



International Hydrological Programme

39th session of the IHP Bureau
(UNESCO-IHE, Delft, 3 – 5 May 2006)

FOLLOW UP TO RESOLUTION XVI-7 ON IHP GOVERNANCE

Item 5 of the Provisional Agenda

This document follows up on the recommendations made by the Bureau at its 38th session (June 2005) regarding resolution XVI-7 on IHP governance adopted at the 16th session of the IHP Intergovernmental Council (September 2004), in particular with regards to the strengthening of IHP National Committees and the establishment of Regional Intergovernmental Councils.

Decision required: see paragraphs 10 and 16

BACKGROUND

1. Over the past ten years a consensus among the representatives of UNESCO Member States participating in IHP has emerged that a change in IHP's governance structure is necessary, to allow for a more democratic, bottom-up approach and take advantage of all elements of IHP's system. This change in governance also has the support from the Director-General of UNESCO, most recently in his opening speech at the 16th session of the IHP Council (September 2004), when he called on the IHP Intergovernmental Council to come up with a "set of substantial proposals for submission to the Executive Board, analyzing the political context and coming up with a governance mechanism geared to the evolving needs of Member States¹".

2. In April 2004, the 36th session of the IHP Bureau invited the Chair of the IHP Intergovernmental Council to prepare a "chairperson's paper" in order to move the process forward. In this paper (document IHP/IC-XVI/11), the chairperson proposed a three-pronged approach to improving IHP's governance, on the national, regional and international levels in particular through the empowerment of the IHP National Committees and the regional meetings. The chairperson proposed that on the national level, the functioning of the 166 IHP national committees should be improved through a review process initiated by Member States with the help of the IHP Secretariat. On the regional level, he proposed the creation of Regional Intergovernmental Councils (RICs), which had been advocated for by the majority of members of the Council for many years. The RICs would be subsidiary bodies to the IHP Intergovernmental Council, in which all countries from the region could be members. He proposed that each RIC elect the members of the IHP Intergovernmental Council from its region. On the international level, the chairperson recommended that all elements of the IHP system be interconnected in a more effective way.

3. The IHP Intergovernmental Council reviewed the chairperson's paper at its 16th session in September 2004 and, in IHP Resolution XVI-7 requested Member States to review the functioning of their IHP National Committees and report back to the Council at its 17th session. The Council decided to consider at its 17th session the establishment of RICs after receipt from the Bureau of the appropriate documents and instructed the Bureau prepare a detailed study and proposal for the establishment of RICs. Finally, the Council stressed the importance of linking all parts of the IHP system (IHP governing bodies, IHP National Committees, regional and international centres, other partners).

4. The IHP Bureau, at its 38th session (June 2005) re-emphasized the importance of strengthening IHP National Committees. The Bureau reviewed the proposal made in the chairman's paper to establish RICs and IHP Resolution XVI-7's provisions on RICs and, in furtherance of the Council's instruction to prepare a detailed study and proposal for the establishment of RICs, asked the IHP Secretariat to investigate the financial and legal consequences of establishing RICs in consultation with the IHP Finance Committee and UNESCO's Legal Affairs Office.

¹ The DG in the same speech (DG/2004/127) went on to tell Members of the Council: "You have already adopted the principle of all-inclusiveness in planning, implementing and evaluating the Programme. A bold step now needs to be taken with respect to the corresponding structure of governance. It has become clear over the past few years that ad hoc rules that may work in one part of the world do not work in the other parts and do not contribute to closing the gap between developed and developing nations. As water is essentially a regional issue of global importance, we need to find the best way of reinforcing the regional aspects of the Programme while maintaining global coordination."

5. This document follows up on IHP resolution XVI-7 as well as the recommendations of the Bureau on IHP governance at its 38th session. The first part of the document addresses the strengthening of IHP National Committees and the second part addresses the financial and legal consequences of establishing RICs. The global aspects of IHP governance are addressed in documents IHP/Bur/XXXIX/6 and IHP/Bur/XXXIX/8 on the role of UNESCO-IHE and the strategy for water-related centers.

STRENGTHENING IHP NATIONAL COMMITTEES

6. In resolution XVI-7, the IHP Intergovernmental Council recommended to Member States that they review the mandate and functioning of IHP National Committees in order to empower them to:

- i) serve as governmental advisory bodies
- ii) coordinate contacts with IHP National Committees in other countries and with the IHP Council and its Bureau as well as UNESCO Field Offices,
- iii) be multi-disciplinary in nature,
- iv) commit policy-makers,
- v) be closely linked to UNESCO National Commissions

7. The Council also invited Member States to report back to the 17th session of the Council on the status of their National Committees according to these principles. The Council invited the Secretariat to assist Member States in the implementation of the revised mandate and further, to assist Member States to organize meetings in all regions, particularly in Africa.

8. In furtherance of resolution XVI-7 and the recommendations made by the Bureau at its 38th session, the IHP Secretariat played an important role in the organization of the 1st African Regional Consultative meeting of the National Committees for UNESCO-IHP, which was convened under the auspices of the Federal Ministry of Water Resources of Nigeria and UNESCO in Abuja, Nigeria, 1-2 March 2006. The meeting, the first of its kind in Sub-Saharan Africa, was chaired by the Vice Minister of Water resources of Nigeria and attended by many IHP National Committee members and Member States delegates. Regional meetings were also held for Western Europe in Wallingford, UK in July 2005, for the Arab States in Bloudan, Sirya, September 2005, and for Latin America and the Caribbean in Montego Bay, Jamaica, October 2005. Reports from these meetings are available as reference documents.

9. The Abuja meeting concluded with the drafting a joint statement by the IHP National Committees of Sub-Saharan Africa, which recommended, inter alia, that UNESCO review the governance structures of UNESCO-IHP to reflect a more inclusive process by adopting a regional approach to both decision making and the election of post of office and that UNESCO constitute an advisory committee to review the mandate and functioning of IHP National Committees. The full text of the statement is available as a reference document.

ACTION BY THE BUREAU

10. The Bureau may wish to take note of results of all regional meetings held since its last session, in particular of the Abuja meeting, and review and comment on the joint statement with regard to the role of IHP National Committees in Sub-Saharan Africa and IHP governance on the national, regional and global scales.

ESTABLISHMENT OF REGIONAL INTERGOVERNMENTAL COUNCILS

11. In his “chairperson’s paper”, the Chair of the IHP Intergovernmental Council advocated the creation of Regional Intergovernmental Councils (RICs) through a modification of the statutes of the IHP Intergovernmental Council. RICs would be subsidiary bodies to the IHP Intergovernmental Council, in which all Member States from the region could be formal members. The Chairman noted that the regional committees that now exist are not intergovernmental in nature and therefore decisions taken at these regional meetings were not binding for the IHP Intergovernmental Council. The creation of RICs would give more weight to Member States within their regions, taking into account that most of water-related issues are dealt with at the regional level. Regional perspectives could then be fed into the IHP Intergovernmental Council.

12. The IHP Intergovernmental Council decided in Resolution XVI-7 to consider, at its 17th session, the establishment of RICs, after receipt from the Bureau of the appropriate documents and instructed the Bureau to prepare a detailed study and proposal for the establishment of such Councils. The Bureau, at its 38th session, asked the IHP Secretariat to investigate the financial and legal consequences of establishing RICs in consultation with the IHP Finance Committee and UNESCO’s Legal Affairs Office.

FINANCIAL CONSEQUENCES

13. In order to respond to the IHP Bureau’s request to “investigate the financial consequences of establishing RICs” in cooperation with the IHP Finance Committee, the IHP Secretariat met several times with the chairperson of the IHP Financial Committee and reviewed the earlier report done by the Finance Committee on the subject². Based on these consultations, the IHP Secretariat will make an oral presentation on the financial consequences of establishing RICs during the Bureau session.

LEGAL CONSEQUENCES

14. The IHP Secretariat met several times with UNESCO’s legal affairs office (LA) to review the issue of the creation of RICs. In order to respond to the IHP Bureau’s request to “investigate the legal consequences of establishing RICs” the IHP Secretariat asked the UNESCO legal affairs office (LA) to indicate, inter alia, in writing:

1. whether it considered it legally possible to establish RICs (presumably through a change in the IHP Council’s statutes) within IHP to function as subsidiary bodies of the IHP Intergovernmental Council.
2. whether the election procedure for the IHP Intergovernmental Council could be changed in order for RICs to elect the members of the IHP Council.
3. what steps UNESCO Member States would have to take in order to establish RICs within IHP’s governance structure (procedure within the Executive Board, the General Conference, change in IHP Council statutes).

15. LA responded to the queries of the IHP Secretariat in Memo LA/GEN/2006/LC/072, available to the Bureau as a reference document.

² see document IHP/Bur-XXV/19 entitled “Report of the IHP Finance Committee”, pages 5-6 and 12.

ACTION BY THE BUREAU

16. The Bureau may wish to note and comment on the oral report by the IHP Secretariat on the financial consequences of establishing RICs (as well as any comments by the IHP Finance Committee Chair on the subject) and on Memo LA/GEN/2006/LC/072 on legal consequences of establishing RICs. Based on the results of these consultations and discussions by the Bureau over the past two years, the Bureau may wish to present to the Council, at its 17th session, a document on the establishment of RICs.