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THE SECOND MEETING OF THE PARTIES TO  
THE VIENNA CONVENTION FOR THE  
PROTECTION OF THE OZONE LAYER

Nairobi, 17-18 June 1991

DRAFT

REPORT OF THE EXECUTIVE DIRECTOR  
ON THE PROPOSED AMENDMENT TO THE  
RULES OF PROCEDURE OF THE VIENNA CONVENTION

I. INTRODUCTION

1. At the first meeting of the Bureau of the Meeting of the Parties to the Vienna Convention, held at Geneva, on 18-19 March 1991, the Bureau proposed an amendment to rules 23 and 24 of the rules of procedure for the Meetings of the Parties to the Vienna Convention and recommended that the Parties consider the proposal for adoption.

II. THE BACKGROUND

2. Under the rules of procedure, more particularly, of rule 23, paragraph 2 if the President resigns his office, a new President must be elected from the representatives of the Parties:

Rule 23

"2. If the President resigns or is otherwise unable to complete his term of office or to perform his functions, a new President shall be elected from the representatives of the Parties."

3. In order to comply with rule 23, paragraph 2, arrangements would have to be made for the election of a new President from the representatives of the Parties. The rules of procedure do not stipulate how the election should be held in this particular situation.

4. To convene an extraordinary meeting for the sole purpose of electing a new President would entail considerable expenditure and time and also disrupt the schedule of meetings under the Vienna Convention and the Montreal Protocol.

5. When a similar situation arose in connection with the President of the Second Meeting of the Parties to the Montreal Protocol, the First Meeting of the Bureau of the Second Meeting of the Parties to the Montreal Protocol decided to recommend to the Third Meeting of the Parties that the rules of procedure should be amended. The First Meeting of the Bureau of the Meeting of the Parties to the Vienna Convention made a similar recommendation to the Second Meeting of the Parties to the Vienna Convention, for the purpose of securing efficient functioning of the meetings with due regard for equitable geographical distribution.

### III. THE PROPOSED AMENDMENT

6. Rules 23 and 24 of the rules of procedure, which refer to the resignation of officers, currently read as follows:

#### Rule 23

"1. If the President is temporarily absent from a session or any part thereof, he shall designate a Vice-President to act as President.

"2. If the President resigns or is otherwise unable to complete his term of office or to perform his functions, a new president shall be elected from the representatives of the Parties."

#### Rule 24

" If an officer other than the President resigns or is otherwise unable to complete his term of office or to perform his functions, a representative of the same Party shall be named by the Party concerned to replace him for the remainder of his mandate."

7. The Bureau proposed that the replacement of the President should be carried out in the same way as in the case of the replacement of the other officers and that the rules of procedure should be amended as follows:

(a) Rule 23 - delete paragraph 2

(b) Rule 24 - delete the words "other than the President" and replace with the words "of the Bureau".

8. Thus, if the amendment recommended by the Bureau is adopted, Rules 23 and 24 will read as follows:

#### Rule 23

" If the President is temporarily absent from a session or any part thereof, he shall designate a Vice-President to act as President."

#### Rule 24

" If an officer of the Bureau resigns or is otherwise unable to complete his term of office or to perform his functions, a representative of the same Party shall be named by the Party concerned to replace him for the remainder of his mandate."