

RULES OF PROCEDURE

FOR THE **SPECIFIC INTERNATIONAL PROGRAMME**
OF THE MINAMATA CONVENTION
ON MERCURY



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Rules of Procedure of the Governing Board of the Specific International Programme of the Minamata Convention on Mercury

As adopted by the Governing Board at its first meeting in Geneva, 19-23 November 2018 (set out in annex II to [MC-2/9](#) for the information of the Conference of the Parties) and completed by the Governing Board at its third meeting in Geneva, 14-15 February 2019 (annex II to [SIP.GB.3/7](#))

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Objective

Rule 1

The present rules of procedure shall apply to the Governing Board of the Specific International Programme to support capacity-building and technical assistance of the Minamata Convention on Mercury.

Definitions

Rule 2

For the purpose of the present rules:

- a) "Convention" means the Minamata Convention on Mercury, adopted at Kumamoto, Japan, on 10 October 2013.
- b) "Party" means a party as defined in article 2 (g) of the Convention.
- c) "Signatory" means one of the States and regional economic integration organizations that signed the Minamata Convention on Mercury at Kumamoto, Japan, on 10 and 11 October 2013, and, thereafter, at United Nations Headquarters in New York until 9 October 2014.
- d) "Conference of the Parties" means the Conference of the Parties established by article 23 of the Convention.
- e) "Regional economic integration organization" means an organization as defined in paragraph (j) of article 2 of the Convention.
- f) "Programme" means the Specific International Programme to Support Capacity-building and Technical Assistance of the Minamata Convention on Mercury.
- g) "Board" means the Governing Board of the Specific International Programme.
- h) "Members" of the Governing Board of the Specific International Programme means the 10 members nominated through the respective Bureau representatives where each region shall nominate two members.
- i) "Meeting" means meetings of the Governing Board of the Specific International Programme. Meetings can be face-to-face, and, if so decided by the Board, can be held through electronic means.
- j) "Secretariat" means the secretariat established by paragraph 1 of article 24 of the Convention.
- k) "Members present and voting" means members present at the meeting in which voting takes place. For face-to-face meetings, "present" means physically present. For meetings through electronic means, "present" means participation through teleconference, videoconference or other electronic means as decided. "Voting" means casting an affirmative or negative vote. Members abstaining from voting shall be considered as not voting.
- l) "Co-Chairs" means the Co-Chairs of the Governing Board as elected in accordance with Rule 9.

Membership

Rule 3

1. The Board shall consist of 10 members from parties. Each of the five United Nations regions shall nominate two members through their respective Bureau representatives.
2. The first members of the Board shall be nominated no later than 31 December 2017 and will serve until the third meeting of the Conference of Parties to the Minamata Convention. Thereafter, the members shall be 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.
3. No member may serve on the Governing Board for more than two consecutive terms.
4. 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 shall be submitted to the secretariat before the start of the meeting in question.
5. If a member resigns or is otherwise unavailable to complete his or her term or perform the required functions, that member may be replaced for the remainder of the term. Written notification of the designation of the replacement member shall 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.

Observers

Rule 4

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

Venue, dates and notice of meetings

Rule 5

1. The Board will in principle meet once a year to approve project applications and review progress under the programme on the basis of reports from the Minamata Convention secretariat, as well as other relevant information provided to them on implementation of the programme.
2. The secretariat shall make appropriate arrangements for meetings in consultation with the Co-Chairs.

Rule 6

The secretariat shall notify all members of the venue and date of a meeting at least six weeks before it is due to commence. The secretariat shall also publish the meeting details on the website of the Minamata Convention.

Agenda

Rule 7

1. The secretariat shall prepare a provisional agenda for each meeting in consultation with and under the guidance of the Co-Chairs. Any member may request the secretariat to include specific items in the provisional agenda.
2. The provisional agenda shall be communicated to members at least four weeks before the meeting is due to commence.
3. Between the date of communication of the provisional agenda and the date of adoption of the agenda by the Board, members may propose supplementary items for inclusion in the agenda, provided the items are of an important and urgent nature.

Rule 8

At the beginning of each meeting, the Board shall adopt the agenda for the meeting on the basis of the provisional agenda and any supplementary items proposed in accordance with paragraph 3 of Rule 7.

Officers

Rule 9

1. The Board will have two Co-Chairs, elected from among the members of the Board, reflecting the composition of the Board and the purpose of the programme.
2. The Board shall elect two Co-Chairs at the commencement of its first meeting.
3. The term of the Co-Chairs elected at the first meeting of the Board shall continue until the election of new Co-Chairs at the commencement of a meeting to be held after the third meeting of the Conference of Parties to the Minamata Convention. Thereafter, the election of Co-Chairs shall take place at the first meeting of each new term of the Board members.

Rule 10

1. In the absence of consensus, elections of the Co-Chairs shall be decided by secret ballot.
2. 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 shall be 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 shall be decided by drawing lots between the candidates.

3. In the case of a tie in the first ballot between three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results between more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue in accordance with the procedure set out in paragraphs 1 and 2.

Rule 11

1. In addition to exercising the powers conferred upon them elsewhere in these rules, the Co-Chairs shall:
 - 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.
2. 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.
3. During the intersessional period, the Co-Chairs shall 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.
4. The Co-Chairs, in the exercise of their functions, remain at all times under the authority of the Board.

Rule 12

1. If a Co-Chair cannot preside at a segment of the meeting, the other Co-Chair shall fulfil his or her functions.

2. If a Co-Chair cannot preside over a meeting, the Board shall agree on a member to be appointed to fulfil his or her functions.
3. If a Co-Chair resigns or is otherwise unable to complete his or her term, the Board shall elect a replacement from among its members to complete the original two-year term.

Secretariat

Rule 13

1. The secretariat of the Minamata Convention shall provide secretariat services to the Specific International Programme and for the functioning of its Governing Board.
2. The secretariat shall receive applications to the Specific International Programme, screen project applications for completeness and eligibility and appraise applications for consideration and decision by the Board.
3. In the appraisal preparation process, the Secretariat shall consult with the Secretariat of the Global Environment Facility and the Secretariat of the Special Programme¹ to ensure complementarity and avoid duplication.
4. The secretariat shall make 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.

Rule 14

The Secretariat shall 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.

¹ "Special Programme" refers to the Special Programme to support institutional strengthening at the national level for implementation of the Basel, Rotterdam and Stockholm conventions, the Minamata Convention and the Strategic Approach to International Chemicals Management.

Rule 15

The secretariat shall report on its activities to the Board and through the Board to the Conference of the Parties. The secretariat will be accountable to the Executive Director of the United Nations Environment Programme for administrative and financial matters.

Conduct of business

Rule 16

The Co-Chairs shall declare 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 shall be required for any decision to be taken.

Rule 17

1. 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 shall maintain 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.
2. The Board may, on a proposal² 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 shall call the speaker to order without delay.

Rule 18

During the discussion of any matter, a member may at any time raise a point of order, which shall 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 shall be put to a vote immediately and the ruling shall stand 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.

Rule 19

Any motion against the competence of the Board to discuss any matter or to adopt a proposal or an amendment to a proposal shall only be 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.

² "Proposals", under the Conduct of Business section of these rules, refer to points of consideration and deliberation. The term "proposals" in the context of reference to the conduct of business does not refer to "project proposals".

Rule 20

1. Subject to Rule 18, the following motions shall 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.
2. Permission to speak on a motion falling within paragraph 1 (a) to (d) shall be granted to the proposer and, in addition, to one speaker in favour of and two against the motion, after which it shall be put immediately to a vote.

Rule 21

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.

Rule 22

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 shall be accorded only to the mover and one other supporter, after which it shall be put immediately to a vote.

Rule 23

1. 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 shall be excused from participating during the deliberations of and decision-making by the Board in relation to the project in question.
2. 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 shall apply the same stipulation as in the paragraph above.

Adoption of decisions

Rule 24

1. 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 shall be taken by a three-quarters majority of its members present and voting.

2. The Board may decide on a matter of procedure by a majority vote of the members present and voting.
3. Where there is disagreement as to whether a matter to be voted on is a substantive or procedural matter, the matter shall be decided by a two-thirds majority of the members present and voting.

Rule 25

Voting shall normally be by show of hands, except for the election of the Co-Chairs, which is governed by Rule 10. A roll-call vote shall be taken if one is requested by any member. It shall be taken in order as determined by lot drawn by the Co-Chairs.

Rule 26

The vote of each member in a roll-call vote shall be recorded in the report of the meeting.

Rule 27

After the Co-Chairs have announced the beginning of voting, no member shall 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.

Rule 28

Each member shall have one vote.

Language

Rule 29

Meetings shall be held in English. Meeting documents and meeting reports will be in English only.

Amendments to rules of procedure

Rule 30

Amendments to these rules of procedure shall be adopted in accordance with Rule 24.

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the Specific International Programme of
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