



5th General Assembly

Marseille, France, 14-16 October 2009

5th EXTRAORDINARY GENERAL ASSEMBLY

LIST OF PROPOSED RESOLUTIONS

ITEM EGA5.3 RATIFICATION OF CHANGES TO ARTICLE 2 OF THE CONSTITUTION

Resolution 1: The 5th Extraordinary General Assembly ratifies the change to Article 2 of the Constitution with regard to the vision and objectives, which will henceforth exist with an unlimited timeframe. The General Assembly gives full powers to the President to carry out the legal formalities.

Details:

a) Add a Vision statement

Article 2 of the Constitution sets out the objectives of the Council, but no Vision is presented as a basis for these. It is therefore proposed to introduce a new paragraph at the start of this Article.

b) Revise Objective 3 of the Council

Current Article 2:

“**Article 2:** Objectives

The objectives of the World Water Council are:

[.....]

3. to develop a common strategic vision on integrated water resources management on a sustainable basis, and to promote the implementation of effective policies and strategies worldwide; [....]”

To be replaced by:

“**Article 2:** Vision and Objectives

The vision of the Council is for it to serve as a key platform at international level for raising the awareness of water issues and seeking means of improving water management.

The objectives of the Council are: [....]

3. to bring together stakeholders and promote the implementation of effective water-related policies and strategies worldwide; [....]”

ITEM EGA5.4 RATIFICATION OF CHANGES TO ARTICLE 4 OF THE CONSTITUTION

Resolution 2: The 5th Extraordinary General Assembly ratifies the change to Article 4 of the Constitution with regard to the Headquarters and its functioning, which will henceforth exist with an unlimited timeframe. The By-Laws will be modified subsequently in accordance with this change. The General Assembly gives full powers to the President to carry out the legal formalities.

Details:

In Article 4, it is proposed to delete the full street address of the Headquarters and leave only the reference to Marseille, France so as to avoid the need to revise the Constitution if the Headquarters is relocated within the city.

Current Article 4:

“For its functioning, the World Water Council maintains an official Headquarters situated at Espace Gaymard, 2-4 Place d’Arvieux, 13002 Marseille, France. [.....]”

To be replaced by:

“ For its functioning, the Council maintains an official Headquarters in Marseille, France which houses the Council's Secretariat. [....]”

ITEM EGA4.5 RATIFICATION OF CHANGES TO ARTICLE 6 OF THE CONSTITUTION

Resolution 3: The 5th Extraordinary General Assembly ratifies the change to Article 6 of the Constitution with regard to the members. The By-Laws will be modified subsequently in accordance with this change. The General Assembly gives full powers to the President to carry out the legal formalities.

Details:

Under Article 6 it is mentioned that the membership fees are set each year by the Board “and included in the By-Laws” which would require revising the By-Laws every year for this sole purpose. It is proposed to remove this phrase.

Current Article 6:

“[...] All members, except for those mentioned subsequently, commit themselves to paying annual membership fees, the amount and the date of payment of which shall be set each year by the Board of Governors and included in the By-Laws. [....]”

To be replaced by:

“[...] All members, except for those mentioned subsequently, commit themselves to paying annual membership fees, the amount and the date of payment of which shall be set each year by the Board of Governors.[....]”

ITEM EGA5.6 RATIFICATION OF THE CHANGES TO ARTICLE 12 OF THE CONSTITUTION

Resolution 4: The 5th Extraordinary General Assembly ratifies the change to Article 12 of the Constitution with regard to the Board of Governors and its composition. The General Assembly gives full powers to the President to carry out the legal formalities.

Details:

Article 12 contains the paragraph “Between the 3rd and 4th Ordinary General Assemblies, the three Founding Members and the nine Constituent Members will remain on the Board of Governors”. It is no longer necessary to record this fact. It is proposed to remove this sentence.

Current Article 12:

“[...] The Board of Governors is elected every three years by the General Assembly. All Governors may be re-elected only once as a representative of any single organization.
Between the 3rd and the 4th Ordinary General Assemblies, the three Founding Members and the nine Constituent Members will remain on the Board of Governors.
In case of a vacancy, the Board of Governors shall designate a temporary replacement. [....]”

To be replaced by:

“[...] The Board of Governors is elected every three years by the General Assembly. All Governors may be re-elected only once as a representative of any single organization.
In case of a vacancy, the Board of Governors shall designate a temporary replacement. [....]”

ITEM EGA5.7 RATIFICATION OF THE CHANGES TO ARTICLE 14 OF THE CONSTITUTION

Resolution 5: The 5th Extraordinary General Assembly ratifies the changes to Article 14 of the Constitution with regard to the Board of Governors and its power. The By-Laws will be modified subsequently in accordance with this change. The General Assembly gives full powers to the President to carry out the legal formalities.

Details:

It is proposed to remove reference to Associate Centres. For some years now these Centres have, in practice, no longer been seen as active bodies within the Council's programme. It may be noted that, if there is a need for such an arrangement to be established in the future, it can be handled through an agreement drawn up for the specific purpose under the provisions of Article 14 as modified below.

Current Article 14:

"[...] In order to assist it in its work the Board of Governors may designate the committees that it deems appropriate and name their members. It authorizes the establishment of Associate Centres of the World Water Council. In addition, the Board of Governors appoints an Executive Director who shall implement those policies approved by the decision-making bodies of the Council. [...]"

To be replaced by:

"[...] In order to assist it in its work the Board of Governors may designate any committees, working groups and task forces that it deems appropriate and name their members.

In addition, the Board of Governors appoints an Executive Director who shall implement those policies approved by the decision-making bodies of the Council. [...]"

ITEM EGA5.8 RATIFICATION OF THE CHANGES TO ARTICLE 15 OF THE CONSTITUTION

Resolution 6: The 5th Extraordinary General Assembly ratifies the changes of Article 15 of the Constitution with regard to the Officers of the Board of Governors (Bureau). The By-Laws will be modified subsequently in accordance with this change. The General Assembly gives full powers to the President to carry out the legal formalities.

Details:

a) Removal of the reference to the Commission on Legal and Financial Affairs and the two Committees

These bodies served a valuable purpose in the past, but they have not been re-appointed for some years, the work they did having become part of the routine responsibility of the Bureau or handled through other mechanisms. It is important to note that the Board and the Bureau can create committees at any time to undertake specific tasks on a short-term or long-term basis as required.

b) Consequent revision of the composition of the Bureau

One consequence of 2 d) above would be that the Bureau would be reduced in size from seven to four members. It is proposed to revise wording of this article so as to have five members on the Bureau in addition to the President and clarify that it is the President who presents candidates for these five positions to the Board.

Current Article 15:

"The Board of Governors shall appoint a Bureau from its members consisting of a President, two Vice-Presidents, a Treasurer and the Chairmen of the Commission on Legal and Financial Affairs, of the Committee on Science and Technology and of the Committee on Institutions and Governance. [...]"

To be replaced by

"The Board of Governors shall appoint a President from among its members. It shall also appoint from among its members the five other members of the Bureau, namely: a Vice-President, a Treasurer and three members without portfolio, candidates for these positions being presented to the Board by the President [...]"

ITEM EGA5.9 RATIFICATION OF THE CHANGES TO ARTICLE 18 OF THE CONSTITUTION

Resolution 7: The 5th Extraordinary General Assembly ratifies the changes of Article 18 of the Constitution with regard to the Ordinary General Assembly. The By-Laws will be modified subsequently in accordance with this change. The General Assembly gives full powers to the President to carry out the legal formalities.

Details:

Add flexibility to the timing of General Assemblies

It is proposed to allow some flexibility in the timing of General Assemblies and avoid cases where a small change in date could jeopardize the validity of such events.

Current Article 18:

“An Ordinary General Assembly shall be convened at least once every three years [....]”

To be replaced to

“An Ordinary General Assembly shall be convened at least every four years. [....]”

ITEM EGA5.10 RATIFICATION OF THE CHANGES TO ARTICLE 21 OF THE CONSTITUTION

Resolution 8: The 5th Extraordinary General Assembly ratifies the changes of Article 21 of the Constitution with regard to the Resolution of conflict. The General Assembly gives full powers to the President to carry out the legal formalities.

Details:

Removing the last sentence of Article 21 would facilitate intergovernmental organizations joining the Council and would not weaken the Article in that French law would, in any case, be invoked as the basis for resolving any remaining problems.

Current Article 21:

“Should there be any dispute between the Council and one or more of its members, before resorting to legal proceedings, the parties concerned are bound to submit the dispute to the President, who, within a period of two months, will designate three members of the World Water Council to act as mediators, aiming to reconcile the viewpoints of the parties concerned. They will pronounce a majority opinion within three months of being designated. Should this procedure fail, the concerned parties will subsequently be free to refer to the appropriate court of law, which is specifically defined hereby as the Tribunal de Grande Instance de Marseille, under whose jurisdiction this dispute comes. “

To be replaced by:

“Should there be any dispute between the Council and one or more of its members, before resorting to legal proceedings, the parties concerned are bound to submit the dispute to the President, who, within a period of two months, will designate three members of the Council to act as mediators, aiming to reconcile the viewpoints of the parties concerned. They will pronounce a majority opinion within three months of being designated. “

ITEM EGA5.11 ADOPTION OF THE REVISED CONSTITUTION

Resolution 9: The 5th Extraordinary General Assembly adopts the revised constitution as of 15th October 2009. The By-Laws will be modified subsequently in accordance with this change. The General Assembly gives full powers to the President to carry out the legal formalities.