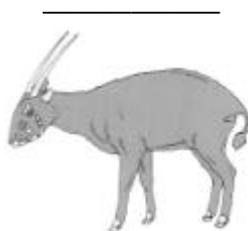


CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Seventeenth meeting of the Animals Committee
Hanoi (Viet Nam), 30 July-3 August 2001

ADOPTION OF THE RULES OF PROCEDURE

1. This document has been prepared by the Secretariat.
2. Following the Secretariat's consultation with the members of the Animals and Plants Committee working group, several changes or additions are proposed to the Rules of Procedure of the Animals and Plants Committees.
3. The proposed changes to the existing Rules are indicated in italics in the draft Rules of Procedure in the Annex and, where necessary, are explained below.
4. Rule 2 has been amended to clarify the role of the alternate regional representative.
5. A new Rule 5 has been introduced to facilitate the preparation of the meeting, in particular the duplication of documents.
6. A new Rule 7 has been added, relating to submission of credentials. This rule was taken from the Rules of Procedure of the Standing Committee.
7. The Secretariat has proposed one change to the Rules of Procedure of the Standing Committee that, if adopted, would be important for the Animals and Plants Committees. This change relates to the distribution of documents before the meeting.
8. The Rules of Procedure of the Standing Committee apply also to the other Committees as far as is practicable [see Resolution Conf. 11.1, under "RESOLVES", paragraph e)]. Rule 19 (see Annex) instructs the Secretariat to distribute documents for a meeting at least 45 days before the proposed date of the meeting. They are to be provided simultaneously in the three working languages of the Convention.
9. Regarding Rule 19, the Animals and Plants Committees have indicated that they wish to amend their Rules of Procedure to have the documents for meetings placed on the Secretariat's website as soon as they become available and in the original language in which they are submitted. The Secretariat considers that this principle should not apply for the Animals and Plants Committees unless it applies also for the Standing Committee. However, it has no objection in principle to the change formulated in the next paragraph.

10. Consequently the Secretariat has proposed, for consideration at the 45th meeting of the Standing Committee, that Rule 20 (similar to Rule 19 in the Annex) of the Rules of Procedure of the Standing Committee be amended as follows (new part in italics):

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

11. If this change is adopted by the Standing Committee, the Secretariat proposes that the same change be made to the Rules of Procedure of the Animals and Plants Committees.
12. The following text (taken from SC45 Doc.2) relates to another change in the Rules of Procedure that, once adopted by the Standing Committee, would have consequences for the Rules of Procedure of the Animals and Plants Committees.
13. *The preparation of a full summary record of each meeting of the Committee has become more and more difficult to complete on time and the Secretariat must recognize that it has been unable, since the 41st meeting, to meet the deadline established in Rule 26 of the Rules of Procedure. The missing records will however be provided in the near future.*
14. *Because of the increasing burden of producing a full record, as has been done in the past, the Secretariat intends in future to provide an abbreviated record of meetings of the Standing Committee. This is for three reasons. The first is that Rule 25 requires that a concise executive summary of decisions of the Committee be prepared and endorsed before the closure of each meeting, and this is done. The second is that there is a high cost to producing a full record of each meeting, since this requires that rapporteurs be employed during the meeting and to write up the record after the meeting. The third reason is that, after each meeting, the task of producing and translating the summary record competes with other priorities and a way needs to be found to minimize this competition.*
15. *The Secretariat therefore intends, starting with the 45th meeting of the Standing Committee, to produce a shorter summary record than hitherto. It will contain, for each agenda item, a short statement about the main arguments or issues raised in the meeting, any statement that a Party has requested be included in the record, and a record of the decision or action taken by the Committee. With this approach, the Secretariat will be able to ensure that it provides the summary records of Standing Committee meetings in good time, in all the working languages, to all Parties for the least possible cost.*
16. *The Secretariat wishes to bring this matter to the attention of the Standing Committee so that it has an opportunity to comment.*
17. The conclusions of the Standing Committee with regard to the changes proposed above, will be communicated to the Animals Committee.

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

Representation and attendance

Rule 1

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

Rule 2

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

Rule 3

Only members of the Committee have the right to vote.

Rule 4

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

Rule 5

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

Rule 6

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

Credentials

Rule 7

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

Officers

Rule 8

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

Rule 9

The Chairman shall preside at meetings of the Committee, approve the provisional agenda prepared by the Secretariat and maintain liaison with other Committees between meetings of the Committee. He/she shall represent the Committee and the Parties as required within the limits of the Committee's mandate, and shall carry out such other functions as may be entrusted to him/her by the Committee and the Standing Committee.

Rule 10

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

Rule 11

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

Meetings

Rule 12

The Committee shall normally meet at least once every year.

Rule 13

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

Rule 14

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

Rule 15

Notice of meetings shall normally be given by the Secretariat at least 75 days, and in case of emergency meetings at least 14 days, in advance of the meeting.

Rule 16

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

Rule 17

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

Rule 18

Documents to be considered by the Committee shall normally be provided to the Secretariat at least 60 days before the meeting where they are to be discussed.

Rule 19

The Secretariat shall distribute documents for any meeting at least 45 days before the proposed date of the meeting where they are to be discussed. The documents shall be provided to all members and alternate members of the Committee, to all Parties that may be directly affected by any discussion of the documents and to all Parties that have informed the Secretariat of their intention to be represented at the meeting.

Rule 20

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

Rule 21

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

Rule 22

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

Rule 23

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

Rule 24

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

Rule 25

A summary record of each meeting shall be prepared by the Secretary and sent to the Parties represented at the meeting within 120 days. The Secretary shall take into account the

comments received within 20 days of the circulation and shall communicate the final summary record to all Parties after it is approved by the Chairman.

Rule 26

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

Communication procedure

Rule 27

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

Rule 28

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

Rule 29

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

Final provisions

Rule 30

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

Rule 31

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

Rule 32

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