



**Inter-American Convention for the Protection and
Conservation of Sea Turtles
Sixth Conference of the Parties**
June 26-28, 2013 – Isla Santa Cruz, Galápagos, Ecuador

CIT-COP6-2013-R3

Establishment and Operation of a Permanent Secretariat

CONSIDERING that Article VI of the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC) contemplates the establishment and functions of a Secretariat by the Parties;

TAKING INTO CONSIDERATION that at the First Conference of the Parties, through Resolution CIT-COP1-2002-R1, a *Pro Tempore* Secretariat was established for a period of two years, which has been extended at every successive Conference of Parties and continues to function;

RECOGNIZING the need to have a permanent administrative body that has the necessary resources to carry out the functions as established in Article VI of the Convention;

TAKING ALSO INTO ACCOUNT the terms of reference for the IAC Permanent Secretariat approved at the First Extraordinary Meeting of the Parties, through the Resolution CIT-COPE1-2007-R1;

RECALLING that Resolution CIT-COP4-2009-R2 established a Working Group on the Legal Framework of the Convention and Permanent Secretariat to evaluate the most appropriate means to establish the Permanent Secretariat and to present to the Parties the possible alternatives;

FURTHER RECALLING the exchange of different viewpoints that occurred during the COP5IAC and Resolution CIT-COP5-2011-R3 in which the Parties renewed and revised the mandate of the Working Group on the Legal Framework of the Convention and Permanent Secretariat to include the tasks of identifying potential hosting options for establishment of the Permanent Secretariat;

TAKING INTO CONSIDERATION that the Parties agreed by consensus that the Permanent Secretariat should have a legal identity in the Secretariat host country;

RECOGNIZING that whereas the Parties would prefer making an immediate decision on the process towards a Permanent Secretariat by selecting option two¹, we are obligated to consult the Parties not present at the COP6 or otherwise not prepared to make a decision at the meeting;

THANKING Costa Rica and the United States for successively hosting the *Pro Tempore* Secretariat since the signing of the Convention;

¹ The Report from the Working Group on the Legal Personality and Permanent Secretariat of the IAC (CIT-COP6-2013-Doc.2) defines option two (2) as the Secretariat of the Convention is recognized as having domestic legal personality within the country hosting it, provided for in a headquarters agreement that would be approved by the COP.



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NOTING that multiple offers to host the Permanent Secretariat have been received by the *Pro Tempore* Secretariat and that the Parties agreed by consensus to take the actions necessary to establish a Permanent Secretariat;

DESIRING to adopt a headquarters arrangement for the Secretariat to clarify its legal personality, capacity, privileges and immunities in the territory of the hosting location.

**THE SIXTH CONFERENCE OF PARTIES OF THE INTER-AMERICAN
CONVENTION FOR THE PROTECTION AND CONSERVATION OF SEA TURTLES**

RESOLVE:

1. To request those IAC Parties that have not yet indicated whether they concur in using option two to resolve the question of the Secretariat's legal personality to do so within thirty (30) calendar days of the IAC *Pro Tempore* Secretariat's request for intersessional decision-making according to paragraph 5.5 of the Rules of Procedure for Meetings of the Parties to the Inter-American Convention for the Protection and Conservation of Sea Turtles (CIT-COP1-2003-R4-Rev.1). If any objection is made to the use of option two (2), the Parties agree to nullify the mandates in the following paragraphs two (2) and three (3).
2. To entrust the IAC *Pro Tempore* Secretariat together with the Legal Working Group to prepare, in agreement with article VI of the Convention, a model hosting arrangement to establish the Permanent Secretariat and the process for selection of the host, building upon existing ranking procedures as outlined in CIT-COP5-2011-R1 and CIT-COPE1-2007-R1 within ninety (90) days of the conclusion of the process established in paragraph one (1).
3. Request potential host candidates, in consultation with the *Pro Tempore* Secretariat and Legal Working Group, to draft a hosting arrangement based on the model above and send a final draft to the *Pro Tempore* Secretariat no later than May 15, 2014. These documents will be translated and distributed to the Parties by June 1, 2014, for consideration for a decision by the Parties according to the intersessional decision making process as outlined in the Rules of Procedure for Meetings of the Parties to the Inter-American Convention for the Protection and Conservation of Sea Turtles (CIT-COP1-2003-R4-Rev.1) and the ranking process developed by the Legal Working Group.
4. To request that the United States of America continue hosting the *Pro Tempore* Secretariat until a headquarters arrangement is agreed and implemented, and extend the contract of the current *Pro Tempore* Secretary for an additional two years.