

**Framework Convention  
for the Protection of the Marine  
Environment of the Caspian Sea**

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**CONFERENCE OF THE PARTIES  
First Meeting  
Baku, 23 – 25 May 2007**

Item 4 of the provisional agenda  
Adoption of Rules of Procedure

**Note by the interim Secretariat on the draft Rules of Procedure**

**Introduction**

1. Article 22, paragraph 9 (c) of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea stipulates that the Conference of the Parties shall, at its first meeting, decide on the rules of procedure for itself and its subsidiary bodies.
2. To facilitate the first Meeting of the Conference of the Parties to perform the above duties, the interim Secretariat prepared the Draft Rules of Procedure presented below.
3. The first Meeting of Government-designated experts on Rules of Procedure and Financial Rules for the Framework Convention on the Protection of the Marine Environment of the Caspian Sea, Moscow, Russian Federation, 9-12 March 2005, and Senior Preparatory Meeting for the 1<sup>st</sup> Meeting of the Conference of the Parties to the Tehran Convention (7-8 December 2006, Moscow, RF), reviewed the Draft Rules of Procedure for the Conference of the Parties. The latter meeting agreed that the Contracting Parties would present their further comments to the interim Secretariat for their transmission to the other Contracting Parties with the view to discuss and agree on the changes.
4. The interim Secretariat incorporated amendments as proposed during the Senior Preparatory meeting and added several suggestions in the text in line with proposals submitted by the Russian Federation. Few additional amendments were introduced taking into account existing international practice. Those amendments are underlined for easy reference.

**Suggested action**

5. The Conference of the Parties may wish to consider, review and adopt the Rules of Procedure for the Conference of the Parties contained in the Annex to the present note.

**ANNEX 1****RULES OF PROCEDURE  
FOR THE FRAMEWORK CONVENTION FOR THE PROTECTION OF THE MARINE  
ENVIRONMENT OF THE CASPIAN SEA*****Rule 1***

The present rules of procedure shall apply to the meetings of the Conference of the Parties to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea convened in accordance with Article 22 of the Convention.

**DEFINITIONS****Rule 2**

For the purposes of the present rules of procedure:

- (a) "Convention" means the Framework Convention for the Protection of the Marine Environment of the Caspian Sea adopted in Tehran on 4 November 2003;
- (b) "Parties" means Parties to the Framework Convention for the Protection of the Marine Environment of the Caspian Sea;
- (c) "Conference of the Parties" means the Conference of the Parties established in accordance with Article 22 of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea;
- (d) "Meeting" means any ordinary or extraordinary meeting of the Conference of the Parties convened in accordance with Article 22 of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea;
- (f) "Chairperson" means the Chairperson of the Conference of the Parties elected in accordance with rule 16, paragraph 1, of the present rules of procedure;
- (g) "Secretariat" means the Secretariat established under article 23 of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea;
- (h) "Executive Secretary" means the head of the Secretariat of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea;
- (i) "Subsidiary body" means a subsidiary body established in accordance with Article 22.10(g) of the Framework Convention for the Protection of the Marine Environment of the Caspian Sea that may include committees and working groups;

**PLACE OF MEETINGS*****Rule 3***

The meetings of the Conference of the Parties shall be held in the territories of the countries of the Contracting Parties on the basis of rotation in alphabetical order of English language or at the location of the Secretariat.

**DATES OF MEETINGS*****Rule 4***

1. Ordinary meetings of the Conference of the Parties shall be held on an annual basis. The Conference of the Parties may at any time review the periodicity of its ordinary meetings.

2. At each ordinary meeting, the Conference of the Parties shall decide on the date, duration and venue of the next ordinary meeting, taking into account rule 3.

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, provided that, within ninety days of the request being communicated to them by the Secretariat, it is supported by at least two other Parties.

4. In the case of an extraordinary meeting convened at the written request of a Party, it shall be convened not later than sixty days after the date at which the request is supported by at least two other Parties in accordance with paragraph 3 of this Rule.

***Rule 5***

The Secretariat shall notify all Parties of the dates and venue of a meeting at least sixty days before the meeting is due to commence.

**AGENDA*****Rule 6***

The Secretariat, in agreement with the Chairperson, shall prepare the provisional agenda of each meeting.

***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 22 of the Convention;
- (b) Items the inclusion of which has been decided at a previous meeting;
- (c) Items pertaining to the budget, financial documents and arrangements;
- (d) Any item proposed by a Party and received by the Secretariat before the provisional agenda is produced and circulated.
- (e) Any other item proposed by a Party and received by the Secretariat at least 60 days before the opening of the meeting.

**Rule 8**

The provisional agenda for each ordinary meeting, together with relevant documents, shall be circulated at least forty-five days before the opening of the meeting.

**Rule 9**

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 circulated to the Parties at the same time as the invitation to the extraordinary meeting.

**Rule 10**

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. 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, unless the Conference of the Parties decides otherwise.

**REPRESENTATION AND CREDENTIALS****Rule 11**

Each Party participating in a meeting shall be represented by a delegation consisting of a head of delegation and such other representative and advisers, as it thinks appropriate.

**Rule 12**

The credentials of delegations shall be submitted to the Secretariat, if possible, not later than twenty-four hours after the opening of the meeting. The Bureau shall examine the credentials and submit the report thereon to the Conference of the Parties for decision.

**Rule 13**

Any later change in the composition of the delegation shall also be submitted to the Secretariat.

**OFFICERS****Rule 14**

1. [At the commencement of the first session of each ordinary meeting, a Chairperson, a Vice-Chairperson and a Rapporteur are to be elected. They will serve as the Bureau of the meeting. In electing its Bureau, the Conference of the Parties shall have due regard to the provisions of Article 22.6 of the Convention and due representation of the Parties.]

2. [The Chairperson, the Vice-Chairperson 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.]

3. [The Chairperson shall participate in the meeting in that capacity and shall not at the same time exercise the rights of a representative of his/her Party. The Party concerned shall designate another member of the delegation who shall be entitled to represent the Party in the meeting and to exercise the right to vote.]

#### ***Rule 15***

1. In addition to exercising the powers conferred upon the Chairperson elsewhere by the present rules, the Chairperson shall declare the opening and closing of the meeting, preside at the sessions of the meeting, ensure the observance of the present rules, accord the right to speak, put questions to the vote and announce decisions. The Chairperson shall rule on points of order and, subject to the present rules, shall have control of the proceedings and over the maintenance of order thereat.

2. The Chairperson 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 Chairperson, in the exercise of the functions of that office, remains under the authority of the Conference of the Parties.

#### ***Rule 16***

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

#### ***Rule 17***

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 18***

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

### **SUBSIDIARY BODIES**

#### ***Rule 19***

1. The Conference of the Parties may establish such other institutions of the Convention as may be deemed necessary. It may also establish committees and working groups if it deems it necessary for the implementation of the Convention. Where appropriate, meetings of subsidiary bodies shall be held in conjunction with meetings of the Conference of the Parties.

2. The Conference of the Parties may decide that any such subsidiary bodies may meet in the period between ordinary meetings.

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

4. Each subsidiary body shall elect its own officers.

5. Unless otherwise decided by the Conference of the Parties, the present rules shall apply *mutatis mutandis* to the proceedings of subsidiary bodies, except that the chairperson of a subsidiary body may exercise the right to vote.

## **SECRETARIAT**

### ***Rule 20***

1. The head of the Secretariat of the Convention shall be the Executive Secretary of the Conference of the Parties. 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 21***

The Secretariat shall, in accordance with the present rules:

- (a) Arrange for interpretation at the meeting;
- (b) 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; and
- (f) Generally perform all other work that the Conference of the Parties may require.

## **CONDUCT OF BUSINESS**

### ***Rule 22***

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.

### ***Rule 23***

The Chairperson may declare a session of the meeting open and permit the debate to proceed, subject to the presence of all Parties.

**Rule 24**

1. No one may speak at a session of the Conference of the Parties without having previously obtained the permission of the Chairperson. Subject to rules 28, 29, 30 and 32, the Chairperson shall call upon speakers in the order in which they signify their desire to speak. The Secretariat shall maintain a list of speakers. The Chairperson 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 Chairperson 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 Chairperson shall call the speaker to the need to respect time limit..

**Rule 25**

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 26**

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

**Rule 27**

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 the vote before the matter is discussed or a vote is taken on the proposal or amendment in question.

**Rule 28**

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 Chairperson 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 29**

1. Subject to rule 34 of the present rules, 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 30***

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 31***

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting, unless the Conference of the Parties, by unanimous vote of the Parties, 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 vote.

**VOTING**

***Rule 32***

Each Party shall have one vote.

***Rule 33***

All decisions of the Conference of the Parties on all matters shall be made by unanimous vote of the Contracting Parties.

***Rule 34***

Voting shall normally be by show of hands. 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 Chairperson. However, if at any time a Party requests a secret ballot, that shall be the method of voting on the issue in question.

***Rule 35***

The vote of each Party participating in a roll-call vote shall be recorded in the relevant documents of the meeting.

***Rule 36***

After the Chairperson 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 Chairperson may permit the Parties to explain their votes, either before or after the voting. The Chairperson may limit the time to be allowed for such explanations. The Chairperson 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.

## OBSERVERS

### **Rule 37**

1. The United Nations, its specialized agencies, and any State not a Party to the Convention may be represented at the open sessions of the Conference of the Parties or its subsidiary bodies as observers.

2. Such observers may, upon invitation of the Chairperson, participate without the right to vote in the proceedings of any meeting unless at least one of the Parties present at the meeting objects.

### **Rule 38**

1. The Conference of the Parties may admit, as observer, any body or agency, whether international or national, intergovernmental or non-governmental, which is qualified in matters covered by the Convention and which has informed the Secretariat of its wish to be represented at the open sessions of the Conference of the Parties or its subsidiary bodies, unless at least one of the Parties present at the meeting objects.

2. Such observers may, upon invitation of the Chairperson, participate without the right to vote in the proceedings of any session in matters of direct concern to the body or agency they represent, unless at least one of the Parties present at the meeting objects.

### **Rule 39**

Observers may, upon invitation of the Chairperson, submit written statements that can be circulated to the Conference of the Parties or to the subsidiary body concerned.

### **Rule 40**

1. The Secretariat shall compile and regularly update the list of observers referred to in Rule 37 and Rule 38. 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.

2. The Secretariat shall notify those entitled observers and those which have informed the Secretariat of their wish to be represented, pursuant to rules 37 and 38, of the dates and venue of the next meeting.

## LANGUAGES

### **Rule 41**

1. The working languages of the Conference of the Parties shall be English and the State languages of all Contracting Parties. The Secretariat will provide for the official UN languages.

2. A representative of a Party may speak in a language other than that provided by the Secretariat, if the Party provides for interpretation into one such official language.

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

**RECORDS OF THE MEETINGS*****Rule 42***

Records of the meetings of the Conference of the Parties and its subsidiary bodies shall be kept by the Secretariat.

**AMENDMENTS TO RULES OF PROCEDURE****Rule 43**

The present rules of procedure may be amended by unanimous vote by the Conference of the Parties.

**OVERRIDING AUTHORITY OF THE CONVENTION*****Rule 44***

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