

**CENTRE AFRICAIN POUR LES
APPLICATIONS DE LA METEOROLOGIE
AU DEVELOPPEMENT**

85, Avenue des Ministères
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CONSTITUTION OF THE AFRICAN CENTRE OF METEOROLOGICAL APPLICATIONS FOR DEVELOPMENT (ACMAD) (In Force)

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**CONSTITUTION OF THE AFRICAN CENTRE OF METEOROLOGICAL
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WHEREAS by its resolution 540 (XX) the Conference of Ministers of the United Nations Economic Commission for Africa on behalf of the member States of the United Nations Economic Commission for Africa, resolved that an African Centre of Meteorological Applications for Development should be established for the purpose of improving the understanding of atmospheric and climatic processes over Africa, collecting, analysing and disseminating meteorological and hydrological information, providing a meteorological watch and early warning system over Africa and promoting the training of African scientists and technicians in the application of meteorology for development;

WHEREAS practical and useful actions can presently be taken to alleviate the effects of drought, atmospheric phenomena, tropical cyclones by applying methodologies based on a thorough knowledge of the impact of meteorological factors on food production, on the availability of water resources and on new and renewable sources of energy;

WHEREAS by the said resolution 540 (XX) the African Centre of Meteorological Applications for Development is to be operated with the support of the member States of the United Nations Economic Commission for Africa and of the World Meteorological Organisation;

AND WHEREAS by virtue of the said resolution 540 (XX) the member States of the United Nations Economic Commission for Africa have agreed to establish the African Centre of Meteorological Applications for Development for the purpose and in the manner set out in the preceding paragraphs;

NOW THEREFORE and on behalf of the member States of the United Nations Economic Commission for Africa, the Conference of Ministers HEREBY AGREES AS FOLLOWS:

**ARTICLE 1
Establishment of the Centre**

The African Centre of Meteorological Applications for Development (hereinafter referred to as "the Centre"), is hereby established.

**ARTICLE 2
Membership**

All the member States of the United Nations Economic Commission for Africa (hereinafter referred to as "the member States") who comply with the provisions of article 17 of this constitution shall be members of the Centre.

The delegation of Algeria expressed reservations on articles 2, 10 and 17 of this Constitution

ARTICLE 3

Objectives and functions of the Centre

1. The objectives of the Centre shall be to:

a) Promote and develop the application of meteorological data and information so as to enhance the economic and social development of the member States, assist in the investigation and mitigation of the effects of weather phenomena, improve the knowledge of the anomalies of the weather and climate resources of the member States and foster the proper conservation of the natural resources of the member States;

b) To assist the member States to achieve self-sufficiency in food production, water resources management and utilisation of new and renewable sources of energy;

c) To act as an African Centre of reference in meteorology and its application to development, and as a resource Centre to stimulate applied scientific research especially in tropical meteorology and in rain-producing systems and to enrich existing training and development programmes;

d) To strengthen national weather services to enable them to take full advantage of development opportunities offered by the Centre in support of the respective national economies in order to ensure the total development of the whole meteorological system of the African region in a harmonious manner; and

e) To develop those aspects of meteorology which are not catered for by national and sub-regional Centres, particularly in the areas of acquiring and adapting agro-meteorological techniques successfully applied elsewhere in aid of self-sufficiency in food production and energy; and to address the many pressing issues of drought tropical cyclones and other climate or weather-related disasters.

2. For the purposes set out in paragraph 1 of this article, the Centre shall in particular, perform the following functions:

a) Strengthen the capabilities of national meteorological services in the application and use of meteorological/climatological data;

b) Provide a meteorological/climatological early warning watch system based on the state-of-the art for analysis and prediction, to combat and mitigate the effects of drought, tropical cyclones and other climate-related natural disasters;

c) Develop new and practical methodologies for meteorological applications in order to:

1. Reduce variability and risk of losses in food crop production;

2. Reduce cost and energy inputs in food crop production;

3. Increase production and strengthen food security;

4. Improve water resources management, especially in drought-prone and drought-stricken areas:

5. Develop alternative sources of energy; and
 6. Provide a better understanding of the atmospheric conditions prevailing in the African region which affect critical human activities;
- d) To perform on a continental scale the bridging of the gaps between sub-regional and national units through supporting activities in applications development, meteorological/climatological watch operations, numerical analysis and prediction development, and in information and satellite meteorology technology in order to identify and solve urgent regional climatic problems;
 - e) The archiving of all historical and current data, provision of uniform data format, ensuring of efficient data product exchange on existing Global Telecommunications System (GTS) and assisting in defining new requirements;
 - f) Provide regularly appropriate forecast of crop yields, identify appropriate methodologies for operational proposals, and meteorological conditions for the occurrence of migratory pests and diseases, and monitoring of continental drought and climatic anomalies;
 - g) Provide training, including the organisation of workshops, seminars, training missions and similar activities for African scientists and technicians in the applications of meteorological data and information to economic and social development;
 - h) Undertake research for the better understanding of the atmospheric and climatic processes which cause rains, drought, tropical cyclones and floods, storms and other significant meteorological phenomena; and
 - i) Undertake such other activities as may be designed to further the objectives of the Centre.

ARTICLE 4

The Centre shall have the following organs

- a) A Board of Governors;
- b) A General Directorate; and
- c) Such other technical, scientific, financial and administrative bodies as may be necessary for the efficient discharge of its functions.

ARTICLE 5

The Board of Governors: Composition, functions and meetings

1. The Board of Governors shall be the supreme policy-making organ of the Centre.
2. The Board of Governors shall be composed as follows:
 - a) A representative each of two member States from each of the five sub-regions of the United Nations Economic Commission for Africa selected by the Conference of Ministers each such representative shall be selected on the basis of his or her expertise and experience in meteorology;

b) The Chairman and Vice-Chairman who shall be elected from among the members of the Board representing the member States;

c) A representative of the Government of the Republic of the Niger;

d) In the initial phase and before the Chairman is elected, the Executive Secretary of the United Nations Economic Commission for Africa shall be Chairman of the Board of Governors;

e) A representative of the Organisation of African Unity (OAU), without the right to vote;

f) A representative of the United Nations Economic Commission for Africa (ECA) without the right to vote;

g) A representative of the World Meteorological Organisation (WMO) without the right to vote;

h) Representatives of international organisations or institutions interested in the activities of the Centre such as the United Nations development Programme (IJNDP), the Food and Agriculture Organisation of the United Nations (FAO) and the United Nations Environment Programme (UNEP) by invitation of the Board of Governors without the right to vote; and

i) Donor agencies and eminent experts may also attend meetings of the Board of Governors by invitation of the Board as observers without the right to vote.

3. The Director General of the Centre shall act as Secretary of the Board of Governors.

4. In selecting the members of the Board of Governors referred to in subparagraph (a) of paragraph 2 of this article, the Conference of Ministers shall have regard to the necessity of maintaining a fair geographical distribution of selection among the member States.

5. The members of the Board of Governors selected under sub-paragraph (a) of paragraph 2 of this article shall hold office for a period of four years and may be eligible for re-election only once, provided however that in making selections for the first time, the Conference of Ministers shall direct that one-half of the member States selected by them shall retire two years after they have been selected and shall be replaced by the same number of member States selected by the Conference of Ministers for the purpose.

6. The members of the Board of Governors referred to in subparagraph (a) of paragraph 2 of this article, shall be persons who are competent and experienced in meteorology.

7. The Board of Governors shall:

a) Prescribe the general principles and policies governing the operations of the Centre and give directives of a general nature as the implementation of such principles and policies;

b) Propose the work programmes of the Centre and their corresponding budgets, subject to the approval of the Conference of Ministers;

c) Prescribe conditions for the admission of persons to undergo training provided by the Centre;

- d) Review and approve the annual reports of the Director General of the Centre on the activities of the Centre;
 - e) Appoint professionally qualified auditors to audit the accounts of the Centre;
 - f) Examine and approve the financial report and accounts of the Centre for the preceding year;
 - g) Prescribe the financial, staff and other rules and regulations governing the administration of the Centre;
 - h) Adopt its own rules of procedures;
 - i) Determine, apart from the office of the Director General of the Centre, the other offices of the Centre;
 - j) Submit through its Chairman a report to the joint Intergovernmental Regional Committee on Human Settlements and Environment of the United Nations Economic Commission for Africa (hereinafter referred to as 'the Joint Committee'), for its consideration, approval and presentation to the Conference of Ministers, on annual reports on the activities of the Centre;
 - k) Appoint the Director General and other senior staff of the Centre;
 - l) Establish such technical, scientific, financial and administration committees as may be necessary for the efficient discharge of the functions of the Centre;
 - m) Convene periodically meetings of donors to consider the funding of activities of the Centre; and
 - n) Perform such other functions as may be necessary for the efficient discharge of the functions of the Centre.
8. The Board of Governors shall meet in ordinary session once a year and may hold extraordinary sessions at the request of its Chairman or of one-third of its members.

ARTICLE 6.
The Chairman of the Board of Governors

1. The Chairman of the Board of Governors shall:
 - a) Cause to be prepared the draft agenda of the meetings of the Board of Governors;
 - b) Convene and preside over the meetings of the Board of Governors;
 - c) With the approval of the Board of Governors solicit financial and other resources from the United Nations and its specialised agencies or other intergovernmental organisations, non-governmental organisations, governments and other sources.
2. In the absence of the Chairman of the Board of Governors, the functions set out in paragraph I of this article shall be performed by the Vice-Chairman.

ARTICLE 7
The General Directorate

1. The Centre shall be headed by the Director General who shall be the Chief Executive and Administrative Officer of the Centre.
2. The Director General of the Centre shall be appointed as provided for in this constitution for a period of four years subject to renewal for succeeding periods of four years each.
3. The Director-General of the Centre shall act as the official representative of the Centre.
4. Subject to such directions of a general nature as the Board of Governors may give, the Director General of the Centre shall have responsibility for the planning, organisation and direction of the technical activities, scientific research, training, advisory and other activities of the Centre. He shall in particular:
 - a) Be responsible for the organisation and administration of the Centre;
 - b) Submit for consideration of the Board of Governors the work programmes and corresponding budgets of the Centre;
 - c) Be responsible for the carrying out of the activities of the Centre in accordance with the approved work programme and corresponding budgets of the Centre;
 - d) Submit for the approval of the Board of Governors annual reports on the activities and the accounts of the Centre;
 - e) Subject to the staff and administrative rules and regulations of the Centre and to such directions as the Board of Governors may give, select and appoint staff other than those provided for under subparagraph (k) of paragraph 7 of article 5 of this Constitution;
 - f) Establish and maintain such contacts with governments, the United Nations and its specialised agencies and other organisations or institutions as may be necessary or desirable for achievement of the objectives of the Centre; and
 - g) Undertake such other assignments or activities as may be determined by the Board of Governors.
5. The Director General and the other staff of the Centre shall neither seek nor accept any instructions remuneration or gifts from any government or authority or from any source external to the Centre and shall refrain from any other action which might reflect on their position as international officials.
6. The member States shall undertake to respect the international character of the responsibilities of the Director General and other staff of the Centre and not seek to influence any of their nationals in discharge of such responsibilities provided that this shall not preclude the secondment to the Centre of staff by Governments and Organisations.

ARTICLE 8
Headquarters of the Centre

1. The headquarters of the Centre shall be located at Niamey, the Republic of the Niger.
2. The Centre shall enter into an agreement with the Government of the Republic of the Niger

concerning the provision and grant, as the case may be, by the Government of such adequate premises facilities and services and privileges and immunities as may be required by the Centre to operate effectively and efficiently.

ARTICLE 9

Status, capacity, privileges and immunities

1. To enable it to achieve its objectives and perform the functions with which it is entrusted, the Centre shall possess in the territory of each member State juridical personality in international law. To these ends, the status, capacity, privileges, immunities and exemptions set forth in paragraph 2 to 12 of the article shall be accorded to the Centre in the territory of each member State.

2. The Centre shall for the purpose of this Constitution have the capacity:

- a) To enter into contracts;
- b) To acquire and dispose of immovable or movable property; and
- c) To institute legal proceedings.

3. The Centre, its property and assets shall enjoy immunity from every form of legal process except in so far as in any particular case it has, through the Director General of the Centre, expressly waived its immunity

Provided however that no measure of execution shall be taken against the property and assets of the Centre without the consent of the Director General of the Centre.

4. The headquarters of the Centre shall be inviolable. The property and assets of the Centre shall be immune from search, requisition, confiscation, expropriation and any other form of interference whether by executive, administrative, judicial or legislative action.

5. The archives of the Centre and in general all documents belonging to it or held by it, shall be inviolable.

6. The Centre, its property, assets, income and transactions shall be exempted from all taxation and from customs duties and prohibitions and restrictions on imports and exports necessary for the exercise of its functions. The Centre however shall not be exempted from the payment of charges for services rendered.

7. The members of the Board of Governors and representatives of the member States who are not otherwise officials of the United Nations or of the specialised agencies of the United Nations, shall enjoy such privileges and immunities as are provided for, mutatis mutandis, by article IV of the Convention on Privileges and Immunities of the United Nations.

8. The staff of the Centre who are not otherwise officials of the United Nations or of the specialised agencies of the United Nations shall enjoy such privileges and immunities as are provided for in article V of the Convention on Privileges and Immunities of the United Nations.

9. Without prejudice to the foregoing provisions, the member States shall undertake to accord to all representatives of the member States, all the Staff of the Centre and experts providing advice or assistance to the Centre such facilities and courtesies as are necessary for the exercise of their functions in connection with the Centre.

10 The Director-General of the Centre shall have the right and duty to waive the immunity of any staff of the Centre who is not an official of the United Nations or of a specialised agency of the United Nations, in cases where in his opinion the immunity would impede the cause of justice and can be waived without prejudice to the interests of the Centre.

11. All persons undergoing training or taking part in schemes for the exchange of personnel at the Centre in pursuance of the provisions of this Constitution and who are not nationals of the member States concerned, shall have the right of entry into, sojourn in, transit through and exit from the territory of each member State when such entry, sojourn, transit or exit is necessary for their assignment. They shall be granted facilities for speedy travel; visas, where required, shall be granted promptly and free of charge.

12. The Centre shall co-operate at all times with the appropriate authorities of the member States to facilitate the proper administration of justice secure the observance of national laws and prevent the occurrence of any abuse in connection with the privileges, immunities and facilities mentioned in this article.

ARTICLE 10

Rights and obligations of the Member States

All the member States shall enjoy the same rights and obligations with regard to the Centre in particular the member States shall

- a) Facilitate the timely collection, exchange and dissemination of climatic and meteorological data and information;
- b) Submit such reports, data and information as may be required by the competent organs of the Centre;
- c) Make available to the Centre training and research facilities on such terms and conditions as may from time to time agreed with the appropriate organs of the Centre;
- d) Make available to the Centre national personnel on such conditions as may be agreed upon with the appropriate organs of the Centre;
- e) Pay their annual contributions as assessed by the Conference of Ministers;
- f) Accord such facilities, privileges and immunities as may be required under the provisions of article 8 of this Constitution; and
- g) have free access to all the services of the Centre.

ARTICLE 11

Assistance by the Secretariat of the United Nations Economic Commission for Africa and of the World Meteorological Organisation

1. The secretariat of the United Nations Economic Commission for Africa and the World Meteorological Organisation shall assist the Centre in every possible way in order to facilitate its work.

2. The secretariat of the World Meteorological Organisation shall in particular have the responsibility of providing scientific and technical guidance and direction to the Centre with a view to assisting the Centre to achieve its objectives; it shall also supervise the co-ordination and co-operation of the Centre with other specialised regional and world Centres within the framework of the relevant programme of the World Meteorological Organisation, in particular the World Weather Watch and the World Climate Programme.

ARTICLE 12

Co-operation with the other organisations

The Centre shall establish such relationships with the United Nations and its specialised agencies and such other organisations and institutions as may be interested in the achievement of the objectives of the Centre.

ARTICLE 13

Resources of the Centre

1. The financial resources of the Centre shall be derived from contributions made by the member States in accordance with a formula recommended by the Board of Governors to the ECA Conference of Ministers.

2. The Centre may in addition to the resources referred to the paragraph 1 of this article, receive donations from any member State.

3. The Centre may derive further resources in cash or in kind from the United Nations and its specialised agencies, bilateral and unilateral donors, and such other institutions and organisations as may be interested in the activities of the Centre. Acceptance by the Centre of offers of such further assistance shall be consistent with the objectives of the Centre subject to the provisions of this Constitution and be in accordance with the relevant provisions of the rules governing the financial management of the Centre.

ARTICLE 14

Amendments

This Constitution may, on the recommendation of the Joint Intergovernmental Committee on Human Settlements and Environment be amended by the Conference of Ministers.

ARTICLE 15

Settlement of disputes

Any question in dispute that may arise concerning the interpretation or application of any provision of this Constitution which cannot be settled by the parties concerned, shall be determined by the board of Governors.

ARTICLE 16

Duration and termination

1. This Constitution shall be of indefinite duration except that it may be terminated by a decision of the Conference of Ministers whereupon the Centre shall be deemed to have been dissolved.

2. In the case of the dissolution of the Centre in pursuance of the provisions of paragraph I of this article, the Board of Governors shall make provisions for the orderly liquidation of the Centre.

ARTICLE 17
Entry into force

This Constitution shall enter into force upon its adoption by the Conference of Ministers and approval by the member States in accordance with the procedures in force in their respective countries.

DONE at Addis Ababa, Socialist Ethiopia, on the twenty-seventh day of April, One Thousand Nine Hundred and Eighty-Seven in the Arabic, English and French languages, all three texts being equally authentic.