
SEVENTH MEETING OF THE
CONFERENCE OF THE PARTIES
Bonn, 18-24 September 2002

INSTITUTIONAL ARRANGEMENTS: STANDING COMMITTEE

1. The Conference of the Parties, at its sixth meeting (Cape Town, 1999), adopted Resolution 6.6 which, *inter alia*, re-established the Standing Committee, repealed a number of resolutions that had been superseded, and revised the terms of reference for the Committee's operation. The amended terms of reference, adopted in Cape Town, include provision for expanded regional membership in line with the growth in the Convention's constituency, and changes to the term of office of regional members.

2. In view of the above the Secretariat does not propose, at the present meeting, that the Conference of the Parties re-examine the institutional arrangements for the Standing Committee, apart from the need to conduct new elections for the regional members, in accordance with Resolution 6.6 and the Committee's rules of procedure (attached at Annex 1 for ease of reference).

Action requested:

3. The table annexed hereto describes the actions to be taken at the present meeting in this regard. They may be summarized as follows:

- Five regional members (Africa - both; Asia; and Europe - both) are to stand down, and be replaced by the current alternate – thus necessitating, as well, the election of a new alternate in each case.
- Two regional members (America & Caribbean, and Oceania) are to stand down, and be replaced by a Party, *other than the current alternate*, from the respective region. In each case, the election of a new alternate is also required.
- If agreement is reached at COP7 regarding the host country of the Eighth Meeting of the Conference of the Parties, that Party will automatically become a member of the Standing Committee.
- The Depositary (Germany) is a permanent member of the Standing Committee.

4. As the nominations for regional representatives are traditionally determined by consensus within each of the regions, the Secretariat recommends that Parties take advantage of the time available before, and in the margins of, the COP discuss and reach consensus on their nominations.

CMS STANDING COMMITTEE MEMBERSHIP

REGION	CURRENT MEMBER (COP nomination)	PROPOSED ACTION	ALTERNATE MEMBER	PROPOSED ACTION
Africa (1)	South Africa (COP5)	Stand down; alternate to assume regional membership	Kenya (COP6)	Elect new alternate
Africa (2)	Democratic Republic of the Congo (COP6)	Stand down; alternate to assume regional membership	Morocco (COP6)	Elect new alternate
Asia	Pakistan (COP6)	Stand down; alternate to assume regional membership	Sri Lanka (COP6)	Elect new alternate
America & Caribbean	Uruguay (COP5)	Stand down; elect new member	Argentina (COP5)	Stand down; elect new alternate
Europe (1)	Belgium (COP6)	Stand down; alternate to assume regional membership	Monaco (COP6)	Elect new alternate
Europe (2)	Poland (COP6)	Stand down; alternate to assume regional membership	Ukraine (COP6)	Elect new alternate
Oceania	Philippines (COP5)	Stand down; elect new member	Australia (COP5)	Stand down; elect new alternate
Depositary	Germany	---	---	---
Host of next COP	?	---	---	---

RULES OF PROCEDURE OF THE 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 ten Parties, who shall be nominated by the Conference of the Parties. The membership of the Committee shall consist of two Parties elected from Europe and Africa and one each from North America and the Caribbean, Central & South America, Asia and Oceania, as well as the Depositary Government and, if appropriate, the next host Party of the meeting 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.

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.

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.