

RULES OF PROCEDURE
FOR THE CONFERENCE OF THE PARTIES TO THE FRAMEWORK
CONVENTION FOR THE PROTECTION OF THE MARINE ENVIRONMENT
OF THE CASPIAN SEA

(as amended at the COP2, Tehran, Islamic Republic of Iran, 10-12 November 2009)

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 Contracting 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;
- (e) "Chairperson" means the Chairperson of the Conference of the Parties elected in accordance with Rule 13, paragraph 1, of the present rules of procedure;
- (f) "Bureau" means an elected Convention body consisting of Chairperson and Vice-Chairperson in accordance with the Rule 13 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 of the Conference of the Parties" means the Chief Administrative Officer 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;

(j) "Observer" means a State not Party to the Convention, the United Nations and its specialized agencies, other bodies or agencies whether intergovernmental or national, governmental or non-governmental organization, that participate as observers to the meetings of the Conference of the Parties in accordance with Rule 35, Rule 36, Rule 37 and Rule 38

PLACE OF MEETINGS

Rule 3

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

2. The extraordinary meetings of the Conference of the Parties shall be held on the territory of the initiating Parties [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 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 thirty days of the request being communicated by them to 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 thirty 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

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

2. The Secretariat shall notify all Parties of the dates and venue of an extraordinary meeting at least thirty days before the meeting is due to commence.

AGENDA

Rule 6

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

Rule 7

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

- a) items related the implementation of the Convention, its protocols and the Action Plan;
- b) Any other item arising from the articles of the Convention, including those specified in Article 22 of the Convention;
- (c) Items the inclusion of which has been decided at a previous meeting;
- (d) Items pertaining to the budget, financial documents and arrangements;
- (e) Any item proposed by a Party and received by the Secretariat before the provisional agenda is produced and circulated.
- (f) Any other item proposed by a Party [which is in accordance with the Convention] and received by the Secretariat at least 60 days before the opening of the meeting

Rule 8

The provisional agenda for the ordinary meeting, shall be circulated by the Secretariat at least 90 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 by the Secretariat to the Parties at the same time as the invitation to the extraordinary meeting.

REPRESENTATION AND CREDENTIALS***Rule 10***

The credentials of delegations issued according to the national legislation shall be submitted to the Secretariat, before the end of the first session The Bureau shall examine the credentials and submit the report thereon to the Conference of the Parties for decision

Rule 11

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

Rule 12

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

OFFICERS***Rule 13***

1. At the commencement of the first session of each ordinary meeting, a Chairperson and a Vice-Chairperson 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.. The Executive Secretary or his representative acts as Rapporteur .
2. The Chairperson, the Vice-Chairperson 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 also be to serve in this 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 14

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 15

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 16

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 17

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 18**

1. The Conference of the Parties may establish institutions and subsidiary bodies of the Convention as may be deemed necessary .
2. The Conference of the Parties shall determine the mandate of 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.
3. Each subsidiary body shall elect its own officers.
4. 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 of his delegation to vote.

SECRETARIAT**Rule 19**

1. The Executive Secretary or the representative of the Executive Secretary shall act in the same 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.
3. The Executive Secretary, or member of the Secretariat may at any time, upon invitation of the Chairman, make either oral or provide written statements to the Conference of the Parties concerning any matter under consideration by it.

Rule 20

The Executive Secretary shall provide to the Conference of the Parties and its subsidiary bodies the report on the administrative and financial implications of agenda items of the meeting and proposals submitted by the Parties to the meeting, before these agenda items and proposals are considered by the meeting.

Rule 21

The Secretariat shall, in accordance with Art. 23 of the Convention be, inter alia, :

- (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***

Sessions of the Conference of the Parties and its subsidiary bodies shall be held in public, unless the Conference of the Parties 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 25, 26 and 28, 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 or his speech exceeds the time limit

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.

Rule 25

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 26

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 27

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 28

1. Subject to rule 30 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 29

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 30

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 31

Each Party shall have one vote.

Rule 32

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 33

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

Rule 34

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 35

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 36

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 37

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 38

1. The Secretariat shall compile and regularly update the list of observers referred to in Rule 35 and Rule 36. Such a list shall be communicated by the Secretariat to the Parties and the Bureau of the Conference of the Parties 60 days prior to each meeting of the Conference of the Parties. The list is approved unless no Party submits an objection within 30 days after the list has been circulated.

2. The Secretariat shall notify those entitled observers and those which have informed the Secretariat of their wish to be represented, pursuant to rules 35 and 36, of the dates and venue of the next meeting.

LANGUAGES

Rule 39

1. The working languages of the Conference of the Parties shall be English and the State languages of all Parties. The Secretariat will provide for the English and Russian translation and interpretation being 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 40

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 41

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

OVERRIDING AUTHORITY OF THE CONVENTION

Rule 42

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