



**Economic and Social
Council**

Distr.
GENERAL

MP.WAT/AC.2/2003/4
EUR/03/5041120/4

14 May 2003
ORIGINAL: ENGLISH

ECONOMIC COMMISSION FOR EUROPE

**WORLD HEALTH ORGANIZATION
REGIONAL OFFICE FOR EUROPE**

**MEETING OF THE SIGNATORIES TO
THE PROTOCOL ON WATER AND HEALTH
TO THE 1992 CONVENTION ON THE
PROTECTION AND USE OF TRANSBOUNDARY
WATERCOURSES AND INTERNATIONAL LAKES**

Second meeting,
Geneva, 2-4 July 2003
Item 5 (a) of the provisional agenda

DRAFT RULES OF PROCEDURE

Prepared by the joint secretariat in consultation with the Chairperson
of the Working Group on Legal and Administrative Aspects

1. The draft Rules of Procedure for the meetings of the Parties to the Protocol on Water and Health (annex) are based on the Rules of Procedure for the for the meetings of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, revised at the second meeting of the Parties to the Convention (ECE/MP.WAT/5, annex III).
2. For easy reference, amendments and additions to the above document are underline.

Annex

DRAFT RULES OF PROCEDURE
FOR THE MEETINGS OF THE PARTIES TO THE PROTOCOL ON WATER
AND HEALTH TO THE 1992 CONVENTION ON THE PROTECTION AND USE
OF TRANSBOUNDARY WATERCOURSES
AND INTERNATIONAL LAKES

PURPOSE

Rule 1

These rules of procedure shall apply to the meetings of the Parties to the Protocol convened in accordance with article 16 of the Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes.

DEFINITIONS

Rule 2

For the purposes of these rules:

1. “Protocol” means the Protocol on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes, adopted in London on 17 June 1999.
2. “Parties to the Protocol” means Contracting Parties to the Protocol.
3. “Parties present and voting” means Parties to the Protocol present and casting an affirmative or negative vote. Parties to the Protocol abstaining from voting shall be considered as not voting.
4. “Meeting of the Parties to the Protocol” means the body established by the Parties in accordance with article 16 of the Protocol.
5. “A meeting of the Parties to the Protocol” means an ordinary or extraordinary meeting convened in accordance with article 16 of the Protocol.
- 5bis. “Convention” means the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes.
- 5ter. “Parties to the Convention” means Contracting Parties to the Convention.

5quater. “Meeting of the Parties to the Convention” means the body established by the Parties in accordance with article 17 of the Convention.

5quinquies. “A meeting of the Parties to the Convention” means an ordinary or extraordinary meeting convened in accordance with article 17 of the Convention.

6. “Regional economic integration organization” means an organization referred to in article 21 of the Protocol and in article 23 of the Convention.

7. “Chairperson” means the Chairperson elected in accordance with rule 18 of these rules of procedure.

8. “Joint Secretariat” means, in accordance with article 17 of the Protocol, the Executive Secretary of the United Nations Economic Commission for Europe and the Regional Director of the Regional Office for Europe of the World Health Organization.

PLACE OF MEETINGS

Rule 3

The meetings of the Parties to the Protocol shall be held at the United Nations Office at Geneva (UNOG) or the Regional Office for Europe of the World Health Organization (WHO/EURO) at Copenhagen, unless other appropriate arrangements are made by the Parties to the Protocol and/or the Bureau of the Meeting of the Parties to the Protocol in consultation with the joint secretariat.

DATES OF MEETINGS

Rule 4

The Meeting of the Parties to the Protocol shall set the indicative date for the opening and the duration of its next ordinary meeting. Ordinary meetings shall be held at least every three years, if possible in conjunction with a meeting of the Parties to the Convention.

Rule 5

The joint secretariat shall notify all Parties to the Protocol of the date and venue of a meeting of the Parties to the Protocol at least six weeks before it is due to take place.

OBSERVERS

Rule 6

1. The joint secretariat shall notify organizations of the United Nations system with specific competence on issues of the Protocol, as well as those ECE member States, WHO member States and regional economic integration organizations which are entitled to become a Party to the Protocol, of any meeting of the Parties to the Protocol so that they may be represented as observers.
2. Any other State, member of the United Nations, may also be represented as observer.
3. Such observers may participate, without the right to vote, in the meetings of the Parties to the Protocol in matters of direct concern to them.

Rule 7

1. The Meeting of the Parties to the Protocol may approve, by the vote of a majority of the Parties present and voting, the admission to its meetings of observers from any other international governmental organization, ~~and from~~ international non-governmental organizations and the private sector which have special qualifications with regard to matters relating to the Protocol, and may similarly terminate any such approval.
2. Such observers may at the invitation of the Meeting of the Parties to the Protocol participate, without the right to vote, in the proceedings of its meetings in matters of direct concern to them.

AGENDA

Rule 8

In consultation with the Chairperson, the joint secretariat shall prepare the provisional agenda of each meeting of the Parties to the Protocol.

Rule 9

1. The provisional agenda for a meeting of the Parties to the Protocol shall include, where appropriate:
 - (a) Items specified in article 16, paragraph 3, of the Protocol;
 - (b) Items arising from previous meetings of the Parties to the Protocol;
 - (c) Any item proposed by the Bureau and/or the joint secretariat;
 - (d) Any item proposed by a Party to the Protocol before the agenda is circulated.

2. The first item on the provisional agenda for each meeting shall be the adoption of the agenda.

Rule 10

The provisional agenda for a meeting of the Parties to the Protocol together with available supporting documents shall be distributed by the joint secretariat to the Parties to the Protocol at least six weeks before the opening of the meeting.

Rule 11

The joint secretariat shall, in consultation with the Chairperson, include any question suitable for the agenda, which may arise between the dispatch of the provisional agenda and the opening of the meeting of the Parties to the Protocol in an addendum to the provisional agenda, which the Meeting of the Parties to the Protocol shall examine together with the provisional agenda.

Rule 12

The Meeting of the Parties to the Protocol when adopting the agenda of its meeting may add, delete, defer or amend items. The Meeting of the Parties to the Protocol may amend the agenda at any time.

REPRESENTATION AND CREDENTIALS

Rule 13

Each Party to the Protocol participating in the meetings of the Parties to the Protocol shall be represented by a delegation consisting of a head of delegation and such other representatives and advisers as it thinks appropriate.

Rule 14

An alternate representative or an adviser may act as a representative upon designation by the head of delegation.

Rule 15

The credentials of all representatives shall be submitted to the joint secretariat at the opening of any meeting of the Parties to the Protocol. Any later change in the composition of the delegation shall also be submitted to the joint secretariat.

Rule 16

The officers of the Meeting of the Parties to the Protocol shall examine the credentials and submit their report to the Meeting.

Rule 17

Pending a decision of the Meeting of the Parties to the Protocol upon their credentials, representatives shall be entitled to participate in the meeting.

OFFICERS

Rule 18

1. The first meeting of the Parties to the Protocol shall be chaired by a representative of Hungary, host country of the first meeting. If in the future a meeting is again hosted by a Party, a representative of the host country may nominate a person to chair the meeting whether or not he/she has been previously elected as a member of the Bureau.
2. At the end of each meeting, the Meeting of the Parties to the Protocol shall elect a Chairperson and two Vice-Chairpersons from among the representatives of the Parties to the Protocol.
3. The Chairperson and the Vice-Chairpersons shall serve as the officers of the Meeting of the Parties of the Protocol and remain in office until their successors are elected. They shall be eligible for re-election. If the Chairperson or one of the Vice-Chairpersons is permanently unable to serve as officer, the remaining members of the Bureau shall co-opt a successor by consensus. The Bureau should take into account the proposal for a successor by the Party represented by the outgoing Chairperson or Vice-Chairperson.
4. The Chairperson shall participate in the meeting of the Parties to the Protocol in that capacity and shall not at the same time exercise the rights of a representative of a Party to the Protocol. In such a case, the Party to the Protocol concerned shall designate another representative who shall be entitled to represent it in the Meeting of the Parties to the Protocol and to exercise its right to vote.

Rule 19

1. In addition to exercising the powers conferred upon him/her elsewhere by these rules, the Chairperson shall:
 - (a) Declare the opening and closing of the meeting of the Parties to the Protocol;
 - (b) Preside at the sessions of the meeting;

- (c) Ensure the observance of these rules;
 - (d) Accord the right to speak;
 - (e) Put questions to the vote and announce decisions;
 - (f) Rule on points of order;
 - (g) Subject to these rules, exercise control over the proceedings and maintain order.
2. The Chairperson may, moreover, propose:
- (a) The closure of the list of speakers;
 - (b) A limitation on the time allowed to speakers and on the number of times each representative may speak on a question;
 - (c) The adjournment or closure of the debate;
 - (d) The suspension or adjournment of the meeting of the Parties.
3. The Chairperson, in the exercise of his/her functions, remains under the authority of the Meeting of the Parties to the Protocol.

Rule 20

1. If the Chairperson is temporarily absent, asks to be temporarily replaced, is unable to complete his/her term of office, is unable to perform his/her functions or resigns, a Vice-Chairperson shall act as Chairperson.
2. At any time the Chairperson may ask one of the Vice-Chairpersons or the person nominated by the host country in accordance with rule 18 to chair the meeting.

Rule 21

1. The Chairperson and the two Vice-Chairpersons of the Meeting of the Parties to the Protocol together with the Chairpersons elected by the working groups established under rule 22, paragraph 1, shall constitute the Bureau of the Meeting of the Parties to the Protocol. The Bureau shall be chaired by the Chairperson of the Meeting of the Parties to the Protocol. If the Chairperson is temporarily absent or is unable to complete his/her term of office or to perform his/her functions, a Vice-Chairperson shall act as Chairperson.

1bis. The Chairperson and the two Vice-Chairpersons of the Meeting of the Parties to the Protocol shall be ex officio members of the Bureau of the Meeting of the Parties to the Convention.

2. The terms of reference of the Bureau shall be established by the Meeting of the Parties to the Protocol.

BODIES TO IMPLEMENT THE WORK PLAN

Rule 22

1. The Meeting of the Parties to the Protocol may establish such working groups, task forces or other bodies as it deems necessary for the performance of its functions and the implementation of the work plan, and may request them to help organizing workshops, seminars, training courses and other meetings under the Protocol. Each body shall elect its own officers.
2. The Meeting of the Parties to the Protocol shall determine both the matters to be considered by these bodies and meetings and their term. The Meeting of the Parties to the Protocol may at any time terminate the function of these bodies.
3. To promote harmonious cooperation with the Meeting of the Parties to the Convention, the Meeting of the Parties to the Protocol shall make arrangements with the Meeting of the Parties to the Convention regarding the terms of reference of bodies established under the Protocol and the Convention.

JOINT SECRETARIAT

Rule 23

The Executive Secretary of the United Nations Economic Commission for Europe and the Regional Director of the Regional Office for Europe of the World Health Organization shall provide secretariat services for the Meeting of the Parties to the Protocol and all meetings organized under the auspices of the Meeting of the Parties to the Protocol. They may delegate these functions to a member of their staff.

Rule 24

For meetings of the Parties to the Protocol the joint secretariat shall:

- (a) Arrange for interpretation;
- (b) Arrange for the translation, reproduction and distribution of the documents;
- (c) Arrange for the custody and preservation of the documents in the archives of the United Nations Economic Commission for Europe and of Regional Bureau for Europe of the World Health Organization.

CONDUCT OF BUSINESS

Rule 25

The meetings of the Parties to the Protocol shall ordinarily be held in private. The Meeting of the Parties to the Protocol may decide that a meeting or parts of it shall be held in public.

Rule 26

The Chairperson may declare a meeting of the Parties to the Protocol open and permit debate to proceed when representatives of the majority of the Parties to the Protocol are present.

Rule 27

1. The Chairperson shall determine the list and order of speakers at a meeting of the Parties. Without prejudice to rules 28, 29, 30 and 32, the Chairperson shall call upon speakers in the order in which they indicate their wish to speak. The joint secretariat shall be in charge of drawing up a list of such speakers. The Chairperson may call a speaker to order if his/her remarks are not relevant to the subject under discussion.
2. The Meeting of the Parties to the Protocol may, on a proposal from the Chairperson or from any Party to the Protocol, limit the time allowed to each speaker and the number of times each representative may speak on a question. Before a decision is taken, two representatives may speak in favour of and two against a proposal to set such limits. When the debate is limited and a speaker exceeds the allotted time, the Chairperson shall call him/her to order without delay.
3. The Executive Secretary, the Regional Director or their representatives may at any meeting make either oral or written statements concerning any question under consideration.

Rule 28

An officer of a body established by the Meeting of the Parties to the Protocol may be accorded precedence by the Chairperson of the Meeting of the Parties to the Protocol for the purpose of explaining the conclusions arrived at by this body.

Rule 29

During the discussion of any matter, a representative may at any time raise a point of order, which shall be decided immediately by the Chairperson in accordance with these rules. A representative may appeal against the ruling of the Chairperson. The appeal shall immediately be put to the vote and the ruling shall stand unless overruled by a majority of the Parties present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

Rule 30

Any motion calling for a decision on the competence of the Meeting of the Parties to the Protocol to discuss any matter or to adopt a proposal or an amendment to a proposal submitted to it shall be put to the vote before the matter is discussed or a vote is taken on the proposal or amendment in question.

Rule 31

1. Without prejudice to paragraph 2 of this rule, proposals and amendments to proposals shall normally be presented in writing and handed to the joint secretariat, which shall circulate copies to the Parties to the Protocol. As a general rule, no proposal shall be discussed or put to the vote at any meeting unless copies of it have been circulated to delegations not later than 24 hours in advance. The Chairperson may, however, permit the discussion and consideration of amendments to proposals or of procedural motions even though those amendments or motions have not been circulated or have been circulated only the same day.

2. Proposals for amending the Protocol shall be submitted to the joint secretariat at least 120 days before the meeting of the Parties to the Protocol at which they are proposed for adoption by consensus, so that the joint secretariat in accordance with article 18 of the Protocol can communicate these proposals to the Parties to the Protocol at least 90 days before the meeting of the Parties to the Protocol.

Rule 32

1. Subject to rule 29, the following motions shall have precedence, in the order indicated below, over all other proposals or motions:

- (a) To suspend the meeting of the Parties to the Protocol;
- (b) To adjourn the meeting of the Parties to the Protocol;
- (c) To adjourn debate on a question under discussion;
- (d) For closure of the debate on a question under discussion.

2. Permission to speak on a motion falling within (a) to (d) above shall be granted only to the proposer and, in addition, to one speaker in favour of and two against the motion, after which it shall immediately be put to the vote.

Rule 33

A proposal or motion may be withdrawn by its proposer at any time before voting on it has begun, provided that the motion has not been amended. A proposal or motion that is withdrawn may be reintroduced by any other Party to the Protocol.

Rule 34

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting, unless the Meeting of the Parties to the Protocol, by a three-fourth majority of the Parties present and voting, decides in favour of reconsideration. Permission to speak on a motion to reconsider shall be accorded only to the mover and one other supporter, after which it shall immediately be put to the vote.

VOTING

Rule 35

1. The Meeting of the Parties to the Protocol shall make every effort to reach its decisions by consensus. If all efforts at consensus have been exhausted, and no agreement reached, the decisions - except for amendments to the Protocol (article 18 of the Protocol), to rule 34, and to paragraph 2 of this rule - shall be taken by a majority of the Parties present and voting.
2. Decisions of the Meeting of the Parties to the Protocol on financial matters shall be adopted by consensus of the Parties present.

Rule 36

If two or more proposals relate to the same question, the Meeting of the Parties to the Protocol, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted. The Meeting of the Parties to the Protocol may, after each vote on a proposal, decide whether or not to vote on the next proposal.

Rule 37

Any representative may request that any part of a proposal or of an amendment to a proposal be voted on separately. If objection is made to the request for division, the Chairperson shall permit two representatives to speak, one in favour of and the other against the motion, after which it shall immediately be put to the vote.

Rule 38

If the motion referred to in rule 37 is adopted, those parts of a proposal or of an amendment to a proposal which have been approved shall then be put to the vote as a whole. If all the operative parts of a proposal or amendment have been rejected, the proposal or amendment shall be considered to have been rejected as a whole.

Rule 39

A motion is considered to be an amendment to a proposal if it merely adds to, deletes from, or revises that proposal. An amendment shall be voted on before the proposal to

which it relates is put to the vote and, if the amendment is adopted, the amended proposal shall then be voted on.

Rule 40

If two or more amendments to a proposal are moved, the Meeting of the Parties to the Protocol shall first vote on the amendment furthest removed in substance from the original proposal, then on the amendment next furthest removed therefrom, and so on, until all amendments have been put to the vote.

Rule 41

Except for elections, voting shall normally be by show of hands. A roll call shall be taken if one is requested by any Party to the Protocol. It shall be taken in the English alphabetical order of the names of the Parties participating in the meeting of the Parties to the Protocol beginning with the Party whose name is drawn by lots by the Chairperson. However, if at any time a Party to the Protocol requests a secret ballot, that shall be the method of voting on the issue in question.

Rule 42

The voting of each Party to the Protocol participating in a vote by roll call shall be recorded in the report of the meeting of the Parties to the Protocol.

Rule 43

After the Chairperson has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in connection with the actual conduct of voting. The Chairperson may permit the Parties to the Protocol to explain their votes, either before or after the voting, and may limit the time allowed for such explanations. He/she shall not permit the proposer of a proposal or an amendment to a proposal to explain his/her vote on his/her own proposal or amendment, unless it has been amended.

Rule 44

All elections shall be decided by secret ballot, unless, in the absence of any objection, the Meeting of the Parties to the Protocol decides to proceed without taking a ballot on an agreed candidate or slate.

OFFICIAL LANGUAGES

Rule 45

The official languages of the Meeting of the Parties to the Protocol shall be English, French, German and Russian.

Rule 46

1. Statements made during meetings of the Parties to the Protocol in an official language shall be interpreted into the other official languages.
2. A representative may speak in a language other than an official language if he/she provides for interpretation into one of the official languages.

Rule 47

Official documents of the Meeting of the Parties to the Protocol shall be drawn up in one of the official languages and translated into the other official languages.

AMENDMENTS TO THE RULES OF PROCEDURE

Rule 48

Amendments to these rules of procedure shall be adopted by consensus of the Meeting of the Parties to the Protocol.

OVERRIDING AUTHORITY OF THE PROTOCOL

Rule 49

In the event of a conflict between any provision of these rules and any provision of the Protocol, the provision of the Protocol shall prevail.