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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-4

## Rules of Procedure for Meetings of the Parties to the Inter-American Convention for the Protection and Conservation of Sea Turtles

### RULE 1 APPLICATION

These rules shall apply to any meeting of the Conference of the Parties to the Inter-American Convention for the Protection and Conservation of Sea Turtles held pursuant to Article V.

### RULE 2 DEFINITIONS

In addition to the definitions under Article I of the Convention, for the purposes of the foregoing Rules of Procedure, the following definitions shall apply:

1. *Convention*: The Inter-American Convention on the Protection and Conservation of Sea Turtles;
2. *Rules of Procedure*: The Rules of Procedure for the Meetings of the Conference of the Parties of the Convention;
3. *Conference of the Parties*: The meetings of the Parties established pursuant to Article V of the Convention;
4. *Meeting*: Any ordinary or extraordinary meeting of the Conference of the Parties held pursuant to Article V of the Convention;
5. *Chair*: The person elected to preside the Conference of the Parties pursuant to the Rules of Procedure;
6. *Subsidiary Bodies*: Any committee or working group established by the Convention or the Conference of the Parties, including the Consultative Committee and the Scientific Committee, whenever they are established;
7. *Secretariat*: The entity responsible for carrying out the functions described in Article VI of the Convention, established pursuant to the Rules of Procedure;
8. *Focal Point*: Any government entity designated by a Party to act as liaison with the Secretariat and Subsidiary Bodies created under the Convention;

### RULE 3 MEETINGS

The Meetings of the Conference of the Parties shall be held under the terms and conditions established in Article V of the Convention and meetings shall be subject to a quorum of at least two thirds of the Parties to the Convention.



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### **RULE 4 REPRESENTATION**

- 4.1 Each Party shall notify the Secretariat, through the official channels it deems appropriate, of the conformation of its delegation to the meeting of the Conference of the Parties.
- 4.2 Each Party shall designate a Focal Point with the main responsibility of acting as liaison with the Secretariat in the period between meetings.

### **RULE 5 DECISION-MAKING**

- 5.1 Decisions shall be adopted by consensus of the Parties pursuant to Article V (5) of the Convention. For adopting a decision, quorum shall consist of no less than two thirds of the Parties to the Convention.
- 5.2 Consensus shall exist when there is general agreement among the Parties, unless a delegation expressly states its opposition.
- 5.3 For decision-making on financial and budgetary matters, the Parties shall consider any recommendations made by the Secretariat for resource optimization, distribution of financial burdens and possible funding sources.
- 5.4 For decision-making on matters pertaining to the Subsidiary Bodies, Parties shall take into consideration any recommendations made by them. In case the Conference of the Parties decides not to accept said recommendations, said matters could be sent back to the appropriate Subsidiary Body for further analysis and submission of new recommendations.
- 5.5 In case a decision needs to be made between sessions, particularly in cases of emergency that cannot wait until an ordinary or extraordinary meeting is held, a decision may be adopted by correspondence or electronic means, no longer than thirty (30) days after the determination that said decision be made by those means. In that case, the following shall apply:
- a) The Chair, through the Secretariat, shall explain the issue or problem and suggest alternatives for solutions to the Parties.
  - b) The Parties shall promptly acknowledge receipt of any request for a decision through these means.



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- c) Should acknowledgement of receipt not be received within a week of the transmittal date, the Secretariat shall re-transmit the request and shall use all additional means available to ensure it has been received.
- d) Should the Secretariat receive no answer from a Party that acknowledges receipt within the required period, this Party shall be recorded as having abstained, but this will not prevent adoption of the decision.
- e) The Secretariat shall communicate to the Parties any decisions made by these means as soon as possible but no later than fifteen (15) days.

### **RULE 6 AGENDA**

- 6.1 The provisional agenda for the meeting of the Conference of the Parties shall be prepared by the Secretariat following the instructions of the Chair, as well as any requests by the Parties, and shall be forwarded, together with any necessary supporting documentation, to all Parties and observers, no less than ninety (90) days prior to the date of the meeting.
- 6.2 Any comment or suggestion made by the Parties received after distribution of the provisional agenda but no less than sixty (60) days prior to the date of the meeting shall be taken into consideration, unless related to urgent matters, which shall be allowed to be presented up to thirty (30) days prior to the opening of the meeting.
- 6.3 The provisional agenda for each ordinary meeting shall include, as appropriate:
- a) Items provided for by the Convention, including that set forth in Article V(3);
  - b) Any items to be included from previous meetings, as decided by the Parties;
  - c) Any item proposed by a Party prior to approval of the provisional agenda;
  - d) Any other items the Conference of the Parties deems necessary for consideration.
- 6.4 At the start of each meeting, the Chair shall submit the provisional agenda to the Conference of the Parties for approval.

### **RULE 7 DEBATES**

- 7.1 The meetings of the Conference of the Parties and of the subsidiary bodies shall be open, unless the Parties or the relevant body decides otherwise.



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- 7.2 No representative may take the floor in meetings of the Conference of the Parties without prior authorization from the Chair, who shall yield the floor in the same order as requests are made.
- 7.3 During the discussion of an issue, any Party may present a motion of order and the Chair shall immediately act on it, pursuant to the provisions of these Rules of Procedure. Any Party making a motion of order may not at the same time speak to the substance of the issue under discussion.
- 7.4 During a debate, the Chair may develop a list of speakers and with the agreement of the Conference of Parties, declare the list to be closed. However, the Chair may grant the right of response to any Party if an intervention made after the list was closed makes it necessary.
- 7.5 During the debate of any issue, any Party may propose suspending, adjourning, or postponing the debate. Said motions shall immediately be submitted to the Parties for a decision, including a decision on the resumption of the debate.
- 7.6 The observers may have the opportunity to participate in the debates. The Chair will make all efforts that the debates are not exclusive to the observers..
- 7.7 Any Party may request an executive session or heads of delegation meeting due to issues of confidentiality.

### **RULE 8 CHAIR, VICE-CHAIR AND RAPPORTEUR**

- 8.1 The Conference of the Parties shall elect the Chair, the Vice-Chair and the Rapporteur at the end of the ordinary meeting, to act in that capacity until the end of the next ordinary meeting.
- 8.2 The Chair, Vice Chair and Rapporteur may be re-elected. The Chair, the Vice-Chair and the Rapporteur shall assume their positions immediately after being elected.
- 8.3 The functions of the Chair of the Conference of the Parties shall be:
- a) To open and adjourn each meeting;
  - b) To preside the meetings;
  - c) To direct the meetings pursuant to the approved agenda;
  - d) To guide the discussions, to submit issues for decision by the Parties and to announce any decisions;



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- e) To yield the floor;
- f) To determine, upon consultation with the Secretariat, the draft provisional agenda and the provisional agenda for each Conference of the Parties;
- g) To sign the report of each meeting prior to its distribution to the Parties and other interested persons, as appropriate;
- h) To give follow-up to decisions and resolutions from the Conference of the Parties, in collaboration with the Secretariat.

8.4 When the Chair is temporarily unable to participate, the Vice-Chair shall take on the functions of the Chair.

8.5 Should the position of Chair is left vacant permanently, the Vice-Chair shall take on the duties of the Chair until the Parties elect a new Chair.

8.6 The Chair or the Vice-Chair, while chairing the Conference of the Parties shall not participate in decision-making, unless expressly on behalf of his/her delegation.

8.7 The Rapporteur shall assist the Secretariat in drafting the meeting reports, the minutes of the meetings and any other functions assigned to him under these Rules of Procedure and others assigned by the Conference of the Parties.

### **RULE 9 LANGUAGE**

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

9.2 Any interventions in one of the working languages shall be interpreted to the other. In case a different language is used, the Party or observer involved shall see that it is interpreted into the working languages.

9.3 All official publications and communications shall be prepared in the official languages, as appropriate.

### **RULE 10 DOCUMENTS, FILES AND REPORTS**

10.1 Documents prepared for discussion at the Meetings, shall be written in one of the working languages and translated into the other, to be distributed prior to the relevant meeting. If necessary, and unless a Party is not opposed, the Chair may allow



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discussions on documents that were not translated into the working languages, or that were distributed on the same day of the session where they are to be discussed.

10.2 The minutes of each meeting of the Conference of the Parties shall be prepared by the Rapporteur, with support of the Secretariat and distributed to the Parties for their review no later than 15 days after the end of the meeting. The Parties shall have 30 days to make comments. In case there are substantive comments or observations, the Secretariat shall forward these to the other Parties. After exhausting the exchange of communications, the minutes shall be deemed to be approved.

10.3 The minutes, memoirs, summary reports, proposals, as well as any other document emanating from the Conference and adopted by it, shall be transmitted by the Secretariat to the Parties and made available to the participants as soon as possible after each meeting.

10.4 Resolutions, recommendations and decisions adopted by the Conference of the Parties shall be forwarded by the Secretariat to the Parties and made available to the participants as soon as possible after each meeting, and in no case no later than thirty (30) days after the conclusion of the relevant meeting.

10.5 The Conference of the Parties shall adopt an annual report, or bi-annual, as appropriate, of its activities, which shall include:

- a) A report on the activities carried out by the Conference during the inter-sessional period;
- b) A report of ordinary and extra-ordinary meetings;
- c) An executive summary of the reports set forth in Article XI of the Convention; and,
- d) An executive summary of the reports on activities carried out by the Subsidiary Bodies during the corresponding period.

### **RULE 11 OBSERVERS**

11.1 Interested States and international organizations may participate in the Conference of the Parties as observers, in accordance with Article V (6). The Secretariat will extend the corresponding invitations.

11.2 Organizations or individuals of the private sector, scientific institutions and non-governmental organizations with recognized expertise in matters pertaining to



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Convention may solicit their accreditation to participate as observers in the Conference of the Parties, in accordance with Article V (6).

- 11.3 Once the place and date of the next Conference of Parties are defined, the Secretariat, in consultation with the host country, will determine the deadline for the reception of requests for accreditation consistent with Rule 11.6.
- 11.4 For their accreditation, the applicants of the private sector, scientific institutions, and non-governmental organizations, must include in their respective requests the following information:
- a) experience related with the matters of the Convention,
  - b) legal status in accordance with the legislation of the country of origin, when appropriate.
- 11.5 Once the participation of an observer is accredited, they must notify the Secretariat of their intention to participate when a Conference of Parties is convened.
- 11.6 The Secretariat will distribute among the Parties a list of the observers requesting participation, at least 90 days before the next Conference of the Parties, including the order of presentation of the requests and also information about the logistic capacity of the organizers.
- 11.7 For extra-ordinary meetings of the Conference of the Parties, in accordance with Rule 12.4, only observers accredited for the previous Conference may participate.
- 11.8 Observers may participate in meetings of the Convention and its Subsidiary Bodies, consistent with Rules 7.1 and 7.7.
- 11.9 The Parties, through the Secretariat, may require observers to pay reasonable fees to cover the costs related with their participation.
- 11.10 Observers must comply with all the rules, procedures, and norms applicable to the other participants in the meeting.
- 11.11 The documentation distributed to the Parties will be available for observers, except that which the Parties consider to be of reserved use.
- 11.12 Observers may distribute documents through the Secretariat, make declarations, or be involved in other activities, as appropriate and with previous authorization of the President. All that information distributed by an observer without heeding the above may be retracted by instructions from the President.



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11.13 If an observer is undermining the objectives of the Convention or is not complying with Rule 11.10 or other applicable Rules of Procedure, their accreditation will be withdrawn at the request of a Party when the Party submits such a request, with a written justification, to the Secretariat. The withdrawal of accreditation will be effective immediately.

11.14 The Secretariat, in accordance with Resolution COP1-001 (3) (b), will maintain a register of observers who participate in the Conferences of the Parties.

### **RULE 12 DATE AND PLACE OF MEETINGS**

12.1 Ordinary meetings of the Conference of the Parties shall be convened pursuant to Article V of the Convention.

12.2 Meetings of the Conference of the Parties shall be held in the country chosen by the Conference of the Parties at its previous meeting, based on the official invitation of the Party. The host Party shall determine the exact dates and duration of each ordinary meeting, after consultation with the Secretariat and the other Parties.

12.3 Extraordinary meetings of the Conference of the Parties shall be convened only after a Party so requests it from the Secretariat, pursuant to Article V (2) of the Convention.

To the extent possible, an extraordinary meeting may be convened if in a period equal or smaller than 120 days another meeting of the Conference of the Parties has been scheduled.

12.4 The majority of the States shall support the request for an extraordinary meeting, provided that the Parties have approved holding said meeting no later than thirty (30) days from the date of the request. The meetings shall be convened no later than ninety (90) days from the date the request receives support by the majority.

### **RULE 13 AMENDMENTS AND INTERPRETATION OF THE RULES**

13.1 A Party may propose amendments to these Rules of Procedure by submitting to the Chair of the Conference of the Parties, through the Secretariat, the text of the proposed amendment, no later than ninety (90) days prior to the next Meeting of the Parties. The Chair shall forward any proposed amendment to all Parties, through the Secretariat, no later than fifteen (15) days after receipt. Any proposed amendment shall be included in



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the provisional agenda of the next ordinary meeting of the Conference of the Parties.

13.2 Any amendment to the Rules of Procedure shall enter into force immediately upon adoption by the Parties.

13.3 Should any doubts arise regarding the scope or meaning of the Rules of Procedure, it shall be up to the Conference of the Parties to make a decision to this effect.

### **RULE 14 SUBSIDIARY BODIES**

14.1 These Rules of Procedure shall apply, *mutatis mutandis*, to the meetings of the Subsidiary Bodies established pursuant to Articles VII and VIII of the Convention, as well as to those of any other Subsidiary Body approved by the Conference of the Parties and in accordance with the Terms of Reference established for them by the Conference of the Parties.

14.2 In case a Subsidiary Body requires additional specific rules for better operation, these shall be approved by the Conference of the Parties.

San José, Costa Rica, August 2003