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APPROVED

**AMCOMET**

# **CONSTITUTION OF THE AFRICAN MINISTERIAL CONFERENCE ON METEOROLGY**

## **PREAMBLE**

**WE**, the Ministers Responsible for Meteorology in Africa:

**Recalling** the outcomes of the Nairobi Ministerial Declaration, notably the establishment of the African Ministerial Conference on Meteorology (AMCOMET) in April 2010;

**Recognising** that the African Ministerial Conference on Meteorology (AMCOMET) is the main African ministerial inter-governmental body responsible for all policy matters relating to meteorology and its development in Africa;

**Recognising** National Meteorological and Hydrological Services (NMHSs) as a fundamental component of national development infrastructure of our countries and of the continent and a contributor to security and sustainable development, particularly poverty reduction efforts, climate change adaptation and disaster risk reduction;

**Noting** the increasing risks and threats to sustainable development associated with natural disasters of which about 90% are due to or aggravated by extreme hydro-meteorological events; and that African countries are facing multi-faceted challenges of climate variability and change that require, among others, decision-making based on scientifically sound data and information by governments and communities in order to develop adaptation strategies and action plans as part of the ongoing development processes and policies at national, sub-regional and continental levels;

**Taking** into account the African Union Summit Decision on climate change and development, adopted by the 8th General Assembly in 2007 in Addis Ababa, Ethiopia, whereupon the Assembly expressed strong concerns about the vulnerability of Africa's socio-economic sectors and productive systems to climate variability and change and further noting that African countries demonstrably require additional resources for adaptation towards meeting the Millennium Development Goals (MDGs; 2000-2015), Hyogo Framework for Action (2005-2015), relevant Sustainable Development Goals (SDGs) and Post-2015 Framework for Disaster Risk Reduction;

**Referring** to Resolution 26 (Cg.XIII) of the World Meteorological Organization (WMO) Congress XIII in 1999 on the Role and Operation of National Meteorological and Hydrological Services which urges WMO Members to mandate the NMHSs as the official authoritative voice in issuing weather warnings for public safety to help minimize risks to the health and safety of citizens as well as the primary national authority and official source of information and policy advice on the present and future state of the atmosphere and other aspects of national weather and climate, in support of policy development and the need to meet national, regional and international responsibilities in the effective implementation of the WMO programmes;

**Recognizing** the support provided to National Meteorological and Hydrological Services by the regional climate institutions and centres, including the African Centre for Meteorological Applications for Development (ACMAD), the Centre for Training, Research and Applications of Agrometeorology and Operational Hydrology (AGRHYMET), the specialized institution of Permanent Interstates Committee for Drought Control in the Sahel (CILSS), the Intergovernmental Authority on Development (IGAD) Climate Prediction and Applications Centre (ICPAC), the Southern African Development Community Climate Services Centre (SADC-CSC), Agency for Aerial Navigation Safety in Africa and Madagascar (ASECNA) and the WMO Regional Training Centres in Africa (WMO RTCs);

**Recognizing** the importance of programmes in Africa such as ClimDev Africa, which is focused on climate observations, the Monitoring of Environment and Security in Africa (MESA) based on satellite observations, Institutional Support for African Climate, and the African Early Warning and Climate Services (AEWACS); and particularly, the support of the African Development Bank (AfDB), UN Economic Commission for Africa (UNECA), and the African Union Commission (AUC);

**Conscious** of the opportunity presented at the First Conference of Ministers Responsible for Meteorology in Africa, which took place in Nairobi, 12-16 April 2010, to enhance regional cooperation for a common approach in tackling the challenges of achieving sustainable development at the regional levels;

**Noting** the gaps in: operational observational networks (surface, water and air); telecommunication networks; data processing analysis and forecasting systems; climate data management and archiving systems; as well as information and product dissemination systems; including human resource capital and their negative impact on the reliability of weather and climate information and services, and in view of the need to collectively address this situation to enable the National Meteorological and Hydrological Services in Africa to fulfil their national, regional and international mandates;

**Recalling** that the African Union Summit of Heads of State and Government held in Addis Ababa, Ethiopia in January 2011, adopted Decision No. EX.CL/Dec.606 (XVIII) that took note of the outcomes of the First Conference of Ministers Responsible for Meteorology in Africa, in Nairobi, 12 – 16 April 2010, which recommended the full implementation of the AMCOMET process;

**Reaffirming** our commitment to strengthen and sustain NMHSs by providing them with all necessary resources and adequate institutional and legal frameworks to enable them to fully perform their roles;

**Reiterate** our determination to fulfil our responsibility of making concerted efforts to work jointly to effectively and efficiently exploit the full potential of applied meteorology and related geo-sciences to achieve sustainable development for the benefit of our present and future generations;

**Noting** the support offered by the World Meteorological Organisation in developing the Integrated African Strategy on Meteorology (Weather and Climate Services) and its Implementation and Resource Mobilization Plan, to ensure that National Meteorological and Hydrological Services in Africa can better address climate variability and change and build resilience of communities to cope with the adverse impacts of climate extremes;

**ADOPT this Constitution of the African Ministerial Conference on Meteorology (AMCOMET) as the Ministerial Authority on meteorology in Africa.**

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## **CHAPTER I: GENERAL PROVISIONS**

### **ARTICLE 1: NAME**

The name of the African ministerial inter-governmental authority on meteorology shall be the African Ministerial Conference on Meteorology (hereinafter referred to as “AMCOMET”), which shall be composed of African Ministers responsible for meteorology in Africa.

AMCOMET is hereby constituted as the African ministerial inter-governmental authority on meteorology.

### **ARTICLE 2: VISION and MISSION OF AMCOMET**

Taking into consideration the interests of Member States:

The Vision of AMCOMET is to have a framework for cooperation, security, socio-economic development and poverty eradication on a pan-African level through sound governance and the application of the science of meteorology and its related sciences.

The Mission of AMCOMET is to provide political leadership and guidance, policy direction and advocacy in the provision of weather and climate services that meet societal needs.

### **ARTICLE 3: OBJECTIVES OF AMCOMET**

AMCOMET shall support its Member States in addressing the major challenges related to the delivery of weather and climate services in Africa. AMCOMET shall *inter alia* provide a permanent forum at which African Ministers responsible for meteorology can discuss matters related to the development of meteorology and its applications including its contribution to the socio-economic development in Africa. The objectives of AMCOMET are more fully detailed in the AMCOMET Rules of Procedure.

## **CHAPTER II: INSTITUTIONAL ARRANGEMENTS**

### **ARTICLE 4: FUNCTIONS OF AMCOMET**

- 1) AMCOMET shall, in collaboration with the World Meteorological Organization (WMO), African Union Commission, Regional Economic Communities and other organisations, be responsible and provide a political voice on meteorological and hydro-meteorological matters, including climate change science in Africa.
- 2) The functions of AMCOMET are to:
  - a) Provide policy guidance on meteorological issues and related policies as they apply to sustainable development;
  - b) Promote the coordination, harmonisation and integration of meteorology and its applications to sound socio-economic development of Africa, in particular, disaster risk management, food security, health, transportation, energy, environment and water resources;
  - c) Support the development policy and legislative proposals on meteorological matters at regional levels;
  - d) Foster intergovernmental and regional dialogue for sound management and integration of meteorological considerations into poverty reduction, health and environmental strategies, including international development plans;

- e) Collaborate with other African Union organs on matters of meteorology;
  - f) Collaborate with WMO Constituent Bodies, in particular, Regional Association I (RAI, Africa) and Technical Commissions (TCs);
  - g) Develop and promote common policy approaches on issues of mutual concern and advance such policies collectively in international fora; and
  - h) Promote policy guidance on research and technology development, information collection and exchange, capacity development, and the application of appropriate technologies in the science of meteorology and its applications.
- 3) AMCOMET shall have an advisory and leading role; and shall be competent, inter alia, to:
- a) Facilitate the approval of the implementation of meteorological initiatives in Africa;
  - b) Make general or specific recommendations to Member States and other bodies, including the African Union, regarding meteorological management in Africa; and
  - c) Mobilize necessary resources for achieving the objectives of AMCOMET.
- 4) The activities of AMCOMET shall be undertaken at national, sub-regional and regional levels, as appropriate.

## **ARTICLE 5: COMPOSITION OF AMCOMET**

AMCOMET shall be composed as follows:

- 1) The Conference; as established under Article 6;
- 2) The Bureau; as established under Article 8;
- 3) The Secretariat; as established under Article 9; and
- 4) Subsidiary Organs; as established under Article 10.

## **ARTICLE 6: FUNCTIONS OF THE CONFERENCE**

### **Article 6.1: CONFERENCE FUNCTIONS AND RIGHT TO IMPOSE SANCTIONS**

- 1) The Conference shall be the principal policy making entity of AMCOMET; and
- 2) In accordance with this Constitution, the functions of the Conference shall be to:
  - a) Make decisions on all policy matters related to meteorology in Africa;
  - b) Review overall progress of AMCOMET;
  - c) Consider and approve the strategic plan(s), programmes and initiatives of AMCOMET;
  - d) Provide the policy direction of AMCOMET;
  - e) Elect members of the Bureau of AMCOMET;
  - f) Approve Financial Regulations and Rules of Procedure of the AMCOMET, and;
  - g) Carry out any other function entrusted to it by this Constitution.
- 3) The Conference shall have the power, upon recommendation of the Bureau, to determine appropriate sanctions, including duration, to be imposed on any Member State that fails to meet its financial obligations or contribution to the budgets of the Conference in the following manner:
  - a) Denial of attendance at meetings;
  - b) Denial of the right to vote at a meeting; and
  - c) Denial to present a candidate for any position or post in the Conference or Secretariat or to

benefit from any activity or commitment, there from.

- 4) The Bureau shall apply the sanctions imposed by the Conference in respect of arrears or failure to meet a financial contribution or other obligation.

#### **Article 6.2: ORDINARY SESSIONS OF THE CONFERENCE**

The Conference shall hold its Ordinary Sessions once every two (2) years and during the course of its Session decide the date and venue of the next Ordinary Session.

#### **Article 6.3: EXTRAORDINARY SESSIONS**

- 1) The Conference may convene Extraordinary Sessions in between Ordinary Sessions as may be determined by the Bureau or the Conference; and
- 2) The conditions for holding an Extraordinary Session shall be provided for in the Rules of Procedure.

### **ARTICLE 7: MEMBERSHIP OF and PARTNERSHIP WITH AMCOMET**

- 1) AMCOMET shall be open to all WMO and UN Member States in Africa;
- 2) AMCOMET shall consist of Ministers Responsible for Meteorology in Africa; and
- 3) A Member State shall be deemed member of AMCOMET upon signing of this Constitution by a person duly authorized by the government of a Member State.

#### **Article 7.1: COMMITMENT OF MEMBER STATES**

The Member States shall cooperate among themselves and, where appropriate and possible, cooperate with other States and organisations to:

- 1) Give full effect to the provisions of this Constitution;
- 2) Enhance individual and collective collaboration in adopting the policies and measures under this Constitution;
- 3) Harmonise policies at regional, sub-regional and national levels as appropriate;
- 4) Provide resources, political will and support for AMCOMET programmes and activities.

#### **Article 7.2: WITHDRAWAL OF MEMBER STATES**

In the event that a Member State wishes to withdraw its membership from AMCOMET, a notice period of six (6) months is required to facilitate the formal withdrawal process and ensure that existing obligations of said Member State are fulfilled prior to withdrawal.

#### **Article 7.3: OBSERVERS**

- 1) The Conference may invite observers to its meetings. Observers may include the following:
  - a) Regional Economic Communities, national or regional institutions and organisations, governments and civil society, international multilateral organisations and the private sector, whose activities relate to meteorological management, the science of meteorology, operational hydrology and its related applications and sustainable development;
  - b) Specialised United Nations agencies, including International Civil Aviation Organization (ICAO), United Nations Environment Programme (UNEP), International Oceanographic Commission / United Nations Education, Scientific and Cultural Organisation (UNESCO), United Nations International Strategy for Disaster Reduction (UNISDR), Food and Agriculture Organisation (FAO), World Meteorological Organization (WMO) among others;



- c) Member States of the World Meteorological Organization;
  - d) Development Partners and Aid Agencies; and
  - e) Experts or Group of Experts.
- 2) The conditions for admission and participation of observers shall be as prescribed in the Rules<sup>1</sup> of Procedure of AMCOMET.

#### **Article 7.4: INSTITUTIONAL COOPERATION**

- 1) AMCOMET shall cooperate and collaborate with all African national and regional institutions active in the field of meteorology and related weather and climate fields and sustainable development.
- 2) AMCOMET shall work with the full support of the African Union Commission (AUC), the Regional Economic Communities (RECs) and the World Meteorological Organization (WMO).
- 3) AMCOMET shall maintain working relations and cooperate with the African Development Bank and other financial institutions, the United Nations and its agencies, and other organizations capable of assisting or collaborating in the achievement of AMCOMET's objectives.

#### **Article 7.5: ADVISERS**

The National Permanent Representatives with the WMO shall be the principal advisers of the Ministers Responsible for Meteorology on all matters related to AMCOMET.

### **ARTICLE 8: BUREAU**

#### **Article 8.1: COMPOSITION OF THE BUREAU**

- 1) At each Ordinary Sessions, the Conference shall elect the members of the Bureau.
- 2) Members of the Bureau shall be elected as:
  - a) The Chairperson of the Bureau;
  - b) Three Vice Chairpersons; and
  - c) The Rapporteur.
- 3) The Chairperson of the Bureau of AMCOMET shall also be the Chairperson of the Conference.

#### **Article 8.2: FUNCTIONS OF THE BUREAU**

- 1) The Bureau of AMCOMET is hereby established.
- 2) The functions of the Bureau of AMCOMET shall include:
  - a) Overseeing the Conference affairs and the activities of the AMCOMET Secretariat between sessions of the Conference;
  - b) Carrying out, between one ordinary session of the Conference and the next, such interim activities on behalf of the Conference as may be necessary, giving priority to matters on which the Conference has previously recorded its approval;
  - c) Make preparations on issues, inter alia, draft resolutions and recommendations for consideration at the next session of the Conference;
  - d) Overseeing the implementation of policies and decisions of the Conference, the execution

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<sup>1</sup> The Rules need to be amended to take into account the expanded attendance of observers, how they should be admitted and what they may do during the sessions and in between sessions.

of the Conference's budget and conduct of the Conference's programmes;

- e) Provide guidance and advice to the Secretariat on the implementation of the Conference decisions, relations between AMCOMET and Member States, preparation of meetings and on any other matters relating to the exercise of the functions of the AMCOMET and the Secretariat;
  - f) Submit proposals to the Conference on any matter relating to the implementation of the objectives and functions of AMCOMET and report to the Conference on activities it has carried out between the session of the Conference, and;
  - g) Perform any other functions that may be entrusted to it by the Conference.
- 3) The Bureau of AMCOMET may appoint such ad hoc committees to advise it, as deemed appropriate and necessary, in the implementation of its functions.
  - 4) The Bureau of AMCOMET, in consultation with WMO and AUC, shall meet at least once in every year and at any other time that circumstances may warrant.

### **Article 8.3: FUNCTIONS OF THE BUREAU MEMBERS**

- 1) The functions of the members of the Bureau shall be defined by the Rules of Procedure.
- 2) A Member State elected to the Bureau of AMCOMET shall:
  - a) Facilitate the participation by its representative in meetings and activities of AMCOMET;
  - b) Solicit the opinion of Member States in its sub-region and monitor matters of interest in the sub-region that relate to AMCOMET's mission in order to strengthen sub-regional coordination in the sub-regional economic communities so that decisions and actions taken at that level are in the interest of each State. It further strengthens the role of sub-regional economic communities and sub-regional conferences.

### **ARTICLE 9: THE SECRETARIAT OF AMCOMET**

- 1) A Secretariat of AMCOMET is hereby established. The functions and staffing of the Secretariat shall be provided for in the Rules of Procedure.
- 2) WMO, in collaboration with the African Union Commission, shall support AMCOMET in discharging its functions as outlined in the Rules of Procedure.
- 3) The Secretariat shall initially be hosted by WMO until such time that AMCOMET establishes an independent Secretariat, as provided in the Rules of Procedure.
- 4) While the AMCOMET Secretariat is hosted by WMO, the Director of the Secretariat, responsible for the day-to-day functioning of AMCOMET and its subsidiary organs, the Professional and Technical staff of the AMCOMET Secretariat shall be appointed by WMO.
- 5) In the event AMCOMET has an independent Secretariat, the Director of the Secretariat, responsible for the day-to-day functioning of AMCOMET and its subsidiary organs, shall be appointed by the Conference. The Professional and Technical staff of the AMCOMET Secretariat shall be appointed by the AMCOMET Bureau.

### **ARTICLE 10: SUBSIDIARY ORGANS**

- 1) The Conference may establish subsidiary organs, such as Task Forces, Committees, Working Groups and Inter-Agency Technical Committees, on a permanent or ad-hoc basis, for the effective discharge of its functions. The modalities for the establishment of subsidiary organs shall be provided for in the Rules of Procedure.

- 2) Membership of Subsidiary Organs shall be open to:
  - a) The WMO Permanent Representatives (PR) of Regional Association I, or their representatives;
  - b) Representatives of WMO, the African Union, the UN Economic Commission for Africa, the African Development Bank, African sub-regional organizations and economic groupings, specialized agencies, relevant programmes and organs of the UN system, specialized non-governmental organizations, the private sector, and civil society; and
  - c) The Conference shall have the authority to invite, as it deems appropriate, other persons and / or entities not represented above.
- 3) There shall be no restriction to the term-limit of a member in Subsidiary Organs.
- 4) The functions of Subsidiary Organs include:
  - a) meeting prior to the Conference; and
  - b) providing expert or technical information, technical advice and/or necessary documentation for AMCOMET.
- 5) The President of the WMO's Regional Association I, or his representative, shall be invited to subsidiary organ meetings as an observer.
- 6) The WMO Management Group of Regional Association I, or its successor, shall be invited to subsidiary organ meetings as observers.

#### **ARTICLE 11: WORKING LANGUAGES OF AMCOMET**

- 1) The official working languages of AMCOMET shall be the following:
  - a) English and French (mandatory); and
  - b) Arabic, Portuguese, Spanish, Swahili (as required and subject to availability of financial resources).
- 2) The conditions for Languages and Records shall be provided for in the Rules of Procedure.

#### **CHAPTER III: FINANCIAL MATTERS**

##### **ARTICLE 12: BUDGET AND SCALE OF CONTRIBUTIONS**

- 1) At each Ordinary Session of the Conference, a budget for the financial period of the Session shall be adopted.
- 2) The scale of contributions of AMCOMET Member States shall be provided for in the Rules of Procedure.

##### **ARTICLE 13: TRUST FUND AND FINANCIAL MANAGEMENT**

- 1) A Trust Fund is hereby established and its administration shall be provided for in the Rules of Procedure.
- 2) The Director of the Secretariat of AMCOMET shall be responsible for the management of the finances of AMCOMET. Details of the financial management of AMCOMET funds as well as financial audit requirements shall be provided for in the Rules of Procedure.

## **CHAPTER IV: FINAL PROVISIONS**

### **ARTICLE 14: ENTRY INTO FORCE OF THE CONSTITUTION**

- 1) This Constitution shall provisionally enter into force when adopted by the Conference with the participation of not less than two thirds of the Member States.
- 2) This Constitution shall definitively enter into force after it is duly signed by two thirds of representatives with full powers of the Member States.
- 3) AMCOMET invites the African Union Commission to sign this Constitution upon its adoption by the Conference.

#### **Article 14.1: AMENDMENTS**

- 1) Any Member State may propose an amendment or annex to this Constitution.
- 2) Amendments or annexes to this Constitution shall be adopted at an Ordinary Session of the Conference.
- 3) The text of any proposed amendment or annex shall be communicated by the Member State to the Secretariat at least six months before the meeting at which it is proposed for adoption.
- 4) The Director of the Secretariat shall deposit proposed amendments or annexes to the Depository (See Article 14.3).
- 5) The Member States shall make every effort to reach agreement on any proposed amendment or annex by consensus.
- 6) Where all efforts at consensus have been exhausted, the amendment or annex shall be adopted only when two thirds of the Member States present at that session so vote with at least two thirds of Member States present and voting.
- 7) An amendment or annex to this Constitution shall form an integral part of the Constitution.

#### **Article 14.2: DISPUTE SETTLEMENT**

Any question or dispute concerning the interpretation or application of the present Constitution which cannot be settled by negotiation or by peaceful means shall be submitted to an arbitration tribunal according to the Rules of Procedure.

#### **Article 14.3: DEPOSITORY**

The Secretariat of AMCOMET shall be the Depository of this Constitution.

#### **Article 14.4: DISSOLUTION**

- 1) AMCOMET may be dissolved by a resolution supported by two thirds of all Members participating at the session in which at least two thirds of all Members are represented and voting.
- 2) In case of dissolution, the assets of the AMCOMET shall be used to liquidate the liabilities and obligations; and the treatment of the balance of assets shall be decided by the legally appointed arbitrator, in consultation with the AUC and WMO.

**ARTICLE 15: AUTHENTIC TEXT**

The original text of this Constitution shall be in English and French languages, both of which shall be equally authentic.

**ADOPTED in Praia, Cabo Verde on the fourteenth day of February Two Thousand and Fifteen**