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NATIONAL PARLIAMENT RESOLUTION No. 5/2009

of March 11

RATIFIES, FOR ADHESION PURPOSES, THE CONVENTION OF THE WORLD METEOROLOGICAL ORGANIZATION

The National Parliament resolves, following a Government proposal and in conformity with the terms of line (f) of nr. 3 of article 95 of the Constitution of the Republic, to ratify, for adhesion purposes, the Convention of the World Meteorological Organization adopted on October 11, 1947. A copy of the original Portuguese language document is attached.

Approved on February 24, 2009.

The President of the National Parliament,

Fernando LaSama de Araújo

Cleared for publication.

On 3- 9- 09

The President of the Republic,

Dr. José Ramos Horta

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Convention of the World Meteorological Organization

For the purposes of coordinating, normalizing and improving meteorological activities in the world and promoting an efficient exchange of meteorological information between countries for the benefit of human activities, the signing States agree as stated in the following Convention:

PART I Creation

ARTICLE 1

This Convention institutes the World Meteorological Organization (hereby designated Organization).

PART II

ARTICLE 2 Objectives

The objectives of the Organization are the following:

- a) Facilitate world cooperation for installing networks of stations designed to perform meteorological observation or other meteorology-related geophysical observation and provide installation and maintenance of meteorological centers designed to ensure meteorological protection;
- b) Provide the installation and maintenance of systems for rapid exchange of meteorological information;
- c) Promote normalization of all meteorological observations and ensure uniform publication of observations and statistics;
- d) Intensify the application of meteorological to aeronautics, maritime navigation, agriculture and other human activities; and
- e) Stimulate meteorological research and teaching and contribute for the coordination of the international aspects of these activities.

PART III Composition

ARTICLE 3 Members

The following can be members of the Organization, under the terms of this Convention:

- a) Any State represented at the Conference of Directors of the International Meteorological Organization held in Washington, D.C. on September 22, 1947 and included in Appendix I to this Convention as a subscriber and ratifier of this Convention under the terms of article 32 or as an adherent to it, under the terms of article 33;
- b) Any Member of the United Nations who has a meteorological service and adheres to this Convention under the terms of article 33;
- c) Any State fully responsible for the conduction of its international relations who has a meteorological service but is not included in Appendix I to this Convention and is not a Member of the United Nations, after submitting a request for admission to the Office of the Secretary of the Organization and after such request is approved by two thirds of the Members of the Organization stated in lines (a), (b) and (c) of this article, and adheres to this Convention under the terms of article 33;

d) Any territory or group of territories that maintains its own meteorological service and is included in Appendix II to this Convention, to which this Convention is applicable under the terms of line (a) of article 34, by the State or States responsible for their international relations and represented at the Conference of Directors of the International Meteorological Organization held in Washington, D.C., on September 22, 1947, who are included in Appendix I to this Convention;

e) Any territory or group of territories not stated in Appendix II to this Convention that maintains its own meteorological service but is not responsible for conducting their international relations, to which this Convention is applicable under the terms of line (b) of article 34, provided that the request for admission is submitted by the Member responsible for its international relations and approved by two thirds of the Members of the Organization included in lines (a), (b) and (c) of this article;

f) Any territory or group of territories under tutelage that maintains a meteorological service and is administered by the United Nations to which the United Nations apply this Convention under the terms of article 34.

Any request for admission as a Member of the Organization must indicate the line item of this article under which the admission is requested.

PART IV ORGANIZATION

ARTICLE 4

a) The Organization will include the following:

- 1) The World Meteorological Congress (hereby designated “Congress”);
- 2) The Executive Committee;
- 3) Regional Meteorological Associations (hereby designated “Regional Associations”);
- 4) Technical Commissions;
- 5) Office of the Secretary.

b) The Organization will have one President and two Vice-Presidents, who will also be the President and Vice-Presidents of the Congress and the Executive Committee.

PART VI ELIGIBILITY

ARTICLE 5

a) Only the Directors of the Meteorological Services of Organization Members may be elected President and Vice-Presidents of the Organization, President and Vice-President of the Regional Association and, except as foreseen in the provisions of article 13, line (c) of this Convention, members of the Executive Committee.

b) While conducting their responsibilities, Organization board members and Executive Committee members will be considered representatives of the Organization and not representatives of individual Members of the Organization.

ARTICLE 6 Composition

a) The Congress is the supreme agency of the Organization and will be constituted by delegates representing the Members. Each Member will appoint one of its delegates to be the director of its meteorological service, as main delegate.

b) In order to ensure the largest possible technical representation, the President may invite any meteorological service director or another person to attend and the work conducted by the Congress and participate in it.

ARTICLE 7 Duties

The following will be duties of the Congress:

a) Draft a general regulation, in accordance with the provisions of this Convention, establishing the organization and duties of the various agencies within the Organization;

b) Draft its own internal regulations;

c) Elect the Organization President and Vice-Presidents and other members of the Executive Committee, in accordance with the provisions of article 10, line (a), number 4. of this Convention. The Presidents and Vice-Presidents of the Regional Associations and Technical Committees will be elected in accordance with the provisions of article 18, line (e) and article 19, line (c), respectively, of this Convention;

d) Adopt technical regulations related to meteorological practices and processes;

e) Adopt measures of a general nature to achieve the objectives of the Organization, as indicated in article 2 of this Convention;

f) Draft recommendations to Members about issues related to the objectives of the Organization;

g) Forward to the other agencies of the Organization any matters under the responsibility of those agencies according to the provisions of this Convention;

h) Review the reports and activities of the Executive Committee and adopt any measures determined by Congress regarding them;

i) Create Regional Associations as foreseen in the provisions of article 18 and establish their geographic limits, coordinate their activities and consider their recommendations;

j) Create Technical Commissions as foreseen in the provisions of article 19 and establish their roles, coordinate their activities and consider their recommendations;

- k) Establish the head office for the Office of the Secretary of the Organization;
- l) Adopt any other measures intended to serve the objectives of the Organization.

ARTICLE 8
Executing Congress Decisions

- a) All Members must dedicate every effort to execute the decisions made by the Congress.
- b) If, however, a Member deems the enforcement of any requirement of a technical resolution adopted by the Congress as unfeasible, this Member must inform the Secretary General of the Organization if the unfeasibility is temporary or definitive, and state the reasons for it.

ARTICLE 9
Meetings

The meetings of the Congress will be called by a decision of the Congress or Executive Committee, with intervals not greater than four years.

ARTICLE 10
Voting

a) Each Member will have one vote in decisions of the Congress, but only those Organization Members who are States, as foreseen in lines (a), (b) and (c) of article 3 of this Convention (designated hereby “Members who are States”), will have the right to vote on the following matters:

- 1) Amendment or interpretation of this Convention, or proposals for a new Convention;
- 2) Admission of new Organization Members;
- 3) Relations with the United Nations and other intergovernmental organizations;
- 4) Election of Organization President and Vice-Presidents and members of the Executive Committee who are not Presidents and Vice-Presidents of Regional Associations.

b) The decisions by the Congress will be taken by a majority of two thirds of the votes in favor and against, with the exception of elections of individuals to serve in any position within the Organization, which will be by simple majority of votes.

The provisions of this item will not apply, however, to decisions made under the terms of articles 3, 25, 26 and 28 of this Convention.

ARTICLE 11
Quorum

The quorum for Congress meetings will require the presence of a majority of Members. The quorum for Congress meetings making decisions about the matters listed in line (a) of article 10 will require the presence of a majority of Members who are States.

ARTICLE 12

First Meeting of the Congress

The first meeting of the Congress will be called by the President of the International Meteorological Commission of the International Meteorological Organization as soon as possible following the effective date of this Convention.

PART VII EXECUTIVE COMMITTEE

ARTICLE 13 Composition

The Executive Committee will include the following:

- a) The President and Vice-Presidents of the Organization;
- b) The Presidents of Regional Associations or deputies for those unable to attend, as foreseen in the general regulation;
- c) Meteorological Service Directors of Organization Members or their deputies, in a number equal to the regions, provided that no region has more than one third of Executive Committee members, including the President and the Vice-Presidents of the Organization.

ARTICLE 14 Duties

The Executive Committee is the executive agency of the Congress and its duties will be the following:

- a) Inspect the execution of all Congress resolutions;
- b) Adopt resolutions resulting from recommendations made by the Technical Commissions about urgent matters affecting technical regulations, provided that all interested Regional Associations are given the chance to express their approval or rejection before being adoption by the Executive Committee;
- c) Provide information, opinions and technical assistance in the field of meteorology;
- d) Review and make recommendations on any matter of interest to international meteorology and operations of meteorological services;
- e) Draft the order of the tasks to be accomplished by the Congress and guide the Regional Associations and Technical Commissions for drafting their task orders;
- f) Submit an activity report at each session of the Congress;
- g) Manage the finances of the Organization in accordance with the provisions of Part XI of this Convention;

h) Perform any other roles eventually attributed to it by the Congress or by this Convention.

ARTICLE 15

Meetings

The Executive Committee will meet at least once every year. The date and location of the meeting will be established by the President of the Organization, following consultation with the other Members of the Commission.

ARTICLE 16

Voting

The decisions of the Executive Committee will be adopted by a majority of two thirds of the votes cast for and against. Each Executive Committee Member will have only one vote, even when the Member is a Member under more than one title.

ARTICLE 17

Quorum

A majority of Executive Committee Members will constitute quorum.

PART VIII REGIONAL ASSOCIATIONS

ARTICLE 18

a) Regional Associations will be constituted by Organization Members with networks located, in full or in part, within the region.

b) Organization Members may attend the meetings of Regional Associations to which they do not belong, as well as participate in their tasks and submit their points of view about matters of interest to its Meteorological Service, but without voting rights.

c) Regional Associations will meet as many times as necessary. The date and location of the meetings will be established by the Regional Association Presidents, with consultation with the President of the Organization.

d) The duties of Regional Associations will be the following:

I) Promote compliance with all resolutions by the Congress and the Executive Committee in the respective regions;

II) Consider the matters received from the Executive Committee;

III) Discuss matters of a general meteorological interest and coordinate all meteorological and associated activities in their respective regions;

IV) Submit recommendations to Congress and the Executive Commission about issues related to the objectives of the Organization;

- V) perform any other duties as established by the Congress.
- e) Each Regional Association will elect their President and Vice-President.

**PART IX
TECHNICAL COMMISSIONS**

ARTICLE 19

- a) The Congress may institute commissions which will include technical specialists to review and submit recommendations to the Congress and Executive Committee about any matter related to the objectives of the Organization.
- b) Organization Members have the right to be represented in the Technical Commissions.
- c) Each Technical Commission will elect its own President and Vice-President.
- d) Technical Commission Presidents can attend the meetings of the Congress and the Executive Committee, without voting rights.

**PART X
OFFICE OF THE SECRETARY**

ARTICLE 20

The office of permanent Secretary of the Organization will be filled by one Secretary General and the technical and administrative staff necessary for the operations of the Organization.

ARTICLE 21

- a) The Secretary General will be appointed by the Congress under the conditions approved by the latter.
- b) The staff of the Office of the Secretary will be appointed by the Secretary General and approved by the Executive Committee, in accordance with the regulation established by the Congress.

ARTICLE 22

- a) The Secretary General is accountable to the President of the Organization for the technical and administration operations of the Office of the Secretary.
- b) The Secretary General and staff will not request or receive any instructions from any entity foreign to the Organization. They must abstain from any conduct that may harm their status as international employees. Organization Members, in turn, must protect the exclusively international nature of the role of Secretary-General and staff, and not attempt to influence them while performing their obligations before the Organization.

**PART XI
FINANCES**

ARTICLE 23

- a) The Congress will establish maximum amounts for Organization expenses, based on estimates submitted by the Secretary-General and recommended by the Executive Committee.
- b) The Congress will delegate to the Executive Committee the authority necessary to approve the annual expenses of the Organization within the limits established by the Congress.

ARTICLE 24

All Organization expenses will be distributed among Organization Members according to the ratio established by the Congress.

**PART XIII
RELATIONS WITH THE UNITED NATIONS**

ARTICLE 25

The relationship between the Organization and the United Nations will be the one foreseen in the provisions in article 57 of the United National Charter, provided that all provisions of the agreement are approved by two thirds of the Members who are States.

**PART XIII
RELATIONSHIPS WITH OTHER ORGANIZATIONS**

ARTICLE 26

- a) The Organization will establish effective relations and close collaboration with other intergovernmental organizations, at its discretion. Any formal agreement established with such organizations must be drafted by the Executive Committee, subject to approval by two thirds of the Members who are States.
- b) In matters related to its objectives, the Organization can adopt convenient provisions for acting in agreement and collaboration with non-governmental international organizations and, subject to authorization from the interested Government, with national organizations, governmental or not.
- c) Subject to approval by two thirds of Members who are States, the Organization may receive from another international organization or agency with purposes and activities similar to the objectives of the Organization any functions, means and obligations that may be transferred to the Organization by international agreement or by mutually acceptable agreement between the competent entities of the respective organizations.

**PART XIV
LEGAL STATUTE, PRIVILEGES AND IMMUNITIES**

ARTICLE 27

- a) The Organization will have the legal capacity necessary to achieve its objectives and perform its duties in the territory of each one of its Members.
- b) I) The Organization will have all the privileges and immunities deemed necessary to achieve its objectives and perform its duties in the territory of each one of the Members to which this Convention applies.
- b) II) Member representatives and Organization employees will both and equally enjoy all privileges and immunities necessary for performing their duties in the Organization in an independent manner.
- c) All legal capacity, privileges and immunities will be established in a separate agreement to be drafted by the Organization, in collaboration with the Secretary General of the United Nations and completed among the Members who are States.

PART XV AMENDMENTS

ARTICLE 28

- a) The text of any proposal to amend this Convention will be communicated by the Secretary General to the Members of the Organization at least six months before it is submitted to the consideration of Congress.
- b) Any amendments to this Convention that imply in new Member obligations must be approved by a two thirds majority of the Congress, in accordance with the provisions of article 10 of this Convention, and will be in effect when accepted by two thirds of the Members who are States, for each member who accepts the amendment, and then for each one of the remaining Members, when the Member accepts it. In the case of Members not responsible for international relations, the amendments will enter in effect, after being accepted on behalf of this Member by the Member responsible for conducting international relations.
- c) Other amendments will be in effect when approved by two thirds of the Members that are States.

PART XVI INTERPRETATION AND DISPUTES

ARTICLE 29

Any issue or dispute related to the interpretation or application of this Convention which is not resolved by negotiation or by the Congress will be submitted to an independent arbiter appointed by the President of the International Justice Tribunal, unless the interested parties agree with another manner for resolution.

PART XVII

ABANDONMENT

ARTICLE 30

a) Any Member can abandon the Organization with a written notice delivered twelve months in advance to the Secretary General of the Organization, who will immediately inform all Organization Members.

b) Any Member of the Organization who is not responsible for its international relations can be removed from the Organization provided that the Member or another entity responsible for its international relations provides a written notice delivered twelve months in advance to the Secretary General of the Organization, who will immediately inform all Organization Members.

PART XVIII SUSPENSION

ARTICLE 31

If any Member fails to comply with his financial obligations before the Organization or fails in any other manner with the obligations imposed by this Convention, the Congress may resolve to suspend such Member from exercising his rights and enjoying his privileges as Organization Member until he complies with his financial, or other, obligations.

PART XIX RATIFICATION AND ADHESION

ARTICLE 32

This Convention will be ratified by the subscriber States and the ratification instruments will be deposited with the Government of the United States of America and the latter will communicate the date of the deposit to each one of the subscriber and adherent States.

ARTICLE 33

Once all provisions in article 3 of this Convention are satisfied, adhesion can be effected by way of a deposit with the Government of the United States of America of an adhesion instrument which will be in effect on the date it is received by said Government, who will inform each one of the subscriber and adhering States.

ARTICLE 34

Once all provisions in article 3 of this Convention are satisfied:

a) A contracting State may declare that its ratification or adhesion to this Convention includes any territory or group of territories with international relations under its responsibility;

b) This Convention may be applied to one of these territories or group of territories on any future occasion with a written notice delivered to the Government of the United States of America, and

it will be in effect for that territory or group of territories on the date the notice is received by said Government, who will inform each one of the subscriber and adhering States;

c) The United Nations may apply this Convention to any territory or group of territories under its tutelage and administration. The Government of the United States of America will communicate this fact to all subscriber and adhering States.

PART XX EFFECTIVE DATE

ARTICLE 35

This Convention will be in effect thirty days after the date of the deposit of the thirtieth instrument of ratification or adhesion. This Convention will be in effect for each State that ratifies it or adheres to it after that date thirty days after the respective instrument of ratification or adhesion is deposited.

The date of this Convention will be the date from which it will be open for signatures during one hundred and twenty days.

The undersigned, duly authorized by their respective Governments, have signed this Convention, drafted in Washington, on October 11, 1947, in English and in French, in equally authentic copies, with one original to be filed in the archives of the Government of the United States of America. The Government of the United States of America will forward authenticated copies to all subscriber and adhering States.

Appendix I

States represented at the Conference of Directors of the International Meteorological Organization held in Washington, D.C. on September 22, 1947:

ARGENTINA
AUSTRALIA
BELGIUM
BIRMANIA
BRAZIL
CANADA
CZECHOSLOVAKIA
CHILE
CHINA
COLOMBIA
CUBA
DENMARK
EGYPT
EQUATOR
UNITED STATES OF AMERICA
PHILIPPINES
FINLAND
FRANCE

GREECE
GUATEMALA
HUNGARY
INDIA
IRELAND
ICELAND
ITALY
YUGOSLAVIA
MEXICO
NORWAY
NEW ZEALAND
NETHERLANDS
PAKISTAN
PARAGUAY
POLAND
PORTUGAL
UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
DOMINICAN REPUBLIC
ROMANIA
SIAM
SWEDEN
SWITZERLAND
TURKEY
UNION OF SOUTH AFRICA
UNION OF THE SOVIET SOCIALIST REPUBLICS
URUGUAY
VENEZUELA

Appendix II

Territories or groups of territories that maintain their own meteorological services and States responsible for their international relations are represented in the Conference of Directors of the International Meteorological Organization, held in Washington, D.C., on September 22, 1947:

FRENCH EQUATORIAL AFRICA
BRITISH WESTERN AFRICA
FRENCH WESTERN AFRICA
PORTUGUESE WESTERN AFRICA
BRITISH EASTERN AFRICA
PORTUGUESE EASTERN AFRICA
ARCHIPELAGO OF CAPE VERDE
BERMUDA
CAMEROON
CEYLON
BELGIUM CONGO
CURACAO
FRENCH ESTABLISHMENTS IN OCEANIA
BRITISH GUIANA
HONG-KONG
MAURITIUS ISLANDS
DUTCH INDIES

INDOCHINA
JAMAICA
MADAGASCAR
MALAYSIA
MOROCCO (except the Spanish zone)
NEW CALEDONIA
PALESTINE
RHODESIA
FRENCH SOMALIA
ANGLO-EGYPTIAN SUDAN
SURINAME
FRENCH TOGO
TUNISIA.