

Annex II

Rules of procedure of the Technology Executive Committee

I. Scope

1. These rules of procedure shall apply to the Technology Executive Committee (TEC) in accordance with decision 1/CP.16, paragraph 125, and appendix IV to that decision on the composition and mandate of the TEC, as well as with any other relevant decisions of the Conference of the Parties.

II. Definitions

2. For the purpose of these rules:

(a) The “Convention” means the United Nations Framework Convention on Climate Change (UNFCCC);

(b) The “COP” means the Conference of the Parties to the Convention;

(c) “CTCN” means the Climate Technology Centre and Network;

(d) “Chair” means the member of the TEC elected as chair of the TEC;

(e) “Vice-chair” means the member of the TEC elected as vice-chair of the TEC;

(f) “Observers” means observers to the meetings of the TEC;

(g) “Stakeholders” means the entities that have a role in the implementation of the functions of the TEC, or that may affect or be affected by the recommendations and actions of the TEC;

(h) “Secretariat” means the secretariat referred to in Article 8 of the Convention;

(i) “TEC” means the Technology Executive Committee.

III. Members

3. The COP, by decision 1/CP.16, decided that the TEC shall have the mandate and composition as contained in appendix IV to that decision.

4. The TEC shall comprise 20 expert members, elected by the COP, serving in their personal capacity and nominated by Parties with the aim of achieving a fair and balanced representation, as follows:

(a) Nine members from Parties included in Annex I to the Convention (Annex I Parties);

(b) Three members from each of the three regions of the Parties not included in Annex I to the Convention (non-Annex I Parties), namely Africa, Asia and the Pacific, and Latin America and the Caribbean; one member from a small island developing State; and one member from a least developed country Party;¹

¹ Decision 1/CP.16, appendix IV, paragraph 1.

5. Members shall serve for a term of two years and shall be eligible to serve a maximum of two consecutive terms of office. The following rules shall apply:
 - (a) Half of the members shall be elected initially for a term of three years and half of the members shall be elected for a term of two years;
 - (b) Thereafter, the COP shall elect every year a member for a term of two years;
 - (c) The members shall remain in office until their successors are elected;²
6. The term of office of a member shall start at the first meeting of the TEC in the calendar year following his or her election and shall end immediately before the first meeting of the TEC in the calendar year in which the term ends, as applicable two or three years thereafter.
7. If a member of the TEC resigns or is otherwise unable to complete the assigned term of office or to perform the functions of that office, the TEC may decide, bearing in mind the proximity of the next session of the COP, to appoint another member from the same constituency to replace said member for the remainder of that member's mandate, in which case the appointment shall count as one term.³
8. If a member is unable to participate in two consecutive meetings of the TEC and unable to perform the functions and tasks set out by the TEC, the chair will bring this matter to the attention of the TEC and will seek clarification from the regional group that nominated that member on the status of his or her membership.

IV. Chair and vice-chair

9. The TEC shall elect annually a chair and a vice-chair from among its members for a term of one year each, with one being a member from an Annex I Party and the other being a member from a non-Annex I Party. The positions of chair and vice-chair shall alternate annually between a member from an Annex I Party and a member from a non-Annex I Party.⁴
10. If the chair is temporarily unable to fulfil the obligations of the office, the vice-chair shall serve as chair. In the absence of the chair and vice-chair at a particular meeting, any other member designated by the TEC shall temporarily serve as the chair of that meeting.⁵
11. If the chair or vice-chair is unable to complete the term of office, the TEC shall elect a replacement to complete the term of office, taking into account paragraph 8 above.⁶
12. Consistent with decision 1/CP.16, the TEC will be chaired by a chair and a vice-chair.
13. The chair and the vice-chair shall collaborate in chairing meetings of the TEC and in executing the work of the TEC throughout the year so as to ensure coherence between meetings.
14. After completion of his or her term of office, the chair will be nominated as vice-chair, and vice versa.
15. After the two-year cycle is complete, the TEC will nominate two new members for the roles, unless otherwise decided.

² Decision 1/CP.16, appendix IV, paragraph 4.

³ Decision 1/CP.16, appendix IV, paragraph 8.

⁴ Decision 1/CP.16, appendix IV, paragraph 5.

⁵ Decision 1/CP.16, appendix IV, paragraph 6.

⁶ Decision 1/CP.16, appendix IV, paragraph 7.

16. If either the chair or the vice-chair resigns or is otherwise unable to complete his or her term of office, the TEC shall elect a replacement from the appropriate constituency to complete the remainder of the term.
17. The chair of the meeting shall, *inter alia*, declare the opening and closing of the meeting, ensure the observance of these rules of procedure, accord the right to speak and announce decisions. He or she shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order.
18. The chair of the meeting shall call upon speakers in the order in which they signify their desire to speak. The secretariat shall maintain a list of speakers. The chair may call a speaker to order if his or her remarks are not relevant to the subject under discussion.
19. During discussion of any matter, a member may at any time raise a point of order, which shall be decided on immediately by the chair of the meeting. A member may appeal against the ruling of the chair. The appeal shall stand unless overruled by a two-thirds majority of the members, representing a two-thirds majority of members from Annex I Parties and a two-thirds majority of members from non-Annex I Parties.
20. Proposals and amendments to proposals may be introduced and submitted to the secretariat in writing by members; such proposals and amendments shall be circulated for consideration by all members of the TEC. As a general rule, no proposal shall be discussed or put forward for a decision at any meeting unless copies have been circulated to the members not later than the day preceding the meeting. However, the chair of the meeting may, with the agreement of the TEC, permit the discussion and consideration of proposals and amendments even though they have not been circulated or have been circulated only the same day.
21. The chair and/or the vice-chair, or any member designated by the TEC, shall report on behalf of the TEC to the COP and/or other subsidiary bodies as mandated by the COP.
22. The chair and/or the vice-chair, or any member designated by the TEC, shall represent the TEC at external meetings and shall report back to the TEC on those meetings.
23. The TEC may further define additional roles and responsibilities for the chair and the vice-chair.
24. The chair and the vice-chair in the exercise of their functions remain under the authority of the TEC.

V. Secretariat

25. The secretariat shall support and facilitate the work of the TEC.⁷
26. The secretariat shall:
- (a) Make the necessary arrangements for the meetings of the TEC, including announcing meetings, issuing invitations and making available the relevant documents;
 - (b) Maintain meeting records and arrange for the storage and preservation of documents of the meetings;
 - (c) Make documents of the meetings of the TEC available to the public, unless a specific document is deemed confidential by the TEC;

⁷ Decision 1/CP.16, appendix IV, paragraph 12.

27. The secretariat shall track the implementation of decisions on actions taken by the TEC and report on the progress of these actions intersessionally and at each meeting of the TEC.

28. In addition, the secretariat shall perform any other functions assigned that the TEC may require or that the COP may direct with respect to the work of the TEC.

VI. Meetings

29. The TEC shall meet at least twice per year as of 2012, resources permitting. Additional meetings may be organized as necessary to enable it to discharge its responsibilities.

30. The meetings of the TEC shall take place in the country of the seat of the secretariat, unless otherwise decided by the TEC and subject to the necessary arrangements being made by the secretariat in consultation with the chair. Decisions on the location of meetings other than at the seat of the secretariat shall take into account the benefits of venue rotation, particularly venues in developing countries and those that facilitate the participation of key stakeholders of the TEC.

31. At least two thirds of the members of the TEC, representing a two-thirds majority of members from Annex I Parties and a two-thirds majority of members from non-Annex I Parties, must be present to constitute a quorum.

32. At the last Committee meeting of each calendar year, the chair and the vice-chair shall propose, for the approval of the TEC, a provisional schedule of meetings for the coming calendar year.

33. If the schedule, including dates and venue, of a meeting needs to be changed owing to unforeseen circumstances, the secretariat, with the agreement of the chair and the vice-chair, shall notify and seek agreement from the members on the new arrangement within two weeks of this notification, in accordance with paragraph 55 below. Once agreed, the secretariat shall post such information on the UNFCCC website at least eight weeks prior to the meeting in question. Where it is essential to facilitate the work of the TEC, the chair and the vice-chair may decide to shorten the notification period.

34. Members are requested to confirm their attendance at meetings of the TEC as early as possible and at least four weeks prior to a meeting for members eligible for funding for their participation to enable sufficient time for the secretariat to make the necessary travel arrangements.

VII. Agenda and documentation for meetings

35. The chair shall, in consultation with the vice-chair and assisted by the secretariat, prepare the provisional agenda for each meeting as well as a draft report on the meeting.

36. The provisional agenda for each meeting shall be transmitted to members of the TEC at least four weeks in advance of the meeting.

37. Members may propose additions or changes to the provisional agenda, in writing, to the secretariat within one week of receiving the provisional agenda, and these additions or changes shall be included in a revised provisional agenda by the secretariat in agreement with the chair and the vice-chair.

38. The secretariat shall indicate the administrative and financial implications of all substantive items on the proposed agenda.

39. The secretariat shall transmit the provisional annotated agenda and any supporting documentation to the members at least two weeks prior to the meeting. Documents may be transmitted after that date with the approval of the chair and the vice-chair.

40. Documents for a meeting, unless it has been decided by the chair and the vice-chair that the documentation should be restricted for internal use by its members, shall be published on the UNFCCC website at least three weeks prior to that meeting.

41. The TEC shall, at the beginning of each meeting, adopt the meeting agenda.

VIII. Decision-making

42. Decisions will be taken according to the rule of consensus.⁸

IX. Working language

43. The working language of the TEC shall be English.

X. Participation of expert advisers in meetings

44. The TEC, in performing its functions, should draw upon outside expertise, including the UNFCCC roster of experts and the CTCN, to provide advice, including as expert advisers at its meetings.⁹

45. The TEC should seek input from intergovernmental and international organizations and the private sector and may seek input from civil society in undertaking its work. It may invite advisers drawn from relevant intergovernmental and international organizations as well as the private sector and civil society to participate in its meetings as expert advisers on specific issues as they arise.¹⁰

46. The chair and the vice-chair may, in consultation with the TEC, invite representatives of intergovernmental and international organizations as well as the private sector and civil society to participate in a meeting of the TEC as expert advisers on specific issues under consideration at the meeting.

XI. Participation of observers

47. The meetings of the TEC shall be open to attendance by accredited observer organizations and observers from Parties, except where otherwise decided by the TEC.¹¹

48. The meetings of the TEC that are open shall be webcast through the UNFCCC website.

49. The TEC may decide on additional procedures for the participation of observer organizations other than those accredited to the UNFCCC.

50. The TEC may, in the interests of economy and efficiency, decide to limit the physical attendance of observers at its meetings, in accordance with the procedures for the participation of observer organizations referred to in paragraphs 47 and 49 above.

⁸ Decision 1/CP.16, appendix IV, paragraph 2.

⁹ Decision 1/CP.16, appendix IV, paragraph 9.

¹⁰ Decision 1/CP.16, appendix IV, paragraph 10.

¹¹ Decision 1/CP.16, appendix IV, paragraph 11.

51. The TEC may decide at any time that a meeting or part thereof should be closed to observers.

52. The secretariat shall notify observers of the date and venue of the meeting that they may attend. Observers shall notify the secretariat at least three weeks in advance of the meeting of their intention to attend.

53. Observers may, with the agreement of the TEC, be invited to address the TEC on matters under consideration by the TEC. The chair shall notify the TEC one week in advance of the meeting of the proposed interventions by observers, if any.

54. Any observer wishing to make an intervention under particular items on the agenda at a meeting shall inform the chair through the secretariat of its interest at least two weeks in advance.

XII. Use of electronic means of communication

55. The TEC shall use electronic means of communication to facilitate intersessional work and to take decisions in accordance with guidelines to be agreed by the TEC. The secretariat shall ensure that a secure and dedicated web interface is established and maintained to facilitate the work of the TEC.

XIII. Panels and working groups

56. The TEC may establish panels and working groups, if required, to provide, inter alia, expert advice to assist the TEC in its work.

57. In establishing a panel or working group, the TEC shall determine its terms of reference, which shall include a workplan, the deadline for submission of documents, the criteria for selection of panel or working group members and the necessary budgetary requirements.

XIV. Workplan

58. The TEC shall agree on the workplan. The secretariat shall prepare information on the financial requirements for the implementation of the workplan for consideration by the TEC. The workplan shall be kept under regular review by the TEC.

59. Newly funded activities not included in the original workplan shall be circulated by the secretariat at the request of the chair for approval by the TEC. Such approval may also be provided through electronic means, in accordance with paragraph 55 above. Committee members may provide their response and approval within two weeks of the circulation of the information by the secretariat.

60. Funding for activities included in the original workplan and for newly funded activities not included in the workplan may be accepted from Parties and the private sector, in accordance with United Nations and UNFCCC rules and regulations.¹²

¹² Financial Regulations and Rules of the United Nations, available at <http://www.un.org/Docs/journal/asp/ws.asp?m=ST/SGB/2003/7>.

XV. Amendments to the rules of procedure

61. These rules of procedure may be amended by the TEC by consensus and, to be effective, must be approved formally by the COP. Pending formal approval, the TEC may decide to apply the amendment provisionally.

XVI. Overriding authority of the Convention

62. In the event of any conflict between any provision of these rules and any provision of the Convention, the Convention shall take precedence.

*10th plenary meeting
9 December 2011*