



**Inter-American Convention for the Protection and
Conservation of Sea Turtles
Fifth Conference of the Parties
*June 1-3, 2011 - Bonaire***

CIT-COP5-2011-R3

Establishment and Operation of a Permanent Secretariat

CONSIDERING that Article VI of the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC) contemplates the establishment and functions of a Secretariat by the Parties;

TAKING INTO CONSIDERATION that at the First Conference of the Parties, through Resolution CIT-COP1-2002-R1, a *Pro Tempore* Secretariat was established for a period of two years, which was then extended for successive two-year periods and continues to function;

RECOGNIZING the need to have a permanent administrative body that has the necessary resources to carry out the functions as established in Article VI of the Convention and comply with the mandates of the Conference of the Parties.

TAKING ALSO INTO ACCOUNT the terms of reference for the IAC Permanent Secretariat approved at the First Extraordinary Meeting of the Parties, through the Resolution CIT-COPE1-2007-R1;

RECOGNIZING the need to evaluate the most appropriate methods to address important points regarding the operation of the Permanent Secretariat, including, among others, points related to its legal status and contracting personnel;

RECALLING the Resolution CIT-COP4-2009-R2 through which a Working Group on the Legal Framework of the Convention and Permanent Secretariat was established to evaluate the most appropriate methods to address those important points regarding the operation of the Permanent Secretariat and to present to the Parties the possible alternatives;

TAKING INTO CONSIDERATION the exchange of different viewpoints that occurred during the COP5IAC;

TAKING ALSO INTO CONSIDERATION the Resolution CIT-COP4-2009-R4 that accepted the proposal by the United States presented in Annex I to host the *ProTempore* Secretariat for a period of up to four (4) years and to undertake the functions and duties described in Article VI of the Convention, as well as any other tasks and mandates assigned by the Conference of the Parties, taking into account the interim nature of the arrangement and the availability of resources.

RECOGNIZING that despite the fact that the issues of the legal status of the Permanent Secretariat continue to be unresolved, the need remains to move forward in establishing and operating the Permanent Secretariat as contemplated in article VI of the IAC Convention.



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**THE FIFTH CONFERENCE OF PARTIES OF THE INTER-AMERICAN
CONVENTION FOR THE PROTECTION AND CONSERVATION OF SEA
TURTLES**

RESOLVE TO:

- 1) Renew and revise the mandate of the Working Group on the Legal Framework of the Convention and Permanent Secretariat to include the tasks of identifying potential options for the location and establishment of the Permanent Secretariat.
 - a) The Working Group will have the mandate of analyzing different alternatives with the purpose of finding the most appropriate framework for the operation of the Permanent Secretariat, including not only its legal structure, but also the identification of potential host and the terms and conditions of the location arrangements. In these tasks the working group will consider the relevant practical experiences relating to the application of other environmental agreements. A report of this analysis shall be presented to the Parties, through the *Pro tempore* Secretariat, by the end of December 2011.
 - b) Concurrently, by the end of 2011, the Working Group will identify possible host international organizations and work with the *Pro Tempore* Secretariat to solicit formal hosting proposals from these international organizations as well as the Parties of the Convention. Any formal hosting proposals must be received by the *Pro Tempore* Secretariat no later than the end of June of 2012.
 - c) The Working Group will review and analyze the proposals received and submit a second report with recommendations to the Parties through the *Pro Tempore* Secretariat by the end of 2012 for consideration by the COP6. In the event that no proposal is received, this second report will consist of recommendations of potential alternative arrangements.
 - d) To facilitate its discussion during the COP6, the Working Group will submit specific proposals for adoption by the Parties, no less than ninety (90) days prior to the date of the meeting.
 - e) During this process the Working Group shall continue to analyze the possibility and need to provide the Permanent Secretariat with international legal personality. The Working Group in coordination with the *Pro Tempore* Secretariat may solicit from the Parties information necessary to support its work. This analysis and any possible amendment proposal to the Convention shall be submitted to the Parties no less than sixty (60) days prior to the date of COP6.



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- 2) The Working Group will be made up of those Parties that express interest within a period of thirty (30) days from the approval of this resolution.
- 3) The activities of the Working Group will be developed mainly through e-mail, telephone or video conferences. When the delegated task at hand has made sufficient advances, a meeting in person of the different members may be considered if deemed necessary.
- 4) The *Pro Tempore* Secretariat will offer their support to the Working Group so that they may begin as soon as possible and satisfactorily comply, in both time and format, with the task delegated to them in virtue of this resolution.