



**Economic and Social
Council**

Distr.
GENERAL

MP.WAT/WG.4/2004/6
EUR/5047016/2004/6

6 October 2004
ORIGINAL: ENGLISH

ECONOMIC COMMISSION FOR EUROPE

**WORLD HEALTH ORGANIZATION
REGIONAL OFFICE FOR EUROPE**

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

Working Group on Water and Health
Fourth meeting
Geneva, 9-10 December 2004

DRAFT RULES OF PROCEDURE*

Prepared by the secretariat

1. The Working Group on Water and Health at its third meeting (Budapest, 11-12 March 2004) entrusted the Legal Board with the preparation of legal documents for the first meeting of the Parties to the Protocol on Water and Health.
2. The draft rules of procedure for the meetings of the Parties to the Protocol on Water and Health (see annex) are based on the outcome of the first and second meetings of the Legal Board (Verona, Italy, 28-29 June 2004, and Geneva, 16-17 September 2004). Reference can be made to the reports of these meetings (MP.WAT/AC.4/2004/2 and MP.WAT/AC.4/2004/6).

* Late submission due to insufficient secretariat resources.

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 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 or at the written request of the Bureau, 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), (c) and (d), 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 provisional 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 circulated 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 circulation 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, alternate 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 of Parties and the names of alternate representatives and advisers 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. 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. However, during any meeting, the Parties may elect the officers for their next meeting.
2. The Meeting of the Parties may elect additional officers, as it deems necessary for the performance of its functions.
3. 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. They shall be eligible for re-election. 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.

4. 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 or asks to be temporarily replaced, a Vice-Chairperson shall act as Chairperson.
2. At any time the Chairperson may ask one of the Vice-Chairpersons 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 2.
2. The Chairperson of the Meeting of the Parties to the Convention shall be invited to participate in the Bureau of the Meeting of the Parties to the Protocol without the right to vote.
- [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 in its meetings without the right to vote.]
4. The Bureau shall be chaired by the Chairperson or the acting Chairperson of the Meeting of the Parties.
5. The Bureau with the assistance of the secretariat shall:
 - (a) Make arrangements to further develop the programme of work, adapt it to changing circumstances and avoid, to the extent possible, duplication of efforts, with water and health related activities of other United Nations bodies and other international organizations;
 - (b) Take initiatives to strengthen the application of the Protocol; maintain liaison with the bureau of the Meetings of the Parties to the Convention, the bureaux of governing bodies of other environmental conventions, the bureau of the UNECE Committee on Environmental Policy, [the European Environment and Health Committee, the Standing Committee of the Regional Committee for Europe], international organizations, financial institutions, environmental and health policy-making bodies and non-governmental organizations to improve the implementation of the Protocol; and take other appropriate measure to facilitate the implementation of the programme of work;
 - (c) Carry out other tasks entrusted to it by the Meeting of the Parties;

6. Subject to rule 21, paragraph 1, the bureau may decide on the convening of meetings of working groups and other bodies, which have been established or need to be established to implement the programme of work.

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 and decide on the dates and frequency of their meetings.
2. The Meeting of the Parties shall determine the matters to be considered by the working groups and other bodies, their term and their working languages. 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 under the present rule, save as otherwise specified in this rule.
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 4, 12 to 17, 20, 44 and 45 shall not apply to the proceedings of working groups and other bodies.
9. Attendance by members of the public and participation without the right to vote by, inter alia, Parties and observers, in meetings of bodies of limited membership shall be decided by the Meeting of the Parties or the body concerned.

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/or of the Regional Office for Europe of the World Health Organization.

CONDUCT OF BUSINESS

Rule 24

1. 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.
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 appropriate.
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, that is the absence of any formal objection. 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.