



Agenda item 5

Author(s) / Submitter(s) Vice chair

Draft Convention text – discussion paper

As LAP Vice-chair I committed to look at detailing the blueprint in the draft convention text, i.e. list of functions of General Assembly, Council and Secretary-General. I have tried to approach the task in an ordered manner, and ended up with the attached document.

As you will see I have tried to look at the blueprint left in the draft Convention text, and at the current IALA Constitution, draft General Regulations for current IALA and the two most similar IGO – conventions (IHO and WMO). By putting all these into the same document it might be easier to pick up the best from the available sources. I have used yellow color to mark text that is covered by the proposed finalized draft convention text (second column). Non-yellow text is either not necessary to cover, due to the level of detail or because it is covered elsewhere, or I have put a question mark on it, in which case it should be discussed.

I have tried to use the following guiding principles:

- Adapt current IALA practice to fit into an IGO context, where possible
- Empower Council as far as possible, keeping in mind the need for states to have sufficient control with the operation of the through General Assembly
- Leave details to General Regulations, where possible

The LAP is invited to use the attached as a support during its discussions under this Agenda item.

Supporting discussion paper to LAP 15-5.2.2, on draft text for

Article	Draft Convention text	Proposed finalized draft convention text (output LAP 15)	Current IALA Constitution and draft General Regulations	Reference	Reference
5.7	<p>The General Assembly shall:</p> <p>Note: text to be developed specifying the functions of the General Assembly in line with the following higher order functions:</p> <ul style="list-style-type: none"> • Develop IALA Strategy • Provide high level governance for the organization, including approval of General Regulations, work program and financial plan for period to next GA • Approve standards and the text of conventions • Recommend the adoption of standards and conventions • Elect Council • Consider empowering Council with certain functions that would otherwise belong to the General Assembly on conditions established by the General Assembly for use between General Assemblies 	<p>The General Assembly shall:</p> <p>(a) Decide the overall policy and the strategic vision of the Organization</p> <p>(b) Determine the General Regulations of the Organization and the rules of procedure of the Assembly, Council, Committees and other subsidiary bodies of the Organization.</p> <p>(c) Review the finances of the Organization</p> <p>(d) Consider the reports and proposals put to it by any national member, the Council or the Secretary-General</p> <p>(e) Adopt standards</p> <p>(f) Make recommendations to members on matters within the scope of the Organization</p> <p>(g) Decide on any other matters within the scope of the Organization; and</p> <p>(h) Delegate, where appropriate and necessary, responsibilities to the Council.</p>	<p>7.1 Functions of the General Assembly</p> <p>The General Assembly, among other things:</p> <ul style="list-style-type: none"> • Decides the overall policy of IALA. • Elects the members of the Council (see Article 8). Councillors are elected for the period between two General Assemblies. Councillors may be reelected. (covered by draft convention art 6.3.a)) • Decides upon changes to the Constitution. <p>Draft General Regulations 3.3:</p> <p>The provisional agenda for an ordinary session of General Assembly should be prepared by the Secretariat for approval by Council and shall normally include:</p> <ol style="list-style-type: none"> i. Approval of the Agenda; ii. Report of the President/Secretary-General; iii. Finance Report; iv. Approval of amendments to the Constitution; v. Approval of Standards and the Strategic Vision; vi. Consideration of proposals received from members; vii. Any other business; viii. Election of Council. (covered by draft convention art 6.3) 	<p>IHO (amended) art V (e):</p> <p>The functions of the Assembly shall be to:</p> <ol style="list-style-type: none"> (i) Elect its Chair and Vice-Chair; (covered by draft convention art 4.2) (ii) Determine its own rules of procedure and those of the Council, the Finance Committee and any subsidiary organ of the Organization; (iii) In accordance with the General Regulations, elect the Secretary-General and the directors and determine the terms and conditions of their service; (covered by draft convention article 8/by council) (iv) Establish subsidiary organs; (covered by draft convention art 7) (v) Decide the overall policy, strategy and work programme of the Organization; (vi) Consider reports put to it by the Council; (vii) Consider the observations and recommendations put to it by any Member State, the Council or the Secretary-General; (viii) Decide on any proposals put to it by any Member State, the Council or the Secretary General; (ix) Review the expenditures, approve the accounts and determine the financial arrangements of the Organization; (in part covered by article 9.2.) (x) Approve the three-year budget of the Organization; (covered by article 9.2.) (xi) Decide on operational services; (xii) Decide on any other matters within the scope of the Organization; and (xiii) Delegate, where appropriate and necessary, responsibilities to the Council. 	<p>WMO Article 8:</p> <ol style="list-style-type: none"> (a) To determine general policies for the fulfilment of the purposes of the Organization as set forth in Article 2; (b) To make recommendations to Members on matters within the purposes of the Organization; (c) To refer to any body of the Organization any matter within the provisions of the Convention upon which such a body is empowered to act; (d) To determine regulations prescribing the procedures of the various bodies of the Organization, in particular the General, Technical, Financial and Staff Regulations; (e) To consider the reports and activities of the Executive Council and to take appropriate action in regard thereto; (f) ... (g) To establish technical commissions in accordance with the provisions of Article 19; (covered by draft convention art 7) to define their terms of reference, coordinate their activities, and consider their recommendations; (other than standards: by council) (h) To establish any additional bodies it may deem necessary; (covered by draft convention art 7) (i) To determine the location of the Secretariat of the Organization; (Covered by draft convention art 1.2)

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6.6	<p>6. The Council shall:</p> <p>Note: text to be developed specifying the functions of the Council. May address the following noting that level of specificity is a matter for discussion:</p> <ul style="list-style-type: none"> • Ensure that overall technical and administrative activity of IALA is undertaken in accordance with the directions of General Assembly through development of policy and general regulations and reporting on same • Approve IALA technical guidance documents and recommend standards and convention text to General Assembly • Approve the annual budget and expenditure within General Assembly parameters • Appoint and guide the Secretary-General and create [panels] to provide Council with advice 	<p>Article 6.6. The Council shall:</p> <p>(a) Exercise such responsibilities as may be delegated to it by the Assembly ;</p> <p>(b) Coordinate the activities of the Organization within the framework of the overall policy, the strategic vision and the budget estimates, as decided by the General Assembly;</p> <p>(c) Convene the General Assembly;</p> <p>(d) Report to the Assembly at each ordinary session on the work of the Organization;</p> <p>(e) Appoint a Secretary General in accordance with the General Regulations.</p> <p>(f) Review proposals submitted to it by national member or subsidiary organs;</p> <p>(g) Refer to the General Assembly all matters requiring decision by the General Assembly;</p> <p>(h) Approve recommendations, guidelines, manuals and other appropriate papers;</p> <p>(i) Approve submissions to other organizations;</p> <p>(j) Determine the terms of reference for committees and other subsidiary bodies;</p> <p>(k) Decide the venue and the year of the next IALA Conferences and symposiums;</p> <p>(l) Approve the annual budget and accounts; and</p> <p>(m) Determine the rate of subscriptions (to be harmonized with article 3.5 and 9.1.).</p>	<p>8.2.2: The Council will shall appoint a Secretary General to act as legal representative and Chief Executive of IALA. The Secretary General's powers and responsibilities and his terms and conditions of employment will be decided by the Council. The Secretary General will be assisted in his tasks by a Permanent Secretariat. (covered by article 8)</p> <p>8.2.3: The Council, among other things:</p> <ul style="list-style-type: none"> • implements the overall policy of IALA as defined by its aims or by the General Assembly; • decides membership matters; (covered by article 3 and General Regulations) • establishes committees relevant and/or facilitates other such bodies as may be appropriate and their term of reference. (covered by article 7) • determines rules of procedure for committees and other such bodies as may be appropriate and their terms of reference; • approves recommendations, guidelines, manuals and other appropriate papers; • approves submissions to other organisations; • decides the venue and the year of the next IALA Conferences and symposiums; • establishes rules for participation in IALA Conferences and Symposiums; (to be covered by General Regulations) • convenes General Assemblies; • approves the annual budget and accounts; • determines the rate of subscriptions; • decides upon the location of the Headquarters and registered office of IALA; (Covered by Article 1.2.) • may authorise the purchase, sale, renting or letting of property and the granting and obtaining of loans whether or not secured by mortgage, required for the running of the association; (Covered by article 10) • may grant any power of attorney as required. (Covered by article 10) 	<p>IHO (amended) VI (g):</p> <p>(i) Elect its Chair and Vice-Chair, each of whom shall hold office until the end of the next ordinary session of the Assembly;</p> <p>(ii) Exercise such responsibilities as may be delegated to it by the Assembly ;</p> <p>(iii) Coordinate, during the inter-Assembly period, the activities of the Organization within the framework of the strategy, work programme and financial arrangements, as decided by the Assembly;</p> <p>(iv) Report to the Assembly at each ordinary session on the work of the Organization;</p> <p>(v) Prepare, with the support of the Secretary-General, proposals concerning the overall strategy and the work programme to be adopted by the Assembly;</p> <p>(vi) Consider the financial statements and budget estimates prepared by the Secretary-General and submit them for approval to the Assembly with comments and recommendations regarding programmatic allocations of the budget estimates;</p> <p>(vii) Review proposals submitted to it by subsidiary organs and refer them:</p> <p>a. To the Assembly for all matters requiring decisions by the Assembly;</p> <p>b. Back to the subsidiary organ if considered necessary; or</p> <p>c. To the Member States for adoption, through correspondence;</p> <p>(viii) Propose to the Assembly the establishment of subsidiary organs; and (covered by article 7)</p> <p>(ix) Review draft agreements between the Organization and other organizations, and submit them to the Assembly for approval.</p>	<p>WMO article 14: primary functions of the Executive Council shall be:</p> <p>(a) To implement the decisions taken by the Members of the Organization either in Congress or by means of correspondence and to conduct the activities of the Organization in accordance with the intention of such decisions;</p> <p>(b) To examine the programme and budget estimates for the following financial period prepared by the Secretary-General and to present its observations and its recommendations thereon to Congress;</p> <p>(c) To consider and, where necessary, take action on behalf of the Organization on resolutions and recommendations of regional associations and technical commissions in accordance with the procedures laid down in the Regulations;</p> <p>(d) To provide technical information, counsel and assistance in the fields of activity of the Organization;</p> <p>(e) To study and make recommendations on any matter affecting international meteorology and related activities of the Organization;</p> <p>(f) To prepare the agenda for Congress and to give guidance to the regional associations and technical commissions in the preparation of their work programme;</p> <p>(g) To report on its activities to each session of Congress;</p> <p>(h) To administer the finances of the Organization in accordance with the provisions of Part XI of the Convention.</p> <p>The Executive Council may also perform such other functions as may be conferred on it by Congress or by Members collectively.</p>

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8.4	<p>Note: text to be developed specifying the functions of the Secretariat. May address the following noting that level of specificity is a matter for discussion:</p> <ul style="list-style-type: none"> • Carry out day to day management of IALA, including invoicing members (covered by article 8.3) • Prepare the annual budget and financial statements for submission to Council • Prepare forward estimates • Provide assistance to the organs of IALA • Arrange events that support IALA's aims • Inform all members of the activities of IALA and other appropriate bodies 	<p>Article 8.4bis: The Secretariat, under the leadership of Secretary-General, and in accordance with this Convention and the General Regulations, shall:</p> <p>(a) Maintain all such records as may be necessary for the efficient discharge of the work of the Organization and shall prepare, collect, and circulate any documentation that may be required;</p> <p>(b) Prepare the annual budget and accounts for submission to Council;</p> <p>(c) Keep members informed with respect to the activities of the Organization;</p> <p>(d) Organize and support meetings of the General Assembly, the Council and Committees and other subsidiary bodies;</p> <p>(e) Organize Conferences and Symposiums;</p> <p>(f) Perform such other tasks as may be assigned by the Convention, the General Regulations, the General Assembly or the Council.</p>	<p>8.2.2: The Secretary General's powers and responsibilities and his terms and conditions of employment will be decided by the Council. (Covered by article 6.6.)</p> <p>Draft General Regulations 7.3: The Secretariat, under the direction of the Secretary-General, and in accordance with the Secretariat Procedures, shall:</p> <p>(a) Handle all day-to-day administration of IALA, including the flow of information between the Secretariat and IALA members;</p> <p>(b) Organise and support Council meetings and General Assemblies;</p> <p>(c) Prepare Rules of Procedure and Terms of Reference for Committees and other bodies for approval by Council; (covered by general clause in 8.4bis a) and d))</p> <p>(d) Organise and support Committee and other body meetings by (as required):</p> <ol style="list-style-type: none"> i. hosting the meetings; ii. providing secretarial and technical support; iii. preparing and submitting related documents to Council; iv. circulating meeting documents; <p>(e) Establish Rules of Procedure for participation in Conferences and Symposiums for approval by Council; (covered by general clause in 8.4bis a) and d))</p> <p>(f) Organise Conferences and Symposiums, and other events;</p> <p>(g) Manage IALA finances under the direction of the Council and in accordance with the Financial Regulations; (sufficiently covered by 8.3 and 8.4bis b)?)</p> <p>(h) Produce the Annual Report; (Sufficiently covered by general clause in 8.4bis a) and d)?)</p> <p>(i) Receive, print, file and/or circulate/publish documents;</p> <p>(j) Establish, maintain and have custody of documents in the IALA archive; and</p> <p>(k) Generally perform all other work that may be required to support IALA's endeavours.</p>	<p>IHO (amended) VIII:</p> <ul style="list-style-type: none"> • The Secretary-General shall maintain all such records as may be necessary for the efficient discharge of the work of the Organization and shall prepare, collect, and circulate any documentation that may be required. • The Secretary-General shall be the chief administrative officer of the Organization. (Covered by article 8.3?) • The Secretary-General shall: <ul style="list-style-type: none"> ◦ Prepare and submit to the Finance Committee and the Council the financial statements for each year and budget estimates on a three-year basis, with the estimates for each year shown separately; and ◦ Keep Member States informed with respect to the activities of the Organization. • The Secretary-General shall perform such other tasks as may be assigned by the Convention, the Assembly or the Council. 	<p>WMO art 22: (a) The Secretary-General is responsible to the President of the Organization for the technical and administrative work of the Secretariat; (Covered by article 8.3?)</p>