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Desertification**

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Items 12 (a) of the provisional agenda

OUTSTANDING ITEMS

Consideration of rule 47 of the rules of procedure

Note by the secretariat*

SUMMARY

This document provides information on the deliberations of the Conference of the Parties (COP) since its second session, on rule 47 of the rules of procedure (majority required).

The COP at its sixth session may wish to consider the relevant background information and may decide to remove the text in brackets, giving final shape to this rule on the majority required for decisions taken by the COP to be adopted; the COP may, alternatively, wish to seek other solutions.

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
I. BACKGROUND INFORMATION	1 - 5	2
II. CONCLUSIONS AND RECOMMENDATIONS	6 - 7	2
III. REFERENCE DOCUMENTATION		3

* The submission of this document is behind schedule to allow time to inquire whether there are any recent alternative solutions concerning the subject matter in other environmental organizations and agencies.

I. BACKGROUND INFORMATION

1. At its second session, the COP, by its decision 21/COP.2, decided to replace the marginal note, the title and paragraph 1 of rule 47 of the rules of procedure by the text reproduced in the annex to that decision, and requested the secretariat to include consideration of this outstanding rule of procedure on the agenda of its third session.
2. By its decision 19/COP.3, the COP requested the President of the COP at its third session to continue consultations on the outstanding issue relating to rule 47 of the rules of procedure, and to report on the result of his consultations to the COP at its fourth session.
3. At its fourth session, the COP took note of the report of the secretariat contained in ICCD/COP(4)/7, and requested the secretariat to include consideration of this outstanding rule of procedure on the agenda of its fifth session (decision 19/COP.4).
4. By decision 20/COP(5), the COP took note of the draft text of rule 47, as amended by decision 21/COP.2, and, having heard the report of the President of the COP at its fifth session on the results of his consultations on the outstanding issue relating to rule 47 of the rules of procedure, requested the secretariat to include consideration of this outstanding rule of procedure on the agenda of its sixth session (decision 20/COP.5).
5. The text of rule 47 of the rules of procedure as amended by decision 21/COP.2 is attached to ICCD/COP(3)/13.

II. CONCLUSIONS AND RECOMMENDATIONS

6. At its sixth session, the COP may wish to consider the relevant background information on rule 47 of the rules of procedure in order to reach an agreement and remove the text in brackets, giving final shape to this rule on the majority required for decisions taken by the COP to be adopted.
7. As this outstanding item has been on the agenda of every session since the second session of the COP, the COP may, alternatively, wish to seek other solutions:
 - (a) To adopt the principle of consensus on all matters of substance;
 - (b) To reach agreement by a simple or qualified majority when it is impossible to obtain a decision by consensus;
 - (c) To determine which decisions should be reached by consensus and which by majority vote; and
 - (d) To decide whether votes by Parties on such matters should be counted according to the Parties present and voting, or to the total number of Parties to the Convention.

III. REFERENCE DOCUMENTATION

ICCD/COP(5)/11/Add.1	Report of the Conference of the Parties on its fifth session – Action taken
ICCD/COP(5)/11	Report of the Conference of the Parties on its fifth session – Proceedings
ICCD/COP(5)/7	Outstanding items – Consideration of rule 47 of the rules of procedure
ICCD/COP(4)/11/Add.1	Report of the Conference of the Parties on its fourth session – Action taken
ICCD/COP(4)/7	Outstanding items – Consideration of rule 47 of the rules of procedure
ICCD/COP(3)/20/Add.1	Report of the Conference of the Parties on its third session – Action taken
ICCD/COP(3)/13	Outstanding items – Consideration and approval of the rule of procedure not yet agreed upon: Rule 47
ICCD/COP(2)/14/Add.1	Report of the Conference of the Parties on its second session – Action taken
ICCD/COP(1)/11/Add.1	Report of the Conference of the Parties on its first session – Action taken
