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**United Nations  
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**Plenary meeting to determine modalities and institutional arrangements for an intergovernmental science-policy platform on biodiversity and ecosystem services**

**Second session**

Panama City, 16–21 April 2012

Item 4 (c) of the provisional agenda\*

**Consideration of the modalities and institutional arrangements for an intergovernmental science-policy platform on biodiversity and ecosystem services: rules and procedures**

**Rules of procedure for the meetings of the platform's plenary**

**Note by the secretariat**

1. In paragraph 6 (f) of the outcome document of the third ad hoc intergovernmental and multi-stakeholder meeting on an intergovernmental science-policy platform on biodiversity and ecosystem-services, known as the “Busan outcome”, the representatives of Governments concluded that the platform should be established as an independent intergovernmental body administered by one or more existing United Nations organizations, agencies, funds or programmes. In paragraph 6 (g), they envisaged that a body known as the “plenary” would be established as the platform’s decision-making body and that it would establish its rules of procedure. Accordingly, the secretariat prepared document UNEP/IPBES.MI/1/5, entitled “Rules of procedure for the platform’s plenary”, for the first session of the plenary meeting to determine modalities and institutional arrangements for an intergovernmental science-policy platform on biodiversity and ecosystem services.

2. The draft rules of procedure so prepared aimed at assisting representatives to identify an appropriate approach to be used by the plenary in developing and establishing its rules of procedure, keeping in mind that the references contained therein with regard to various aspects of the platform’s institutional arrangements, such as members, observers, the plenary, subsidiary bodies or officers, were subject to the outcomes of discussions on those matters.

3. At the first session of the plenary meeting, the representatives exchanged initial views on the draft rules of procedure for meetings of the platform, on the basis of the draft submitted to them. Several representatives were of the opinion that, while the draft rules of procedure provided a basis for considering the matter, the platform would require additional elements to the draft rules of procedure to support its functions. The group of friends of the Chair that was established further to consider the matter noted the need for intersessional work to make progress.

\* UNEP/IPBES.MI/2/1.

4. Accordingly, the representatives agreed to invite participants, jointly or individually, electronically to submit proposals regarding rules of procedure and related procedures to the United Nations Environment Programme secretariat no later than 15 December 2011. The secretariat was requested to compile those submissions, without substantive editing, and to circulate them to the participants at the second session of the plenary meeting no later than six weeks before the second session.
5. As at the date of finalization of the present note, comments had been received from seven Governments: Argentina, Canada, China, Egypt, Japan, Norway and the United States of America, in addition to the European Union and its 27 member States. Comments had also been submitted by three international organizations: the International Council of Environmental Law, the International Union for Conservation of Nature and the Society for Conservation Biology.
6. Pursuant to the request described in paragraph 4, the annexes to the present note set out the comments received. They have been reproduced as submitted, without formal editing. Comments submitted by other stakeholders are available online.<sup>1</sup> It should be noted that some Governments have included in their written comments proposals for other procedures for the platform's operations, in line with comments made during the first session of the plenary meeting.
7. Other procedures proposed for consideration include:
  - (a) Funding and financial rules governing a trust fund;
  - (b) Procedures for the nomination and selection of authors, reviewers and review editors for the platform's work;
  - (c) Procedures for the preparation of assessments, review, acceptance, adoption, approval and publication of reports and other deliverables;
  - (d) Conflict-of-interest policy;
  - (e) Procedures for assigning and defining levels of uncertainty in relation to the platform's findings and scenarios and for the reflection of minority and majority views in reports;
  - (f) Procedures for addressing errors in special reports, methodology reports and technical papers;
  - (g) Guidelines for the treatment of traditional and indigenous knowledge;
  - (h) Procedures for the review and evaluation of the platform.
8. Consequently, the provisional agenda for the second session of the plenary meeting contains items covering both the rules of procedure for the meetings of the platform's plenary and other procedures for the platform's operation.

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1 <http://ipbes.net/plenary-sessions/intersessional-process.html>.

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**Annex I**

[Original: Spanish]

**Comments by Argentina on the rules of procedure of the intergovernmental science-policy platform on biodiversity and ecosystem services**

Argentina believes that there is no reason to distinguish between what it means to be a member of the platform and to be a member of the plenary, given that there will be two categories of participant in the plenary: members and observers. The primary difference between these categories is that the members will be those entitled to take decisions in the plenary.

Argentina believes that membership of the platform should be inclusive and open to States Members of the United Nations, its specialized agencies or the International Atomic Energy Agency. Regional economic integration organizations should also be admitted as members.

The membership of the platform should be open, but not automatic; a State or regional economic integration organization should express its wish to become a member of the platform as a prior requirement.

With regard to observers, that category should include States that meet the requirements to become members but that have not expressed a wish to do so, and organizations that are admitted pursuant to the policies and rules adopted or established to govern their admission and participation as observers.

As to policies and procedures for admitting and governing the participation of organizations as observers, Argentina believes that the platform should adopt rules similar to the policy and process for admitting observer organizations of the Intergovernmental Panel on Climate Change, in particular with regard to the process for admitting observer organizations.

With regard to the system of decision-making, in order to safeguard the decision taken in Busan according to which the plenary would take decisions by consensus, Argentina maintains the position that substantive decisions must be taken by consensus, and that a decision as to whether a matter is procedural or substantive should be considered to be a substantive decision.

This means that, should there be no agreement on the nature of a matter, it should be decided by consensus whether the matter is substantive or procedural. In addition, we are of the opinion that any changes to the rules of procedure should be done by consensus.

## Annex II

### Comments submitted by Canada on the IPBES Rules of Procedure

Page(s)	Line(s)	Comments
1	Note by Secretariat para. 4-5	How will this be decided if Parties don't want to use rules of procedure of the host institution? Will this create additional complications? Should rules of procedure not be agreed to after the host is decided?
6	Conduct of Business/Rule 26	It would be useful to specify seating. i.e. similar to rules of procedure for Ramsar" Delegations shall be seated in alphabetical order in accordance with the English language".
3	Rule 12, para 3	Is the requirement for accreditation by "Head of State or Government or Head of Department of Foreign Affairs intended for every member of the platform participating in a session" only for Plenary meetings or for all meetings? This should be specified. This requirement seems a bit onerous for meetings other than Plenary sessions. For the IPCC meetings credentials are "signed by or on behalf of an appropriate government authority of the member". In Canada, this is often the National Focal Point. If it is decided that Minister accreditation is necessary, an option might be to require issue by a "Minister of the Government" given the diversity of representation that might be anticipated at plenary sessions.
7	Conduct of Business/Rule 31	There is not a discussion about any of the materials that IPBES may produce and publish. Including a small section on the types of documents IPBES will produce, details on the review period (i.e. timeframe for expert/gov reviews and recommendations, draft), information on the necessary approval stages, and publication details may be needed.
7	Rule 31	In order to reflect current technologies it would be more accurate to replace "circulate copies to" with "made available to" throughout the text
8	Adoption of Decisions/Rule 35	In order to have more clarity, it might be appropriate to include a discussion on what a majority vote would look like in cases of 49/51 majority votes
9	Amendment to Rules of Procedure/Rule 48	It may be helpful to have a specified timeline for amending the rules for procedure i.e. at least eight weeks as seen in the IPCC
3	Observers/Rule 6	Will observers be allowed to speak? If so, will they need to provide written statements? A process will need to be developed.
5	Secretariat/Rule 22	What if more than one organization hosts? Will executive heads work together or will one be designated?
8	Rule 43	Opening sessions of the Plenary to the public is a divergence from the practice of the IPCC where meetings are open only to members and observer organizations, plus any relevant authors of reports. Closed meetings may invoke criticism about transparency but open meetings may jeopardize the review process, whereby draft reports are confidential until they are approved. Open meetings may also lead to communications issues if preliminary results are made public before they have undergone the full rigours of the assessment process.
8	Languages/Rule 45	Not all organizations use UN languages (i.e., Ramsar official languages are French, English and Spanish)

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## Annex III

### **Comments by China on the Draft on the Revised Work Programme Elements of IPBES and the Rules of Procedures of IPBES plenary**

Dear Mr. Achim Steiner,

I am writing with reference to your letter to invite us to provide comments of the above-mentioned documents.

We really appreciate the efforts of UNEP for compiling this revised version which is a good basis for further discussions.

We would like provide the following comments and proposals for your reference.

#### **II. Comments and Proposals to the Rules of Procedures of IPBES plenary**

i) The plenary should make decisions by consensus, especially on substantive matters, such as scoping of assessments, revision and adoption of executive summaries of reports. In addition, the wording of "vote" in the current draft other than XI "Adoption of decision" should be changed into "make decisions".

ii) On admitting observers, IPBES should develop either specialized articles in rules of procedures of the plenary or standing alone rules and principles. We propose to use the wording in IPCC Policy and Process for Admitting Observer Organizations to develop such rules and principles.

Thank you for your attention and cooperation.

Yours sincerely,

Zhang Jieqing  
Director, Division of International Organizations and Conventions  
Department of International Cooperation, MEP

## **Annex IV**

### **Egyptian Comments on the Draft Rules of Procedure for the intergovernmental science-policy platform on biodiversity and ecosystem services**

#### **IV. Observers**

##### **Rule 6**

1. Any body or agency, whether national or international, governmental or non-governmental, that is qualified in matters covered by the platform and has informed the Secretariat of its wish to be represented at a session as an observer may be so represented unless at least ~~one~~ (two) third of the members of the platform present at the meeting object.

#### **V. Agenda**

##### **Rule 8**

2. The secretariat shall, in consultation with and under the guidance of the Bureau, prepare a provisional agenda for each session in accordance with the functions of the plenary. ~~Any participant~~ Member state may request the ~~secretariat~~ (the president of the plenary) to include specific items in the provisional agenda.

##### **Rule 10**

During any session member (states) of the platform may revise the agenda by adding, deleting or amending items. Only items that members consider to be of an important and urgent nature may be added to the agenda during a session.

##### **To be inserted**

Any item of the agenda of an ordinary session, consideration of which has not been completed at the session, shall be included automatically in the agenda of the next ordinary session, unless otherwise decided by the Conference of the Parties.

#### **VII. Officers and operation of the Bureau**

##### **Rule 16**

1- At the first session of the plenary, the Chair and Four (nine) Vice-Chairs, one of whom shall act as Rapporteur, shall be elected by and from among the representatives of the (state) members of the platform present at the session. Each of the five regional groups shall be represented by two Bureau members. These elected representatives shall serve as the Bureau of the plenary. The Bureau shall remain in office until a new Bureau is elected.

2- In electing the officers, member (states) of the platform shall have due regard for the principle of equitable geographical representation. ~~Each of the five regions of the United Nations shall be represented by one officer in the Bureau.~~

3- For the purpose of this rule, members of the platform shall not include any regional economic integration organization.

Each member of the Bureau may designate a representative of the same member to represent him or her at those Bureau meetings that the member is unable to attend.

### **Rule 17**

The Bureau shall meet as necessary, either in person or by telecommunication means, to advise the Chair and the secretariat on the conduct of the business of the plenary and its subsidiary bodies. The secretariat shall service its meetings. The chair of any subsidiary body may be invited to participate in Bureau meetings to report on and discuss the progress of work of the body for which he or she is responsible.

## **VIII. Secretariat**

**Rule 24** Add bullets as follows:

- Publish and distribute the official documents of the session;
- Make and arrange for keeping of sound recordings of the session;

## **X. Conduct of business**

### **Rule 26**

The President shall not declare a meeting any session open or permit the debate to proceed unless at least one third of the member states of the plenary are present. The presence of two thirds of the member states of the plenary shall be required for any decision to be taken.

**Rule 31** (to be replaced by the following language/ rule 35 of the CBD)

Proposals and amendments to proposals shall normally be introduced in writing by the Parties and handed to the Secretariat, which shall circulate copies to delegations. As a general rule, no proposal shall be discussed or put to the vote at any session unless copies of it, translated into the official languages of the Conference of the Parties, have been circulated to delegations not later than the day preceding the session. Nevertheless, the President may, in exceptional circumstances and in cases of urgency, permit the discussion and consideration of proposals, amendments to proposals or of procedural motions even though these proposals, amendments or motions have not been circulated or have been circulated only the same day or have not been translated into all the official languages of the Conference of the Parties.

### **Rule 32**

Item -2 (to be replaced by the following language/ rule 36 of the CBD)

2. Permission to speak on a motion falling within (a) to (d) above shall be granted only 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 the vote.

## **XI. Adoption of decisions**

**Rule 35** to be added: (1 bis. each member state of the platform shall have one vote.)

1. Decisions shall be taken by consensus.

~~3. The member (states) of the platform shall make every effort to reach agreement on all matters of substance and procedure by consensus.~~

2. If all efforts by the members of the platform to achieve consensus on a matter of substance, other than a financial matter, have been exhausted, and no consensus reached, [**the matter proposed shall be regarded as rejected**].
3. If all efforts by the member states of the platform to achieve consensus on a matter of procedure have been exhausted, and no consensus has been reached, the decision shall, as a last resort, unless otherwise provided by the present rules of procedure, be taken by ~~majority vote~~ (by two thirds majority vote of the member states) of the platform present and voting.

### **Rule 36**

As is accepted international practice, in the event that a participant wishes to explain its position in respect of a matter under consideration at a session of the plenary, such participant may include a statement of view (to be included) in the report ~~resulting from~~ of the session. ~~of the plenary. Such statement should be a reasonable length.~~



## Annex V

### The EU and its Member States submission on UNEP's paper on the IPBES rules of procedures

The EU and its Member States in this submission focus primarily on points that are essential to establish the IPBES and run its first meeting. Additionally to these efforts we propose to add new RoPs to complement the UNEP document UNEP/IPBES.MI/1/5. This is because the original document provided by UNEP containing specific rules is based more on the conduct of the plenary than on other unique aspects of the platform and its work. The submission contains preliminary EU/Member State comments, but not the content of any rules, principles and procedures which will be subject to further consideration within the intersessional period. Therefore the EU/Member States reserve the right to provide further contributions and proposals to any RoP document at a later stage.

#### 1. Rules of procedures essential to the establishment of the IPBES

The EU and its Member States consider the following rules of procedure, as essential to the establishment of the platform and its ability to run its first meeting. As a first step work should be concentrated on the following:

- II. Definitions (rule 2)
- IV. Members and Observers (rules 5, 6, 7)
- VI. Representation, credentials and accreditation (rules 11, 12, 13, 14, 15)
- VII. Officers and operation of the Bureau (rules 16, 17, 18, 19, 20, 21)
- VIII. Secretariat (rules 22, 23, 24)
- X. Conduct of business (rule 26)
- XI. Adoption of decisions (rules 35, 36, 37, 38, 39, 40, 41, 42)
- XIII. Languages (rules 45, 46, 47)

#### 2. Additional rules of procedures, principles and processes to complement the UNEP document

Taking into account the above mentioned rules of procedure, there is a need to complement the UNEP document, by including among other things the following additional elements:

## II. Definitions

### Rule 2

Additional definition of "observer" and "regional economic integration organization" is needed. The definitions could be formulated, for example, as follows:

"Observer" means any state not a member<sup>a</sup> of the platform as well as anybody or agency, whether national or international, governmental or non-governmental, that is qualified in matters covered by the platform, participating without the right to vote in the proceedings of any session of the Plenary.

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<sup>a</sup> The use of the term "member" and the reference to any procedure for obtaining membership will be subject to the rules agreed under the subsequent heading.

“Regional Economic Integration Organisation” means an organization constituted by sovereign States of a given region, to which its member States have conferred competence in respect of matters addressed by IPBES and which has been duly authorized, in accordance with its internal procedures, to indicate its intention to become a member<sup>a</sup> of it.

The following definitions also should be elaborated:

- Bureau;
- Subsidiary body;
- Working group;
- Core trust fund.

## **IV. Members and Observers**

### **Rule 5**

As during the first session of the plenary on IPBES no agreement has been reached with regard to membership of the Plenary, this issue remains a topic deserving further attention along with clarification of what is the membership and what is the difference between “membership of the plenary” and “membership of the platform”, as well as the difference between “membership” and “participation”.

It will also be necessary to provide more details about the modalities of participation of the observers in the plenary.

## **VI. Representation, credentials and accreditation**

### **Rule 14**

These representatives shall not have the right to vote until their credentials are accepted.

## **VII. Officers and operation of the Bureau**

### **Rule 16**

The term of office of the Bureau need to be defined.

The possibility of re-election of officers should be determined.

Rules for elections for the regional members of the bodies of IPBES need to be defined.

The relationship between this rule and definition of the Bureau depends on the final outcome on the discussion on the structure of the platform.

## **XIII. Languages**

To ensure the use of all UN languages in IPBES materials, websites and meetings, as appropriate.

### **3. Additional rules to be established at the first stage**

#### **Funding and financial rules**

If IPBES is to be administered by United Nations organization(s), it should apply UN Human Resources rules and procedures.

The following procedures shall also apply to govern the financial administration of the intergovernmental science-policy platform on biodiversity and ecosystem services.

#### ***Financial Period and Financial Year***

The financial period shall be the calendar year and shall be subject to the International Public Sector Accounting Standards (IPSAS).

#### ***IPBES Trust Fund***

An IPBES Trust Fund shall be created to finance the Platform and its activities. Adoption of the budget of the Fund is the responsibility of the Plenary.

#### ***Financial Task Team***

The Plenary might consider establishing a Financial Task Team (FiTT) to undertake tasks including reviewing income and expenditures, assisting in preparing the budget proposals and developing other recommendations related to finance for consideration by the Plenary.

#### ***Budget***

The Secretariat of IPBES shall prepare the budget and transmit it to governments at least X days before the session of the Plenary at which the budget is to be adopted. The budget shall consist of: (a) the proposed budget for the next year; (b) a forecast budget for the second year; and (c) an indicative budget for the third year.

#### ***Working Capital Reserve***

Within the IPBES Trust Fund there shall be maintained a working capital reserve at a level to be determined from time to time by the Plenary by consensus. The purpose of the working capital reserve shall be to ensure continuity of operations in the event of a temporary shortfall of cash.

Drawdowns from the working capital reserve shall be restored from contributions as soon as possible.

#### ***Accounts and Audit***

The financial statements of the IPBES Trust Fund shall be subject to internal and external audit.

#### ***General Provisions***

In the event that it is decided to terminate the IPBES Trust Fund, governments shall be advised at least X months before the date of termination so decided. The Plenary shall decide, in consultation with relevant parties, on the distribution of any uncommitted balance after all liquidation expenses have been met.

### **4. Additional rules to be established at later stages**

In addition to the proposals above, at a later stage, and subject to the final agreements to be adopted on the work program of the Platform, it will be necessary to add new rules of procedure relating to

other aspects of the platform and its work. These additional rules of procedure could relate to the following aspects:

**A. Rules of Procedure for IPBES activities:**

***Receiving and prioritizing requests***

The October 2011 informal plenary session agreed that a function of the plenary will be to “respond to requests from Governments.....[etc.]”. In order for the platform to manage its work programme efficiently, a process will be needed to prioritise requests received. Such processes have already been developed for [IPCC / IAASTD / MA] which can be considered and drawn from in developing a similar process for IPBES.

***Preparing assessments and accepting, adopting and approving Scientific Reports***

Again, such processes have already been developed for [IPCC / IAASTD / MA] which can be considered and drawn from in developing a similar process for IPBES. The procedures to be adopted for regional assessments could also draw upon those applied in the case of IAASTD.

***Dealing with conflicts of interest***

This will be an important part of any rules and procedures for the preparation of assessments to ensure the credibility of the platform in relation to this area of work. The recent procedures adopted by the IPCC in addition to ongoing work in relation to scientific bodies under other fora (e.g. the Montreal Protocol on Substances that Deplete the Ozone Layer) will be instructive here.

***Peer review process***

Again the processes listed above could be drawn upon as a basis for relevant IPBES requirements.

***Reflection of minority and majority views in IPBES reports***

Again the processes listed above could be drawn upon as a basis for relevant IPBES requirements.

***Assigning and defining levels of uncertainty in relation to IPBES findings and scenarios***

This was considered by the IAC review of the IPCC and should be considered in the context of IPBES.

***Knowledge generation***

***Capacity building***

***Modern and dynamic instruments for internal communication medium***

**B. Rules for Review and Evaluation of the Platform**

## Annex VI

### Comments of the Government of Japan on Rules of Procedure of IPBES

#### (General Comments)

- Rules of procedure need to be based on basic institutional structures of IPBES and the core part of work programme. Moreover, even after once being made, periodical reviews need to be conducted for rules of procedure.
- In order to prevent unnecessary confusion caused by an absence of rules of procedure for the actual operation of IPBES, detailed rules, taking into account those of IPCC, also need to be prepared. These rules of procedure include, for example, those concerning inter-session activities and those concerning the procedure of preparing, or reviewing scientific reports.

#### (Comments on draft Rules of procedure for the platform's plenary)

(Paragraph 2 of Rule 2)

- At the first session of the plenary of IPBES, as for the membership of IPBES, there are many opinions that the membership of IPBES are open to all member countries of the United Nations. Paragraph 2 of Rule 2 says, "Members of the platform means States members of the United States, its specialized agencies or the International Atomic Agency that have notified the platform's secretariat of their intent to participate in the platform." Japan supports this paragraph. For those countries, which are NOT States Members of the United Nations, its specialized agencies or the International Atomic Agency, the plenary respectively makes a decision of whether or not each of those countries becomes a member of IPBES.

(Rule 3)

- This paragraph says that the venue of each session shall be decided by the members of the platform after consulting the secretariat. In order to convene the plenary steadily and smoothly, the venue of each session shall be at the seat of the secretariat, and a place other than that can be a venue of the plenary by the plenary decision.

In this connection, rules of procedure for meetings of the Conference of the Parties to the Convention on Biological Diversity says, "The meetings of the Conference of the Parties shall take place at the seat of the Secretariat, unless the Conference of the Parties decides otherwise or other appropriate arrangements are made by the Secretariat in consultations with the Parties."

(Rule 5 to 7)

- In addition to Rule 5, 6 and 7, for the purpose of clarifying the status of the international organizations for the attendance at workshops under IPBES, following sentences are necessary;

"Being admitted as observer organization to Sessions of the Plenary of the Platform does not imply that the organization is admitted or invited to workshops, expert meetings and other closed meetings. During a Session of the Plenary certain meetings may be closed to observers. Observer organizations are admitted to any Session of the IPBES Bureau or workshops, if they receive invitations to those meetings."

- In addition, IPBES also needs to prepare, in future, rules of procedure for international organizations to obtain an admission to attend the plenary as an observer.

(Rule 16, Rule 32)

- IPBES is not a policy making body nor a policy coordinating body, therefore, it is not necessary to restrict candidates of the chair and co-chairs of the plenary and other subsidiary bodies to governmental representatives. Rather, they should be selected according to their scientific, technical and political background. Rules of procedure of IPCC can be referred in this respect.

(Rule 19 – Rule 21)

In order to avoid a confusion between participants, which are individuals, and Members of the platform, which are countries, at places where member countries are referred, throughout these rules of procedure, the term “Members of the platform” should be maintained. Furthermore, in order to make a distinction between the two clearer, one idea is to use a term “delegates”, instead of using “members” for individual participants of the plenary.

(Rule 22)

The paragraph says, “The executive head of the organization designated to provide the functions of the secretariat shall provide and direct the staff of the secretariat required to service the plenary, including any subsidiary bodies that the plenary may establish.” The Government of Japan considers that further considerations are needed on words “and direct” in this paragraph, since it doubts that the executive head of the organization could direct the IPBES secretariat. Therefore, words “and direct” need to be put in brackets;

“The decision shall be taken by a two-thirds majority vote of the Parties present and voting, unless otherwise provided by the financial rules or the present rules of procedures.”

(Paragraph 2 of Rule 35)

Considering the importance of substance matters, within brackets of this paragraph, following words need to be inserted;

- Like some other rules of procedure, a sentence for periodical review like following is desirable;  
“These rules shall be reviewed at least every five years and amended as appropriate.”

## Annex VII

### **Intersessional process of a plenary to determine modalities and institutional arrangements for an intergovernmental science-policy platform on biodiversity and ecosystem services (IPBES)**

#### **I. IPBES draft rules of procedure – comments from Norway**

##### **Introduction**

The following comments from Norway are submitted in response to the UNEP notification of 31 Oct 2011 inviting government and others to submit comments to the IPBES draft rules of procedure. At the first session of the plenary to determine modalities and institutional arrangements for IPBES, held in Nairobi 3-7 Oct 2011, governments had initial discussions on the draft rules of procedure for the platform's plenary<sup>a</sup>.

Norway suggests that the considerations on the rules of procedure at the next session in Panama 16-21 April 2012 are categorized as follows: a) Whether the draft rules in document UNEP/IPBES.MI/1/5 are appropriate for the IPBES setting or whether further modifications are needed; b) Which rules of procedure have to be agreed prior to the operationalization of IPBES; and c) Which decisions regarding the rules of procedure can be postponed until a later stage.

The suggested approach is based on the assumption that governments do not need to adopt the whole set of IPBES rules of procedure at the second session in Panama April 2012. The primary focus should be on developing the rules of procedure needed to make IPBES operational, in addition to agreeing upon a process for developing the remaining rules. This approach could serve two purposes. It could ease the constraints posed by a heavy agenda for the Panama meeting, and it could allow for careful consideration of the full set of rules of procedure needed for IPBES in light of the recent experiences from the IPCC and other assessments.

##### **A. Are the draft rules in UNEP/IPBES.MI/1/5 appropriate for IPBES (as an intergovernmental panel)**

This issue of whether the draft rules are appropriate for the purposes of IPBES was raised by some delegations at the first session held in Nairobi 3-7 Oct 2011. Norway does not have specific comments on this issue at this point but we do believe it would be appropriate to discuss this issue in Panama.

##### **B. Rules of procedure that need to be developed prior to the operationalization of IPBES**

The draft rules of procedure for the platform's plenary (document UNEP/IPBES.MI/1/5) is a useful reference document when considering which rules of procedure need to be in place before the establishment of IPBES. Furthermore, the IPCC document "*Principles governing IPCC work*"<sup>b</sup> may be useful reference material.

Norway considers that the following procedural rules do need to be among those agreed before IPBES is made operational (in no specified order):

##### Concerning the platform's plenary<sup>c</sup>

1. Definitions

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<sup>a</sup> UNEP/IPBES.MI/1/5.

<sup>b</sup> <http://www.ipcc.ch/pdf/ipcc-principles/ipcc-principles.pdf>

<sup>c</sup> For point 1-14 we refer to the annex in document UNEP/IPBES.MI/1/5.

- a. The list of definitions in UNEP/IPBES.MI/1/5 may need revision based on decisions at the session in Panama April 2012, i.a. the decisions regarding IPBES membership are still pending
2. Observers
3. Representation, credentials and accreditation
4. Officers and operation of the bureau
5. Secretariat
6. Subsidiary bodies
7. Conduct of business
8. Adoption of decisions
9. Elections
  - a. Bureau members<sup>d</sup>
  - b. Members of any subsidiary bodies of IPBES
  - c. Members of any working groups and/or special task forces
10. Financial rules and procedures. (Source material can be found in for example the “Financial procedures for the intergovernmental panel on climate change (IPCC)”<sup>e</sup>)

### C. Rules of procedure that may be developed after the establishment of IPBES

The draft rules of procedure for the platform’s plenary as outlined in UNEP/IPBES.MI/1/5 are only part of a set of procedural rules needed for the IPBES. In the future drafting of IPBES procedures we should look to the extensive set of IPCC rules and procedures for relevant examples. We find that several of the recent revisions<sup>f</sup> of the rules of procedures for the IPCC would provide valuable source for the further development of the IPBES rules of procedures. Source material can also be found in “*Principles governing IPCC work*”<sup>g</sup>, “*Rules of procedure for the election of the IPCC bureau and any task force bureau*”<sup>h</sup>, “*Procedures for the preparation, review, acceptance, adoption, approval and publication of IPCC reports*”<sup>i</sup>, “*Decision framework for special reports, methodology reports and technical papers*”<sup>j</sup>, “*IPCC Protocol for Addressing Errors in IPCC Assessment Reports, Synthesis Reports, Special Reports or Methodology Reports*”<sup>k</sup> and “*IPCC conflict of interest policy*”<sup>l</sup>.

Norway considers that the following rules of procedure may be developed after the establishment of IPBES. The listed rules are in no specific order and additional rules may need to be added to the list:

1. Procedures for the preparation, review, acceptance, adoption, approval and publication of IPBES reports
2. Procedure/decision framework for IPBES deliverables, e.g. special reports ( such as global assessments, sub-global assessments, thematic reports), methodology reports and technical papers (procedures for prioritization of requests)
3. Procedures for addressing errors in IPBES special reports, methodology reports and technical papers

<sup>d</sup> At the first session of the plenary the elected Chair and Vice-chairs shall serve as the Bureau of the Plenary until a new Bureau is elected according to agreed rules of procedure.

<sup>e</sup> <http://www.ipcc.ch/pdf/ipcc-principles/ipcc-principles-appendix-b.pdf>

<sup>f</sup> The decisions taken by the IPCC 34th plenary session, Kampala 18-19 Nov 2011, with respect to the review of IPCC processes and procedures.

<sup>g</sup> <http://www.ipcc.ch/pdf/ipcc-principles/ipcc-principles.pdf>

<sup>h</sup> <http://www.ipcc.ch/pdf/ipcc-principles/ipcc-principles-elections-rules.pdf>

<sup>i</sup> <http://www.ipcc.ch/pdf/ipcc-principles/ipcc-principles-appendix-a-final.pdf>

<sup>j</sup> <http://www.ipcc.ch/pdf/ipcc-principles/revd-decision-framework-for-special-reports.pdf>

<sup>k</sup> [http://www.ipcc.ch/pdf/ipcc-principles/ipcc\\_error\\_protocol.pdf](http://www.ipcc.ch/pdf/ipcc-principles/ipcc_error_protocol.pdf)

<sup>l</sup> (<http://www.ipcc.ch/pdf/ipcc-principles/ipcc-conflict-of-interest.pdf>)



4. Conflict of interest
5. Guidelines for treatment of traditional and indigenous knowledge (see for example the Millennium Ecosystem Assessment)

## Annex VIII

# Comments submitted by the United States of America on the IPBES Rules of Procedure

## Introduction

IPBES will need a number of different types of procedural rules and guidelines. This document offers draft rules of procedure for the IPBES Plenary. They are offered as a starting point for discussions in the second session of the upcoming meeting in April, and may merit alteration as we collectively decide more about what IPBES will do and how it is structured. This draft is not intended to decide the ongoing questions concerning IPBES membership and participation in light of the Busan outcome, or the ongoing questions about the best structure for the IPBES administrative and subsidiary bodies.

Much of the language in the proposed Rules of Procedure below has been based on the IPCC's equivalent documents, including the "Principles Governing IPCC Work," the "Rules of Procedures for the Election of the IPCC Bureau," and the "Policy and process for admitting observer organizations." Given what we know already about the nature of the work to be undertaken by IPBES, these IPCC documents are the most appropriate models for IPBES, rather than the rules of procedure for the governing bodies of intergovernmental organizations and multilateral environmental treaties. IPCC's rules are available at [http://www.ipcc.ch/organization/organization\\_procedures.shtml](http://www.ipcc.ch/organization/organization_procedures.shtml).

Other documents that will be critical to develop include **financial rules**, and **procedures for the preparation, review, acceptance, approval, adoption and publication of IPBES reports**. The IPBES Plenary may also want to consider developing other procedures, such as, a **conflict of interest policy**, a **policy for addressing possible errors in IPBES reports**, and a **decision framework for special reports, methodology reports, and technical papers**.

### Draft rules of procedure for the platform's Plenary

## I. Scope

### Rule 1

These rules of procedure apply to any session of the Plenary of the intergovernmental science-policy platform on biodiversity and ecosystem-services.

## II. Definitions<sup>a</sup>

### Rule 2

[For the purposes of these rules:

1. "Platform" means the intergovernmental science-policy platform on biodiversity and ecosystem-services (IPBES).
2. "Plenary" means the platform's ultimate decision-making body, comprising all members of the platform.
3. "Session" means any ordinary or extraordinary session of the Plenary.
4. "Meeting" means a single sitting at a Session of IPBES.
5. "Members of the platform" are [countries which are States Members of the United Nations expressing their intent to be members of IPBES]. "Members of IPBES," "IPBES members," and "members of the Plenary" are synonymous with "members of the platform."

<sup>a</sup> Which definitions are needed and their content will depend on whether and how the terms are used, so this section is presented in brackets.

6. “Members present and voting” means members of the platform present at a session and casting an affirmative or negative vote. Members who abstain from voting are considered as not voting.
7. “IPBES Bureau” refers to the body of elected members of the Bureau of the IPBES as set forth in these rules of procedure.
8. “Bureau Member” or “member of the Bureau” refers to any person that holds one of the posts in the IPBES Bureau. ["Bureau officer" or "Officer of the Bureau" refers to the IPBES Chair and Vice-Chairs.]
9. “Secretariat” means the secretariat of the platform.
10. “Rules of Procedure” means these Rules of Procedure[, including any annexes.]

### **III. Venue, dates and notice of sessions**

#### **Rule 3**

The venue and dates of each session are to be decided by the members of the platform after consulting the secretariat.

#### **Rule 4**

The secretariat will notify the members of the platform of the venue and dates of any session at least eight weeks before it is due to commence.

### **IV. Observers**

#### **Rule 5**

##### **Admission policy for observer organizations and experts**

The following policy for admitting observer organizations to sessions of IPBES and any of its Working Groups applies:

1. A body or an agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by IPBES and which has informed the IPBES Secretariat of its wish to be represented at sessions of IPBES and any of its Working Groups, may be so admitted subject to acceptance by the Plenary.
2. In judging whether an organization is "qualified in matters covered by IPBES" the Secretariat should be guided by the [Principles Governing IPBES Work].
3. Applications from national organizations will be brought to the attention of the IPBES Focal Point of that country. National organizations need to provide evidence of independence from governments. Otherwise, they are encouraged to participate as part of their government delegations.
4. Only admitted observer organizations may designate representatives to attend sessions of IPBES and sessions of a Working Group. Observer organizations have to register their representatives for each session in advance.
5. Being admitted as observer organization to sessions of the Plenary and of its Working Group[s] does not imply that the organization is admitted or invited to workshops, expert meetings and other closed meetings. During a session of the Plenary or a Working Group certain meetings may be closed to observers. Observer organizations are not admitted to any session of the IPBES Bureau.
10. Experts from international, intergovernmental and non-governmental organizations may be invited in their own right to contribute to the work of an IPBES Working Group.

**Rule 6****Process of admitting observer organizations**

For admitting observer organizations the following process applies:

1. Organizations interested in being admitted as an observer to sessions of the Plenary and any of its Working Groups will be asked to send by post a letter of application with copies of:
  - (a) Documents describing the mandate, scope and governing structure of the organization, such as the charter/statutes/constitution/by-laws or articles of association.
  - (b) Any other information that supports the competence of the organization in matters related to IPBES.
  - (c) Information on the affiliation with other non-governmental organizations or institutions involved in biodiversity and ecosystem services activities as appropriate.
  - (d) Completed form with contact information of the organization and of a designated focal point.
2. New requests for admission as an observer to sessions of IPBES or a Working Group are to be submitted at least four months before a session of the Plenary or a Working Group.
3. The Secretariat will bring all requests for admission as observer organization to the attention of members of the platform at least four weeks before a session of the Plenary or Working Group.
4. The Secretariat will screen the submissions and make a proposal to be considered by the IPBES Bureau.
5. The list of observer organizations as reviewed by the IPBES Bureau will be presented to the next session of the Plenary for acceptance.
6. An organization is admitted as observer organization by the Plenary unless at least one third of the members of the platform present at the session object.
7. Any organization accepted as observer organization by IPBES may retain that observer status only as long as they satisfy the conditions set out for observer organizations.
8. The Secretariat of IPBES maintains information on observer organizations.
9. The Secretariat will extend invitations to sessions of the Plenary and its Working Group[s] to accepted observer organizations. IPBES does not provide financial assistance to the observers for participating in the IPBES process.
10. Admission of observer organizations will be included as a regular agenda item of sessions of the IPBES Bureau and the Plenary at the discretion of the Chair. The IPBES Bureau and the Plenary reviews the list of accepted observer organizations annually or at each session if sessions occur less frequently than annually.
11. If the observer status has to be withdrawn for any reason, the Chair may suspend the observer status of that organization subject to ratification by the Plenary.
12. Once admitted, observers may, upon invitation of the Chair, participate (without the right to take part in decision-making) in the proceedings of any session in respect of matters of direct concern to the body or agency they represent unless at least one third of the members of the platform present at the session object.

**Rule 7**

The secretariat will notify those entitled to be observers and those that have informed the Secretariat of their wish to be represented pursuant to rules 5 and 6 of the dates and venue of the next session.

## **V. Agenda**

### **Rule 8**

1. The secretariat will, in consultation with and under the guidance of the Bureau, prepare a provisional agenda for each session in accordance with the direction of the Plenary. Any member of the platform may request the secretariat to include specific items in the provisional agenda.
2. The secretariat will distribute the provisional agenda for each session, along with other official documents to be considered at the session to the members and those entitled to be represented as observers in the official languages of the platform at least six weeks before the session is due to commence.
3. Between the date of distribution of the provisional agenda and the date of adoption of the agenda by the Plenary, members of the platform may propose supplementary items for inclusion in the agenda, provided they are of an important and urgent nature. The secretariat will, with the consent of the Bureau, include such items on the provisional agenda.

### **Rule 9**

At the beginning of each session the members of the platform present will adopt the agenda for the session on the basis of the provisional agenda and any supplementary items proposed in accordance with paragraph 3 of rule 8.

### **Rule 10**

During any session members of the platform may revise the agenda by adding, deleting or amending items. Only items that members consider to be of an important and urgent nature may be added to the agenda during a session.

## **VI. Representation, credentials and accreditation**

### **Rule 11**

Each member of the platform participating in a session will be represented by a delegation consisting of a head of delegation and such other credentialed representatives, alternate representatives and advisers as it may require. An alternate representative or adviser may act as a representative upon designation by the head of delegation.

### **Rule 12**

The credentials of delegates are to be submitted to the Secretariat prior to a session at which elections will take place, and if possible not later than 24 hours after the opening of other sessions. Members of the platform should submit to the Secretariat any later change in the composition of the delegation, along with any necessary credentials. The credentials are to be signed by, or on behalf of, an appropriate government authority of the member of the platform and will be regarded as appropriate credentials for the participation of the individuals named therein in all activity of the session.

### **Rule 13**

The Plenary will establish a Credentials Committee immediately after the completion of the opening formalities and for the duration of the session. A representative of the Secretariat at the session will attend the Credentials Committee with a consultative status. This Committee will examine the credentials of delegates, which are to be submitted to it by the Secretariat. of delegates. It will report thereon as soon as possible to the Plenary, starting with the first meeting after the opening. Final decisions regarding credentials rest with the Plenary.

### **Rule 14**

Representatives of members of the platform are entitled to participate provisionally in a session pending a decision by the Plenary to accept their credentials.

**Rule 15**

Observers are to be duly accredited. A responsible official of any observer organization submit to the secretariat the names of those who represent it at the Plenary. Any later change in that list of names will also be submitted to the secretariat. Upon the secretariat's verification of receipt of the above information, the individuals are considered accredited to represent the observer organization at the session unless one-third or more of the members of the platform object.

**VII. Officers and operation of the Bureau<sup>a</sup>****Rule 16**

1. The overall composition of the IPBES Bureau should take due account of the principle of geographic balance among the five United Nations regions with due consideration for scientific and technical requirements.

[2. The size, structure, and composition of the IPBES Bureau will be reviewed and modified, as necessary, by the Plenary at least one session prior to the session at which the IPBES Bureau is elected.]

**Rule 17**

At the first session of the Plenary, the Chair and four Vice-Chairs, one of whom is to act as Rapporteur, is to be elected by and from among the representatives of the members of the platform present at the session. These elected [officers/members] [and such other members/representatives as the Plenary may decide<sup>b</sup>] serve as the Bureau of the Plenary. The Bureau remains in office until a new Bureau is elected.

**Rule 18**

1. The Bureau should meet as necessary, either in person or by means of telecommunication, to advise the Chair and the secretariat on the conduct of the business of the Plenary [and its subsidiary bodies]. The secretariat will service meetings of the Bureau. [The chair of any subsidiary body may be invited to participate in Bureau meetings to report on and discuss the progress of work of the body for which he or she is responsible.]

2. The Chair and the Bureau, in the exercise of their functions, remain at all times under the authority of the Plenary.

**Rule 19**

The Chair participates in sessions in the capacity of Chair and may not at the same time exercise the rights of a representative of a member of the platform. The member of the platform concerned may designate another representative who is entitled to represent it at the session.

**Rule 20**

1. The Chair, if absent from a session or any part thereof, should designate a Vice-Chair to act as Chair.

2. A Vice-Chair acting as Chair has the same powers and duties as the Chair and may not at the same time exercise the rights of a representative of a member of the platform.

3. Each member of the Bureau may designate a representative of the same member of the platform to substitute for him or her at those Bureau meetings that the Bureau member is unable to attend.

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<sup>a</sup> The use of the term "Bureau" and its size, composition, and functions are subject to consideration of institutional arrangements of the platform.

<sup>b</sup> Subject to a decision on whether the Bureau consists of only the Chair and Vice-Chairs (officers), or whether other representatives are included as well. Terminology would need to be made consistent in the rules when referring, for example, to "officers" or "members" of the Bureau.

## **Rule 21**

### **Terms of Appointment**

1. The IPBES Bureau is elected for the term of the IPBES Bureau. The term of the Bureau should be sufficient for the preparation of an Assessment Report and should extend approximately one year after the session at which the Assessment Report has been accepted and should end at the session at which the succeeding IPBES Bureau is elected. The term of the IPBES Bureau should be defined at least one session prior to the one at which the IPBES Bureau is elected.
2. The term of office of each Bureau member should normally be equal to the term of the IPBES Bureau to which that member has been elected, and should start at the end of the session at which he/she is elected and should end at the close of the session at which their successors are elected.
3. Members of the IPBES Bureau are eligible for re-election for a second consecutive term in the same office. Only those Bureau members that have served in an office under the provisions of paragraphs 4 and 5 of this rule for less than 2 years, are eligible for re-election for further two consecutive terms in the same office.
4. If the IPBES Chair resigns or is otherwise unable to complete the assigned term of office or to perform the functions of that office, a new IPBES Chair is to be elected at the next IPBES session to serve the remainder of the term of office of the departing IPBES Chair. Until a new IPBES Chair is elected an IPBES Vice-Chair, as agreed by the IPBES Bureau, serves as the Acting IPBES Chair.
5. If a member of the IPBES Bureau, other than the IPBES Chair, resigns or is otherwise unable to complete the assigned term of office or to perform the functions of that office, a representative of the same member of the platform, with relevant expertise, is to be nominated by that member of the platform. This person replaces the Bureau member as an acting Bureau member until the next session of the Plenary. An acting Bureau member is to be elected by the Plenary by simple majority as member of the Bureau for the remainder of the term of the IPBES Bureau. If the relevant member of the platform is unable to or fails to nominate a replacement within six months of notification by the IPBES Secretariat, or if an acting Bureau member is not elected by the Plenary a new Bureau member from the same region is to be elected by simple majority at the next IPBES session to serve the remainder of the term of office of the departing Bureau member.

### **Elections – general principles**

#### **Rule 22**

Elections for all positions are to be held at a single session of the Plenary. If the person chairing the meeting is a candidate for a position for which elections are to be conducted, he/she is to recuse himself/herself from chairing that portion of the meeting during which the election is considered and conducted, in which case the IPBES Bureau will select a temporary Chair, who will be the Presiding Officer for the election.

#### **Rule 23**

The IPBES Chair and other IPBES Bureau members will be elected by the Plenary in the following order:

- (a) The IPBES Chair;
- [(b) The Co-Chairs of the Working Groups;]
- (c) The IPBES Vice-Chairs;
- (d) Remaining IPBES Bureau positions.

#### **Rule 24**

In the absence of consensus to proceed otherwise, elections will be decided by secret ballot. Candidates may be declared elected without a ballot if the Plenary so decides.

**Rule 25**

Each delegation of a member of the platform present in the Plenary session has one vote in elections. The Head of Delegation of a member of the platform has the right to vote or to designate any other individual of the same delegation to vote on his/her behalf.

**Nominations****Rule 26**

Nominations for the position of the IPBES Chair and the IPBES Bureau are to be made by the government of a member of the platform.

**Rule 27**

All nominees for election as the IPBES Chair or to the IPBES Bureau need to have relevant scientific, technological or socio-economic expertise. Curriculum vitae of all nominees are to be submitted to the Secretariat and made available to members of the platform before the elections.

**Rule 28**

1. The Secretary of IPBES will invite members of the platform to submit to the IPBES Secretariat written nominations and accompanying curriculum vitae of nominees for the IPBES Chair or Bureau six months or more before the scheduled election, unless paragraph 4 or 5 of Rule 21 applies.
2. Members of the platform wishing to make a nomination are to submit in writing to the IPBES Secretariat between the date of the invitation from the Secretary of IPBES up until one month before a scheduled election, the names of the nominees that it is nominating or proposing pursuant to paragraph (a), above. The IPBES Secretariat will make a reasonable effort to post the names of persons so nominated or proposed, as well as the identity of the members of the platform making the nomination or proposal, on the IPBES website in a time frame that will facilitate consideration of such persons by members of the platform.
3. Members of the platform may also nominate a person for the IPBES Chair or the IPBES Bureau by making oral representations to the Plenary at the IPBES session at which an election is to be held. Individuals so nominated are to provide a curriculum vitae for distribution to the Plenary at the time of nomination.<sup>c</sup>

**Rule 29**

Prior to each election for a position, or group of positions, a list of the candidates to be voted upon, is to be compiled by the Presiding Officer of the meeting. The list will comprise nominations received by the IPBES Secretariat from members of the platform. The list will include only the names of those persons who have stated that they are willing to be included among the candidates for election.

**Rule 30**

Other nominees may be added to the list following any oral representations to the Plenary made by any member of the platform at the session while the list of nominations remains open. The list of nominations remains open until the Presiding Officer formally announces that the election procedure has started.

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<sup>c</sup> The Plenary may wish to consider whether to establish procedures for a potential nominating committee, as in the Rules of Procedure for the Election of the IPCC Bureau, rule 21.



**Rule 31**

[Where there is consensus support from a region for the nominees proposed by that region for Bureau positions, those nominees may be elected without ballots. If a regional consensus cannot be obtained, elections for these positions will be held.]<sup>d</sup>

**Conduct of Elections****Rule 31**

1. Candidates are elected by a simple majority of the votes cast, not including abstentions.
2. After completion of the elections, the number of votes for each candidate and the number of abstentions will be recorded in the report of the session.

**Rule 32 [option A: If elections would only be for one position at a time:]**

1. If, when one person is to be elected, no candidate obtains in the first ballot a majority of the votes cast by the members of the platform present and voting a second ballot restricted to the two candidates obtaining the largest number of votes will be taken. If in the second ballot the votes are equally divided the Presiding Officer will decide between the candidates by drawing lots.
2. In the case of a tie in the first ballot between three or more candidates obtaining the largest number of votes a second ballot will be held. If a tie results between more than two candidates the number will be reduced to two by lot and the balloting, restricted to them, will continue in accordance with the procedure set out in paragraph 1.

**Rule 32 [option B: If elections would be in groups:]**

1. If, in the first ballot, no candidate obtains a simple majority, a second ballot, restricted to the two candidates who obtained the highest numbers of votes in the first ballot, is to be held. However, if any other candidate has obtained the same number of votes in the first ballot as the second candidate, he/she is also to be included in the second ballot.
- [2. If the number of candidates securing a simple majority exceeds the number of positions to be filled, those candidates who obtained the highest number of votes (to the extent of the number of positions to be filled) are elected. If the number of candidates who obtained a simple majority during the first ballot is less than the number of positions to be elected, those who obtained the simple majority are elected and a further ballot is to be held to fill the remaining positions.]
3. In the subsequent ballot, the list of candidates comprises those not previously elected who secured the highest number of votes in the previous ballot, but the number of candidates in the list may not be greater than twice the number of positions to be filled. However, if in the previous ballot, any candidate has obtained the same number of votes as the last candidate in the list, he/she is also to be included in the list. The procedures applicable to the results of the first ballot are applied to those of the second ballot.
4. Similar ballots are to be held as necessary until all positions on the IPBES Bureau have been filled.
- [5. Whenever more than one ballot is necessary in the elections and where any of the ballots results in the attainment of a number of positions for a region which is equal to the maximum under the provisions of the regional balance determined by the Plenary, the names of all the remaining candidates from that region are to be deleted from the list of candidates for the next ballot.]
- [6. If, in a ballot, a decision is not reached between two or more candidates because they have obtained the same number of votes, another ballot is to be held and, if no decision is reached in this new ballot, the decision between those candidates is to be made by drawing lots.

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<sup>d</sup> The Plenary may wish to consider whether the Plenary elects the Bureau, or whether each region elects its representatives to the Bureau.

## **VIII. Secretariat**

### **Rule 33**

The secretariat is responsible for convening sessions in accordance with rules 3 and 4 and for making all the necessary arrangements for such sessions, including the preparation and distribution of official documents in the six official languages of the United Nations at least six weeks in advance of the sessions in accordance with rule 8.

### **Rule 34**

In addition to the functions specified for it by the Plenary, the secretariat will, in accordance with these rules:

- (a) Arrange for interpretation at sessions;
- (b) Receive, translate, reproduce and distribute the official documents for each session;
- (c) Arrange for the custody and preservation of the documents of each session in the archives of the secretariat; and
- (d) Perform such other tasks as the Plenary may require in relation to its functions.

## **IX. [Subsidiary bodies<sup>e</sup>**

### **Rule 35**

1. The members of the platform may:
  - (a) Establish subsidiary bodies to carry out such objectives as may be agreed upon at a session of the Plenary;
  - (b) Determine the matters to be considered by any subsidiary body; and
  - (c) Establish the terms of reference of any subsidiary body.
2. The Plenary will keep under review the composition, effectiveness and need for its subsidiary bodies as part of the periodic review of the operation of the platform.]

## **X. Quorum**

### **Rule 36**

The Chair may declare a meeting of any session open and permit discussion to proceed when representatives of at least one third of those members of the platform participating in the session are present. The presence of two thirds of the members participating in the session is needed for any decision to be taken.

## **XI. Adoption of decisions**

### **Rule 37**

1. The members of the platform may make decisions only by consensus, except as otherwise set forth in these rules.
2. In approving, adopting and accepting reports, the Platform and its Working Groups will use all best endeavours to reach consensus. If all efforts by the members of the platform to achieve consensus on the approval, adoption and acceptance of reports have been exhausted, and no consensus has been reached, differing views will be explained and, upon request, recorded. Differing views on matters of a scientific, technical or socio-economic nature will, as appropriate in the context, be represented in the scientific, technical or socio-economic report concerned. Differences of views on matters of policy or procedure will, as appropriate in the context, be recorded in the Report of the session.

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<sup>e</sup> This section is subject to any decision of the Plenary regarding the establishment of its subsidiary bodies.

3. If all efforts by the members of the platform to achieve consensus on a matter of procedure have been exhausted, and no consensus has been reached, the decision will, as a last resort, unless otherwise provided by the present rules of procedure, be taken by a majority vote of the members of the platform present and voting.

4. If the question arises whether a matter is procedural or substantive, the Chair will rule on the question. An appeal against this ruling will be put to the vote immediately and the Chair's ruling will stand unless overruled by a majority of the members of the platform present and voting.

## **XII. Public and private sessions**

### **Rule 38**

The sessions of the Plenary will be held in public unless the members of the platform decide otherwise by consensus.

## **XIII. Languages**

### **Rule 39**

1. The official languages of IPBES are Arabic, Chinese, English, French, Russian and Spanish.
2. Major reports, including Assessment Reports, Special Reports and Methodology Reports, basic documentation and other available reports for consideration at the sessions of the Plenary and its Working Groups will normally be made available by the IPBES Secretariat at least four weeks in advance of the session and, to the extent possible, in all official languages of the Plenary.
3. Interpretation into all official languages of IPBES will be provided for all sessions of the IPBES meeting in Plenary[, of its Bureau and its Working Groups]. A member may speak in a language other than an official language if the participant provides for interpretation into one of the official languages.

## **XIV. Modifications to rules of procedure**

### **Rule 48**

Modifications to these rules of procedure may be adopted by consensus of the members of the platform.