

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Eleventh meeting of the Plants Committee
Langkawi (Malaysia), 3-7 September 2001

ADOPTION OF THE RULES OF PROCEDURE

1. This document has been prepared by the Secretariat.
2. Following the Secretariat's consultation with the members of the Animals and Plants Committee working group, several changes or additions are proposed to the Rules of Procedure of the Animals and Plants Committees.
3. The proposed changes to the existing Rules are indicated in italics in the draft Rules of Procedure in the Annex and, where necessary, are explained below.
4. Rule 2 has been amended to clarify the role of the alternate regional representative.
5. A new Rule 5 has been introduced to facilitate the preparation of the meeting, in particular the duplication of documents.
6. A new Rule 7 has been added, relating to submission of credentials. This rule was taken from the Rules of Procedure of the Standing Committee.
7. The next meetings of the Standing Committee (12-15 March 2002), the Animals Committee (April 2002) and the Plants Committee (May 2002) are currently scheduled very close together.
8. To enable the Secretariat to adequately handle the preparation of documentation for those meetings, it proposes that the deadline for submission of documents in Rule 18 be amended to 90 days before the meeting. If this is acceptable, the period referred to in Rule 15 should be changed to 105 days.
9. Rule ~~20~~19 has been amended following the adoption of the same amendment by the Standing Committee at its 45th meeting.
10. Because of the increasing burden of producing a full record, as has been done in the past, the Secretariat intends in future to provide an abbreviated record of meetings of the Animals and Plants Committees. This is for three reasons. The first is that Rule 24 requires that a concise executive summary of decisions of the Committee be prepared and endorsed before the closure of each meeting, and this is done. The second is that there is a high cost to producing a full record of each meeting, since this requires that at least two rapporteurs be employed during the meeting and to write up the record after the meeting. The third reason is that, after each meeting, the task of producing and translating the summary

record competes with other priorities and a way needs to be found to minimize this competition as well as the cost related to it.

11. The Standing Committee agreed to the Secretariat's proposal that the summary record produced in accordance with Rule 25 will comprise three parts for each agenda item:

- a) a short statement indicating the main points of the discussion (without referring to particular Parties);
- b) the text of any statement provided by any Party that was read into the record during the meeting; and
- c) the text indicating the decision that was made, exactly as it appears in the Executive Summary adopted during the meeting.

1+2. There is no need to amend the Rules of Procedure when the Committee agrees to this.

123. The Secretariat will verbally report on the conclusion of the Animals Committee at its 17th meeting (Viet Nam, 30 June-3 August 2001).

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DRAFT RULES OF PROCEDURE
FOR MEETINGS OF THE ANIMALS AND PLANTS COMMITTEES

Representation and attendance

Rule 1

The membership of the Committee shall consist of the regional representatives elected at each meeting of the Conference of the Parties.

Rule 2

If a member is not represented at a meeting, his/her alternate shall be entitled to represent the region *as a member and to vote in his/her place*.

Rule 3

Only members of the Committee have the right to vote.

Rule 4

Parties shall be entitled to be represented at meetings of the Committee by observers who shall have the right to participate but not to vote.

Rule 5

All observers should inform the Secretariat of their intention to participate in a meeting at least four weeks in advance.

Rule 6

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

Credentials

Rule 7

Any observer representing a Party or an organization shall, before making any intervention in a meeting, have been granted powers by or on behalf of a proper authority enabling him or her to represent the Party or organization at the meeting.

Officers

Rule 8

After election of the members at each regular meeting of the Conference of the Parties or at the beginning of the first meeting of *the* Committee thereafter, the members of *each* Committee shall elect their Chairman and Vice-Chairman.

Rule 9

The Chairman shall preside at meetings of the Committee, approve the provisional agenda prepared by the Secretariat and maintain liaison with other Committees between meetings of the Committee. He/she shall 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 to him/her by the Committee and the Standing Committee.

Rule 10

The Vice-Chairman shall assist the Chairman in his/her functions, and shall act on his/her behalf at meetings in the absence of the Chairman.

Rule 11

The Secretariat of the Convention shall service and act as secretary for meetings of the Committee. However, in the event of a closed session, the meeting shall provide for its own rapporteur, if needed.

Meetings

Rule 12

The Committee shall normally meet at least once every year.

Rule 13

Meetings of the Committee shall be called at the request of the Chairman or of a simple majority of the members.

Rule 14

The time and place of meetings shall be determined by the Chairman.

Rule 15

Notice of meetings shall normally be given by the Secretariat at least 105 days, and in case of emergency meetings at least 14 days, in advance of the meeting.

Rule 16

Documents to be considered at a meeting shall normally be provided to the Secretariat by Parties only, *or by members of the Committee. These documents should also be submitted to the Chairman and the Regional Representative(s) of the Party concerned.*

Rule 17

Non-governmental organizations may provide discussion documents through the CITES Authorities of the Party where they are located. However, international non-governmental organizations, as recognized under the provisions as applied at the meeting of the Conference of the Parties, may send discussion documents to the CITES Secretariat. In both cases the decision to distribute these documents will be taken by the Secretariat in consultation with the Chairman. *These documents should also be submitted to the Chairman and the Regional Representative(s) of the Party concerned.*

Rule 18

Documents to be considered by the Committee shall normally be provided to the Secretariat at least 90 days before the meeting where they are to be discussed.

Rule 19

All documents submitted by the Secretariat or to the Secretariat by a Party, or submitted by an observer at the request of the Chairman, shall be placed on the Secretariat's website as soon as possible after they are received in the original language in which they have been submitted. The Secretariat shall distribute *printed* documents for any meeting at least 45 days before the proposed date of the meeting where they are to be discussed. The documents shall be provided to all members and alternate members of the Committee, to all Parties that may be directly affected by any discussion of the documents and to all Parties that have informed the Secretariat of their intention to be represented at the meeting.

Rule 20

A quorum for a meeting shall consist of six regional members from at least four regions. No decision shall be taken at a meeting in the absence of a quorum.

Rule 21

Decisions of the Committee shall be taken by consensus unless a vote is requested by the Chairman or by regional members from two regions.

Rule 22

In the case of a vote, the decision of the Committee shall be taken by a simple majority of the members voting. In the case of a tie, the vote of the Chairman shall be decisive.

Rule 23

At the request of the Chairman or of any member the Committee shall decide by a vote whether the discussion of any particular subject shall be held in closed session; any such vote shall be decided by a simple majority. Parties represented at the meeting by observers shall be entitled to be represented at closed sessions.

Rule 24

A concise executive summary of the decisions of the Committee shall be prepared by the Secretary before the closure of each meeting of the Committee.

Rule 25

A summary record of each meeting shall be prepared by the Secretary and sent to the Parties represented at the meeting within 120 days. The Secretary shall take into account the comments received within 20 days of the circulation and shall communicate the final summary record to all Parties after it is approved by the Chairman.

Rule 26

The working languages of the meetings of the Committee shall be English, French and Spanish.

Communication procedure

Rule 27

Any member may submit a proposal to the Chairman for a decision by postal procedure. The Chairman shall send the proposal to the Secretariat for communication to the members, who shall comment within 40 days of the communication of the proposal; any comments received by the Secretariat within this time limit shall also be so communicated to the members.

Rule 28

If no objection from a regional member to a proposal is received by the Secretariat within 25 days of the date when the results of the consultation on the proposal were communicated to the members, the proposal shall be considered as adopted, and notice of the adoption shall be given to all members.

Rule 29

If any regional member objects to a proposal within the applicable time limit, the proposal shall be put to a vote. The proposal shall be considered as decided by a simple majority of the regional members. If no majority is achieved, the proposal shall be referred to the next meeting of the Committee.

Final provisions

Rule 30

Any working document submitted for consideration by the Committee may be *marked* as "Restricted" or "Confidential" by the Secretariat, *in consultation with the Chairman*, when it determines that the document contains information that might be detrimental if disclosed to non-Parties or to organizations; Parties should use their best efforts to maintain such restriction or confidentiality unless the classification has been removed by the Secretariat or the Committee.

Rule 31

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

Rule 32

These Rules shall come into force on adoption by the Committee, and may be amended by the Committee as required.