

AEWA National Focal Points

Date: 26 February 2025

Ref.: 25-012-cl

**Subject: Adoption of amendments to the MOP Rules of Procedure via silence procedure**

Dear National Focal Points to AEWA,

At the 23<sup>rd</sup> Meeting of the Standing Committee, on 4 July 2024, the Standing Committee discussed the issue of having almost not reached quorum at MOP8 and that the Rules of Procedure should be amended to avoid such an issue in the future. - An amended version of the MOP Rules of Procedure was therefore prepared by the Secretariat, upon request of the Standing Committee, and approved at the 24<sup>th</sup> Standing Committee Meeting on 10 February 2025 for submission to the Contracting Parties. The proposed new wording clarifies that a quorum for a plenary session at a MOP shall consist of one-half of the Parties having delegations at the meeting (instead of half of all Contracting Parties), as is the case already for other MEAs.

On behalf of the Standing Committee members, I herewith propose that the Parties consider and adopt the amended Rules of Procedure of the Meeting of the Parties to AEWA prior to MOP9 through employing a written silence procedure, also known as a “no objection” procedure. The Standing Committee hopes to therewith avoid a situation at MOP9 (and further MOPs) in which the quorum may not be reached.

This procedure for adopting amendments intersessionally first needs to be specifically authorised by a written procedure itself. Therefore, there is need for a two-step process, i.e (i) a decision authorising the taking of decisions by written procedure and (ii) the circulation, consideration and adoption of the decision itself. This procedure is in line with [UN General Assembly Decision 74/544](#) that is being applied *mutatis mutandis* in lack of a relevant regulation in the Agreement text.<sup>1</sup>

To that end, I am submitting a draft Resolution Ex. 4 establishing a procedure for Contracting Parties to AEWA to adopt amendments to its Rules of Procedure intersessionally (see Annex 1 to this letter). The proposed Resolution will enable me, in my capacity of Chair of the Standing Committee, after consultation with the Secretariat, to submit to you a draft amended version of the Rules of Procedure of the Meeting of the Parties to AEWA for adoption.

In line with its provisions, I am placing this draft Resolution Ex.4 under a silence procedure. Comments on draft Resolution Ex. 4 should be sent to me and the Secretariat until **17 March 2025**. In the absence of any formal objection by National Focal Points to AEWA, the Resolution shall be considered as adopted effective 18 March 2025. In the event of an objection, I will try to resolve the problem with the National Focal Point and in close consultation with the Secretariat, and, if required, circulate a new draft Resolution.

<sup>1</sup> [UN Bodies Formalize Silence Procedure for Decision-making during Pandemic | News | SDG Knowledge Hub | IISD](#)

Please direct any objection to the annexed draft Resolution Ex. 4 through official letter or Note Verbale to both:

Mr. Simon Mackown, [simon.mackown@defra.gov.uk](mailto:simon.mackown@defra.gov.uk) and  
Mr. Jacques Trouvilliez, [aewa.secretariat@unep-aewa.org](mailto:aewa.secretariat@unep-aewa.org)

On basis of the procedure established through Resolution Ex. 4, I will, once authorised by the Contracting Parties, further circulate a draft amended version of the Rules of Procedure of the Meeting of the Parties to AEWA for your consideration with a new deadline of two weeks. The draft amended version of the Rules of Procedure has been approved by the Standing Committee at StC24 and I attach it to this correspondence **for your information only at this stage.** This is to enable National Focal Points to already prepare for the official national consultation processes.

<b>Correspondence</b>	<b>Deadline</b>	<b>If no objection</b>
1 <sup>st</sup> letter from the StC Chair on the procedure of adopting Resolutions	17 March 2025	Adopted on 18 March 2025
2 <sup>nd</sup> letter from the StC Chair on the adoption of the amended version of the Rules of Procedure of the Meeting of the Parties to AEWA	15 May 2025	Adopted on 16 May 2025

Finally, I wish to thank you for your understanding and willingness to consider these unusual arrangements. Please do not hesitate to contact me or the Secretariat if you have a question or require additional information.

Best regards



Simon Mackown  
Chair of the AEWA Standing Committee

## **Annex 1**

### **DRAFT RESOLUTION EX. 4**

#### **ADOPTION OF AMENDMENTS TO THE RULES OF PROCEDURE OF THE MEETING OF PARTIES TO AEWA PRIOR TO THE 9<sup>th</sup> SESSION OF THE MEETING OF THE PARTIES (MOP9) VIA A SILENCE PROCEDURE**

*Noting* the observation made by the Standing Committee that the quorum at MOP8 was almost not reached and that the Rules of Procedure might have to be changed in that regard,

*Taking note* of UN General Assembly Decision 74/544 on the (silence) procedure,

#### *The Meeting of the Parties:*

1. *Decides* that the Meeting of the Parties may adopt an amended version of the Rules of Procedure to AEWA via a silence procedure in order to apply them at the 9<sup>th</sup> Session of the Meeting of the Parties (MOP9) already;
2. *Authorizes* the Chair of the Standing Committee to circulate, after consultation with the Secretariat, a draft amended version of the Rules of Procedure to all National Focal Points under a silence procedure and allow at least two weeks for response;
3. *Requests* the Chair of the Standing Committee to circulate the draft amended Rules of Procedure in form of a signed letter that shall highlight the proposed amendments and an indication of the specific date by which National Focal Points shall raise any objections;
4. *Decides* that the Rules of Procedure shall be considered adopted, should the silence not be broken and no objection be raised;
5. *Further decides* that in case of an objection raised by any National Focal Point the Chair of the Standing Committee may circulate a new draft amended version of the Rules of Procedure under the same silence procedure, after consultation with the National Focal Point having raised the objection and the Secretariat and in case the problem could not be resolved;
6. *Requests* the Chair of the Standing Committee, after consultation with the Secretariat, to circulate a letter to all National Focal Points after the deadline confirming the adoption;
7. *Decides* that the procedure for taking decisions under silence procedure shall be in effect until the 9<sup>th</sup> Session of the Meeting of the Parties.