

Revised Rules of Procedure for the Committee for Environmental Protection (2011)

Rule 1

Where not otherwise specified the Rules of Procedure for the Antarctic Treaty Consultative Meeting shall be applicable.

Rule 2

For the purposes of these Rules of Procedure:

- a) the expression “Protocol” means the Protocol on Environmental Protection to the Antarctic Treaty, signed in Madrid on 4 October, 1991;
- b) the expression “the Parties” means the Parties to the Protocol;
- c) the expression “Committee” means the Committee for Environmental Protection as defined in Article 11 of the Protocol;
- d) the expression “Secretariat” means the Secretariat of the Antarctic Treaty.

Part I Representatives and Experts

Rule 3

Each Party to the Protocol is entitled to be a member of the Committee and to appoint a representative who may be accompanied by experts and advisers with suitable scientific, environmental or technical competence.

Before each meeting of the Committee each member of the Committee shall, as early as possible, notify the Host Government of that meeting of the name and designation of each representative, and before or at the beginning of the meeting, the name and designation of each expert and adviser.

Part II Observers and Consultation

Rule 4

Observer status in the Committee shall be open to:

- a) any Contracting Party to the Antarctic Treaty which is not a Party to the Protocol;
- b) the President of the Scientific Committee on Antarctic Research, the Chairman of the Scientific Committee for the Conservation of Antarctic Marine Living Resources and the Chairman of the Council of Managers of National Antarctic Programmes, or their nominated Representatives;
- c) subject to the specific approval of the Antarctic Treaty Consultative Meeting, other relevant scientific, environmental and technical organisations which can contribute to the work of the Committee.

Rule 5

Before each meeting of the Committee each observer shall, as early as possible, notify the Host Government of that meeting of the name and designation of its representative attending the meeting.

Rule 6

Observers may participate in the discussions, but shall not participate in the taking of decisions.

Rule 7

In carrying out its functions the Committee shall, as appropriate, consult with the Scientific Committee on Antarctic Research, the Scientific Committee for the Conservation of Antarctic Marine Living Resources, the Council of Managers of National Antarctic Programmes and other relevant scientific, environmental and technical organisations.

Rule 8

The Committee may seek the advice of experts as required on an ad hoc basis.

Part III Meetings

Rule 9

The Committee shall meet once a year, generally and preferably in conjunction with the Antarctic Treaty Consultative Meeting and at the same location. With the agreement of the ATCM, and in order to fulfill its functions, the Committee may also meet between annual meetings.

The Committee may establish informal open-ended contact groups to examine specific issues and report back to the Committee.

Open-ended contact groups established to undertake work during intersessional periods shall operate as follows:

- a) where appropriate, the contact group coordinator shall be agreed by the Committee during its meeting and noted in its final report;
- b) where appropriate, the terms of reference for the contact group shall be agreed by the Committee and included in its final report;
- c) where appropriate, the modes of communication for the contact group, such as e-mail, the online discussion forum maintained by the Secretariat and informal meetings, shall be agreed by the Committee and included in its final report;
- d) representatives who wish to be involved in a contact group shall register their interest with the coordinator through the discussion forum, by e-mail or by other appropriate means;
- e) the coordinator shall use appropriate means to inform all group members of the composition of the contact group;

- f) all correspondence shall be made available to all members of the contact group in a timely manner; and
- g) when providing comments, members of the contact group shall state for whom they are speaking.

The Committee may also agree to establish other informal sub-groups or to consider other ways of working such as, but not limited to, workshops and video-conferences.

Rule 10

The Committee may establish, with the approval of the Antarctic Treaty Consultative Meeting, subsidiary bodies, as appropriate.

Such subsidiary bodies shall operate on the basis of the Rules of Procedure of the Committee as applicable.

Rule 11

The Rules of Procedure for the preparation of the Agenda of the Antarctic Treaty Consultative Meeting shall apply with necessary changes to Committee meetings.

Before each meeting of any subsidiary body the Secretariat, in consultation with the Chairperson of both the Committee and of the subsidiary body, shall prepare and distribute a preliminary annotated Agenda.

Part IV Submission of Documents

Rule 12

1. Working Papers shall refer to papers submitted by Members of the Committee that require discussion and action at a Meeting and papers submitted by Observers referred to in Rule 4(b).
2. Secretariat Papers shall refer to papers prepared by the Secretariat pursuant to a mandate established at a Meeting, or which would, in the view of the Executive Secretary, help inform the Meeting or assist in its operation.
3. Information Papers shall refer to:
 - Papers submitted by Members of the Committee or Observers referred to in Rule 4(b) that provide information in support of a Working Paper or that are relevant to discussions at a Meeting;
 - Papers submitted by Observers referred to in Rule 4(a) that are relevant to discussions at a Meeting; and
 - Papers submitted by Observers referred to in Rule 4(c) that are relevant to discussions at a Meeting.
4. Background Papers shall refer to papers submitted by any participant that will not be introduced in a Meeting, but that are submitted for the purpose of formally providing information.
5. Procedures for the submission, translation and distribution of documents are annexed to the ATCM Rules of Procedure.

Part V Advice and Recommendations

Rule 13

The Committee shall try to reach consensus on the recommendations and advice to be provided by it pursuant to the Protocol.

Where consensus cannot be achieved the Committee shall set out in its report all views advanced on the matter in question.

Part VI Decisions

Rule 14

Where decisions are necessary, decisions on matters of substance shall be taken by a consensus of the members of the Committee participating in the meeting. Decisions on matters of procedure shall be taken by a simple majority of the members of the Committee present and voting. Each member of the Committee shall have one vote. Any question as to whether an issue is a procedural one shall be decided by consensus.

Part VII Chairperson and Vice-chairs

Rule 15

The Committee shall elect a Chairperson and two Vice-chairs from among the Consultative Parties. The Chairperson and the Vice-chairs shall be elected for a period of two years and, where possible, their terms shall be staggered.

The Chairperson and the Vice-chairs shall not be re-elected to their post for more than one additional two-year term. The Chairperson and Vice-chairs shall not be representatives from the same Party.

The Vice-chair who has been a Vice-chair for the longer period of time (in total, counting any previous term of office) shall be first Vice-chair.

In the event that both Vice-chairs are appointed for the first time at the same meeting, the Committee shall determine which Vice-chair is elected as first Vice-chair.

Rule 16

Amongst other duties the Chairperson shall have the following powers and responsibilities:

- a) convene, open, preside at and close each meeting of the Committee;
- b) make rulings on points of order raised at each meeting of the Committee provided that each representative retains the right to request that any such decision be submitted to the Committee for approval;
- c) approve a provisional agenda for the meeting after consultation with Representatives;
- d) sign, on behalf of the Committee, the report of each meeting;
- e) present the report referred to in Rule 22 on each meeting of the Committee to the Antarctic Treaty Consultative Meeting;
- f) as required, initiate intersessional work; and
- g) as agreed by the Committee, represent the Committee in other forums.

Rule 17

Whenever the Chairperson is unable to act, the first Vice-chair shall assume the powers and responsibilities of the Chairperson.

Whenever both the Chair and first Vice-chair are unable to act, the second Vice-chair shall assume the powers and responsibilities of the Chairperson.

Rule 18

In the event of the office of the Chairperson falling vacant between meetings, the first Vice-chair shall exercise the powers and responsibilities of the Chairperson until a new Chairperson is elected.

If the offices of both the Chairperson and first Vice-chair fall vacant between meetings, the second Vice-chair shall exercise the powers and responsibilities of the Chairperson until a new Chairperson is elected.

Rule 19

The Chairperson and Vice-chairs shall begin to carry out their functions on the conclusion of the meeting of the Committee at which they have been elected.

Part VIII Administrative Facilities

Rule 20

As a general rule the Committee, and any subsidiary bodies, shall make use of the administrative facilities of the Government which agrees to host its meetings.

Part IX Languages

Rule 21

English, French, Russian and Spanish shall be the official languages of the Committee and, as applicable, the subsidiary bodies referred to in Rule 10.

Part X Records and Reports

Rule 22

The Committee shall present a report on each of its meetings to the Antarctic Treaty Consultative Meeting. The report shall cover all matters considered at the meeting of the Committee, including at its intersessional meetings and by its subsidiary bodies as appropriate, and shall reflect the views expressed. The report shall also include a comprehensive list of the officially circulated Working Papers, Information Papers and Background Papers. The report shall be presented to the Antarctic Treaty Consultative Meeting in the official languages. The report shall be circulated to the Parties, and to observers attending the meeting, and shall thereupon be made publicly available.

Part XI Amendments

Rule 23

The Committee may adopt amendments to these rules of procedure, which shall be subject to approval by the Antarctic Treaty Consultative Meeting.