

**INTER-AMERICAN INSTITUTE FOR
GLOBAL CHANGE RESEARCH**



EC-XIX & CoP-XI
June 29 – July 2, 2004
Buenos Aires, Argentina

11_ECXIX/DID/English/29 June 2004

**Inter-American Institute for Global Change Research (IAI)
Standing Committee on Rules and Procedures**

25 May 2004

Sr. Antonio MacDowell, Chair
IAI Executive Council
Director de Administracion e Planeamiento
Agencia Espacial Brasileira
SPO – Area 5 – Quadra 3 – Bloco B – Terreo
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Dear Antonio,

The Executive Council (EC) at its 18th Meeting decided to assign to the EC Bureau a series of Functions as described in the Document “Functions of the EC Bureau” (reference 7_ECXVIII/DWD/English/November 14, 2003) (refer to Attachment I). The EC then asked the Standing Committee on Rules and Procedures (the Rules Committee) to “analyze the Document to see if it is necessary to make any changes to the Rules (the Standing Rules of the Executive Council)”. If so, then any such changes would “have to be approved at the next CoP (in June, 2004).”

The Rules Committee has analyzed the Document, especially in comparison with relevant provisions of the Agreement Establishing the IAI; the Standing Rules of the CoP; and the Standing Rules of the EC (a summary of these relevant provisions is at Attachment II).

The Rules Committee, based on this analysis, presents the following conclusions regarding the Functions that the EC assigned to the Bureau in the reference.

Overall Conclusion:

No changes to the EC’s Rules of Procedure are needed to implement the assignment of the specified Functions to the EC Bureau.

Conclusions Regarding the First and Third Sections of the Document that Deal with “Central Axes” of the Bureau and “For Its Implementation”:

The “Central Axes” presented in the first section of the Document simply set forth the ways in which the Bureau should organize and categorize its work. The final section of the Document that deals with “For its implementation” addresses essentially the same point. Thus, neither the “Central Axes” nor the “For its Implementation” sections need to be addressed in the EC’s Rules of Procedures.

Conclusions Regarding the Second Section of the Document that Deals with “Functions of the Bureau”:

The Document, in its second (central) section, specifically assigns “Functions (to) the Bureau”. Four such Functions are assigned and will be addressed in order. The first Function #1 is – “to elevate to the EC its (the Bureau’s) considerations” – on a series of matters. The first two matters (#1.1 and 1.2) involve primarily scientific and financial policy.

The meaning of the third matter (#1.3) is not completely clear. Two options for clarifying this option might be as follows.

The first option could be:

“1.3. The functioning, structure, management, capacity for action and prestige of the Institute”

If this wording reflects the intent of the text, then this matter does not need to be addressed in the EC Rules.

The second option could be to incorporate this matter in Function #2 as follows:

“2. To annually approve the IAI Director’s Performance Plan and to annually carry out an evaluation of the Director, taking into account the Director’s contributions to the Institute’s functioning, structure, management, capacity for action, and prestige.”

This brings us to Function #2 which assigns to the Bureau responsibility for approving the Directors’ Performance Plan and for annually evaluating the Director.

The Executive Council, as the executive organ of the Institute, is charged with ensuring that Director fulfills his assigned responsibilities for the day-to-day operations of the Institute and implementation of policies adopted by the CoP. The Director is already charged by the reference documents with reporting to the CoP in many, if not all, of these areas “through the Executive Council” (e.g., as called for in the Agreement, Article VIII.5.a.).

The Rules Committee considers, therefore, that the EC’s assignment of Function #2 to the EC Bureau is fully consistent with the existing authority and responsibilities of the EC and need not be addressed in the EC’s Rules of Procedure.

The final two Functions – #3 and #4 – deal with the day-to-day internal operations of the Executive Council and need not be addressed by changes to the EC Rules of Procedures. However, two small wording changes are suggested to clarify the objectives of these Functions as follows (with suggested deletions in brackets () and suggested additions underlined):

3. “To (analyze) review and (to) approve the report of the Executive Council Chair to meetings of (this body) the Executive Council.”

4. “To evaluate and to inform the Executive Council on the functioning and work carried out by (the) Executive Council working groups and committees.”

In closing, let me reiterate that the Standing Committee on Rules and Procedures concludes that no changes to the EC’s Rules of Procedure are needed to implement the assignment of the specified functions to the EC Bureau and that we recommend no such changes.

Respectfully submitted,
Louis B. Brown
Chair
Standing Committee on Rules and Procedures

Attachment I:

**INTER-AMERICAN INSTITUTE FOR
GLOBAL CHANGE RESEARCH**

EC-XVIII
December 4-5, 2003
San José, Costa Rica

Document 7_ECXVIII/DWD/English/Nov 14, 2003
(as amended by EC-XIX)

Background

1. With reference to the Bureau functions the EC stated, at its previous meeting (Action 7 of the first day):

"The EC received with appreciation the paper regarding the "Functions of the EC Bureau" that had been prepared by the 2nd EC Vice Chair, Bárbara Garea from Cuba. Stressing the importance of this paper and recognizing that the absence of the 2nd Vice Chair would make thoughtful consideration of the paper at this meeting very difficult, the EC deferred the consideration of this paper to its next meeting. The EC also asked the Standing Committee on Rules and Procedures and the 2nd Vice Chair to further refine the paper to facilitate the EC's consideration of the paper at its next meeting, and to ensure that all responsibilities discussed can be included".

2. The reviewed text with the proposed EC Bureau functions is attached for consideration of the Council.

EC Bureau Functions

To establish the central axes for the work and functions of the Executive Council Bureau, the points established by Article VI of the Agreement were used as a point of departure.

Central axes:

I. Scientific and technological policy, executed principally through its research and capacity building programs, among others. **Principal axis to achieve the mission of the IAI.**

II. Financial policy, budgetary aspects, movement of funds, fund raising capacity, among others. **Guarantees the existence of the IAI.**

III. Institutional development. Execution, structure, management, capacity for action, prestige reached in the region and internationally of the Director. Visibility of the IAI.

Functions of the Bureau:

1. To elevate to the Executive Council its considerations regarding:

- 1.1. Scientific and technological policy, executed principally through its scientific and capacity building programs.
 - 1.2. Financial policy, budgetary aspects, movement of funds, fund-raising capacity, among others.
 - 1.3. The functioning, structure, management, capacity for action, and prestige of the Institute.
2. To annually approve the IAI Director's Performance Plan and to annually carry out the evaluation of the Director.
 3. To review and approve the report of the Executive Council Chair made to meetings of the Executive Council.
 4. To evaluate and to inform the Executive Council on the functioning and the work carried out by the Executive Council Working Groups and Committees.
 5. To follow the operations of the Directorate, including staff appointments, salaries, and performance evaluations, in order to make pertinent recommendations to the Director.

For its implementation:

To distribute the oversight of the three central axes according to the composition of the Bureau, to the interests and individual capacities of its members.

Attachment II:

Provisions of the IAI Agreement and the Standing Rules of the CoP; and EC
That Are Relevant to
the Functions of the EC Bureau

From the Agreement Establishing the IAI:

Article VI

1. The Executive Council shall be the executive organ of the Institute.

...

4. The Executive Council shall:

a) Develop recommendations on the policies for the Institute, for submission to and approval by the Conference of the Parties; ...

b) Ensure that the Director implements the policies adopted by the Conference of the Parties;

...

d) Make recommendations to the Conference of the Parties regarding the financial policies of the Institute proposed by the Director;

e) ... review the annual external audit of the financial records submitted annually by the Director to the Conference of the Parties;

...

Article VIII

The Directorate ...

5. The Director shall:

a) Prepare and submit to the Conference of the Parties, through the Executive Council, the proposed long-range plan, the proposed financial policies and the annual program and budget of the Institute;

...

c) Be responsible for the day-to-day operations of the program of the Institute and the implementation of the policies approved by the Conference of the Parties in accordance with the direction provided by the Executive Council, and to cooperate with the Executive Council in those regards;

...

h) Submit annually audited financial records to the CoP

i) Perform any other functions entrusted to it by the CoP or the EC.

...

From the Standing Rules of the CoP:

Rule 15

The provisional agenda of a regular meeting shall include:

...

b) ... The Director's Report, which shall include:

Reports on the activities and financial situation of the Institute; and

The Director's proposals, reported to the Conference of the Parties through the Executive Council.

From the Standing Rules of the EC:

...

Rule 17

The provisional agenda of each regular meeting shall include:

...

- a) Matters which the Executive Council must settle and about which the Conference of the Parties should be informed; ...
- e) Reports on activities and the financial position of the Institute, submitted by the Director;
- (f) The proposals of the Director;

...

Rule 23

The Bureau of the Executive Council shall be composed of a Chair and two Vice-Chairs, who will be elected for a period of two years, and of the Director of the Institute as Secretary of the Council, and of the past Chair ex officio as a non-voting member for a period of two years following the completion of his/her final full term as Chair.

Rule 24

The election of the Chair and the Vice-Chairs shall be carried out separately for each position.

Each Party shall vote for only one candidate for each position to be filled.

Rule 25

The election of the Chair and the Vice-Chairs is of an individual person. The Party which substitutes its elected representative for the position of Chair or Vice-Chair shall lose the position. In such a case, a new election will be held to complete that position's term of office in the next meeting in which the Executive Council acknowledges the substitution.

...