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# **Inter-American Convention for the Protection and Conservation of Sea Turtles**

## **First Conference of the Parties**

*August 19-22, 2003 - San José, Costa Rica*

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**COP1/2003/R-5**

### **Terms of Reference for the Consultative Committee of Experts of the Inter-American Convention for the Protection and Conservation of Sea Turtles**

The mandate of the Consultative Committee of Experts is established in Article VII (2) of the Convention.

#### **OBJECTIVE**

Advise and guide the Conference of the Parties to comply with the mandate of the Convention in order to promote the protection, conservation and recovery of sea turtle populations and of the habitats on which they depend, based on the best available scientific evidence, taking into account the environmental, socioeconomic and cultural characteristics of the Parties.

#### **FUNCTIONS OF THE CONSULTATIVE COMMITTEE OF EXPERTS**

The Consultative Committee of Experts, on complying with Article VII (2) of the Convention, will take into consideration the opinions and recommendations of the Scientific Committee and the expert groups created to advise it, in accord with Article VII (4), and, taking into account the opinions of its multisectoral members, must:

1. Prepare and update its Work Plan, pursuant to the guidelines of the Convention, and the accords and resolutions of the Conferences of the Parties (COPs).
2. To present to the COP, through the Secretariat, opinions and recommendations that promote the objective of the Convention, on the following issues, *inter alia*:
  - a. Amendments, creation of additional annexes and Complementary Protocols to the Convention;
  - b. The actions of one or more Parties that in any way affect the objective of the Convention;
  - c. Agenda items for the COP;
  - d. Measures to promote synergy and cooperation with international organizations, conventions and other international organisms pertinent to the objective of the Convention, as well as considerations for their follow-up, taking into account the Guidelines for International Cooperation adopted by the Parties; and
  - e. Measures to promote mechanisms of cooperation with the private sector, scientific community, and non-governmental organizations (NGOs), as well



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as considerations for their follow-up, taking into account the Guidelines for International Cooperation adopted by the Parties.

3. Analyze the economic and social impacts of the different proposals and measures adopted to reduce incidental or directed capture and mortality of sea turtles, in order to recommend corresponding actions to the Parties.
4. Periodically evaluate, in collaboration with the Scientific Committee, the format of the Annual Report for the Parties, in accord with Annex IV of the Convention.
5. Support the Secretariat in the creation and maintenance of an up-to-date directory of sectoral experts, which will be available to the Parties and for whomever else requests. {Note: Article VI (1) (d) of the Convention}
6. Collaborate with the Secretariat in the elaboration and dissemination of information and educational materials, referred to in Article VI (1) (d).
7. Support the Parties with specialized information relevant to the Convention.

### **STRUCTURE OF THE CONSULTATIVE COMMITTEE OF EXPERTS**

#### Procedure for official representatives

1. Pursuant to Article VII (1) (a) of the Convention, each Party may appoint one representative to the Consultative Committee, who may be accompanied at each meeting by advisors.
2. Each Party will notify the Secretariat, through diplomatic channels or via the designated focal point, the name of its official representative to the Consultative Committee. The Secretariat will circulate the list of official representatives to all the Parties.
3. The term for official representatives to the Consultative Committee shall be 2 years. In the case that the official representative of a Party will not complete his or her term, the Party will immediately provide the Secretariat with the name of the new official representative who will complete the term. The Secretariat will then forward the name of the new official representative to all the Parties.

#### Procedure for sectoral representatives



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4. Pursuant to Article VII (1) (b) of the Convention, the Parties shall also appoint, by consensus, three representatives, with recognized expertise in matters pertaining to this Convention, from each of the following groups, for a total of nine representatives:
  - a. The scientific community;
  - b. The private sector; and
  - c. Non-governmental organizations.
  
5. The Secretariat, in coordination with the Parties, will issue a public call for nominations at least 120 days before the COP to receive nominations from the Parties, individuals or entities. The nominations shall include the following information, which will be provided in the working languages of the Conference of the Parties:
  - a. Sectoral group being nominated and justification for this choice;
  - b. Name of candidate, entity, institution or organization;
  - c. Affiliation; and
  - d. *Curriculum vitae*, profile or other documentation of qualifications or recognized expertise.
  
6. Nominations for the sectoral representatives shall be transmitted by the Secretariat no later than 90 days before the Conference of the Parties in which new appointments will be made.
  
7. For the designation of the sectoral representatives, the Parties will take into account the importance of the Consultative Committee having experts with knowledge and experience in matters pertaining to the convention, as well as in the geographic areas of the hemisphere where the sea turtles occur.
  
8. Sectoral representatives shall be appointed to the Consultative Committee for a period of two years. The appointment of any sectoral representative may be renewed with the consensus of the Parties.

### Interim procedure

In order to facilitate the constitution and first meeting of the Consultative Committee in advance of the Second Conference of Parties, an interim procedure for the nomination and appointment of sectoral representatives between COP 1 and COP 2 will be utilized.

9. The Interim Procedure will be as follows:
  - a. Nominations shall be received by the Secretariat no later than 60 days following the closing of the First Conference of the Parties;



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- b. The nominations shall include the information outlined in paragraph 5 above;
  - c. The Secretariat within 15 days after the deadline for the reception of the sectoral nominations will use the means and procedure described in Rule 5.5, in reference to the adoption of decisions;
  - d. Parties shall communicate to the Secretariat their preferences for the 9 sectoral positions within 30 days;
  - e. The Secretariat shall then circulate the list of 9 potential appointees receiving the most expressions of support within 15 days for the approval of the Parties. The Parties shall communicate within the following 15 days their decision on the final list of potential appointees. In the event that two or more potential appointees receive the same number of expressions of support, the Secretariat shall re-circulate those specific nominees for the Parties to again make their preference known in accordance with paragraph 10 (d); and
  - f. In the event that the Parties do not reach consensus on the final list of potential appointees using this procedure, the decision will be deferred until the Second Conference of the Parties.
10. The Procedure for Official Representatives, referred to in paragraphs 1 to 3, will be maintained while the Interim Procedure is applied.
11. Following COP 2, the Procedure for Sectoral Representatives, referred to in paragraphs 4 to 8 of this section, will be in effect.

### **MEETINGS OF THE CONSULTATIVE COMMITTEE OF EXPERTS**

1. The meetings of the Consultative Committee will be conducted in accordance with the Rules of Procedure for Meetings of the Parties to the Convention, except when an additional specific rule for better operation of the Committee has been approved by the Conference of the Parties, pursuant to Rules 14.1 and 14.2.
2. The meetings of the Consultative Committee will take place, preferably after the meetings of the Scientific Committee, and in accordance with Article VII (3) of the Convention, at least once a year, taking into account funding available for this purpose in the Inter-American Convention Special Fund.
3. The Conference of Parties may request that the Consultative Committee convene an extraordinary meeting.



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4. The Consultative Committee, to perform its duties, may establish sub-committees or work groups, as appropriate.
5. The Chairman and/or Rapporteur of the Scientific Committee will be invited to participate in the meetings of the Consultative Committee.
6. Observers may participate in the meetings of the Consultative Committee, in accordance with Rule 11 of the Rules of Procedure for Meetings of the Parties to the Convention.

### **CONFIDENTIALITY OF INFORMATION**

Members of the Consultative Committee of Experts shall maintain as reserved all information that they may have obtained or had access to during their tenure, which is categorized by the Parties as confidential. Likewise, they must abstain from using that information for objectives different or contrary to those established in the Convention.

San José, Costa Rica, August 2003