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**ECONOMIC COMMISSION FOR EUROPE**

**MEETING OF THE PARTIES TO THE CONVENTION ON  
THE PROTECTION AND USE OF TRANSBOUNDARY  
WATERCOURSES AND INTERNATIONAL LAKES**

**Legal Board**

Second meeting

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**DRAFT RULES OF PROCEDURE\***

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\* This document has not been formally edited.

**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 on Water and Health to the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes convened in accordance with article 16 of the Protocol.

**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" 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 abstaining from voting shall be considered as not voting.
4. "Meeting of the Parties" means the body established by the Parties in accordance with article 16 of the Protocol.
5. "A meeting of the Parties" means an ordinary or extraordinary meeting convened in accordance with article 16 of the Protocol.
6. "Convention" means the 1992 Convention on the Protection and Use of Transboundary Watercourses and International Lakes.
7. "Parties to the Convention" means Contracting Parties to the Convention.
8. "Meeting of the Parties to the Convention" means the body established by the Parties to the Convention in accordance with article 17 of the Convention.
9. "A meeting of the Parties to the Convention" means an ordinary or extraordinary meeting convened in accordance with article 17 of the Convention.
10. "Regional economic integration organization" means an organization referred to in article 21 of the Protocol and in article 23 of the Convention.

11. “Chairperson” means the Chairperson elected in accordance with rule 17 of these rules of procedure.
12. “Bureau” means the Bureau established in accordance with rule 20 of these rules of procedure.
13. “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 shall be held at the United Nations Office at Geneva (UNOG) or at the Regional Office for Europe of the World Health Organization (WHO/EURO) at Copenhagen, unless other appropriate arrangements are made by the Parties and/or the Bureau in consultation with the joint secretariat.

## **DATES OF MEETINGS**

### **Rule 4**

1. The Meeting of the Parties 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.
2. In the case of an extraordinary meeting convened at the written request of a Party pursuant to article 16, paragraph 1, of the Protocol, it shall be convened not later than 90 days after the date at which the request is supported by at least one third of the Parties.

## **NOTIFICATION**

### **Rule 5**

1. The joint secretariat shall notify all Parties of the date and venue of a meeting of the Parties at least six weeks before it is due to take place.
2. The joint secretariat shall also provide notification of the date and venue of a meeting of the Parties, at least six weeks before it is due to take place, to:
  - (a) Those member States of the Economic Commission for Europe, member States of the World Health Organization in the European region and regional economic integration organizations which are entitled to become a Party to the Protocol but have not yet done so;

- (b) Any other State member of the United Nations that has requested to be so notified;
  - (c) Organizations of the United Nations system with specific competence on issues of the Protocol;
  - (d) Other relevant intergovernmental organizations, qualified or having an interest in the fields to which the Protocol relates, that have requested to be so notified; and
  - (e) Relevant non-governmental organizations, qualified or having an interest in the fields to which the Protocol relates, that have requested to be so notified.
3. Unless a Party [or an observer] requests a different method of communication, notification by electronic mail shall be considered sufficient for the purposes of this rule, provided receipt of the electronic mail is acknowledged by the recipient.

## **OBSERVERS**

### **Rule 6**

1. Representatives of the States and the organizations identified in rule 5, paragraph 2 (a), (b) and (c), shall be entitled to participate in the proceedings of any meeting governed by these rules. Representatives of any other State member of the United Nations shall also be entitled to participate in such meetings, regardless of whether it has requested to be notified of such meetings.
2. Representatives of any of the organizations referred to in rule 5, paragraph 2 (e), shall be entitled to participate in the proceedings of any meeting governed by these rules, unless one third of the Parties present at that meeting objects to the participation of representatives of that organization.
3. Observers entitled to participate in the proceedings of meetings pursuant to this rule do not have the right to vote at such meetings.

## **AGENDA**

### **Rule 7**

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

### **Rule 8**

1. The provisional agenda for a meeting of the Parties shall include, where appropriate:
  - (a) Items specified in article 16, paragraph 3, of the Protocol;
  - (b) Items arising from previous meetings of the Parties;

- (c) Any item proposed by the Bureau and/or the joint secretariat;
- (d) Any item proposed by a Party before the agenda is circulated.

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

#### **Rule 9**

The provisional agenda for a meeting of the Parties together with available supporting documents shall be distributed by the joint secretariat to the Parties at least six weeks before the opening of the meeting. In this regard, the provisions of rule 5, paragraph 3 shall apply.

#### **Rule 10**

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 in an addendum to the provisional agenda, which the Meeting of the Parties shall examine together with the provisional agenda.

#### **Rule 11**

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

### **REPRESENTATION AND CREDENTIALS**

#### **Rule 12**

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

#### **Rule 13**

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

#### **Rule 14**

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

#### **Rule 15**

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

## **Rule 16**

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

## **OFFICERS**

### **Rule 17**

1. If a meeting is 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.

#### **OPTION 1: as in the Water Convention**

2. At the end of each meeting, the Meeting of the Parties shall elect a Chairperson and two Vice-Chairpersons from among the representatives of the Parties.

3. The Meeting of the Parties may elect additional officers, as it deems necessary for the performance of its functions.

4. The Chairperson, the Vice-Chairpersons and the other elected officers shall serve as the officers of the Meeting of the Parties 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 or one of the other elected officers 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, Vice-Chairperson or other elected officer.

5. The Chairperson shall participate in the meeting of the Parties in that capacity and shall not at the same time exercise the rights of a representative of a Party. In such a case, the Party concerned shall designate another representative who shall be entitled to represent it in the Meeting of the Parties and to exercise its right to vote.

#### **OPTION 2: as in the Environmental Impact Assessment (EIA) Convention and including the possibility to elect additional officers**

2. At the commencement of each meeting, a Chairperson and two Vice-Chairpersons shall be elected from among the representatives of the Parties present at the meeting.

3. The Meeting of the Parties may elect additional officers, as it deems necessary for the performance of its functions.

4. The Chairperson, the Vice-Chairpersons and the other elected officers shall serve as the officers of the Meeting and remain in office until their successors are elected. During any meeting, the Parties may elect the officers for their next meeting. The Meeting of the Parties may assign specific tasks to the officers to be carried out before its next meeting. In electing the officers due account should be taken of the need to ensure that the officers adequately

represent different interests within the region of the United Nations Economic Commission for Europe. If the Chairperson or one of the Vice-Chairpersons or one of the other elected officers 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, Vice-Chairperson or other elected officer.

5. The Chairperson shall participate in the meeting of the Parties in that capacity and shall not at the same time exercise the rights of a representative of a Party. In such a case, the Party concerned shall designate another representative who shall be entitled to represent it in the Meeting of the Parties and to exercise its right to vote.

**OPTION 3: as in the Convention on Biological Diversity**  
and including the possibility to elect additional officers

2. At the commencement of each [ordinary] meeting, the Meeting of the Parties shall elect a Chairperson and two Vice-Chairpersons, [one of whom shall act as Rapporteur], and additional officers, as it deems necessary for the performance of its functions, from among the representatives of the Parties.

3. The term of office of the Chairperson shall commence straight away and the terms of office of the Vice-Chairpersons and the other additional officers shall commence upon the closure of the meeting at which they are elected.

4. The Chairperson shall remain in office until a new Chairperson is elected at the commencement of the next [ordinary] meeting. The Vice-Chairpersons and the other additional officers shall remain in office until the closure of the next [ordinary] meeting. [They shall serve as the bureau of any extraordinary meeting held during their term of office]. [No officer may be re-elected for a third consecutive term.]. In electing the officers due account should be taken of the need to ensure that the officers adequately represent different interests within the region of the United Nations Economic Commission for Europe. If the Chairperson or one of the Vice-Chairpersons or one of the other elected officers 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, Vice-Chairperson or other elected officer.

5. The Chairperson shall participate in the meeting of the Parties in that capacity and shall not at the same time exercise the rights of a representative of a Party. In such a case, the Party concerned shall designate another representative who shall be entitled to represent it in the Meeting of the Parties and to exercise its right to vote.

**Rule 18**

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;
- (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.

### **Rule 19**

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 17 to chair the meeting.

## **BUREAU**

### **Rule 20**

1. The Bureau of the Meeting of the Parties shall be composed of not less than six persons including the Chairperson and the two Vice-Chairpersons of the Meeting of the Parties, the chairpersons of the working groups established according to rule 21 and, if applicable, the other officers elected according to rule 17, paragraph 3.
2. The Chairperson of the Meeting of the Parties to the Convention shall be invited to be an observer of the Bureau of the Meeting of the Parties to the Protocol.
- [3. The Bureau [shall] [may] invite two representatives of organizations referred to in rule 5 paragraph 2 (e), selected by those organizations at the meetings of the Parties, to participate as observers in its meetings.]



4. The Bureau shall be chaired by the Chairperson of the Meeting of the Parties. 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 or any other Bureau member shall act as Chairperson.
5. The terms of reference of the Bureau shall be established by the Meeting of the Parties.

## **BODIES TO IMPLEMENT THE PROGRAMME OF WORK**

### **Rule 21**

1. The Meeting of the Parties may establish working groups and other bodies, such as task forces and expert groups, as it deems necessary for the performance of its functions and the implementation of the programme of work, and may request them to help organizing workshops, seminars, training courses and other meetings under the Protocol. Unless otherwise decided by the Meeting of the Parties, the working groups and other bodies shall elect their own officers.
2. The Meeting of the Parties shall determine [both] the matters to be considered by the working groups and other bodies and their term [, the official languages and the frequency of their meetings]. The Meeting of the Parties may at any time terminate the function of the working groups and other 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 working groups and other bodies established under the Protocol and the Convention.
4. Unless otherwise decided by the Meeting of the Parties, these rules of procedure shall apply mutatis mutandis to the proceedings of working groups and other bodies established by the Meeting of the Parties, save as otherwise specified in paragraphs 5 to [8] / [9] below.
- [5. Any supporting documents for a meeting of a working group or other body shall be distributed at least one month before the opening of the meeting.
6. A majority of the Parties designated by the Meeting of the Parties to take part in the body shall constitute a quorum, but in the case of open-ended bodies, one quarter of the Parties shall constitute a quorum.
7. The chairperson of a working group or other body may exercise the right to vote.
8. Rules 12 to 16 shall not apply to the proceedings of working groups and other bodies.]
9. [Rule 24 paragraphs 2 and 3 shall not apply to the proceedings of working groups and other bodies.] or [The meetings of working groups and other bodies shall ordinarily be held in private. The working groups and other bodies may decide that a meeting or parts of it shall be held in public.]

## **JOINT SECRETARIAT**

### **Rule 22**

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 and all meetings organized under its auspices. They may delegate these functions to a member of their staff.

### **Rule 23**

For meetings of the Parties the joint secretariat shall:

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

## **CONDUCT OF BUSINESS**

### **Rule 24**

The meetings of the Parties shall ordinarily be held in public. The Meeting of the Parties may decide that a meeting or parts of it shall be held in private.<sup>1</sup>

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<sup>1</sup> One delegation suggested that this rule should be complemented with provisions regulating the participation of the public, as in rule 7 of the rules of procedure of the meetings of the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, i.e.:

“2. Where it is not feasible to accommodate in the meeting room all the members of the public who have requested to attend the meeting, the proceedings of the meeting shall be relayed to those members of the public using audiovisual equipment wherever possible.

3. The joint secretariat, and, in the event of the meeting being held in a location other than the United Nations Office at Geneva or the the Regional Office for Europe of the World Health Organization at Copenhagen, the host government or organization, shall ensure that practical arrangements are made to facilitate the entitlements of members of the public under this rule.”

### **Rule 25**

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

### **Rule 26**

1. The Chairperson shall determine the list and order of speakers at a meeting of the Parties. Without prejudice to rules 27, 28, 29 and 31, 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 may, on a proposal from the Chairperson or from any Party, 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 27**

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

### **Rule 28**

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 29**

Any motion calling for a decision on the competence of the Meeting of the Parties 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 30**

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. 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 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 at least 90 days before the meeting of the Parties.

### **Rule 31**

1. Subject to rule 28, 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
- (b) To adjourn the meeting of the Parties;
- (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 32**

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.

### **Rule 33**

When a proposal has been adopted or rejected, it may not be reconsidered at the same meeting, unless the Meeting of the Parties, 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 34**

1. The Meeting of the Parties 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 in accordance with its article 18, to rule 33, to rule 47 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 on financial matters shall be adopted by consensus of the Parties present.

### **Rule 35**

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

### **Rule 36**

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 37**

If the motion referred to in rule 36 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 38**

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 39**

If two or more amendments to a proposal are moved, the Meeting of the Parties 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 40**

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

### **Rule 41**

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

#### **Rule 42**

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 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 43**

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

### **OFFICIAL LANGUAGES**

#### **Rule 44**

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

#### **Rule 45**

1. Statements made during meetings of the Parties 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 46**

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

### **AMENDMENTS TO THE RULES OF PROCEDURE**

#### **Rule 47**

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

**OVERRIDING AUTHORITY OF THE PROTOCOL**

**Rule 48**

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.