



THIRD MEETING OF THE TECHNICAL COMMITTEE OF THE AGREEMENT ON THE
CONSERVATION OF AFRICAN-EURASIAN MIGRATORY WATERBIRDS (AEWA)
TANZANIA, 27-28 MAY 2002

ESTABLISHMENT OF A STANDING COMMITTEE

Introduction

At the second Meeting of the Technical Committee a discussion arose on the role of the Technical Committee. In general the Committee felt that they might not be the right decision-making body for budget and administrative issues, due to lack of expertise. Furthermore it was noted that no governance instrument for such issues has been created so far. The Technical Committee requested the Secretariat to develop a proposal for the establishment of a Standing Committee and to come back to this point at the next meeting of the Technical Committee in May 2002 in Tanzania.

Proposal

According to Article VI paragraph 9 e the Meeting of the Parties may.... *establish such subsidiary bodies as it deems necessary to assist in the implementation of this Agreement, in particular for coordination with bodies established under other international treaties, conventions and agreements with overlapping geographic and taxonomic coverage.*

At the previous meeting of the Technical Committee Mr Robert Vagg (UK) reminded the meeting that the CMS Standing Committee has been established by a Resolution at the first meeting of the Conference of the Parties (October 1985, Bonn).

The Secretariat was orally informed by Mr Gerard C. Boere, who has been strongly involved in the development of the Agreement, that the establishment of a Standing Committee has been thoroughly discussed at the Negotiation Meeting (June 1995, The Hague). The outcome of this discussion was that no agreement could be reached to include an Article, similar to the one on the Technical Committee, on the establishment of a Standing Committee. The view of the meeting was that if such a subsidiary body would be necessary the Meeting of the Parties could make use of the provision given in Article VI paragraph 9 e.

Making use of the above-mentioned provision of the Agreement, the Secretariat propose to establish a small Standing Committee for the time being consisting of 7 members. Five of these should represent the following regions:

- Europe
- Central Asia (incl. Russian Federation)
- Middle East and Northern Africa
- Western and Central Africa
- Eastern and Southern Africa

In addition to the five regional representatives the Committee should consist of a representative of the host country for the next session of the Meeting of the Parties and a representative of the Depositary.

The tasks of the Standing Committee in general will be to provide guidance to the Secretariat on policy, organisational and financial matters. The attached draft Resolutions describes in more details these tasks.

The Secretary of the Committee will be provided by the Secretariat.

Finally at the first meeting of the Standing Committee the Committee shall adopt its rules of procedure for its meetings.

Draft RESOLUTION XX

INSTITUTIONAL ARRANGEMENTS: STANDING COMMITTEE

Recalling that pursuant Article VI paragraph 9 e the Meeting of the Parties may establish such subsidiary bodies as it deems necessary to assist in the implementation of this Agreement, in particular for coordination with bodies established under other international treaties, conventions and agreements with overlapping geographic and taxonomic coverage;

Recalling further that at its first Session the Meeting of the Parties established a Technical Committee to provide scientific and technical advice and information to Meeting of the Parties and, through the Agreement Secretariat, to Parties;

Recognizing that the Executive Director of the United Nations Environmental Programme is responsible for the administration of the Secretariat;

Noting that no provisions have been made to provide for guidance and advice to the Secretariat on policy, operational and financial and other matters brought up by the Secretariat;

Considering the usefulness of a small permanent committee for matters relating to the organization of meetings and for the continuous implementation of the Agreement

1. *Decides* to establish a Standing Committee of the Meeting of the Parties, which, within the policy agreed by the Meeting of the Parties shall;
 - a) Shall carry out between ordinary sessions of the Meeting of the Parties and the next, such interim activity on behalf of the Meeting as may be necessary, such activity being limited to matters on which the Meeting has previously recorded its approval;
 - b) Make recommendation for consideration at the next session of the Meeting of the Parties;
 - c) Oversee, on behalf of the Parties, the development and execution of the Secretariat's budget as derived from the Trust Fund and other sources, and also all aspects of fund-raising undertaken by the Secretariat in order to carry out specific functions authorized by the Meeting of the Parties;
 - d) Oversee, as representative of the Meeting of the Parties, the implementation of policy by the Secretariat and conduct of the Secretariat's programmes;
 - e) Provide guidance and advice to the Secretariat on implementation of the Agreement, on the preparation of meetings, and on any other matters relating to the exercise of its functions brought to it by the Secretariat;
 - f) Represent the Meeting of the Parties, vis-à-vis the Government of the host country of the Secretariat's headquarters, UNEP and other international organizations for consideration of matter relating to the Agreement and its Secretariat;
 - g) Act as bureau at the sessions of the Meeting of the Parties, in accordance with the rules of procedure of the Meeting of the Parties;
 - h) Report to the Meeting of the Parties on the activities that has been carried out between ordinary sessions of the Meeting of the Parties;
 - i) Perform any other functions that may be entrusted to it by the Meeting of the Parties;

2. *Determines* the following principles for the composition of and the procedures to be followed by the Standing Committee:

- a) The Committee shall consist of not more than 7 Contracting Parties, who shall be nominated by the Meeting of the Parties. For at least five of these members, nomination shall be based upon the principle of proper geographical distribution¹. The remaining two members shall be comprised of the host country for the next session of the Meeting of the Parties and a representative from the Depositary. The host country for the meeting of the Standing Committee shall be invited to participate as observer in the work of the Committee
- b) Each Party elected as an alternate member for a member describe in paragraph a, to be represented at meetings as a regional member only in the absence of a representative of the member for which it is the alternate;
- c) If an extraordinary session of the Meeting of the Parties is held between two ordinary sessions, the host Party of that meeting shall participate as an observer in the work of the Committee on matters related to the organization of the meeting;
- d) Contracting Parties, which are not members of the Standing Committee shall be entitled to be represented at meetings of the Committee by an observer who will have the right to participate but not to vote;
- e) The Chairman may invite any person or representative of any other country of organization to participate in meetings of the Committee as an observer without the right to vote;
- f) The membership of the Committee shall be reviewed at each ordinary session of the Meeting of the Parties, in accordance with the rules of procedure of the meeting. The term of office of the members nominated on a geographical basis shall expire at the close of the second ordinary session of the Meeting of the Parties following that at which they have been nominated;
- g) The Committee should at a minimum meet on an annual basis, normally at the Seat of the Secretariat;
- h) The Secretary for the Committee shall be provided by the Secretariat of the Agreement;
- i) The Secretariat shall inform all Parties of the date and venue of the Standing Committee meetings;

3. *Request* the Secretariat to make provisions in future budgets for the payment, upon request, of reasonable and justifiable travel expenses of nominated representatives from developing countries and countries with economies in transition and from the next host country of the session of the Meeting of the Parties. Within the policy agreed by the Meeting of the Parties.

- a) Members should make very effort to pay their own travel expenses:
- b) May refund to the Chairman of the Standing Committee all reasonable and justifiable travel expenses for travel undertaken on behalf of the Meeting of the Parties or on behalf of the Secretariat;

¹ "Geographical distribution" reflects the following five regions: Europe, Central Asia, Middle East and Northern Africa, Western and Central Africa, Eastern and Southern Africa.

- c) Travel arrangements for sponsored regional members will be made by the Secretariat in accordance with the Rules and Regulations of the United Nations and, where applicable, claims for refund must be supported by receipts, and submitted to the Secretariat within 30 days from the completion of the travel

4. Requests Contracting Parties to provide financial assistance to developing countries and countries with economies in transitions being Parties to the Agreement to be represented at meetings of the Standing by an observer.