

Agenda Item 21.1

Adoption of Rules of Procedure for Working
Groups under the Advisory Committee

Jastarnia Group

Document 18

**Draft Rules of Procedure for the
ASCOBANS Jastarnia Group**

Action Requested

- Make proposals for amendment if desired
- Adopt the Rules of Procedure

Submitted by

Jastarnia Group



NOTE:
**IN THE INTERESTS OF ECONOMY, DELEGATES ARE KINDLY REMINDED TO BRING THEIR OWN
COPIES OF DOCUMENTS TO THE MEETING**

DRAFT RULES OF PROCEDURE FOR THE ASCOBANS JASTARNIA GROUP

PART I

JASTARNIA GROUP MEMBERS, INVITED EXPERTS, SECRETARIAT

Rule 1: Jastarnia Group Members

- (1) The Jastarnia Group is open to representatives of all states bordering the Baltic Sea, irrespective of their status as ASCOBANS Parties or Non-Party Range States (hereinafter referred to as "Baltic Sea States"), Baltic Sea environmental non-governmental organisations and Baltic Sea fisheries organisations (hereinafter referred to as "Jastarnia Group Members").
- (2) Each Baltic Sea State shall be entitled to appoint two Jastarnia Group Members, one of whom shall represent the environmental sector, the other the fisheries sector and such Advisers as the Baltic Sea State may deem necessary. Jastarnia Group Members appointed by Parties shall have the right to vote.
- (3) Baltic Sea environmental non-governmental organisations and Baltic Sea fisheries organisations shall be entitled to appoint one Jastarnia Group Member and such Advisers as they may deem necessary.
- (4) The Jastarnia Group Members appointed by Non-Party Range States, non-governmental organisations or Baltic Sea fisheries organisations shall have the right to vote only with regard to the election of Officers of the Jastarnia Group and procedural matters.
- (5) The voting rights of the Parties shall be exercised by one of the Jastarnia Group Members of each Party on behalf of that Party. In the absence of the Jastarnia Group Members, an Adviser may be appointed by the Baltic Sea State or Organisation in question to act as a substitute over the full range of the Jastarnia Group Members' functions.

Rule 2: Invited Experts

- (1) The Jastarnia Group may, as appropriate, invite representatives of any other body or any individual qualified in cetacean conservation and management to participate in a meeting ("Invited Experts"). Invited Experts shall not have the right to vote.

Rule 3: Credentials

- (1) Baltic Sea States and organisations represented in the Jastarnia Group shall submit the names of their Jastarnia Group Members and of any change of their Jastarnia Group Members to the Secretariat at the latest by the start of the Meeting.

- (2) The appointed Jastarnia Group Members shall be available for consultation intersessionally.

Rule 4: Secretariat

- (1) Unless otherwise instructed by the Parties, the Secretariat shall service and act as Secretariat for the Jastarnia Group at its meetings.

PART II

OFFICERS

Rule 5: Chairpersons

- (1) The Jastarnia Group shall elect a Chairperson from among the Jastarnia Group Members or their Advisers. It may also elect a Vice-Chairperson from among the Jastarnia Group Members or their Advisers.
- (2) The Chairperson and Vice-Chairperson of the Jastarnia Group shall hold office until the end of the first meeting of the Jastarnia Group following each Meeting of the Parties. They may be nominated for re-election at the end of a term of office. In the event of the election of a new Chairperson or Vice-Chairperson, the Jastarnia Group shall elect these persons from among the Jastarnia Group Members or their Advisers. Elections may take place intersessionally by postal or email ballot. Intersessional elections shall be coordinated by the Chairperson of the Jastarnia Group or, at the outgoing Chairperson's request, by the Secretariat.

Rule 6: Presiding Officer

- (1) The Chairperson shall preside at all meetings of the Jastarnia Group.
- (2) If the Chairperson is absent or is unable to discharge the duties of Presiding Officer, the Vice-Chairperson shall deputize.
- (3) In the event that both the Chairperson and the Vice-Chairperson are absent or unable to discharge the duties or that no Vice-Chairperson has been elected, an appointed Jastarnia Group Member of the Party hosting the Meeting or on the territory of which the Meeting is taking place shall assume these duties.
- (4) The Presiding Officer may vote if she/he is so entitled in accordance with Rule 1 Paragraph 4 above.

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 the Jastarnia Group Meetings:
 - (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.
- (2) The Presiding Officer may, in the course of discussion at a meeting, propose:
 - (a) time limits for speakers;
 - (b) limitation of the number of times the Jastarnia Group Members or the Invited Experts 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: Right to Speak

- (1) The Presiding Officer shall call upon speakers in the order in which they signify their desire to speak.
- (2) A Jastarnia Group Member or Adviser or 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 participant to request elucidation on a particular point in that speech.

Rule 9: Procedural Motions

- (1) During the discussion of any matter, a Jastarnia Group Member may rise to a point of order, and the point of order shall, where possible, be decided immediately by the Presiding Officer in accordance with these Rules. A Jastarnia Group Member 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 Jastarnia Group Members present and voting decide otherwise. A Jastarnia Group Member 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 10: Arrangements for Debate

- (1) The Meeting may, on a proposal by the Presiding Officer or by a Jastarnia Group Member, 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 Committee, declare the list closed. The Presiding Officer may, however, accord the right of reply to any individual if a speech delivered after the list has been declared closed makes this desirable.
- (3) During the discussion of any matter, a Jastarnia Group Member may move the adjournment of the debate on the particular subject or question under discussion. In addition to the proposer of the motion, a Jastarnia Group Member may speak in favour of, and two Jastarnia Group Members may speak against the motion, after which the motion shall immediately be decided or if necessary, put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.
- (4) A Jastarnia Group Member may at any time move the closure of the debate on the particular subject or question under discussion, whether or not any other individual has signified the wish to speak. Permission to speak on the motion for closure of the debate shall be accorded only to two Jastarnia Group Members 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 Jastarnia Group Member 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 11: Methods of Voting

- (1) Decisions shall normally be taken by consensus among all Jastarnia Group Members. If consensus cannot be achieved, the issue in question shall immediately be put to the vote.
- (2) Without prejudice to the provisions of Rule 1, Paragraphs 3 and 4, each Baltic Sea State/Party shall have one vote.
- (3) The Jastarnia Group normally votes by show of hands at a meeting, but any Party may request a roll-call vote. In the event of a vote during an intersessional period, there will be a postal or email ballot. The postal or email ballot shall be coordinated by the Chairperson of the Jastarnia Group, or, at the Chairperson's request, by the Secretariat.
- (4) At the election of officers, any Jastarnia Group Member may request a secret ballot. If seconded, the question of whether a secret ballot should be held shall immediately be decided and, if necessary, voted upon. The motion for a secret ballot may not be conducted by secret ballot.
- (5) Voting by roll-call or by secret ballot shall be expressed by "Yes", "No" or "Abstain". Only affirmative and negative votes cast by Jastarnia Group Members present and voting shall be counted in calculating the number of votes.
- (6) If votes are equal, the motion or amendment shall not be carried.
- (7) The Presiding Officer shall be responsible for the counting of the votes and shall announce the result. The Presiding Officer may be assisted by the Secretariat. Intersessional voting by postal or email ballot shall be co-ordinated by the Secretariat.
- (8) After the Presiding Officer has announced the beginning of the vote, it shall not be interrupted except by a Jastarnia Group Member on point of order in connection with the actual conduct of the voting. The Presiding Officer may permit Jastarnia Group Members to explain their votes either before or after the voting, and may limit the time to be allowed for such explanations.

Rule 12: Majority and Voting Procedures on Motions and Amendments

- (1) All votes on procedural matters relating to the forwarding of the business of the meeting shall be decided by a simple majority of Parties present and voting.
- (2) Financial decisions within the limit of the power available to the Jastarnia Group shall be decided by three-quarter majority among those Parties present and voting.
- (3) Amendments to the Rules of Procedure require a three-quarter majority among those Parties present and voting.
- (4) All other decisions shall be taken by simple majority among Parties present and voting.

- (5) When an amendment is moved to a proposal, the amendment shall be voted on first. If the amendment is adopted, the amended proposal shall then be voted upon.

PART V

LANGUAGES AND RECORDS

Rule 13: Working Language

- (1) English shall be the working language of the Jastarnia Group.
- (2) Any document submitted to a meeting shall normally be in English. For documents not submitted in English a courtesy translation shall normally be provided.

Rule 14: Summary Records

- (1) Summary records of Committee meetings shall be kept by the Secretariat and shall be circulated to all Jastarnia Group Members in English no later than four weeks following the meeting.

PART VI

OPENNESS OF DEBATES

Rule 15: Jastarnia Group Meetings

- (1) All sessions of meetings shall normally be closed to the public.

PART VII

SUB- GROUPS

Rule 16: Establishment of Sub-Groups

- (1) The Jastarnia Group may establish sub-groups as may be necessary to enable it to carry out its functions. It shall define the terms of reference and composition of each sub-group.

.

Rule 17: Procedure

- (1) Insofar as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of sub-groups.