

Second Meeting of Signatories | Trondheim, Norway, 5-8 October 2015

## RULES OF PROCEDURE

*Prepared by the Coordinating Unit of the Raptors MoU*

1. Rules of Procedure for Meetings of Signatories to the Raptors MoU were adopted by Signatories at their First Meeting (MoS1) in December 2012 – Annex 1 to this document.

2. The Interim Technical Advisory Group (TAG) was established at MoS1 and has operated intersessionally within the mandate agreed by Signatories at that meeting.

3. The existing Rules of Procedure make no mention of the TAG, yet its Terms of Reference (see UNEP/CMS/Raptors/MOS2/Inf.2) includes a mandate to make recommendations concerning the Annexes in the Action Plan of the Raptors MoU. Accordingly, Signatories are invited to consider the following amendments (underlined) to the Rules of Procedure:

a) Rule 16, paragraph 2 concerning proposals for amendments to the MoU (including the Annexes thereto) to include the Technical Advisory Group (TAG) of the Raptors MoU, to be revised to read as follows:

*Proposals for amendment may only be made by one or more Signatories or by the Technical Advisory Group (TAG) to the Raptors MoU.*

b) Rule 16, paragraph 3 a) concerning the lead time for submitting proposals for amendments to the MoU to include 90 days before the MoS for TAG, and thereby revised to read as follows:

*The text of any proposed amendment, with supporting rationale included, and if appropriate, supporting scientific evidence, shall be provided by Signatories to the Coordinating Unit at least 150 days before the MoS or by the TAG at least 90 days before the MoS at which it is to be considered.*

c) Rule 16, paragraph 3 c) concerning the time period allowed for comments on proposed amendments to the MoU to include 40 days before the MoS for TAG, and thereby revised to read as follows:

*Comments on the proposed amendment may be provided to the Coordinating Unit by Signatories up to 60 days or by TAG up to 40 days before the MoS.*

4. These suggested changes enable proposals for amendments to the MoU to be submitted to Meetings of Signatories by the TAG to permit full implementation of its mandate. The suggested lead times for TAG proposals are less than those set for Signatories because such proposals will have

already undergone independent scientific scrutiny by the group of highly qualified experts that comprise the TAG.

5. In addition, the Coordinating Unit wishes to draw attention to an error in Rule 5 paragraph 4 of the RoP. It was discussed and agreed in MoS1 that the Coordinating Unit (which acts as the secretariat for the MoS) would examine the credentials in consultation with the Chair or Vice-Chair of the MoS. Therefore, Signatories are invited to consider the following insertion (underlined) to correct and clarify Rule 5 paragraph 4 of the Rules of Procedure:

*The Secretariat, in consultation with the Chair or the Vice-Chair, shall examine the credentials submitted and report to the MoS thereon for final approval. Pending a decision on their credentials, delegates may participate provisionally at the meeting.*

**Action requested:**

The Meeting is invited to review and adopt the proposed amended Rules of Procedure at Annex 2.

## Annex 1

### RULES OF PROCEDURE FOR MEETINGS OF SIGNATORIES TO THE RAPTORS MOU

(as adopted by MoS1)

#### Rule 1 – Purpose

1. These Rules of Procedure shall apply to the Meeting of Signatories to the Memorandum on the Conservation of Migratory Birds of Prey in African and Eurasia, hereinafter referred to as the “MoU”, convened in accordance with Paragraph 13 of the MoU.
2. Insofar as they are applicable, these Rules shall apply *mutatis mutandis* to any other meeting held in the framework of the MoU that does not have its own terms of reference or rules of procedure.

#### Rule 2 – Meetings of the Signatories

1. Meetings of the Signatories (MoS) shall take place once every three years, unless the MoS decides otherwise.
2. At each meeting, the MoS shall decide on the date, venue and duration of its next meeting.
3. Unless there is an offer from a Signatory, the MoS shall take place at the seat of the Coordinating Unit or another United Nations duty station taking into consideration cost-effectiveness.
4. The Coordinating Unit shall notify the venue and the dates of each MoS at least six months before the meeting is due to commence. The notification shall include a deadline for submission of proposals to be discussed at the meeting.
5. Documents for MoS shall be made available at least thirty days before the start of the meeting.

#### Rule 3 – Signatories

1. Each Signatory to the MoU, hereinafter referred to as a “Signatory”, shall be entitled to be represented at the meeting by a delegation consisting of a Head of Delegation and such Alternative Representative(s) and Advisers as the Signatory may deem necessary.
2. The Representative of a Signatory shall exercise the voting rights of that Signatory. In their absence, an Alternative Representative of that Signatory shall act in their place over the full range of their functions.
3. Logistical and other limitations may require that no more than three delegates of any Signatory be present at the meeting. The Coordinating Unit shall notify Signatories of any such limitations in advance of the meeting.

#### Rule 4 – Observers

1. The United Nations, its Specialized Agencies, and any State not a Signatory to the MoU may be represented at the meeting by Observers who shall have the right to participate but not to vote.
2. Co-operating Partners that have signed the MoU shall have the right to participate but not to vote.

3. Any agency or body technically qualified in the protection, conservation and management of migratory birds of prey, and which has informed the Coordinating Unit of its desire to be represented at the meeting by Observers, shall be permitted to be represented unless at least one-third of the Signatories present object. Once admitted, these Observers shall have the right to participate but not to vote.
4. Bodies and agencies desiring to be represented at the meeting by Observers shall submit the names of their representatives to the Coordinating Unit prior to the opening of the meeting.
5. Logistical and other limitations may require that no more than two Observers from any non-Signatory State, body or agency be present at the meeting. The Coordinating Unit shall notify Observers of any such limitations in advance of the meeting.

#### **Rule 5 – Credentials**

1. The Head of Delegation, any Alternative Representative(s) or other members of the delegation of a Signatory shall have been granted permission by, or on behalf of, an appropriate authority, being the Minister of the focal Ministry for the MoU or a higher body, or the competent authority of any Regional Economic Integration Organization (REIO), enabling the delegation to fully represent the Signatory at the meeting and to vote.
2. The credentials shall include: the full title and date of the meeting; a full list of representatives authorized to represent the Signatory and to transact all such matters with an indication of who is the Head of Delegation; a full signature of the appropriate authority as indicated above and printed on official letterhead, preferably with a seal, clearly indicating that the credentials have been issued by the appropriate authority. Prior to the Meeting, the Coordinating Unit shall provide a credentials template as an example.
3. The credentials shall be submitted in their original form to the Coordinating Unit within 24 hours of the start of the meeting. If credentials are presented in a language other than one of the two working languages of the MoU they shall be accompanied by an official translation into English or French.
4. The Secretariat, in consultation with the Chair or the Vice-Chair, and shall report to the MoS thereon for final approval. Pending a decision on their credentials, delegates may participate provisionally at the meeting.

#### **Rule 6 – Secretariat**

The Coordinating Unit shall service and act as secretariat for the meeting.

#### **Rule 7 – Officers**

At its first plenary session the meeting shall appoint a Chair and a Vice-Chair.

#### **Rule 8 – Seating**

Delegations shall be seated in accordance with standard United Nations practice which uses the alphabetical order of the full official names of the Signatories in the English language.

#### **Rule 9 - Quorum**

No MoS shall take place in the absence of a quorum. A quorum for a MoS shall consist of one quarter of the Signatories. A quorum for plenary sessions shall consist of one-half of the Signatories having delegations at the MoS.

**Rule 10 – Speakers**

1. The Chair shall call upon speakers in the order in which they indicate their desire to speak, with precedence given to Signatories, followed by non-Signatory Range States, Co-operating Partners and other Observers, in that order. A Representative of a Signatory or an Observer may speak only if called upon by the Chair, who may call a speaker to order if the remarks are not relevant to the subject under discussion.
2. The Chair may, in the course of discussion at the meeting, propose to the meeting *inter alia*:
  - a) Time limits for speakers;
  - b) Limitations on the number of times members of a Signatory's delegation or Observers may speak on any subject;
  - c) The closure of the list of speakers;
  - d) The adjournment or the closure of the debate on the particular subject under discussion;
  - e) The suspension or adjournment of the meeting.
3. The Chair, in the exercise of the functions of that office, remains under the authority of the MoS.

**Rule 11 – Procedural Motions**

During the discussion of any matter, a delegate representing a Signatory may make a point of order. The point of order shall be immediately decided by the Chair. A delegate representing a Signatory may appeal against any ruling of the Chair. The appeal shall immediately be put to a vote, and the Chair's ruling shall stand unless a majority of the Signatories present and voting decides otherwise.

**Rule 12 – Voting**

1. The Signatories shall make every effort to reach agreement on all matters of substance by consensus. If all efforts to reach consensus have been exhausted and no agreement reached, subject to paragraph 4 below, the decision shall, as a last resort, be taken by a two-thirds majority vote of the Signatories present. Votes on procedural matters shall be decided by a simple majority of votes cast.
2. Without prejudice to the provisions of Rule 3, paragraph 2, each Representative duly accredited according to Rule 5 shall have one vote. Regional Economic Integration Organizations that are Signatories to this MoU shall, in matters within their competence, exercise their voting rights with a number of votes equal to the number of their Member States which are Signatories to the MoU. An REIO shall not exercise its right to vote if its Member States exercise theirs, and vice versa.
3. The meeting shall vote by a show of hands. The Chair may in an exceptional case request a roll-call vote. The roll-call vote shall be taken in the seating order of the delegations.
4. Decisions on financial matters and on amendments to the MoU shall be taken by consensus.

**Rule 13 – Committees and Working Groups**

1. The MoS may establish such Committees and Working Groups as may be necessary to enable it to carry out its functions.
2. Unless otherwise decided, each Committee and Working Group shall elect its own officers. As a general rule, sessions of Committees and Working Groups shall be open to Signatories and Observers, unless the Chair of the Committee or Working Group, on request of a Signatory, determines otherwise.

**Rule 14 – Languages**

1. English and French, the working languages of the MoU, shall be the working languages of the meeting. Interventions made in one of the working languages shall be interpreted into the other working language. The official documents of the meeting shall be produced in both working languages.
2. A delegate may speak in a language other than a working language. They shall be responsible for providing interpretation into a working language, and interpretation into the other working language may be based upon that interpretation. Any document submitted to the Coordinating Unit in any language other than a working language shall be accompanied by an appropriate translation into one of the working languages.
3. Interpretation shall not be provided during meetings of the Committees or Working Groups, unless resources are made available for that purpose

**Rule 15 – Records**

Summary records of the MoS in English and French shall be circulated.

**Rule 16 – Amendments to the MoU**

1. The MoU (including the Annexes thereto) may be amended at any session of the MoS.
2. Proposals for amendment may only be made by one or more Signatories.
3. The process and timing for submission of proposals for amendment is as follows:
  - a) The text of any proposed amendment, with supporting rationale included, and if appropriate, supporting scientific evidence, shall be provided to the Coordinating Unit at least 150 days before the MoS at which it is to be considered.
  - b) The Coordinating Unit shall, within 14 days of receipt, communicate the proposal to all Signatories, and, in the case of technical amendments, to the Technical Advisory Group (TAG).
  - c) Comments on the proposed amendment may be provided to the Coordinating Unit up to 60 days before the MoS.
  - d) The Coordinating Unit shall communicate any comments received to the Signatories as soon as possible after receipt.

**Rule 17 – Procedure**

These Rules of Procedure shall enter into effect immediately after their adoption. Amendments to these Rules shall be adopted by consensus by the MoS.

**Rule 18 – Authority**

In the event of a conflict between any provision of these rules and any clause of the MoU, the MoU shall prevail.

## Annex 2

### **RULES OF PROCEDURE FOR MEETINGS OF SIGNATORIES TO THE RAPTORS MOU**

(amended version proposed for adoption at MoS2 – insertions highlighted in grey)

#### **Rule 1 – Purpose**

1. These Rules of Procedure shall apply to the Meeting of Signatories to the Memorandum on the Conservation of Migratory Birds of Prey in African and Eurasia, hereinafter referred to as the “MoU”, convened in accordance with Paragraph 13 of the MoU.
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2. The Representative of a Signatory shall exercise the voting rights of that Signatory. In their absence, an Alternative Representative of that Signatory shall act in their place over the full range of their functions.
3. Logistical and other limitations may require that no more than three delegates of any Signatory be present at the meeting. The Coordinating Unit shall notify Signatories of any such limitations in advance of the meeting.

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