



## **THIRD MEETING OF THE STANDING COMMITTEE**

*04 - 05 July 2005, Bonn, Germany*

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### **INSTITUTIONAL ARRANGEMENTS: TECHNICAL COMMITTEE**

#### ***Introduction***

Since the second session of the Meeting of the Parties (MOP2) to AEWA a number of developments have taken place that are of influence on the functioning and/ or composition of the Technical Committee. In short, these developments are:

1. Establishment of the AEWA Standing Committee
2. Enlargement of the European Union
3. Central Asian Flyway initiative

In addition to these developments, the Technical Committee (TC) noted that at the third session of the Meeting of the Parties more than 50 percent of its members will have to step down because their term of office is about to expire. Together with the development mentioned above, this has prompted the TC to review the Rules of Procedure for its meetings as well as the division of the AEWA Agreement Area into 9 geographical regions.

In addition to these institutional issues the TC, has also reviewed its activities over the last few years. Based on this, a discussion has taken place at the last two meetings of the TC about the role of the TC and, linked to that, on a work programme for the TC.

At the last meeting of the TC agreement was reached on amendments of the Rules of Procedure, on revision of the division of the Agreement into 9 regions and on the work programme.

#### **ACTION REQUESTED FROM THE STANDING COMMITTEE**

The Standing Committee is requested to review: the division of the Agreement Area into nine regions, the amended Rules of Procedure for meetings of the TC and draft Resolution 3.4 and to agree that these documents are submitted to MOP3 for adoption.

### ***DIVISION OF THE AGREEMENT AREA INTO NINE REGIONS***

At its first session in 1999, the Meeting of the Parties agreed to divide the Agreement Area into the following nine geographical regions: 1) North and South Western Europe, 2) Central Europe, 3) Eastern Europe, 4) Southwestern Asia, 5) North Africa, 6) Western Africa, 7) Central Africa, 8) Eastern Africa and 9) Southern Africa.

Since MOP1, a number of developments have taken place that justifies a review of how the Agreement Area could be divided into 9 different regions. One of these developments is the enlargement of the EU. With the accession of Poland, Hungary, the Czech Republic, Slovakia, Slovenia, Estonia, Latvia, Lithuania, Cyprus and Malta, the EU has grown to 25 Member States. Taking into account that the EU has regular meetings on e.g. the implementation of the Bird or Habitat Directive, it makes sense to group these 25 countries together in one region.

A second development of influence on the division of the Agreement Areas is linked to the progress made regarding the Central Asian Flyway (CAF) initiative. From 10-12 June 2005 the meeting 'To conclude and endorse the proposed Central Asian Flyway Action Plan to conserve Migratory Waterbirds and their Habitats' took place in New Delhi, India. Regarding the preferred legal instrument to implement this Action Plan the meeting more or less unanimously expressed their preference to extend the AEWA region in a way that the 14 CAF Range States located outside the AEWA Agreement Area would be included. During the discussion on CAF it was noted that this region was dealing with some specific problems. Taking this into account, the Technical Committee agreed that this would justify the creation of a Southeastern Asian region.

In accordance with Article VII paragraph 1a of the Agreement, the Technical Committee shall comprise ... *'nine experts representing different regions of the Agreement Area in accordance with a balanced geographical distribution'*. This limits the possibility to create new regions because there is only room for 9 experts. Therefore a review of all regions has taken place, and the outcome of this is as follows (see Appendix 1). As mentioned before, with the enlargement of the EU there is a need to divide Europe into EU and NON-EU countries. By doing this, the number of regions in Europe could be brought back to 2 instead of 3. As indicated before, the developments of CAF justify the creation of the Southeastern region. However, the TC noted that there is strong cooperation between the former Soviet Union countries located in the Caucasus or Central Asian region. Therefore, it is proposed to establish the Caucasus-Central Asian region. So far, the Caucasus and the AEWA part of Central Asia have been incorporated in the Southwestern Asia region. The TC proposes to merge the Arabic-speaking countries of the Middle East with North Africa into a new region, North Africa-Middle East. No changes in the other regions of Africa are proposed at this stage.

### ***AMENDMENTS TO THE RULES OF PROCEDURE***

One of the developments that are of influence on the Rules of Procedure for the meeting of the TC is the establishment of the AEWA Standing Committee as adopted by MOP2 and implemented as of 1 January 2003. Now that there are two Committees that are servicing the Meeting of the Parties, there is clearly a need to make clear each other's role and responsibility. The TC decided at its 5<sup>th</sup> meeting to insert in Rule 1, after *'The Technical Committee, established in accordance with Article VII of the Agreement ...'*, the words *'in coordination with the Standing Committee'*. Also, a provision is made in Rule 8 that the Chair of the AEWA Standing Committee can attend the meetings of the TC as an Observer.

The TC has noted that out of the 15 members according to the Rules of Procedure, 8 have to step down when their term of office expires at the end of the third session of the Meeting of the Parties. The foreseen high turnover might impede the ongoing work of the Technical Committee. Things would not become easier if the current division of the Agreement Area were revised, as proposed above, as well. Establishing new regions or merging regions creates vacancies, and in other cases we end up with more than one member (see Appendix 2). The TC doesn't propose to change the Rules of Procedure regarding the term of office but requests the Meeting of the Parties

on an ad hoc basis to agree with the extension of the terms of office of the following TC members:

| <b>Region</b>  | <b>Representative</b>                       |
|----------------|---|
| Central Africa | Mr Ikonga Jerome Mokoko (Congo-Brazzaville) |

**Experts**

|                   |                         |
|-------------------|-------------------------|
| Rural Economics   | Mr Elijah Danso         |
| Environmental Law | Ms Rachel Adam (Israel) |