



Secretariat provided by the
United Nations Environment Programme (UNEP)

Agenda item 8a.
Doc. StC 3.6
25 May 2005
Original: english

THIRD MEETING OF THE STANDING COMMITTEE

04 - 05 July 2005, Bonn, Germany

REVISED RULES OF PROCEDURE FOR MEETINGS OF THE TECHNICAL COMMITTEE OF THE AGREEMENT ON THE CONSERVATION OF AFRICAN- EURASIAN MIGRATORY WATERBIRDS (AEWA)

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General functions

Rule 1

The Technical Committee, established in accordance with Article VII of the Agreement provides scientific and technical advice and information, to the Meeting of the Parties and, through the Agreement Secretariat, to the Parties. Its functions are defined in Article VII paragraph 3. The Technical Committee works closely with the Standing Committee to ensure consistency across the Agreement's work.

Rule 2

In particular the Technical Committee makes recommendations to the Meeting of the Parties concerning the Action Plan, implementation of the Agreement and further research to be carried out.

~~(Rule 3 overlaps by meaning with Rule 17 (in this amended document it is Rule 16) and it was proposed to be deleted, because the wording of Rule 17 (16) is more in line with the text of the Agreement)~~

Representation and attendance

Rule 3

1. In accordance with Article VII paragraph 1, the Committee membership shall comprise:

(a) nine experts representing the different regions of the Agreement Area (north & south west Europe, central Europe, eastern Europe, south-western Asia, north Africa, central Africa, west Africa, ~~East Africa~~ and southern Africa) elected among all the Parties on the recommendation of the Parties of the region in question;

(b) one representative appointed by each of the following organisations: the International Union for Conservation of Nature and Natural Resources (IUCN), Wetlands International, the International Council for Game and Wildlife Conservation (CIC); and

(c) one expert from each of the following fields: rural economics, game management, and environmental law; elected by the Parties.

2. Any Party has the right to recommend an expert in the fields of rural economics, game management and environmental law for nomination by the Meeting of the Parties.

Deleted: Rule 3¶

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In the event of an emergency, the Technical Committee may request the Agreement Secretariat to urgently convene a Meeting of Parties concerned to avoid deterioration of the conservation status of one or more migratory waterbird species.

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3. With the exception of the experts in the field of rural economics, game management and environmental law, all the above-mentioned representatives shall name an Alternate Member for each position to be approved by the Meeting of the Parties.

Rule 4

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Except as provided in Rule 8, attendance at meetings of the Technical Committee shall be limited to members of the Technical Committee or their Alternates and observers of the Parties.

Rule 5

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Only Members shall exercise the voting rights. In his/her absence, the Alternate shall act in his or her place.

Rule 6

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1. The term of office of the members shall expire at the close of the second ordinary Meeting following that at which they were elected. At each ordinary meeting of the Meeting of the Parties, elections shall be held only for those regional members whose term of office will have expired at the close of the meeting and for any regional member who indicates a desire to step down without completing a full term of office. The same provisions shall apply with respect to the alternate/ members nominated in accordance with Rule 4.

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2. In the instance of a Member and his/her Alternate standing down simultaneously without completing a full term of office, the Chair of the Technical Committee, in close cooperation with the region/organisation involved and in consultation with the Agreement Secretariat, is permitted to nominate an expert of the region or organisation involved to replace the Member and Alternate intersessionally with full voting rights. The term of office of the replacement member/alternate shall expire at the close of the next ordinary Meeting of the Parties with the possibility that the Meeting appoints him/ her as a representative or Alternate.

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Rule 7

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- 1. The Chairperson may invite observers of non-contracting Parties and the Chair of the AEWA Standing Committee.
- 2. Furthermore he may invite or admit a maximum of four observers from specialized international inter-governmental and non-governmental organizations.
- 3. In addition, at each meeting of the Technical Committee, the Chairperson may invite guests to contribute to specific agenda items.

Officers

Rule 8

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The members of the Committee shall elect a Chairperson and Vice-Chairperson from their regional representatives of the Parties, for terms corresponding to those of the Meetings of the Parties. This election will normally take place immediately before the Meeting of the Parties, and the newly elected officers shall assume their functions at the conclusion of the same Meeting of the Parties.

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Rule 9

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The Chairperson shall preside at meetings of the Committee, approve the provisional agenda prepared by the Secretariat for circulation, and liaise with the members between meetings of the Committee. The Chairperson may represent the Committee as required within the limits of the Committee mandate, and shall carry out such other functions as may be entrusted to him/her by the Committee.

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Rule 10

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The Vice-Chairperson shall assist in the execution of the Chairperson's duties, and shall preside at meetings in the absence of the Chairperson.

Rule 11

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The Agreement Secretariat shall serve the meetings of the Committee.

Elections

Rule 12

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If in an election to fill one place no candidate obtains an overall majority in the first ballot, a second ballot shall be taken, restricted to the two candidates obtaining the largest number of votes. If the votes are equally divided in the second ballot, the presiding officer shall decide between the candidates by drawing lots.

Rule 13

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If in the first ballot there is a tie amongst candidates obtaining the second largest number of votes, a special ballot shall be held amongst them to reduce the number of candidates to two.

Rule 14

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In the case of a tie amongst three or more candidates obtaining the largest number of votes in the first ballot, a special ballot shall be held amongst them to reduce the number of candidates to two. If a tie then results amongst two or more candidates, the presiding officer shall reduce the number to two by drawing lots, and a further ballot shall be held in accordance with Rule 13.

Meetings

Rule 15

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Meetings of the Committee shall be convened by the Agreement Secretariat in conjunction with each ordinary session of the Meeting of the Parties and at least once between ordinary sessions of the Meeting of the Parties.

Rule 16

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Where in the opinion of the Committee an emergency has arisen that requires the adoption of immediate measures to avoid deterioration of the conservation status of one or more migratory waterbird species, the Chairperson may request the Agreement Secretariat to urgently convene a meeting of the Parties concerned.

Rule 17

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Notice of meetings, including date and venue, shall be sent to all Parties by the Secretariat at least 45 days in advance and, in the case of extraordinary meetings, at least 14 days in advance.

Rule 18

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A quorum for a meeting shall consist of half of the members of the Committee. No decision shall be taken at a meeting in the absence of a quorum.

Rule 19

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Decisions of the Committee shall be taken by consensus unless a vote is requested by the Chairperson or by three members.

Rule 20

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Decisions of the Committee by voting (pursuant to Rule 19) shall be passed by a simple majority vote of the members present and voting. In the case of a tie, the motion shall be considered rejected.

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Rule 21

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A summary record of each meeting shall be prepared by the Secretariat as soon as possible and shall be communicated to all members of the Technical Committee.

Working groups

Rule 22

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The Committee may establish such ad hoc working groups as may be necessary to deal with specific tasks. It shall define the terms of reference and composition of each working group.

Rule 23

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In so far as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of working groups.

Rule 24

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The Committee shall receive reports from other committees and working groups established under the Agreement as necessary.

Communication procedure

Rule 25

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Any member of the Technical Committee, or the Secretariat, may submit a proposal to the Chairperson of the Technical Committee for a decision by correspondence. Upon request by the Chairperson, the Secretariat shall communicate the proposal to the members for comments within 60 days of the date of communication. Any comments received within these limits shall also be thus communicated.

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Rule 26

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If, by the date on which comments on a proposal were due to be communicated, the Secretariat has not received any objection from a member, the proposal shall be adopted, and notice of the adoption shall be given to all members.

Rule 27

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If any member objects to a proposal within the applicable time limit, the proposal shall be referred to the next meeting of the Committee.

Rule 28

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The Secretariat shall inform the Contracting Parties on the date and venue of the next Meeting of the Technical Committee. For each Meeting of the Technical Committee the Contracting Parties will receive at least the provisional agenda and draft minutes of the previous meeting. All other documents to be discussed will be made available through the Agreement's website.

Rule 29

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The regional representative shall endeavour to ensure a flow of information between the Technical Committee and the Contracting Parties in their region.

Other functions

Rule 30

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The Chairperson shall submit a written report on the Committee's work since the previous ordinary meeting to each ordinary Meeting of the Parties.

These Rules shall be applied at the first meeting of the Committee following their approval by the Meeting of the Parties, and may be amended by the Committee as required, in accordance with the provisions of the Agreement and decisions.

AMENDMENTS TO THE RULES OF PROCEDURE FOR MEETINGS OF THE TECHNICAL COMMITTEE

INTRODUCTION

The amendments in the attached Rules of Procedure for meetings of the Technical Committee were suggested at the 6th Meeting of the Technical Committee, which took place from 08-11 May 2005 in Flic en Flac, Mauritius.

While most of the suggested amendments re small grammatical or lexical ones it is proposed to delete Rule 3. The reason is that it has close wording and overlaps completely by meaning with Rule 17. Since the wording of Rule 17 is more in line with the Agreement's text it was suggested to it instead of Rule 3.

All suggested amendments could be seen in track changes in the attached version of the Rules of Procedure. Former Rule 17 is now Rule 16.

ACTION REQUESTED FROM THE STANDING COMMITTEE

The Standing Committee is requested to review the proposed amendments to the Rules of Procedure for meetings of the Technical Committee and approve them.