



12th Meeting of the Conference of the Parties to the Convention on Wetlands (Ramsar, Iran, 1971)

Punta del Este, Uruguay, 1-9 June 2015

Ramsar COP12 DOC.3

Version with track changes

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

Note by the Secretariat:

Based on the Recommendations made by the Management Working Group, the 48th Meeting of the Standing Committee agreed to focus on the Rules of Procedure for meetings of the Conference of Contracting Parties (COP), to minimize references therein to the Rules of Procedure of Standing Committee and the Scientific and Technical Review Panel, and to focus on the finalization of the Rules of Procedure for these subsidiary bodies after COP12 by adding only those points to the COP rules that need clarification, where the principle that the COP rules can be applied *mutatis mutandis* to other meetings would not hold.

[Showing in brackets, in bolded green text and in ~~strikeout~~, the proposed amendments recommended by the 48th meeting of the Standing Committee] and deletions from original text

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) "Chair" means the Chair elected in accordance rule 26, paragraph 4, of the present rules of procedure;
- e) "Meeting" means any ordinary or extraordinary meeting of the Conference of the Parties convened in accordance with article 6 of the Convention;
- f) "President" means the President elected in accordance with rule 21, paragraph 1, of the present rules of procedure;
- g) "Subsidiary body" means all committees or working groups established by the Conference of the Parties, including the Standing Committee;
- h) "Standing Committee" means the body established by a Resolution of the 3rd Meeting of the Conference of the Contracting Parties;
- i) The "Conference Committee" means the Standing ~~executive~~ committee of the conference which during a meeting plays such a role. ~~and should 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;~~
- j) "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;
- k) "Proposal" means a draft resolution or recommendation submitted by one or more Parties or the Standing Committee or the Conference Committee;
- l) {"Permanent 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.
- m) {The "COP Bureau of the Session" 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~~

{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 previous meeting of the Conference of the Parties, and are encouraged to ~~must~~ include a hosting rationale, the proposed location and venue, and ~~available~~-suggested financial resources as appropriate 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.
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.

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~~-provided 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, specialized agencies and States not Party to the Convention}

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 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 to the Secretariat for consideration ~~including credentials, evidence or approval of the State, and an overview of reasoning~~ three months prior to any meeting}.
3. 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.~~ ~~recognized as observers who desire to be represented at the meeting as observers shall submit the names~~ credentials of these representatives to ~~the Convention~~ the Secretariat at least one month prior to the opening of the meeting}.
4. Such observers may, upon the invitation of the ~~President~~ Chair, 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 ~~of the Convention~~ will maintain a list of bodies or agencies recognized as observers and shall notify those ~~entitled~~ previously approved 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) {The report of the Secretary-General on the work of the ~~Organization~~ Convention};
- 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~~ Any technical/scientific issues related to wetlands conservation and wise use that Parties determine could advance the implementation of the Convention.

Rule 10 {Distribution of documents}

The documents for each ordinary meeting, as per Rule ~~54~~ 51, 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.

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}

1. 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.
- ~~2. {Debate}~~ Decisions regarding actions to add, delete, defer, or amend items to the agenda shall be limited to be taken by a majority vote of the Parties present and voting. ~~three~~

~~speakers in favour of and three against the action. The President may limit the time to be allowed to speakers under the rule.~~

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~~ {15 days prior to twenty-four hours after 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.
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 {either English, French or Spanish} ~~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.

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~~ Chair 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 of 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}

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

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 {one of whom shall act as Rapporteur, are to} 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.{They will serve as the Bureau of the COP session.} 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 {and shall have due regard to the principle of equitable geographical representation.}{The ~~offices of~~ President and Rapporteur officer roles 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 following the vote, 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. Deleted~~ “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.

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.
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.

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

If ~~the President, the Alternate President, and/or the Vice Presidents~~ {an officer of the COP 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.

THE CONFERENCE COMMITTEE, OTHER COMMITTEES AND WORKING GROUPS

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

The contents of this original rule have been reorganized as follows

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.~~

In addition to the Standing Committee of the Convention,¹ the Scientific and Technical Review Panel,² 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.³ 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 of the meeting, 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, 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.
4. (a) Unless otherwise decided by the Conference of the Parties, the chairperson for each ~~such~~ Standing Committee {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~~ 5 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 agreed ~~established for a~~ by a standing committee or subsidiary body, those rules shall apply to the conduct of that body.} At times of conflict, the Rules of Procedure of the COP shall prevail.

¹ Established by COP Resolution 3.3 (1987).

² Established by COP Resolution 5.5 (1993).

³ Note substantive equivalents incorporated in CBD Rule 26.1, UNFCCC Rule 27.2, UNCCD Rule 28.1, CITES Rule 5.3.

- 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 present and voting shall constitute a quorum;
- c) The chairperson of any such body may exercise the right to vote;
- c) ~~There shall be no requirement to provide interpretation in a committee or working group sessions, including the Conference Committee.~~
- d) {The Secretariat shall endeavour to provide interpretation into the official Convention languages in sessions of ~~both~~ the Standing Committee and subsidiary bodies in a phased manner, with due regard to the ~~should~~ manner, should financial ~~impact~~ resources allow}.

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~~ {within available resources, 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 at each Conference of the Parties.}

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 **and voting**.

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. 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 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 ~~proposal amendments or motions~~ {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 favour of and two against the motion, after which it shall be put immediately to the vote.

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.

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 **present and voting** 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}

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.

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 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 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 45 {Voting Procedures}

Original rule 46 is now 45 and has been reorganized along with rules 47 and 49 as follows

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 present and voting 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) ~~However,~~ If at any time a Party requests a secret ballot,~~that 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.
3. 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 46 {Voting Conduct}

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.

ELECTIONS

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 48 {Election to two or more elective ~~places~~ positions}

1. When two or more elective ~~places~~ positions 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 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 49 ~~52~~ {Official languages}

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

Rule 50 ~~53~~ {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 51 ~~54~~ {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~~ **constrain** 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 **{an official}** language shall be accompanied by a translation into one of the ~~working~~ **{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 ~~52~~ **55 {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 **{53} ~~56~~**

~~These rules of procedure shall apply immediately after their adoption.~~

These Rules shall take effect upon adoption by the Conference of the Parties, and shall remain valid for each of its meetings unless amended by majority vote of the Conference of the Parties.

~~upThese rules of procedure shall apply immediately after their adoption.~~

~~These Rules of Procedure will apply immediately after their adoption and are to remain in effect and be presented for adoption at each Conference of the Parties per Article 6 of the Convention until such time as the Parties agree by majority vote to consider further amendments.~~

OVERRIDING AUTHORITY OF THE CONVENTION

Rule **{54} ~~57~~**

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