TRAINING MANUAL FOR CHAIRS OF MEETINGS

of the Minamata Convention on Mercury

UN environment programme

MINAMATA CONVENTION ON MERCURY

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1. INTRODUCTION AND OBJECTIVES

This manual is to serve as a source of information and guidance for delegates presiding over or chairing negotiations, in plenary sessions, contact groups or other group settings, in the framework of the Minamata Convention on Mercury (hereinafter “Minamata Convention”).

This manual is part of a training programme developed by the Secretariat for potential Chairs and Presidents of the Convention's meetings. The first pilot training session was held in September 2025. Given the pilot nature of the training programme, comments from participants were encouraged at the first training session to allow for future improvements in these activities.

The overall objectives of the training programme are to:

- Strengthen participants' knowledge of practical procedures of meetings of Minamata Convention;
- Develop participants' skills and knowledge to enable them to efficiently and effectively chair meetings;
- Determine what preparations are appropriate as a meeting chair;
- Strengthen communication techniques and skills of potential chairs;
- Share best practices and lessons learned on efficient chairing of meetings;
- Empower potential chairs to preside over different types of meetings under the Minamata Convention.

This manual has been developed by the Secretariat on the basis of the “Training Manual for Chairs of Meetings of the Basel, Rotterdam and Stockholm Conventions”, which was developed by the United Nations University Institute of Advanced Studies on Sustainability (UNU-IAS) in cooperation with the Secretariats of the Basel, Rotterdam and Stockholm Conventions, within the framework of the training programme for potential Chairs and Presidents of the Basel, Rotterdam and Stockholm Conventions' meetings.

2. INSTITUTIONS OF THE CONVENTION

The Minamata Convention has the standard institutional components pertaining to a multilateral environmental agreement: a governing body, the Conference of the Parties (hereinafter "COP"); subsidiary bodies; and a Secretariat. Their functions are described in Convention's provisions as well as in relevant decisions. Procedural operations are determined by the rules of procedure of the Convention[1], whilst the financial administration of the COP, its subsidiary bodies and the Secretariat are governed by the financial rules of the Convention[2], in addition to the Financial Regulations and Rules of the United Nations.

2.1 CONFERENCE OF THE PARTIES (COP)

The Convention is an international legal instrument, legally autonomous and binding under international law, the governing body of which is the COP, i.e. a universal body composed of all the Parties to the Convention. Parties are States or regional integration organizations that have ratified, accepted, approved, or acceded to the Convention. Within its areas of competence, the COP has ultimate decision-making power and is independent from other United Nations governing bodies such as the General Assembly or the United Nations Environment Assembly of the United Nations Environment Programme (UNEP) or the United Nations General Assembly.

The functions of the COP are set out in the text of the Convention (Article 23). The COP reviews and evaluates the implementation of the Convention, including by taking action required for achieving the objective of the Convention, considering and adopting amendments to the Convention and its annexes and establishing subsidiary bodies. The COP also approves the programme of work and budget of the

[1] https://minamataconvention.org/en/resources/rules-procedure-conference-parties
[2] https://minamataconvention.org/en/resources/financial-rules-minamata-convention-mercury

Convention. Action by the COP is taken through the adoption of a decision.

2.1.1 Rules of procedure for the COP

Meetings of the COP are governed by the rules of procedure[3]. The rules of procedure for the Convention cover matters such as the agenda, representation and credentials, officers of the meeting, conduct of business and voting. It should be noted, however, that where the relevant treaty directly addresses the rule in question – for example, the specific voting rule for the Implementation and Compliance Committee – this takes precedence over the general voting rule in the COP rules of procedure.

2.1.2 Ordinary meetings of the COP

Ordinary meetings of the COP are held at regular intervals as decided by the COP. Since the third meeting of the COP, ordinary meetings were held every two years in accordance with the rules of procedure of the COP. Meetings of the COP take place at the seat of the Secretariat, unless other arrangements are decided, for instance, if a Party offers to host it[4].

2.1.3 Extraordinary meetings of the COP

Extraordinary meetings of the Conference of the Parties are to be held at such times as may be decided either by the Conference of the Parties at an ordinary meeting or at the written request of any Party, provided that, within ninety days of the request being communicated to the Parties by the Secretariat, it is supported by at least one third of the Parties[5]. So far, no extraordinary meeting was convened.

[3] https://minamataconvention.org/en/resources/rules-procedure-conference-parties
[4] Rules 3 and 4 of the rules of procedure of the COP.
[5] Rule 4 of the rules of procedure of the COP.

2.2 SUBSIDIARY BODIES AND OTHER BODIES ESTABLISHED BY THE CONFERENCE OF THE PARTIES

Subsidiary bodies are established by the COP and operate within the framework set by the Convention and COP decisions, usually in the form of terms of reference providing for matters such as the mandate, membership, organization and operation of meetings, recommendations, and reports to the COP. Given their nature, the main outcomes of subsidiary bodies are recommendations for decisions or conclusions for consideration and adoption by the COP.

The rules of procedure for the COP apply, *mutatis mutandis*[6], to the proceedings of any subsidiary bodies, subject to the agreement of the Parties and any modifications noted in the rules of procedure or decided by the COP.

The Implementation and Compliance Committee was established as a subsidiary body under Article 15 of the Convention. The COP may establish other subsidiary bodies as well as other bodies, such as the bodies established to support the evaluation of the effectiveness of the Convention.

2.2.1 Implementation and Compliance Committee

The Minamata Convention on Mercury establishes, under its Article 15, a 15-member Implementation and Compliance Committee (hereinafter "ICC") as a subsidiary body of the Conference of the Parties to promote implementation of, and review compliance with, all provisions of this Convention.

The rules of procedure for the ICC were developed by the ICC at its first meeting and adopted at the second meeting of the Conference of the Parties in decision MC-2/4[7]. The terms of reference of ICC were

[6] See annex 3 for commonly used terms and expressions related to international meetings.
[7] https://minamataconvention.org/en/resources/rules-procedure-implementation-and-compliance-committee

adopted at the third meeting of the Conference of the Parties in decision MC-3/9[8].

Under its mandate, the Committee is facilitative in nature and is to pay particular attention to the respective national capabilities and circumstances of Parties. It examines both individual and systemic issues of implementation and compliance and makes recommendations, as appropriate, to the Conference of the Parties. Unless otherwise decided by the Committee, meetings of the Committee are to be held in person at least once during each intersessional period between ordinary meetings of the Conference of the Parties.

More information on the actors of the meetings of the ICC is provided in section 3.2.1 below.

2.2.2 Governing Board of the Specific International Programme to Support Capacity-Building and Technical Assistance of the Minamata Convention on Mercury

The Specific International Programme to Support Capacity-Building and Technical Assistance (SIP) is one of the two components of the financial mechanism of the Minamata Convention on Mercury, together with the Global Environment Facility (GEF). It was defined by Article 13 of the Convention, and in 2017 the first meeting of the Conference of the Parties (COP-1) decided on its duration and the arrangements for its operation (decision MC-1/6)[9]. As requested by decision MC-1/6, UNEP established the Specific Trust Fund, effective 1 January 2018, to receive funds for the SIP.

The Governing Board of the Specific International Programme (SIP Governing Board) oversees and implements the guidance of the Conference of the Parties, including decision-making on SIP projects. At its first meeting, the SIP Governing Board adopted its rules of

[8] https://minamataconvention.org/en/documents/implementation-and-compliance-committee-terms-reference-and-template-written-submissions
[9] https://minamataconvention.org/en/documents/specific-international-programme-support-capacity-building-and-technical-assistance

procedure[10] to support its functioning and that of the SIP. The Governing Board allocates available funding to selected projects following the appraisal by the Secretariat of applications from eligible Parties, using the criteria set at its first meeting. The SIP is open to receive contributions and applications for support for a period of 10 years from the establishment of the Specific Trust Fund on 1 January 2018. The COP may decide to extend this period, not exceeding an additional 7 years.

More information on the actors of the meetings of the SIP Governing Board is provided in section 3.2.2 below.

2.2.3 Bodies to support the evaluation of the effectiveness of the Convention

Article 22 of the Convention states that the COP evaluates the effectiveness of this Convention, beginning no later than six years after the date of entry into force of the Convention and periodically thereafter at intervals to be decided by it. To facilitate the evaluation, the COP initiated, at its first meeting, the establishment of arrangements for providing itself with comparable monitoring data on the presence and movement of mercury and mercury compounds in the environment as well as trends in levels of mercury and mercury compounds observed in biotic media and vulnerable populations.

At its fifth meeting, in decision MC-5/14[11], the COP established the Effectiveness Evaluation Group (EEG) to work in accordance with the terms of reference outlined in annex I to the decision and agreed to consider the outcome of the first effectiveness evaluation of the Convention at its seventh meeting. The mandate of the EGG is to oversee the development of the effectiveness evaluation report, as requested by the COP. It will integrate the information and knowledge collected and synthesized during the effectiveness evaluation process

[10] https://minamataconvention.org/en/resources/rules-procedure-specific-international-programme
[11] https://minamataconvention.org/en/documents/first-effectiveness-evaluation-minamata-convention-mercury-0

into a final report to the COP and present recommendations for improvement, lessons learned and best practices to the COP. In the same decision, the COP adopted the indicators for the first effectiveness evaluation as contained in annex II to the decision.

At its fourth meeting in decision MC-4/11[12], the COP established an Open-ended Scientific Group to develop a scientific report to: compile, analyze and synthesize comparable mercury monitoring data on mercury concentrations in environmental media, biotic media and the human population, including vulnerable populations, temporal and spatial trend of mercury concentration, impact of mercury emission and release and measures taken under the Convention; identify gaps and lessons learned; and draw conclusions thereon for the consideration of the Effectiveness Evaluation Group.

2.2.4 Secretariat

The Secretariat is established in Article 24 of the Convention. The principal functions of the Secretariat are to prepare for and service meetings of the COP and its subsidiary bodies, to receive and convey information, to facilitate assistance to Parties upon request, to prepare periodic reports based on information received pursuant to Articles 15 and 21 and to coordinate with other international bodies.

The Secretariat functions for the Convention are performed by the Executive Director of the United Nations Environment Programme.

As discussed later in this manual in more detail, the Secretariat plays a key role in supporting chairs in their work.

[12] https://minamataconvention.org/sites/default/files/documents/decision/4_Dec11_Effectiveness_Evaluation.English.pdf

3. ACTORS OF THE MEETINGS OF THE COP AND OTHER BODIES ESTABLISHED BY THE COP

This section describes the actors of the meetings of the COP and subsidiary bodies, and illustrates their respective roles and functions, rights, status, and responsibilities at the meetings.

3.1 ACTORS OF THE COP MEETINGS

Actors of the COP meetings are the officers (a President, Vice-Presidents and the Rapporteur forming the Bureau), Parties and observers.

3.1.1 Officers

The rules relating to officers of the COP are provided in rules 22-25 of the rules of procedure.

A President and nine Vice-Presidents, one of whom acts as Rapporteur, are elected from among the representatives of the Parties present at the meeting of the COP. The officers serve as the Bureau of the COP.

The term of office of the officers starts at the closure of the meeting at which they were elected and finishes at the close of the next ordinary meeting. Each of the United Nations regional groups (Africa, Asia and the Pacific, Latin America and the Caribbean, Eastern European States and Western European and Others) is represented by two Bureau members. The offices of the President and Rapporteur are normally subject to rotation among the United Nations regional groups. No elected officer may serve on the Bureau for more than two consecutive terms. In addition, the chairs of any subsidiary bodies (currently the

Implementation and Compliance Committee) are ex- officio members of the Bureau.

(1) President

The President presides over the COP. The President has the power to declare the meeting of the COP open and to close it, preside at the COP, ensure the observance of the rules of procedure, give the floor to speakers, put questions to decision and announce the adoption of decisions. The President rules on points of order and, subject to the rules of procedure, handles the proceedings and is responsible for maintaining the meeting order. The President may propose to the COP the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times each representative may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a session.

The President participates in meetings in that capacity and does not at the same time exercise the rights as a representative of a Party. The Party concerned may designate another representative who is entitled to represent the Party in the meetings and to exercise the right to vote.

(2) Vice-Presidents

The rules of procedure provide that a Vice-President is to be designated by the President to act as President if he/she is temporarily absent from a session[13].

(3) Rapporteur

The Rapporteur is responsible for preparing the report of the meeting. In practical terms this means that the report writers, together with the Secretariat, prepare the report, which is then read and cleared by the Rapporteur after which he/she formally submits it to the COP for

[13] Rule 24 of the rules of procedure.

approval. It has been a practice for the COP to request the Bureau to elect it Rapporteur at its first meeting.

(4) Bureau

The work of the COP is guided by its Bureau. The Bureau functions not only during the meetings of the COP but also between meetings. The Convention and the rules of procedure do not define all of the functions to be performed by the Bureau; they do, however, mention that one of the Bureau's roles is to examine the credentials of representatives and to submit its report thereon to the COP for adoption.

In practice, the Bureau have nevertheless fulfilled important additional functions, addressing organizational and procedural issues arising during the sessions, providing advice and guidance to the President on the conduct of business, as a “conduit of communication" between the President and the regional groups, etc. During a COP meeting, chairs of contact groups are invited to Bureau meetings to keep the Bureau apprised of progress, to advise where difficult issues are being encountered and whether issues need to be raised within regional meetings which typically follow the Bureau meetings each morning.

The Bureau may also regularly hold meetings, in order to support the preparation of the meetings of the COP.

3.1.2 Parties

Parties are States or regional economic integration organizations that have ratified, accepted, approved, or acceded to the Convention[14].

[14] As of 1st September 2025, the Convention has 152 Parties.

(1) Delegations and credentials

Each Party participating in a meeting is represented by a delegation consisting of a head of delegation, and, depending on the size of its delegation, an alternate representative, and advisers as it may require.

The credentials of representatives must be submitted to the Secretariat, if possible, not later than twenty-four hours after the opening of the meeting. Credentials are issued either by the Head of State or Government or by the Minister of Foreign Affairs. Credentials are used to determine whether a quorum[15] is reached (quorum to open the meeting and quorum to adopt decisions) and which Parties are entitled to participate in decision-making.

The Bureau is responsible for examining the credentials and for submitting its report thereon to the COP. The COP has ultimate decision-making power over credentials.

Representatives are entitled to participate provisionally in the meeting, pending a decision by the COP to accept their credentials.

(2) Regional Groups

Parties operate in many different groups. The five UN Regional Groups are: Africa, Asia and the Pacific, Latin America and the Caribbean, Eastern European States and Western European and Others. These groups sometimes act as negotiating groups. Other negotiating groups include: Least Developed Countries, Small Island Developing States, JUSSCANNZ[16] and the European Union and its Member States.

Particularly in a COP setting, where multiple issues are being negotiated simultaneously in different rooms and where smaller delegations do not have a sufficient number of representatives to participate in all ongoing negotiations, the positions of regional groups are very important. The positions of regional groups are also important as they tend to give

[15] See definition of quorum in the basic glossary of terms in annex 3

[16] Australia, Canada, Iceland, Japan, New Zealand, Norway, Switzerland, and the United States are members of JUSSCANNZ. JUSSCANNZ does not work on the basis of an agreed sub-regional position.

greater weight to a position, provide for a mechanism for supporting points of common interest and save time in plenary discussions.

Regional groups generally establish their initial agreed positions in regional preparatory meetings held before the COP. During the COP meeting, more detailed group positions and negotiating strategies are worked out in closed meetings of the relevant group, held outside of formal COP meeting hours. The two Bureau members for the relevant region co-chair the regional meetings and should press for the expression of positions and views by regional groups during COP sessions as this can contribute to reducing the time taken to address specific issues during plenary sessions. In one region, a regional coordinator is usually designated on a rotational basis to coordinate regional positions across multilateral environmental agreements.

3.1.3 Observers

Observers are participants who represent entities other than Parties. There are two categories of observers. The first category includes the representatives of the United Nations, its specialized agencies, the International Atomic Energy Agency (IAEA), and any State not Party to the Convention. The second category includes any other body or agency, governmental or not, which is “qualified in matters covered by the Convention" and which has informed the Secretariat of its wish to be represented at a meeting as an observer.

Observers falling within the first category have the right to be represented as observers, while those within the second category may be admitted to a meeting unless one-third of the Parties present at the meeting object.

Observers may be invited to make interventions by the President, but cannot make text proposals nor participate in “decision-making mode" i.e. adopting the agenda, decisions, meeting report, etc.

3.2 ACTORS OF MEETINGS OF BODIES ESTALISHED BY THE COP

The main actors of the Implementation and Compliance Committee, which was established as a subsidiary body under Article 15 of the Convention, as well as other bodies established by the COP are: members, officers (Chair and Vice-Chair), and observers.

3.2.1 Implementation and Compliance Committee

The rules of procedure for the ICC were developed by the Implementation and Compliance Committee at its first meeting and adopted at the second meeting of the Conference of the Parties in decision MC-2/4[17]. The terms of reference of ICC were adopted at the third meeting of the Conference of the Parties in decision MC-3/9[18].

Members

In accordance with Article 15 of the Convention, the Implementation and Compliance Committee (ICC) consist of 15 members, nominated by Parties and elected by the Conference of the Parties, with due consideration for equitable geographical representation based on the five United Nations regional groups. The members of the Committee are expected to have competence in a field relevant to the Convention, and the membership is to reflect an appropriate balance of expertise.

Officers

In accordance with the rules of procedure of the ICC, during each in-person meeting of the Committee, a Chair[19] and a Vice-Chair, who will act as Rapporteur, is elected from among the members present at the

[17] https://minamataconvention.org/en/resources/rules-procedure-implementation-and-compliance-committee

[18] https://minamataconvention.org/en/documents/implementation-and-compliance-committee-terms-reference-and-template-written-submissions

[19] In this manual, "Chair" refers to the Chair of the subsidiary bodies and "chair" refers to the chair of other groups.

meeting, with due consideration to equitable geographical representation based on the five United Nations regional groups. These officers commence their term of office at the closure of the meeting at which they are elected and remain in office until the closure of the following meeting of the Committee. The offices of the Chair and the Vice-Chair are normally subject to rotation among the United Nations regional groups.

The powers of the Chair include declaring the opening and closing of the meeting, presiding at the meeting, ensuring the observance of the ICC rules of procedure, accord the right to speak, put questions to the vote and announce decisions. The Chair rules on points of order and, subject to the present rules, has complete control of the proceedings and over the maintenance of order at the meeting. The Chair may propose to the Committee the closure of the list of speakers, a limitation on the time to be allowed to speakers and on the number of times each speaker may speak on a question, the adjournment or the closure of the debate and the suspension or the adjournment of a session. The Chair, in the exercise of the functions of that office, remains under the authority of the Committee.

The Chair, if temporarily absent from a meeting or any part thereof, designate the Vice-Chair to act as Chair. A Vice-Chair acting as Chair has the powers and duties of the Chair. If the Chair or the Vice-Chair resigns or is otherwise unable to complete the assigned term of office or to perform the functions of that office, the Committee elects, at its subsequent meeting, a new Chair or Vice-Chair from among the members of the Committee.

If a member of the Committee resigns or is otherwise unable to complete the assigned term of office or to perform his or her functions, the Party which nominated that member is to name another person to replace the said member for the remainder of his or her term.

Observers

Unless otherwise decided, the ICC meetings are open to observers during sessions pertaining to the review of systemic issues of implementation and compliance and closed to observers during sessions pertaining to written submissions from a Party with respect to its own compliance submitted in accordance with paragraph 4 (a) of Article 15 of the Convention.

3.2.2 Governing Board of the Specific International Programme to Support Capacity-Building and Technical Assistance of the Minamata Convention on Mercury

The rules of procedure of the Governing Board of the Specific International Programme (SIP) were adopted by decision MC-1/6[20].

Members

The Board consists of ten members from Parties. Each of the five United Nations regions is to nominate two members through their respective Bureau representatives. The members are nominated every two years by regional groups and their membership confirmed by the Conference of the Parties. To this end, the two nominations from each United Nations region should be submitted to the Secretariat no later than the second last day of the meeting of the Conference of the Parties. No member may serve on the Governing Board for more than two consecutive terms.

If necessary, a member may designate an alternative representative for a particular meeting of the Board. Written notification of the designation of the alternative representative is to be submitted to the Secretariat before the start of the meeting in question.

If a member resigns or is otherwise unavailable to complete their term or perform the required functions, that member may be replaced for the

[20] https://minamataconvention.org/en/resources/rules-procedure-specific-international-programme

remainder of the term. Written notification of the designation of the replacement member is to be submitted by the relevant Bureau members to the Secretariat in due time to allow the replacement member to attend the next meeting of the Board.

The Board in principle meets once a year to approve project applications and review progress under the SIP on the basis of reports from the Secretariat, as well as other relevant information provided to them on the implementation of the SIP.

Officers

The Board has two Co-Chairs, elected from among the members of the Board, reflecting the composition of the Board and the purpose of the Programme. The election of Co-Chairs takes place at the first meeting of each new term of the Board members.

In addition to exercising the powers conferred upon them elsewhere in these rules, the Co-Chairs: a. Declare the opening and closure of each meeting; b. Preside at meetings of the Board; c. Ensure the observance of these rules; d. Request disclosure of any personal and/or financial conflict of interest; e. Accord the right to speak; f. Put questions to the vote and announce decisions; g. Rule on any points of order; h. Subject to these rules, have complete control over the proceedings and maintain order.

The Co-Chairs may also propose: a. The closure of the list of speakers; b. A limitation on the time to be allowed to speakers and on the number of times a participant may speak on an issue; c. The adjournment or closure of debate on an issue; d. The suspension or adjournment of a meeting.

During the intersessional period, the Co-Chairs assume the responsibility, with support of the Secretariat, for the approval of project amendments, when necessary, and inform the members of the decision on the amendments.

The Co-Chairs, in the exercise of their functions, remain at all times under the authority of the Board. If a Co-Chair cannot preside at a segment of the meeting, the other Co-Chair fulfils their functions. If a Co-Chair cannot preside over a meeting, the Board agrees on a member to be appointed to fulfil their functions.

If a Co-Chair resigns or is otherwise unable to complete their term, the Board elects a replacement from among its members to complete the original two-year term.

Observers

The Board may invite observers to its meeting, or segments thereof, except when the Board decides on applications. The Secretariat extends invitations to observers upon request and on behalf of the Board. Participation of observers is in principle at their own expense.

3.2.3 Other bodies

Actors of other bodies established by the COP, such as the ones established to support the evaluation of the effectiveness of the Convention, are typically mentioned in their respective terms of reference.

3.3 SECRETARIAT'S ROLE TO SUPPORT THE MEETINGS OF THE COP AND OTHER BODIES

The Secretariat arranges for, and services meetings of the COP, subsidiary bodies, and other bodies established by the COP.

Conference of the Parties

The head of the Secretariat, or the representative of the head of the Secretariat, exercises the functions of that office in all meetings of the Conference of the Parties and of its subsidiary bodies. The head of the

Secretariat arranges for the provision of staff and services required by the Conference of the Parties and its subsidiary bodies, within available resources. The head of the Secretariat manages and directs such staff and services and provides appropriate support and advice to the Bureau of the Conference of the Parties and its subsidiary bodies. In addition to the functions specified in the Convention, in particular in Article 24, the Secretariat, in accordance with the rules: (a) Arranges for interpretation at the meeting; (b) Collects, translates, reproduces and distributes the documents of the meeting; (c) Publishes and distributes the official documents of the meeting; (d) Arranges for keeping of sound recordings of the meeting; (e) Arranges for the custody and preservation of the documents of the meeting.

Logistical support includes the arranging of funded participants' travel, meeting venue and rooms, IT and equipment, etc. Substantive support includes the preparation of pre-session documents and assistance to the President/Chair and other officers, contact groups or other groups in keeping speakers' lists, typing text, producing in-session documents, providing advice on the rules of procedure, or factual information.

Implementation and Compliance Committee

The head of the Secretariat, or the representative of the head of the Secretariat, exercises the functions of that office in all meetings of the Committee. The head of the Secretariat arranges for the provision of staff and services required by the Committee, within available resources. The head of the Secretariat manages and directs such staff and services and provides appropriate support and advice to the Chair and the Vice-Chair of the Committee. In addition to the functions specified elsewhere in the present rules, the Secretariat , in accordance with the present rules: a) Arranges for interpretation at the meeting, as may be required; b) Collects, translates as may be required, reproduces and distributes the documents of the meeting; c) Distributes the official documents of the meeting; d) Arranges for the custody and preservation of the documents of the meeting.

Governing Board of the Specific International Programme

Specific functions are given to the Secretariat in the rules of procedure of the SIP Governing Board. The Secretariat receives applications to the Specific International Programme, screen project applications for completeness and eligibility and appraise applications for consideration and decision by the Board. In the appraisal preparation process, the Secretariat consults with the Secretariat of the Global Environment Facility and the Secretariat of the Special Programme to ensure complementarity and avoid duplication. The Secretariat makes all the necessary arrangements for meetings of the Board, including the preparation and distribution of documents at least four weeks in advance of the meetings.

The Secretariat will further: a) Receive, reproduce and distribute other documents for the meetings of the Board; b) Prepare a report of each meeting and make it publicly available; c) Make information available on the Specific International Programme on the website of the Minamata Convention, with the exception of the applications received, the appraisals of the applications and other documents as decided by the Board; d) Arrange for the custody and preservation of the documents of each meeting in the archives of the Secretariat; e) Perform such other tasks as the Board may require in relation to its functions.

Other bodies

The role of the Secretariat is also usually specified in the terms of reference of other bodies established by the COP. For example, paragraph 21 of the terms of reference of the Effectiveness Evaluation Group states that the Secretariat will provide administrative, logistical, programmatic and substantive support for the meetings and work of the Effectiveness Evaluation Group, with the assistance of services as necessary, subject to available resources[21]. Similarly, paragraph 20 of the terms of reference of the Open-ended Scientific Group on effectiveness evaluation state that the Secretariat will provide

[21] https://minamataconvention.org/sites/default/files/documents/decision/UNEP-MC-COP.5-Dec.14_First-Effectiveness-Evaluation_English.pdf

administrative, logistical, programmatic and substantive support for the meetings and work of the Open-ended Scientific Group, with assistance as necessary, subject to available resources.

4. CONDUCT AND MANAGEMENT OF THE MEETINGS OF THE CONFERENCE OF THE PARTIES

4.1 PRE-SESSION (PREPARATORY PHASE)

4.1.1 Preparing the provisional agenda[22] and tentative schedule for the meeting of the COP

In agreement with the President, the Secretariat prepares the provisional agenda for a COP meeting. The Secretariat and the President consult Parties about the agenda through the Bureau. In agreement with the President, the Secretariat also prepares the draft tentative schedule of the meeting. In doing so, consideration is given to address items that may require work in a contact or other group early on during the week, if known in advance, in order to give enough time for negotiations.

The provisional agenda for a COP meeting includes items from the Articles of the Convention, items decided at a previous meeting, including unfinished items, the proposed budget and any item proposed by a Party and received by the Secretariat before the provisional agenda is circulated. If the proposed item is received after this date and before the commencement of the meeting, the Secretariat, with the agreement of the President, issues a supplementary provisional agenda.

The agenda for an extraordinary meeting of the COP consists only of those items proposed for consideration by the COP at an ordinary meeting or in the request by a Party for the holding of the extraordinary meeting.

The agenda is supplemented by an annotated agenda which directs participants to the relevant documents for each particular item and

[22] Rules 9-16 of the rules of procedure.

invites them to consider the information contained in these documents and any possible action suggested therein.

4.1.2 Preparing pre-session documents

The official documents of the meeting are denoted by a unique document symbol composed of several components that indicate first, the UN body, second, the Convention, third, the Convention body (i.e. COP, or subsidiary body) and meeting number, fourth, the document number and finally modifications to the original text, if any (e.g. UNEP/MC/COP.5/1/Rev.1 stands for the first revision of the meeting document number 1 of the fifth ordinary meeting of the COP). Supplementary information is sometimes presented in an addendum, which carries a symbol “Add.1" or “Add.2" etc. to an existing meeting document. When a revised version of a document is distributed with a symbol such as “Rev.1", it usually replaces the original version, which thus becomes obsolete.

Official pre-session documents include “working documents" and “information documents" relating to the agenda items before the meeting. Reference documents can also be made available as background documents and are usually referenced in pre-session working or information documents.

The working documents of the meeting are prepared by the Secretariat for each item of the agenda for which action is expected to be taken by the COP. These documents usually contain three sections: introduction, implementation and proposed action. The introduction section specifies the reason for the matter being on the agenda – usually it involves follow-up to a previous decision. The implementation section provides a short summary/ description of activities undertaken that were mandated by the decision or conclusions, as well as other relevant information. The proposed action section proposes action to be taken by the COP, often in the form of a draft decision.

These documents are posted on the website of the Convention in the six UN official languages at least six weeks before the opening of the

meetings of the Convention. As per the financial rules of the Convention, the proposed programme of work and budget, together with financial expenditure and income reports, are to be communicated to all Parties 90 days before the opening of COP meeting.

Information documents are also prepared by the Secretariat and generally include background information on particular topics gathered by the Secretariat, draft guidance documents, reports on processes, reports of expert panels, or documents officially submitted by Parties and observers.

While not officially discussed in the COP, information documents often provide important background information and, in some cases, highlight the views of Parties on particular issues before the COP. Information documents have a document symbol such as UNEP/MC/COP.5/INF/2 (information document number 2 of the fifth meeting of the COP) and are usually not translated unless required by the COP.

Since all meetings of the COP are paperless, pre-session documents are only made available electronically on the website of the Convention.

4.1.3 Preparatory meetings

A number of preparatory meetings or teleconferences with the President, the Bureau and the Secretariat are organized to, for instance, agree on the provisional agenda and tentative schedule, discuss expected outcomes of the meeting, identify potential issues and strategize on how to address them, identify possible contact groups and potential chairs and discuss arrangements for side meetings/events, logistics, etc. It should be noted that at this stage, consideration is given to defining the total number of contact groups or other groups meeting at any one time as these should be limited in number to ensure that there is adequate opportunity for the interests of all delegations to be factored into the discussions. It is usual practice not to schedule more than one group at a time convening in parallel with a plenary session, and a maximum of two groups convening in parallel when there is no plenary session.

Also, the President of a COP may meet with the Secretariat to go through the President notes[23] as prepared by the Secretariat and to revise them as necessary in advance of the meeting.

4.2 IN-SESSION (AT THE MEETING)

4.2.1 Meetings before the plenary sessions

(1) Pre-meetings/regional meetings before the opening

The meetings of the COP are often preceded by a day of pre-meetings including a Bureau meeting, regional meetings and other technical meetings as necessary.

(2) Daily morning meetings before the plenary sessions

During the meetings of COP, Bureau meetings (8 a.m.) and regional meetings (9 a.m.) usually take place each morning before the start of morning plenary sessions starting on the second day of the COP. The Bureau reviews the progress made in the plenary sessions, discusses and provides guidance on resolving issues and agrees on the order of the day. The chairs of contact groups or other groups are typically called in to report back on their progress. Any issues which need to be raised with regional groups are flagged at this time, prior to the commencement of plenary or contact group work.

4.2.2 Plenary session

(1) Overview

Plenary is the formal forum for discussion and decision-making. It is formed by all of the Parties present at a meeting. The President of the COP chairs the Plenary.

The COP in plenary sessions decides upon organizational matters, such as the election of officers, considers the substantive matters on the

[23] See annex 1 to this manual.

agenda of the meeting, and adopts the decisions of the meeting as well as the meeting report.

The official languages of the meetings of the COP are the six official languages of the United Nations: Arabic, Chinese, English, French, Russian and Spanish. Statements made in one of the official languages are interpreted simultaneously into the other five official languages. Official working documents of the meetings are drawn up in one of the official languages and translated into the other official languages.

The Plenary usually meets from 10 a.m. to 1 p.m. and 3 to 6 p.m. Regional group meetings and other informal meetings generally meet outside of these hours, either early in the morning, during the lunch break, or in the evening, without the benefit of interpretation. Contact groups may meet at any time agreed to by the Bureau, although they cannot meet during a regional group meeting and ordinarily do not meet while Bureau meetings are taking place. Interpretation in the six official language is provided when the COP meets in plenary but not during contact groups meeting or other informal meetings which are run in English only.

(2) Opening of the meeting

The President will not declare a session of the meeting of the Conference of the Parties open or permit the debate to proceed unless at least one third of the Parties to the Convention are present. The presence of two thirds of the Parties to the Convention is required for any decision to be taken. For the purposes of determining a quorum for a decision to be taken on a matter within the competence of a regional economic integration organization, that organization is counted to the extent of the number of votes it is entitled to cast in accordance with paragraph 2 of Article 28 of the Convention.

The President should always make sure that representatives of UN regional groups and of the main negotiating groups or States are present before opening the meeting and allowing debate to proceed or

before a decision is taken. The President usually allows for regional statements during the opening of the meeting.

If during a meeting the issue of quorum is raised, the President should request the Secretariat to verify the existence of a quorum.

(3) Organizational matters: adoption of the agenda, tentative schedule, and election of officers

The first thing to be agreed by the COP is the agenda and tentative schedule of the meeting. When adopting the agenda the COP may decide to add, delete, defer, or amend items. Only items that are considered by the Conference of the Parties to be urgent and important may be added to the agenda. Once agreed, the schedule may be revised by the Bureau as necessary depending on the progress of the meeting.

In practice, election of officers of the Bureau, Implementation and Compliance Committee as well as confirmation of the members of the SIP Governing Board is done by consensus or acclamation. The issue is usually introduced at the beginning of the meeting and elections are not undertaken until later in the meeting following regional discussions.

(4) Opening each agenda item and inviting interventions

The President announces each procedural move: e.g. “We will now resume debate on agenda item 4". Upon invitation by the President, the Secretariat introduces the pre-session documents (working documents and information documents) relevant to the agenda item. No one may address a meeting without the permission of the President. The President calls upon speakers in the order in which they indicate their wish to speak, normally starting first with Parties and then by giving the floor to observers. The Secretariat maintains a list of speakers.

The President has the power to call a speaker to order if the statement is not relevant to the subject under discussion. The President typically maintains order by calling on speakers to confine their statements to the issue on the agenda. If the speaker persists, the President may

suspend the plenary session to regain order and/or to discuss the issue directly with the speaker. In cases where a statement is directed at another Party, the President would usually grant the delegation of that Party “a right of reply".

The President summarizes the points of interventions made and proposes the next step depending on the situation. The Secretariat assists in preparing the summary. The next step can be to:

- Adopt the draft decision contained in the pre-session document;
- Request the Secretariat to prepare a draft decision based on the interventions in the Plenary; or
- Establish a contact group or other group to further discuss the matter and prepare a draft decision.

(5) Points of Order

A point of order is an intervention made by a Party directed to the President, requesting them to use certain powers. A request to raise a point of order is made by forming a “T" with the nameplate and one arm.

A point of order may relate to:

- The manner in which the debate is being conducted;
- The maintenance of order in the meeting;
- Compliance with the rules of procedure; or
- The manner in which the President is exercising the powers conferred to them by the rules of procedure.

A representative of a Party may at any time raise a point of order, on which the President must immediately rule. A representative of a Party may appeal against the ruling of the President. The appeal is to be put to the vote immediately and the ruling stands unless overruled by a majority of the Parties present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

4.2.3 Negotiations

In practice, negotiations on key issues rarely take place in plenary sessions. These are conducted in smaller, less formal forums, such as contact groups and informal consultations.

(1) Contact groups

Contact groups are established by the COP upon the proposal of the President. Most of the negotiations at COPs take place in contact groups and it is in these arenas that most of the text of decisions is developed and agreed. Contact groups are generally established for issues upon which there are important substantive differences and when the President believes that there is a reasonable chance at making progress through negotiations.

The President proposes the mandate of the contact group and when it reports back to the Plenary and seeks agreement of the meeting.

The contact group Co-Chair is selected by the COP from a representative of a Party at the session upon the proposal of the President, ordinarily in consultation with the Bureau. In practice, the President often proposes two Co-Chairs for a contact group, one from a developed country Party and one from a developing country Party. The COP is also expected to consider gender balance when selecting contact group Co-Chairs.

Contact groups are normally open to all Parties and observers. The contact group Co-Chair is usually open to allow interventions from observers. In the event negotiators prefer meeting without the presence of observers, then the format for convening such negotiations would ordinarily be through a drafting group or Friends of the President group, although a contact group Co-Chair may also decide to close the meeting to observers.

The contact group Co-Chair reports regularly to the Bureau on progress made during the negotiations and may request the assistance of the President to resolve any difficulties that may arise during the

negotiations. The contact group Co-Chair also reports regularly to the COP in Plenary.

Flexibility in the application of the rules of procedure in the conduct of business in contact groups can provide a more efficient forum for negotiations. The discussions are conducted in English only. The date, time and venue for contact group meetings are advertised in advance. The contact group Co-Chair must however strive to strike an acceptable balance between the need for efficiency and the imperative of procedural equity and transparency. This transparency and equity have been significantly enhanced with paperless meetings and an in-session site, so that documents become available for all participants at the same time.

(2) Managing the contact group discussions

The contact group Co-Chair opens the meeting of the group, reiterates the mandate, and establishes the working arrangements, e.g. timeframes. Before starting the contact group meeting, it is important to make sure that the key representatives (i.e. those who expressed differing views in Plenary) are present in the group. The Secretariat can support the contact group Co-Chair in providing background information, explaining the provisions of the Convention or previous COP decisions and Parties' obligations (legal advice), etc. It is often useful to first invite participants of the group to express their views on the subject, so as to identify issues and areas of common ground.

When the group is ready to negotiate the text of a draft decision or documents for adoption, the Co-Chair can ask the Secretariat to show the text on screen and do the first reading. The contact group Co-Chair often goes through the text paragraph by paragraph and seeks agreement of the group with the aim of obtaining an agreed decision without square brackets. If necessary, the text with disagreement is left with square brackets until a solution is found. The Secretariat supports the Co-Chair in typing the text (often with tracked changes) on the screen.

The contact group Co-Chair can always seek advice of the President should the negotiations become stalled. As a last resort, the square brackets around the text with disagreement may be kept for further consideration in Plenary.

The interim results of the negotiations can be shared informally on the meeting's in-session site under the section “Contact groups". The in-session site can also be used for sharing other information and non-status papers informally.

For further consideration in Plenary, the contact group's outcome, once cleared by the contact group, should be presented as a conference room paper (CRP). The Secretariat manages the document control process and supports the Co-Chair of the contact group in issuing the CRP. The Co-Chairs of the group need to clear the draft CRP before its finalization and submission to Plenary. Draft decisions developed by contact groups for consideration by Plenary are prepared as CRPs in the six UN languages.

A practical checklist for contact group Co-Chairs is provided in annex 2 to this manual.

(3) Drafting groups, Friends of the President groups, and informal consultations

Where it will facilitate the resolution of an issue, the President has several tools at their disposal. The President may convene drafting groups, Friends of the President groups and informal consultations with the approval of the COP. Such groups or consultations may be entrusted to a delegate on a particular substantive issue. The presiding officer of such groups has flexibility in the application of the rules of procedure for the conduct of discussions but should bear in mind the need to ensure procedural equity and transparency. As with contact groups, the discussions are conducted, and documents are prepared, in English only.

Drafting groups may be convened where key Parties that have reached or are near agreement meet to translate the terms of their agreement into decision text. These groups are ordinarily closed to observers.

Friends of the President groups are generally used in the case of protracted negotiations on politically sensitive matters where consultations with a reduced number of key Parties (and occasionally observers) may resolve the issue. The President will usually propose this format to the COP and, if agreed to, will have the flexibility in how to conduct the business. Friends of the President groups are therefore restricted to those invitees chosen by the President.

Informal consultations are convened by the presiding officer for an informal exchange of views where a small number of delegations are near agreement on a particular issue. Informal consultations are normally limited in participation and the President bears responsibility for determining the invitees which are usually the key Parties for that issue.

In establishing smaller informal groups, the President should take particular care to ensure that the requirements of transparency, legitimacy and inclusiveness are met. In particular, the President should clearly define the mandate of the group and ensure broad representation of the major negotiating groups and key Parties/delegates in order to guarantee acceptance of the final outcome.

If the group is limited in participation, it is good practice for the President to invite the negotiating groups to select delegates to represent them in smaller group meetings. It is also important for legitimacy of the process that the results of any smaller group meeting are reported back to the body that established it for decision-making so that Parties/ delegates who were not in the smaller group have an opportunity to consider the outcomes.

(4) Preparing draft decisions

The text of a decision evolves through various versions and revisions during a negotiation process. A draft decision is normally prepared by the Secretariat and is set out in the pre-session working documents. Unless otherwise decided, it forms the basis on which Parties negotiate.

Once a text enters negotiation, individual Parties or negotiating groups offer their proposed revisions. Much of this takes place through oral interventions by delegations from the floor. More complex amendments or proposals by negotiating groups are often submitted in writing. In less formal negotiating settings, such as contact groups, text is often proposed, discussed, and negotiated directly and instantly by projecting the relevant text onto a screen. Generally speaking, the more informal the negotiating settings are, the more fluid the negotiations and spontaneous the proposals can be.

Compromise on contentious issues is often resolved using language rather than persuasion. The position of a word or sentence within the decision as a whole can play an important role in finding agreement. Text appearing in an operative paragraph, which requires action, has a different weight than text in a preambular paragraph, which is meant to provide mainly background information.

Verbs determine different levels of commitment to an issue or action, and when delegates disagree with a proposal but sense they won't be able to eliminate it, they often counter by weakening the verbs. Such verbs include: adopt, approve, request, endorse, decide, welcome, call upon, invite, encourage, recognize, acknowledge, reaffirm, express concern, take note with appreciation and take note. The use of “as appropriate" may reduce the meaning or importance of a sentence or clause, but it is a useful phrase for a President in difficult circumstances.

Other words commonly used to find agreement are as follows:

- May: permissive and discretionary;
- Should: not required but advised;

- Shall, Will, Must: reflects stronger will or commitment, and can be combined with a weaker word, e.g. “shall endeavour” ;
- And: all connected clauses or provisions must be satisfied;
- Or: only one of the connected clauses or provisions must be satisfied;
- As appropriate/If necessary: gives Parties discretion;
- To the extent feasible/practicable: to take action within limits set by the Party taking action;
- Consider: think about further without necessarily making a decision;
- Towards: allows approximating a goal without getting there.

Sometimes, in order to bridge differences, the President prepares and presents a compromise text, using President's political authority to persuade delegates to accept the text without much revision and to move forward. This is known as the President's text and often includes brackets. The President must, however, carefully weigh the political opportunity for such an intervention because a precipitate action might jeopardize progress in the negotiations.

(5) In-session documents and non-papers

In-session documents (conference room papers, CRPs) often contain a draft decision text[24] put forward to the COP for possible adoption. These are usually translated (unless they are produced on the last day of the meeting when there isn't sufficient time left for translation to take place).

Other CRPs are usually used as a mechanism for Parties to submit proposals – rather than draft decisions - directly relevant to the meeting's discussions. Such CRPs are not normally translated. Observers are not allowed to submit CRPs. CRPs have no life after the

[24] Draft decisions put forward to the COP for possible adoption usually arise in three ways: a. as outcomes of contact groups, b. from pre-session documents when amended through drafting groups, Friends of the President groups, and informal consultations, or c. directly from Parties.

meeting at which they were tabled and are not continued into the following COP.

In the course of negotiations at meetings of COP, Parties or groups of Parties may prepare and distribute non-papers to facilitate progress in the negotiations in the face of a blockage or to explain positions. These documents often do not bear a document symbol and are not part of the official record of the meeting.

Since all Convention's meetings are paperless, in-session documents are made available on a meeting's in-session site set up for each meeting.

Observers may also distribute unofficial documents. These were once available on tables outside of the principal meeting rooms. There is now the option to upload these documents on a dedicated section of the meeting's in-session site. These documents are reviewed by the Secretariat before uploading.

Perhaps the most widely read of these informal documents are the daily bulletins prepared by the Earth Negotiations Bulletin (ENB), a non-partisan reporting service which provides a succinct daily summary of the negotiations the previous day, as well as photos, audio and video footage on their website[25]. The daily bulletins are produced in English and are available on the meeting's in-session site and on the ENB website.

4.2.4 Adoption of the decisions and meeting report, and closure of the meeting

(1) Adoption of the decisions

Following discussion in Plenary, including any report on the outcome of the negotiations in a contact group, informal consultations or consultations by the President, the Parties will be invited to consider and adopt the draft decisions contained in the pre-session documents or CRPs. At this time, the President will indicate clearly that the meeting

[25] Home | IISD Earth Negotiations Bulletin

is in a decision-making mode i.e. observers are not allowed to make any interventions.

The presence of two-thirds of the Parties is required for a decision to be taken. The President, with the assistance of the Secretariat, must be satisfied that there is a quorum for decision-making.

Pursuant to paragraph 3 of rule 3 of the financial rules of the Convention, the head of the Secretariat provides the COP with cost estimates for actions that have budgetary implications that are not foreseen in the proposed programme of work and budget but are included in proposed draft decisions prior to the adoption of those decisions by the Conference of the Parties. In practice, the programme of work and budget contact group will establish if funding is available for the activities included in a decision or if there are no funding implications of a decision and will inform plenary accordingly. To facilitate the proceedings at its plenary session, the COP may agree to the text of the decision pending confirmation by the programme of work and budget contact group that any budgetary implications not yet foreseen in the budget for the relevant biennium has been taken into account. Once cleared by the programme of work and budget contact group, the decision is considered formally adopted.

Draft decisions on substantive matters will be adopted if there is consensus among the Parties for their adoption. The rules of procedure on decision-making require that the Parties make every effort to reach agreement on all matters of substance by consensus. There is no agreement on a qualified majority vote if consensus cannot be reached, other than in Convention's provisions on amendments, as relevant text in the rules of procedure of the COP is still bracketed. Paragraph 3 of Article 26 states that if all efforts at consensus have been exhausted, and no agreement reached, the amendment will be adopted as a last resort by a three-fourths majority vote of the Parties present and voting at the meeting. In such cases, the voting rules set out in the Convention texts prevail over the voting rules contained in the rules of procedure. Decisions of the Conference of the Parties on matters of procedure are taken by a majority vote of the Parties present and voting.

There is no formal definition of consensus in the rules of procedure pertaining to the COP of the Minamata Convention.

The United Nations Convention on the Law of the Sea (UNCLOS) and the Dispute Settlement Understanding (DSU) of the World Trade Organization (WTO) (Annex 2 of the WTO Agreement) are the only international legal instruments that provide a definition of the term “consensus". Article 161.7(e) of UNCLOS states that “consensus" means “the absence of any formal objection." Article 2.4 of the DSU stipulates that the Dispute Settlement Body (DSB) shall take decisions by consensus. A note to this provision states that “the DSB shall be deemed to have decided by consensus on a matter submitted for its consideration, if no Member, present at the meeting of the DSB when the decision is taken, formally objects to the proposed decision." These formulations, though capturing the essential legal element, do not fully reflect the nuances inherent in the term.

In a memorandum to the Executive Secretary of the Convention on Biodiversity, dated 17 June 2002, the Legal Counsel of the United Nations advised that consensus:

“does not mean that every State participating in the meeting or conference is in favour of every element of the resolution or decision. States so participating have the opportunity, both prior to and after the adoption, to make reservations, declarations, statements of interpretation and/or statements of position. In so doing, a State may:

- disassociate itself from the substance or text of parts of the document;
- indicate that its joining in the consensus does not constitute acceptance of the substance or text of parts of the document; and/or
- present any other restrictions on its Government's position on substance or text of parts of the document.
  Provided that the State concerned does not formally object to or challenge the existence of consensus or call for a vote on the

resolution or decision, it is understood that consensus or general agreement is preserved."[26]

Rather than make a formal objection, Parties can be encouraged to make statements of position and interpretive statements or to enter reservations after the adoption and request that these be reflected in the report.

If there is no consensus, the issue is forwarded for consideration during the next session of the COP or put to decision-making in case of amendments (three-fourths majority vote).

Each Party has one vote. Members of the European Union – who is a Party to the Convention - can authorize EU representatives at the meeting to cast votes on behalf of all EU members on matters of delegated competence. "Parties present and voting" means Parties present and casting an affirmative or negative vote. Voting, except for elections, is normally by show of hands but any Party may request either a roll-call vote or a secret ballot.

(2) Adoption of the meeting report

The draft report, that is prepared by the Secretariat and cleared by the Rapporteur, is presented to the meeting as an "L" document (Limited distribution). Often L.1 reflects the main outcomes of the meeting and decision-making process, and a summary of the discussion of the plenary sessions that took place on the first day, while L.1/Add.1 contains the rest of the report except for the last day. The discussions of other informal meetings are not recorded other than through a narrative description in the daily reports from the contract group Co-Chairs.

Following past practice, the COP is expected to agree that the preparation of the section of the report pertaining to the plenary sessions held on the last day of the meeting will be entrusted to the

[26] https://unfccc.int/resource/docs/publications/guide_presiding_officers.pdf

Rapporteur with the support of the Secretariat and incorporated into the final meeting report under the authority of the President.

When adopting the report, the Rapporteur goes through the draft report often by blocks of paragraphs. As this is decision-making mode, the President invites Parties only to comment on substantive matters. Editorial comments or errors in translation may be brought to the attention of the Secretariat in writing.

The adoption of the report is not an opportunity to renegotiate issues but to merely reflect what happened. Interventions should focus on what was said and the intervener should have the opportunity to correct the record if their intervention is not accurate. For longer proposals to modify the report text, the Rapporteur should ask the proposer to provide their edits in writing to the Secretariat.

The report does not include interventions by observers unless they are taken up in some way by Parties during the Plenary or when observers report on their contribution to implementing the Convention. Only in such cases would observers be given the floor to correct something that they said.

(3) Closure of the meeting

The President declares the closure of the meeting. Before doing so, the President usually allows for regional statements. Then the President usually thanks delegates, the Secretariat, and the interpreters for their contribution to the meeting. The President may also make some observations on the conduct and outcome of the meeting.

4.2.5 High-level segment and side meetings

In addition to the main meeting, there are usually many side meetings, and a High-level or Ministerial Segment can be held where Ministers meet to consider some of the key political issues on the agenda. The Ministerial Segment is usually organized and hosted by the government hosting the main meeting.

Side meetings include the regional meetings held prior to, or during, the course of the actual meeting itself and the events, including online pre-COP events, organized by Parties, observers and the Secretariat prior to, or during, the course of the meeting.

There are often evening receptions arranged by the host country of the meeting, the Secretariat, Parties and observers. While they may appear outwardly to be informal social events enlivened by light refreshments, they are in fact a key venue for gathering information on countries' positions and for informal negotiations.

Side meetings provide a significant amount of key information and an important opportunity for networking and for exchanging experiences and views.

4.3 POST-SESSION

After the meeting, the Rapporteur is responsible for clearing the draft meeting report prepared by the Secretariat containing the record of plenary discussions, including those that took place on the last day of the meeting, all decisions and any other outcomes of the meeting agreed to be annexed to the meeting report.

The Secretariat sends out a follow-up communication to Parties and others often containing an invitation for follow-up actions such as submission of certain information and nomination of experts, etc.

5. CONDUCT OF BUSINESS OF THE IMPLEMENTATION AND COMPLIANCE COMMITTEE AND SIP GOVERNING BOARD

5.1 IMPLEMENTATION AND COMPLIANCE COMMITEE

The Chair will not declare a session of the meeting of the Committee open or permit the debate to proceed unless at least one third of the members are present. The presence of two thirds of the members is required for any decision to be taken.

No one may address a meeting without having previously obtained the permission of the Chair. Subject to rules 26 and 27, the Chair calls upon speakers in the order in which they signify their desire to speak. The Secretariat maintains a list of speakers.

The Chair may call a speaker to order if the speaker's remarks are not relevant to the subject under discussion. The Committee may, on a proposal from the Chair or from any member, limit the time allowed to each speaker and the number of times each speaker may speak on a question. Before a decision is taken, two members may speak in favour of and two against a proposal to set such limits. When the debate is limited and a speaker exceeds the allotted time, the Chair calls the speaker to order without delay.

During the discussion of any matter, a member may at any time raise a point of order, on which the Chair immediately rules in accordance with the present rules. A member may appeal against the ruling of the Chair. The appeal is put to the vote immediately and the ruling stands unless overruled by a majority of the members present and voting. A member may not, in raising a point of order, speak on the substance of the matter under discussion.

The following motions have precedence in the order indicated below over all other proposals or motions: a. To suspend the session; b. To adjourn the session; c. To adjourn the debate on the question under discussion; d. To close the debate on the question under discussion.

Permission to speak on a motion is granted only to the proposer and, in addition, to one speaker in favour of and two against the motion, after which the motion is immediately be put to the vote.

5.1.1 Adoption of decisions

The Committee makes every effort to adopt its recommendations by consensus. If all efforts at consensus have been exhausted and no consensus is reached, such recommendations are adopted as a last resort by a three-fourths majority vote of the members present and voting, based on a quorum of two-thirds of the members. Each member has one vote.

The Committee makes every effort to reach consensus on matters relating to the conduct of its business. If no consensus is reached, such matters are decided as a last resort by a majority vote of the members present and voting, based on a quorum of two-thirds of the members.

If two or more proposals relate to the same question, the Committee, unless it decides otherwise, votes on the proposals in the order in which they have been submitted. The Committee may, after each vote on a proposal, decide whether to vote on the next proposal. Any member may request that any part of a proposal or of an amendment to a proposal be voted on separately. The Chair allows the request unless a member objects. If an objection is made to the request for division, the Chair permits two members to speak, one in favour of and the other against the request, after which the motion is immediately put to the vote. The Chair may limit the time allowed to each speaker.

If the request is allowed or adopted, those parts of a proposal or of an amendment to a proposal that are approved are then put to a vote as a whole. If all the operative parts of a proposal or amendment have been

rejected, the proposal or amendment is considered to have been rejected as a whole.

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from or revises parts of that proposal. An amendment is voted on before the proposal to which it relates is put to the vote, and if the amendment is adopted, the amended proposal is then voted on.

If two or more amendments to a proposal are proposed, the Committee first votes on the amendment furthest removed in substance from the original proposal, then on the next amendment furthest removed therefrom, and so on, until all the amendments have been put to the vote. The Chair determines the order of voting on the amendments under the present rule.

Voting, except for elections, is normally by show of hands. If at any time, however, a member requests a secret ballot, that will be the method of voting on the issue in question.

After the Chair has announced the beginning of voting, no member can interrupt the voting except on a point of order in connection with the actual conduct of the voting. The Chair may permit the members to explain their votes, either before or after the voting. The Chair may limit the time to be allowed for such explanations. The Chair will not permit proposers of a proposal or of an amendment to a proposal to explain their vote on their own proposal or amendment, except if it has been amended.

5.1.2 Elections

All elections are held by secret ballot. If, when one person is to be elected, no candidate obtains in the first ballot a majority of the votes cast by the members present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes is taken. If in the second ballot the votes are equally divided, the Chair decides between the candidates by drawing lots.

In the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot is held. If a tie results among more than two candidates, the number is reduced to two by lot and the balloting, restricted to them, continues in accordance with the procedure set forth in paragraph 1 of the present rule.

5.2 SIP GOVERNING BOARD

The Co-Chairs declares a session of the meeting open and permit debate to proceed when at least six members participating in the meeting are present, including members from each of the five United Nations regions. The same presence of members so participating is required for any decision to be taken.

The Co-Chairs will grant permission to the members and observers to speak at a session of the meeting in the order in which they signify their desire to speak, taking into account that observers should normally speak after members unless otherwise decided by the Co-Chairs. The Secretariat maintains a list of speakers. The Co-Chairs may call a speaker to order if the speaker's remarks are not relevant to the subject under discussion.

The Board may, on a proposal from the Co-Chairs or from any member, limit the time allowed to each speaker and the number of times each participant may speak on a question. Before a decision is taken, two members may speak in favour of and two against a proposal to set such limits. When the debate is limited and a speaker exceeds the allotted time, the Co-Chairs call the speaker to order without delay.

During the discussion of any matter, a member may at any time raise a point of order, which will be decided immediately by the Co-Chairs in accordance with the present rules. A member may appeal the ruling of the Co-Chairs. The appeal is put to a vote immediately and the ruling stands unless overruled by a simple majority of the members present and voting. A member may not, in raising a point of order, speak on the substance of the matter under discussion.

Any motion against the competence of the Board to discuss any matter or to adopt a proposal or an amendment to a proposal is only accepted if it is supported by a two thirds majority before the matter is discussed or a vote is taken on the proposal or amendment in question.

The following motions have precedence over all other proposals or motions, in the following order: a. To suspend the session; b. To adjourn the session; c. To adjourn the debate on the question under discussion; d. To close the debate on the question under discussion.

Permission to speak on a motion is granted to the proposer and, in addition, to one speaker in favour of and two against the motion, after which it will be put immediately to a vote.

A proposal or motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the proposal or motion has not been amended. A proposal or motion thus withdrawn may be reintroduced by any other representative.

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting, unless the Board decides in favour of reconsideration by a two-thirds majority of the members present and voting. Permission to speak on a motion to reconsider is accorded only to the mover and one other supporter, after which it will be put immediately to a vote.

In cases where a member of the Board is from a country that has submitted a project to the Board for its consideration, that member is excused from participating during the deliberations of and decision-making by the Board in relation to the project in question.

Members and possible observers at the meeting have an obligation to promptly disclose to the Board, at the commencement of the meeting, any potential personal and/or financial interest in any aspect of a project presented for discussion and approval by the Board. In such cases, the Board applies the same stipulation as in the paragraph above.

5.2.1 Adoption of decisions

The Board will take its decisions by consensus. If all efforts to reach consensus have been exhausted and no agreement has been reached, the decision is taken by a three-quarters majority of its members present and voting. The Board may decide on a matter of procedure by a majority vote of the members present and voting. Where there is disagreement as to whether a matter to be voted on is a substantive or procedural matter, the matter is decided by a two-thirds majority of the members present and voting.

Voting is normally by show of hands, except for the election of the Co-Chairs. A roll-call vote is taken if one is requested by any member. It is taken in order as determined by lot drawn by the Co-Chairs. The vote of each member in a roll-call vote is recorded in the report of the meeting. After the Co-Chairs have announced the beginning of voting, no member can interrupt the voting except on a point of order in connection with the actual conduct of the voting. The Co-Chairs may permit members to explain their votes, either before or after the voting, and may limit the time allowed for such explanations. Each member has one vote.

5.2.2 Elections

In the absence of consensus, elections of the Co-Chairs are decided by secret ballot. If, when a Co-Chair is to be elected, no candidate obtains a two-thirds majority of the votes cast by the members present and voting in the first ballot, a second ballot is held, restricted to the two candidates obtaining the largest number of votes, with the decision taken by simple majority. If in the second ballot the votes are equally divided, the Co-Chair is decided by drawing lots between the candidates. In the case of a tie in the first ballot between three or more candidates obtaining the largest number of votes, a second ballot is held. If a tie results between more than two candidates, the number is reduced to two by lot and the balloting, restricted to them, continues in accordance with the procedure set out in paragraphs 1 and 2 of rule 10.

6. CHAIRING TECHNIQUES AND STRATEGIES

The ways in which the President/Chair represents and acts on behalf of the COP/subsidiary body point to the central responsibility and constraint to which the President/Chair is subject: they are called upon to behave not in an individual or national role but as an embodiment of the whole COP/subsidiary body. In other words, the President/Chair acts for the COP/subsidiary body and only with its consent.

This does not suggest that there is anything passive or merely reactive about the President/Chair's role. It is up to them to understand what needs to be done and to take appropriate initiatives, as required, to ensure it happens.

6.1 BASIC PRINCIPLES OF CHAIRING

Every meeting needs a Chair in order to manage the negotiations, focusing on the relevant mandates and generally to provide adequate leadership.

Chairing is the art of managing meetings. To be successful, this requires the Chair to follow some basic principles and to adopt specific attitudes, which include:

- Being impartial;
- Patience;
- A good understanding of the issues and topics;
- Keenly listening to the discussions;
- Ensuring that all delegates have an appropriate opportunity to express their point of view;
- Showing respect for the views and actions of others;

- Encouraging all delegates to take equal responsibility for the meeting proceeding smoothly;
- Keeping track of what has been said for future reference;
- Summarizing when necessary to keep everyone informed of what has been agreed to and where there are still open questions/disagreements;
- Ending an agenda point with everyone having an understanding of how the issue will move forward; and,
- Being able to prevent discussions from wandering, to prevent those without anything new to add repeating the same point and being able to move on when a point is discussed as far as possible.

Through their own behaviour and body language, Chairs have a powerful influence on the behaviour of the meeting. It is important that they chair according to their personality. They should be careful not to generate antagonism. A healthy professional discussion where diversity of ideas and approaches are constructively used to create the best solution is the ideal.

Chairing a meeting requires many different and interrelated techniques. A straightforward approach is for the Chair to understand their role procedurally, i.e. the responsibility to run the meeting effectively, and substantively, to achieve the best possible outcome for the meeting.

For ease of reference, a basic glossary of commonly used terms and expressions related to international meetings is provided in annex 3 to this manual.

6.2 PROCEDURAL ROLE OF PRESIDENTS AND SUBSIDIARY BODY CHAIRS

The procedural role of the President/Chair is to ensure that the business of the meeting is conducted in an orderly and efficient manner and in accordance with the rules of procedure.

If the President/Chair ensures that the meeting runs well procedurally then this will ensure that the negotiations take place in a constructive atmosphere. If not, then the atmosphere will quickly sour and even simple goals will be much harder to achieve.

The formal functions and powers of the presiding officers, including the President/Chair, are listed under a distinct heading in the rules of procedure.

In practice, the role, responsibilities and powers of the President/Chair in formal and procedural matters are even broader. For example, the President/Chair can represent the COP/subsidiary body, thank the host country, congratulate individuals, express condolences and so forth on behalf of the COP/subsidiary body. They may also hold a press conference or otherwise communicate with audiences outside the meeting on behalf of the COP/subsidiary body.

Indeed, the President/Chair has a structural role in the meeting: not only is the seating arranged so that all delegates face the President/Chair, but also all statements intended to be heard by the whole meeting must be addressed to the President/Chair.

6.2.1 Conducting a meeting

An essential role of the President/Chair is to ensure that the COP/subsidiary body conducts its meeting and its business in an efficient manner.

The President/Chair keeps order by selectively permitting some activities and/or deciding when they take place. Examples of important techniques of permitting are:

- COP/subsidiary body is not meeting until the President/Chair says so;
- No delegate may make interventions at plenary sessions without permission from the President/Chair, and the President/Chair can withdraw that permission;

- COP/subsidiary body at its meeting cannot take actions (e.g. start discussion on an agenda item) unless the President/Chair permits it;
- COP/subsidiary body has not taken a decision until the President/Chair confirms it; and
- COP/subsidiary body is meeting until the President/Chair declares it closed.

Techniques for facilitating the work of the COP/subsidiary body at its meeting include:

- Allowing adequate time for debate and informal consultations;
- Resolving any issues over procedure, thereby enabling the COP/ subsidiary body to continue its work in the appropriate manner;
- Suspending the session for informal consultations;
- Inviting a delegate to make a statement. The Secretariat maintains a speakers' list and normally the President/Chair should follow the list. When necessary, the President/Chair should distinguish between Parties and observers, between those Parties that have not spoken and those that have, and between those Parties that are addressing a proposal and those that are making a more general intervention;
- Suggesting that informal consultations take place;
- Appointing a 'Friends of the President/Chair group' or facilitator to conduct consultations or to try to find consensus on a particular issue; and,
- Asking the Secretariat to provide a particular service or undertake a particular action (e. g. provide additional information to Parties).

The President/Chair can play a very active role in the discussions by:

- Proposing the convening of a contact group, an informal discussion group, drafting group or Friends of the Chair and designation of the chairs of these groups, as appropriate;
- Acting as intermediary or facilitator in resolving disagreements among delegates;
- Proposing a procedural step, such as laying an issue aside or referring it to another body;

- Identifying areas of common ground and proposing textual solutions to the room that accommodate all views; and,
- Presenting formulations or whole draft texts to the meeting in President/Chair's own name.

6.2.2 Planning allocation of work and time management

One of the tasks of the President/Chair is to establish the setting in which agenda items will be considered other than in Plenary. This could be done by proposing the establishment of various negotiating groups with a defined mandate (which may cover several interlinked agenda items), their composition and chair. The work should be allocated in a way to ensure the full work programme of the meeting is completed on time.

It is therefore important to arrange the tentative schedule of the meeting to address controversial items early on during the week, if known in advance, in order to give enough time for the negotiations. The President/Chair undertakes this task in collaboration with the Bureau and the Secretariat.

The interpretation of statements and translation of documents are an important consideration when allocating time for each agenda item, as the absence of interpretation or translation of documents may have a considerable impact on the atmosphere of the meeting, sometimes even leading to its suspension. Due to its cost, interpretation is usually only provided for in Plenary and during the formal hours of the meeting, namely 10 a.m. to 1 p.m. and 3 to 6 p.m. It is not possible to extend or change the interpretation hours unless the Secretariat is notified well in advance.

6.2.3 Opening the meeting, announcing each phase of meeting activity

The President/Chair should arrive well in advance of the scheduled start of each session of the meeting.

As soon as possible after the scheduled starting time, if the President/Chair considers there are enough delegates in the room with sufficient regional representation, they ‘calls the meeting to order', greets the delegates and declares the meeting open.

Rap your gavel and say:
“I declare the [name of the meeting] open."

Usually the President/Chair should take this opportunity to announce the purpose of each agenda item during the session or meeting, recall the procedural situation, give a brief overview of the work at hand and outline what progress has been made since the last session on the issue.

“The meeting will now address agenda item […] on... I invite the Secretariat to introduce this item."

As the meeting progresses, the President/Chair announces each procedural move and explains any procedural matter that might be unclear and foreshadow subsequent moves.

Likewise, the President/Chair closes each phase of debate and explains what has been concluded and what is to follow. The Secretariat prepares President/ Chair's notes with suggested words for the President/Chair to use as they make their way through a succession of procedural steps. Further details on these notes are found in annex 1 to the present manual.

6.2.4 Keeping the debate orderly and managing the use of time

Maintaining order involves controlling the level of noise in the room, giving speakers the floor as they request it or in accordance with the speakers' list. If necessary, propose and enforce time limits on

interventions or the closure of the speakers list. It may, at times, require the President/Chair to take a leadership role in getting the COP/subsidiary body to progress its work and for the meeting to run in an orderly and efficient manner.

"I now open the floor for any comments relating to this agenda item."

"I thank all delegations that have taken the floor for their comments and would like to summarize what I have heard and offer my conclusion/proposed path forward."

In this work, the President/Chair uses not only their voice but also the gavel as a means of communicating with the delegates. Some basic conventions regarding the use of gavel are:

- One tap (at the beginning of a session): 'The President/Chair is calling the meeting to order and is about to open the session.'
- One tap (after announcing a decision): 'The decision has been made and is final.'
- Several quick taps: 'Silence in the room, please.'

Gavels are not used in contact groups.

If the President/Chair faces behaviour which may be considered as disruptive, this can be dealt with in different ways, for example:

- Do not ignore the situation. Take time out to discuss any issues with the concerned delegates, then move on.
- Do not take difficult behaviour personally or give an emotional response.
- Do not argue with delegates.
- If a delegate continues to be disruptive, politely ask them to leave.

A constant concern of every President/Chair is to manage the time available. To this end, they establish a timeline, e.g. this task will be

finished by such and such a date, how much time will be devoted to that agenda item, etc. The Secretariat will assist the President/Chair in this task.

As the meeting progresses, the President/Chair should constantly check that the timeline is being adhered to, and if it is not, take remedial action. Concurrently, the President/Chair should manage a time budget, constantly pressing delegates to complete each phase of the meeting as quickly as possible, being constantly vigilant against anything that might threaten to use up time unproductively, to build up a reserve of time in hand. Then the President/Chair may carefully make this time available for constructive purposes.

"The meeting is adjourned until…"

The President/Chair takes actions to ensure that a COP/subsidiary body completes its meeting agenda within the allocated time and that all Parties/ members have had an opportunity for their views to be expressed. The President/Chair may rely on and refer to the rules of procedure, which are authoritative and constitute the basis for their power to suggest e.g. time limits for statements and limits on the number of times a delegation may speak.

"Are there any objections to this proposal? **[Pause and look around the room.]** ***I see no objections; it is so decided."***

6.2.5 Between plenary sessions or contact groups

After closing each plenary session, the President/Chair starts to plan the next plenary session's work. It is important to make sure that the President/Chair is informed of what has happened in the consultations and other negotiation groups at which they were not present and of likely developments. For this purpose, it is important to consult with the

Secretariat and the Bureau, at its morning meetings before the day's plenary session.

As appropriate, between sessions, the President/Chair prepares interventions they will make at the upcoming session. At times the President/Chair may see advantage in meeting with some Parties/members and/or arrange to forewarn Parties/ members of impending developments.

6.2.6 Decision-making

This is a particularly sensitive phase of meeting activity, to which the President/ Chair should pay particular attention. In the case of written draft decisions, which are usual practice, the President/Chair explains the procedural situation to make sure that all Parties/members fully understand it. the President/Chair makes every effort to ensure that the decision-making process is fully transparent and that the wishes of Parties/members are accurately reflected.

The use of contact groups and other informal mechanisms for settling differing views and reaching agreement have been outlined above in Section 4.2.3.

6.3 SUBSTANTIVE ROLE

The President/Chair's responsibility is not only to manage the meeting so that it operates smoothly and to fulfill a formal role, but also to take responsibility for seeing that the meeting produces a result that is:

- Coherent and internally consistent;
- Legally and technically sound; and,
- Acceptable to the greatest number of Parties.

These are threshold criteria that should be met by the COP/subsidiary body at every meeting and that every President/Chair should aim for – although rarely easy and at times very difficult. They represent a good

outcome for an international meeting and a President/Chair presiding over a meeting that meets them is entitled to a sense of achievement.

The more the following ambitions can be met, the greater the success of the meeting and of its President/Chair:

- Satisfaction of Parties/members participating in the meeting when the decisions are taken;
- Satisfaction of observers and other stakeholders with the outcomes of the meeting;
- Ease and effectiveness of implementation when the time comes;
- The extent to which decisions go beyond the 'lowest common denominator' to secure every point on which agreement was possible; and,
- Value of precedents that are set and the opportunities that are created for the future.

In fulfilling the President/Chair substantive role, as with their procedural role, the President/Chair acts as a representative of the COP/subsidiary body at the meeting and their actions must be acceptable to the COP/subsidiary body. That support is likely to be forthcoming, as long as the President/Chair is acting in accordance with the mandate of the COP/subsidiary body, appears and behaves impartially and reflects a good understanding of the wishes and views of Parties/members.

The President/Chair's necessity to be impartial does not imply that they can be uninterested in the substantive outcome of the meeting or can abdicate the responsibilities of leadership. Even so, the President/Chair must always be mindful of the need to be impartial and accurately reflect the debate and views of the Parties. Some basic ideas about the various tasks or techniques available to the President/Chair are described below.

6.3.1 Preparing for the meeting and developing a strategy as a chair

The President/Chair must have in mind a concept of the possible and desirable outcome of the meeting and a plan as to how it is to be achieved. Both of these will be subject to constant monitoring and

possible revision as the meeting unfolds. Their evolution will be strongly influenced by the President/Chair's monitoring of the debate and negotiations and what they hear in extensive and continuing consultations with Parties/members. But the desirable outcome is more than the sum of the wishes of all Parties/members: it is also an outcome that is coherent, legally, and technically correct and ideally one that will prove sustainable in terms of its practical implementation.

6.3.2 Implementation

As long as the meeting is proceeding in accordance with this (flexible and evolving) plan, the President/Chair's responsibility is to facilitate its course. If, however, the meeting shows signs of stalling or losing its way, the President/Chair's responsibility for the outcome requires them to take a more active role that may include encouraging Parties/members to act in a manner helpful to the meeting resuming its progress.

As a final resort, this role may require the President/Chair to act more directly, for example taking a break to consult with vocal delegations on both sides of an issue, drawing the COP/subsidiary body's attention to options or making suggestions, based on their knowledge and understanding of the wishes of Parties/members, and the applicable technical, legal and other considerations.

6.3.3 Developing consensus

The President/Chair's procedural responsibilities require them to note the points of agreement as they emerge and draw them to the attention of the COP/subsidiary body so that the President/Chair gradually builds up an edifice of agreed substance and words which, when completed, will constitute the agreed meeting outcome. In so doing, the President/Chair should also take into account the substance of what is being agreed so as to ensure that the outcome is also substantively sound (i.e. coherent, legally and technically correct and so on), as previously explained.

"I see a general agreement in the room on this matter to* [summarize what was agreed]. *Does anyone have an objection to this?"

"This completes the meeting's consideration of agenda item […]."

6.3.4 The President/Chair's resources

In this work, the President/Chair needs to manage and draw upon a range of resources:

(1) Rules of Procedure

These determine the powers of the President/Chair.

(2) Atmosphere

The atmosphere (or mood or 'chemistry') of the meeting is another factor to be managed and used by the President/Chair. So long as this remains positive and constructive, it is helpful to the meeting in achieving its objective expeditiously. The President/Chair will want to exert their managerial skills to keep it as close as possible to this ideal, and to resist any tendency for it to slide into lethargy, animosity or despair which are inimical to agreement.

(3) Time

The President/Chair needs to manage the available time, not only with a view to its effect on procedure, but also because of the possible impact on the substantive outcome. Thus, the President/Chair may see a need to provide more time for consultation, when this seems likely to broaden the extent of agreement on substance. Subject to budgetary

and other practicalities, the President/Chair may be able to make arrangements to enable debate or negotiations (with or without interpretation) to continue in the evening, which is when most of the contact groups will take place. Conversely, the President/Chair may decide to restrict the time available for purposes which seem inimical to the desired substantive outcome, or to help ‘force' agreement.

(4) Control of opportunities to speak

Without exposing them to accusations of partiality, the President/Chair may at times be able to create opportunities for constructive interventions to be heard, or conversely to limit the opportunities for destructive or otherwise unhelpful interventions. This is mainly achieved by keeping the debate focused on a search for areas of agreement and closing it off when it threatens to degrade into repetition or unproductive dispute. It can also involve the President/Chair deciding in which order to call several Parties/members who ask for the floor at the same time.

(5) Information

By following the debate attentively and consulting widely, as well as through their central role in procedure, the President/Chair can ensure that they are kept well informed of the wishes and intentions of Parties/members. This will present some occasions when the President/Chair sees opportunities to assist in the development of the desired result by ensuring that information is shared and other occasions where the President/Chair is able to thwart any threats to the substantive outcome before they materialize.

(6) Common goals of all Parties/members

All clear-sighted delegates understand that the achievement of their own national objectives depends on the COP/subsidiary body reaching agreement and usually a high proportion of Parties/members are also

committed to the COP/subsidiary body achieving its collective objectives at the meeting. This leads to a widespread disposition among Parties/members to be as helpful as possible towards the President/Chair in their tasks. Delegates/members are often inclined to defer to the President/Chair's wishes, in the well-founded belief that the President/Chair is uniquely well placed to assess what is possible and how best to proceed towards an outcome that will be satisfactory to all.

(7) Prestige

The President/Chair is the acknowledged leader and representative of the meeting and moreover, if the President/Chair performs well, a person who has demonstrated a commitment and ability to bring the meeting to a successful conclusion. Any one of these aspects would be a source of prestige; cumulatively they are even more compelling. As long as the President/Chair retains the confidence of Parties/members, the prestige of their position has considerable potential influence.

(8) Assistance

Constructively minded Parties/members will tend to be supportive of the President/Chair and willing to assist with information, advice, forbearance, and cooperation.

The Secretariat, likewise, wishes the President/Chair to succeed and is able to assist them in many ways. The President/Chair's notes prepared by the Secretariat provide suggested words to guide the succession of procedural steps. The Secretariat can draw the President/Chair's attention to a procedural requirement or document to be cited. The President/Chair should not, however, simply read out whatever the Secretariat places before them. It is the President/Chair's responsibility to ensure that the text is correct.

Appearances also matter. If the President/Chair were to concentrate too exclusively on reading out a scenario provided by the Secretariat and not engage with their audience, the impression could be conveyed that

they are relying too much on the Secretariat, are not prepared and are not pro-actively adjusting the strategy as the meeting proceeds. This possibility arises particularly at the start of a meeting where lengthy formalities and introductory explanations have to be enunciated – but also when delegates' first impressions are being formed.

(9) Context

Because of their responsibility for organizing the work of the COP/subsidiary body at the meeting, the President/Chair is well placed at the start of a meeting to allocate issues or agenda items to the forum (e.g. at plenary or contact group level) where they believe there exists the best prospects of a constructive treatment.

As the meeting progresses, if problems develop, the President/Chair can take the initiative to refer an issue to informal consultations (if necessary, convening these themselves) or perhaps to transfer an item, for example, from a contact group to Plenary.

(10) Exit strategies

There are three main "exit strategies" that the COP/subsidiary body President/Chair can use to propose a way forward on an issue:

1. To adopt the draft decision contained in the pre-session document;

"I am hearing considerable support for the proposed action set out in the document. I propose that we adopt the draft decision set out in document **[if there are any proposed amendments, these can be confirmed verbally by the President or the Secretariat].** ***Seeing no objection to these conclusions, I propose that we adopt the draft decision set out in document*** **(if necessary, add "as amended verbally").***"*

2. To request the Secretariat to prepare a draft decision based on the interventions in the Plenary (sometimes in consultation with delegations making the specific suggestions in their interventions) ;

"I propose that we request the Secretariat to prepare a draft decision along the lines of the proposed action set out in document [...] and taking into consideration our discussion. We will consider the draft decision later in the week. Are there any objections to this proposal? **[Pause and look around the room.]** ***I see no objections; it is so decided."***

3. To establish a contact group or other group to further discuss the matter and prepare a draft decision;

"I see that there is not yet consensus on the adoption of the draft decision set out in document. Therefore, I propose that we establish a contact group to discuss a possible way forward on..." **(Chair must also provide a specific mandate for the group, including a time constraint.)**

Another option is to suspend discussion on the agenda item to allow for informal consultations. The agenda item would then be taken up again later in the meeting.

After all agenda items have been addressed, the President/Chair may ask if the delegations wish to raise other issues under the "Other matters" agenda item.

"***Are there any other matters?"***

When the issues planned for the session/meeting have been exhausted, the President/Chair can close the session/meeting.

"I declare this meeting closed (formal)."

"As we have covered all the points on the agenda, I propose that we close this session until … / the meeting."

6.3.5 Requisites for success

To succeed, the President/Chair is required most importantly to:

- Prepare carefully for the meeting and for sessions of it;
- Be kept informed, notably by frequent and widespread consultations with Parties/members and the Secretariat;
- Maintain support for emerging agreed outcomes;
- Maintain support for the President/Chair, notably by showing respect for the concerns of all Parties/members;
- Encourage a positive atmosphere;
- Use allies effectively (the natural allies of the President/Chair being those Parties/members that are seeking a constructive agreement); and,
- Pay particular attention to their relations with the Secretariat.

The Secretariat is not only the provider of essential support services but is an invaluable source of information and advice. It is the one actor in the meeting whose objectives closely parallel those of the President/Chair. It is helpful for the President/Chair and the Secretariat to think of themselves as being on the same team.

6.3.6 Approaches

The President/Chair has a wide range of resources available for use in meeting the challenges of their role, which have been indicated earlier in this section.

The President/Chair facilitates discussion and negotiation by providing time for that purpose through many means in addition to calling for the establishment of contact or other groups and encouraging or participating in more informal consultations.

The President/Chair can influence the outcome by making suggestions as to how the meeting or its delegates should approach their work.

The President/Chair can also step into the role of intermediary or 'broker of agreement' between Parties/members that are at odds, to help them find a satisfactory solution to their differences. This intermediary role can take many forms, sometimes concurrently. It can consist of carrying messages between the protagonists, offering explanations for their respective positions, urging understanding and a willingness to compromise, making suggestions to all sides as to how they can act to advance their objectives and also as to what is realistically achievable.

Likewise, the President/Chair can take an escalating range of roles in ensuring that constructive texts appear on time. These can range from a compilation of agreed texts and square bracketed alternatives proposed by Parties/members to provide a starting point for negotiation or through a President/Chair's 'non- paper' to stimulate thinking.

Matters for careful judgment include decisions on whether to produce such documents and if so, their timing, the extent of prior consultation or forewarning before doing so and the degree of assertiveness with which the President/Chair advances their proposals.

In all of these activities, the President/Chair continues to act on behalf of the COP/subsidiary body as a whole and with its consent. This means that by a combination of frequent consultation, knowledge and understanding of the concerns of Parties/members and empathy, the

President/Chair must have a very good sense of what the meeting collectively wants and will approve or at least accept.

Ultimately, in extreme circumstances, Presidents/Chairs who have had a strong sense of the positions and desires of the different Parties/members and who enjoyed a very high level of confidence and deference from Parties/members have been known to draw fully on this capital and 'impose' a compromise solution of their own devising. Obviously, Presidents/Chairs can behave in this manner only if they have gained the full confidence of all relevant Parties/ members that any solution they produce is the best these Parties/members could hope to achieve in the negotiations and would contain no unacceptable element. It should be emphasized that we are talking here about highly exceptional situations, unlikely to be encountered by most Parties/members and that such extreme tactics are, of course, inherently high-risk.

6.4 FINAL TIPS

Chairing an international meeting is challenging, calling for skills that differ in important ways from those needed to successfully chair a meeting at the national level.

It is a function that can be personally rewarding and can bring considerable prestige if performed effectively. Conversely, it can also cause considerable embarrassment to the individual concerned and to their nation if the President/Chair is found to not be up to the demands of the position.

For this reason, careful consideration must be given before accepting or nominating someone for chairing. Particular care must be taken in the case of prominent individuals who are closely identified with a government or nation but whose experience does not equip them to cope with all the complexities of chairing a contentious international meeting. If such a person is exposed to the risks of chairing, it may be possible to reduce these by ensuring that the more contentious phases

of debate or negotiation take place in another forum and/or by providing additional briefing and perhaps advice during the meeting.

Successful chairing is not only personally satisfying and a source of personal and national prestige, but also a way to achieve the best outcome that Parties are willing to accept.

Observing a chairperson in action closely is a good way to learn. You can also learn more about chairing by undergoing training or reading books, both memoirs of diplomats and books on chairing. Business schools and negotiation trainers have produced many books on how to chair a meeting. Although some adaptation is necessary for international meetings as described in this manual, they contain many useful pointers.

One of the most effective ways of learning this is by doing. So, the aspiring chairperson should seek opportunities to chair (and will find that there is always a demand for those willing to take on the task). You should start modestly and work your way upward. A meeting not called upon to take decisions is easier to chair than one that does have decisions to take. Thereafter, the greater the divergence of views between the delegates and the greater the complexity of the issues to be settled, the more difficult it becomes. Nevertheless, the person who accepts responsibility for moderating a meeting, however informal and small-scale, is the President/Chair and will begin to acquire useful experience. As your skill and confidence level increases, you will be better equipped to take on increasingly demanding chairing roles.

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ANNEX 1.

STANDARD PRESIDENT'S NOTES PREPARED BY THE SECRETARIAT

COP-5 President's notes

Agenda item: 2

Adoption of the agenda

TIME: 11:10 to 11:20
I: Relevant documents UNEP/MC/COP.5/1 – Provisional agenda UNEP/MC/COP.5/1/Add.1/Rev.1 – Annotated provisional agenda. UNEP/MC/COP.5/INF/38 – Scenario note and tentative schedule for COP-5
II: Main outcome of the agenda item ▪ An approved agenda for the meeting
III: Managing the discussion ▪ President to introduce the agenda for COP-5 covering the entire meeting, noting it was prepared taking into account feedback received from the Bureau. ▪ President to invite delegates to identify if any additional points need to be added to the COP-5 agenda, noting that hereafter the organisation of work for COP-5 will be addressed. ▪ *If additional items do get raised, it is expected that they could be placed under Agenda Item 8: Other matters.* ▪ President to suggest that the agenda is approved as it stands (or if

requested, as amended).

- Note: During the adoption of the agenda, the meeting will be in decision-making mode, i.e. as during regular COP meetings, the President would not give the floor to observers.

I call on the Conference of the Parties for consideration of agenda item 2(a), adoption of the agenda.

The plenary should have before it Document 1 (provisional agenda) and Document 1/Add.1/Rev.1 (annotated provisional agenda), and also Information Document 38 (scenario note and tentative schedule of work for COP-5).

The provisional agenda for COP-5 has been prepared in agreement with me and takes into account the feedback received from the Bureau.

According to rule 13 of the rules of procedure of the Conference of the Parties, the meeting may decide to add, delete, defer or amend agenda items.

However, only items which are considered by the meeting as urgent and important may be added to the agenda.

It is possible to discuss issues under Agenda Item 8, Other Matters, as time allows.

The Conference of the Parties is now entering decision-making mode. This means that I will only give the floor to Parties.

Does any Party wish to propose an amendment to the agenda?

[Pause to see if any Party wishes to take the floor.]

[Interventions from Parties only, no observers]

I see no (more) requests for the floor. Thank you.

[If necessary: Pause to consider outcome]

Option 1: If there is no proposal to change the agenda	Option 2: Adding issues for discussion under other matters	Option 3: If there are proposals to amend the agenda
Seeing no proposals for amending the agenda, I now invite the plenary to adopt the agenda. Are there any objections? [Pause to see if any hands are raised] **I see no objections; the agenda is adopted.** [Gavel]	**Rather than amending the agenda, I suggest that we consider taking these issues raised** [repeat proposals] **under other matters. Are there any objections to this?** [Pause to see if any hands are raised] **I see none.** **I now invite the plenary to adopt the agenda.** [Gavel]	[Repeat the proposals] **Are there any objections to adopting the agenda with these amendments incorporated?** [Pause to see if any hands are raised] **I see no objections, the agenda as amended, is adopted.** [Gavel] **OR** If there are objections/questions to the proposal, President could propose that the agenda as contained in document 5/1 is adopted and the Parties concerned are invited to consult and reach an agreement on the proposal and report back to the President.

Now that we have agreed on our agenda [how to proceed], we can move to agenda item 2(b), organization of work.

ANNEX 2.

CHECKLIST FOR CHAIRS OF CONTACT GROUPS[27]

Preparation for the meeting

- ✓ Visit the meeting room prior to the meeting with the Secretariat to check the set up. Ensure that you have the text electronically and that the projector functions well. Clarify with the Secretariat staff when text will be typed on the screen;
- ✓ If you co-chair a meeting, speak to your Co-Chair about who will chair which part of the meeting;
- ✓ Have the Convention text and rules of procedure at hand and other relevant text precedents, reports, COP decisions, etc.;
- ✓ If you need an invited expert, ensure that they are present (e.g. Executive Secretary, legal officer, financial officer);
- ✓ Review the text to be negotiated and note questions for the Secretariat;
- ✓ Speak to the Secretariat ahead (e.g. Sunday) and get briefed on the budget details, sensitive issues, etc.;
- ✓ Listen to the plenary discussion to become familiar as to where the key issues will arise;
- ✓ Decide on a strategy and a concept of the possible and desirable outcomes of the meeting and a plan as to how it is to be achieved; identify low hanging fruits, consider available facts (report of assessment and data from different regions), understand positions and strategies for compromise, and understand key issues and be ready to state the facts;
- ✓ Have a clear understanding of issues and concerns.

[27] Based on "Chairing Contact Groups on policy and legal matters under the Basel and other Conventions", Daniel, Anne, PowerPoint presentation. Pilot Training Session on Chairing Meetings of the Basel, Rotterdam and Stockholm Conventions, March 2014.

At the beginning of the session

- ✓ Welcome the group and introduce yourself and your Co-Chair;
- ✓ Reiterate the mandate;
- ✓ If a mandate given to you as Chair or Co-Chair is unclear, ask the President to clarify any questions you have in Plenary;
- ✓ If a Party suggests having the work proceed on the basis of a new document, direct it to the document provided in the mandate;
- ✓ Outline the immediate and long-term process for the group, including hours of work;
- ✓ Outline how you plan to tackle the text;
- ✓ Ask if anyone wants the floor after the organizational matters are introduced;
- ✓ Project the text on the screen, if you have decided this is appropriate;
- ✓ If there are editorial errors you have noted from your earlier review, you can correct these from the podium to save time (e.g. dates, document numbers);
- ✓ Ask delegations to make focused text proposals;
- ✓ Give non-English speakers adequate time to draft proposals in response.

Managing debates on the text

- ✓ Be impartial: do not debate a Party's position although it is fair to probe to better understand it;
- ✓ Have the Secretariat provide you with a list of speakers so you can focus on the debate;
- ✓ If time permits, consider the benefits of allowing time for general comments so that you gain a sense of areas of both agreement and disagreement;
- ✓ If this is not beneficial, go paragraph by paragraph through the decision text immediately – use your judgment of the situation;

- ✓ If the subject of the debate is technical or complex, you may first wish to ask the Secretariat to present the relevant documents (e.g. budget) and take questions from the group;
- ✓ Suggest that the operative text be considered first, rather than starting with the preamble. If you run out of time, the preamble could be dropped. If there is time to discuss the preamble later, it can then be drafted to conform to the operative text;
- ✓ Consider whether there is a more logical organization of the negotiation (e.g. the budget decision should be negotiated before the budget itself, including agreement on whether there will be budget and staffing increases; on compliance issues, one may consider first tackling triggers and measures);
- ✓ Where the text is not mentioned in general statements, you can state that there are no comments on the text and seek an agreement of the group on the text;
- ✓ On other text where there are comments, go through each paragraph methodically, taking all proposals from Parties and asking the Secretariat to insert these on the screen at your direction only;
- ✓ Try to get closure on each paragraph as you go, but if it is clear that there is a blockage, move on to the next paragraph with an intention of revisiting it later;
- ✓ Once the text is cleared of brackets, it should not be revisited unless revisiting helps resolve issues elsewhere in the text;
- ✓ Focus on whether the differences are simply matters of language rather than substantive disagreement;
- ✓ When a delegate has proposed a change to a text, and when the next delegate takes the floor, you may wish to ask them to provide not just their proposal but also to comment on whether they can accept the proposal just made, as this will ensure that interventions are cumulative;
- ✓ Where an intervention is to make a factual change, just confirm to the room that it is factual, and try to move on without debate;
- ✓ Where an intervention is to include the text from the Convention, but it is inaccurate, you can read the text from the relevant Article

of the Convention to try to get the proponent to agree to the proper wording—otherwise there might be extensive debate;
- ✓ The Convention text must be respected at all times and supersedes the rules of procedure and COP decisions.

Sub-groups of a contact group

- ✓ If the text is generally supported by Parties, but needs drafting work, you can ask a group to prepare text for the group's consideration at its next session during the break (note: Parties will rarely wish to draft text while the contact group continues its work);
- ✓ If there is a substantial policy difference, ask the key Parties, and any other interested Parties and observers, as appropriate, to meet as a small group, but be precise as to their mandate, their composition and when they report back. Another option is for you to informally discuss with those key Parties before the session resumes;
- ✓ If there is serious deadlock you can establish a Friends of the Chair group, but you should discuss this with the Bureau or the President in advance;
- ✓ You may ask the President/Executive Director/Executive Secretary to use their positive influence to help you;
- ✓ Sub-groups must report back to contact group, i.e. the body that created them.

Difficult situations

- ✓ In contact groups, Parties are the ones who negotiate; observers are not allowed to negotiate, which includes making proposals. If an observer makes a proposal, it can only go forward if a Party endorses the idea. This does not mean that negotiations by observers become routine;
- ✓ Points of order happen infrequently and relate to questions about the immediate running of the meeting and must be taken up first.

You may find yourself in the situation where you need to use a “point of order", for example if observers attempt to participate in the negotiations;

- ✓ If you can't answer a question, turn off the microphone when consulting. You can offer to consult and bring the answer back to the room at the next session while putting the issue aside. You can ask the room for information on a factual matter: for example, does anyone know whether the last COP budget had a paragraph on arrears?
- ✓ On rules of procedure, the Secretariat staff can advise, and if the staff doesn't readily have an answer, the legal officer of the Secretariat can be consulted;
- ✓ On substantive matters, the Secretariat staff may have the information;
- ✓ Budget contact groups: financial officers, programme officers and the Executive Secretary may come in to answer questions.

Completing the work

- ✓ If you haven't agreed to the text yet, you should advise the group as to the next time you will meet or report to Plenary. At this time, the group should follow any additional instructions provided to it by the President;
- ✓ If you have to report to Plenary, you should advise the contact group of the nature of the report you will make;
- ✓ If the group asks for an interim text to brief their delegations or capitals, request the Secretariat to make it available on the in-session site.

Reporting

Daily reports to the Bureau:

- ✓ Be concise: let the Bureau know the key outstanding issues;
- ✓ Advise the President how much more time you would need to finish the negotiations;

- ✓ Where appropriate, seek advice from the Bureau on resolving outstanding issues or request intervention at regional meetings.

Daily reports to Plenary:

- ✓ Agree with your Co-Chair as to who will report;
- ✓ Thank the Secretariat and the group;
- ✓ Be concise: let the Plenary know the key outstanding issues;
- ✓ Ask the President to announce the next session.

Final Report of the contact group to Plenary:

- ✓ The report on the outcomes of the contact group work is your responsibility;
- ✓ A report and negotiated text must be agreed by the contact group before going to Plenary;
- ✓ If the final report to Plenary still has square brackets, warn the President in advance that this is the case and that there might be plenary debate;
- ✓ Your final report should be more detailed, depending on the issue;
- ✓ Make sure you are heard.

Final tips:

- ✓ Avoid overly late sessions, if you can;
- ✓ Ensure that transportation remains available if the session will finish late;
- ✓ Try to allocate time for delegates to get food and drinks;
- ✓ Maintain a tone in your group appropriate to the UN, cordial and constructive; avoid engaging in conflict, keep a positive atmosphere and stay calm;
- ✓ Delegates generally do want to be led and will follow you (as far as positions allow), if you are fair, clear and organized.

ANNEX 3.

BASIC GLOSSARY OF TERMS AND EXPRESSIONS RELATED TO INTERNATIONAL MEETINGS[28]

The terms and expressions listed below are commonly understood as follows:

Absent (from a vote)
Said of a delegation that does not cast a vote. The delegation may be in the meeting room but is not entitled to vote.

Abstain (verb), abstention (noun)
To vote (or a vote that is) neither in favour nor against the question. It registers absence of support, but with less opposition than with a negative vote. Under most rules of procedure, delegations that abstain are not counted as 'present and voting' in that vote. It may indicate neutrality or absence of support for a specific question.

Acclamation
A procedure whereby a conference or meeting adopts a proposal without a vote. It happens when all delegations present indicate support for a proposal that received no objections, e.g. by applause. It may indicate consensus.

Accreditation
The process of official approval or recognition of:

1. Credentials submitted by representatives of a State or of a regional economic integration organization (delegates), to an international organization or to a meeting of an international conference such as of a Conference of the Parties to the Minamata Convention;

[28] Based on "A Glossary of Terms for UN Delegates", UNITAR, 2005. https://unitar.org/sites/default/files/media/publication/doc/Glossary_E_0.pdf

2. Qualifications submitted by representatives of observers, to an international meeting of the Minamata Convention governing body (COP) or subsidiary body.

Ad referendum (Latin)
Subject to subsequent agreement by government(s).

Agenda / Meeting agenda
The programme of work of a meeting of a UN body or a Conference of the Parties to the Minamata Convention. Each one of them must adopt its agenda as one of its first acts. Usually this is based on a provisional agenda prepared in advance and circulated as a pre-session document by the Secretariat of the Minamata Convention in consultation with the Parties through the Bureau and the presiding officer. The agenda is provisional until adopted in accordance with the rules of procedure by the relevant authority.

Amendment
1. An alteration or addition to an existing legal instrument, e.g. a convention or, treaty, a protocol or other legal instruments.
2. A modification to a proposal (draft resolution, decision or other text) under debate or negotiation, formally proposed by someone other than the sponsor(s) of the proposal.

Binding (adjective) / legally binding
A provision of a treaty or a convention which gives rise to an obligation or commitment. In international law, a treaty or convention, which is in force, entails legally binding obligations for those that have expressed consent to be bound by its provisions, as opposed to, for example, a declaratory resolution, a voluntary code of conduct or a political commitment, etc.

Bracketing
The process of inserting square brackets around non-agreed text in documents under negotiation (see Brackets).

Brackets (square)
Used in documents under negotiation to indicate that the bracketed words or text is not yet agreed by the Parties.

Break off
To withdraw, either permanently or temporarily, from negotiations.

Breakthrough
The removal of a major obstacle to an agreement, suggesting that the negotiations can now progress towards a satisfactory outcome.

Cast a vote (verb)
The action of voting (i.e. to vote).

Chairperson's text, draft or compilation text
A draft text introduced by the chair in an attempt to help the meeting towards agreement. It may include some words or text in square brackets, indicating that the issues to which they relate are for later resolution. A chair's draft is often an attempt at a final text that might secure consensus. A chair's compilation, on the other hand, only puts together a number of competing proposals submitted by the delegates.

Contact group
A condensed forum for discussion and/or negotiation, with the objective of assisting the process of forging consensus. Contact groups are often convened by chairs/co-chairs. They count as informal consultations and may result in a proposal to the Plenary. A contact group has no formal decision-making status.

Co-sponsor
A delegation which joins others in proposing a resolution or other formal proposal for adoption by a conference or meeting.

Credentials
A document signed by the Head of State or Government (or in some cases another high authority) to establish the status of:

1. A representative to the United Nations, its Offices and other international organizations; or
2. A delegate or delegation to a meeting of an international conference such as of the Minamata Convention COP. Without credentials in good order, a person is not a delegate and cannot legally represent, vote or otherwise act on behalf of their State (or other sending entity).

Conference Room Paper (CRP)
A text distributed by the Secretariat during a meeting that often contains a draft decision text put forward to the COP/subsidiary body for possible adoption. Other CRPs are usually used as a mechanism for Parties/members to submit proposals directly relevant to the meeting's discussions.

Delegate
A representative of a State or of a regional economic integration organization, which is Party to the Minamata Convention, who has been authorized to speak and act on its behalf and who has been duly accredited to a conference or meeting (see Credentials).

Delegation
A group of delegates.

Disqualified from voting
Not entitled to vote, e.g. because credentials are not in order.

Drafting group / informal drafting group
An informal group created by the chair or the relevant body such as a COP that meets to expedite the process of drafting an agreed text. A text produced by a drafting group has no status until adopted by the Plenary.

Ex officio (Latin)
By virtue of their position or function.

Floor
1. The part of the conference/meeting room where the delegates have their assigned seats, e.g. 'speaking from the floor' as opposed to 'from the podium'.
2. By extension, the delegates, e.g. 'the speaker tried to persuade the floor'.
3. By extension of 2, 'to take the floor' is to start speaking to the meeting or to make an intervention.
4. By extension of 3, permission (from the chair) to speak to the meeting. 'To seek the floor' is to ask the chair for their permission to address the meeting, as in 'the delegate sought the floor and the chair gave it to him.' 'Microphone' is an informal synonym for meaning 4.

Friends of the President/Chair
A small-sized group convened by the President/Chair to discuss a specific matter with a view to advance the negotiations. Friends of the President/Chair groups are generally used in the case of protracted negotiations on politically sensitive matters where consultations with a reduced number of key Parties (and occasionally observers) may resolve the issue.

Full powers
A document authorizing a representative to sign a legal instrument on behalf of a State or a regional economic integration organization. Heads of State, Heads of Government and Ministers of Foreign Affairs, or in the case of a regional economic integration organization, by the competent authority, do not need to present full powers, since they are considered as representatives of a State for all acts related to negotiating and adopting international legal instruments.

Gavel (noun or verb)
A wooden hammer used by a President or a Chair. By extension, a symbolic metaphor for their office (e.g. 'to hand the gavel over to a vice-president' meaning the task of presiding over the meeting). Other meanings (especially of the verb) relate to the uses a chair makes of the gavel to communicate with the floor. For example: 'to gavel down objections' means to silence delegations which are vociferously raising objections, by recalling them to order, by repeatedly striking the gavel; or 'to gavel through a decision', means to strike the gavel once, signifying that a decision has been taken.

Group statement
A statement made on behalf of a group of delegations (usually like-minded) which have decided to make a joint statement. These are normally given precedence in the speakers' list over statements made in the name of a single delegation.

Host (country) Government
1. The Government of the country in which an international organization is located or in which an international conference/meeting takes place.
2. The Government of a country in which a meeting of a body - usually of a governing body - takes place.

Host country agreement
The agreement between a host country Government and an international organization providing immunities and privileges and other administrative arrangements to host an international organization or meeting.

Impasse
A point beyond which progress is not possible.

In extensor (Latin)
In full; how a statement is to be recorded in the summary records or conference/ meeting report.

Informal consultations
1. Exchanges of views among delegations which may extend to attempts at mutual persuasion or to informal negotiation and which take place outside the formal conference/meeting debate.
2. A meeting convened for the purpose of an informal exchange of views. At such a meeting the rules of procedure of the conference do not apply; there is normally no record and no interpretation.

Interpretation
A simultaneous oral translation of a statement made at a meeting. This term is also used in its everyday and legal meanings.

Intervene/ intervention
When a delegate, having been given permission to speak by the chair, makes a statement, they 'intervene' in the debate. Their statement is an 'intervention'.

Low hanging fruit
'Picking the low hanging fruit' is an informal expression meaning securing agreement on matters which can readily be agreed before attempting negotiation on more difficult matters.

Lowest common denominator
This is an informal expression describing the smallest issue/set of issues on which a conference, meeting, etc. can agree.

Microphone
Authorization given by the Chair to speak. The reference is to the microphone at each delegation's desk which is only switched on when the chair has given that delegate permission to address the conference/meeting, for example ‘several delegates were asking for the microphone'.

Mutatis mutandis (Latin)
The necessary changes. This is a phrase of frequent practical occurrence, meaning that matters or things are generally the same, but to be altered, when necessary.

Order, call to
A direct instruction by the presiding officer that the conference/meeting or a particular delegate should be silent (so as to allow the conference/meeting proceedings to take place in an orderly manner). To ‘recall delegates to order' means to silence them when they are out of order.

Order, out of
Not (behaving) in accordance with the rules of procedure.

Podium
A (usually raised) desk, facing the floor, at which the President/Chair, conference/meeting secretary and sometimes other conference/meeting officers, such as the Rapporteur, sit.

Point of order
A question as to whether the present proceedings are in order or whether a particular action by a delegate or a presiding officer follows the rules of procedure. Points of order request the presiding officer to exercise authority.

Provisional agenda
A draft agenda, not yet adopted by the conference or a meeting.

Quid pro quo (Latin)
To concede something in exchange for something else.

Quorum
The minimal number of Parties that must be present for a meeting to begin or for decisions to be taken. Quorum requirements are always stated in the rules of procedure.

Rapporteur
A delegate elected to oversee the preparation of the report of a conference or a meeting.

Reading
The process of going through a text with a view to establishing which parts of it can be provisionally agreed and which, as yet, cannot. In a second reading the provisionally agreed portions of the text are not re-opened and negotiations focus on the sections as not yet agreed. The areas of disagreement are expected to be reduced as a result of subsequent readings.

Representative
A State, a regional economic integration organization, an international organization, an NGO or other entities may be represented at a meeting by representatives. A representative of a State or of a regional economic integration organization, which is a Party to the Minamata Convention, is usually called a delegate – please see above definition. Representatives usually refer to each other during formal conference/meeting debate as 'the distinguished representative of/from (...)'.

Reservation
Declarations made by a Party to a convention or treaty – a State or a regional economic integration organization- upon signature, ratification, acceptance, approval or accession to a legal instrument, indicating that it wishes to exclude or alter the legal effect of certain provisions in their application to that State.

Revision or revised text
An amended version of a previously tabled document by the author(s) or sponsor(s) of that document.

Rules of procedure
A set of rules adopted by a conference to govern its meetings, in particular its workings and decision-making among others. Unless indicated otherwise, the rules generally only apply to the plenary and committee meetings; informal contact groups and other similar meetings are generally not governed by the rules of procedure.

Stalled
A point at which negotiations are making no progress. This term is generally used for a temporary disagreement, not a break down or stalemate.

Tally
The count of positive and negative votes and abstentions.

Verbatim (Latin)
In the exact same words as used originally for full record in the conference/ meeting report.

Working languages
The languages in which interventions may be made or texts may be circulated and considered at official meetings and conferences of the United Nations. The UN has six official languages (Arabic, Chinese, English, French, Russian and Spanish).