



Memorandum of Understanding on the Conservation and Management of Dugongs and their Habitats throughout their Range

Distribution: General
CMS/Dugong/MOS3/3
Agenda Item 3
11 December 2016

Third Meeting of Signatories | Abu Dhabi, United Arab Emirates, 13-14 March 2017

RULES OF PROCEDURE

Prepared by the Dugong MOU Secretariat

1. Rules of Procedure for Meetings of Signatories of the Memorandum of Understanding on the Conservation and Management of Dugongs and their Habitats throughout their Range (Dugong MOU) were adopted by Signatories at their Second Meeting (MOS2) in February 2013 for application at future meetings (Annex 1).
2. The Secretariat has identified a typographical error in Rule 5 paragraph 4 in relation to the examination of credentials, as follows:

Existing text: “The Secretariat, in consultation with the Chair or the Vice-Chair (see rule 7 below), and shall report to the Signatory State Meeting thereon for final approval [...]”

Corrected text: “The secretariat, in consultation with the Chair or the Vice-Chair (see rule 7 below), shall examine the credentials submitted and report to the Signatory State Meeting thereon for final approval. [...]”
3. The corrected text has been annexed to this document (Annex 2). This text would be applicable to future meetings.
4. The Secretariat would propose that the rules of procedure remain in effect and be applied at future meetings until new substantive amendments are proposed. This would eliminate the need to adopt them again at each subsequent Meeting of Signatories.

Action requested

The Meeting is invited to adopt the corrected text for application at future meetings.

Annex 1

RULES OF PROCEDURE FOR SIGNATORY STATE MEETINGS OF THE DUGONG MOU

(As adopted by MOS2)

Rule 1 – Purpose

1. These Rules of Procedure shall apply to the Signatory State Meetings to the Memorandum of Understanding on the Conservation and Management of Dugongs (*Dugong dugong*) and their Habitats throughout their Range, hereinafter referred to as the “MOU”.
2. Insofar as they are applicable, these Rules shall apply *mutatis mutandis*¹ to any other meeting held in the framework of the MOU that does not have its own terms of reference or rules of procedure.

Rule 2 – Signatory State Meetings

1. Signatory State Meetings shall take place once every three years, unless the meeting decides otherwise to address specific, emerging issues.
2. Unless there is an offer from a Signatory, the Signatory State Meeting shall take place at the seat of the Dugong MOU Secretariat or another United Nations duty station taking into consideration cost-effectiveness.
3. The Secretariat shall notify the venue and the dates of each Signatory State Meeting at least six months before the meeting is due to commence. The notification shall include a deadline for submission of proposals to be discussed at the meeting.
4. Documents for Signatory State Meetings shall be made available at least thirty days before the start of the meeting.

Rule 3 – Signatories

1. Each Signatory to the MOU, hereinafter referred to as a “Signatory”, shall be entitled to be represented at the meeting by a delegation consisting of a Head of Delegation and such Alternative Representative(s) and Advisers as the Signatory may deem necessary.
2. The Representative of a Signatory shall exercise the voting rights of that Signatory. In their absence, an Alternative Representative of that Signatory shall act in their place over the full range of their functions.
3. Logistical and other limitations may require that no more than three delegates of any Signatory be present at the meeting. The Secretariat shall notify Signatories of any such limitations, including available funding, in advance of the meeting.

Rule 4 – Observers

1. The United Nations, its Specialized Agencies, and any State not a Signatory to the MOU may be represented at the meeting by Observers who shall have the right to participate but not to vote.

¹ changing [only] those things which need to be changed

2. Co-operating Partners that have signed the MOU shall have the right to participate but not to vote.
3. Any agency or body technically qualified in the conservation and management of dugongs and their habitats, and which has informed the Secretariat of its desire to be represented at the meeting by Observers, shall be permitted to be represented unless at least one-third of the Signatories present object. Once admitted, these Observers shall have the right to participate in discussions but not to vote.
4. Bodies and agencies desiring to be represented at the meeting by Observers shall submit the names of their representatives to the Secretariat prior to the opening of the meeting.
5. Logistical and other limitations may require that no more than two Observers from any non-Signatory State, body or agency be present at the meeting. The Secretariat shall notify Observers of any such limitations in advance of the meeting.

Rule 5 – Credentials

1. The Head of Delegation, any Alternative Representative(s) or other members of the delegation of a Signatory shall have been granted permission by, or on behalf of, an appropriate authority, being the Minister of the focal Ministry for the MOU or a higher body, enabling the delegation to fully represent the Signatory at the meeting and to vote.
2. The credentials shall include: the full title and date of the meeting; a full list of representatives authorized to represent the Signatory and to transact all such matters with an indication of who is the Head of Delegation; a full signature of the appropriate authority as indicated above and printed on official letterhead, preferably with a seal, clearly indicating that the credentials have been issued by the appropriate authority. Prior to the Meeting, the Secretariat shall provide a credentials template as an example.
3. The credentials shall be submitted in their original form to the Secretariat within 24 hours of the start of the meeting. If credentials are presented in a language other than the working language of the MOU they shall be accompanied by an official translation into English.
4. The Secretariat, in consultation with the Chair or the Vice-Chair (see Rule 7 below), and shall report to the Signatory State Meeting thereon for final approval. Pending a decision on their credentials, delegates may participate provisionally at the meeting.

Rule 6 – Secretariat

The Dugong MOU Secretariat shall service and act as secretariat for the meeting.

Rule 7 – Officers

At its first plenary session the meeting shall appoint a Chair and a Vice-Chair for the Meeting.

Rule 8 – Seating

Delegations shall be seated in accordance with standard United Nations practice which uses the alphabetical order of the full official names of the Signatories in the English language.

Rule 9 - Quorum

No Signatory State Meeting shall take place in the absence of a quorum. A quorum for initiation of a Signatory State Meeting and plenary sessions to the Signatory State Meeting shall consist of one third of the Signatories respectively.

Rule 10 – Speakers

1. The Chair shall call upon speakers in the order in which they indicate their desire to speak, with precedence given to Signatories, followed by non-Signatory Range States, Co-operating Partners and other Observers, in that order. A Representative of a Signatory or an Observer may speak only if called upon by the Chair, who may call a speaker to order if the remarks are not relevant to the subject under discussion.
2. The Chair may, in the course of discussion at the meeting, propose to the meeting inter alia:
 - (a) Time limits for speakers;
 - (b) Limitations on the number of times members of a Signatory's delegation or Observers may speak on any subject;
 - (c) The closure of the list of speakers;
 - (d) The adjournment or the closure of the debate on the particular subject under discussion;
 - (e) The suspension or adjournment of the meeting.
3. The Chair, in the exercise of the functions of that office, remains under the authority of the Signatory State Meeting.

Rule 11 – Procedural Motions

During the discussion of any matter, a delegate representing a Signatory may make a point of order. The point of order shall be immediately decided by the Chair. A delegate representing a Signatory may appeal against any ruling of the Chair. The appeal shall immediately be put to a vote, and the Chair's ruling shall stand unless a majority of the Signatories present and voting decides otherwise.

Rule 12 – Voting

1. The Signatories shall make every effort to reach agreement on all matters of substance by consensus. If all efforts to reach consensus have been exhausted and no agreement reached, subject to paragraph 4 below, the decision shall, as a last resort, be taken by a two-thirds majority vote of the Signatories present. Votes on procedural matters shall be decided by a simple majority of votes cast.
2. Without prejudice to the provisions of Rule 3, paragraph 2, each Representative duly accredited according to Rule 5 shall have one vote.
3. The meeting shall vote by a show of hands. The Chair may in an exceptional case request a roll-call vote. The roll-call vote shall be taken in the seating order of the delegations.
4. Decisions on financial matters and on amendments to the MOU shall be taken by consensus.

Rule 13 – Committees and Working Groups

1. The Signatory State Meeting may establish such Committees and Working Groups as may be necessary to enable it to carry out its functions.
2. Unless otherwise decided, each Committee and Working Group shall elect its own officers. As a general rule, sessions of Committees and Working Groups shall be open to Signatories and Observers, unless the Chair of the Committee or Working Group, on request of a Signatory, determines otherwise.

Rule 14 – Language

1. English, the working language of the MOU, shall be the working language of the meeting.
2. A delegate may speak in a language other than the working language. They shall be responsible for providing interpretation into the working language. Any document submitted to the Secretariat in any language other than the working language shall be accompanied by an appropriate translation into English.

Rule 15 – Records

Summary records of the Signatory State Meeting in English shall be circulated.

Rule 16 – Amendments to the MOU

1. The MOU (including the Annex thereto) may be amended at any session of the Signatory State Meeting.
2. Proposals for amendment may only be made Signatory States.
3. The process and timing for submission of proposals for amendment is as follows:
 - a) The text of any proposed amendment, with supporting rationale included, and if appropriate, supporting scientific evidence, shall be provided to the Secretariat at least 150 days before the Signatory State Meeting at which it is to be considered.
 - b) The Secretariat shall, within 14 days of receipt, communicate the proposal to all Signatories, and, in the case of technical amendments, to the Dugong Technical Group (DTG).
 - c) Comments on the proposed amendment may be provided to the Secretariat up to 60 days before the Signatory State Meeting.
 - d) The Secretariat shall communicate any comments received to the Signatories as soon as possible after receipt.

Rule 17 – Procedure

These Rules of Procedure shall enter into effect immediately after their adoption. Amendments to these Rules shall be adopted by consensus by the Signatory State Meeting.

Rule 18 – Authority

In the event of a conflict between any provision of these rules and any clause of the MOU, the MOU shall prevail.

Annex 2

RULES OF PROCEDURE FOR SIGNATORY STATE MEETINGS OF THE DUGONG MOU

(Corrected version proposed for adoption at MOS3 – corrections highlighted)

Rule 1 – Purpose

1. These Rules of Procedure shall apply to the Signatory State Meetings to the Memorandum of Understanding on the Conservation and Management of Dugongs (*Dugong dugong*) and their Habitats throughout their Range, hereinafter referred to as the “MOU”.
2. Insofar as they are applicable, these Rules shall apply *mutatis mutandis*² to any other meeting held in the framework of the MOU that does not have its own terms of reference or rules of procedure.

Rule 2 – Signatory State Meetings

1. Signatory State Meetings shall take place once every three years, unless the meeting decides otherwise to address specific, emerging issues.
2. Unless there is an offer from a Signatory, the Signatory State Meeting shall take place at the seat of the Dugong MOU Secretariat or another United Nations duty station taking into consideration cost effectiveness.
3. The Secretariat shall notify the venue and the dates of each Signatory State Meeting at least six months before the meeting is due to commence. The notification shall include a deadline for submission of proposals to be discussed at the meeting.
4. Documents for Signatory State Meetings shall be made available at least thirty days before the start of the meeting.

Rule 3 – Signatories

1. Each Signatory to the MOU, hereinafter referred to as a “Signatory”, shall be entitled to be represented at the meeting by a delegation consisting of a Head of Delegation and such Alternative Representative(s) and Advisers as the Signatory may deem necessary.
2. The Representative of a Signatory shall exercise the voting rights of that Signatory. In their absence, an Alternative Representative of that Signatory shall act in their place over the full range of their functions.
3. Logistical and other limitations may require that no more than three delegates of any Signatory be present at the meeting. The Secretariat shall notify Signatories of any such limitations, including available funding, in advance of the meeting.

Rule 4 – Observers

1. The United Nations, its Specialized Agencies, and any State not a Signatory to the MOU may be represented at the meeting by Observers who shall have the right to participate but not to vote.

² changing [only] those things which need to be changed

2. Co-operating Partners that have signed the MOU shall have the right to participate but not to vote.
3. Any agency or body technically qualified in the conservation and management of dugongs and their habitats, and which has informed the Secretariat of its desire to be represented at the meeting by Observers, shall be permitted to be represented unless at least one-third of the Signatories present object. Once admitted, these Observers shall have the right to participate in discussions but not to vote.
4. Bodies and agencies desiring to be represented at the meeting by Observers shall submit the names of their representatives to the Secretariat prior to the opening of the meeting.
5. Logistical and other limitations may require that no more than two Observers from any non-Signatory State, body or agency be present at the meeting. The Secretariat shall notify Observers of any such limitations in advance of the meeting.

Rule 5 – Credentials

1. The Head of Delegation, any Alternative Representative(s) or other members of the delegation of a Signatory shall have been granted permission by, or on behalf of, an appropriate authority, being the Minister of the focal Ministry for the MOU or a higher body, enabling the delegation to fully represent the Signatory at the meeting and to vote.
2. The credentials shall include: the full title and date of the meeting; a full list of representatives authorized to represent the Signatory and to transact all such matters with an indication of who is the Head of Delegation; a full signature of the appropriate authority as indicated above and printed on official letterhead, preferably with a seal, clearly indicating that the credentials have been issued by the appropriate authority. Prior to the Meeting, the Secretariat shall provide a credentials template as an example.
3. The credentials shall be submitted in their original form to the Secretariat within 24 hours of the start of the meeting. If credentials are presented in a language other than the working language of the MOU they shall be accompanied by an official translation into English.
4. The Secretariat, in consultation with the Chair or the Vice-Chair (see rule 7 below), shall examine the credentials submitted and report to the Signatory State Meeting thereon for final approval. Pending a decision on their credentials, delegates may participate provisionally at the meeting.

Rule 6 – Secretariat

The Dugong MOU Secretariat shall service and act as secretariat for the meeting.

Rule 7 – Officers

At its first plenary session the meeting shall appoint a Chair and a Vice-Chair for the Meeting.

Rule 8 – Seating

Delegations shall be seated in accordance with standard United Nations practice which uses the alphabetical order of the full official names of the Signatories in the English language.

Rule 9 – Quorum

No Signatory State Meeting shall take place in the absence of a quorum. A quorum for initiation of a Signatory State Meeting and plenary sessions to the Signatory State Meeting shall consist of one third of the Signatories respectively.

Rule 10 – Speakers

1. The Chair shall call upon speakers in the order in which they indicate their desire to speak, with precedence given to Signatories, followed by non-Signatory Range States, Co-operating Partners and other Observers, in that order. A Representative of a Signatory or an Observer may speak only if called upon by the Chair, who may call a speaker to order if the remarks are not relevant to the subject under discussion.
2. The Chair may, in the course of discussion at the meeting, propose to the meeting *inter alia*:
 - (a) Time limits for speakers;
 - (b) Limitations on the number of times members of a Signatory's delegation or Observers may speak on any subject;
 - (c) The closure of the list of speakers;
 - (d) The adjournment or the closure of the debate on the particular subject under discussion;
 - (e) The suspension or adjournment of the meeting.
3. The Chair, in the exercise of the functions of that office, remains under the authority of the Signatory State Meeting.

Rule 11 – Procedural Motions

During the discussion of any matter, a delegate representing a Signatory may make a point of order. The point of order shall be immediately decided by the Chair. A delegate representing a Signatory may appeal against any ruling of the Chair. The appeal shall immediately be put to a vote, and the Chair's ruling shall stand unless a majority of the Signatories present and voting decides otherwise.

Rule 12 – Voting

1. The Signatories shall make every effort to reach agreement on all matters of substance by consensus. If all efforts to reach consensus have been exhausted and no agreement reached, subject to paragraph 4 below, the decision shall, as a last resort, be taken by a two-thirds majority vote of the Signatories present. Votes on procedural matters shall be decided by a simple majority of votes cast.
2. Without prejudice to the provisions of Rule 3, paragraph 2, each Representative duly accredited according to Rule 5 shall have one vote.
3. The meeting shall vote by a show of hands. The Chair may in an exceptional case request a roll-call vote. The roll-call vote shall be taken in the seating order of the delegations.
4. Decisions on financial matters and on amendments to the MOU shall be taken by consensus.

Rule 13 – Committees and Working Groups

1. The Signatory State Meeting may establish such Committees and Working Groups as may be necessary to enable it to carry out its functions.

2. Unless otherwise decided, each Committee and Working Group shall elect its own officers. As a general rule, sessions of Committees and Working Groups shall be open to Signatories and Observers, unless the Chair of the Committee or Working Group, on request of a Signatory, determines otherwise.

Rule 14 – Language

1. English, the working language of the MOU, shall be the working language of the meeting.
2. A delegate may speak in a language other than the working language. They shall be responsible for providing interpretation into the working language. Any document submitted to the Secretariat in any language other than the working language shall be accompanied by an appropriate translation into English.

Rule 15 – Records

Summary records of the Signatory State Meeting in English shall be circulated.

Rule 16 – Amendments to the MOU

1. The MOU (including the Annex thereto) may be amended at any session of the Signatory State Meeting.
2. Proposals for amendment may only be made Signatory States.
3. The process and timing for submission of proposals for amendment is as follows:
 - (a) The text of any proposed amendment, with supporting rationale included, and if appropriate, supporting scientific evidence, shall be provided to the Secretariat at least 150 days before the Signatory State Meeting at which it is to be considered.
 - (b) The Secretariat shall, within 14 days of receipt, communicate the proposal to all Signatories, and, in the case of technical amendments, to the Dugong Technical Group (DTG).
 - (c) Comments on the proposed amendment may be provided to the Secretariat up to 60 days before the Signatory State Meeting.
 - (d) The Secretariat shall communicate any comments received to the Signatories as soon as possible after receipt.

Rule 17 – Procedure

These Rules of Procedure shall enter into effect immediately after their adoption. Amendments to these Rules shall be adopted by consensus by the Signatory State Meeting.

Rule 18 – Authority

In the event of a conflict between any provision of these rules and any clause of the MOU, the MOU shall prevail.