

DRAFT RESOLUTION 3. 4

INSTITUTIONAL ARRANGEMENT: TECHNICAL COMMITTEE

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

Recalling that through Resolution 1.8 the Meeting of the Parties also approved the Rules of Procedure for Meetings of the Technical Committee, which include amongst other issues the terms of office of the Members of the Technical Committee;

Further recalling that the second session of the Meeting of the Parties amended the Rules of Procedure for Meetings of the Technical Committee, *inter alia*. Rules 7 regarding replacements of Members that have to step down owing to their term of office expiring;

Noting that pursuant to the above Resolutions 8, Members of the Technical Committee¹ are obliged to step down at the end of the third session of the Meeting of the Parties;

Expressing concern that a turnover of over half of the Technical Committee Members will impede the ongoing work of the Technical Committee;

Aware as to AEWA being in the initial stages of its development, the future role of the Technical Committee is a timely issue;

Further aware that by the inclusion of the Central Asian Flyway in the AEWA Agreement Area as adopted under Resolution 3.XX there is a need to review the current geographical representation within the Technical Committee;

Considering the recommendation of the Technical Committee from its 6th meeting regarding extension of the terms of office of its Members, the role of the Technical Committee and the geographical representation within the Technical Committee;

Bearing in mind that in accordance with Article VII paragraph 2 to the Agreement the Technical Committee shall:

- (a) provide scientific and technical advice and information to the Meeting of the Parties and, through the Agreement Secretariat, to Parties;
- (b) make recommendations to the Meeting of the Parties concerning the Action Plan, implementation of the Agreement and further research to be carried out,
- (c) prepare 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, and copies shall be circulated forthwith by the Agreement Secretariat to the Parties;

¹ 6 Regional Representatives, the Expert of Rural Economic and the Expert on Environmental Law

Further bearing in mind that pursuant to Article VII paragraph 2 d. the Technical Committee shall carry out any other tasks referred to it by the Meeting of the Parties;

Acknowledging with appreciation the recommendation of the 5th meeting of the Technical Committee to take a leading role in the implementation of the Agreement;

Further acknowledging the Technical Committee's recommendation to develop AEWA as a major player amongst biodiversity-related Conventions regarding migratory Waterbird in African-Eurasian region;

Appreciating the work of the Technical Committee in fulfilling its task as stipulated by Article VII paragraph 2 of the Agreement and its contribution to the implementation of the Agreement;

The Meeting of the Parties:

1. Agrees to divide the AEWA Agreement area into 9 regions as laid down in Appendix I;
2. Appoints to the Technical Committee, taking into account terms of office in accordance with Rule 7 of the Rules of Procedures for meetings of the Technical Committee and the geographical representation as laid down in the Appendix, the members and alternates named in Appendix II to the present Resolution;
3. Approves the extension of the term of office until the end of the fourth session of the Meeting of the Parties of the following Technical Committee Members:

Region	Representative
Central Africa	Mr Ikonga Jerome Mokoko (Congo-Brazzaville)

Experts

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

4. Adopts the revised rules of procedure for the meetings of the Technical Committee, as attached hereto in Appendix III:
5. 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 towards synchronising 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 of the meetings of the Technical Committee.
6. 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 3.6

Appendix 1: DIVISION OF THE AGREEMENT AREA INTO NINE REGIONS

In accordance with Article VII paragraph 1a, the Technical Committee shall comprise nine experts representing different regions of the Agreement Area, in accordance with a balanced geographical distribution. With the inclusion of the Central Asian Flyway in the Agreement Area ,the existing geographical distribution has been reviewed and revised as follows:

Region	Name of Range States/regional economic organisations
EUROPEAN UNION (25)	Austria, <u>Belgium</u> ² , Cyprus, Czech Republic DENMARK ³ (including Greenland ⁴) Estonia, FINLAND, FRANCE, GERMANY, Greece, HUNGARY, IRELAND , Italy, Latvia, LITHUANIA, LUXEMBOURG , Malta, THE NETHERLANDS , Poland, PORTUGAL, SLOVAKIA, SLOVENIA, SPAIN, SWEDEN, UNITED KINGDOM AND NORTHERN IRELAND and the <u>European Union</u> .
NON-EU COUNTRIES	ALBANIA , Andorra, Belarus, Bosnia-Herzegovina, BULGARIA , Canada, CROATIA , Iceland, ISRAEL , Liechtenstein, ROMANIA , San Marino, THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA, REPUBLIC OF MOLDOVA, MONACO , Norway, Russian Federation (European part), SWITZERLAND , Turkey, UKRAINE , <u>Yugoslavia</u>
CAUCASUS AND CENTRAL ASIA	Armenia, Azerbaijan, GEORGIA , Iran (Islamic Republic of), Kazakhstan, <i>Kyrgyzstan, Mongolia</i> , Russian Federation (Asian part), <i>Tajikistan</i> , Turkmenistan, UZBEKISTAN
SOUTH-EAST ASIA	<i>Afghanistan</i> ⁵ , <i>Bangladesh, Bhutan, China (People's Republic of), India, Maldives, Nepal, Pakistan, Sri Lanka; UK territory of Chagos Islands</i>
NORTH AFRICA & MIDDLE EAST	Algeria, EGYPT , Libyan Arab Jamahiriya, <u>Morocco</u> , Tunisia, Bahrain, Iraq, JORDAN , Kuwait, LEBANON , Oman, Qatar, Saudi Arabia, SYRIAN ARAB REPUBLIC , Yemen, United Arab Emirates.

² Underlined Range States signed but did not ratify the Agreement yet.

³ Range States in capitals and bold are Contracting Parties to the Agreement.

⁴ Greenland is not a Contracting Party to AEWA

⁵ Central Asian Flyway Range States not part of the original AEWA Range States.

Region	Name of Range States/regional economic organisations
WESTERN AFRICA	BENIN , Burkina Faso, Cape Verde, Chad, Côte d'Ivoire, GAMBIA , Ghana, GUINEA , Guinea Bissau, Liberia, MALI , Mauritania, NIGER , NIGERIA , SENEGAL , Sierra Leone and TOGO
CENTRAL AFRICA	Burundi, Cameroon, Central African Republic, CONGO , Democratic Republic of Congo, EQUATORIAL GUINEA , Gabon, Rwanda and Sao Tome & Principe
EASTERN AFRICA	DJIBOUTI , Eritrea, Ethiopia, KENYA , Somalia, SUDAN , UGANDA , TANZANIA (United Republic of)
SOUTHERN AFRICA	Angola, Botswana, Comoros Lesotho, Madagascar, Malawi, MAURITIUS , Mozambique, Namibia, Seychelles, SOUTH AFRICA , Swaziland, Zambia, Zimbabwe, St. Helena (UK), Ascension Island (UK), Reunion (France) and Mayotte (France).

Appendix II

REPRESENTATIVES/ ALTERNATES OF THE REGIONS

EUROPEAN UNION

REPRESENTATIVE

Vacant (2)⁶

ALTERNATE

Petri Nummi PhD., Docent (1)⁷/ Finland

NON-EUROPEAN UNION COUNTRIES

REPRESENTATIVE

Dr. Olivier Biber (1)/ Switzerland

ALTERNATE

Prof. Dr. Dan Munteanu (0)⁸

Dr. Valentin Serebryakov (0)

CAUCASUS AND CENTRAL ASIA

REPRESENTATIVE

Vacant (2)

ALTERNATE

Dr. Elena Kreuzberg-Mukhina (1)

SOUTH-EAST ASIA

REPRESENTATIVE

Vacant (2)

ALTERNATE

Vacant (2)

NORTH AFRICA & MIDDLE EAST

REPRESENTATIVE

Mr. Eng. Khalaf Aoloklah (0) /Jordan

ALTERNATE

Mr. Mohammed Haffane (1)/ Morocco

Mr. Sherif Baha El Din (0)/ Egypt

6 Term of office expiring at end of MOP5

7 Term of Office expiring at end of MOP4

8 Term of Office expiring at end of MOP3

WESTERN AFRICA

REPRESENTATIVE

Mr. Momodou Lamin Kassama (1)/ Gambia

ALTERNATE

Mr. Mohamed Abdoulaye (1) Benin

CENTRAL AFRICA

REPRESENTATIVE

Mr. Ikonga Jerome Mokoko (0)/ Congo

ALTERNATE

Mr. Kasulu Seya Makonga (0)/ DRC

EASTERN AFRICA

REPRESENTATIVE

Dr. Charles Mlingwa (0)/ Tanzania

ALTERNATE

Mr. Olivier Nasirwa (0)/ Kenya

SOUTHERN AFRICA

REPRESENTATIVE

Mr. Yousoof Mungroo (1)/ Mauritius

ALTERNATE

Prof. Les Underhil (1)/ South Africa

REPRESENTATIVES OF ORGANISATIONS (3)⁹

IUCN

REPRESENTATIVE

Dr. Mariono Giminex-Dixon

ALTERNATE

Dr. Susan A. Mainka

WETLANDS INTERNATIONAL

REPRESENTATIVE

Mr. Ward Hagemeyer

ALTERNATE

Mr. Simon Delany

CIC

REPRESENTATIVE

Prof. Dr. Heribert Kalchreuter

ALTERNATE

Dr. Christian Krogell

⁹ Term of office to be decided by the Organisation

EXPERTS

RURAL ECONOMICS

Mr. Elijah Danso (0)/ Ghana

ENVIROMENTAL LAW

Ms. Rachelle Adam (0)/ Israel

GAME MANAGEMENT

Dr. Preben Clausen (1)/ Denmark

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

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

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.

Representation and attendance

Rule 4

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, and east 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.

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 5

Except as provided for 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 6

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

Rule 7

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 stand 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.

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.

Rule 8

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 9

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 corresponding Meeting of the Parties.

Rule 10

The Chairperson shall preside at meetings of the Committee, approve the provisional agenda prepared by the Secretariat for circulation, and liaise with committees 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 11

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 12

The Agreement Secretariat shall serve the meetings of the Committee.

Elections

Rule 13

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 14

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 15

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 16

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 17

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 18

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 19

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 20

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

Rule 21

Decisions of the Committee by voting (pursuant to Rule 20) shall be passed by a simple majority vote of the members present. In the case of a tie, the motion shall be considered rejected.

Rule 22

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 23

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 24

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

Rule 25

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

Communication procedure

Rule 26

Any member or 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.

Rule 27

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 28

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 29

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 30

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 31

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

Final provisions

Rule 32

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.