

Proposed
Amendments
to the
Ramsar Rules
of Procedure
[Draft]

2015

Comparative Study of Rules of
Procedure in
Intergovernmental
Organizations

Summary

This paper provides a comparative overview of the Ramsar Rules of Procedure with proposed amendments for adoptions. The comparative overview takes into account the Rules of Procedure of multiple organizations including: CBD, FAO, UNGA, UNCCD, CITES, UNFCCC, CMS, UNEP, IMO, IUCN, UNACLA and the ICRC.

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*Proposed Amendments

Glossary of Acronyms

CBD	Convention on Biological Diversity
COP	Conference of the Parties
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on Migratory Species
FAO	Food and Agricultural Organization of the United Nations
ICRC	International Commission of the Red Cross
IMO	International Maritime Organization
IOP	International Organization Partners
IUCN	International Union for the Conservation of Nature and Natural Resources
STRP	Scientific and Technical Review Panel
UNCCD	United Nations Convention to Combat Desertification
UNGA	United Nations General Assembly
UNFCCC	United Nations Framework Convention on Climate Change
UNEP	United Nations Environment Programme
UNACLA	United Nations Advisory Committee of Local Authorities

COMPARATIVE LEGAL STUDY ON THE RULES OF PROCEDURE FOR TREATY BODIES: PROPOSED AMENDMENTS TO THE RULES OF PROCEDURE OF THE RAMSAR CONVENTION

Final Draft for Review – January 2015

Introduction

1. On the 12 September 2014, an internal workshop engaged senior officers and advisors from the Ramsar Convention Secretariat to discuss the key priorities, issues and challenges involved in updating the Ramsar Convention Rules of Procedure. The participants identified the need for a review of procedural options, based on a comparative analysis of applicable organizations, in order to generate proposed amendments for adoption.
2. As mandated, this legal working paper provides a comparative overview of the Ramsar Rules of Procedure, taking into account a survey of the Rules of Procedure of multiple organizations. Rules of Procedure for the UN Convention on Biological Diversity (CBD), the UN Food and Agricultural Organization (FAO), the UN General Assembly (UNGA), the UN Convention to Combat Desertification (UNCCD), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the UN Framework Convention on Climate Change (UNFCCC), the Convention on Migratory Species (CMS), the UN Environment Programme's Governing Council (UNEP GC), the International Maritime Organization (IMO), the International Union for the Conservation of Nature (IUCN), the UN Advisory Committee on Local Authorities (UNACLA) and the International Committee of the Red Cross (ICRC) have been reviewed, and recommendations have been generated based on the options identified.
3. The recommendations for amendment to the COP11 Rules of Procedure are the basis for the preparation of the paper SC48-. The amendments are indicated in **green text** in cursive brackets, with **yellow highlights** for timing/deadlines. Where relevant, comparative boxes summarize approaches adopted by other treaty bodies which provide a basis for recommended textual updates.

Review of the Ramsar Rules of Procedure

RULES OF PROCEDURE

FOR MEETINGS OF THE CONFERENCE OF THE CONTRACTING PARTIES TO THE CONVENTION ON WETLANDS OF INTERNATIONAL IMPORTANCE ESPECIALLY AS WATERFOWL HABITAT (Ramsar, Iran, 1971) adopted by the 11th Meeting of the Conference of the Contracting Parties, Bucharest, Romania, 7 July 2012

INTRODUCTION

Rule 1 Purpose

These rules of procedure shall apply to any meeting of the Conference of the Contracting Parties to the Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar, Iran, 1971) convened in accordance with article 6 of the Convention, subject to their adoption by consensus at the start of each meeting of the Conference of the Parties.

Rule 2 Definitions *

For the purposes of these rules:

- a) "Convention" means the Convention on Wetlands of International Importance especially as Waterfowl Habitat, adopted in Ramsar, Iran, on 2 February 1971, as amended by the Protocol signed in Paris, France, on 3 December 1982, and by the Extraordinary Conference of the Contracting Parties held in Regina, Canada, on 28 May 1987;
- b) "Parties" means the Contracting Parties to the Convention;
- c) "Conference of the Parties" means the Conference of the Contracting Parties established in accordance with article 6 of the Convention;
- d) "Meeting" means any ordinary or extraordinary meeting of the Conference of the Parties convened in accordance with article 6 of the Convention;
- e) "President" means the President elected in accordance with rule 21, paragraph 1, of the present rules of procedure;
- f) "Subsidiary body" means all committees or working groups established by the Conference of the Parties, including the Standing Committee;
- g) "Standing Committee" means the body established by a Resolution of the 3rd Meeting of the Conference of the Contracting Parties; The "Conference Committee" means the Standing Committee, which during a meeting plays such a role;
- h) "Ramsar regional groups" means each of the regional groups in which the Contracting Parties to the Convention have been grouped in order to facilitate the work of the Convention;
- i) "Proposal" means a draft resolution or recommendation submitted by one or more Parties or the Standing Committee or the Conference Committee;
- j) "Secretariat" means the professional and administrative staff of the Secretariat of the Convention established under article 8 of the Convention and any other staff under the authority of the Secretary General who serve a meeting of the Conference of the Parties.

- k) {"Bureau of the COP" is comprised of the President, an Alternate President, and two Vice-Presidents, one of whom shall act as Rapporteur, as established at the commencement of the first session of each ordinary meeting.}

SESSIONS

Rule 3 {Place of meetings} *

1. The meeting of the Conference of the Parties shall take place in the country chosen by the previous Conference of the Parties on the basis of a formal invitation that should have been issued to this effect by the Head of State or Government or the Cabinet or the Minister of Foreign Affairs of that country. If more than one Party issues an invitation to host the next meeting, and two or more invitations are maintained after informal consultations, the meeting shall decide on the venue of the next meeting by secret ballot.

2. If no invitation has been received, the meeting shall be held in the country where the Secretariat has its seat, unless other appropriate arrangements are made by the Secretariat and accepted by the Standing Committee.

Issue: Lacking specifics on contents of invitations for hosting of a meeting.

Proposed Amendments:

Rule 3 {Place of meetings}

1. The meeting of the Conference of the Parties shall take place in the country chosen by the previous Conference of the Parties on the basis of a formal invitation that {shall be issued}to this effect by the Head of State or Government or the Cabinet or the Minister of Foreign Affairs of that country. {A formal invitation shall be provided to the Secretariat, in writing 1 month prior to the conclusion of the meeting of the Conference of the Parties, and must include a hosting rationale, the proposed location and venue, and available financial resources to support the event}.
2. If more than one Party issues an invitation to host the next meeting, and two or more invitations are maintained after informal consultations, the meeting shall decide on the venue of the next meeting by secret ballot. If no invitation has been received, the meeting shall be held in the country where the Secretariat has its seat, unless other appropriate arrangements are made by the Secretariat and accepted by the Standing Committee.

Rule 4 {Dates of Meetings} *

1. Ordinary meetings of the Conference of the Parties shall be held every three years.

Issue: Meeting frequency is established based on a set period.

CBD & UNFCCC	Illustrates:	Review of Meeting Frequency
<p>What was the approach</p> <ul style="list-style-type: none"> • Provide for inclusion of a review of meeting frequency by COP. 		
<p>What is the content of the RoP? CBD Rule 4.1 “The Conference of the Parties shall from time to time review the periodicity of its ordinary meetings in the light of the progress achieved in the implementation of the Convention.” UNFCCC Rule 4.1 “...unless the Conference of the Parties decides otherwise.”</p>		<p>What can be learned?</p> <ul style="list-style-type: none"> • Provides flexibility for more frequent meetings if determined as needed.

2. Each ordinary meeting shall determine the year and venue of the next ordinary meeting. The exact dates and duration of each ordinary meeting shall be established by the Standing Committee at its first substantive meeting after each Conference of the Parties, on the basis of consultations between the Secretariat and the host country of the meeting.

3. Extraordinary meetings of the Conference of the Parties shall be convened at such times as may be deemed necessary by the Conference of the Parties, or at the written request of any Party communicated to the other Contracting Parties via the Secretariat, and provided that, within six months of such communication, the request is supported by at least one third of the Parties in a ballot organized by the Secretariat.

4. In the case of an extraordinary meeting, it shall be convened not more than ninety days after the date at which the request is supported by at least one third of the Parties in accordance with paragraph 3 of this rule.

UNGA & FAO	Illustrates:	Concurrent Procedures for Special Sessions
<p>What was the approach</p> <ul style="list-style-type: none"> • UNGA Rules 7-10 and 16-19 provide rules specific to special sessions, and Rules 20-24 provide rules applicable to both regular and special sessions. • FAO Rules II.4-II.11 provide similar concurrent outline of procedures for special sessions. 		
<p>What is the content of the RoP? UNGA Rule 8(a) “Special sessions of the General Assembly shall be</p>		<p>What can be learned?</p> <ul style="list-style-type: none"> • Rules regarding

convened within fifteen days of the receipt by the Secretary-General of a request for such a session from the Security Council or from a majority of the Members of the United Nations or of the concurrence of a majority of Members as provided in rule 9.” **Rule 8(b)** “Emergency special sessions ...shall be convened within twenty-four hours of the receipt by the Secretary-General of a request for such a session...”

Notice

UNGA Rule 16 “The provisional agenda of a special session ...shall be communicated ... [at least fourteen days before (SC)/ten days (Member)]... The provisional agenda of an emergency special session shall be communicated to Members simultaneously with the communication convening the session.”

FAO Rule II.3 “A provisional agenda for each special session ... shall be drawn up ...and dispatched ...not less than 30 days before the date fixed for the opening of the session.”

Provisional Agenda

UNGA Rule 17 “The provisional agenda for a special session shall consist only of those items proposed for consideration in the request for the holding of the session.”

FAO Rule II.4(a-3) “The provisional agenda for a special session shall include: (a) all items the inclusion of which in the agenda of the special session may have been decided upon, items approved by the Council after consultation with the Director-General...”

Supplemental and Additional Items - two-track system

General Sessions - UNGA Rule 15 “Additional items of an important and urgent character, proposed for inclusion in the agenda less than thirty days before the opening of a regular session or during a regular session, may be placed on the agenda if [they pass a majority vote of the GA].”

Special Sessions - UNGA Rule 18 “Any Member ...may, at least four days before the date fixed for the opening of a special session, request the inclusion of supplementary items in the agenda.” **UNGA Rule 19** “During a special session, items on the supplementary list and additional items may be added to the agenda by a two-thirds majority of the members present and voting...”

Additional Items - Regular and special sessions

FAO Rule II.5 “Any Member Nation ...may, not less than 30 days before the date fixed for the opening of a session, request the Director-General to include specific items on the agenda. These items shall be placed on a supplementary list, which shall be dispatched to Member Nations and Associate Members not less than 20 days before the date fixed for the opening of the session, and shall be presented to the General Committee

special sessions are provided in direct relation to regular sessions.

- Provisions included timing of special session, notification and content of provisional agenda and debate on key terms.

for recommendation to the Conference.”

Recommendations: Provide for inclusion of specific terms addressing special/extraordinary sessions under Rule 5 and Rule 8-9.

Rule 5 {Notification} *

The Secretariat shall notify all Parties of the dates, venue, and provisional agenda of an ordinary meeting at least 12 months before the meeting is due to commence. The notification shall include the draft agenda for the meeting and the deadline for submission of proposals by the Parties, which normally shall be **60 calendar days prior to the opening of the Standing Committee meeting at which approvals are made for documents for consideration by Contracting Parties** at the COP. Only Parties, the Standing Committee and the Conference Committee shall be entitled to submit proposals.

Proposed Amendments

Rule 5 {Notification}

1. The Secretariat shall notify all Parties of the dates, venue, and provisional agenda of an ordinary meeting at least 12 months before the meeting is due to commence. The notification shall include the draft agenda for the meeting and the deadline for submission of proposals by the Parties, which normally shall be 60 calendar days prior to the opening of the Standing Committee meeting at which approvals are made for documents for consideration by Contracting Parties at the COP. Only Parties, the Standing Committee and the Conference Committee shall be entitled to submit proposals.
2. {The Secretariat shall notify all Parties of the dates, venue, and provisional agenda of an extraordinary meeting within **three months** of establishing through a ballot that one-third of the Parties support the hosting of the meeting as required by Rule 4.3. Notification will include any supporting documents relating to the issues proposed for consideration at the extraordinary meeting as required by Rule 13}.

OBSERVERS

Rule 6 {Participation of United Nations and specialized agencies}

1. The Secretariat shall notify the United Nations and its specialized agencies and the International Atomic Energy Agency, as well as any State not Party to the Convention, of meetings of the Conference of the Parties so that they may be represented as observers.
2. Such observers may, upon the invitation of the President, **participate without the right to vote** in the proceedings of any meeting unless at least one third of the Parties present at the meeting object.

Rule 7 {Participation of other bodies or agencies} *

1. Any agency or body, national or international, whether governmental or non-governmental, qualified in fields relating to the conservation and sustainable use of wetlands, which has informed the Secretariat of its wish to be represented at meetings of the Conference of the Parties may be represented at the meeting by observers, unless at least one third of the Parties present at the meeting object.
2. Bodies or agencies desiring to be represented at the meeting by observers shall submit the names of these observers to the Convention Secretariat at least one month prior to the opening of the meeting.
3. Such observers may, upon the invitation of the President, participate without the right to vote in the proceedings of any meeting unless at least one third of the Parties present at the meeting object.
4. Proposals made by observers may be put to the vote if sponsored by a Party.
5. Seating limitations may require that no more than two observers from any State not a Party, body, or agency be present at a meeting. The Secretariat shall notify those concerned of any such limitations in advance of the meeting.

Issue: Lack of procedure to be recognized as an observer.

Recommendation: Amend Rule 7.2-5 and provide procedure for recognition as an observer.

Proposed amendments

Rule 7 {Participation of other bodies or agencies}

1. Any body or agency, national or international, whether governmental or non-governmental, qualified in fields relating to the conservation and sustainable use of wetlands, which has informed the Secretariat of its wish to be represented at meetings of the Conference of the Parties may be represented at the meeting by observers, unless at least one third of the Parties present at the meeting object.

2. {Bodies or agencies desiring to receive recognition as observers for the purposes of attending meetings of the Conference of the Parties shall submit appropriate documentation including credentials, evidence or approval of the State, and an overview of reasoning **three-months** prior to any meeting}.
3. {Bodies or agencies recognized as observers who desire to be represented at the meeting as observers shall submit the names of these representatives to the Convention Secretariat at least one month prior to the opening of the meeting}.
4. Such observers may, upon the invitation of the President, participate without the right to vote in the proceedings of any meeting, {including Standing Committees and subsidiary bodies}, unless at least one third of the Parties present at the meeting object.
5. Proposals made by observers may be put to the vote if sponsored by a Party.
6. Seating limitations may require that no more than two observers from any State not a Party, body, or agency be present at a meeting. The Secretariat shall notify those concerned of any such limitations in advance of the meeting.
7. {The Convention Secretariat will maintain a list of bodies or agencies recognized as observers and shall notify those entitled to be observers pursuant to Rules 6 and 7 of the date and venue of any session scheduled by the Conference of the Parties so that they may be represented}.

AGENDA

Rule 8 {Preparation of provisional agenda}

The Secretariat shall prepare the provisional agenda of each ordinary meeting for consideration and approval by the Standing Committee at its annual meeting in the year following the meeting of the Conference of the Contracting Parties.

Rule 9 {Items on provisional agenda}*

The provisional agenda of each ordinary meeting shall include, as appropriate:

- a) Items arising from the articles of the Convention;
- b) Items the inclusion of which has been decided at a previous meeting or which emanate from decisions taken at a previous meeting;
- c) Items referred to in rule 15 of the present rules of procedure;

- d) Any item proposed by a Party and received by the Secretariat before the provisional agenda is approved by the Standing Committee;
- e) Technical/scientific issues related to wetlands conservation and wise use that could advance the implementation of the Convention.

Issue: Inclusion of standard reports on the Agenda.

Recommendations: Amend Rules 8-9 to include a standard report from the Secretary-General, and provisional agenda for extraordinary meetings.

Proposed Amendments:

Rule 8 {Preparation of provisional agenda}

The Secretariat shall prepare the provisional agenda of each ordinary meeting for consideration and approval by the Standing Committee at its annual meeting in the year following the meeting of the Conference of the Contracting Parties.

Rule 9 {Items on provisional agenda}

The provisional agenda of each ordinary meeting shall include, as appropriate:

- a) {The report of the Secretary-General on the work of the Organization};
- b) All items arising from the articles of the Convention;
- c) All items the inclusion of which has been decided at a previous meeting or which emanate from decisions taken at a previous meeting;
- d) All items referred to in rule 15 of the present rules of procedure;
- e) Any item proposed by a Party and received by the Secretariat before the provisional agenda is approved by the Standing Committee;
- f) All technical/scientific issues related to wetlands conservation and wise use that could advance the implementation of the Convention.

Rule 10 {Distribution of documents}*

The documents for each ordinary meeting, as per Rule 54, and including an annotated provisional agenda based on the recommendations of the Standing Committee, shall be distributed in the official languages by the Secretariat to the Parties at least three months before the opening of the meeting.

Issue: Consideration of the scope of the translation obligations.

Multiple Organizations	Illustrates:	Use of Official Languages
<p>What was the approach</p> <ul style="list-style-type: none"> Multiple organizations utilize official language for the agenda. 		
<p>What is the content of the RoP? UNCCD Rule 11 “For each ordinary session, the provisional agenda, together with supporting documents, shall be distributed in the official languages by the secretariat to the Parties at least six weeks before the opening of the session.”</p> <p>Similar text found in CBD Rule 10, UNFCCC Rule 11, FAO Rule II.1.</p>	<p>What can be learned?</p> <ul style="list-style-type: none"> Any Integration of new official languages must remain aware of the scope of translation requirements. 	

CMS	Illustrates:	Alternative: Use of Working Languages
<p>What was the approach</p> <ul style="list-style-type: none"> Alternative: Use of working language as for the agenda. 		
<p>What is the content of the RoP? CMS Rule 11 “As a general rule proposals shall ...have been communicated at least 150 days before the meeting to the Secretariat, which shall have circulated them to all Parties in the working languages of the meeting...”</p>	<p>What can be learned?</p> <ul style="list-style-type: none"> Any Integration of new official languages must remain aware of the scope of translation requirements. 	

Recommendation: Leave as official languages and address the implementation time in an alternative or analogous policy.

Rule 11 {Inclusion on provisional agenda}

The Secretariat shall, in agreement with the Chairperson of the Standing Committee, include any item which has been proposed by a Party and has been received by the Secretariat after the provisional agenda has been produced, but before the opening of the meeting, in a supplementary provisional agenda.

Rule 12 {Examining the provisional agenda}*

The Conference of the Parties shall examine the provisional agenda together with any supplementary provisional agenda. When adopting the agenda, it may add, delete, defer, or amend items. Only items which are considered by the Conference of the Parties to be urgent and important may be added to the agenda.

Issues: Clarity of procedures pertaining to examination of the provisional agenda.

UNGA	Illustrates:	Limits on Debate for Provisional Agenda
<p>What was the approach</p> <ul style="list-style-type: none"> Utilizes a three for and three against model, along with the potential for time limits. 		
<p>What is the content of the RoP? UNGA Rule 23 “Debate on the inclusion of an item in the agenda, when that item has been recommended for inclusion by the General Committee, shall be limited to three speakers in favour of, and three against, the inclusion. The President may limit the time to be allowed to speakers under this rule.”</p>	<p>What can be learned?</p> <ul style="list-style-type: none"> Limitation of participants and time limits assist in moving the meeting forward. 	

Recommendation: Provide additional text under new Rule 12.2 which limits speakers and time of debate on issues pertaining to alterations of the provisional agenda.

Proposed Amendment

<p>Rule 12 {Examining the provisional agenda}</p> <ol style="list-style-type: none"> The Conference of the Parties shall examine the provisional agenda together with any supplementary provisional agenda. When adopting the agenda, it may add, delete, defer, or amend items. Only items which are considered by the Conference of the Parties to be urgent and important may be added to the agenda. {Debate regarding actions to add, delete, defer, or amend items to the agenda shall be limited to three speakers in favour of and three against the action. The President may limit the time to be allowed to speakers under the rule. ¹}
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¹ UNGA Rule 23 provides a three for and three against model.

Rule 13 {Scope of provisional agenda for extraordinary meetings}

The provisional agenda for an extraordinary meeting shall consist only of those items proposed for consideration in the request for the holding of the extraordinary meeting. The provisional agenda and any necessary supporting documents shall be distributed to the Parties at the same time as the invitation to the extraordinary meeting.

Rule 14 {Explanatory Memorandum}

The Secretariat shall report to the Conference of the Parties on the administrative and financial implications of all substantive agenda items submitted to the meeting before these items are considered by the meeting. Unless the Conference of the Parties decides otherwise, no such item shall be considered until at least forty-eight hours after the Conference of the Parties has received the Secretariat's report on the administrative and financial implications.

Rule 15 {Automatic inclusion of unaddressed issues in the agenda of the next ordinary meeting}

Any item of the agenda of an ordinary meeting, consideration of which has not been completed at the meeting, shall be included automatically in the agenda of the next ordinary meeting, unless otherwise decided by the Conference of the Parties.

REPRESENTATION AND CREDENTIALS

Rule 16 {Composition of delegation}

Each Party participating in a meeting shall be represented by a delegation consisting of a head of delegation and such other accredited representatives, alternate representatives, and advisers as it may require.

Rule 17 {Alternates and advisers}

A representative may be designated as an alternate head of delegation. An alternate representative or an adviser may act as a representative upon designation by the head of delegation.

Rule 18 {Submission of credentials}**

1. The original of the statement of credentials of the Head of Delegation and other representatives, alternate representatives, and advisers (specifying the individual named as the Head of Delegation) shall

be submitted to the Secretary General of the Convention or to his/her designated representative, at the venue of the meeting of the Conference of the Parties, **not later than forty-eight hours after the opening of the meeting**. Any later change in the composition of the delegation shall also be submitted to Secretary General or the representative of the Secretary General.

Issue: Submission of credentials on time, and in the correct manner.

FAO & UNGA

Illustrates:

Submission of Credentials Prior to Session

What was the approach

- Submission of credentials is required at differing times prior to commencement of the session.

What is the content of the RoP?

FAORule III.2. “The credentials of delegates, alternates, associates and advisers, and of the representatives of the participating international organizations shall, insofar as possible, be deposited with the Director-General **not less than 15 days before the date fixed for the opening of each session of the Conference...**”

UNGA Rule 27. “The credentials of representatives and the names of members of a delegation shall be submitted to the Secretary-General if possible **not less than one week before the opening of the session.**”

IMO Rule 7 requires submission “no later than the opening day of the meeting.”

What can be learned?

- Requirement of submission prior encourages timely compliance.

UNCCD, UNFCCC & CBD

Illustrates:

Alternative: Submission Post-Commencement

What was the approach

- Alternative: Submission of credentials post commencement.

What is the content of the RoP?

UNCCD Rule 19, UNFCCC Rule 19, and CBD Rule 18 all provide for submission twenty-four hours following opening of the session. Of note the three examples also streamline the obligations into a single clause rather than multiple sub-clauses.

What can be learned?

- Provides for submission up to 24hrs following the start of the session.

CBD Rule 18.“ The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Executive Secretary of the Conference of the Parties or the representative of the Executive Secretary if possible **not later than twenty-four hours after the opening of the meeting**. Any later change in the composition of the delegation shall also be submitted to the Executive Secretary or the representative of the Executive Secretary. The credentials shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs or, in the case of a regional economic integration organization, by the competent authority of that organization.”

Recommendation: Alteration of the text of 18.1 to either require submission prior exclusively or alternately allowing submission still up to 48 hours post commencement.

Proposed Amendments

Rule 18 {Submission of credentials}

1. The original of the statement of credentials of the Head of Delegation and other representatives, alternate representatives, and advisers (specifying the individual named as the Head of Delegation) shall be submitted to the Secretary General of the Convention or to his/her designated representative, not later than {15 days prior to} the opening of the meeting. {Submission of the statement of credentials may be done digitally, conditional upon compliance with the terms set out in rule 18.3.}Any later change in the composition of the delegation shall also be submitted to Secretary General or the representative of the Secretary General.
2. After the opening of the COP, any further changes, in particular of the Head of Delegation, shall be submitted to the Secretary General or to the Regional Representative on the Credentials Committee. Any changes to the Head of the Delegation during the COP may be made by the current Head of Delegation, alternate Head of Delegation, or the Embassy of the Party in question, provided that the newly designated Head of Delegation is properly identified as a delegate in the original credentials duly authorized by the appropriate official. If a person not identified in the initial letter of credentials is proposed as a new Head of Delegation, that change would need to be done through issuance of new credentials in accordance with rule 18.3.
3. The credentials shall be issued either by the Head of State or Government or by the Minister for Foreign Affairs or his/her equivalent. If other authorities in a Contracting Party are entitled to issue credentials for international meetings, this should be notified by the Ministry of Foreign Affairs with an original letter to the Secretary General at the time of submitting their credentials.{Submission of credentials may be done in either written or digital form, with digital submission requiring authentication by a valid digital signature.}
4. The credentials must bear the name and position of the person who signs the credentials as well as the full signature of the appropriate authority or else be sealed and initialled by that

authority. The seal and/or letterheading should clearly indicate that the credentials have been issued by the appropriate authority. {When submitted digitally, the aforementioned criteria apply to the electronic copy of the credentials, and shall be accompanied by the electronic signature of the appropriate authority listed in the document.}

5. A representative may not exercise the right to vote unless his/her name is clearly and unambiguously listed in the credentials.

Language of credentials *

6. If credentials are submitted in a language other than one of the official languages of the Convention (English, French and Spanish), they shall be accompanied by a translation into one of those three languages, and the translation shall be produced and sealed or otherwise duly authorized by the Ministry for Foreign Affairs or its diplomatic representation, or the office of the Head of Delegation or the office of one of the delegates whose name is listed in the Credentials.

Issue: Submission of credentials in non-official language with translation.

CMS	Illustrates:	Powers of Credentials Committee
<p>What was the approach</p> <ul style="list-style-type: none"> • Powers of the credentials committee are included under Rules III.3-6. 		
<p>What is the content of the RoP? CMS Rule 3(2) “All credentials shall be submitted to the Secretariat of the Convention in their original form, together with a translation into English, French or Spanish if they are not in one of these languages.”</p> <p>Note: CMS Secretariat proposed more expansive text. “All credentials shall be submitted to the Secretariat of the Convention in their original form, on letterhead of the official enabling the Representative to participate at the meeting, together with a translation into English, French or Spanish if they are not in one of these languages. Photocopies, scans and faxes of the original letter are invalid.”</p> <p>Alternatives CBD, UNFCCC, UNCCD and UNGA all make no reference to this issue as all documents are translated in official languages.</p>		<p>What can be learned?</p> <ul style="list-style-type: none"> • Provides for required translation into explicitly English, French, or Spanish.

Recommendation: With the progression towards broader inclusion UN languages into the official languages of the organization, Rule 18.6 should be amended to respond to this trend.

Proposed Amendment

Rule 18 {Submission of credentials}

6. If credentials are submitted in a language other than one of the official languages of the Convention, they shall be accompanied by a translation into {either English, French or Spanish}, and the translation shall be produced and sealed or otherwise duly authorized by the Ministry for Foreign Affairs or its diplomatic representation, or the office of the Head of Delegation or the office of one of the delegates whose name is listed in the Credentials.

Rule 19 {Credentials Committee}*

A Credentials Committee composed of one Party from each of the Ramsar regions, elected at the first session of each ordinary meeting on the basis of a proposal from the Standing Committee or Conference Committee, shall examine the credentials and submit its report to the Conference of the Parties for approval.

Rule 20 {Provisional Participation}*

Pending a decision of the Conference of the Parties upon their credentials, representatives shall be entitled to participate provisionally in the meeting.

Issue: Need for additional detail regarding the powers of the credential committee.

FAO	Illustrates:	Powers of Credentials Committee
<p>What was the approach</p> <ul style="list-style-type: none"> • Powers of the credentials committee are included under Rules III.3-6. 		
<p>What is the content of the RoP? FAO Rule III.3. “There shall be a Credentials Committee of the Conference consisting of nine Member Nations.” FAO Rule III.4. “The Credentials Committee shall examine the credentials deposited ...and report promptly thereon to the Conference, which shall decide any questions arising.” FAO Rule III.5. “Any delegation or representative to whose admission a Member Nation has made objection shall be seated provisionally with the</p>		<p>What can be learned?</p> <ul style="list-style-type: none"> • Brief inclusion of powers of the committee.

same rights as other delegations or representatives until the Credentials Committee has reported and the Conference has given its decision.”

FAO Rule III.6. “The Chairperson of the Credentials Committee shall be elected by the Committee. He shall have, in relation to meetings of the Committee, the same powers and duties as the Chairperson of the Conference in relation to meetings of the Conference. A majority of the members of the Committee shall constitute a quorum. Decisions in the Committee shall be taken by a majority of the votes cast. No member shall have more than one vote. Meetings of the Committee shall be held in private unless otherwise determined by the Conference.”

Recommendation: Alteration of text to include powers of credentials committee under rule 19 and 20.

Proposed Amendments

Rule 19 {Credentials Committee}

1. A Credentials Committee composed of {6 members} with one Party from each of the Ramsar regions, elected at the first session of each ordinary meeting on the basis of a proposal from the Standing Committee or Conference Committee, shall examine the credentials and submit its report to the Conference of the Parties for approval.
2. {The President of the Credentials Committee shall be elected by the Committee. Holder of this post shall have equivalent powers and duties in relation to meetings of the Committee as the President of the Conference. A majority of the members of the Committee shall constitute a quorum. Decisions in the Committee shall be taken by majority vote. No member shall have more than one vote. Meetings of the Committee shall be held in private unless otherwise determined by the Conference.}

Rule 20 {Provisional participation}

1. {The Credentials Committee shall examine all credentials deposited with the Convention Secretariat and report promptly to the Conference, which shall decide any and all questions arising.}
2. {Any delegation or representative which has been subject to an objection shall be seated and entitled to participate provisionally in the meeting until the Credentials Committee has reported and the Conference has given its decision.}

OFFICERS

Rule 21 {President} *

1. At the commencement of the first session of each ordinary meeting, a President, an Alternate President, and two Vice-Presidents shall be elected from among the representatives of the Parties present at the meeting, on the basis of a proposal put forward by the Conference Committee. In preparing its proposal on this matter, the **Conference Committee shall consider first the candidates put forward by the host country** of the meeting for the posts of President and Alternate President of the meeting.

2. The President, the Alternate President, and the Vice Presidents shall be entitled to join the Conference Committee as full members for the duration of the meeting.

3. The President and the Alternate President shall participate in the meeting in that capacity and shall not at the same time exercise the rights of a representative of a Party. The Party concerned shall designate another representative who shall be entitled to represent the Party in the meeting and to exercise the right to vote.

Issue: clarification of the roles of the leadership of COP

CBD	Illustrates:	Inclusion of Commencement of Term
<p>What was the approach</p> <ul style="list-style-type: none"> • Rule 21.1 outlines the election of a President, and additional VPs, but also indicates the commencement of term of office. • Rule 21.2 addresses holding office until a new President can be elected, and terms for VPs (r25 Ramsar RoP) 		
<p>What is the content of the RoP?</p> <p>CBD Rule 21.1. “At the commencement of the first session of each ordinary meeting a President and ten Vice-Presidents, <u>one of whom shall act as Rapporteur</u>, are to be elected from among the representatives of the Parties. They shall serve as the bureau of the Conference of the Parties. The term of office of the President <u>shall commence straight away</u> and the terms of office of the Vice-Presidents shall commence upon the closure of the meeting at which they are elected. In electing its Bureau, the Conference of the Parties shall have due regard to the principle of equitable geographical representation of the Small Island Developing States. The offices of President and Rapporteur of the meeting of the Conference of the Parties shall normally be subject to rotation among the five groups of States...”</p> <p>CBD Rule 21.2. “The President shall remain in office until a new President is elected at the commencement of the next ordinary meeting and the</p>		<p>What can be learned?</p> <ul style="list-style-type: none"> • Inclusion of all aspects of the office of President under a single rule. • Reference to term to complement R25 Ramsar RoP in a new R21(2). • Addition of Rapporteur functions to VP. • Rotation and geographic distribution.

Vice-Presidents shall remain in office until the closure of the next ordinary meeting. **They shall serve as the bureau of any extraordinary meeting held during their term of office** and provide guidance to the Secretariat with regard to preparations for, and conduct of, meetings of the Conference of the Parties. No officer may be re-elected for a third consecutive term.”

What are others doing?

UNFCCC Rule 22, UNCCD Rule 22, and CMS Rule 5—albeit more briefly— all provide for the election of various posts, the establishment of terms, and limitation on participation in relatively similar levels of detail.

UNFCCC Rule 22.1. “...President, seven Vice-Presidents, [etc]... shall be elected from among the representatives of the Parties present at the session. **They will serve as the Bureau of the session. Each of the five regional groups shall be represented by two Bureau members and one Bureau member shall represent the small island developing states.** The offices of President and Rapporteur shall normally be subject to rotation among the five regional groups.

UNCCD Rule 22.1. “...In appointing the Bureau, due regard shall be paid to the need to ensure equitable geographical distribution and adequate representation of affected country Parties **[in the regions referred to in the implementation annexes of the Convention], particularly those in Africa.**”

Recommendation: Alterations to rule 21 to provide further clarification to aspects of the President.

Proposed Amendments

Rule 21 {President}

1. At the commencement of the first session of each ordinary meeting, a President, an Alternate President, and two Vice-Presidents, **{one of whom shall act as Rapporteur, are to}** be elected from among the representatives of the Parties present at the meeting, on the basis of a proposal put forward by the Conference Committee. **{They will serve as the COP Bureau }** In preparing its proposal on this matter, the Conference Committee shall consider the candidates put forward by the host country of the meeting **{and shall have due regard to the principle of equitable geographical representation.}** **{The offices of President and Rapporteur shall normally be subject to rotation among the six regional groups.}**
2. **{The officers of the COP bureau as referred to in Rule 21.1 shall assume their functions at the beginning of the session and will remain in office until their successors are duly elected. The President shall preside until a new President is elected at the commencement of the next**

ordinary meeting, with the President and the Vice-Presidents serving as the bureau of any extraordinary meeting held during their term of office and providing guidance to the Secretariat with regard to preparations for, and conduct of, meetings of the Conference of the Parties. No officer may be re-elected for more than two consecutive terms}.

3. The President and the Alternate President shall participate in the meeting in that capacity and shall not at the same time exercise the rights of a representative of a Party. The Party concerned shall designate another representative who shall be entitled to represent the Party in the meeting and to exercise the right to vote.²

Rule 22 {Role of President}

1. In addition to exercising the powers conferred upon the President elsewhere by these rules, the President shall declare the opening and closing of the meeting, preside at the sessions of the meeting, ensure the observance of these rules, accord the right to speak, put questions to the vote, and announce decisions. The President shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order thereat.³

2. The President may propose to the Conference of the Parties the closure of the list of speakers, limitations on the time to be allowed to speakers and the number of times each Party or observer may speak on a question, the adjournment or the closure of the debate, and the suspension or the adjournment of a session.

3. The President, in the exercise of the functions of that office, remains under the authority of the Conference of the Parties.

Rule 23 {Role of Alternate President}

If the President is absent from a session of any part thereof, the Alternate President shall act as President. Should both the President and Alternate President be absent, they shall designate a Vice-President to act as President. The Alternate President or a Vice-President acting as President shall have the same powers and duties as the President.⁴

Rule 24 {Replacement of an officer (unable to complete term)} *

² Note: Rule 21.3 is substantively similar to CBD Rule 21.3, UNFCCC Rule 22.3, UNCCD Rule 22.3, and FAO Rule IX.3.

³ Note: Rule 22 is substantively similar to CBD Rule 22, UNFCCC Rule 23, UNCCD Rule 23, FAO Rule IX.1 and CMS Rule 7(1).

⁴ Note: Rule 23 is substantively similar to CBD Rule 23, UNFCCC Rule 24, UNCCD Rule 24, FAO Rule IX.2 and UNEP Rule 20.

If {an officer of the bureau as referred to in Rule 21.1resigns or is}otherwise unable to complete the assigned term of office or to perform the functions of the office, a representative of the same Party shall be named by the Party concerned to replace the said officer for the remainder of that officer’s mandate.

Rule 25 {Temporary President}

At the first session of each ordinary meeting, the President of the previous ordinary meeting, or in the absence of the President, a representative of the same Party, shall preside until the Conference of the Parties has elected a President for the meeting.⁵

Recommendation: Develop a program to address the need for training for the presiding bureau.

THE CONFERENCE COMMITTEE, OTHER COMMITTEES AND WORKING GROUPS

{THE STANDING COMMITTEE, THE CONFERENCE COMMITTEE AND SUBSIDIARY BODIES}

Rule 26 {Establishment of subsidiary bodies} **

1. The voting members of the Standing Committee of the Convention shall constitute the Conference Committee, which shall also include the elected President, Alternate President, and Vice Presidents of the current meeting. Other Contracting Parties and permanent observers to the Standing Committee may attend meetings of the Conference Committee unless any member of the Standing Committee objects. **Other observers may be invited to attend meetings of the Conference Committee, if required.** The Conference Committee shall be chaired by the chairperson of the Standing Committee during the period previous to the current meeting.

Issue: Need for additional detail regarding the powers of the credential committee.

CBD, UNCCD, UNFCCC

Illustrates:

Subsidiary Bodies

What was the approach

- Use of a broad clause to provide flexibility and allow for growth within the organizations.

⁵ Note: Rule 25 is substantively similar to CBD Rule 25, UNFCCC Rule 26, and UNCCD Rule 26.

<p>What is the content of the RoP?</p>	<p>What can be learned?</p>
<p>CBD Rule 26.1. “In addition to the subsidiary body on scientific, technical and technological advice established under article 25 of the Convention, the Conference of the Parties may establish other subsidiary bodies. It may also establish committees and working groups if it deems it necessary for the implementation of the Convention. Where appropriate, meetings of subsidiary bodies shall be held in conjunction with meetings of the Conference of the Parties.”</p>	<ul style="list-style-type: none"> • More direct and flexible approach.
<p>UNCCD 28.1-3. “1. The Conference of the Parties may establish such subsidiary bodies as are deemed necessary for the implementation of the Convention.</p>	
<p>2. Meetings of standing subsidiary bodies shall be public unless the subsidiary body concerned decides otherwise.</p>	
<p>3. Meetings of ad hoc subsidiary bodies shall be private unless the ad hoc subsidiary body concerned decides otherwise.”</p>	
<p>UNFCCC Rule 27.2. “The Conference of the Parties may establish, in accordance with Article 7.2(i), such subsidiary bodies as are deemed necessary for the implementation of the Convention.”</p>	

<p>CBD, CITES, UNCCD, UNFCCC</p>	<p>Illustrates:</p>	<p>Subsidiary Bodies</p>
<p>What was the approach</p> <ul style="list-style-type: none"> • Use of a broad clause to provide flexibility and allow for growth within the organizations. 		
<p>What is the content of the RoP?</p>	<p>What can be learned?</p>	
<p>CBD Rule 26.1. “In addition to the subsidiary body on scientific, technical and technological advice established under article 25 of the Convention, the Conference of the Parties may establish other subsidiary bodies. It may also establish committees and working groups if it deems it necessary for the implementation of the Convention. Where appropriate, meetings of subsidiary bodies shall be held in conjunction with meetings of the Conference of the Parties.”</p>	<ul style="list-style-type: none"> • More direct and flexible approach. 	
<p>CITES Rule 5.2. “Conference of the Parties shall establish the following seasonal committees: a) the Credentials Committee, of not more than five Representatives of different Parties...b) Committee I, which shall be responsible for making recommendations to the Conference on all proposals to amend the appendices of the Convention and on any matter of a primarily biological nature; and c) Committee II, which shall act similarly in relation to all other matters to be decided upon by the Conference.”</p>		

UNCCD 28.1. “The Conference of the Parties **may establish such subsidiary bodies as are deemed necessary for the implementation of the Convention.**

UNCCD 28.2. Meetings of standing subsidiary bodies shall be public unless the subsidiary body concerned decides otherwise.

UNCCD 28.3. Meetings of ad hoc subsidiary bodies shall be private unless the ad hoc subsidiary body concerned decides otherwise.”

UNFCCC Rule 27.2. “The Conference of the Parties may establish, in accordance with Article 7.2(i), such subsidiary bodies as are deemed necessary for the implementation of the Convention.”

Recommendation: Alteration of text to Rule 26.1-3 to more cohesively address the respective bodies.

Proposed Amendments

{THE STANDING COMMITTEE, THE CONFERENCE COMMITTEE AND SUBSIDIARY BODIES}

Rule 26 {Establishment of subsidiary bodies}

1. In addition to the Standing Committee of the Convention,⁶ the Scientific and Technical Review Panel,⁷ and the Conference Committee, the Conference of the Parties may establish other committees and working groups if it deems it necessary for the implementation of the Convention.⁸ Where appropriate, meetings of these bodies shall be held in conjunction with meetings of the Conference of the Parties.
2. The Conference Committee shall be comprised of the voting members of the Standing Committee of the Convention in addition to the elected President, Alternate President, and Vice Presidents of the current meeting.
 - (a) The Conference Committee shall meet at least once daily over the duration of the meeting to review progress, including the draft of the report of the previous day prepared by the Secretariat, and to provide advice to the President in order to ensure the smooth development of the rest of the proceedings.
 - (b) Other Contracting Parties and permanent observers to the Standing Committee may attend meetings of the Conference Committee unless any member of the Standing Committee objects. Other observers may be invited to attend meetings of the Conference Committee,

⁶Established by COP Resolution 3.3 (1987).

⁷Established by COP Resolution 5.5 (1993).

⁸Note substantive equivalents incorporated in CBD Rule 26.1, UNFCCC Rule 27.2, UNCCD Rule 28.1, CITES Rule 5.3.

or other closed meetings if required to assist proceedings.

(c) The Conference Committee shall be chaired by the chairperson of the Standing Committee during the period previous to the current meeting.

3. The Conference of the Parties may decide that any subsidiary body may meet in the period between ordinary meetings.

Issue: Election of chairperson of standing committees and subsidiary bodies.

UNFCCC	Illustrates:	Dedicated section on Committee
<p>What was the approach</p> <ul style="list-style-type: none"> Generally the COP provides the nominations for chairpersons. 		
<p>What is the content of the RoP? UNFCCC Rule 27.5. “Unless the Conference of the Parties decides otherwise, the Chairman of any subsidiary body other than those established by Articles 9 and 10 of the Convention, shall be elected by that subsidiary body from among the representatives of the Parties present at the session. The Chairmen, Vice-Chairmen and Rapporteurs of such subsidiary bodies shall be elected with due regard to the principle of equitable geographical representation and shall not serve for more than two consecutive terms of one year.”</p> <p>UNFCCC Rule 6. “Each subsidiary body shall elect its own Vice-Chairman and Rapporteur.”</p> <p>What are others doing? CITES Rule 5.5. “Each working group shall elect its own officers.” CBD Rule 26.3 is substantively similar to the current Ramsar RoP Rule 26.4.</p>		<p>What can be learned?</p> <ul style="list-style-type: none"> The level of control over all nomination of chairperson is variable.

ICRC	Illustrates:	Procedures for election of Standing Committee
<p>What was the approach</p>		

- Specific procedures were provided for the election of members to a standing committee covering the process of nomination and election.
- Note: these supplement specific sections of the RoP which address the Standing Committee and the Council of Delegates.

What is the content of the RoP?

ICRC Rule 21.1. “Nominations for the Standing Commission shall be delivered in closed envelopes, with the curriculum vitae of each candidate, to the Chairman of the Bureau, forty-eight hours before the opening of the meeting in which the election will take place. The Bureau shall circulate the [CV] of each candidate at least twenty-four hours before that meeting. When nominating candidates, personal qualities and the principle of fair geographical distribution should be taken into account.”

ICRC Rule 21.2. “The election process for the Standing Commission shall start immediately after the opening of the meeting at which the vote will take place.”

ICRC Rule 21.3. “The members of the Standing Commission referred to in Article 10, paragraph 4 of the Statutes shall be elected by secret ballot by the members of the Conference. For the purpose of determining the absolute majority required in terms of paragraph 4, a roll call of members shall be taken before voting begins.”

ICRC Rule 21.4. “In the first ballot, the candidates obtaining an absolute majority shall be declared elected. If more than five candidates obtain an absolute majority, the five candidates obtaining the largest number of votes shall be declared elected. If less than five candidates obtain an absolute majority in the first ballot, a second ballot shall be held in which the candidate(s) obtaining the largest number of votes shall be declared elected.”

ICRC Rule 21.5. “In the case of a tie, subsequent ballots shall be held until the remaining candidate(s) has received a relative majority. After four ballots the total number of votes cast for each candidate in all four ballots shall be taken into consideration. If a tie still results, a decision shall be made by drawing lots.”

What can be learned?

- Inclusion of procedures covering election establishes a standard of governance and clarity.

Recommendation: Provide amendments to Rule 26.4-6 to clarify the scope of the role of the COP and include election procedures.

Proposed Amendments:

Rule 26 (continued)

4. (a) Unless otherwise decided by the Conference of the Parties, the chairperson for each {standing and subsidiary} body shall be elected by the Conference of the Parties {with due regard to equitable geographical representation}.
- (b) The Conference of the Parties shall determine the matters to be considered by each such body and may authorize the President, upon the request of the chairperson of a body, to make adjustments to the allocation of work.
5. Subject to paragraph 4 of this rule, each body shall elect its own officers. No officer may be re-elected for a third consecutive term.
6. Unless otherwise decided by the Conference of the Parties, these rules shall apply *mutatis mutandis* to the proceedings of such bodies, except that:
 - a) {If specific Rules of Procedure have been established for a standing committee or subsidiary body, those rules shall apply to the conduct of that body.}
 - b) A majority of the Parties designated by the Conference of the Parties to take part in any such body shall constitute a quorum, but in the event of the body being open-ended, one quarter of the Parties shall constitute a quorum;
 - c) The chairperson of any such body may exercise the right to vote;
 - d) {The Secretariat shall endeavor to provide interpretation in sessions of both the standing committee and subsidiary bodies, including the Conference Committee, in a phased manner with due regard to the financial impact}.

SECRETARIAT

Rule 27 {Duties of the Secretariat}*

1. The Secretary General of the Convention shall be the Secretary General of the Conference of the Parties. The Secretary General or the representative of the Secretary General shall act in that capacity in all meetings of the Conference of the Parties and of subsidiary bodies.
2. The Secretary General shall provide and direct the staff required by the Conference of the Parties or subsidiary bodies.

Rule 28 {Functions of the Secretariat} *

The Secretariat shall, in accordance with these rules:

- a) Arrange for interpretation at the meeting;
- b) Prepare, receive, translate, reproduce and distribute the documents of the meeting;
- c) Publish and circulate the official documents of the meeting;
- d) Make and arrange for keeping of sound recordings of the meeting;
- e) Arrange for the custody and preservation of the documents of the meeting;
- f) Draft the report of the meeting for consideration by the Conference Committee first and for final approval by the meeting; and
- g) Generally perform all other work that the meeting may require.

Issue: Further clarification required regarding the duties and functions of the Secretariat.

UNCCD	Illustrates:	Duties of the Secretariat
<p>What was the approach</p> <ul style="list-style-type: none"> • Broader description of the duties of the Secretariat 		<p>What can be learned?</p> <ul style="list-style-type: none"> • Inclusion of boarder language can provide a more focused mandate.
<p>What is the content of the RoP? UNCCD Rule 34.2. “The head of the Permanent Secretariat shall arrange for the provision of staff and services required by the Conference of the Parties and its subsidiary bodies, within available resources. The head of the Permanent Secretariat shall manage and direct such staff and services and provide appropriate support and advice to the presiding and other officers of the Conference of the Parties and of its subsidiary bodies.”</p> <p>What are others doing? UNFCCC Rule 28.2 provides similar content to the UNCCD. CBD Rule 27.2 is substantively similar to the current Ramsar RoP Rule 27.2.</p>		

Recommendation: Amendments to Rule 27.2 to provide a more focused mandate to the Secretariat.

Proposed Amendments:

Rule 27 {Duties of the Secretariat}

1. The Secretary General of the Convention shall be the Secretary General of the Conference of the Parties. The Secretary General or the representative of the Secretary General shall act in that capacity in all meetings of the Conference of the Parties and of subsidiary bodies.
2. The Secretary General shall {arrange for the provision of}staff{and services}required by the Conference of the Parties {and its}subsidiary bodies,{within available resources, shall manage and direct such staff and services, provide appropriate support and advice to the presiding and other officers of the Convention.}
3. {The Secretary General shall make an annual report to the Conference on progress made to further the goals on the Convention.}

Rule 28 {Functions of the Secretariat}

The Secretariat shall, in accordance with these rules:

- a) Arrange for interpretation at the meeting;
- b) Prepare, receive, translate, reproduce and distribute the documents of the meeting;
- c) Publish and circulate the official documents of the meeting;
- d) Make and arrange for keeping of sound recordings of the meeting;
- e) Arrange for the custody and preservation of the documents of the meeting;
- f) Draft the report of the meeting for consideration by the Conference Committee first and for final approval by the meeting; and
- g) Generally perform all other work that the {Conference of the Parties} may require.

CONDUCT OF BUSINESS

Rule 29 {Meetings}

1. Sessions of the Conference of the Parties shall be held in public, unless the Conference of the Parties decides otherwise.
2. Sessions of subsidiary bodies shall be held in public unless the subsidiary body concerned decides otherwise.
3. Delegations shall be seated in accordance with the alphabetical order of the English language names of the Parties.

Rule 30 {Quorum}

The President may declare a session of the meeting open and permit the debate to proceed if at least one third of the Parties to the Convention are present, and may have decisions taken when representatives of at least two thirds of the Parties are present.

Rule 31 {Procedures for speaking}

1. No one may speak at a session of the Conference of the Parties without having previously obtained the permission of the President. Subject to rules 32, 33, 34 and 36, the President shall call upon speakers in the order in which they signify their desire to speak. The Secretariat shall maintain a list of speakers. The President may call a speaker to order if the speaker's remarks are not relevant to the subject under discussion.
2. The Conference of the Parties may, on a proposal from the President or from any Party, limit the time allowed to each speaker and the number of times each Party or observer may speak on a question. Before a decision is taken, two representatives may speak in favour of and two against a proposal to set such limits. When the debate is limited and a speaker exceeds the allotted time, the President shall call the speaker to order without delay.
3. A speaker shall not be interrupted except on a point of order. He may, however, with the permission of the President, give way during his/her speech to allow any other representative or observer to request elucidation on a particular point in that speech.
4. During the course of a debate, the President may announce the list of speakers, and with the consent of the meeting, declare the list closed. The President may, however, accord the right of reply to any representative if a speech delivered after the list has been closed makes this desirable.

Rule 32 {Precedence}

The chairperson or rapporteur of a subsidiary body may be accorded precedence for the purpose of explaining the conclusions arrived at by that subsidiary body.

Rule 33 {Point of order}

During the discussion of any matter, a Party may at any time raise a point of order, which shall be decided immediately by the President in accordance with these rules. A Party may appeal the ruling of the President. The appeal shall be put to the vote immediately and the ruling shall stand unless overruled by a majority of the Parties present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 34 {Decisions on competence}

Any motion calling for a decision on the competence of the Conference of the Parties to discuss any matter or adopt a proposal or an amendment to a proposal submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal or amendment in question.

Rule 35 {Proposals and amendments to proposals}*

1. A new proposal that was not submitted to the Secretariat at least 60 days before the opening of the Standing Committee meeting at which approvals are made of documents for consideration by the COP, as required by [Rule 5](#), and amendments to proposals, shall be introduced in writing by the Parties and handed to the Secretariat in at least one of the official languages, for submission to the Conference Committee.
2. A new proposal shall deal only with matters that could not have been foreseen in advance of the meeting or arise out of the discussions at the meeting. The Conference Committee shall decide if the new proposal meets this requirement, so as to introduce it formally for consideration by the meeting. If a new proposal is rejected by the Conference Committee, the sponsor(s) shall be entitled to request the President to submit the question of its admissibility to a vote, as per Rule 34. The sponsor(s) shall be given the opportunity to make one intervention to present the arguments in favor of the introduction of the new proposal, and the President shall explain the reasons for its rejection by the Conference Committee.
3. As a general rule, no proposal shall be discussed or put to the vote at any session unless copies of it, translated into the official languages of the Conference of the Parties, have been circulated to delegations not later than the day preceding the session. Nevertheless, the President may permit the discussion and consideration of amendments to proposals or of procedural motions and, in exceptional circumstances, in cases of urgency and when deemed useful to advance the proceedings, permit the discussion and consideration of proposals even though these proposals, amendments or motions have

not been circulated or have been circulated only the same day or have not been translated into all the official languages of the Conference of the Parties.

Issue: Scope of obligations of translation for proposals submitted overdue.

UNCCD	Illustrates: Scope of Translation and Role of President
<p>What was the approach</p> <ul style="list-style-type: none"> Simplified language regarding proposals and amendments 	
<p>What is the content of the RoP? UNCCD Rule 42. “Proposals and amendments to proposals shall normally be introduced in writing, in one of the official languages, by the Parties and handed to the Permanent Secretariat, which shall circulate copies to delegations. As a general rule, no proposal shall be discussed or put to the vote at any meeting unless copies of it have been circulated to delegations in all the official languages not later than the day preceding the meeting. The President may, however, permit the discussion and consideration of proposals, amendments to proposals or of procedural motions even though these proposals, amendments or motions have not been circulated or have been circulated only the same day.”</p> <p>What are others doing? CBD Rule 35 contents equivalent substantive provisions, but deviates at “Nevertheless, the President may, in exceptional circumstances and in cases of urgency, permit the discussion and consideration of proposals, amendments to proposals or of procedural motions even though these proposals, amendments or motions have not been circulated or have been circulated only the same day or have not been translated into all the official languages of the Conference of the Parties.</p> <p>UNGA Rule 78 provides the President similar powers without the limitation of “urgent or exceptional circumstances.”</p> <p>FAO Rule XI.3 provides for similar powers as provided by UNGA Rule 78.</p>	<p>What can be learned?</p> <ul style="list-style-type: none"> Practically it remains dependent upon how functional the support services of the Secretariat are.

Recommendation: Slight amendments to Rule 35 to simplify text.

Proposed Amendments:

Rule 35 {Proposals and amendments to proposals}

1. A new proposal that was not submitted to the Secretariat at least 60 days before the opening of the Standing Committee meeting at which approvals are made of documents for consideration by the COP, as required by Rule 5, and amendments to proposals, shall be introduced in writing by the Parties and handed to the Secretariat in at least one of the official languages, for submission to the Conference Committee.
2. As a general rule, no proposal shall be discussed or put to the vote at any session unless copies of it, translated into the official languages of the Conference of the Parties, have been circulated to delegations not later than the day preceding the session. Nevertheless, the President may {in cases of urgency, permit the discussion and consideration of proposals}, amendments to proposals or of procedural motions even though these {documents may not have} been circulated or have been circulated only the same day or have not been translated into all the official languages of the Conference of the Parties.
3. A new proposal shall deal only with matters that could not have been foreseen in advance of the meeting or arise out of the discussions at the meeting. The Conference Committee shall decide if the new proposal meets this requirement, so as to introduce it formally for consideration by the meeting. If a new proposal is rejected by the Conference Committee, the sponsor(s) shall be entitled to request the President to submit the question of its admissibility to a vote, as per Rule 34. The sponsor(s) shall be given the opportunity to make one intervention to present the arguments in favour of the introduction of the new proposal, and the President shall explain the reasons for its rejection by the Conference Committee.

Rule 36 {Order of procedural motions}

1. Subject to rule 33, the following motions shall have precedence, in the order indicated below, over all other proposals or motions:
 - a) To suspend a session;
 - b) To adjourn a session;
 - c) To adjourn the debate on the question under discussion; and
 - d) For the closure of the debate on the question under discussion.
2. Permission to speak on a motion falling within (a) to (d) above shall be granted only to the proposer and, in addition, to one speaker in favor of and two against the motion, after which it shall be put immediately to the vote.⁹

Rule 37 {Withdrawal of proposals or motions}

A proposal or motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended. A proposal or motion withdrawn may be reintroduced by any other Party.

⁹ Note substantive equivalents are incorporated in CBD Rule 36.2, UNFCCC Rule 38.2, UNCCD Rule 43.2, and CMS Rule 10(3).

Rule 38 {Reconsideration of proposals}

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting, unless the Conference of the Parties, by a two thirds majority of the Parties present and voting, decides in favor of reconsideration. Permission to speak on a motion to reconsider shall be accorded only to the mover and one other supporter, after which it shall be put immediately to the vote.

VOTING**Rule 39 {Single vote}**

Each Party shall have one vote.

Rule 40 {Consensus voting} *

1. The Parties 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, the decision shall, as a last resort, be taken by a simple majority vote of the Parties present and voting, unless otherwise provided by the Convention, such as in the case of:

- a) the adoption of the budget for the next financial period, which shall require a two-third majority of Parties present and voting (article 6.5.); and
- b) the adoption of the scale of contributions to the budget, which shall require unanimity (article 6.6.).

2. If on matters other than elections a vote is equally divided, a second vote shall be taken. If this vote is also equally divided, the proposal shall be regarded as rejected.

3. For the purposes of these rules, the phrase “Parties present and voting” means Parties present at the session at which voting takes place and casting an affirmative or negative vote. Parties abstaining from voting shall be considered as not voting.

Issue: Voting standards in a consensus-based body.

CBD**Illustrates:****Voting Standards****What was the approach**

- Strives for consensus, but also separates substantive and procedural aspects each requiring differential voting standards.

What is the content of the RoP?

CBD Rule 40.1. “[1. The Parties 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, the decision [, except a decision under paragraph 1 or 2 of article 21 of the Convention] shall, as a last resort, be taken by a two-thirds majority vote of the Parties present and voting, unless otherwise provided by the Convention, the financial rules referred to in paragraph 3 of article 23 of the Convention, or the present rules of procedure. [Decisions of the Parties under paragraphs 1 and 2 of article 21 of the Convention shall be taken by consensus.]]”

CBD Rule 40.2. “Decisions of the Conference of the Parties on matters of procedure shall be taken by a majority vote of the Parties present and voting.”

UNCCD Rule 47.1-2 similarly establishes a two-thirds majority standard for substantive aspects and simple majority standard for procedural issues.

What are others doing?

UNGA Rule 83 requires two-thirds majority for important questions, including: (1) recommendations with respect to the maintenance of international peace and security, (2) the election of the non-permanent members of the Security Council, the Economic and Social Council, and the Trusteeship Council, (3) admission of new Members to the United Nations, (4) the suspension of the rights and privileges of membership or expulsion of Members, and (5) questions relating to the budget or operation of the trusteeship system.

UNGA Rule 84 this includes amendments to proposals relating to important questions.

UNFCCC Rules 42-43 aims for consensus but establishes as a ‘last resort’ a two-thirds majority for financial or highly sensitive matters, and a simple majority for procedural issues.

What can be learned?

- Bodies generally aimed for the highest level of consensus possible on key issues – both financial and substantive.
- Voting was indicated as a ‘last resort’ seemingly rationalizing the super-majority standard.

Recommendation: Slight amendments to Rule 40 to align with the two-thirds standard utilized in multiple forums.

Proposed Amendments:

Rule 40 {Consensus Voting}

1. The Parties 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, the decision shall, as a last resort, be taken by a majority vote of the Parties present and voting, unless otherwise provided by the Convention {or these Rules}, such as in the case of:
 - a) the adoption of the budget for the next financial period, which shall require a two-third majority of Parties present and voting (article 6.5.); and
 - b) the adoption of the scale of contributions to the budget, which shall require unanimity (article 6.6.).
2. {Decisions of the Conference of the Parties on matters of procedure shall be taken by a majority vote of the Parties present and voting.}
3. {If the question arises whether a matter is one of procedural or substantive nature, the President shall rule on the question. An appeal against this ruling shall be put to the vote immediately and the President's ruling shall stand unless overruled by a majority of the Parties present and voting.}
4. If on matters other than elections a vote is equally divided, a second vote shall be taken. If this vote is also equally divided, the proposal shall be regarded as rejected.
5. For the purposes of these rules, the phrase "Parties present and voting" means Parties present at the session at which voting takes place and casting an affirmative or negative vote. Parties abstaining from voting shall be considered as not voting.

Rule 41 {Order of voting on proposals}

If two or more proposals relate to the same question, the Conference of the Parties, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted. The Conference of the Parties may, after each vote on a proposal, decide whether to vote on the next proposal.

Rule 42 {Division of proposals and amendments}*

Any representative may request that any parts of a proposal or of an amendment to a proposal be voted on separately. The President shall allow the request unless a Party objects. If objection is made to the request for division, the President shall permit two representatives to speak, one in favor of and the other against the motion, after which it shall be put immediately to the vote.

Rule 43 *

If the motion referred to in rule 42 is adopted, those parts of a proposal or of an amendment to a proposal which are approved shall then be put to the vote as a whole. If all the operative parts of a

proposal or amendment have been rejected, the proposal or amendment shall be considered to have been rejected as a whole.

Issue: procedures following division of proposals and amendments

Recommendation: Rules 42 and 43 are addressing the same substantive point – divisions of proposals and amendments. As such current Rule 43 should be incorporated as Rule 42.2.¹⁰ [Change numbering of forthcoming and corresponding Rules accordingly]

Proposed Amendments:

Rule 42 {Division of proposals and amendments}

1. Any representative may request that any parts of a proposal or of an amendment to a proposal be voted on separately. The President shall allow the request unless a Party objects. If objection is made to the request for division, the President shall permit two representatives to speak, one in favor of and the other against the motion, after which it shall be put immediately to the vote.
2. If the motion referred to in rule 42 is adopted, those parts of a proposal or of an amendment to a proposal which are approved shall then be put to the vote as a whole. If all the operative parts of a proposal or amendment have been rejected, the proposal or amendment shall be considered to have been rejected as a whole.

Rule 44 {Rule 43 Amendment to a proposal}

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from, or revises parts of that proposal. An amendment shall be voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal shall then be voted on.

Rule 45 {Rule 44 Order of voting on amendments to a proposal}*

If two or more amendments are moved to a proposal, the Conference of the Parties shall first vote on the amendment furthest removed in substance from the original proposal, then on the amendment next furthest removed therefrom, and so on, until all amendments have been put to the vote. The President shall determine the order of voting on the amendments under this rule.

Issue: Implications of voting on amendments.

¹⁰ This was done in UNCCD Rule 49.2.

UNGA and CMS	Illustrates:	Addressing Similar Amendments
What was the approach		
<ul style="list-style-type: none"> Provides further clarity regarding implications of similar amendments and voting. 		
What is the content of the RoP?		What can be learned?
<p>UNGA Rule 90. “...When two or more amendments are moved to a proposal, the General Assembly shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on until all the amendments have been put to the vote. Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of the proposal.”</p> <p>CMS Rule 15(2). provides substantively similar text to that of UNGA Rule 90, second sentence.</p> <p>CMS Rule 15(3). “If two or more proposals relate to the same question, the Conference shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Conference may, after voting on a proposal, decide whether to vote on the next proposal.”</p>		<ul style="list-style-type: none"> Additional information is provided for procedural clarity.

Recommendation: Slight amendments to Rule 45 to add procedural steps regarding similar amendments.

Proposed Amendments:

Rule 44 {Order of voting on amendments to a proposal}

1. If two or more amendments are moved to a proposal, the Conference of the Parties shall first vote on the amendment furthest removed in substance from the original proposal, then on the amendment next furthest removed therefrom, and so on, until all amendments have been put to the vote. The President shall determine the order of voting on the amendments under this rule.
2. {Where, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.}

Rule 46 {Rule 45 Voting procedures}**

Voting, except for elections and the decision on the venue of the next ordinary meeting, shall normally be by show of hands. A **roll-call vote** shall be taken if one is requested by any Party; it shall be taken in the English alphabetical order of the names of the Parties participating in the meeting, beginning with the Party whose name is drawn by lot by the President. However, if at any time a Party requests a secret ballot, that shall be the method of voting on the issue in question, provided that this request is accepted by a simple majority of the Parties present and voting. The President shall be responsible for the counting of the votes, assisted by tellers appointed by the Conference, and shall announce the result.

Issue: Procedures for the incorporation of electronic voting.

CITES	Illustrates:
<p>Electronic voting and consolidation of text</p> <p>What was the approach</p> <ul style="list-style-type: none"> • Outlines a procedure and method for electronic voting , 	
<p>What is the content of the RoP?</p> <p>CITES Rule 25.1. “The Conference shall normally vote through an electronic system or by show of hands, but any Representative may request a roll-call vote. In the case of votes taken by an electronic system, other than votes taken by secret ballot, the individual votes of all Parties shall be displayed on a screen for all participants to see immediately after a vote has taken place, and included in the summary record of the session. The roll-call vote shall be taken in the seating order of the delegations. The Presiding Officer may himself/herself require a roll-call vote on the advice of the tellers where they are in doubt as to the actual number of votes cast and this is likely to be critical to the outcome.</p> <p>CITES Rule 25.2. “All votes in respect of the election of officers or of prospective host countries shall be by secret ballot when there is more than one candidate and, although it shall not normally be used, any Representative may request a secret ballot for other matters. The Presiding Officer shall ask whether the request is seconded. If it is seconded by 10 Representatives the vote shall be by secret ballot.”</p> <p>CITES Rule 25.4. “The Presiding Officer shall be responsible for the counting of the votes and shall announce the result. After all votes, except those concerning the designation of the next host country, the Presiding Officer shall announce the number of affirmative votes, negative votes and abstentions, as well as the majority needed to adopt the decision submitted to votation. He/she may be assisted by tellers</p>	<p>What can be learned?</p> <ul style="list-style-type: none"> • CITES Rule 25.1-5 incorporates core aspects of Ramsar RoP Rules 46-48. • CITES incorporated procedures of voting and conduct under a common Article.

<p>appointed by the Secretariat.”</p> <p>CITES Rule 25.5. “After the Presiding Officer has announced the beginning of a vote, it shall not be interrupted except by a Representative on a point of order in connection with the actual conduct of the voting. The Presiding Officer may permit Representatives to explain their votes either before or after the voting, and may limit the time to be allowed for such explanations. “</p> <p>What are others doing?</p> <p>UNFCCC Rule 48 and CBD Rule 46 and UNCCD Rule 52.1 are all substantively equivalent, “Voting, except for elections, shall normally be by show of hands. A roll-call vote shall be taken if one is requested by any Party. It shall be taken in the English alphabetical order of the names of the Parties participating in the session, beginning with the Party whose name is drawn by lot by the President. However, if at any time a Party requests a secret ballot, that shall be the method of voting on the issue in question.” [note UNCCD uses names according to UNGA]</p> <p>UNCCD Rule 52.2. “When the Conference of the Parties votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call.”</p>	
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CMS	Illustrates:	Voting requirement
<p>What was the approach</p> <ul style="list-style-type: none"> Parties which are in non-compliance with the obligations of the Convention are unable to vote until this is rectified. 		
<p>What is the content of the RoP?</p> <p>CMS Rule 13(2). “Representatives of Parties that are three or more years in arrears in the payment of its assessed contributions on the date of the opening session of the meeting of the Conference of the Parties shall not be eligible to vote. However, the Conference of the Parties may allow such Parties to exercise their right to vote if it is satisfied that the delay in payment arises from exceptional and unavoidable circumstances, and shall receive advice in this regard from the Standing Committee.”</p>	<p>What can be learned?</p> <ul style="list-style-type: none"> Dissuades deviation from obligations of the Convention. 	

Recommendation: Amendments to Rule 46 to provide for electronic procedures, and to incorporate Rules 47 and 49 as Rules 46.2-3.

Proposed Amendments:

Rule 45 {Voting Procedures}**

1. Voting, except for elections and the decision on the venue of the next ordinary meeting, shall normally be {conducted through an electronic system or} by show of hands.
 - a) {In the case of votes taken through an electronic system, other than votes taken by secret ballot, the individual votes of all Parties may be displayed on a screen for all participants to see immediately after a vote has taken place, and included in the summary record of the session.}
 - b) A roll-call vote shall be taken if one is requested by any Party; it shall be taken in the English alphabetical order of the names of the Parties participating in the meeting, beginning with the Party whose name is drawn by lot by the President.
 - c) If at any time a Party requests a secret ballot, this shall be the method of voting on the issue in question, provided that this request is accepted by a simple majority of the Parties present and voting. The President shall be responsible for the counting of the votes, assisted by tellers appointed by the Conference, and shall announce the result.
2. The vote of each Party participating in a roll-call vote shall be express by “Yes”, or “No”, or “Abstain” and shall be recorded in the relevant documents of the meeting.
{When the meeting votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call vote.}¹¹

All elections and the decision on the venue of the next ordinary meeting shall be decided by the Conference of the Parties with recourse to secret ballot only where necessary.

Rule 47 *

1. The vote of each Party participating in a roll-call vote shall be express by “Yes”, or “No”, or “Abstain” and shall be recorded in the relevant documents of the meeting.
2. When the meeting votes by mechanical means, a non-recorded vote shall replace a vote by show of hands and a recorded vote shall replace a roll-call vote.

Rule 48 {Rule 46 Voting conduct}

¹¹ Rule 47 of the Ramsar Rules of Procedure for COP.

After the President has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of the voting. The President may permit the Parties to explain their votes, either before or after the voting, but may limit the time to be allowed for such explanations. The President shall not permit proposers of proposals or of amendments to proposals to explain their vote on their own proposals or amendments, except if they have been amended.¹²

ELECTIONS

Rule 49 Method of voting for elections *

All elections and the decision on the venue of the next ordinary meeting shall be held by secret ballot, unless otherwise decided by the Conference of the Parties.

Rule 50 {Rule 47 Absence of majority}

1. If, when one person or one delegation is to be elected, no candidate obtains in the first ballot a majority of votes cast by the Parties present and voting, consecutive ballots shall be taken until one of the candidates obtains the largest amount of votes cast by the Parties present and voting.
2. In the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the procedure set forth in paragraph 1 of this rule.

Rule 51 {Rule 48 Election to two or more elective places}

1. When two or more elective places are to be filled at one time under the same conditions, those candidates, not exceeding the number of such places, obtaining in the first ballot the largest number of votes and a majority of the votes cast by the Parties present and voting shall be deemed elected.
2. If the number of candidates obtaining such majority is less than the number of persons or delegations to be elected, there shall be additional ballots to fill the remaining places, the voting being restricted to the candidates obtaining the greatest number of votes in the previous ballot, to a number not more

¹² Note substantive equivalents are incorporated in UNGA Rule 88, CBD Rule 48, UNFCCC Rule 50, and UNCCD Rule 53.

than twice the places remaining to be filled, provided that, after the third inconclusive ballot, votes may be cast for any eligible person or delegation.

3. If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to the candidates who obtained the greatest number of votes in the third of the unrestricted ballots, to a number not more than twice the places remaining to be filled, and the following three ballots thereafter shall be unrestricted, and so on until all the places have been filled.

LANGUAGES, DOCUMENTS AND SOUND RECORDINGS

Rule 52 {Rule 49 Official languages} **

The official and working languages of the Conference of the Parties shall be English, French, and Spanish.

Issue: Incorporation of other UN languages

CMS	Illustrates:	Official and Working Languages
<p>What was the approach</p> <ul style="list-style-type: none"> Official and working languages are functionally equivalent. 		
<p>What is the content of the RoP? UNGA Rule CBD Rule 52, UNFCCC Rule 54, UNCCD Rule 57, and FAO Rule XLVIII, all list Arabic, Chinese, English, French, Russian and Spanish as both the official and working languages of the respective bodies.</p> <p>What are others doing? CMS Rule 18 indicates English, French, and Spanish as the official and working languages, with all translation / documentation produced in working languages.</p> <p>IUCN Rule 100 indicates English, French and Spanish as the official languages. IUCN Regulation 96 establishes a language policy with periodic reviews.</p>		<p>What can be learned?</p> <ul style="list-style-type: none"> Organizations that are able to manage the financial aspects have removed the functional differences in language use.

CITES , IMO and ICRC

Illustrates:

Working versus Other Languages

What was the approach

- Indicates ‘working languages’ and other languages.
- Requires the Party to provide translation for non-working languages.

What is the content of the RoP?

Working Languages

CITES Rule 8.1. “English, French and Spanish shall be the working languages...”

CITES Rule 8.2. “Interventions made in any of the working languages shall be interpreted into the other working languages in plenary session and sessions of Committees...Interpretation shall be provided in sessions of the Credentials Committee and working groups **only if resources allow.**”

IMO Rule 25. “The official languages of a Meeting are English, Chinese, French, Russian and Spanish; the **working languages are English, French and Spanish**”

IMO Rule 26. “Speeches at a Meeting shall be made in one of the official languages and will be interpreted into the other four official languages.”

IMO Rule 27. “(1) All supporting documents to ...a Meeting shall be issued in the working languages. (2) All reports, resolutions, recommendations and decisions of a Meeting shall be...[translated into all official languages].”

UNACLA Rule 27. “The meetings of the Committee **shall normally be conducted in English, and its document shall be produced in the same language.** Subject to availability of resources, interpretation and interpretation may be provided.”

ICRC Rule 12.1 establishes the Arabic, Chinese, English, French, Russian and Spanish **as official languages but not working.**

ICRC Rule 12.2. “The **working languages of the Conference shall be English, French and Spanish.** The working languages are those in which simultaneous interpretation is provided and are the only languages in which documents relating to items on the agenda will be prepared. Any delegate using a language which is not a working language shall provide for its interpretation into one of the working languages.”

Use of Other Languages

CITES Rule 9.1. “A participant may speak in a language other than a

What can be learned?

- Establishes clear and limit working languages.
- Parties are required to provide translation into a working language.
- Burden-sharing regarding translation costs by Parties.
- Inclusion of language policy with periodic review.

working language. He/she shall be responsible for providing interpretation into a working language. Interpretation by the Secretariat into the other working languages may be based upon that interpretation.
CITES Rule 9.2. “Any document submitted to the Secretariat in any language other than a working language shall be accompanied by a translation into one of the working languages.”

What are others doing?

Authentic Languages

FAO Appendix I.17 establishes English, French and Spanish as the ‘authentic languages’ of the Convention and agreements.

Recommendations: Amendments to Rules 52-53 shall be made to reflect decisions made by the Standing Committee (SC48) to provide for the incorporation other UN languages.

Proposed Amendments:

{LANGUAGES, DOCUMENTS AND SOUND RECORDINGS}

Rule 49 {Official languages}

The official and working languages of the Conference of the Parties shall be English, French, Spanish.

Rule 53 {Rule 50 Interpretation}

1. Statements made in an official language shall be interpreted into the other official languages.
2. A representative of a Party may speak in a language other than an official language, if the Party provides for interpretation into one such official language.

Rule 54 {Rule 51 Languages of official documents}*

1. Official documents of the meetings shall be drawn up in one of the official languages and translated into the other official languages.
2. Financial limitations may make it necessary to limit the number of documents provided to each Party and observer. The Secretariat shall encourage Parties and observers to download the documents from

the Secretariat’s Web site on the Internet or to receive them on a computer diskette, so as to save resources in photocopying and mailing.

3. Any documents, including proposals, submitted to the Secretariat in any language other than a working language shall be accompanied by a translation into one of the working languages.

4. When in doubt, the Secretariat shall request the agreement of the Conference Committee for issuing a document as an official document of the meeting.

5. Parties and observers wishing to distribute documents which have not been admitted as official documents of the meeting shall make their own arrangements for distribution, after having sought the advice of the Secretariat on how to proceed.

Issue: Documents and other UN languages.

CITES	Illustrates:	Languages for Official Documents
<p>What was the approach</p> <ul style="list-style-type: none"> Provides distribution in the working languages. 		
<p>What is the content of the RoP?</p> <p>Working Languages CITES Rule 8.3. “The official documents of the meeting shall be distributed in the three working languages, except for informative documents submitted in accordance with Rule 28 which are not submitted for discussion and therefore shall be distributed in the language in which they are provided.</p> <p>CMS Rule 18(3) indicates official documentation will be produced in the working languages – English, French, and Spanish.</p> <p>Official Languages CBD Rule 54, UNFCCC Rule 56, UNCCD 59, UNGA 52 all substantively provide a similar clause, “Official documents of the meetings shall be drawn up in one of the official languages and translated into the other official languages.”</p>		<p>What can be learned?</p> <ul style="list-style-type: none"> Generally documents are provided in official languages – 6 UN languages. Organizations surveyed which are trilingual also publish in only those three languages.

Recommendation: Modifications to Rule 54 to update and clarify publication of multilingual documents, and removal of differentiation of official or working language in publications.

Proposed Amendments:

Rule 51 {Languages of official documents}

1. Official documents of the meetings shall be drawn up in one of the official languages and translated into the other official languages.
2. Financial limitations may make it necessary to limit the number of documents provided to each Party and observer. The Secretariat shall encourage Parties and observers to download the documents from the Secretariat's Web site on the Internet.
3. Any documents, including proposals, submitted to the Secretariat in any language other than {an official} language shall be accompanied by a translation into one of the {official} languages.
4. When in doubt, the Secretariat shall request the agreement of the Conference Committee for issuing a document as an official document of the meeting.
5. Parties and observers wishing to distribute documents which have not been admitted as official documents of the meeting shall make their own arrangements for distribution, after having sought the advice of the Secretariat on how to proceed.

Rule 55 {Rule 52 Sound recording of the meetings} *

Sound records of the meetings of the Conference of the Parties, and whenever possible of its subsidiary bodies, shall be kept by the Secretariat.

ENTERING INTO FORCE AND AMENDMENTS TO THE RULES OF PROCEDURE

Rule 56 {Rule 53}

These rules of procedure shall apply immediately after their adoption.

OVERRIDING AUTHORITY OF THE CONVENTION

Rule 57 {Rule 54}

In the event of any conflict between any provision of these rules and any provision of the Convention, the Convention shall prevail.

Annex I - List of Resources

Rules of Procedure

Convention on Biological Diversity, *Rules of Procedure for meetings of the Conference of the Parties to the Convention on Biological Diversity* (Annex to Decision I/1 and Decision V/20), available at: <https://www.cbd.int/doc/handbook/cbd-hb-03-en.pdf>. [CBD]

Convention on International Trade in Endangered Species of Wild Fauna and Flora, *Rules of Procedure of the Conference of the Parties* (as amended 2013), available at: <http://cites.org/sites/default/files/eng/cop/E16-Rules.pdf>. [CITES]

Convention on International Trade in Endangered Species of Wild Fauna and Flora, *Rules of Procedure of the Standing Committee* (as amended 2012), available at: <http://cites.org/sites/default/files/eng/com/sc/rules.pdf>. [CITES SC]

Convention on Migratory Species, *Rules of Procedure* UNE/CMS/COP11/Doc.4 (2014), available at: http://cms.eaudweb.ro/sites/default/files/document/COP11_Doc_04_Rules_of_Procedure_annex1_re_v2.pdf. [CMS]

Food and Agricultural Organization of the United Nations, *Rules of Procedure of the Council of FAO in Basic Texts Vol I and II* (2013), available at: <http://www.fao.org/docrep/meeting/022/K8024E.pdf>. [FAO]

International Commission of the Red Cross, *Rules of Procedure of the International Red Cross and Red Crescent Movement* (as amended 1995), available at: <https://www.icrc.org/eng/assets/files/other/rules-of-procedure-int-mvt-rcrc.pdf>. [ICRC]

International Maritime Organization, Revised Rules of Procedure LC 23/16 (1999), available at: http://www.imo.org/blast/blastData.asp?doc_id=7715&filename=LC23-16_RoP.doc. [IMO]

International Union for the Conservation of Nature and Natural Resources, *Rules of Procedure of the World Conservation Congress* (as amended 2012), available at: http://cmsdata.iucn.org/downloads/statutes_en.pdf. [IUCN]

Ramsar Convention, *Rules of Procedure for Meetings of the Conference of the Contracting Parties to the Convention on Wetlands of International Importance Especially as Waterfowl Habitat* (7 July 2012), available at: <http://www.ramsar.org/sites/default/files/documents/pdf/rules-cop-2012-e.pdf>. [Ramsar]

United Nations Convention to Combat Desertification, *Rules of Procedure ICCD/COP(1)/11/Add.1* (1997), available at: http://www.unccd.int/Documents/1_COP.1.pdf. [UNCCD]

United Nations Environment Programme, *Rules of Procedure of the Governing Council of the United Nations Environment Programme*, UNEP/GC.27/17 (2013), available at: <http://www.unep.org/about/sgb/Portals/50153/Repository/RulesofProcedure/GC27%20decision%20RoP.pdf>. [UNEP GC]

United Nations Framework Convention on Climate Change, *Adoption of the Rules of Procedure*, COP 7 (1996) FCCC/CP/1996/2, available at: <http://unfccc.int/resource/docs/cop2/02.pdf>. [UNFCCC]

United Nations, *Rules of Procedure of the General Assembly*, A/520/Rev.17 (2008), available at: http://www.un.org/en/ga/search/view_doc.asp?symbol=A/520/rev.17&Lang=E. [UNGA]

United Nations Advisory Committee of Local Authorities, *Rules of Procedure of UNACLA*, 12 September 2004, available at: http://unhabitat.org/wp-content/uploads/2014/07/UNACLA-rules_of_procedure.pdf. [UNACLA]

Other Resources

Ramsar, Resolution 3.3 COP 3 (1987), available at: http://archive.ramsar.org/cda/en/ramsar-documents-cops-cop7-resolution-3-3/main/ramsar/1-31-58-83%5E23396_4000_0. [Res. 3.3]

Ramsar, COP Resolution 5.5 (1993).

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Annex II – Focus Issues for Review

1. Desirable adjustments were initially classified, drawing on the knowledge and experience of the Ramsar Convention Secretariat, as reviewed by Parties in October – December 2014, into three color-coded categories based on relative complexity:
 - (1) Initial Steps (**Green**),
 - (2) Requiring Further Clarification (**Blue**), and
 - (3) Requiring Careful Review (**Orange**).

2. Short descriptions of the updates and adjustments which have been made in the Rules of Procedure for COP, or included in the specific versions developed for the Standing Committee and the Scientific and Technical Review Panel, have been included under each box.

Initial Steps

<p>1. Credentials</p> <p>The Rules on credentials are found at Rule 16-20. Questions pertaining to the potential use of electronic signatures and incorporation into subsequent committee rules can be considered. Rule 18 can be reviewed in light of encouraging prompt submission of credentials (Rule 18.1), and consideration can be placed on the scope of submission of credentials in, or accompanied by a translation into, one of the official languages (Rule 18.6).</p> <p>Updates: Inclusion of electronic signature and digital submission. See Rules 18.1, 18.3-4, 18.6.</p>	
<p>2. Standing Committee/STRP Rules</p> <p>The addition of rules of procedure for the Standing Committee and the Scientific and Technical Review Panel (STRP) into the overall RoPs or as an annex will contribute to consistent and transparent conduct for all meetings. There are currently no specific or adequately rules of procedure for either of these bodies.</p> <p>Updates: Inclusion of Rules of Procedure for Standing Committee and STRP.</p>	
<p>3. Default Agenda Topics / Debate of Agenda Topics</p> <p>Rules 9-15 of the RoPs currently address agenda topics. Considerations can focus on the introduction of agenda topics which by default can be covered at COP for standardization, the potential for rules on debate on agenda topics, and the ‘urgent and important’ threshold established in Rule 12.</p>	

<p>Updates: Inclusion of Secretary-General report, and alterations to procedures for examination of provisional agenda. See Rules 9, 12.</p>	
<p>4. Status of informal meetings (pre-COP meetings) While Rule 26 references committees and other working groups, current provisions focus on the composition rather than the functionality or status of these meetings. Further, there are no rules of procedure or codes of conduct for subsidiary meetings. Considerations of harmonized administration of organizational bodies, continuity of meeting procedures and supplementary materials for Parties can be addressed.</p> <p>Updates: Inclusion of subsidiary bodies and working groups under the RoP for Standing Committee.</p>	
<p>5. Nominations and Recommendations of Officers Rules 21-25 currently address the nomination and recommendation of officers for COP meetings. Considerations can focus on introduction of substantive language to provide further clarity on the nomination process for all bodies, and voting procedures for confirmation of Officers. Development of supplemental material to assist officers is also a factor.</p> <p>Updates: Inclusion of further clarity on the role of the President and the bureau, and added specific modalities for the SC and STRP. See Rule 21.2 and RoP for SC and STRP.</p>	
<p>Steps Requiring Clarification</p>	
<p>6. Decisions on Issues (opened, discussed, closed, re-opened) Current Rules of Procedure address decisions on issues in Rules 33-38. While procedures are established further support could be beneficial. Considerations can focus on development of supporting explanatory materials for Parties to assist in conformity with existing RoPs.</p> <p>Updates: Guidance provide in the COP Guide.</p>	
<p>7. Technical Reports + papers, with technical submissions The introduction of modalities for efficient incorporation of technical expertise on core issues into the work of the COP can be informative to the implementation of the Convention. Rule 9(e) allows for the addressing of technical issues by COP as a component of the agenda, however further clarification could be informative.</p> <p>Updates: Precedence is added in the SC RoP to allow for experts to provide insight on conclusions reached.</p>	

8. Rules of Observers

Observers are addressed under Rules 6-7. Observers play a vital role in the proceedings and operations of the Ramsar Secretariat, but further clarity could be provided on scope of participation, and its limits, including participation on subsidiary bodies. A process for recognition as an observer could also be considered with submission of credentials for formal review and assignment of representatives.

Updates: Inclusion of further rules on observer recognition process and precedence in SC. See Rule 7 and SC Rule 28.2.

9. Voting Procedures

The Ramsar Convention aspires to be a consensus body, by virtue of Rule 40. Considerations can include clarification of voting procedures particularly for subsidiary bodies and the STRP. Rule 45 may require specific clarification regarding the threshold and order for consideration of multiple amendments to a proposal.

Updates: Inclusion of further clarification and voting procedures, as well as voting procedures for the SC and STRP. See Rule 40.2-3, 45, and SC Rule 35 and STRP Rule 32.

Steps Requiring Careful Review**10. Voting Members and Methods**

Rules relating to Voting are covered generally by Rules 39-51. Considerations can focus on clarification of voting members of bodies, inclusion of methods of voting including the use of indicative votes, and the potential for electronic voting in the future.

Updates: Inclusion of voting procedures including electronic votes. See Rule 40.2-3, 45, and SC Rule 35 and STRP Rule 32

11. Closed Sessions Participation

Further clarification on the scope of the role of observers would be informative, particularly around participation in closed sessions. Consideration will focus on Rule 26 which currently allows for participation of observers 'if required,' as well as Rule 7 which allows for non-voting participation for observers at the invitation of the President if not opposed by one-third. Criteria and modalities for participation based on clear policy objectives could support organizational execution.

Updates: Inclusion of participation of observers in closed meetings and procedures for having a closed session. See Rule 22.

<p>12. Approval of Documentation</p> <p>Approval of documentation is found primarily in both Rule 5 and 35. Questions of approval procedures for COP and other bodies will be assessed, as well as for outdated material. Rule 35.1 and 35.3 can require particular attention to consider the scope of obligations for translation for proposals not submitted to the Standing Committee 60 days prior.</p> <p>Updates: Inclusion of optional route in cases of urgency to discuss proposals. See Rule 35.2.</p>	
<p>13. Languages (Official vs. Working)</p> <p>Languages are addressed under Rules 52-53, with implications on Rules 18.6, 26.7, 35.1, 35.3 and 54. Considerations regarding phased integration of official languages, financial implications, and translations will be reviewed. Further clarity can also be provided for further integration of additional UN languages into the work of the Convention. Rule 26.7 specifically can provide recognition of a phased approach to language integration with amendment.</p> <p>Updates: Inclusion of text to simplify language use and preparation for further UN language inclusion. See Rule 49 and 18.6.</p>	
<p>14. Scale and Scope of the Powers of the Secretariat</p> <p>The powers of the Secretariat are currently addressed under Rules 27-28. Considerations may pertain to providing further clarification on aspects of the Convention including management of the RSIS, and inquiry into changes of ecological character (Art 3.2).</p> <p>Updates: Inclusion of responsibilities for the Secretariat in relation to providing support services to the SC or STRP. No further expansion of powers included.</p>	