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**AGREEMENT
ON THE CONSERVATION
OF BATS IN EUROPE**

Report of the Second Session of the
Meeting of Parties

Bonn, Germany: 1 - 3 July 1998

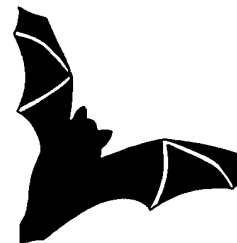
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Contents

Report of the Meeting	2
Report of the Administrative Working Group	12
Report of the Scientific Working Group (day one)	16
Report of the Scientific Working Group (day two)	18
Final Agenda	20
Rules of Procedure	21
List of participants	27
Resolutions:	
1 - Financial and Budgetary Matters	31
2 - Consistent Monitoring Methodologies	37
3 - Transboundary Programme: Species Proposals	46
4 - Transboundary Programme: Habitat Proposals	51
5 - Geographical Scope of the Agreement	57
6 - Terms of Reference for the Advisory Committee	60
7 - Format of National Reports	62
8 - On the implementation of the conservation and management plan	64
List of Documents	67
Press release	69



Agreement on the Conservation of Bats in Europe
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Bonn, 1-3 July 1998

Agenda item 1. - Opening of the Meeting

1. Mr. Trevor Salmon, Chairman of the Advisory Committee and acting Chairman of the conference, opened the meeting.

Agenda item 2. - Election of Chairperson of the Meeting

2. Proposed by Sweden and seconded by the Netherlands, Dr. Michael von Websky of the German Federal Ministry of the Environment, Nature Conservation and Nuclear Safety was elected by consensus as Chairman. The delegate of Germany proposed Ms. Marie Nedinge, the delegate of Sweden, to be Vice-Chairperson. The nomination was seconded by the United Kingdom and was carried by consensus.
3. Dr. Ruth Warren, from the Countryside Council for Wales, was approved as rapporteuse by consensus.

Agenda item 3. - Adoption of the agenda

4. The agenda was formally adopted without amendment.

Agenda item - 4.1 Rules of Procedure

5. The Secretariat presented the draft rules of procedure (Doc.EUROBATS.Mop2.9), and explained that they were based on those from the first session of the Meeting of Parties. Queries had been made relating to the simultaneous interpretation available for the Meeting. The Secretariat explained that the rules of procedure are discussed and agreed at each individual Meeting of Parties. The German Government at this Meeting were providing simultaneous interpretation in French, German and English.
6. The German delegate had an amendment to Rule 2, Section 2 of the Rules of Procedure to bring it into line with the text of the Agreement. The revised wording agreed was 'Any other body qualified in bat conservation and management which has informed the Secretariat before the Meeting of its desire to be represented at the Meeting by observers, shall be entitled to be present, unless at least one-third of the Parties present object'.
7. The Rules of Procedure were then agreed.

Agenda item 4.2 - Establishment of a Credentials Committee

8. The Secretariat agreed to establish the Committee, and the Netherlands offered their assistance. Eleven Parties had submitted

credentials: Denmark, France, Germany, Ireland, Luxembourg, the Netherlands, Norway, Poland, Portugal, Sweden and the UK. Credentials were not presented by Hungary or the Czech Republic. The Secretariat was thus able to report that eleven Parties were represented at the meeting.

Agenda item 4.3 - Admission of observers

9. The Secretariat read out a list of the Intergovernmental Organisations represented by observers in attendance at the Meeting. These were:

the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals
the Interim Secretariat of the African-Eurasian Migratory Waterbird Agreement
the Secretariat of ASCOBANS
the Secretariat of the Bern Convention.

10. The Secretariat read the list of Non-Governmental Organisations represented by observers in attendance at the Meeting. These were:

the Bat Conservation Trust
Naturschutzbund Deutschland
Arbeitskreis Wildbiologie an der Justus-Liebig-Universität Gießen
Association pour la Protection Transfrontalière des Chauves-Souris
Société Française pour l'Étude et la Protection des Mammifères
Vespertilio - Verein zum Schutz gefährdeter Säugetierarten.

11. The presence of observers was formally approved by the plenary.

Agenda item 5. -Welcoming addresses of the Host Government

12. Mr. Ulrich Klinkert, Parliamentary Secretary of State, Federal Ministry of the Environment, Nature Conservation and Nuclear Safety, representing the host Government of Germany, welcomed all participants to the meeting. He recognised the important progress that had been made since the first Meeting of Parties in 1995, and hoped that there would be similar progress in the next triennium. He highlighted the importance of international co-operation with regard to bat conservation, in particular the development of common methodologies, monitoring and data collection as well as financing. He emphasised the important contribution made by the work of Non-Governmental Organisations and volunteers and thanked them for their help. He praised the work of the Secretariat in its commitment to pursuing the objectives of the Agreement. In particular he spoke of the success of *European Bat Night*, which raised public awareness of bat conservation issues. Finally, he assured delegates that there would be continued support from the German Federal Government for the Secretariat of the Bat Agreement.

13. The Chairman thanked Mr. Klinkert for his speech and hoped that he could pass on his message of support to both national and European parliamentary colleagues.

Agenda item 5 - Opening Addresses and Statements

Host Government

14. The Chairman explained that he would allow Mr. Ulrich Klinkert's earlier address to stand as it was as the Host Government's welcoming address.

Depositary

15. Mr. Trevor Salmon, United Kingdom, apologised that the UK Foreign and Commonwealth Office - the Depositary for the Agreement - was unable to attend. He explained that he had been

charged with informing the meeting of the present Agreement status on their behalf. He stated that there were at present thirteen Parties to the Agreement on the Conservation of Bats in Europe. Ten had ratified and three had acceded. The Parties were Czech Republic, Denmark, France, Germany, Hungary, Ireland, Luxembourg, the Netherlands, Norway, Poland, Portugal, Sweden, and the United Kingdom. The Depositary had recently received a formal approach from the Slovak Republic to accede to the Agreement and the necessary procedures were under way. He reported that the amendment to the Agreement, agreed at the first session of the Meeting of Parties in 1995 - to include all *Molossidæ* in the scope of the Agreement - had to date been accepted only by the Netherlands and the United Kingdom. The UK Department of the Environment, Transport and the Regions, assisted by the Governments of France, Germany and Luxembourg, was at present working on German and French translations of this amendment. The Portuguese representative hoped that the Government there would soon ratify.

Mr. Trevor Salmon expressed his hopes that other Non-Party Range-States present would soon join the Agreement.

The Secretariat

16. Mr. Eric Blencowe welcomed everyone to the second session of the Meeting of Parties and expressed his hope that it would come to a successful conclusion. He thanked the German Federal Government for hosting the Secretariat and expressed how he benefited from an enormous range of facilities including the co-location with the UNEP/CMS Secretariat. He explained that everyone was welcome to visit the EUROBATS Secretariat during or after the meeting.

Inter-Governmental Organisations

Convention on Migratory Species of Wild Animals (CMS)

17. Mr. Arnulf Müller-Helmbrecht welcomed everyone on behalf of CMS. He stressed the importance of the meeting in deciding both the financial future of the Secretariat and the work programme for the next triennium. He thanked the UK Government for allowing Mr. Eric Blencowe to spend some of his time designated to CMS on the EUROBATS Agreement and he expressed how well Mr. Blencowe had undertaken the job. He highlighted the need to include the implementation of projects from the Bat Agreement into other political and strategic programmes such as the Pan European Biological and Landscape Diversity Strategy (PEBLDS).

Bern Convention

18. The delegate from the Bern Convention, Ms. Sandra Jen, thanked the Meeting of Parties for the opportunity to participate and hoped that it would be a fruitful one. She informed delegates that the two chiroptera action-plans were being prepared under the Bern Convention and reiterated the importance of co-operation between CMS, the Bern Convention and the Bat Agreement in the success of Action Theme 11 of PEBLDS on Threatened Species.

Non-Governmental Organisations

Naturshutzbund Deutschland (NABU)

19. Mr. Claus Mayr thanked everyone for being given the opportunity of taking part in the meeting and expressed how important the Bat Agreement was in Europe. He stressed the importance of volunteers and the role of NGOs in assisting in the implementation of the Agreement.

Agenda item 6.1 - Report of the Chairman of the Advisory Committee

20. Mr. Trevor Salmon referred to Inf.EUROBATS.Mop2.10 explained that many of the tasks set out in the Advisory Committee's terms of reference and the action plan from the first session

of the Meeting of Parties had been achieved by the Committee. He expressed his gratitude to all contributors for working so effectively and harmoniously. Recommendations were made in the report in section 2 for suggested actions that Parties may want to undertake over the subsequent three years. He hoped that these would be considered by the working groups.

21. Three meetings of the Advisory Committee had taken place in the last three years and he expressed thanks to the hosts of each venue: the island of Vilm (Germany), Krakow (Poland) and Prague (Czech Republic). Dr. Emonds (Germany) commented that the report was excellent: he added that it was as a result of the commitment of the Chairman that many of the actions had been achieved, and he thanked him. Mr. Salmon explained that the success of the meetings had depended on the number of people participating, and he hoped that as many people as possible would be able to continue to participate in these meetings in the future.

Agenda item 6.2 - Report of the Secretariat, Mr Eric Blencowe

22. Mr. Eric Blencowe hoped that the report was explanatory and clear. He stated that the Secretariat had benefited enormously through its liaison with the German Government as a host and employer, and through the co-location with the CMS Secretariat which allowed for information exchange and the provision of a wealth of experience. It was hoped that this relationship would continue with CMS, and that there would be an ongoing good relationship with the Federal Nature Conservation Agency.

23. The Secretariat felt that *European Bat Night* provided an excellent vehicle for the Agreement through raising public awareness and advertising the Agreement's aims. This year, twelve countries would be taking part on the weekend of 29-30 August. The Secretariat had invested a significant sum of money to promote *European Bat Night*, but hoped that it would carry on under its own momentum in the future with the help of the many people involved already who were investing an enormous level of energy into the initiative. Poland and Luxembourg stated they would be participating in the events of this year. Dr. Martin Lehnert, *Vespertilio*, stressed the importance of *European Bat Night* in raising public awareness by attracting the attention of the media.

24. The Secretariat thanked the Parties who had submitted their budgetary contributions, and urged others who had not yet done so to submit them as soon as possible. The Netherlands thanked the Secretariat for its work and confirmed that their contribution had been submitted, although this was not included in the Secretariat's report. The Secretariat confirmed that, in addition to the contributions recorded in the report, Ireland, Luxembourg and Hungary had provided their contributions. Dr. Emonds (Germany) commented that he was pleased that all the contributions had been paid in the years 1996 and 1997: this was, in his experience, unusual in international conventions. He hoped that the practice would continue in the future. He added that the Secretariat was performing a multitude of tasks and that he considered it necessary to increase the staff for the next triennium. He expressed his thanks to Mr. Blencowe for his work. Ireland and Poland then thanked Mr. Blencowe for his help and co-operation.

Range States reports

25. Ms. Teadora Ivanova (Bulgaria) thanked the Secretariat for its support and explained that the formal accession procedures were now under way.

26. Mr. Darko Kova_i (Croatia) hoped that his country would soon be in a position to accede to all the agreements under the umbrella of the Bonn Convention. He invited the Advisory Committee to hold its next meeting in Croatia.

27. Mr. Vilnis Bernards (Latvia) explained that his country was in the process of joining the Bonn Convention and the Bat Agreement would follow closely behind.

28. Mr. Arnulf Müller-Helmbrecht (UNEP/CMS Secretariat) reported, in the absence of the

observer from the Former Yugoslav Republic of Macedonia, that the Parliament there had recently passed a law on the accession to the Bonn Convention, and would soon join the African-Eurasian Migratory Waterbird Agreement and the Bat Agreement.

29. Mr. Ján Kadlečík (Slovakia) reported that the Parliament in the Slovak Republic had voted to join the Bat Agreement in 1998: they were now in the latter stages of the accession process.

30. Dr. Volodymyr Domashlinets (Ukraine) reported that there was growing interest for bat conservation in his country. He explained that the Environment Ministry had submitted the necessary preparatory documents to the Parliament, but the process had been interrupted by the recent elections. He hoped, however, that the new Parliament would continue the procedures enabling an early accession to the Agreement.

31. Mr. Salmon, representing the Depositary, was encouraged by the positive news from the Non-Party Range-State observers. He also stressed the importance that Parties sign the Amendment to the Agreement as soon as possible.

Agenda item 7. - Establishment of the Working Groups

32. Two working groups were proposed by the Chairman following advice received from the third meeting of the Advisory Committee:

- the scientific working group, and
- the administrative working group.

33. The tasks allocated to the working groups were agreed as follows:

7.1 Administrative working group

1. Terms of reference for the Advisory Committee (Doc.EUROBATS.Mop 2.10, Res. 2.6)
2. Terms of reference for the Secretariat (Doc.EUROBATS.Mop 2.11, Res 2.7)
3. Finance and budgetary matters (Doc.EUROBATS.Mop 2.5, Res 2.1)
4. Format and frequency of National Reports (Doc.EUROBATS.Mop 2.12, Res 2.8)
5. Transboundary Programme for bat conservation: species (Doc EUROBATS.Mop 2.6, Res 2.3)
6. Transboundary Programme for bat conservation: habitats (Doc EUROBATS.Mop 2.7, Res 2.4)
7. Report of the Chairman of the Advisory Committee, Recommendations Nr 6, 7 (Inf.EUROBATS.Mop2.10).

7.2 Scientific working group

1. Transboundary Programme for bat conservation: species (Doc.EUROBATS.Mop.2.6, Res 2.3)
2. Transboundary Programme for bat conservation: habitats (Doc.EUROBATS.Mop2.7, Res 2.4)
3. Consistent monitoring methodologies (Doc.EUROBATS.Mop2.5, Res 2.2)
4. Geographical scope of the Agreement (Doc.EUROBATS.Mop 2.8, Res 2.5)
5. National reports, review of Action Plan, revision for the subsequent triennium
6. Report of the Chairman of the Advisory Committee, Recommendations 1,2,3,4,&5 (Inf.EUROBATS.Mop2.10)
7. Others

34. The terms of reference for the Advisory Committee, for the Secretariat and the format and frequency of national reports, will be presented to the plenary, and will only briefly be considered by the scientific working group.

Election of the Chairpersons for the Working Groups

Proposed by Sweden and seconded by Portugal, Mr. Peter Lina of the Netherlands was elected Chairman of the scientific working group. Proposed by Germany and seconded by Luxembourg, Mr. Trevor Salmon of the UK was elected as Chairman of the administrative working group.

Agenda item 8 - Budget for the period 1 January 1999 - 31 December 2000.

35. Draft Resolution Number 1 on Financial and Budgetary Matters (based on Doc.EUROBATS.Mop2.4AnnexA rev1) was adopted by consensus following amendments and clarification to the tables and text.

Agenda item 9 - National Reports

36. Mr. Trevor Salmon of the UK requested that the word 'Triennial' should be removed from draft Resolution 7 (based on **Doc.EUROBATS.MOP2.12**: Format and Frequency of National Reports) as the Meeting of Parties will sit again within two years. It was reiterated that the draft Resolution was intended to clarify the format and contents of any report and that these had to be submitted in conformity with Article 6 of the Agreement.

Agenda item 10 - Implementation of the Work Programme

37. Draft Resolution number 2 on Consistent Monitoring Methodologies (based on Doc.EUROBATS.Mop2.5.AnnexARev1) was adopted by consensus as amended.

38. There was some discussion concerning resolution number 8 on the Implementation of the conservation and management plan. The meeting heard a proposal from Mr. Jacques Pir (APTCS) that an additional piece of text be inserted in the draft resolution: 'Parties which are members of the European Community are invited to use the guidance/advice of the Advisory Committee during the process of election and nomination of key sites covering underground habitats and forests with special importance for the conservation of bats as a contribution to Natura 2000.'

39. An EU co-ordination meeting outside the plenary, chaired by the UK, considered the proposal and recognised its constructive intentions. However, wishing to maintain the constructive and good relations between the Agreement and the EC, it was felt that there was insufficient time to consider the implications of the proposals, particularly given recent experiences of ASCOBANS Parties. The meeting did however urge the Advisory Committee and the Secretariat to consider ways in which such proposals could be brought to future meetings in sufficient time to allow appropriate consideration. Resolution Number 8 was then adopted, unamended, by consensus.

Agenda item 11 - Reports of the Working Groups

11.1 Report on the Working Group on Administrative Issues

40. The Chairman of the Administrative Working Group, Mr. Trevor Salmon (UK), explained that the minutes had been issued before being accepted by the working group. There were some amendments made by the German delegation and these were read out and passed to the Secretariat for inclusion in the final version. The minutes were adopted by consensus and are included as an annex to this report.

41. Mr. Salmon, Chairman of the Administrative Working Group, thanked the members of the working group for their hard work. He thanked delegates for recognising the minutes as a true and accurate record of the proceedings. He also thanked the Secretariat for its work, and the rapporteurs in the group. He explained that the Administrative Working Group had been unable to complete all of the tasks allocated to it by the plenary. In particular, it had not had time to review items from the Scientific Working Group on monitoring methodologies and the transboundary programme. He was, however, happy that these matters had been approved by the plenary .

11.2 Report on the Scientific Working Group

42. Both these reports were adopted by consensus, and are included as annexes to this report.

43. The Chairman expressed his thanks to Mr. Peter Lina as Chairman of the Scientific Working Group and to Mr. Salmon as Chairman of the Administrative Working Group for their excellent work. The German delegate, Dr. Gerhard Emonds, thanked the participants of the working groups and in particular Mr Trevor Salmon for leading discussions in such an able manner, which had made a considerable contribution to the achievement of consensus. He added that much work had been achieved in the Scientific Working Group, and thanked Mr. Peter Lina for chairing this group successfully.

11.3 Terms of Reference for the Advisory Committee

44. Mr. Trevor Salmon (UK) suggested a revision to the first sentence of paragraph 7 as follows: 'The Advisory Committee will perform the tasks allocated it in resolutions 2, 3, 4, 5 and 8 of the Second Meeting of the Parties to the Agreement, in an effort to pursue the obligations at Article 3 of the Agreement.' This, along other minor changes relating to consistency, was agreed, and the revised draft Resolution Number 6 (based on Doc.EUROBATS.MOP2.10.AnnexIRevI) was adopted as amended.

Agenda item 12 - Amendments to the Agreement text

45. The Chairman of the Advisory Committee drew the attention of the Meeting to the Committee's deliberations on the best means of ensuring clarity in the understanding of which individual species were subject to the Agreement. As explained in the Report of the Chairman of the Advisory Committee (Inf.EUROBATS.Mop2.10), the Advisory Committee had concluded that it would not be practical for the Agreement text to be amended. However, it had felt that the Advisory Committee should endeavour to keep under review the possibility of such an amendment. The plenary took note of the report.

Agenda item 13 - Transboundary programme for bat conservation

13.1 Transboundary programme for bat conservation: Species proposal

46. Draft Resolution Number 3 (based on Doc.EUROBAT.Mop2.6Rev1 concerning the species proposals) was adopted by consensus following minor amendments.

13.2 Transboundary programme for bat conservation: Habitat proposal

47. Draft Resolution Number 4 (based on Doc.EUROBAT.Mop2.7Rev1 concerning the habitat proposals) was adopted by consensus following minor amendments.

Agenda item 14 - Geographical Scope of the Agreement

48. Draft Resolution Number 5 (Doc.EUROBATS.Mop2.8Rev1) was adopted, without amendment, by consensus.

Agenda item 15 - Proposal for a European bat-information centre.

49. Mr. Gerhard Adams (Germany) informed the Meeting that the proposal for a European bat-information centre had been discussed by the Advisory Committee, who had recognised that further work was required. He then explained that discussion on this subject was still under way, and the Advisory Committee would continue to deliberate on the issue, so he concluded that the Meeting of Parties would be unable to make any meaningful decisions in this respect.

Agenda item 16 - Arrangements for the Third Session of the Meeting of Parties

50. Mr. Trevor Salmon (UK) offered to host the Third Session of the Meeting of Parties in succession with the Third Session of the Meeting of Parties to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) during 2000 in Bristol. He hoped that the two meetings would take no more than one week overall, with the Bat Agreement meeting lasting possibly only two days. The United Kingdom's generous offer was accepted by consensus by the plenary.

Agenda item 17 - Any other business

Next Advisory Committee meetings

51. Mr. Darko Kova_i_ (Croatia) offered to host an Advisory Committee meeting during the next biennium and Ms. Marie Nedinge (Sweden) repeated her offer at the last Advisory Committee meeting to host the next one. The Secretariat explained that it was for the Advisory Committee to decide where the meetings were held but thanked the two delegates very much for their offer, suggesting that they could liaise on detailed arrangements after the Meeting of Parties had risen. The third session of the meeting of Parties will occur during the middle of 2000, so the next Advisory Committee meeting would be in spring 1999 and the following one in early in 2000.

Press release

52. A draft press release in English had been prepared to report publicly the aims and success of the Second Session of the Meeting of Parties. Following minor amendments, the text was accepted by the plenary.

VIIIth European Bat Research Symposium

53. Professor Bronis_aw Wo_ozyn (Poland) invited delegates on behalf of the Institute of Animal Systematics and Evolution and the Organising Committee to the VIIIth European Bat Research Symposium, at Krakow, Poland from 23 to 27 August 1999.

54. Mr. Patrick O'Sullivan (Ireland) asked for Ireland's national report to be included in the list of documents, as was the case with the other reports which had been received and circulated by the Secretariat to the Parties.

Final remarks

55. The Chairman repeated his thanks to the chairmen of the two working groups and thanked all the participants, the Secretariat, rapporteuse and interpreters for their help. He gave his sincere thanks to German delegation who had provided the organisational structures for the meeting.

56. Dr. Jan-Willem Snee (the Netherlands) and Mr. Olivier Robinet (France) thanked the German Government for hosting the Second Session of the Meeting of Parties and thanked the Chairman and Vice-Chairperson. Mr. Tony Hutson (Bat Conservation Trust) thanked all the delegates for achieving such a successful meeting: he looked forward to the work of the next

biennium and also thanked the Secretariat for their work. Mr. Claus Mayr (Naturschutzbund Deutschland) thanked the Parties for the opportunity to attend and praised the work of Mr. Eric Blencowe. He expressed concern that the raising of public awareness needed much greater financial support. Dr. Martin Lehnert (Verspertilio) thanked the Parties for the opportunity to participate and thanked Mr. Eric Blencowe for his help: he felt that the meeting have been very fruitful and should provide an incentive for bat conservation.

Closure of the meeting

57. There being no further business, the Chairman closed the meeting at 1.00 p.m.

Report of the working group on Administrative Issues

1. Introduction

The Working Group met on 1st and 2nd July under the chairmanship of Mr. Trevor Salmon (UK), to consider documents 2.4, 2.10, 2.11, 2.12, and paragraphs 6-7 of Inf 2.12.

2. Resolution on format, frequency, content and review of national reports **(Doc.EUROBATS.MOP2.12)**

2.1. After the Chairman introduced Draft Resolution No. 8, several delegates expressed concern that the suggested requirements that an additional (annual) written report should be required, even on a voluntary basis, would be too time-consuming having regard to their already stretched administrative capacities. After the secretariat offered its services to compile national information given in any form before each Advisory Committee meeting the working group agreed to amend the Resolution to:

delete the words “and Frequency” in the headline;

replace the second operative paragraph to read “Encourage Parties to inform the Secretariat, approximately one month in advance of each Advisory Committee, about developments over the previous year, especially where major changes to the status of any species had occurred, which new items of publicity had been produced and what research had been considered, begun or completed.”

2.2 The working group agreed, however, to the revised guidelines laid down in the Annex, re-inserting “period covered” under section A. The group, thereafter, agreed that the revised resolution should proceed.

3. Terms of reference for the Advisory Committee (Doc.2.10, Reso. 2.6)

The chairman introduced the document, pointing out that it repealed and replaced the terms of reference originally agreed at the 1st Meeting of Parties. He acknowledges that all the original terms had been retained and therefore sought views only on the new entries (which are detailed below).

Para.2 - noting that it should be for Parties to fund their attendance at each advisory Committee, the group amended the paragraph to read: “Each Party shall be entitled to appoint one member of the Advisory Committee. Parties shall cover their member’s costs in attending meetings of the Advisory Committee.”.

Para. 5 - noting that it should be for Non-Parties to fund their attendance at each Advisory Committee, the group removed the 3rd sentence

Para. 6 - agreed

Para. 8 - The working group felt unable to comment on this paragraph until a decision the Secretariat’s administrative position had been decided. Subsequently, in the light of the decision to agree a budget based on a continuing BfN model, it was agreed that this paragraph should be deleted.

Para. 9 - for clarity, the group replaced the 1st sentence with “The Advisory Committee may, with the assistance of the Secretariat, develop proposals and draft resolutions on the implementation of the Agreement (excluding amendments to the text of the Agreement)”. Note: The working

group felt that an additional preambular paragraph should be inserted in the resolution to recognise that the Parties may also prepare and submit proposals and resolutions.

4. Terms of reference for the Secretariat (Doc. 2.11, Reso. 2.7)

The working group found the document useful as an indication of the tasks carried out or proposed to be carried out by the Secretariat. However it felt that by stating a priority list the Secretariat may be unduly restricting its activities.

Therefore, paragraph 4 and the list of tasks were inappropriate and should not be included. Given that these were the only new pieces of text the resolution need not proceed.

5. Financial and Budgetary Matters (Doc.EUROBATS.MOP2.4)

5.1 As requested at the 3rd Advisory Committee meeting, the Secretariat submitted draft Resolution No. 1, which proposed a triennial budget for the years 1999 - 2001, providing for a full-time Professional grade P3 and a half-time Assistant grade G2/3 according to United Nations pay scales.

5.2 The Executive Secretary, Mr. Eric Blencowe, explained that the provisions under the UNEP option allowed for fewer staff. This was because under that system the Secretariat would no longer have to deal with complex financial procedures, such as payments, receipts and preparations for the audit. Several delegations expressed concern that the increase in the total budget was too large. The delegate from Germany, Dr. Gerhard Emonds, claimed that the Parties had been pressed repeatedly, both by the UNEP and by the Secretariat, to look upon the UNEP budget option with favour. He added his surprise that the Secretariat was concerned about preparations for the audit, because the Government of Germany had prepared this free of charge.. He added that the Ministry had not agreed to the two draft budget proposals submitted to the Advisory Committee in Prague before that meeting took place. He said also that the figures produced by the Secretariat had not been a comparable version of the comparison between the two models, and further pointed to the need for clarity and honesty in the preparation of the draft budget in order to give the Parties all the facts so they could make rational decisions and stated that it would be desirable for all the delegations to be presented with the actual figures for the alternative option to UNEP in order to be able to compare them. He expressed his concern that the secretariats tried to convey the impression that the EUROBATS Secretariat would have to move out of the building if the option for integration were not adopted.

5.3 The Executive Secretary of the UNEP/CMS Secretariat explained the history behind the development of the UNEP proposal, from the initial resolution of the fourth Conference of the Parties to the Convention on Migratory Species in 1994, where an intersessional working group was set up to consider options for integrating the secretariats of European-based Agreements concluded under CMS into the Convention Secretariat. Following the resolution at the fifth Conference of the parties to CMS, which accepted the model of full integration of such secretariats, it had been clear that the UNEP/CMS Secretariat's responsibility had to co-operate with the Agreements to the fullest degree possible in facilitating their integration into the secretariat subject to the positive decisions of their respective Meetings of Parties. He expressed deep concern about Dr. Emonds' statement that the Secretariat had been laying pressure on the Parties to the Bat Agreement to accept the UN model, explaining that he was not representing UNEP at the meeting but CMS itself.

5.4 Mr. Blencowe was concerned about Dr. Emonds' apparent misunderstanding of the nature of the financial issues with which he had been forced to deal. On the audit, the problems related to the need for preparatory work to be carried out rather than any problems with the auditors themselves. He expressed also some concern about the implication from Dr. Emonds that he had been less than entirely candid in the preparation of figures for the two drafts budgets prepared for the Advisory Committee meeting, stating that the figures had been received from the Federal Nature Conservation Agency and that the drafts had been discussed and presented

at the Ministry well in advance of the Advisory Committee meeting.

5.5 Following further discussion within the working group, the Secretariat was instructed to prepare 4 alternative options:

- option 1:1 full-time Executive Secretary, but no Assistant, taking account of the possible synergy might arise from the proposed Agreements Unit within the CMS-Secretariat;
- option 2:2 full time posts for the Executive Secretary and the Administrative Assistant employed German Federal Agency for Nature Conservation (BfN);
- option 3:2 half-time posts for the Secretary and his Assistant employed by BfN;
- option 4:1 full-time Executive Secretary and one half-time Assistant employed by BfN

5.6 The working group expressed its commitment to an integrative solution for the Secretariat within the framework of UNEP/CMS and agreed that a full time Executive Secretary and a half time Administrative Assistant were necessary for an efficient performance of the Secretariat.

5.7 When discussing options 1 and 4 several delegates stated that they would prefer option 1 (UNEP-solution), provided that the CMS Secretariat could guarantee reliable staff assistance to reach the same degree of efficiency and performance provided for by option 4, even if this solution would be slightly more expensive than the BfN-solution in option 4. The representative of the CMS Secretariat offered his goodwill to share his support staff on an equal basis with the EUROBATs-Secretariat, although the risk of conflicts in priorities between the two secretariats could arise in the future.

5.8 However, the consensus of the group was that there were insufficient guarantees regarding the provision of support from within the CMS Secretariat to enable option 1 to be chosen. In particular the group noted that, at its 1999 Conference of Parties the CMS' Parties would be specifically considering the concept of an integrated Agreement Unit.. As a consequence the working group agreed upon the budget outlined in option 4, but only for a transitional period of two years. In doing so the group recognised that this would mean that the next MOP would need to be held in 2000. The UK delegate commented that, whilst it had offered to host the 3rd ASCOBANS Meeting of Parties, he was unable to state whether it would be willing or able to host the EUROBATs meeting.

5.9 With regard to the specific figures in Appendix II, the working group:

subhead 1-

decided to allocate both salary levels as appeared in the draft for 1999 and 2000. Several countries (Germany, UK, Netherlands, and Ireland), however, expressed concern that the assistant level may be too low to enable the recruitment and retention of a suitable member of staff.

subhead 2.2

travel expenses for experts etc. were reduced from 5000,-DM to 3000,-DM in each year. In so doing the group acknowledged that Party states and non-Party Range states would be expected to fund the attendance of their representatives to both the Advisory Committee and any intersessional working group, but that experts not attached to a state may receive support.

subhead 5.3

costs for phone, fax and mailing in the year 2000 were increased to reflect the additional requirement in a year containing a Meeting of Parties.

subhead 5.4a:

the working group agreed that European Bat Night should be primarily funded by the Parties themselves, but recognised that the Secretariat had an important role as well. The total amount for this event was therefore reduced from 10.000,-DM to 5000,-DM in each year.

subhead 5.5:

Cost for hospitality might increase in 2000 for the same reasons given at subhead 5.3.

subhead 5.7:

The group felt that it was unclear when consultants may be required. However, it felt that it was important to retain the concept and capacity. Therefore, the budget for consultancies was reduced from 10.000,- to 3.000,-DM in each year.

5.10 Having decided that the Secretariat should remain within the BfN-framework, the working group acknowledged that the original Appendix III was no longer relevant. It also felt that the original Appendix IV should not appear in any resolution as it provided background information for the original UNEP-based budget proposal.

5.11 With regard to the preambular clauses of the resolution the group agreed to:

- retain the 1st three paragraphs;
- delete the 4th and 5th;
- retain the 6th and 7th;
- amend the 8th to read "...by integration in the UNEP/CMS-Secretariat"; and,
- retain the 9th paragraph insuring that it would refer to the EUROBATs-Secretariat.

5.12 With regard to the operative clauses of the resolution the group agreed to:

- retain the 1st two paragraphs;
- delete the 3rd;
- amend the 4th paragraph to refer to financial regulations based on those agreed at the 2nd ASCOBANS MOP (which would replace the original Appendix III)
- amend the 5th paragraph by replacing "practicable" with "possible"; and then to, insert a clause to invite Parties, non-Party Range States and other organisations to make voluntary contributions; insert two paragraphs to demonstrate Parties' strong commitments to the eventual integration of the Secretariat in the UNEP/CMS-Secretariat from 01.Jan. 2001, and to collaborate with other European-based Agreements to achieve this same end;
- and,
- to retain the final paragraph.

Report on the Scientific Working Group - July 1st 1998

1. Introduction

Mr Lina of the Netherlands chaired the Working Group.

2. Consistent Monitoring Methodologies (Doc.EUROBATS.Mop2.5, Res 2).

Portugal requested that under '1 Introduction' of the guidelines, that a line should be added stating that 'Disturbance should be minimised as much as possible and roost counts should be undertaken quickly'. In addition, Portugal suggested an addition of '2.4 g) When colonies are very large, it may be better to estimate the area which they cover. In some cases, for instance when the ceiling is too high or when it is not possible to see the colonies, filming of bats emerging from the roosts using infrared videos connected to bat detectors is desirable.' At the beginning of paragraph 3.4, the Portuguese delegate suggested the following wording: 'When large colonies are present, it may be better to estimate their area of cover through the use of photography.' All these amendments were agreed.

In the species section, amendments were agreed for

- *Rhinolophus hipposideros*, section 2.1. The last sentence should be changed to 'Only in southern Europe does the species also habitually breed in underground sites'.
- *Myotis capaccinii*, it was suggested that an additional word should be added to the first line of section 3 so it becomes 'current impossibility'.
- *Eptesicus nilssonii* and *Eptesicus serotinus*, the beginning of the last line would read '*Eptesicus serotinus* occurs throughout the rest of Europe' etc.
- Within section 2.1 for *Miniopterus schreibersii*, section 2.1, it was requested that *Rhinolophus blasii* should be added to the list of species that it forms colonies with.

The UK delegate then requested that the document should be recommended to the plenary session and that it should be followed up with vigour by the Secretariat.

3. Transboundary Programme for Bat Conservation: Species (Doc.EUROBATS.Mop2.6 annex)

Germany was concerned that the cost for the two species was not in the same denominations. It was agreed to amend these to Ecu. The German representative also expressed concern that no time limit was expressed for the programme for *Myotis dasycneme*. It was agreed that a time limit should be added. Germany sought clarification that the resolution was directed at the Secretariat and the Advisory Committee to develop a co-ordinated programme, rather than towards individual Parties. The UK confirmed that this was also its understanding.

In section 3 of the *Pipistrellus nathusii*, it was agreed that bullet point three should be corrected to suggest 20 - 30 tissue samples per colony.

4. Transboundary Programme for Bat Conservation: Bat Habitats (Doc.EUROBATS.Mop2.7, Res.4).

Germany wished that the last paragraph of the resolution should be deleted and that the following text should be added: 'Decides that the contracting parties should endeavour to provide data on sites specified in annex I and II, as well as an assessment of sites with problems caused by man, by the middle of 2000 to the Secretariat.'

Directs the Secretariat to commission an assessment of all national data, where available, for consideration by the Advisory Committee and submission to the third session of the Meeting of Parties'

As a consequence, the last paragraph of page 2 of Annex I beginning 'The results...' should be deleted.

The Secretariat of the Bern Convention suggested that at the end of paragraph 5 of the resolution that the following should be added: 'and in the framework of the Bern Convention, in particular the establishment of the Emerald network.'

All of these amendments were agreed.

5. National reports

The Bat Conservation Trust expressed the opinion that the reports were improving and suggested that NGOs could help with prioritising work from the information within the reports. APTCS suggested that the Co-ordinating Panel for the Conservation of Bats in Europe (IUCN) could examine the reports. The Netherlands expressed concern regarding the descriptions of species status in the reports. Portugal stated that there were several errors on the Synthesis of Party reports document (inf. EUROBATS.Mop2.12) which should be corrected before it is put on the internet.

6. Geographical scope of the Agreement (Doc. EUROBATS.Mop2.8, Res 5)

Portugal requested that last line of paragraph 6 of the resolution should be amended to 'with the exception of the Canary islands, Madeira and the Azores'. This should be amended again in the first line of the seventh paragraph to 'whether the Canary islands, Madeira and the Azores should be included' etc. In addition the list of countries in Annex B should state 'Portugal except Madeira and Azores.' These amendments were agreed.

7. Nomenclature paper

Mr Lina of the Netherlands circulated a paper on the correct nomenclature of bats for information.

8. Other matters

Professor Woloszyn of Poland proposed to compile a common list of acronyms.

BCT expressed concerns that some important sites were not included in Natura 2000 series and asked whether this is a matter for the Eurobats Agreement. APTCS felt that the Advisory Committee should address this issue.

Report on the Scientific Working Group - July 2nd 1998

1. Introduction

Mr Lina of the Netherlands chaired the Working Group.

2. Revision of the minutes

Some corrections were made to the minutes from the meeting of the Working Group from the previous day and were incorporated.

3. Report of the Working Group on Administrative Issues

The amendments to the document 'Format and frequency of National Reports (Doc.EUROBATS.Mop2.12, Res 2.8), the Terms of reference for the Advisory Committee (Doc.EUROBATS.MOP2.10, Res 2.6), and the Terms of reference for the Secretariat (Doc.EUROBATS.MOP2.11, Res 2.7), made by the Administrative Working Group were accepted.

4. Recommendations made by the Chair of the Advisory Committee (Inf.EUROBATS.MOP2.10)

The proposed recommendations were considered. It was felt that recommendation 1 was covered by Doc.EUROBAT.Mop2.8, Res 5, Geographical scope of the Agreement; recommendation 2 was covered by Doc.EUROBAT.Mop2.12, Res 8, Format and frequency of National Reports; and recommendation 3 was covered by Doc.EUROBAT.Mop.2.5, Res 2, Consistent monitoring methodologies. Recommendation 4 refers to actions 11 and 17 of the Action Plan (Annex K of the report of the last Meeting of Parties) and these actions are identified as a priority for the Advisory Committee in the Action Plan of the next triennium. Recommendation 5 should read 'Parties should agree to the Advisory Committee's keeping under regular review a list of species that should be regarded as a reference list of 'European species of bat' subject to the Agreement.' This sentence should also be included in the terms of reference of the Advisory Committee. The rest of paragraph 5 should be deleted. The Working Group endorses the sentiments of recommendation 6. The species list on page 6 requires the removal of *Nyctalus azoreum*, *Pipistrellus maderensis* and *Plecotus teneriffae* in line with the geographical scope of the Agreement.

It was requested that the amendment of the Action Plan for the next meeting of Parties should be included in the terms of reference of the Advisory Committee. In addition, it was requested that all the initiatives adopted by the Resolutions accepted at the Second Meeting of Parties should also be incorporated into the terms of reference of the Advisory Committee.

5. Document on Linear Features

The document on linear features was circulated for information and it will be discussed at the next meeting of the Advisory Committee.

6. Resolution on the implementation of the conservation and management plan

The Secretariat of Bern Convention requested that the reference to the Emerald Network in the 6th paragraph should be deleted but that the words 'and in the framework on the Bern Convention and in particular the Emerald Network' should be added to the end of the 7th paragraph.

APTCS suggested that a further paragraph should be added to the resolution with a view to consider whether all important bat sites are included in the Natura 2000 lists. This was referred to a working group which subsequently referred it to an EC Coordination meeting of Heads of Delegation.

7. Other

The Secretariat of Bern Convention requested that the words 'Emerald Network' should be added to the brackets at 2 b line 5 of Element 2 of the Transboundary Programme for Bat Conservation: Bat Habitats document (Doc.EUROBATS.Mop2.7) to be in agreement with the wording of Resolution 4.

The Ukraine highlighted the need for an identification field guide for bats which covered all the species of the Range States of the Eurobat Agreement. Other delegates recognised the lack of one guide which covers all European species and also the lack of appropriately translated guides in some instances. It was suggested that this should be addressed by the Advisory Committee.

2nd Session of the Meeting of Parties

Bonn, Germany, 1-3 July 1998

Agenda

4. Opening of the meeting.
5. Election of Chairperson.
6. Adoption of agenda.
7. Procedural matters.
 - 4.1 Rules of Procedure
 - 4.2 Approval of credentials
 - 4.3 Admission of observers
8. Welcoming addresses.
9. Reports.
 - 6.1 Report of the Advisory Committee Chairperson
 - 6.2 Report of the Secretariat (1.1.96-23.6.98)
10. Working Groups.
 - 7.1 Administration (Agreements Unit, administration of Secretariat staff, budget)
 - 7.2 Scientific (national reports, review of Action Plan, and revision for the subsequent triennium)
11. Budget for the period 1 January 1999 - 31 December 2001.
12. National reports.
 - 9.1 Resolution on frequency, content and review of national reports
13. Implementation of work programme:
 - 10.1 development and application of consistent methodologies for monitoring species' trends
 - 10.2 migratory habits and routes
14. Reports of the Working Groups.
15. Amendments to the Agreement text.
13. Transboundary programme for bat conservation.
14. Geographical scope of the Agreement.
15. Proposal for a European bat-information centre.
16. Arrangements for the Third Meeting of Parties.
17. Any other business.



2nd Session of the Meeting of Parties

Bonn, Germany, 1-3 July 1998

Rules of Procedure for the
Second Session of the Meeting of Parties

The Rules of Procedure which follow are based on the Rules adopted at the First Session of the Meeting of Parties.

Part I

Delegates, Observers, Secretariat

Rule 1- Delegates

- (1) A Party to the Agreement (hereafter referred to as a "Party")¹ shall be entitled to be represented at the Meeting by a delegation consisting of a Representative and such Alternative Representatives and Advisers as the Party may deem necessary.
- (2) The Representative of a Party shall exercise the voting rights of that Party. In the absence of the Representative, an Alternative Representative of that Party shall act as substitute over the full range of the Representative's functions.

Rule 2- Observers

- (1) The Foreign and Commonwealth Office, representing the UK in its role as the Depositary to this Agreement, the Secretariats of the Convention on the Conservation of Migratory Species of Wild Animals, the Convention on the Conservation of European Wildlife and Natural Habitats, IUCN (The World Conservation Union), and all relevant non-Party Range States and Regional Economic Integration Organisations may be represented at the meeting by observers who shall have the right to participate but not to vote.²
- (2) Any other body qualified in bat conservation and management which has informed the Secretariat before the Meeting of its desire to be represented at the Meeting by observers, shall be entitled to be present, unless at least one-third of the Parties present object³. Once admitted, these observers shall have the right to participate but not to vote.
- (3) Seating limitations may require that no more than two observers from any non-Party State or body be present at a plenary session and sessions of the Advisory Committee or of any working group established by the Meeting of Parties in accordance with Rule 23.

1

See Agreement, Article I, sub-paragraph (e), and Article XII. A Party is a Range State or a Regional Economic Integration Organisation which has deposited its instrument of ratification or accession no less than 30 days prior to the Meeting.

2

See Agreement Article V.3

³See Agreement Article V.3

- (4) A standard participation fee may be fixed by the Meeting of Parties, to be paid in advance of the Meeting by all non-governmental organisations. The fee will be announced in the letter of invitation and this Meeting will determine any fee for the next ordinary session of the Meeting of Parties.

Rule 3 - Credentials

- (1) Each contracting Party shall assign a Representative for each meeting and Alternative Representatives as it thinks appropriate. Contracting Parties shall submit the names of these delegates to the Secretariat through their coordinating authorities by the start of the Meeting.
- (2) The names of assigned Representatives and Alternate Representatives shall be available for inspection by contracting Parties.

Rule 4 - Secretariat

The Secretariat shall service and act as Secretariat for the Meeting⁴.

Part II

Officers

Rule 5 - Chairpersons

- (1) The Chairperson of the Advisory Committee shall act as temporary Chairperson of the Meeting until the Meeting elects a Chairperson in accordance with Rule 5, paragraph (2)⁵.
- (2) The Meeting, in its inaugural session, shall elect from among the representatives of the Parties, a Chairperson and Vice-Chairperson.

Rule 6 - Presiding Officer

- (1) The Chairperson shall preside at all plenary sessions of the meeting.
- (2) If the Chairperson is absent or is unable to discharge the duties of Presiding Officer, the Vice-Chairperson shall deputise.
- (3) The Presiding Officer shall not vote, but may designate an Alternative Representative from the same delegation.

Part III

Rules of Order and Debate

Rule 7 - Powers of Presiding Officer

- (1) In addition to exercising powers conferred elsewhere in these Rules, the Presiding Officer shall at plenary sessions of the meeting:
- (a) open and close the sessions;
 - (b) direct the discussions;
 - (c) ensure the observance of these Rules;
 - (d) accord the right to speak;
 - (e) put questions to the vote and announce decisions;
 - (f) rule on points of order; and
 - (g) subject to these Rules, have complete control of the proceedings of the Meeting and the maintenance of order.

4

At the First Session of the Meeting of Parties the Convention Secretariat assisted the Interim Secretariat with the servicing of the Meeting. It was noted in the Rules of Procedure that, at subsequent meetings, the Secretariat of the Agreement would act as sole Secretariat.

⁵See Rule 5, paragraph (1) of the Rules of procedure for the First Session of the Meeting of Parties.

- (2) The Presiding Officer may, in the course of discussion at a plenary session of the Meeting, propose to the Meeting:
 - (a) time limits for speakers;
 - (b) limitation of the number of times the members of a delegation or observers from a State which is not a Party or a Regional Economic Integration Organisation, or from any other body, may speak on any question;
 - (c) the closure of the list of speakers;
 - (d) the adjournment or the closure of the debate on the particular subject or question under discussion;
 - (e) the suspension or adjournment of any session; and
 - (f) the establishment of drafting groups on specific issues.

Rule 8 - Seating, Quorum

- (1) Delegates shall be seated in accordance with the alphabetical order in the English language of the names of the Parties, non-Party Range-States, including Regional Economic Integration Organisations, and non-governmental organisations.
- (2) A quorum for plenary sessions shall consist of two-thirds of the Parties. No plenary session shall take place in the absence of a quorum.

Rule 9 - Right to Speak

- (1) The Presiding Officer shall call upon speakers in the order in which they signify their desire to speak, with precedence given to the delegates.
- (2) The delegate or observer may speak only if called upon by the Presiding Officer, who may call a speaker to order if the remarks are not relevant to the subject under discussion.
- (3) A speaker shall not be interrupted, except on a point of order. The speaker may, however, with the permission of the Presiding Officer, give way during his speech to allow any delegate or observer to request clarification on a particular point in that speech.

Rule 10 - Submission of Proposals for Amendment of the Agreement

- (1) As a general rule, proposals for amendment of the Agreement, together with the reasons for the amendment, shall be communicated to the Secretariat at least 90 days before the Meeting. The Secretariat shall circulate them to all Parties in the working language of the Meeting. Proposals arising out of discussion of the foregoing may be discussed at any plenary session of the Meeting, provided copies have been circulated to all delegations not later than the day preceding the session. However, decisions with respect to such proposals shall follow the provisions of Article VII.4 of the Agreement.
- (2) After a proposal has been adopted or rejected by the Meeting, it shall not be reconsidered unless a two-thirds majority of the Parties participating in the meeting so decide. Permission to speak on a motion to reconsider a proposal shall be accorded only to a delegate from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote.

Rule 11 - Procedural Motions

- (1) During the discussion of any matter, a delegate may rise to a point of order, and the point of order shall be immediately, where possible, decided by the Presiding Officer in accordance with these Rules. A delegate may appeal against any ruling of the Presiding Officer. The appeal shall immediately be put to the vote, and the Presiding Officer's ruling shall stand unless a majority of the Parties present and voting decide otherwise. A delegate rising to a point of order may not speak on the substance of the matter under discussion, but only on the point of order.
- (2) The following motions shall have precedence in the following order over all other proposals or motions before the Meeting:
 - (a) to suspend the session;
 - (b) to adjourn the session;
 - (c) to adjourn the debate on the particular subject or question under discussion;

- (d) to close the debate on the particular subject or question under discussion.

Rule 12 - Arrangements for Debate

- (1) The Meeting may, on a proposal by the Presiding Officer or by a delegate, limit the time to be allowed to each speaker and the number of times anyone may speak on any question. When the debate is subject to such limits, and a speaker has spoken for the allotted time, the Presiding Officer shall call the speaker to order without delay.
- (2) During the course of a debate the Presiding Officer may announce the list of speakers and, with the consent of the Meeting, declare the list closed, The Presiding Officer may, however, accord the right of reply to any delegate if a speech delivered after the list has been declared closed makes this desirable.
- (3) During the discussion of any matter, a delegate may move for an adjournment of the debate on the particular subject or question under discussion. In addition to the proposer of the motion, a delegate may speak in favour of, and a delegate of each of two Parties may speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.
- (4) A delegate may at any time move the closure of the debate on the particular subject or question under discussion, whether or not any other delegate has signified the wish to speak. Permission to speak on the motion for closure of the debate shall be accorded only to a delegate from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.
- (5) During the discussion of any matter a delegate may move the suspension or the adjournment of the session. Such motions shall not be debated but shall immediately be put to the vote. The Presiding Officer may limit the time allowed to the speaker moving the suspension or adjournment of the session.

Part IV

Voting

Rule 13 - Methods of Voting

- (1) Without prejudice to the provisions of Rule 1, paragraph 2, each Representative duly accredited according to Rule 3 shall have one vote. Regional Economic Integration Organisations, in matters within their competence, shall exercise their voting rights with a number of votes equal to the number of their member States which are Parties to the Agreement⁶. In such cases, the member states of such organisations shall not exercise their right individually.
- (2) The Meeting shall normally vote by show of hands, but any Party may request a roll-call vote.
- (3) At the election of officers or of prospective host countries, any Party may request a secret ballot. If seconded, the question of whether a secret ballot should be held shall immediately be voted upon. The motion for a secret ballot may be conducted by secret ballot.
- (4) Voting by roll-call or by secret ballot shall be expressed by "Yes", "No" or "Abstain". Only affirmative and negative votes shall be counted in calculating the number of votes cast by Parties present and voting.
- (5) If votes are equal, the motion or amendment shall not be carried.
- (6) The Presiding Officer shall be responsible for the counting of the votes and shall announce the result. The Presiding Officer may be assisted by tellers appointed by the Secretariat.

⁶See Agreement Article V.5.

- (7) After the Presiding Officer has announced the beginning of the vote, it shall not be interrupted except by a Representative on a point of order in connection with the actual conduct of the voting. The Presiding Officer may permit Representatives to explain their votes either before or after the voting, and may limit the time to be allowed for such explanations.

Rule 14 - Majority⁷

Except where otherwise provided for under the provisions of the Agreement or these Rules, all votes on procedural matters relating to the forwarding of the business of the meeting, and amendments to the Agreement, shall be decided by a two-thirds majority of Parties. Financial decisions require a three-quarter majority among those present and voting.

Rule 15 - Procedure for Voting on Motions and Amendments

- (1) A delegate may move that parts of a proposal or of an amendment be voted on separately. If objection is made to the request for such division, the motion for division shall be voted upon first. Permission to speak on the motion for division shall be accorded only to a delegate from each of two Parties wishing to speak in favour of, and a delegate from each of two Parties wishing to speak against, the motion. If the motion for division is carried, those parts of the proposals or amendment which are subsequently approved shall be put to the vote as a whole. If all operative parts of the proposal of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.
- (2) When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Meeting shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on until all amendments have been put to the vote. When, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

Rule 16 - Elections

- (1) If, in an election to fill a vacancy, no candidate obtains the required majority in the first ballot, a second ballot shall be taken to the two candidates obtaining the largest number of votes. If, in the second ballot, the votes are equally divided, the Presiding Officer shall decide between the candidates by drawing lots.
- (2) If, in the first ballot, there is a tie amongst candidates obtaining the second largest number of votes, a special ballot shall be held to reduce the number of these candidates to two.

Part V

Languages and Records

Rule 17 - Working Language

Interpretation shall be provided for the Plenary Sessions of the Meeting in English, French and German.

Rule 18 - Other Languages⁸

- (1) A delegate may speak in a language other than English, provided he/she furnishes interpretation into English.

⁷See Agreement Article V.1, and VII.4.

⁸This Rule was not applicable at the First Session of the Meeting of Parties.

- (2) Any document submitted to a meeting shall be in English.

Rule 19 - Summary Records

Summary records of Meeting shall be kept by the Secretariat and shall be circulated to all Parties, in English.

Part VI

Openness of Debate

Rule 20 - Plenary Sessions

All plenary sessions of the Meeting shall be open to the public, except that in exceptional circumstances the Meeting may decide, by a two-thirds majority of parties present and voting, that any single session be closed to the public.

Rule 21 - Sessions of the Working Groups

As a general rule, sessions of working groups shall be limited to the delegates and to observers invited by the Chairs of working groups.

Part VII

Working Groups

Rule 22 - Establishment of Working Groups

The Meeting of Parties may establish working groups as may be necessary to enable it to carry out its functions. It shall define the terms of reference and composition of each working group, the size of which may be limited according to the number of places available in assembly rooms.

Rule 23 - Procedure

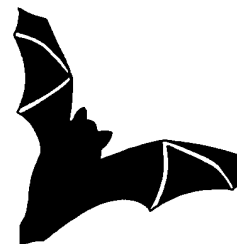
- (1) Insofar as they are applicable, these Rules, other than Rule 5(2), shall apply *mutatis mutandis* to the proceedings of working groups.
- (2) The Meeting shall elect, from the representatives, alternate representatives and advisers, a Chairperson for each working group established to function during the session⁹.

Part VIII

Amendment

Rule 24 - Amendments

These rules may be amended by decision of the Meeting of Parties.



2nd Session of the Meeting of Parties

Bonn, Germany, 1-3 July 1998

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