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MEDITERRANEAN ACTION PLAN

Third Meeting of the Mediterranean
Commission on Sustainable Development (MCSD)

Sophia Antipolis, France, 28-30 October 1997

RULES OF PROCEDURE
of the
**Mediterranean Commission on
Sustainable Development (MCSD)**

(Second Draft)

Introduction

1. The Extraordinary Meeting of the Contracting Parties (Montpellier, 1-4 July 1996), decided that the Rules of procedure of the Commission shall be the Rules of procedure of the meetings and conferences of the Contracting Parties to the Barcelona Convention, until the Rules of procedure of the Commission are proposed by the Commission and adopted by the meeting of the Contracting Parties.¹
2. At its first meeting held in Rabat on 16-18 December 1996, the Mediterranean Commission on Sustainable Development (MCS D) requested *"the Secretariat to draft rules of procedure, which would be reviewed by the first meeting of the Bureau of the Commission (February 1997) and submitted to the next meeting of the Commission with a view to their adoption by the next meeting of the Contracting Parties. The Rules of procedure should provide that the Commission adopt its decisions by consensus"*.²
3. During its First meeting (Athens, 20-21 February 1997), the Bureau of the Commission thoroughly reviewed the draft Rules of procedure of the Commission as proposed by the Secretariat, made various amendments and requested the Secretariat to revise the draft text on the basis of its discussion and comments, and submit it to the Second meeting of the Commission to be held in Spain, for its consideration before it is presented to the Contracting Parties meeting in Tunis for adoption.³
4. At its Second Meeting (Palma de Majorca, Spain, 6-8 May 1997), the Mediterranean Commission on Sustainable Development (MCS D) reviewed the revised draft text of the Rules of procedure and due to time limitations, it decided to defer taking any decision relevant to the draft text to its third meeting, to be held in France during October 1997.⁴
5. The present draft has incorporated all comments and concrete amendments as proposed during the meeting of the Bureau of the Commission.

¹ Document UNEP(OCA)/MED IG.8/7, Annex V

² Document: UNEP(OCA)/MED WG.120/4 (Report of the First meeting of the Commission)

³ Document: UNEP/MCSD/BUR/1/5 (Report of the First meeting of the Bureau of the Commission)

⁴ Document UNEP(OCA)/MED WG. 124/5 (Report of the Second Meeting of the MCS D)

**RULES OF PROCEDURE OF THE
MEDITERRANEAN COMMISSION FOR
SUSTAINABLE DEVELOPMENT (MCSD)**

(Draft)

PURPOSE

Rule 1

The Rules of procedure shall apply to the meetings of the Mediterranean Commission on Sustainable Development (MCSD) as provided in section B.4 of its Terms of Reference.⁵

DEFINITIONS

Rule 2

For the purpose of these rules:

1. The word "Commission" shall apply to the "Mediterranean Commission on Sustainable Development";
2. the term "Barcelona Convention" shall apply to the 1976 Convention for the Protection of the Mediterranean Sea against Pollution as amended in 1995;
3. the term "Coordinator" shall apply to the Coordinator or the Coordinating Unit of the Mediterranean Action Plan or his designated representative;
4. the term "Secretariat" shall apply to the United Nations Environment Programme as provided in article 17 of the Barcelona Convention as amended;
5. the term "Coordinating Unit" shall apply to the unit within the United Nations Environment Programme designated by the Executive Director as responsible for the administration of the Mediterranean Action Plan;
6. the term "meeting of the Commission" shall apply to any ordinary or extraordinary meeting of the Commission.

PLACE OF THE MEETINGS OF THE COMMISSION

Rule 3

The meetings of the Commission shall be held at the seat of the Coordinating Unit of MAP, unless convened in other Mediterranean venues in pursuance of a recommendation of the Commission approved by the meeting of the Contracting Parties.

⁵ Document: UNEP(OCA)/MED IG.8/7, Annex V

DATES OF THE MEETINGS OF THE COMMISSION

Rule 4

1. As provided in Section E(7) of the Terms of Reference of the Commission, the Commission shall hold ordinary meetings at least once every year, up to the year 2000, then shall meet at least once every two years.
2. The Coordinator shall convene the meetings of the Commission.
3. The Commission shall, at its ordinary meeting, fix the opening date and the duration of the next ordinary meeting.
4. The Commission may, at any time it deems necessary, fix a date for an extraordinary meeting. Any extraordinary meeting shall be convened not less than fifteen days or more than ninety days of the receipt by the Coordinator of a request for such a meeting from the Secretariat or of any member of the Commission, provided that such requests are supported by at least half of the members of the Commission.

INVITATIONS

Rule 5

1. The Coordinator shall, with the tacit consent of two thirds of the members of the Commission invite to send representatives to participate in the Commission's meetings as an observer, any state which is a member of the United Nations or of the Specialized Agencies which so requests and has direct concern with environmental and sustainable development issues in the Mediterranean.
2. Such observers may, as provided in Article 20(2) of the Barcelona Convention as amended, participate in the Commission's meetings and may present any information or report relevant to the work of the Commission and of direct concern of the States they represent.

Rule 6

1. The Coordinator shall invite to send representatives to participate in the Commission's meetings as observers, the United Nations and its competent subsidiary bodies, and the Specialized Agencies if they participate in the activities of the Mediterranean Action Plan, or have direct concern with environment and sustainable development issues in the Mediterranean.
2. Such observers may, as provided in Article 20(2) of the Barcelona Convention as amended, participate in the Commission's meetings and may present any information or report relevant to the work of the Commission and in matters related to the activities of the organisation or body that they represent.

Rule 7

1. The Coordinator shall, with the tacit consent of two thirds of the members of the Commission, invite to send representatives to participate in the Commission's meetings as an observer, any other inter-governmental organizations, including financial institutions, the activities of which are related to the functions of the Commission.
2. Such observers may, as provided in Article 20(2) of the Barcelona Convention as amended, participate in the Commission's meetings and may present any information or report relevant to the work of the Commission and in matters of direct concern to the organizations they represent.

PUBLICITY

Rule 8

Plenary sittings of the meetings of the Commission shall be held in public, unless the Commission decides otherwise. Sittings of subsidiary bodies of the meetings of the Commission shall be held in private, unless the meeting of the Commission decides otherwise.

AGENDA

Rule 9

In agreement with the Bureau of the Commission, the Coordinator shall prepare the provisional agenda for an ordinary meeting of the Commission and shall communicate it to the members of the Commission at least six weeks before the opening of the meeting together with supporting documents.

Rule 10

The provisional agenda of each ordinary meeting shall include:

1. all items mentioned in section B.3 of the Terms of Reference of the Commission;
2. all items the inclusion of which has been requested at a previous meeting of the Commission;
3. any item proposed by a member of the Commission;
4. the report of the Coordinator containing information on relevant sustainable development activities, the progress achieved and emerging issues to be addressed;
5. reports of the Task Managers and the Thematic Working Groups;
6. all items pertaining to the provisional budget, the account and financial arrangements relevant to the Commission.

Rule 11

The Coordinator shall, in agreement with the Bureau of the Commission, include any question suitable for the agenda which may arise between the dispatch of the provisional agenda and the opening of the meeting in a supplementary provisional agenda which the meeting of the Commission shall examine together with the provisional agenda.

Rule 12

The provisional agenda for an extraordinary meeting of the Commission shall consist only of those items proposed for consideration in the request for the holding of the extraordinary meeting. It shall be transmitted by the Coordinator to the members of the Commission at the same time as the invitation to the extraordinary meeting.

Rule 13

At the opening of an ordinary meeting of the Commission, the members of the Commission, when adopting the agenda for the meeting, may add, delete, defer or amend items. Only items which are considered by the meeting to be urgent and important may be added to the agenda.

Rule 14

At the beginning of each ordinary meeting, subject to the provision of Rule 13, the Commission shall adopt its agenda for the meeting on the basis of the provisional agenda and the supplementary provisional agenda referred to in Rule 11.

Rule 15

The Commission shall normally consider for the meeting only agenda items for which adequate documentation has been circulated to members six weeks before the beginning of the meeting of the Commission.

Rule 16

Any item of the agenda of an ordinary meeting, consideration of which has not been completed at the meeting, shall be included automatically in the agenda of the next ordinary meeting, unless otherwise decided by the Commission.

REPRESENTATION**Rule 17**

All members of the Commission shall participate in the Commission on an equal footing.

Each member of the Commission shall be represented by an accredited representative, who may be accompanied by such advisers as may be required.

Rule 18

The names of representatives and advisers shall be officially submitted by the members of the Commission to the Coordinator, before the opening sitting of a meeting which the representatives are to attend.

Rule 19

At the first sitting of each ordinary meeting of the Commission, the President of the previous ordinary meeting, or in his absence a Vice-President designated by him, shall preside until the meeting has elected a President for the meeting.

Rule 20

If the President is temporarily absent from a sitting or any part thereof, he shall appoint one of the Vice-Presidents to assume his duties.

BUREAU OF THE COMMISSION

Rule 21

At the commencement of the first sitting of each ordinary meeting, the Commission shall elect a President, six Vice-Presidents and a Rapporteur from among the representatives of its members on the basis of an equitable geographical distribution and among the various groups.

Rule 22

The President, six Vice-Presidents and the Rapporteur elected at an ordinary meeting shall remain in office at least for one year and until their successors are elected. They shall serve in that capacity at any intervening extraordinary meetings. Exceptionally, these officers may be re-elected for one further consecutive term.

Rule 23

1. The President, or in his absence one of the Vice-Presidents designated by him shall serve as Chairman of the Bureau.
2. If a member of the Bureau resigns or otherwise becomes unable to continue to perform his functions, a representative of the same member of the Commission shall replace him for the remainder of his mandate.

ORGANIZATION OF THE MEETING OF THE COMMISSION

Rule 24

1. During the course of a meeting, the Commission shall establish thematic working groups and other working groups as it deems necessary, and to refer to them the themes identified by the Commission as of great importance for the sustainable development of the Mediterranean region or any questions on the agenda for study

and report. Such working groups shall be authorized to sit while the Commission is not in session, ensuring thus, together with the Bureau, the continuity of the Commission between its sessions.

2. Unless otherwise decided, the Commission shall select task managers for each thematic working group and a chairman for other working groups. The Commission may authorize the Bureau to review the preliminary report of the task managers before its submission to the Commission.
3. The Commission shall define the powers and composition of the working groups and Task Managers.

Rule 25

The Coordinator shall act as Secretary of any meeting of the Commission. He may delegate his functions to a member of the Secretariat.

Rule 26

The Coordinator shall be responsible for keeping the members of the Commission informed of any questions which may be brought before it for consideration.

Rule 27

The Coordinator, or his representative, may make oral as well as written statements to the Commission and its working groups concerning any question under consideration.

Rule 28

The Coordinator shall provide and direct the staff required by the Commission and shall be responsible for all the necessary arrangements for meetings of the Commission.

Rule 29

The Secretariat shall arrange for interpretation of speeches, receive, translate and circulate the documents of the meetings of the Commission and its working groups; publish and circulate the decisions, reports and relevant documentation of the meeting of the Commission. It shall have custody of the documents in the archives of the meeting of the Commission and generally perform all other work that the Commission may require.

LANGUAGES OF THE COMMISSION

Rule 30

English and French are the working languages of the meetings of the Bureau of the Commission. English and French are also the working languages of the Commission unless the financial conditions relevant to the organisation of the meeting allow for the use of the four official languages of MAP.

CONDUCT OF BUSINESS

Rule 31

The Rules of procedure for Meetings and Conferences of the Contracting Parties concerning Conduct of Business (Rules 30-41) shall apply mutatis mutandis to the Conduct of Business in the meetings of the Commission.

DECISIONS OF THE COMMISSION

Rule 32

Decisions of the Commission shall be adopted by consensus.

RECORDS OF THE MEETINGS OF THE COMMISSION

Rule 33

Sound records of the meetings of the Commission shall be kept by the Secretariat in accordance with the practice of the United Nations.

AMENDMENTS OF PROCEDURE

Rule 34

These Rules of procedure may be amended by a decision of the Commission upon a request from any members or the Secretariat. The Secretariat shall submit to the Commission a report on the proposed amendments.