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PROGRAMME DES NATIONS UNIES POUR L'ENVIRONNEMENT · PROGRAMA DE LAS NACIONES UNIDAS PARA EL MEDIO AMBIENTE
ПРОГРАММА ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ ПО ОКРУЖАЮЩЕЙ СРЕДЕ



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Conference of the Parties to the Framework Convention on the Protection and Sustainable Development of the Carpathians

First meeting

Kyiv, Ukraine, 11-13 December 2006
Item 4 of the provisional agenda

Secretariat note on the draft rules of procedure for the meetings of the Conference of the Parties to the Carpathian Convention

Introduction

1. Paragraph 2 (g) of Article 14 of the Carpathian Convention stipulates that the Conference shall adopt its Rules of Procedure.
2. To facilitate the Carpathian Convention Conference of the Parties to perform the above duties, the Secretariat prepared the Draft Rules of Procedure presented below.
3. The Second Preparatory Meeting for the First Meeting of the Conference of the Parties to the Carpathian Convention reviewed the Draft Rules of Procedure for the Meetings of the Conference of the Parties to the Carpathian Convention and agreed that comments provided by the Czech and Polish delegations will be circulated and – in the absence of reactions within two weeks after circulation– included in the text.
4. **Since no reactions to the contrary were received, it is recommended that the First Meeting of the Conference of the Parties adopts the Draft Rules of Procedure for the Conference of the Parties contained in the Annex to this note, into which the comments by the Czech Republic and by Poland have been incorporated.**

Proposed action by the Conference of the Parties

5. The Conference of the Parties may decide to adopt the Rules of Procedure for the Conference of the Parties contained in the Annex to the present note.

For reasons of economy, this document is printed in a limited number. Delegates are kindly requested to bring their copies to meetings and not to request additional copies.

Annex

Draft Rules of Procedure
for the Meetings of the Conference of the Parties to the Framework
Convention on the Protection and Sustainable Development of the Carpathians

Rule 1

These rules of procedure shall apply to any meeting of the Conference of the Parties to the Framework Convention on the Protection and Sustainable Development of the Carpathians convened in accordance with Article 14 of the Convention.

DEFINITIONS

Rule 2

For the purposes of these rules:

- (a) "Convention" means the Framework Convention on the Protection and Sustainable Development of the Carpathians adopted in Kyiv, Ukraine, on 22 May 2003;
- (b) "Parties" means Parties to the Convention;
- (c) "Conference of the Parties" means the Conference of the Parties established in accordance with Article 14 of the Convention;
- (d) "Meeting" means any ordinary or extraordinary meeting of the Conference of the Parties convened in accordance with Article 14 of the Convention. "Session" means a part of any ordinary or extraordinary meeting of the Conference of the Parties.
- (f) "President" means the President elected in accordance with rule 16, paragraph 1, of the present rules of procedure;
- (g) "Secretariat" means the Secretariat established under article 15 of the Convention;
- (h) "Subsidiary body" means a subsidiary body established in accordance with Article 14 paragraph 2(e) of the Convention that may include thematic working groups or committees;
- (i) "Parties present" means Parties present at the session at which decision-making takes place;
- (j) The "Bureau" means the executive body established under rule 16 of the present rules of procedure.

PLACE OF MEETINGS

Rule 3

Each ordinary meeting of the Conference of the Parties shall decide on the place of the following ordinary meeting, unless other appropriate arrangements are made by the Secretariat in consultation with Bureau.

DATES OF MEETINGS

Rule 4

1. Ordinary meetings of the Conference of the Parties shall be held every three years. The Conference of the Parties may at any time review the periodicity of its ordinary sessions in the light of the progress achieved in the implementation of the Convention.
2. At each ordinary meeting, the Conference of the Parties shall set the indicative date for the opening and the duration of the next ordinary meeting.
3. Extraordinary meetings of the Conference shall be held at such other times as may be decided either by the Conference at a ordinary meeting or at the written request of any Party, provided that, within three months of the request being communicated to all the other Parties by the Secretariat, it is supported by at least two third of the Parties.
4. In the case of an extraordinary meeting convened at the written request of a Party, it shall be convened not later than ninety days after the date at which the request is supported by at least two third of the Parties in accordance with paragraph 3 of this Rule.

Rule 5

The Secretariat shall notify all Parties of the dates and venue of the ordinary meeting of the Conference of the Parties at least three months before the meeting is due to commence and of the extraordinary meeting at least two months before it is due to commence.

AGENDA

Rule 6

In agreement with the President, the Secretariat shall prepare the provisional agenda of each meeting of the Conference of the Parties.

Rule 7

The provisional agenda of each ordinary meeting shall include, as appropriate:

- (a) Items arising from the articles of the Convention, including those specified in Article 14 of the Convention;
- (b) Items the inclusion of which has been decided at a previous meeting;
- (c) Items referred to in rule 13 of the present rules of procedure;
- (d) Any item proposed by a Party and received by the Secretariat before the provisional agenda is produced;
- (e) The proposed budget as well as all questions pertaining to the accounts and financial arrangements.

Rule 8

The provisional agenda, together with supporting documents, for each ordinary meeting shall be distributed at least six weeks before the opening of the meeting, in the working language provided by the Secretariat in accordance with Rule 36.

Rule 9

The Secretariat shall, in agreement with the President, include any item, which is 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 10

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.

Rule 11

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. It shall be distributed to the Parties at the same time as the invitation to the extraordinary meeting.

Rule 12

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 they are considered by it. Unless the Conference of the Parties decides otherwise, no such item shall be considered until the Conference of the Parties has received the Secretariat's report on the administrative and financial implications.

Rule 13

Any agenda item 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 14

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. 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 15

The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Executive Secretary of the Conference of the Parties or the representative of the Executive Secretary if possible not later than twenty-four hours after the opening of the meeting. Any later change in the composition of the delegation shall also be submitted to the Executive Secretary or the representative of the Executive Secretary.

OFFICERS

Rule 16

1. Each party shall be represented in the Bureau. At the commencement of the first session of each ordinary meeting, a President, 5 Vice-Presidents and a Rapporteur are to be elected. They will serve as the Bureau of the meeting.
2. The President of the Conference of the Parties shall be held in turn by each Party in alphabetical order of the names of the Parties in English language, unless otherwise decided by the Conference of the Parties.
3. The President, the Vice-Presidents and the Rapporteur elected at an ordinary meeting shall remain in office until their successors are elected at the next ordinary meeting. Their function in the intervening period shall be to serve in the capacity at any extraordinary meeting and to provide guidance to the Secretariat with regard to preparations for and conduct of meetings of the Conference of the Parties.
4. The 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.

Rule 17

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, ensure the observance of these rules, accord the right to speak, put questions for decision-making 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, a limitation on the time to be allowed to speakers and on the number of times each representative 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 18

The President, if temporarily absent from a session or any part thereof, shall designate a Vice-President to act as President. The Vice-President acting as President shall have the same powers and duties as the President.

Rule 19

If an officer of the Bureau resigns 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 20

At the first session of each ordinary meeting, the President of the previous ordinary meeting, or in the absence of the President, the Vice-President, shall preside until the Conference of the Parties has elected a President for the meeting.

SUBSIDIARY BODIES

Rule 21

1. The Conference of the Parties may establish such subsidiary bodies, including thematic working groups, as are deemed necessary for the implementation of the Convention, regularly review reports submitted by its subsidiary bodies and provide guidance to them. The subsidiary bodies, including thematic working groups established in accordance with Article 14 paragraph 2 (e), shall provide the Conference, as necessary, with technical assistance, information and advice on specific issues related to the protection and sustainable development of the Carpathians.

2. Where appropriate, meetings of subsidiary bodies shall be held in conjunction with meetings of the Conference of the Parties. The Conference of the Parties may decide that any such subsidiary bodies may meet in the period between ordinary meetings.

3. Unless otherwise decided by the Conference of the Parties, the chairperson for each such subsidiary body shall be elected by the Conference of the Parties. The Conference of the Parties shall determine the matters to be considered by each such subsidiary body and may authorize the President, upon the request of the chairperson of a subsidiary body, to make adjustments to the allocation of work.

4. Subject to paragraph 3 of this rule, each subsidiary body shall elect its own officers.

5. Unless otherwise decided by the Conference of the Parties, these rules shall apply *mutatis mutandis* to the proceedings of subsidiary bodies, except that the Chairperson of a subsidiary body may represent the Party in the session.

SECRETARIAT

Rule 22

1. The Head of the Secretariat of the Convention shall be the Executive Secretary of the Convention. The Executive Secretary or the representative of the Executive Secretary shall act in that capacity in all meetings of the Conference of the Parties and of subsidiary bodies.

2. The Executive Secretary shall provide and direct the staff required by the Conference of the Parties or subsidiary bodies.

Rule 23

The Secretariat shall, in accordance with these rules:

- (a) Prepare, publish and circulate among Parties documents of the session;
- (b) Make and arrange for keeping of sound recordings of the session;
- (c) Arrange for the custody and preservation of the documents of the session;

- (d) Generally perform all other work that the Conference of the Parties may require;
- (e) Make available documents accessible to the public.

CONDUCT OF BUSINESS

Rule 24

1. Meetings of the Conference of the Parties shall be held in public, unless the Conference of the Parties decides otherwise.
2. Meetings of subsidiary bodies shall be held in public unless the subsidiary body concerned decides otherwise.

Rule 25

The President may declare a meeting open and permit the debate to proceed if at least a majority of the Parties to the Convention are present.

Rule 26

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 27, 28, 29 and 31, 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 representative 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.

Rule 27

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 28

During the discussion of any matter, a representative may at any time raise a point of order, which shall be decided immediately by the President in accordance with these rules. A representative may appeal against the ruling of the President. The appeal shall be put to the decision-making immediately and the ruling shall stand unless overruled by consensus of the Parties present. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 29

Any motion calling for a decision on the competence of the Conference of the Parties to discuss any matter or to adopt a proposal or an amendment to a proposal submitted to it shall be put to decision-making before the matter is discussed or a decision is made on the proposal or amendment in question.

Rule 30

Proposals and amendments to proposals shall normally be introduced in writing by the Parties and handed to the Secretariat, which shall circulate copies to delegations. Nevertheless, the President may, in exceptional circumstances and in cases of urgency, permit the discussion and consideration of proposals, amendments to proposals or of procedural motions even though these proposals, amendments or motions have not been circulated.

Rule 31

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 decision-making.

Rule 32

A proposal or motion may be withdrawn by its proposer at any time before a decision on it is made, provided that the motion has not been amended. A proposal or motion withdrawn may be reintroduced by any other Party.

Rule 33

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting, unless the Conference of the Parties by consensus of the Parties present, decides in favour 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 decision-making.

DECISION-MAKING

Rule 34

All decisions of the Conference of the Parties on all matters shall be reached by consensus.

PARTICIPATION OF OBSERVERS

Rule 35

1. Any other State, and any national, intergovernmental or non-governmental organization with activities related to the Convention may participate as observer at the ordinary and extraordinary meetings of the Conference.

2. The Secretariat shall compile and regularly update the list of such organizations, agencies and entities. Such a list shall be communicated by the Secretariat to the Bureau of the Conference of the Parties prior to each meeting of the Conference of the Parties.

3. The Secretariat shall notify the observers of the dates and venue of a meeting at least one month before the session is due to commence.

3. The observers may participate, in the deliberations of the Conference of the Parties and its subsidiary bodies, on questions within their competence or scope of activities.

4. Such observers may present any information or report relevant to the objectives of the Convention.

LANGUAGES

Rule 36

1. The working language of the Conference of the Parties shall be English.

2. A representative of a Party may speak in a language other than the working language, if the Party provides for interpretation into the working language.

3. Official documents of the meetings shall be produced in the working language provided by the Secretariat in accordance with paragraph 1 of this Rule.

AUDIO RECORDS OF THE SESSIONS

Rule 37

Audio records of the sessions of the Conference of the Parties, and whenever possible of its subsidiary bodies, shall be kept by the Secretariat in accordance with the practice of the United Nations.

AMENDMENTS TO RULES OF PROCEDURE

Rule 38

These rules of procedure may be amended by consensus by the Conference of the Parties.

OVERRIDING AUTHORITY OF THE CONVENTION

Rule 39

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