

Preparation of the 13th meeting of the Conference of the Parties Process for review of draft resolutions

Actions requested:

The Standing Committee is invited to consider:

- the concept for a proposal to amend to the Rules of Procedure, in paragraph 18; and
- the overall approach outlined for the management of draft resolutions at COP13, and to recommend that this be followed at the meeting.

Introduction

1. This document proposes a procedure to ensure that the Contracting Party delegations at the 13th meeting of the Conference of Contracting Parties (COP13) have access to the documentation they need to reach agreement on proposals and amendments in accordance with the Rules of Procedure.
2. In accordance with Rule 34.5 of the Rules of Procedure of the COP:
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 have been circulated only the same day or have not been translated into all the official languages of the Conference of the Parties.
3. At its 12th meeting (Punta del Este, 2015), the Conference of the Contracting Parties accepted the proposal of the President to approve final versions of many draft resolutions in English only because translations were not available. This problem arose because the number, complexity, timing and variety of formats of proposed amendments exceeded the capacity of the Secretariat to deal with them.
4. The Secretariat would like to suggest a procedure for consideration of draft resolutions at COP13 and subsequent meetings of the Conference of the Contracting Parties, to ensure that it can meet the requirements of the Parties and that all documents can be considered in all official languages and to avoid, as far as possible, any misunderstanding of what is being adopted.

Documentation to be translated during the COP

5. During meetings of the Conference of the Parties, the Secretariat translates three kinds of documents:
 - Summary reports of the meeting
 - New proposals (draft resolutions)
 - Revisions of draft resolutions (including new proposals)
6. The summary reports of the plenary sessions of the meeting are produced by the Secretariat each day, to be translated overnight. In accordance with Rule 27.f, these are to be considered by the Conference Bureau before they are approved by the Conference.
7. The present document deals only with the handling of new proposals and revision of draft resolutions, to ensure that the documentation arrangements facilitate the review and adoption of these texts.

Process for dealing with new proposals

8. In accordance with Rule 34.4, as a general rule, all draft resolutions to be considered should have been submitted “at least 60 days before the opening of the Standing Committee meeting at which recommendations are made of documents (sic) for consideration by the Conference of the Parties”.
9. Rule 34.6 provides that new proposals “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”. This text implies that these cases are exceptional.
10. According to Rules 34.4 and 34.6, any Party that wishes to introduce a new proposal is required to provide it to the Secretariat in one of the official languages, for submission to the Conference Bureau, which decides whether any new proposal meets the criteria, and may be formally submitted to the Conference of the Parties.
11. To facilitate processing, the Secretariat proposes that any such new proposal:
 - a. be submitted as a Word document to a specified email address, and by 24 October at the latest, to allow time for all the subsequent steps;
 - b. be accepted by the Secretariat only if it comes directly from the Administrative Authority or an accredited representative of a Contracting Party at the meeting; and
 - c. be then submitted by the Secretariat to the next meeting of the Conference Bureau for a decision.
12. Once a “new proposal” has been accepted by the Conference Bureau for submission to the Conference of the Parties, it will be translated and considered like any other draft resolution in accordance with Rule 34.5.

Proposed process for dealing with revisions of draft resolutions including new proposals

13. When a draft resolution is introduced in a plenary session of the COP, it may be:
 - adopted without amendment;
 - rejected; or
 - amended.

Draft resolutions adopted without amendment or rejected

14. If a draft resolution is adopted without amendment, or if it is rejected, the Secretariat has nothing more to do with the document during the meeting.

Draft resolutions to be amended

15. When a draft resolution is introduced and discussed, Parties may propose amendments.
16. Rule 34.4 provides that "amendments to proposals, shall be introduced in writing by the Contracting Parties and handed to the Secretariat in at least one of the official languages, for submission to the Conference Bureau."
17. This rule makes no distinction between minor amendments and substantial amendments, implying that every proposed amendment, including non-substantive changes, must be presented to the Conference Bureau before it can be accepted by the Conference of the Parties in plenary session. This requirement seems to place a heavy burden on the Conference Bureau, although its actual role in relation to proposed amendments is not specified in the Rules of Procedure. It might therefore be useful to consider proposing a change to the Rules, in order to streamline the procedure.
18. One possible approach, which would require that the Rules of Procedure be amended to eliminate the need for all proposed amendments to be considered by the Conference Bureau, would be the following:

When a draft resolution is introduced in plenary session:

- a. if only minor amendments are proposed, the presiding officer should:
 - i) seek agreement on the amendments immediately and, if they are agreed, should move to adopt the draft resolution as amended; and
 - ii) if the draft resolution is adopted, instruct the Secretariat to prepare the final text, incorporating any agreed amendments [and necessary editorial corrections], in the official languages, for publication; and
- b. if substantial amendments are proposed, such that they need to be translated and seen in written form by the delegations, the presiding office should either:
 - i) refer the document to the Secretariat to produce a revised version showing the proposed amendments, for adoption in a plenary session; or
 - ii) if there is clearly a need for further discussion, refer the document to a working group, to produce a revised document that takes account of concerns expressed.

If this is approach agreed by the Standing Committee, the Secretariat can prepare a proposal from the Standing Committee to amend the Rules of Procedure.

19. Under the current Rules and practice, if amendments are proposed to a draft resolution introduced in a plenary session, the document may be:
 - a. referred to the Secretariat for the production of a revised document; or
 - b. referred to a working group (or contact group, consultative group or drafting group).
20. Assuming that the current Rules remain in effect, the Secretariat suggests that:

- a. if a document is referred to the Secretariat, it will:
 - receive the proposed amendments from the Parties concerned, either on paper (in the case of very minor amendments) or in electronic form showing the proposed amendments marked in 'track changes' in a Word document;
 - prepare a revision of the draft resolution in the official languages on the basis of the proposed amendments received and with reference to the notes of the rapporteur;
 - present the revised draft to the Conference Bureau (or its delegated representatives) for agreement; and
 - translate and publish the revised draft on the Ramsar website for all participants to view, for final discussion and adoption in a plenary session during the final days of the meeting;

 - b. if a document is referred to a working group:
 - one person from the group (either the Chair or a designated rapporteur) should be nominated as responsible for communicating the final recommendations of the group to the Secretariat;
 - the working group will discuss the document, taking into account comments made in the plenary session;
 - the working group will prepare a revision of the original document in electronic form showing, in tracked changes, the proposed deletions and additions that the group recommends for adoption;
 - only when the working group has completed its considerations, the designated rapporteur of the working group will provide the revised version of the document to the Secretariat in electronic form to an email address to be specified by the Secretariat;
 - the Secretariat will present the revised draft to the Conference Bureau (or its delegated representatives) for agreement; and
 - the Secretariat will translate and publish the revised draft on the Ramsar website for all participants to view, for discussion and adoption in a plenary session during the final days of the meeting.
21. To ensure that all documentation can be processed and translated in time for discussion in the final plenary sessions at COP13, the Secretariat suggests that a deadline be established such that the results from each working group must be submitted to the Secretariat before noon on the day that is set aside for field visits at COP13, which is 27 October.
22. The Secretariat will publish revisions of draft resolutions, drafts of daily summary reports and other information for meeting participants on its website.