



4th SESSION OF THE MEETING OF THE PARTIES
15 – 19 September 2008, Antananarivo, Madagascar

“Flyway Conservation at Work – Review of the Past, Vision for the Future”

DRAFT RESOLUTION 4.19

INSTITUTIONAL ARRANGEMENTS: TECHNICAL COMMITTEE

Pursuant to Article VII of the Agreement, the first session of the Meeting of the Parties (MOP), through Resolution 1.8, established and determined the composition of the Technical Committee;

Recalling that through Resolution 1.8 the MOP also approved the Rules of Procedure for Meetings of the Technical Committee;

Further recalling Resolutions 2.5 and 3.13, which amended the Rules of Procedure for Meetings of the Technical Committee and the composition of the Technical Committee, including extending the term of office of one regional representative (for Central Africa) and two experts (in Environmental Law and in Rural Economics);

Acknowledging that following Rule 6 of the Rules of Procedure regarding the vacant positions of regional representatives or their alternates, after MOP3 the Chair of the Technical Committee nominated persons who were approved intersessionally by the national focal points of the Contracting Parties in the respective regions;

Considering that at the present 4th session of the MOP, the terms of office of six members of the Technical Committee expires – three regional representatives (for Central Africa, for Southern Africa and for North and Southwestern Europe) and the three experts (in Rural Economics, in Environmental Law and in Game Management);

Recognising the interim procedure for nomination and election of new members of the Technical Committee and their alternates, which was approved by the Chair and the Vice-chair of the Technical Committee;

Further considering the recommendation of the Advisory Group¹, as per the interim procedure, regarding the nominated candidates for the six vacant positions;

Thanking members of the Technical Committee for their work in fulfilling the task stipulated by Article VII.2 of the Agreement, thereby contributing to the implementation of the Agreement over the past triennium; and

Recognising the need for the Rules of Procedure to cover additional aspects of the operations and procedures of the Technical Committee.

¹ The Advisory Group comprises the Chairs and the Vice-chairs of the Standing and the Technical Committees, the Executive Secretary and the Technical Officer of the Agreement.

The Meeting of the Parties:

1. *Adopts* the *Modus operandi* of the Technical Committee, which supersedes the Rules of Procedure for the meetings of the Technical Committee, as attached in Appendix II to the present Resolution;
2. *Appoints* to the Technical Committee the members and alternates named in Appendix I to the present Resolution, taking into account terms of office in accordance with Rule 5 of the *Modus operandi* of the Technical Committee and the geographical representation as laid down in its Appendix;
3. *Instructs* the Secretariat to provide the necessary support to the Technical Committee in accordance with Article VII of the Agreement, as well as the provisions in the budget for the Agreement and the activities of the Technical Committee or the Agreement Secretariat, as adopted under Resolution 4.8; and
4. *Encourages* Contracting Parties to include members of the Technical Committee in their delegations to the Meeting of the Parties, finances permitting, in order to enhance synergies between the bodies of the Agreement.

Appendix I

AEWA TECHNICAL COMMITTEE

REGIONAL REPRESENTATIVES	ALTERNATES
NORTH AND SOUTHWESTERN EUROPE Mr. David Stroud	Vacant
CENTRAL EUROPE Dr. Jelena Kralj (Croatia)	Dr. Petar Iankov (Bulgaria)
EASTERN EUROPE Mr. Sergey Khomenko (Ukraine)	Mr. Ramaz Gokhelashvili (Georgia)
SOUTHWESTERN ASIA Dr. Ghassan Ramadan Jaradi (Lebanon)	Vacant
NORTHERN AFRICA Mr. Abdulmuala A. Hamza (Libyan Arab Jamahiriya)	Mr. Hichem Azafzaf (Tunisia)
WESTERN AFRICA Mr. Alfousseini Séméga (Mali)	Mr. John H. Mshelbwala (Nigeria)
CENTRAL AFRICA Vacant	Vacant
EASTERN AFRICA Mr. Olivier Nasirwa (Kenya)	Mr. Achilles Byaruhanga (Uganda)
SOUTHERN AFRICA Vacant	Vacant
REPRESENTATIVES OF ORGANISATIONS ¹	
IUCN Mr. Jean-Christophe Vié	Vacant
WETLANDS INTERNATIONAL Mr. Ward Hagemeijer	Mr. Simon Delany
CIC Mr. Niels Kanstrup	Prof. Dr. Heribert Kalchreuter
THEMATIC EXPERTS	
RURAL ECONOMICS Dr. Hussein Sosovele	
ENVIRONMENTAL LAW Ms. Melissa Lewis	
GAME MANAGEMENT Mr. Jean-Yves Mondain-Monval	

¹ Term of office to be decided by the Organisation.

Appendix II

Modus operandi of the Technical Committee of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds

General functions

Rule 1

The Technical Committee (hereinafter referred to as 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; it makes recommendations to the Meetings of the Parties concerning the Action Plan, implementation of the Agreement and further research to be carried out; it prepares for each ordinary session of the Meeting of the Parties a report on its activities, which shall be submitted to the Agreement secretariat not less than one hundred and twenty days before the session of the Meeting of the Parties; it carries out any other tasks referred to it by the Meeting of the Parties. The Technical Committee works closely with the Standing Committee to ensure consistency across the Agreement's work.

Representation and attendance

Rule 2

1. In accordance with Article VII paragraph 1, the Committee membership shall comprise:
 - (a) nine experts representing the different regions of the Agreement Area (Northern & Southwestern Europe, Central Europe, Eastern Europe, Southwestern Asia, Northern Africa, Central Africa, Western Africa, Eastern 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 (IUCN), Wetlands International, the International Council for Game and Wildlife Conservation (CIC); and
 - (c) one thematic expert from each of the following fields: rural economics, game management, and environmental law; elected by the Parties.
2. 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 3

Except as provided for in Rule 7, 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 4

Only members of the Committee (hereinafter the members) shall exercise the voting rights. In his/her absence, the Alternate shall act in his or her place.

Rule 5

1. The term of office of the regional representatives and the thematic experts shall expire at the close of the second ordinary Meeting of the Parties following that at which they were elected, unless extended by agreement of the Meeting of the Parties. 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 approved in accordance with Rule 2.
2. In the instance of a regional representative and his/her alternate or a thematic expert standing down simultaneously without completing a full term of office, the Chairperson of the Committee, in close cooperation with the region/organisation involved and in consultation with the Agreement Secretariat, is permitted to appoint an expert of the region or a thematic expert to replace the member and an 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.
3. The representatives of organisations, as per Rule 2, paragraph 1(b), and their alternates are not limited by a term of office. They can be replaced at any time by their organisations.

Rule 6

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

Nomination and election of members

Rule 7

Candidates proposed for nomination as regional representatives or thematic experts in the Committee must have the following:

1. Recognized experience and expertise in one or more aspects of waterbird science or conservation;
2. Demonstrated capacity for networking with waterbird science or conservation experts at local, national or international levels;
3. Full access to e-mail and internet communication systems on which the intersessional Committee work depends;
4. Commitment to undertake the work required of the Committee and actively participate in the delivery of the Committee working groups' tasks.

Rule 8

The new regional representatives, their alternates and experts to the Committee will be elected by the Meeting of the Parties at the recommendation of the Advisory Group. The Advisory Group shall comprise the current Chair and Vice-chair of the Standing Committee, the current Chair and Vice-chair of the Technical Committee, the Executive Secretary and the Technical Officer. The Advisory Group will be chaired by the Technical Committee Chair.

Rule 9

1. Nominations of candidates for regional representatives to the Committee can be submitted by:
 - 2.1 the National AEWA Administrative and Implementation Authorities of the Parties in the respective region³;
 - 2.2 the National AEWA Technical Committee Focal Points (in consultation with the National AEWA Administrative and Implementation Authority) of the Parties in the respective region;
 - 2.3 the current Technical Committee Chair and Vice-chair; and
 - 2.4 the current Technical Committee members and observers.

2. Nominations of candidates for thematic experts to the Committee can be submitted by:
 - 3.1 the National AEWA Administrative and Implementation Authorities of the Parties regardless of the region;
 - 3.2 the National AEWA Technical Committee Focal Points (in consultation with the National AEWA Administrative and Implementation Authority) of the Parties regardless of the region;
 - 3.3 the current Technical Committee Chair and Vice-chair; and
 - 3.4 the current Technical Committee members and observers.

3. Nominations for thematic experts are not limited to persons of the same country of origin as the nominator, since it is the relevant expertise and/or the networking capacity that is being sought, regardless of the nationality or country of current domicile of the expert. Thematic experts can be nominated from any of the AEWA Range States. For regional representatives, however, only persons from AEWA Contracting Parties may be nominated.

Rule 10

1. The nominator of each candidate will provide the Advisory Group with a short summary of the relevant expertise and experience of the candidate in the form of a recommendation letter not later than 180 days before the date of the next session of the Meeting of the Parties.

2. Candidates being nominated will provide a declaration⁴ that they are willing to be considered for appointment to the Committee, that they have the full support of their organisation or institution to deliver the work expected of the Committee members, including time, availability and funds (if applicable) for attending meetings⁵, and that they have the necessary language skills (English, French or both) to engage fully in the work of the Committee; they will provide a brief summary of how they see their skills and expertise contributing to the Committee's work, along with a *curriculum vitae* (CV).

Rule 11

On the basis of the nominations received within the deadline, the Secretariat shall prepare an assessment and submit it to the Advisory Group for consideration. The Advisory Group will then submit a list of recommended candidates to the Meeting of the Parties for the election of new regional representatives, their alternates and thematic experts.

Rule 12

If no candidates were elected by the Meeting of the Parties for either of the vacant positions the Chairperson may appoint members or alternates through a procedure as described in Rule 5.

³ For the AEWA Technical Committee regionalisation please refer to Annex 1 appended to this document.

⁴ Sample declaration is appended in Annex 3.

⁵ Financial support for attending Technical Committee meetings will be available only to members from the eligible AEWA Parties (please refer to Annex 2).

Officers

Rule 13

The members 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 as soon as possible after the Meeting of the Parties, and the newly elected officers shall assume their functions upon election.

Rule 14

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.

Rule 15

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 16

The Agreement Secretariat shall serve the meetings of the Committee.

Elections of officers

Rule 17

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 18

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 19

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 12.

Meetings

Rule 20

Unless the Meeting of the Parties decides otherwise, meetings of the Committee shall be convened by the Agreement Secretariat at least twice between ordinary sessions of the Meeting of the Parties.

Rule 21

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 22

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 23

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 24

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

Rule 25

Decisions of the Committee by voting (pursuant to Rule 18) 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.

Rule 26

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 27

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 28

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

Rule 29

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

Communication procedure

Rule 30

Any member of the 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. In case of emergency the proposal shall be communicated to the members for comment within 30 days.

Rule 31

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 32

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 33

The Secretariat shall inform the Contracting Parties on the date and venue of the next Meeting of the Committee. For each Meeting of the 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 34

The regional representatives shall act as a coordinators for Range States and Contracting Parties in their region, submit a report to the Committee on AEWA Implementation in their regions and disseminate to the technical focal points of Contracting Parties the outcomes of Committee meetings.

Other functions

Rule 35

In accordance with Art. VII 3(c) of the Agreement, the Chairperson shall submit a written report on the Committee's activities to the Agreement Secretariat not less than one hundred and twenty days before the session of the Meeting of the Parties.

Final provisions

Rule 36

This *Modus operandi* shall be applied at the first meeting of the Committee following its 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.

Annex 1 to the *Modus operandi* of the Technical Committee

Division of the Agreement area into nine regions for the purpose of appointment of regional representatives to the Technical Committee as described in document AEWA/MOP 1.11/Rev 1 (*with pertinent amendments in country names and status of ratification (as of September 2008)*).

Region	Names of the Range States and regional economic organisations (<i>current AEWA Parties are in bold</i>)
NORTH- AND SOUTHWESTERN EUROPE	Andorra, Belgium , Canada, Denmark (incl. Greenland), Finland , France , Germany , Iceland, Ireland , Liechtenstein, Luxembourg , Monaco , the Netherlands , Norway , Portugal , Spain , Sweden , Switzerland , United Kingdom of Great Britain and Northern Ireland
CENTRAL EUROPE	Albania , Austria, Bosnia-Herzegovina, Bulgaria , Croatia , Czech Republic , Greece, Italy , Hungary , Malta, Montenegro, Poland, Romania , San Marino, Serbia, Slovakia , Slovenia , the Former Yugoslav Republic of Macedonia
EASTERN EUROPE	Armenia, Azerbaijan, Belarus, Estonia, Georgia , Latvia , Lithuania , Republic of Moldova , Russian Federation (European part), Ukraine
SOUTHWESTERN ASIA	Bahrain, Cyprus , Iran (Islamic Republic of), Iraq, Israel , Jordan , Kazakhstan, Kuwait, Lebanon , Oman, Qatar, Russian Federation (Asian part), Saudi Arabia, Syrian Arab Republic , Turkey, Turkmenistan, United Arab Emirates, Uzbekistan , Yemen
NORTHERN AFRICA	Algeria , Madeira (Portugal) , Canary Islands (Spain) , Egypt , Libyan Arab Jamahiriya , Morocco, Tunisia
CENTRAL AFRICA	Burundi, Cameroon, Central African Republic, Congo , Democratic Republic of Congo, Equatorial Guinea , Gabon, Rwanda, Sao Tome and Principe
WESTERN AFRICA	Benin , Burkina Faso, Cape Verde, Chad, Côte d'Ivoire, Gambia , Ghana , Guinea , Guinea-Bissau , Liberia, Mali , Mauritania, Niger , Nigeria , Senegal , Sierra Leone, Togo
EASTERN AFRICA	Djibouti , Eritrea, Ethiopia, Kenya , Somalia, Sudan , Uganda , United Republic of Tanzania , Réunion (France) , Mayotte (France)
SOUTHERN AFRICA	Angola, Botswana, Comoros, Lesotho, Madagascar , Malawi, Mauritius , Mozambique, Namibia, Seychelles, South Africa , Swaziland, Zambia, Zimbabwe, St. Helena (United Kingdom) , Ascension Island (United Kingdom)

Annex 2 to the *Modus operandi* of the Technical Committee

List of the AEWA Contracting Parties (as at September 2008) eligible to receive financial support for attending AEWA meetings:

Albania
Algeria
Benin
Congo
Croatia
Djibouti
Egypt
Equatorial Guinea
Gambia
Georgia
Ghana
Guinea
Guinea-Bissau
Jordan
Kenya
Lebanon
Libyan Arab Jamahiriya
Macedonia, FYR
Madagascar
Mali
Mauritius
Moldova, Republic of
Niger
Nigeria
Senegal
Sudan
Syrian Arab Republic
Tanzania, United Republic of
Togo
Tunisia
Uganda
Ukraine
Uzbekistan

Annex 3 to the *Modus operandi* of the Technical Committee

**Declaration
of candidate nominated as regional representative or thematic expert to
the AEWa Technical Committee**

I, [fill in name and post] would like to inform you that I am willing to be considered as [fill the relevant position⁶] to the AEWa Technical Committee and that I have the full support of my [organization or institution, please fill the name] to deliver the work expected of the Technical Committee members⁷, including time, availability and funds (if applicable) for attending Technical Committee meetings⁸.

I have the necessary [English or French or both, please fill as appropriate] language skills to engage fully in the work of the Technical Committee.

[Please provide a brief summary of how you see your skills and expertise contributing to the work of the Technical Committee.]

I am providing my *curriculum vitae* (CV) as an attachment. [please attach]

Signature:
[please sign]

Date:
[please fill]

⁶ Regional representative of [state the relevant region, refer to Annex 1]; or expert in one of the following three fields: game management, environmental law or rural economics.

⁷ As required by the *Modus operandi* and Resolution 3.13 (for the latter see Annex 4).

⁸ Please note that only certain AEWa Parties are eligible to receive financial support for attending AEWa meetings (please refer to Annex 2).

Annex 4 to the *Modus operandi* of the Technical Committee

Further obligations of the members of the Technical Committee as decided by the Meeting of the Parties in Resolution 3.13, operative paragraph 4:

“*Further decides* that each Regional Representative shall:

- a) serve as the Technical Committee’s contact point for the Range States and, in particular, Contracting Parties of that geographical region, and as such maintain contact with the Contracting Parties’ technical focal points in order to synchronize regional activities for the implementation of AEWA;
- b) prepare, submit and present to the Technical Committee at each of its meetings a report on the implementation of AEWA in that geographical region represented by him/her;
- c) provide information on activities undertaken by the Range States, Contracting Parties and others in the region on implementation of AEWA;
- d) disseminate to the Contracting Parties' technical focal points information on the outcomes of discussions at the meetings of the Technical Committee.”