



# United Nations Environment Programme



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## MEDITERRANEAN ACTION PLAN

Seventh meeting of the Compliance Committee

Athens (Greece), 26-28 June 2013

### **DRAFT**

**Amendments to the internal regulations of the Compliance Committee**



## I. Background

1. By Decision IG. 19/1, the 16th Meeting of the Contracting Parties adopted the Rules of Procedure of the Compliance Committee. The adoption of the Rules of Procedure supplements the institutional system put in place by Decision IG. 17/2 adopted by the meeting of the Contracting Parties on the procedures and mechanisms for the fulfilment of obligations in the context of the Barcelona Convention and its protocols.

2. The purpose of the Rules of Procedure is to specify the methods of operation of the Compliance Committee of which the principles were set by the Decision IG. 17/2 above. It bears respectively on the definition of the agenda of the Committee, the status of members and deputy members of the Committee, the communication and examination of information, public access to documents and information, the conduct of the work of the Committee as well as the methods of voting and finally the general procedures for referral to the Committee.

3. In the course of its last three sessions, the Compliance Committee examined a series of proposals for formal and substantive amendments to its Rules of Procedure. An adapted version of the Rules of Procedure was submitted by the Secretariat to the sixth meeting of the Committee which adopted it. The final version of this draft is to be definitively validated by the Committee at its Seventh Meeting (26-28 June 2013) with a view to its communication by the Secretariat to the Bureau of the Convention for consideration and adoption at its meeting on 4-5 July 2013.

4. Pursuant to Article 32 of the Rules of Procedure of the Committee, all amendments to this Regulation must actually be submitted for examination and adoption by the Bureau, subject to approval by the meeting of the Contracting Parties. It will be required, accordingly, for the members of the Bureau to examine the whole of the amendments adopted by the Compliance Committee, adopt them in whole or in Part and make a recommendation on the action to be taken on these amendments for the attention of the eighteenth meeting of the Contracting Parties in December 2013

## II. Content of the proposals for amendments

5. Most of the amendments have a purely formal scope or are simply intended to clarify certain points, without affecting the substance of the Rule. Thus, the draft envisages specification of the status of *full representative* of the members in relation to the deputy members. Similarly, it is proposed to add systematically to the word Party the term "contracting".

6. Four substantive amendments have however been adopted by the Committee:

- Rule 4 concerning the place, dates and notifications of the meetings of the Committee provides in particular by 1 in its current version that the Committee shall normally meet once a year. The new version provides that the Committee shall normally meet **at least twice every two years, preferably at least once a year at the minimum**. This amendment thus gives more flexibility in the organisation of the scheduling of meetings over the whole of a two-year period. Thus, by way of example, the Compliance Committee will have been convened three times during the two-year period, 2012-2013; its meetings took place respectively in January and June 2013, and the third is also scheduled for the autumn of this year.

- Rule 4 provides in particular by 2 in its current version that at each meeting the Committee will decide on the place, the dates and duration of its next meeting. The new version of this by 2 stipulates that the powers of the Committee in this area shall be exercised ***in preliminary consultation with the Secretariat***. The proposed amendment merely formalises the standard practice which is to involve the Secretariat in the decisions of the Committee on the dates and the duration of its meetings.
- Rule 22 relating to the Secretariat provides in the current version by 2 that it performs, in addition, the other functions entrusted to it by the Committee or by the meeting of the Contracting Parties as regards the work of the Committee. The new version by 2 makes the performance of these functions by the Secretariat subject to ***the availability of technical and human resources***.
- Rule 26 relating to general procedures of referral to the Committee provides in particular by 2 in its current version that the referral to the Committee by a Contracting Party should also include a list of all the documents that are attached to it. The new version of this by 2 **only renders mandatory the addition of the list of documents which are attached to the referral**.