

Adopted on the inaugural meeting of the Bilateral Commission, Moscow, 25 Sept 2009

**U.S.-Russia Polar Bear Commission
Rules of Procedure**

INTRODUCTION

These Rules of Procedure of the U.S.-Russia Polar Bear Commission ("the Commission") are adopted pursuant to Article 8 of the Agreement between the Government of the United States of America and the Government of the Russian Federation on the Conservation and Management of the Alaska-Chukotka Polar Bear Population ("the Agreement").

PART I PURPOSE

Rule 1

These Rules shall apply to any meeting of the Commission convened under Article 8(6) of the Agreement.

PART II REPRESENTATION

Rule 2

The U.S.-Russia Polar Bear Commission is composed of two national sections, a United States Section and a Russian Section. Each national section consists of two members appointed by the respective Contracting Party, including a representative of its native people and a representative of the Contracting Party. Each national section may be accompanied by an alternate representative and advisers.

Rule 3

Each Party shall provide to the other Party the names of its representatives, alternate representative, and advisers before each Commission meeting.

PART III DECISIONS/VOTES

Rule 4

Each national section shall have one vote in the Commission.

Rule 5

A decision or recommendation of the Commission shall be made only with the approval of both national sections. No decision will be reached by the Commission under Article VIII(7)(b), (c), or (d) of the Agreement unless each member of the Commission or his/her duly-appointed alternate is present. Decisions and recommendations shall be made only on matters included in the Commission's meeting agenda.

PART IV CHAIRPERSON

Rule 6

The Party hosting the meeting will designate a Chairperson who shall be a member of the Commission or other representative of that Party. Whenever the Chairperson is unable to act, another representative of the Party hosting the meeting shall assume the Chairperson's powers and responsibilities until the Chairperson resumes his/her duties.

Rule 7

The Chairperson shall have the following responsibilities:

- preside at each meeting of the Commission; and
- open and close each meeting of the Commission.

PART V MEETING VENUE and FREQUENCY

Rule 8

The Commission shall hold an annual meeting. The Commission may also hold other meetings at the request of either Party or on such a schedule as the Commission may determine. In general, Commission meetings shall be conducted in open session. However, the Commission, at its discretion, may decide to close a meeting. Individuals and organizations granted observer status in accordance with Rule 14 shall be permitted to attend closed sessions of the Commission unless the Commission determines otherwise.

Rule 9

The Commission's annual meeting shall alternate between the countries of the two Parties.

PART VI PREPARATION FOR MEETINGS

Rule 10

The host Party shall transmit to the other Party a provisional agenda at least 60 days prior to the meeting.

Rule 11

Each Party shall transmit to the other Party working papers, if any, at least 45 days prior to the meeting.

Rule 12

In addition to other duties provided for in these Rules, the Party hosting the meeting shall carry out the following functions:

- communicate with members of the Commission and members of working groups established within the Commission;
- receive and distribute proposals, petitions, and materials pertaining to the Commission's activities or implementation of the Agreement, and transmit materials to the other Party; and
- coordinate and make all necessary arrangements for meetings of the Commission.

PART VII OBSERVERS and OTHER ORGANIZATIONS

Rule 13

- (a) Each section of the Commission may invite interested organizations (which may include Constituent administrative divisions of the Russian Federation, U.S. states,

nongovernmental organizations, and intergovernmental organizations) to apply for admission to Commission meetings as Observers. Each application shall include a written description of the proposed Observer's ability to contribute to the work of the Commission. Except in the case of the Chukotka Autonomous Region and the State of Alaska, an application should also include a description of the purpose of the organization and its activities and information on its governance and the total number of members.

- (b) Observers may make statements at the discretion of the Chairperson and may submit relevant documents to the meetings for the consideration of the Commission.
- (c) The Commission may establish the terms and conditions for the participation by Observers in the working groups.
- (d) The Alaska Nanuuq Commission and the Association of Traditional Marine Mammal Subsistence Hunters of Chutotka shall be granted observer status at Commission meetings. This provision does not limit the participation of other non-governmental organizations.
- (e) Recognizing the importance of managing and conserving the Alaska-Chukotka polar bear population and the importance of the Agreement Between the Native Peoples of Alaska and Chukotka Regarding the Conservation and Use of the Alaska-Chukotka Polar Bear Population, signed on January 18, 2008 (the "Native-to-Native Agreement"), the Commission may receive and consider any recommendations from the Joint Committee of the Native-to-Native Agreement.

PART VIII WORKING GROUPS

Rule 14

The Commission shall establish a scientific working group and may establish other working groups as necessary to assist the Commission in carrying out its tasks. The purpose of each working group is to provide expert advice and information to the Commission. The function, membership, and terms of membership of such working groups shall be determined by the Commission.

Rule 15

Each working group shall include at least one United States representative and one Russian representative, and should include at least one United States native representative and one Russian native representative. Working groups shall elect a chairperson from among their members.

PART IX LANGUAGES and REPORTS

Rule 16

The official languages of the Commission shall be Russian and English.

Rule 17

A report of each meeting of the Commission shall be drafted by the host Party. The report shall include all decisions and recommendations approved by the Commission and shall be adopted by consensus.

Rule 18

Two identical original copies of the report approved by the members of the Commission shall be signed by the Commissioner from the host government or the Chairperson. One original signed copy of the report, in the English and Russian languages, shall be retained by each of the Parties.

PART X INTERPRETATION AND APPLICATION and AMENDMENT

Rule 19

In case of doubt as to the interpretation and application of any of these Rules, the Commission shall conduct appropriate consultations and decide by consensus.

Rule 20

These Rules may be amended by consensus of both national sections.

Rule 21

These Rules shall take effect upon approval by the Commission.