

Criteria and Procedures

for granting Observer status in the International Sava River Basin Commission

1. Definitions

- 1.1 “FASRB” means the Framework Agreement on the Sava River Basin, signed at Kranjska Gora, on the 3rd of December 2002.
- 1.2 “Parties” means States which are parties to the FASRB.
- 1.3 “Observer” means a state, an international governmental organization, an international or national non-governmental organization, invited or accepted by the Sava Commission to participate to all or only selected activities in the framework of the FASRB.
- 1.4 “Sava Commission” means the International Sava River Basin Commission established by Article 15 of the FASRB.
- 1.5 “Chairman of the Sava Commission” means the member of the Sava Commission that holds the Chair of the Sava Commission, according to Article 2 of the Annex I (Statute of the International Sava River Basin Commission) of the FASRB.
- 1.6 “Secretariat” means the Secretariat established by Article 18 of the FASRB.
- 1.7 “Admission” means the decision taken by the Sava Commission to grant Observer status.
- 1.8 “Letter of Admission” means the formal information to the Candidate containing the admission and the specifications applying.
- 1.9 “Withdrawal” means the decision taken by the Sava Commission, initiated by either party, to terminate Observer status in the Sava Commission.
- 1.10 “Letter of Withdrawal” means the formal information of the Observer on the withdrawal.

2. Observers

2.1 Rights and Duties

- a) To be informed, by the Secretariat, of the date, place and agenda of the meetings and of the activities, in which they are entitled to participate.
- b) To have access to documents of the Sava Commission and its bodies in accordance with decisions of the Sava Commission.
- c) To participate in meetings organized in the framework of the FASRB, in which they are entitled to participate, with the possibility to express their position and views, and to have them reflected in relevant documents.
- d) To submit relevant documents and proposals to the Sava Commission, which are distributed by the Secretariat and may be discussed at the meeting.

- e) To take part in the programs and contribute to the projects initiated under the auspices of the FASRB in which they are invited to participate or to make any other voluntary contribution.
- f) To reflect in their practice the principles and goals of the FASRB and the decisions and recommendations of the Sava Commission.

2.2. Criteria for granting Observer status

- a) General criteria under which candidates are admitted to get Observer status in the Sava Commission are the following:
 - i) Compatibility with the goals and basic principles of the FASRB;
 - ii) The existence of specialized technical or scientific competence or of other competences in areas of direct relevance for the implementation of the FASRB;
 - iii) The existence of a structured permanent administration;
 - iv) Having legal personality;
 - v) International, regional or basin-wide perspective.
- b) Additional criteria for non-governmental organizations are the following:
 - i) The organization has been in existence for at least three years, officially registered with the appropriate government authorities as an NGO/non-profit organization;
 - ii) The organization has an established headquarters;
 - iii) The organization has authority to speak for its members through its authorized representatives;
 - iv) If the non-governmental organization is national, rather than international, the scope of its work should extend in great part beyond the national boundaries, including at least two Parties to the FASRB;
 - v) There should be an existing history of successful operational participation of the organization in the ISRBC activities, so that granting of Observer status is recognition of mutually beneficial cooperation rather than the beginning of a partnership.
- c) Additional criteria focused on particularly competent partners in terms of the effective implementation of the FASRB are the following:
 - i) Partners within the Sava River Basin being strongly interested or even engaged in the Sava River protection, water management and navigation;
 - ii) Partners outside the Sava River Basin being strongly interested and ready to stimulate and even support the development under the FASRB, in particular those being familiar with the tasks of river commissions;
 - iii) Preference for basin-oriented cooperation and coordination, which cannot be left to current activities other than observership; this applies to both, GOs and NGOs;
 - iv) An overall criterion serving the implementation of the FASRB is to get a well balanced participation of respective stakeholders.

2.3 Procedure of granting Observer status

- a) The application for obtaining Observer status should be submitted to the Secretariat of the Sava Commission and has to contain the following:
 - i) Letter of Application, containing background of the candidate underlying its experience and competences, and explanation stating why the candidate finds that the both sides could have benefit from the provided input;
 - ii) Detailed list of contacts of the applicant;
 - iii) Completed Questionnaire including requested documents.All documents should be submitted in one of the official languages of the Sava Commission member states or in English.
The states and international organizations applying are expected to deliver the elements stated under (i) and (ii) above.
- b) Proposals for admission of Observer status shall be examined by the Sava Commission on a case-by-case basis, having in view the readiness of the possible future Observer to make a practical and valuable contribution to the implementation of the main principles and goals of the FASRB.
- c) The item of Observer status shall be included in the agenda of the earliest possible session of the Sava Commission for decision.
- d) The Chairman of the Sava Commission shall address a Letter of Admission to the Observer after its admission by the Sava Commission.
The granted Observer status may be permanent or temporary. Permanent observer status, in principle, can be granted to states and to international organizations, especially those stipulated by the Article 5 of the FASRB.
- e) The Sava Commission may invite a particular partner, other than those mentioned above, to apply for observership, if being of interest for the Sava Commission.

2.4 General conditions for Observers

General conditions for Observers, taking part in particular meetings, are the following:

- a) Nomination of one representative by each Observer unless otherwise agreed. Participation of the nominated representative of the observer should be announced at least 7 days prior to the particular meeting;
- b) Active cooperation in support of the Sava Commission's goals. Collaboration with ISRBC and its working groups must be sincere and objective. It must contribute to seeking beneficial solutions for promoting ISRBC goals;
- c) Fulfilment of the Chairman's orders regarding the meeting conduct and management;
- d) Fulfilment of special arrangements made together with the Sava Commission or its expert body concerned.

3. Common Rules concerning Decision-making and Withdrawal

3.1 Decision-making

The Observers cannot take part in the process of adopting decisions during the meetings in the framework of the FASRB, in which they are entitled to participate.

3.2 Withdrawal

At any time Observer may terminate their status by written notification to the Secretariat. Any such withdrawal may be initiated by either party and shall take effect after the period decided by the Sava Commission in the Letter of Withdrawal.