

Draft rules of procedure of the Technology Executive Committee

Summary

- The note presents draft rules of procedure of the Technology Executive Committee (TEC). The TEC may wish to consider adopting the draft rules of procedure on an interim basis while conducting its work in 2011. The TEC may also wish to further develop the rules of procedure as part of its work on modalities and procedures to be considered by the Conference of the Parties (COP) at its seventeenth session;
- The rules of procedure may need to be revised in light of an agreed outcome at COP 17 regarding the arrangement to make the Technology Mechanism fully operational in 2012, if deemed appropriate.

I. Background and mandate

1. The Conference of the Parties (COP), by its decision 1/CP.16, decided to establish a Technology Mechanism, comprising a Technology Executive Committee (TEC) and a Climate Technology Centre and Network (CTCN).
2. By the same decision, the COP, further specified the composition and mandate of the TEC as contained in appendix IV to decision 1/CP.16 and decided that the TEC shall elaborate its modalities and procedures, taking into account the need to achieve coherence and maintain interactions with other relevant institutional arrangements under and outside of the Convention, for consideration by the COP at its seventeenth session.

II. Scope of the note

3. The note presents the draft rules of procedure for the TEC.
4. The draft rules of procedure presented below were developed based on appendix IV to decision 1/CP.16,¹ drawing upon the rules of procedure of other bodies under the Convention and its Kyoto Protocol, such as the Adaptation Fund Board, the Clean Development Mechanism Executive Board, the Joint Implementation Supervisory Committee, and the Compliance Committee.

III. Possible actions of the Technology Executive Committee

5. The TEC is invited to consider and approve these draft rules of procedure on an interim basis while conducting its work in 2011.
6. The TEC may also wish to further develop the draft rules of procedure as part of its work on modalities and procedures for consideration by the COP at its seventeenth session.
7. The rules of procedure may need to be revised in light of an agreed outcome at COP 17 regarding the arrangement to make the Technology Mechanism fully operational in 2012, if deemed appropriate.

¹ The draft rules quoted directly from the provisions contained in appendix IV to decision 1/CP.16 are identified in the text below.

Annex

Draft rules of procedure for the Technology Executive Committee

I. SCOPE

1. These rules of procedure shall apply to the Technology Executive Committee in accordance with decision 1/CP.16, paragraph 125 and appendix IV thereof on the composition and mandate of the Technology Executive Committee as well as on 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) The 'Committee' means the Technology Executive Committee;
- (d) 'CTCN' means the Climate Technology Centre and Network;
- (e) The 'Chair' means the member of the Committee elected as Chair of the Committee;
- (f) The 'Vice-Chair' means the member of the Committee elected as Vice-Chair of the Committee;
- (g) 'Stakeholders' mean the entities who have a role in the implementation of the functions of the Committee, or who may affect or be affected by the recommendations and actions of the Committee;
- (h) The 'secretariat' means the secretariat referred to in Article 7 of the Convention.

III. MEMBERS

Paragraph 1 of the composition and mandate of the Technology Executive Committee:

3. The Technology Executive Committee shall comprise 20 expert members, elected by the Conference of the Parties (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.

Paragraph 4 of the composition and mandate of the Technology Executive Committee:

4. 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.

5. The term of office of a member shall start at the first meeting of the Committee in the calendar year following his or her election and shall end immediately before the first meeting of the Committee in the calendar year in which the term ends, as applicable two or three years thereafter.

Paragraph 8 of the composition and mandate of the Technology Executive Committee:

6. If a member of the Technology Executive Committee resigns or is otherwise unable to complete the assigned term of office or to perform the functions of that office, the Technology Executive Committee 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.

7. If a member is unable to participate in two consecutive meetings of the Committee and unable to perform the functions and tasks set out by the Committee, the Chair of the Committee will bring this matter to the attention of the Committee 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

Paragraph 5, 6 and 7 of the composition and mandate of the Technology Executive Committee:

8. The Technology Executive Committee 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.

9. 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 Technology Executive Committee shall temporarily serve as the Chair of that meeting.

10. If the Chair or Vice-Chair is unable to complete the term of office, the Technology Executive Committee shall elect a replacement to complete the term of office, taking into account paragraph 6 above.

11. The Chair shall, inter alia, declare the opening and closing of the meeting, ensure the observance of these rules, accord the right to speak and announce decisions. The Chair shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order.

12. The Chair and/or the Vice-Chair, or any member designated by the Committee, shall report to the COP on behalf of the Committee.

13. The Chair and/or the Vice-Chair, or any member designated by the Committee, shall represent the Committee at external meetings and shall report back to the Committee on those meetings.

14. The Committee may further define additional roles and responsibilities for the Chair and Vice-Chair.

15. The Chair and the Vice-Chair in the exercise of their functions remain under the authority of the Committee.

V. SECRETARIAT

Paragraph 12 of the composition and mandate of the Technology Executive Committee:

16. The secretariat shall support and facilitate the work of the Technology Executive Committee.

17. The secretariat shall:

(a) Make the necessary arrangements for the meetings of the Committee, including announcing meetings, issuing invitations and making available the documents for the meeting;

(b) Maintain meeting records and arrange for the storage and preservation of documents of the meeting;

(c) Make available documents of the meetings of the Committee available to the public, unless a specific document is deemed confidential by the Committee;

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

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

VI. MEETINGS

20. The Committee shall meet at least [x] times per year or as frequently as necessary to enable it to discharge its responsibilities.

21. The meetings of the Committee shall take place in the country of the seat of the UNFCCC secretariat, unless otherwise decided by the Committee 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 UNFCCC secretariat shall take into account the benefits of venue rotation, particularly in developing countries and facilitating the participation of key stakeholders of the Committee.

22. At least two-thirds of the members of the Committee, representing a two-third majority of members from Parties included in Annex I to the Convention and a two-third majority of members from Parties not included in Annex I to the Convention, must be present to constitute a quorum.

23. At the first Committee meeting of each calendar year, the Chair shall propose, for the approval of the Committee, a provisional schedule of meetings for that calendar year.

24. If changes to the schedule or additional meetings are required, the secretariat shall notify members of the dates and venues of those meetings by circulating a notification and posting such information on the UNFCCC website at least eight weeks prior to that meeting. Where it is essential to facilitate the work of the Committee, the Chair and Vice-Chair may decide to shorten the notification period.

25. Members are requested to confirm their attendance at meetings of the Committee as early as possible and at least four weeks prior to that meeting.

VII. AGENDA AND DOCUMENTATION FOR MEETINGS

26. The Chair of the Committee 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 of the meeting.

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

28. 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.

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

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

31. Documents for a meeting of the Committee, unless it has been decided by the Chair and Vice-Chair that the documentation should be restricted to protect confidential information, shall be published on the UNFCCC website at least one week prior to that meeting.

32. The Committee shall, at the beginning of each meeting, adopt the meeting agenda.

33. Any item included in the agenda for a meeting of the Committee, consideration of which has not been completed at that meeting, shall automatically be included in the provisional agenda for the next meeting, unless otherwise decided by the Committee.

VIII. DECISION-MAKING

Paragraph 2 of the composition and mandate of the Technology Executive Committee:

34. Decisions will be taken according to the rule of consensus.

IX. WORKING LANGUAGE

35. The working language of the Committee shall be English.

X. PARTICIPATION OF EXPERT ADVISORS AT MEETINGS

Paragraph 9 and 10 of the composition and mandate of the Technology Executive Committee:

36. The Technology Executive Committee, in performing its functions, should draw upon outside expertise, including the UNFCCC roster of experts and the Climate Technology Centre and Network, to provide advice, including as expert advisers at its meetings.

37. The Technology Executive Committee 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.

38. The Chair may, in consultation with the Committee, invite representatives of intergovernmental and international organizations as well as the private sector and civil society to participate in the meeting of the Committee as expert advisers on specific matters under consideration by the Committee.

XI. PARTICIPATION OF OBSERVERS

Paragraph 11 of the composition and mandate of the Technology Executive Committee:

39. The meetings of the Technology Executive Committee shall be open to attendance by accredited observer organizations, except where otherwise decided by the Technology Executive Committee.

40. The meeting of the Committee when open shall be webcasted through the UNFCCC website.

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

42. The Committee may, in the interests of economy and efficiency, decide to limit the physical attendance of observers at its meetings.

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

44. The secretariat shall notify observers of the date and venue of the meeting that they may attend. The observer shall notify the secretariat at least two weeks in advance of a meeting of their intention to attend.

45. Observers may, upon invitation from the Chair and if members raise no objection, make presentations relating to matters under consideration by the Committee.

XII. USE OF ELECTRONIC MEANS

46. The Committee will use electronic means of communication to facilitate intersessional work and to take decisions. The secretariat will ensure that a secure and dedicated Web interface is established and maintained to facilitate the work of the Committee.

XIII. PANNELS AND WORKING GROUPS

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

XIV. AMENDMENTS TO THE RULES OF PROCEDURE

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

XV. OVERRIDING AUTHORITY OF THE CONVENTION

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