)

*The Conference of the Parties to the
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Resolves* to re-establish the Standing Committee of the Conference of the Parties with the following terms of reference;

Within the policy agreed to by the Conference of the Parties, the Standing Committee shall:

- (a) Provide general policy and operational direction to the Secretariat;
- (b) Provide advice and assistance to Parties concerning implementation of the Convention;
- (c) 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 or explicitly assigned to it;
- (d) Provide guidance and advice to the Secretariat on the preparation of agendas and other requirements of meetings and on any other matters brought to it by the Secretariat in the exercise of its functions;
- (e) Oversee, on behalf of the Parties, the development and execution of the budget of the Secretariat as derived from the Trust Fund and other sources and also all aspects of fund-raising undertaken by the Secretariat in order to carry out specific functions authorized by the Conference of the Parties, and oversee expenditures of such fund-raising activities; and shall be supported, in this activity, by the subcommittee established through resolution 9.14 paragraph 12;
- (f) Represent the Conference of the Parties, vis-à-vis the Government of the host country of the Secretariat's headquarters, the United Nations Environment Programme and other international organizations for consideration of matters relating to the Convention and its Secretariat;
- (g) Submit at each ordinary meeting of the Conference of the Parties a written report on its work since the previous ordinary meeting;
- (h) Draft resolutions or recommendations, as appropriate, for consideration by the Conference of the Parties;
- (i) Act as the Bureau at meetings of the Conference of the Parties until such time as the Conference Rules of Procedure are adopted; and
- (j) Perform any other function as may be entrusted to it by the Conference of the Parties;

2. *Establishes* the following rules for the Standing Committee:
- (a) The Membership of the Standing Committee shall be agreed at each meeting of the Conference of the Parties in accordance with the Conference's Rules of Procedure (but also see 2 (l) below) and shall comprise:
 - (i) three parties elected from each of the geographic regions (a) Africa and (b) Europe;
 - (ii) two parties elected from each of the geographic regions (a) Asia and (b) South and Central America and the Caribbean;
 - (iii) one party from each of the geographic regions (a) North America and (b) Oceania;
 - (iv) the Depositary and Host Government of the host of the Secretariat; and
 - (v) where appropriate, the Host Government of the next and previous meetings of the Conference of the Parties.
 - (b) Each meeting of the Conference of the Parties (COP) also shall elect twelve regional representatives to serve as alternate 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 alternate member.
 - (c) The term of office of regional members and alternates shall expire at the close of the next ordinary meeting of the COP following the meeting at which they were originally elected. Regional members may not serve more than two consecutive terms of office.
 - (d) 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.
 - (e) 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.
 - (f) The Chairman of the Scientific Council shall be entitled to participate in meetings of the Standing Committee as a non-voting observer.
 - (g) The Chairman 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.
 - (h) The Secretariat shall inform all Parties of the date and venue of Standing Committee meetings.
 - (i) The Committee shall, by consensus, establish its own rules of procedure.
 - (j) The Secretary for the Committee shall be provided by the Secretariat of the Convention.

- (k) The membership of the Committee shall be renewed at every ordinary meeting of the Conference of the Parties.
 - (l) If a regional representative or alternate resigns from the Standing Committee, the Secretariat shall organize a ballot among all Parties from that region to elect a successor, the voting system described in the COP ROPs being adopted *mutatis mutandis*.
5. *Resolves* that the duties of the Regional Representatives on the Standing Committee are as follows:
- (a) to maintain a fluid and permanent communication with the Parties of their region and the Secretariat;
 - (b) wherever possible, to request opinions from Parties of their regions on items under consideration by the Standing Committee; and
 - (c) to report on their activities and communications at meetings of the Committee and at any regional meetings that take place during the COP or inter-sessionally.