

CHARTER

Global Network for Resource Efficient and Cleaner Production (RECPnet)

The Global Network for Resource Efficient and Cleaner Production (RECPnet), was formally created on 3 November 2010 by 41 organizations providing services on Resource Efficient and Cleaner Production (RECP) in developing and transition countries, with support from the United Nations Industrial Development Organization (UNIDO) and the United Nations Environment Programme (UNEP), under the *Joint UNIDO-UNEP Resource Efficient and Cleaner Production (RECP) Programme for Developing and Transition Countries*. This present revision of the Charter was approved by the 3rd Members' Assembly of RECPnet, on 16 October 2015, in Davos, Switzerland, upon the recommendation of the Executive Committee, made during its 6th meeting on 14 July 2015, in Vienna, Austria.

Article 1. NAME

The global network established through this Charter is called the Global Network for Resource Efficient and Cleaner Production, in short "RECPnet".

Article 2. OBJECTIVES AND FUNCTIONS

Article 2.1. Objectives

2.1.1. The overall objectives of RECPnet are:

- a) To enable and contribute to the effective and efficient development, application, adaptation, scaling up and mainstreaming of RECP concepts, methods, policies, practices and technologies in developing and transition economies; and
- b) To facilitate effective North-South and South-South collaboration and the transfer of RECP-relevant knowledge, experiences and technologies.

2.1.2. In particular, RECPnet ensures that in developing and transition economies:

- a) Best practice information and knowledge on RECP concepts, methods, policies, practices and technologies is effectively captured, disseminated and utilized;
- b) The knowledge and skills bases of member RECP service providers are strengthened, improved and updated; and
- c) There is greater awareness and recognition of the relevance, needs and benefits of RECP for businesses and other organizations.

Article 2.2. Key Functions

2.2.1. RECPnet accomplishes its objectives by undertaking the following key functions for the benefit of developing and transition economies:

- a) Innovation and Knowledge Management and Dissemination: capture, review, disseminate and promote the use of best practice RECP concepts, methods, policies, practices and technologies;
- b) Capacity Building: foster professional and institutional excellence and leadership of member RECP service providers;
- c) Advocacy: raising awareness for and promotion of economic, environmental, social and other benefits of RECP among governments, business sectors and civil society; and
- d) Quality Assurance and Branding: ensure the highest quality in RECP services and develop and promote a global brand for RECP.

2.2.2. The Executive Committee of RECPnet determines and reviews on a regular basis the key activities required for fulfilment of these functions of RECPnet.

Article 3. PARTICIPATING ENTITIES AND MEMBERSHIP

RECPnet is constituted of Members, Patron Agencies and Participants.

Article 3.1. Members

3.1.1. Members of RECPnet are organizations or initiatives that (1) deliver as a core activity RECP services in developing and/or transition economies that serve the country's public good and private interest of its enterprises and organizations; and (2) commit to cooperate beyond an exclusive profit motive in the spirit of international collaboration, knowledge management and professional excellence.

3.1.2. RECPnet has three types of Members:

- a) Regular Members: not-for-profit organizations or initiatives based in a developing or transition economy with a proven track record in RECP service provision in its home country and possibly other developing and/or transition economy (ies);
- b) Associate Members: any organization or initiative with a proven track record in RECP service provision in developing and/or transition economy (ies) that is unable to become a Regular Member; and
- c) Observer Members: not-for-profit organizations or initiatives based in a developing or transition economy with an emerging track record in RECP service provision in its home country and possibly other developing and/or transition economy (ies).

- 3.1.3. The specific rights and obligations of the Members of RECPnet are defined in the Membership By-Law under this Charter, which can be amended by a majority vote of the Members' Assembly upon proposal and recommendation by the Executive Committee of RECPnet. Admission and termination of membership of RECPnet is administered by the Executive Committee of RECPnet on the basis of this Membership By-Law.
- 3.1.4. Regular and Associate Members of RECPnet are entitled to one vote each in the Members' Assembly of RECPnet and are required to pay membership fees as specified in the Membership By-Law. Observer Members have no vote in the Members' Assembly and pay no membership fees.
- 3.1.5. RECPnet includes Regional Chapters that bring together RECPnet Members within their respective geographic regions, and therein facilitate Thematic Working Groups on topics of common interest within the region, to foster collaboration and knowledge sharing within and between regions and on thematic priorities.
- 3.1.6. The conduct of all Members of RECPnet is governed by a Code of Conduct, established as By-Law under this Charter. This Code of Conduct can be amended by a majority vote of the Members' Assembly upon proposal and recommendation of the Executive Committee of RECPnet. Conformance with the Code of Conduct is monitored by the Executive Committee of RECPnet.
- 3.1.7. A Member of RECPnet is not permitted to use the name, emblem or abbreviation of the name of a Patron Agency unless such Member has been specifically authorized to do so, in writing, by or on behalf of the executive head of the Patron Agency concerned.
- 3.1.8. RECPnet establishes and operates a scheme for the recognition of technical and institutional excellence and leadership among its Regular Members, and supports its Regular Members in achieving and maintaining such excellence over time.

Article 3.2. Patron Agencies

- 3.2.1. Patron Agencies of RECPnet are international intergovernmental organizations that are recognized for their commitment to and achievements in RECP promotion and application in developing and transition economies, and have a current commitment to support and facilitate the activities and operations of RECPnet.
- 3.2.2. The United Nations Industrial Development Organization (UNIDO) and the United Nations Environment Programme (UNEP) are recognized as the founding Patron Agencies of RECPnet.

3.2.3. The Members' Assembly of RECPnet decides upon the acceptance and termination of new Patron Agencies additional to the founding Patron Agencies, by means of a simple majority vote, upon presentation and recommendation by the Executive Committee of RECPnet.

Article 3.3. Participants

3.3.1. Participants are organizations, initiatives or professionals with an interest in, or capacity for, promotion and/or implementation of RECP concepts, methods, policies, practices and technologies in developing and/or transition economies, that by means of participation in activities or training of RECPnet or accessing its information resources, benefit from the knowledge and other resources available through and in RECPnet, without acquiring the rights nor assuming the obligations associated with any of the categories of membership of RECPnet.

3.3.2. A Participant in RECPnet is not permitted to use the name, emblem or abbreviation of the name of a Patron Agency unless such Participant has been specifically authorised to do so, in writing, by or on behalf of the executive head of the Patron Agency concerned.

Article 4. GOVERNANCE AND MANAGEMENT

RECPnet has a governance structure consisting of the Members' Assembly, Regional Chapters, the Executive Committee and the Secretariat.

Article 4.1. Members' Assembly

4.1.1. The Members' Assembly is the highest decision-making organ of RECPnet and decides on key organizational issues and strategic directions of RECPnet based on submissions by the Executive Committee.

4.1.2. All Regular and Associate Members have one vote each in the Members' Assembly. Observer Members can attend and contribute to the Members' Assembly but do not have a voting right in the Members' Assembly.

4.1.3. The Members' Assembly meets at least once every two years at such time and place as the Executive Committee determines with a minimum notice of 90 days.

4.1.4. The Regular and Associate Members that are signed up and have paid up 45 calendar days prior to the date of the Members' Assembly constitute the Members' Assembly.

- 4.1.5. Extraordinary meetings of the Members' Assembly can be convened at any time by a decision of the Executive Committee or at the request of one fifth of the Regular and Associate Members of RECPnet that are signed up and paid up at the time of the request.
- 4.1.6. The Members' Assembly (1) elects its President among the elected Regional Executives; and approves the work plan, activity report and financial report from the Executive Committee and Secretariat.
- 4.1.7. Except in the specific cases provided for explicitly in this Charter, decisions are carried by a simple majority vote of the signed-up and paid-up Regular and Associate Members present at the respective meeting of the Members' Assembly, and are notified to all Members. Unless unanimously resolved otherwise, decisions can only be taken on matters appearing on the agenda.
- 4.1.8. Decisions of the Members' Assembly are entered in a minute book signed by the President and held at the Secretariat at the disposal of all Members.

Article 4.2. Regional Chapters

- 4.2.1. RECPnet has established Regional Chapters for each of the five regions which it serves, respectively: (1) Africa; (2) Arab Region; (3) South, East and Southeast Asia and Pacific; (4) Eastern Europe, Caucasus and Central Asia; and (5) Latin America and Caribbean.
- 4.2.2. A Regional Chapter is comprised of the Regular and Observer Members having their main location in the region covered by the respective Chapter, and operates in accordance with the Terms of Reference for Regional Chapters, as determined by the Executive Committee.
- 4.2.3. The Regional Chapter is coordinated by a Regional Executive. The Regional Executive shall be elected, by simple majority vote of the Members of the Regional Chapter that are present at the Regional Chapter Meeting that immediately precedes a regularly scheduled Members' Assembly, with the election result communicated to the President and Secretariat prior to the start of to the Members' Assembly by the outgoing Regional Executive.
- 4.2.4. Any Regular Member can nominate itself to the President and Secretariat for the position of Regional Executive within its own Region and/or be nominated by another Regular or Observer Member within the Region or any Associate Member, not less than 30 days prior to the next regularly scheduled Members' Assembly.

- 4.2.5. Regional Executives shall be elected for a term of two years and may be re-elected for one additional term. After two terms of service, a period of a minimum of two years must elapse before a re-election as Regional Executive is possible.
- 4.2.6. Election as Regional Executive does not carry any remuneration.
- 4.2.7. The activities of all Regional Chapters are open to all RECPnet Members, regardless of their type of membership or geographic location.

Article 4.3. Executive Committee

- 4.3.1. The Executive Committee is comprised of five Regional Executives, as elected by the respective Regional Chapters, and presented to the Members' Assembly.
- 4.3.2. The President of the Executive Committee is elected by the Members' Assembly from among the Regional Executives, elected within their respective Regional Chapters.
- 4.3.3. The founding Patron Agencies each appoint a representative to the Executive Committee. These representatives of Patron Agencies are ex-officio members of the Executive Committee with no voting right.
- 4.3.4. The Executive Committee:
 - a) Guides and administers RECPnet under the authority of the Members' Assembly with the support of the Secretariat, taking full consideration of the Charter of RECPnet and in conformity with the mandates and procedures of the Patron Agencies and of those Organizations providing the Secretariat support to RECPnet;
 - b) Constitutes Thematic Working Groups and Regional Chapters for selected topics, regions and/or sectors within the membership of RECPnet and specifies the functioning and organization of such Thematic Working Groups and Regional Chapters;
 - c) Meets at least once a year with interim meetings convened at least six-monthly through tele- and/or videoconferencing to be organized by the Secretariat;
 - d) Develops and implements the programme of RECPnet for technical and institutional excellence and leadership, that recognizes Members of RECPnet on the basis of their respective service delivery capacity;
 - e) Resolves on By-Laws concerning the convocation and the organization and representation of voting Members in the Members' Assembly; and
 - f) Resolves on By-Laws and/or other procedures regulating the business of the Executive Committee.

- 4.3.5. The President of the Executive Committee of RECPnet provides the leadership to the Executive Committee, including:
- a) Official representation of RECPnet in public forums and communications; and
 - b) Chairing the meetings of the Executive Committee and the Members' Assembly of RECPnet.
- 4.3.6. The Executive Committee elects among its Members a Secretary, who:
- a) Performs the duties of the President, in the absence of the President; and
 - b) Prepares the agenda and minutes of the meetings of the Executive Committee and Members' Assembly of RECPnet.
- 4.3.7. The Executive Committee elects among its Members a Treasurer who oversees the financial management of RECPnet ensuring that proper financial management procedures are in place, supervising the preparation of annual budget and arranging for financial controls.
- 4.3.8. Positions on the Executive Committee do not carry any remuneration.

Article 4.4. The Secretariat

- 4.4.1. The organizations that support the day-to-day activities of RECPnet in accordance with this Charter and facilitate the work of the Executive Committee of RECPnet will be acknowledged by the Members' Assembly, as the Secretariat of RECPnet.
- 4.4.2. Until further decision by the Members' Assembly, as prepared and presented by the Executive Committee, and subject to ongoing implementation of the *Joint UNIDO-UNEP Resource Efficient and Cleaner Production (RECP) Programme for Developing and Transition Countries*, UNIDO and UNEP jointly provide the Secretariat support for RECPnet under the mandate of and with the resources available from this Programme and in conformity with UN rules and regulations.
- 4.4.3. The organization(s) providing the Secretariat support for RECPnet individually and collectively determine, in consultation with the Executive Committee, what specific activities they can perform in their role as Secretariat of RECPnet, to be reflected in an annual work plan, taking into consideration their respective mandates and resources available.
- 4.4.4. English is the working language of RECPnet with the possibility of using other official languages of the United Nations for the Regional Chapters and regional activities, as and when necessary and subject to the availability of resources.

Article 5. FUNDING AND FINANCIAL MANAGEMENT

- 5.1. Possible sources of financing for the activities of RECPnet are: membership fees; donations; sponsorship of events; grants and special contributions; revenues from workshops, conferences, seminars; sales of publications; project financing and any other appropriate sources.
- 5.2. The Executive Committee prepares a guideline on modes of payment and management of membership fees and their utilization, taking full consideration of applicable financial rules, regulations and procedures of the organization(s) supporting the Secretariat of RECPnet.
- 5.3. The Executive Committee prepares a guideline on rules, procedures and ethical consideration on accepting donations, grants and special contributions to RECPnet, and utilization of the funds available to RECPnet, taking full consideration of applicable financial rules, regulations and procedures of the organization(s) supporting the Secretariat of RECPnet.
- 5.4. The accounts are closed on 31 December of each year. Accounts are audited in accordance with procedures and practices applicable to the organization(s) supporting the Secretariat of RECPnet and financial reports are submitted to successive meetings of the Members' Assembly.

Article 6. FINAL CLAUSES

Article 6.1. Effective Date

RECPnet came into effect on 3 November 2010, upon endorsement of the Founding Charter of RECPnet, by 41 Founding Members distributed from each of the five RECPnet recognized regions, namely (1) Africa (5 founding members); (2) Arab Region (6 founding members); (3) South, East and Southeast Asia and Pacific (9 founding members); (4) Eastern Europe, Caucasus and Central Asia (9 founding members); and (5) Latin America and Caribbean (12 founding members).

Article 6.2. Amendments

- 6.2.1. This Charter can be amended by a simple majority vote of the signed-up and paid-up Regular and Associate Members attending a given Members' Assembly of RECPnet with a minimum of 90 days prior notice and circulation of the proposed changes to all Members of RECPnet.
- 6.2.2. Amendments enter into force based on a timetable established by the Executive Committee. In case no timetable is established the amendments enter into force 90 days after voting in the Members' Assembly.

Article 6.3. Termination

- 6.3.1. RECPnet can be terminated by the decision of the two-third vote of the signed-up and paid-up Regular and Associate Members attending any given Members' Assembly upon submission of a proposal carried unanimously by the Executive Committee.
- 6.3.2. Notwithstanding termination of RECPnet, the founding Patron Agencies administering the contributions of RECPnet shall continue to hold unutilized payments until all commitments and liabilities incurred under this network up to the date of termination have been satisfied. Any net assets of RECPnet that remain unexpended after such commitments and liabilities have been satisfied may be transferred to an institution or initiative of similar nature to be determined by the Members' Assembly or Executive Committee.

Article 6.4. Resolution of Disputes

The Members of RECPnet and the Founding Patron Agencies shall use their best efforts to settle amicably any dispute controversy or claim arising out of or relating to this Charter, the by-laws or the breach, termination or invalidity thereof. Should attempts at amicable negotiation fail, any such dispute shall, upon request by either party, be referred to arbitration in accordance with the UNCITRAL arbitration rules. Should there be a dispute between the Founding Patron Agencies, it shall be resolved through the Executive Heads of the Organizations.

Article 6.5. Privileges and Immunities of the Patron Agencies

Nothing in, or relating to, this Charter or its By-Laws shall be deemed to be a waiver, express or implied, of any of the privileges or immunities of a Patron Agency, nor shall they be deemed to confer any privilege or immunity that is not otherwise conferred in accordance with international law.

RECPnet