

RULES OF PROCEDURE OF THE IORA CHARTER

(As approved by the 19th COM on 7 November 2019 in Abu Dhabi, UAE)

1. SCOPE

These Rules of Procedure for the Indian Ocean Rim Association (IORA) will apply to the meetings of the Primary Bodies of the Association : the Council of Ministers (COM), Committee of Senior Officials (CSO), TROIKA, and Secretariat (herein referred to as Council meetings) and will remain effective until amended by the Council of Ministers.

2. CHAIR

- 2.1 The Council of Ministers will, on voluntary offer by Member States, elect a Chair of the Association for a period of two years. If there is no voluntary offer, the Chair will be elected on a basis of geographical consideration.
- 2.2 The term of office of the incoming Chair will commence at the beginning of the meeting of the Council of Ministers, when the term of office of the incumbent Chair expires.
- 2.3 The incoming Chair will serve as the Vice-Chair of IORA during the full term of office of the incumbent Chair.
- 2.4 The Chair will arrange, coordinate, host and preside over the meetings of the Council, the CSO, as well as any other meetings as mandated by the Council.

3. VICE-CHAIR

- 3.1 The Secretariat will announce the vacancy for the position of Vice-Chair of the Council of Ministers in writing to all Member States. Announcement will be made at least six months before the year prior to the handover of the Chair of IORA and will be included as an agenda item for consideration and approval by COM.
- 3.2 If there is no candidate, the Chair will consult with Member States with a view to encouraging a process of geographical consideration.
- 3.3 Where more than one Member State offer to assume the Vice-Chair of the IORA, the Council will decide on the Vice-Chair by consensus.

4. SUB-COMMITTEE ON FINANCE

- 4.1 The Sub-Committee on Finance (SCF) is a subsidiary body of CSO and is established to oversee the efficient and effective financial management of the Association.
- 4.2 The Quorum of the Sub-Committee on Finance will comprise of the Troika. Other Member States may participate in meetings on a voluntary basis.

- 4.3 The IORA Chair will chair meetings of the Sub-Committee on Finance.
- 4.4 The Sub-Committee on Finance will meet at least twice per year. The Chair may call additional meetings.
- 4.5 The Sub-Committee on Finance will be responsible for:
 - 4.5.1 reviewing the proposed annual budget and quarterly financial reports, and advising the CSO on financial management matters;
 - 4.5.2 reviewing the audited annual financial statements of the IORA Secretariat and the IORA Special Fund prior to their presentation to the CSO;
 - 4.5.3 assessing and monitoring risks to IORA and recommending appropriate management strategies to the CSO; and
 - 4.5.4 the Sub-Committee on Finance will report to each meeting of the CSO on its activities and recommendations.

5. MEETING PROCEDURES FOR THE COUNCIL MEETINGS

- (a) All Member States of the Association may participate in the Council meetings.
- (b) The names of the representatives from each Member State will be submitted to the host country and the Secretariat as early as possible, at least three weeks before the date fixed for the opening of the Council meetings.
- (c) The Secretary-General will attend the Council meetings ex-officio. Other officials of the Secretariat may be in attendance at the discretion of the Secretary-General.

5.1 Agenda

- 5.1.1 The Draft Agenda for the Council meetings, prepared by the Secretariat in consultation with the Chair will be distributed to all Member States at least 3 months prior to the meetings. All items proposed for inclusion in the Draft Agenda together with supporting documentation will be sent to the Secretariat not later than 2 months before the Council meetings.
- 5.1.2 The Draft Agenda, which will include any comments received from Member States, supporting documentation will be sent to the Chair for approval.
- 5.1.3 A Final Agenda, approved by the Chair, will be circulated at least one month before the Council meeting. Any further submission of items to be included in the Agenda by Member States can be discussed under the item "Adoption of the Agenda" at each Council Meeting where the agenda will be adopted by consensus.

5.2 Participation of Member States, Specialised Agencies, Dialogue Partners, Observers and Invitees at the Council Meetings

- 5.2.1 All the Council Meetings will be closed unless otherwise decided by the Chair in consultation with Member States.
- 5.2.2 The closed sessions of the Council Meetings will only be attended by Member States, the Secretariat and Specialised Agencies.
- 5.2.3 The Opening/Inaugural Ceremony and Plenary Session of the Council of Ministers are open sessions.
- 5.2.4 Dialogue Partners and Observers will be invited to attend the opening session of the COM and can deliver their statements after the Member States have delivered their national statements.
- 5.2.5 Dialogue Partners as well as Observers, may participate in sessions on specific IORA projects on a case by case basis, on a decision of Member States by consensus.
- 5.2.6 Representatives of international and regional organizations and other relevant stakeholders may be invited to the open sessions of the Council Meetings by the Chair with prior notification to all Member States.
- 5.2.7 Dialogue Partners and Observers will be encouraged to participate actively in the meetings of the Functional Bodies as per their Terms of Reference. Dialogue Partners will participate in the discussions of the above meetings, but not in the decision-making processes. The outcome of Dialogue Partners' participation could be highlighted in the open session of the Council of Ministers.
- 5.2.8 Dialogue Partners may be invited collectively to attend specified sessions of the Ministerial meeting to interact with the leaders of IORA Member State delegations. The COM dialogue session will involve the IORA Chair or troika and other interested Member States.
- 5.2.9 Dialogue Partners may also be invited to the post-CSO briefing session.
- 5.2.10 Dialogue Partners will be represented at the appropriate senior levels at the annual (or biannual) IORA meetings by senior capital-based officials or, should that not be possible, by the resident Ambassadors/High Commissioners in the host Country.
- 5.2.11 Dialogue Partners and Observers may be invited to social events organized by the host country in connection with the COM.

5.3 Quorum

At least two thirds of the Member States entitled to participate in the Council meetings, will constitute a quorum.

5.4 Conduct of Business

- 5.4.1 Following an adoption of the Agenda, each item will be introduced by the Chair, or with his or her permission, by any Member State or the Secretary-General.
- 5.4.2 Each representative will be entitled to address, at least once, on each item. The length of time for each item will be determined by the Chair. The Secretary-General, when so requested, may address the meeting. The Secretary-General may request the Chair's permission for other officers of the Secretariat to address the meeting.
- 5.4.3 Papers presented to the Council meetings will normally be circulated in advance and not be read out at meetings.
- 5.4.4 The Chair will open and close each Council meeting and manage the Council Meetings subject to these Rules of Procedures.
- 5.4.5 Substantive motions and amendments relating to the Agenda and the papers thereto will be circulated to delegations in writing before each Council meeting at which they are to be considered. However, the Chair may permit the discussion and consideration of such motions and amendments without previous circulation, unless a Member State calls for postponement.
- 5.4.6 If the Chair feels that due to the importance of any document, more time would be required to consider it, the Chair may appoint an Ad Hoc Committee consisting of interested Member States to participate and nominate the Chair of the Ad Hoc Committee. The Chair of the Ad Hoc Committee will present the report for approval to the meeting.

5.5 Rapporteur and Friends of Rapporteur

The appointment of Rapporteur and Friends of Rapporteur, to assist with the preparation of meeting reports, may not be required for IORA Ministerial, senior officials and other meetings unless, on a case by case basis, where a specific need for such appointments has been expressed.

5.6 Language

- 5.6.1 The working language of all Council meetings will be English.
- 5.6.2 A representative may deliver his/her statement(s) in his/her national language if the delegate provides for interpretation into English.

5.7 Reports

- 5.7.1 The report of the Council meetings will include a 'decision report' capturing the decisions made in the meeting which will be prepared and made available to the Chair soon after the conclusion of the meeting of the Council of Ministers.

- 5.7.2 The reports adopted will be distributed immediately by the Secretariat to Member States after each Council meeting.
- 5.7.3 Upon approval by the Chair of the full report of the Council meetings, the Secretariat will prepare them in a prescribed format. The Secretariat will circulate all the full reports to Member States through email and Member States will be invited to review the “discussion part” of the reports within three weeks.

6. VENUE

The venue for the Council meetings will be in the Member State holding the IORA Chairmanship. In the case of unforeseen circumstances, a new venue will be chosen in accordance with the following procedure:

- (a) Offer from the Vice-Chair;
- (b) Offer from other Member States on a voluntary basis;
- (c) In those cases where there is no voluntary offer, the meeting may be hosted in Mauritius, seat of the Secretariat.

7. FREQUENCY

- 7.1 The host country will decide on the tentative dates for the Council of Ministers meeting which will take place annually or as often as mutually decided. Arrangements for each Council meeting will be the responsibility of the Member State where the meeting will take place. The Secretariat will assist the host country in this task.
- 7.2 The Committee of Senior Officials will meet bi-annually or as often as mutually decided and in the same location as the meeting of the Council of Ministers or any other mutually agreed venue.

8. TROIKA

- 8.1 Troika meetings and their outcomes will be communicated to Member States in a timely manner.
- 8.2 The venue for all meetings of the Troika will be in the Member State holding the IORA Chairmanship or at any other venue mutually agreed upon by the Troika.
- 8.3 Any expenses connected with attending these meetings will be borne by the respective Member State.

9. GENERAL

9.1 Extraordinary Meetings

An Extraordinary meeting of each Council meeting may be convened at the request of a Member State and mutually agreed to by all other members. The venue and date of the meeting will be decided by all Member States.

9.2 IORA Mechanism for Intersessional Ministerial Decisions

In cases where an intersessional decision by the COM is required, the processes and procedures adopted by the 14th COM Meeting held in Perth, Australia, on 9 October 2014 (Annexure I) will apply.

9.3 Absence of Chair/Vice-Chair

9.3.1 In the absence of the Chair, the Vice-Chair will assume the Chair.

9.3.2 If the Vice-Chair is absent, the Chair in consultation with Member States will select a Vice-Chair.

9.3.3 If the Chair and Vice-Chair are absent from a meeting, the Member States present will elect a Chair to preside over the meeting.

9.4 Meeting Hospitality

9.4.1 Hospitality to Heads of delegation and the Secretariat attending the Council meetings may be offered at the discretion of the host country.

9.4.2 Appropriate transport/transfer arrangements will be facilitated for all members of the official delegations.

9.4.3 All other costs relating to the meeting venue and other administrative arrangements will be borne by the host country.

9.4.4 For meetings held at the Secretariat, all the cost of participation will be borne by the Member States hosting the meeting.

9.5 Admission of new Member States

9.5.1 Any sovereign State of the Indian Ocean Rim which desires to become a Member of the Association will submit a formal request to the Chair of IORA or the Secretary-General of IORA. Such application will contain a declaration that the State in question accepts the obligations contained in the Charter.

- 9.5.2 The Secretary-General will inform the applicant State of the decision of the COM. If the application is approved, membership will become effective on the date on which the COM takes its decision on the application.
- 9.5.3 The Instrument of Acceptance will be transmitted officially by the Secretariat to the new members for their signature, and for them to deposit it with the Secretariat. The Instrument of Acceptance is contained in Annexure I.

9.6 Admission of new Dialogue Partners and Observers

- 9.6.1 Any sovereign State interested to become a Dialogue Partner of the Association will submit a formal request to the Chair of IORA or the Secretary-General of IORA.
- 9.6.2 Any organisation interested to become an Observer of the Association will submit a formal request to the Chair of IORA or the Secretary-General of IORA.

9.7 Representation of the Secretariat

- 9.7.1 The Secretary-General, in his/her absence, will appoint a Director to attend any Council meetings of the Association and may make oral or written statements, as well as offer clarification upon request.
- 9.7.2 The Secretary-General will represent the Association in international and regional organisations and in other external relations when mandated by IORA. He/ She may also appoint a Director/Nominee to represent the Association in these meetings.
- 9.7.3 The Secretary-General upon request of the host country, may participate or send an appropriate representative from the Secretariat to attend such meetings on his/her own initiative.

9.8 Handing over of Chair

- 9.8.1 The head table of each Council meeting will comprise the Chair, Vice-Chair, the past Chair and the Secretary-General (or Director of the Secretariat should the Secretary-General not be available).
- 9.8.2 The Outgoing Chair will open the meeting and present the Chairperson's Report.
- 9.8.3 After the reading of the Chairperson's Report, the Outgoing Chair will invite the Incoming Chair to take over as Chairperson.
- 9.8.4 The Incoming Chair will occupy the Chairperson's seat at the head table and will thank the outgoing Chair; the Outgoing Chair will occupy past Chair's seat at the head table as a Member of Troika.
- 9.8.5 There will be welcoming remarks by the Incoming Chair.
- 9.8.6 Incoming Chair will invite incoming Vice-Chair to take the seat of Vice-Chair.

9.9 General Debate session

- 9.9.1 At the General Debate session taking place at the Council of Ministers meeting where the Ministers/Heads of Delegations of Member States deliver their country statement, the Incoming Chair will first deliver the country statement followed by the Incoming Vice-Chair, and the past Chair, but in their capacities as Ministers/Heads of Delegations of Member States. The statements delivered by other Member States will be in alphabetical order after the statements made by the above.

10. AMENDMENTS TO THE RULES OF PROCEDURE

Amendments to these Rules of Procedures, proposed either by a Member State or by the Secretary-General will require the approval of the Council of Ministers upon the recommendation of the Committee of Senior Officials.

The new Rules of Procedure will replace the 2015 Rules of Procedure following the change of the IORA Charter amended in the eighteenth Meeting of the Council of Ministers in Durban, South Africa in 2018.

Adopted by the Nineteenth Council of Ministers in its meeting held in Abu Dhabi, United Arab Emirates on the seventh day of November 2019.

IORA Mechanism for Intercessional Ministerial Decisions

Concept

The IORA Charter determines that the Council of Ministers will meet annually and has provisions for the Council of Ministers to meet more often as mutually decided. However, re-convening the Council of Ministers would require significant time, planning and expense and is unlikely to be justified in most situations.

For this reason, IORA requires an official mechanism for Ministerial decisions to be made on an ad hoc basis and as required intersessionally. The purpose of the mechanism is to empower IORA to react quickly to opportunities or developments that may require expedited decision making. This paper seeks to formalise the process in which expedited decisions can be made.

The mechanism would be used only in circumstances where it is imperative that a decision be made intersessionally. The mechanism will also be as simple as possible so as to not burden unduly the resources of IORA Member States and the IORA Secretariat.

A major disaster or event in the Indian Ocean region provides a good example of how the mechanism will be useful. IORA Members may seek to issue a joint declaration of support or concern on the matter but have only a limited window of opportunity to do so. By utilising the mechanism, IORA will be able to present itself as a unified region that is responsive to regional or global developments of concern.

Mechanism

The mechanism will comprise a two-step process of a) seeking agreement that intersessional consideration of a matter is desirable and b) acquiring an IORA Ministerial decision on the matter.

Troika Mechanism

A Foreign Minister of an IORA Member State will write to the IORA Troika, seeking agreement that intersessional decision making is desirable. The Troika will decide if the matter merits intersessional consideration based on agreed criteria (see below). If agreed, the initiating IORA Foreign Minister will write to all IORA Member State Foreign Ministers requesting their position on the matter in question. IORA Member State Foreign Ministers will then respond to that letter outlining the IORA Member States' position on the matter in question.

All correspondence will be copied to the IORA Secretary-General. Upon receipt of all responses, the IORA Secretary-General will convey through IORA contact points to all IORA Member States whether consensus has been achieved and therefore the matter has been approved.

Guidelines for Intersessional Agreement

The IORA Troika would base their decision on the merits of intersessional consideration of a matter on the following criteria:

- Will a delay in a decision on the matter have significant financial implications for IORA
- Will a delay in a decision on the matter have strategic implications for IORA

- Are there any other means available to postpone the decision until the next IORA COMM without significant financial or strategic implications for IORA

If the IORA Troika is satisfied that a delay in a decision on the matter will have significant financial or strategic implications for IORA and there are no means to delaying the decision until the next IORA COMM without incurring the financial or strategic implications, they will advise the Secretariat and the initiating IORA Foreign Minister that a decision on the matter should be made intersessionally.

INDIAN OCEAN RIM ASSOCIATION (IORA)

INSTRUMENT OF ACCEPTANCE

WHEREAS the Charter establishing the Indian Ocean Rim Association for Regional Co-operation was adopted by Resolution in the first Ministerial Meeting in Port Louis, Mauritius on 7 March 1997, reviewed in the tenth Meeting of the Council of Ministers in Sana'a in 2010, amended in the fourteenth Meeting of the Council of Ministers in Perth in 2014 following the new name of the Association as the "Indian Ocean Rim Association" (IORA) and amended in the eighteenth Meeting of the Council of Ministers in Durban in 2018 (hereinafter referred to as the Charter);

AND WHEREAS Paragraph 4 (a) (i) of the Charter provides that the Association shall remain open to membership to all Sovereign States of the Indian Ocean Rim upon adhering to the principles and objectives enshrined in the Charter;

AND WHEREAS the Council of Ministers of the Association at its meeting on, has agreed that the Government of themay join the Association;

AND WHEREAS the Government of the hereby solemnly declares that it adheres to the fundamental principles and objectives of the Charter, in particular non-discriminatory trade treatment to all members, without prejudice to the rights and obligations of Member States within the framework of other economic and trade co-operation arrangements such as the World Trade Organisation and other regional organisations;

NOW THEREFORE the Government of the hereby accepts the Charter and joins the Association.

IN WITNESS THEREOF, I, **MINISTER OF**

..... hereby sign the Instrument of Acceptance and affix my official seal.

Done at..... on the day of.....

SIGNED.....