

## Comments on the Rules of Procedure by the United Kingdom of Great Britain and Northern Ireland

1. The United Kingdom welcomes the opportunity to submit views on the potential amendments to the rules of procedure initially identified by the ad hoc group of experts and would like to thank the efforts and work of this group. We would also like to thank the ad hoc group of legal experts for their comprehensive report.
2. We would like to refer the group and Parties to the comments the United Kingdom submitted prior to the 61<sup>st</sup> Working Group on Strategies and Review (WGSR), which provides further views on this topic.
3. In response to paragraph 39(b) of the draft EB43 Report, please find some considerations below. These regard the proposals in the Annex to the report on the review of the rules of procedure (ECE/EB.AIR/2023/8) with tracked changes.

- a. **Purpose (rule 1):** the United Kingdom thinks this addition may duplicate what is outlined in rule 21. We would therefore suggest retaining the original text.
- b. **Place and date of meetings (rule 3):** the United Kingdom agrees with the proposed amendment for paragraph 1. Additionally, we believe hybrid meetings offer the opportunity to hear views from a breadth of scientists and improve the effectiveness of meetings and should therefore always be considered for meetings, especially for subsidiary bodies. The United Kingdom would therefore suggest amending paragraph 2 to the following:

*‘2. Before each session, the Bureau shall, in consultation with the secretariat, decide whether the session is to take the form of a hybrid meeting.’*

Furthermore, the United Kingdom does not think that paragraphs 3 and 4 of rule 3 are necessary and would suggest their removal. We would instead propose a new addition to clarify the voting rules around hybrid meetings as follows:

*‘3. In cases where a session takes the form of a hybrid meeting, delegates attending via remote participation may participate in the meeting, subject to rule 14 if applicable, but may not vote.’*

- c. **Election of Officers (rule 17a):** the United Kingdom welcomes the additional Vice Chair position as a useful way to include a wider breadth of Parties to the Bureau, which will help the Convention to increase transparency and effectiveness. We also see value in having an odd number of Vice Chairs/Chair so that issues can be resolved without having any deadlock. In addition, we note that the ad hoc group of legal expert’s report highlighted that the Chair is expected to act in the best interest of the Convention and not of a certain gender or geographical region. We therefore propose amending rule 17 to read:

*‘The Executive Body shall have a Chair and ~~three~~ four Vice-chairs elected by the representatives of the Parties present at a session. In electing the Chair and the Vice-chairs due*

account *should shall* be taken of geographical balance and gender parity, as much as possible.’

Additionally, the United Kingdom does not see value in amending the term lengths of officers, as this has the potential to deter Parties putting forward quality candidate due to the commitment burden. We suggest keeping a reference to ‘two’ years in paragraph 2.

- d. **Voting rules for electing officers in case of no consensus (rule 17b)**; the United Kingdom agrees with the idea to have more substantive rules on how to elect officers and how to enact a secret ballot if required. We suggest restructuring the provision as proposed in the report by the ad hoc group of legal experts.
- e. **The Bureau (Rule 20)**: the United Kingdom welcomes the proposed amendments and thinks this will help support transparency and the functioning of the Convention. For clarity, the United Kingdom suggests some further amendments to paragraph 4 as follows:
  - ‘4. The dates of the Bureau meetings, the annotated agenda shall be posted on the website of the Convention *as soon as practicable before the meeting*. The notes of Bureau meetings shall be posted on the website of the Convention as soon as practicable *after the meeting*.’
- f. **Subsidiary bodies (rule 21)**: the United Kingdom does not support the proposed deletion of the reference to rule 29 in paragraph 6. Decision-making is reserved for the Executive Body; we therefore do not think this rule should be applied for the proceedings of subsidiary bodies. We would support retaining the original text as follows:
  - ‘6. Rules 11 to 15, 29 and 30 shall not apply to the proceedings of subsidiary bodies.’
- g. **Voting rules for decision making (rule 30)**; for the purpose of these rules of procedures, the United Kingdom thinks further clarification should be provided to outline that in the first instance, voting should be conducted by a show of hands. However, where a roll call vote takes place, as is practice now, votes should be recorded to show numbers in favour, against, and abstaining. We therefore agree with the addition of paragraph 1, however would suggest amending paragraph 2 to the following:
  - ‘2. *Where a vote takes place by a show of hands*, the overall result of the vote shall be recorded in the report of the meeting. *Where a vote takes place by roll call*, the vote of each Party participating in the vote shall be recorded in the report of the meeting.’
- h. **Decision making (rule 30bis)**: the United Kingdom welcomes the following addition:
  - ‘Any amendment to decision 1997/2, and any other decision of the Executive Body pertaining to the Implementation Committee or its procedures, shall be made by consensus of the Parties to the Convention meeting within the Executive Body.’

4. The United Kingdom would like to thank the ad hoc group for their work on revising the rules of procedure. We hope this will be helpful in preparation for upcoming discussions at the Working Group on Strategies and Review, ahead of concluding this agenda item at the forty-fourth session of the Executive Body.