

MODUS OPERANDI OF THE ENERGY TASK FORCE

(As adopted by the 1st Meeting of the Energy Task Force, Cape Town, 1-2 December 2016)

The *Modus Operandi* is based on the Terms of Reference for the Multi-stakeholder Task Force on Reconciling Selected Energy Sector Developments with Migratory Species Conservation (herein referred to as the Task Force), annexed to CMS Resolution 11.27.

General functions

Goal

1. The goal of the Task Force is to ensure that all energy sector developments are undertaken in such a way that negative impacts on migratory species are avoided.

Role

2. The role of the Task Force, will be to facilitate the involvement of all relevant stakeholders in the process of reconciling energy sector developments with the conservation of migratory species where all developments take full account of the conservation priorities.

Scope

3. The geographical scope of the Task Force will be global. Initially, it is convened with an African-Eurasian scope although not excluding relevant cases in progress from other regions, and will gradually expand to other parts of the world. The timing and extent of geographic expansions shall be decided by the Task Force members, and shall depend on funding being available.

4. The Task Force will cover all migratory taxa as identified by CMS and its associated instruments. Initially, the Task Force will focus on migratory birds and will gradually expand to other taxonomic groups. The timing and extent of taxonomic expansions shall be decided by the Task Force members, and shall depend on funding being available.

5. The Task Force will cover the issues of power line impacts and impacts of renewable energy technology deployments (wind, solar, hydropower, geothermal, biomass and ocean energy) with initial focus on power lines, hydro, wind and solar energy technologies. Proposals for extension of the types of energy sector developments to be covered may be made and shall be considered by the Energy Task Force, and shall depend on funding being available.

Remit

6. The Task Force will:
 - a. Promote implementation of the relevant guidelines adopted in the frameworks of the participating MEAs;
 - b. Set priorities for its actions and implement them;
 - c. Assist in resource mobilization for priority actions, including from the energy industry;
 - d. Monitor the implementation of relevant guidelines and their effectiveness, as well as existing impediments for adequate implementation of such guidelines, and submit progress reports to the governing bodies of the participating MEAs;
 - e. Stimulate internal and external communication and exchange of information, experience, best practice and know-how;
 - f. Strengthen regional and international networks; and
 - g. Stimulate more research for the renewable energy technologies deployment where substantial gaps in knowledge have been identified.

Membership and attendance

7. The Task Force is open-ended. Its members will comprise the Secretariats of the participating MEAs, representatives of relevant government institutions in the field of environment and energy in the Parties to the participating MEAs, representatives of the energy industry, relevant academic institutions, NGOs and other interested stakeholders.
8. The initial membership of the Task Force comprises those institutions and organizations that accepted the invitation of the CMS Secretariat to join the Task Force at the time of its establishment.
9. Following the first meeting of the Task Force, the appointment of new members will be possible through a process of nomination and acceptance by the existing members. Each member can nominate an institution or organization from the categories mentioned in paragraph 6 of the Terms of Reference of the Task Force to become a member of the Task Force. The nominator of each candidate member will provide the Task Force with a recommendation letter stating the rationale for the nomination and providing sufficient information on the candidate to allow members of the Task Force to make an informed decision on the acceptance of the proposal.
10. Nominations of new members will preferably be discussed and decided upon at meetings of the Task Force. At the discretion of the Task Force chairperson, a decision on the acceptance of a nomination can be made between meetings through a process of consultation by correspondence coordinated by the chair.

11. Institutions or organizations from the categories mentioned in paragraph 6 of the Terms of Reference of the Task Force may request to participate in meetings and other activities of the Task Force as observers. Requests should be submitted to the Task Force chairperson in writing, with an explanation of the contribution that the candidate observer could make to achieve the goal and implement the remit of the Task Force. Observers will be accepted unless at least one third of the members object. Observers can participate in meetings of the Task Force without a right to vote.

12. In addition, at each meeting of the Task Force, the Chairperson may invite guests to contribute to specific agenda items.

Task Force Officers

13. The members shall elect a Chairperson and Vice-Chairperson for terms corresponding to those of the Meetings of the Task Force.

14. Candidates for the position of chairperson and vice-chairperson will be identified from among the members of the Task Force through a process of self-nomination, to take place in advance of the meeting and to be coordinated by the Task Force Coordinator; a decision on the appointment will be made by the members at the meeting based on the nominations received.

15. The Chairperson shall preside at meetings of the Task Force, approve the provisional agenda prepared by the coordinator for circulation, and liaise with the members between meetings of the Task Force. The Chairperson may represent the Task Force as required within the limits of the Task Force mandate, and shall carry out such other functions as may be entrusted to him/her by the Task Force.

16. The Vice-Chairperson shall assist in the execution of the Chairperson's duties, and shall preside at meetings in the absence of the Chairperson.

Governance

17. The Task Force shall make every effort to reach agreement on all matters by consensus. If consensus cannot be reached, a decision will be made following the Rules of Procedure of the CMS Conference of the Parties.

18. The Task Force will report to the CMS Conference of the Parties and the governing bodies of the other participating MEAs, as requested by them.

Operation

19. Resource permitting, a coordinator can be appointed from the Energy Task Force members to support the Chair, the Vice-Chair and the Energy Task Force members, as appropriate.

20. The coordinator will *inter alia*:
- a. organize the meetings of the Energy Task Force;
 - b. maintain and moderate the Energy Task Force communication platform (website and internal online workspace);
 - c. facilitate implementation of decisions of the Energy Task Force, as necessary;
 - d. facilitate fundraising and resource mobilization in support of the activities of the Energy Task Force; and
 - e. facilitate engagement with stakeholders within and beyond the Energy Task Force.

Meetings

21. Unless the Meeting of the Task Force decides otherwise, meetings of the Task Force shall be convened at least once every year, funding permitting.
22. Notice of meetings, including date and venue, shall be sent to all members to the Task Force at least 60 days in advance.
23. A summary record of each meeting shall be prepared by the coordinator as soon as possible and shall be communicated to all members and observers of the Task Force.
24. Between meetings business will be conducted electronically through an online workspace within the Energy Task Force's website, which will provide the primary mode of communication and operation of the Energy Task Force.

Working groups

25. The Task Force may establish such ad hoc working groups as may be necessary to deal with specific tasks. It shall define the terms of reference and composition of each working group.
26. In so far as it is applicable, this *Modus Operandi* shall apply *mutatis mutandis* to the proceedings of working groups.
27. The Task Force members shall receive reports from working groups established under the Task Force as necessary.

Financing

28. Funding for the operations of the Energy Task Force, including the coordinator post, as well as the implementation of identified priorities will be sought from various sources, including from member institutions and organizations.

Final provisions

29. For matters not explicitly covered by this *Modus Operandi*, the Rules of Procedure for the meetings of the Conference of the Parties to CMS will apply *mutatis mutandis*.

30. This *Modus Operandi* shall be applied upon its approval by the members of the Task Force, and may be amended by the members, as required, in accordance with the provisions concerning decisions making.