

**Proposals for amendment to the Rules of Procedure
(draft for regional consultation)**

Action required: The Standing Committee is invited to be made aware of these forthcoming changes to the Rules of Procedure for the consideration and approval of Contracting Parties at COP 12.

Overview

On 12 September 2014 a work session was held at the Ramsar Convention Secretariat with the legal consultant to review issues and challenges that the Secretariat and Contracting Parties have observed pertaining to the Ramsar Convention Rules of Procedure (RoPs). The following is a brief summary of the key findings and outcomes of that workshop and proposed changes to the RoPs.

Proposed changes were initially classified, into three categories based on complexity:

- (I) Initial Steps
- (II) Requiring Further Clarification
- (III) Requiring Careful Review

I. Initial Steps

1. Credentials

The Rules on credentials are found at Rules 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).

2. Standing Committee/STRP Rules

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 adequate rules of procedure for either of these bodies.

3. Default Agenda Topics / Debate of Agenda Topics

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.

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.

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.

II. Requiring Further Clarification

6. Decisions on Issues (opened, discussed, closed, re-opened)

Current RoPs 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.

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.

8. Rules of Observers

Observers are addressed under Rules 6-7. Observers play a vital role in the proceedings and operations of the Ramsar Convention, 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.

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.

III. 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.

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.

12. Approval of Documentation

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.

13. Languages (Official vs. Working)

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.

14. Scale and Scope of the Powers of the Secretariat

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).

15. Agreement on the RoPs at every COP

Convention Article 6.4 indicates “The Conference of the Contracting Parties shall adopt rules of procedure for each of its meetings.” Notwithstanding this rule, such adjustments to RoPs need to avoid the repeated requirement to reach an agreement on the RoPs at every COP. Other conventions have RoPs that are agreed (some with brackets permanently in place on the para about voting) and that are used until such time as they need to be updated.