



Economic and Social Council

Distr.: General
16 July 2021

Original: English

Economic Commission for Europe

Meeting of the Parties to the Convention on
the Protection and Use of Transboundary
Watercourses and International Lakes

Ninth session

Geneva, 29 September–1 October 2021

Item 1 of the provisional agenda

Opening of the session and adoption of the agenda

**Procedural matters of relevance for decision-making at the
ninth session of the Meeting of the Parties due to the
extraordinary circumstances related to the coronavirus
disease pandemic**

Note prepared by the Bureau in cooperation with the secretariat



Summary

Due to infection control measures and travel restrictions related to the coronavirus disease (COVID-19) pandemic and the risks and uncertainties involved, on 26 March 2021, the Bureau of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) decided to organize the ninth session of the Meeting of the Parties – initially scheduled to take place in Tallinn, from 29 September to 1 October 2021 – in a hybrid format (i.e. with in-person and online participation) at the United Nations Office at Geneva on the same dates.

At their third joint meeting (Geneva, 26–28 April 2021), the Working Group on Integrated Water Resources Management and the Working Group on Monitoring and Assessment welcomed the organization of the ninth session of the Meeting of the Parties from 29 September to 1 October 2021 in a hybrid format in Geneva. They entrusted the Bureau, in cooperation with the secretariat, with the task of developing rules for decision-making at the hybrid session (ECE/MP.WAT/WG.1/2021/2-ECE/MP.WAT/WG.2/2021/2, forthcoming).

During its thirty-second meeting (29 and 30 April 2021), the Bureau discussed the approaches to developing such rules. Based on the outcomes of that discussion, the secretariat prepared a draft that was subsequently discussed and revised by the Bureau. The Bureau finalized and endorsed the document on 22 June 2021.

The present document aims to clarify how the proceedings will be undertaken at the ninth session of the Meeting of the Parties with a view to facilitating remote participation and decision-making due to the extraordinary circumstances related to the COVID-19 pandemic, in accordance with the rules of procedure of the Meetings of the Parties (ECE/MP.WAT/54/Add.2).

The Meeting of the Parties is invited to take note of the present document and apply it during its ninth session.

I. Introduction

1. Since March 2020, coronavirus disease (COVID-19)-related infection control measures and travel restrictions have prevented or limited physical participation of delegations at intergovernmental meetings.
2. In these extraordinary circumstances, Parties to all multilateral environmental agreements under the auspices of the United Nations Economic Commission for Europe (ECE) have proceeded with their scheduled key formal meetings, including the meetings of their highest governing bodies, with decisions being made either in a “virtual” mode, with Parties participating remotely and online, or in a “hybrid” mode, which allows for in-person or remote (through virtual means) participation.¹
3. Since March 2020, representatives of the Parties to the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention) have held their formal meetings and adopted decisions in line with their mandates in a “hybrid” mode.² Although the above-mentioned meetings were organized in a reduced format, with a maximum of 2–4 hours a day of interpretation covered through the United Nations regular budget, they have demonstrated the ability of the Parties to the Water Convention to adopt decisions in meetings organized in a “hybrid” mode under these extraordinary circumstances.
4. At their third joint meeting (Geneva, 26–28 April 2021), the Working Group on Integrated Water Resources Management and the Working Group on Monitoring and Assessment welcomed the organization of the ninth session of the Meeting of the Parties from 29 September to 1 October 2021 in a hybrid format in Geneva. They entrusted the Bureau, in cooperation with the secretariat, to develop rules for decision-making at the ninth

¹ For example, the eighth session of the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context and the fourth session of the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context serving as the Meeting of the Parties to the Protocol on Strategic Environmental Assessment took place from 8 to 11 December 2020, hosted by Lithuania in a remote mode. The eleventh meeting of the Conference of the Parties to the Convention on the Transboundary Effects of Industrial Accidents was organized as a hybrid meeting in Geneva from 7 to 9 December 2020. In both cases, the highest governing bodies of the respective treaties were able to take all planned decisions despite the format of the meeting.

² The intergovernmental meetings include:

- (a) The fifteenth meeting of the Working Group on Integrated Water Resources Management (Geneva, 30 September–2 October 2020), which was held in a “hybrid” mode. At the meeting, the Parties reviewed the implementation of the programme of work for 2019–2021 and provided comments on several draft decisions and publications being prepared for the ninth session of the Meeting of the Parties;
- (b) The third joint meeting of the Working Group on Integrated Water Resources Management and the Working Group on Monitoring and Assessment (Geneva, 26–28 April 2021), which was held in a “hybrid” mode. At the meeting, the Parties reviewed the implementation of the programme of work for 2019–2021, provided comments on the draft programme of work for 2022–2024 and publications being prepared for the ninth session of the Meeting of the Parties, and finalized several draft decisions for submission to the ninth session of the Meeting of the Parties;
- (c) The sixth meeting of the Task Force on the Water-Food-Energy-Ecosystems Nexus (Geneva, 22 and 23 October 2020), which was held in a “hybrid” mode. At the meeting, the Parties discussed an ongoing stocktaking exercise on nexus solutions and investments and future work under the programme of work for 2021–2024 related to water allocation and activities on the water-food-energy-ecosystems nexus;
- (d) The eleventh and twelfth meetings of the Task Force on Water and Climate (Geneva, 2 October 2020 and 31 March 2021), which were held in a “hybrid” mode. At those meetings, Parties reviewed the implementation of the activities on water and climate under the programme of work for 2019–2021 and discussed activities under the programme of work for 2022–2024 related to climate change adaptation.

In addition, the Implementation Committee under the Water Convention held its eleventh (31 August–2 September 2020) and twelfth (4 and 5 February 2021) meetings in a “hybrid” mode.

session of the Meeting of the Parties in a hybrid mode (ECE/MP.WAT/WG.1/2021/2-ECE/MP.WAT/WG.2/2021/2, forthcoming).

5. The Bureau discussed possible approaches to developing such rules at its thirty-second meeting (29 and 30 April 2021). It decided to prepare a document to clarify how the rules of procedure of the Meeting of the Parties (ECE/MP.WAT/54/Add.2) would apply to decision-making at the ninth session of the Meeting of the Parties. Taking into account the Convention's distinctive spirit of cooperation, the Bureau decided that the document should be as simple as possible.

6. Since the rules of procedure of the Meetings of the Parties continue to apply at the ninth session of the Meeting of the Parties, their contents are not extensively replicated in the present document. However, as the rules of procedure have been developed with in-person meetings in mind and do not elaborate on remote participation, the present document provides guidance on the application of some of their provisions to remote participation and decision-making at the ninth session of the Meeting of the Parties, owing to the extraordinary circumstances that limit in-person participation.

7. The present document takes into consideration international good practices and procedures by other multilateral environmental agreements for making decisions remotely due to the extraordinary circumstances related to the pandemic, as well as the experience accumulated under the Water Convention.

II. Procedural matters of relevance for decision-making

A. Terminology

8. For the purposes of the present document:

(a) "In-person participation" means being physically present in a room in the Palais des Nations, Geneva, designated for the ninth session of the Meeting of the Parties;

(b) "Remote participation" means participation and decision-making at the ninth session of the Meeting of the Parties through an Internet connection to a virtual meeting platform, whereby representatives can remotely hear other participants and address the meeting.

B. Official languages

9. The ninth session of the Meeting of the Parties must be conducted in the three official languages of the Meeting of the Parties (English, French and Russian), in accordance with rule 44 of the rules of procedure. Official documents of the ninth session of the Meeting of the Parties shall be drawn up in one of the official languages and translated into the other official languages, in accordance with rule 46.

10. According to rule 44, pending availability of resources, interpretation and translation of documents shall be provided in Arabic, Chinese and Spanish, as appropriate.

11. Taking into account the extrabudgetary resources available, it is envisaged to provide translations of several official documents into Spanish and interpretation into Arabic and Spanish at the ninth session of the Meeting of the Parties.

C. Registration and credentials for remote participants

12. All representatives of Parties and States and organizations identified in rule 5 (2) of the rules of procedure must register for the ninth session of the Meeting of the Parties online as early as possible, but no later than 10 September 2021, through a link provided by the secretariat and indicate therein their intention to participate either remotely or in-person. To register via the online registration system currently in use (Indico), all participants must have created and activated an online account providing detailed contact information. Participation

in the meeting is subject to review of the registration form and its approval by the secretariat. Subject to restrictions on the number of in-person participants in a room in the Palais des Nations, Geneva, at the time of the ninth session of the Meeting of the Parties and/or limitations of the virtual meeting platform, the secretariat may restrict the number of in-person participants per delegation and ask some participants to follow the meeting on UN Web TV without speaking rights.

13. The email address of the participant provided in the online registration form will be that used by the secretariat for communications and dissemination of materials related to the meeting in advance of and during the meeting. Prior to the meeting, the secretariat will generate the list of participants based on the registrations, which it will verify and adjust, as required, during the meeting.

14. According to rules 14–16 of the rules of procedure, for sessions of the Meetings of the Parties, representatives of Parties must submit credentials to the secretariat. The credentials should be signed by the Head of State, Head of Government or Minister for Foreign Affairs. In accordance with the established practice, to facilitate the verification of and subsequent reporting by the Bureau on the credentials to the meeting, scanned copies of the credentials should be emailed to the secretariat, with a copy to the Permanent Mission, in advance of the ninth session of the Meeting of the Parties by 10 September 2021. The credentials should list all official representatives of Parties whether they intend to participate in-person or online/remotely. The originals of credentials for the ninth session of the Meeting of the Parties should be submitted to the secretariat either in-person or by post before the start of the meeting³ or, in extraordinary circumstances that prevent such submissions from being made, as soon as possible thereafter.

15. The provisional agenda of and/or invitations to the ninth session of the Meeting of the Parties may further specify procedures concerning registration and credentials.

16. For the attention of those registered participants who intend to participate remotely, the secretariat will provide information on remote participation in advance of the ninth session, including logistical and practical information on the means of connecting to the virtual meeting platform and remotely hearing other participants and addressing the meeting.

17. All registered participants intending to participate remotely should as much as possible test their audio and video connections in advance of the meeting, and follow the technical guidance and recommendations provided to ensure that they are able to participate remotely (in particular, by ensuring a strong and stable Internet connection, via Ethernet (LAN) cable, and by using a personal computer or a laptop and a USB headset with microphone).

18. Participants from Parties and States identified in rule 5 (2) of the rules of procedure anticipating technical problems with remote participation are encouraged to contact their Ministry of Foreign Affairs or other governmental institutions to arrange for the use of facilities with a strong and stable Internet connection.

19. Parties and States identified in rule 5 (2) of the rules of procedure are encouraged to include representatives of their Permanent Mission to the United Nations Office and other international organizations in Geneva in their delegations, so that in-person participation by such representatives can serve as a back-up in case of any technical problems faced by remote participants. For Parties, representatives of their Permanent Mission to the United Nations Office and other international organizations in Geneva should be included in the credentials in such a case.

D. Determining a quorum with remote participation

20. In accordance with rule 25 of the rules of procedure, the Chair may declare the Meeting of the Parties open and permit debate to proceed when representatives of the

³ If credentials are submitted by post, delegations are requested to send them sufficiently in advance of the meeting to enable their receipt by the secretariat by the beginning of the meeting.

majority of the Parties are present. This means at least 23 Parties of the 44 States parties to the Convention at the time of the ninth session.⁴

21. For the purposes of the ninth session of the Meeting of the Parties, the “presence” of representatives of Parties will be established through both in-person and remote participation. For Parties represented remotely, the Chair will establish a Party’s presence by confirming that the Party representative is connected to the virtual meeting platform and appears on the screen where remote participants are shown.

22. In order to facilitate the establishment of presence, participants logging into the virtual meeting platform shall indicate first the country or organization that they represent and then their first name and last name (COUNTRY/ORGANIZATION – NAME). Participants are strongly encouraged to log in at least 30 minutes before the start of each session.

23. A check will be carried out to ensure that a quorum has been secured at the opening of the ninth session of the Meeting of the Parties – specifically before the report on credentials is delivered by the Bureau – and when adopting decisions and organizing elections and, if required, voting. For the purpose of verifying that a quorum has been secured, the Bureau, with the help of the secretariat, will count the number of Parties present. A Party’s presence through remote participation will be established as described in paragraph 21 above.

24. Where a quorum has not been secured or there is a connection failure on the side of the virtual meeting platform provider or the secretariat, the meeting may, depending on the decision of the Chair, be suspended until an Internet connection to the platform of the meeting is re-established.

E. Interventions

25. During the ninth session of the Meeting of the Parties, participants shall be provided with the opportunity to take the floor. Any participant using the virtual meeting platform system wishing to take the floor should signal their wish to speak, as indicated in the informal documentation outlining the use of the virtual meeting platform system.

26. In accordance with rule 26 (2) of the rules of procedure, the Meeting of the Parties may limit the time allowed to each speaker.

27. In view of the limited duration of sessions and the time zone constraints, it is proposed that individual statements be limited to three minutes during the high-level segment and two minutes during the rest of the meeting. Delegations are requested to inform the secretariat in advance of their intention to make a statement or statements and to specify under which agenda item(s).

F. Facilitating decision-making

28. In accordance with rule 34 (1) of the rules of procedure: “the Meeting of the Parties shall make every effort to reach its decisions by consensus”.

29. Taking into account that all documents, including most draft decisions submitted for adoption by the ninth session of the Meeting of the Parties, were prepared in advance of the session through a consultative process and submitted for review in connection with the fifteenth meeting of the Working Group on Integrated Water Resources Management (Geneva, 30 September–2 October 2020) and/or the third joint meeting of the Working Group on Integrated Water Resources Management and the Working Group on Monitoring and Assessment (Geneva, 26–28 April 2021), with some documents also open for comments after

⁴ On 14 June 2021, Guinea-Bissau deposited its instrument of accession to the Convention. The Convention shall enter into force for Guinea-Bissau on 12 September 2021. Therefore, at the time of the ninth session of the Meeting of the Parties, 44 States and the European Union will be Parties to the Water Convention. According to article 18 (2) of the Convention, the European Union and its member States cannot exercise their right to vote under the Convention concurrently.

the third joint meeting of the Working Groups, it is expected that a consensus will be reached among Parties on the respective documents, including draft decisions, during the ninth session of the Meeting of the Parties and that those documents will be approved without changes. With regard to any pending comments, Parties are requested to communicate any proposed revisions by email to the secretariat as soon as possible and no later than three weeks before the ninth session of the Meeting of the Parties (i.e. by 8 September 2021), so that the necessary clarifications may be provided and informal discussions organized with a view to reaching a consensus.

G. Voting

30. In line with rule 34 (1) of the rules of procedure, if all efforts to reach a consensus at the Meeting of the Parties have been exhausted, and no agreement has been reached, the Chair may put the matter to vote. Except for elections, according to rule 40 of the rules of procedure, voting should be by a show of hands, or, if requested by any Party, by roll call or a secret ballot. According to rule 43 of the rules of procedure, in the absence of a consensus, elections are decided by means of a secret ballot.

31. In all previous sessions, the Meeting of the Parties to the Water Convention was able to reach all decisions by consensus. It is expected that this practice will continue at the ninth session. If required to arrive to a consensus, the Chair, in consultation with the secretariat, shall invite Parties to participate in-person and/or remotely in informal side meetings held on the margins of the ninth session of the Meeting of the Parties with the intention of reaching a consensus.

32. If, despite all efforts to reach a consensus, voting becomes absolutely necessary, it shall be carried out by roll call, with a view to ensuring reliable outcomes and avoiding challenges, including in the counting process. The roll call shall be conducted as follows:

(a) In accordance with rule 40 of the rules of procedure, the Chair will call on participants in the English alphabetical order of the names of the Parties participating in the meeting, beginning with the Party whose name is drawn by lots by the Chair;

(b) The exercise of the right to vote by the European Union and those of its member States that are Parties to the Convention shall be in accordance with article 18 (2) of the Convention;

(c) The heads of delegations of Parties will indicate “yes”, “no” or “abstention” either in-person or, if participating remotely, verbally by speaking through their audio device connected to the virtual meeting platform;

(d) In case of audio connection failure, the head of delegation concerned may indicate the Party’s vote through the chat function of the virtual meeting platform;

(e) Should any head of delegation of a Party fail to cast a vote during the roll call for any reason, including possible remote connection failure, that head of delegation will be called upon during a second, final roll call after the conclusion of the initial roll call;

(f) The head of delegation may authorize a member of the delegation to vote on behalf of that delegation by communicating this to the secretariat;

(g) The secretariat will assist the Chair in administering the vote and in counting its results;

(h) The Chair will announce the results of the vote during the meeting;

(i) If, for any reason, any Party fails to cast a vote during both the initial and the final roll calls, that Party will be considered as being absent from the voting process.