

**CONVENTION ON WETLANDS (Ramsar, Iran, 1971)**  
**31<sup>st</sup> Meeting of the Standing Committee**  
**Gland, Switzerland, 6-10 June 2005**

**DOC. SC31-29**

Agenda item 12

**Proposed amendments to the Rules of Procedure**

**Action requested:** The Standing Committee is invited to consider and approve the attached proposals for changes to the Rules of Procedure for presentation to COP9 for adoption.

**Note by the Ramsar Secretariat**

1. Discussions during the Standing Committee's Subgroup on COP9 meeting in March 2005 concluded that it would be desirable to invite Contracting Parties at COP9 to make amendments to two of the current "Rules of Procedure for meetings of the Conference of the Contracting Parties" to the Convention. Any such changes can only be made by Contracting Parties during a COP.
2. The rationale for these proposed changes, to Rule 5 and Rule 27, is given below. If the Standing Committee agrees, the Secretariat will prepare an amended text of the Rules of Procedure, incorporating these changes, for COP9 consideration. The amended Rules of Procedure would be offered to COP9 for adoption under COP9 Agenda item IV (Adoption of the Rules of Procedure).

**DATES OF MEETINGS: *Rule 5***

3. Rule 5 states that:

"The Bureau 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 days before the opening of the meeting. Only Parties, the Standing Committee and the Conference Committee shall be entitled to submit proposals."
4. Resolution VIII.45 recognised the need to streamline technical and other Resolution processes prior to, and during, the COP in order to maximise the efficiency of the COP procedures. It encourages any Contracting Party considering submitting a draft Resolution (technical or otherwise) to submit it to the Standing Committee before their consideration at the COP. Notwithstanding the current terms of Rule 5, Resolution VIII.45 also encourages Parties to submit proposals for draft technical Resolutions to the Ramsar Secretariat at least 120 days before the start of the COP (i.e., for COP9, by early July 2005).

5. In its advice to the Subgroup on COP9, the Secretariat's analysis of the process of preparing and considering draft COP Resolutions, as embodied in Resolution VIII.45 (DOC. COP9 SG-3), recognized that establishing such a deadline for submission in terms of a number of days prior to COP can mean that the deadline for submission falls after the Standing Committee has met to approve the documents for COP consideration (as is the case with SC31 and COP9). This arises because the dates of the Standing Committee meeting approximately six months before COP are not known at the time of the previous COP. This is clearly not the intent of Resolution VIII.45.
6. In Decision COP9 SG-2 the Subgroup on COP9 instructed the Secretariat to send a diplomatic notification to the Parties requesting them to submit all draft Resolutions for COP9 to the Standing Committee in advance of its 31st meeting, and to circulate all such draft Resolutions with technical content to the STRP for review and advice to the SC and COP, and it requested the Secretariat to review the COP Rules of Procedure with a view to institutionalizing that process.
7. The diplomatic notification (Notification 2005/3) requested Parties to submit any such draft COP9 Resolutions by 30 April 2005, i.e., 40 days prior to the start of the Standing Committee meeting in plenary.
8. In consideration of this, the Secretariat recommends that Rule 5 be amended so that the deadline for submission of draft Resolutions falls 40 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.
9. The amended Rule 5 would thus read:

“The Bureau 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 40 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.”

**SECRETARIAT: *Rule 27***

10. Rule 27 states that:

“1. The head of the Bureau 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.”

11. In its opinion concerning the use of the term “Secretariat” for the body of the Convention responsible for carrying out the continuing bureau duties (DOC. COP9 SG-15), the IUCN Environmental Law Centre pointed out that:

“The “Rules of Procedure for the Meetings of the Conference of Contracting Parties” refer to secretariat functions and define both “Bureau” and “Secretariat”. These definitions taken in isolation support the move towards using the nomenclature of the ‘Ramsar Secretariat’ for the unit within IUCN carrying out the continuing bureau functions, and “the Bureau” for IUCN. However, when read with Rule 27, these definitions could make the Director General of IUCN the Secretary General of the COP, which is clearly not the intention of the Parties.”

12. IUCN-ELC advised that an amendment to the Rules of Procedure is highly desirable to resolve this confusion.

13. The Secretariat therefore proposes that Rule 27.1 be amended to read:

“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.