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# Statutes

Modified on July 18, 2013  
Quebec, Canada

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North American Network of Basin Organizations  
Réseau des organisations de bassin d'Amérique du Nord  
Red de organizaciones de cuenca de America del Norte



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# Statutes

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## **PREAMBLE**

The North American Network of Basin Organizations (NANBO) was established during its Constitutive General Assembly, initiated by the International Network of Basin Organizations (INBO), held in Quebec in 2009. During its General Assembly in Debrecen, Hungary in 2006, the INBO gave one of its members, the COVABAR, the responsibility of finding partners interested in forming a new organization, the NANBO.

The NANBO is open to all watershed organizations and government organizations in charge of water resource management, as well as other concerned partners and stakeholders in North America, from Greenland to Panama, including the Antilles.

The creation of the NANBO coincides with the principles of voluntary compliance to the *Morelia Declaration* (Annex 1) privileging integrated watershed management as the chosen approach to achieving global, balanced and rational water resources management and to ensure the quality of life on Earth, and the sustainable development of society.

## **Clause 1 – NAME AND WORKING LANGUAGES**

The official working languages of the association are French, English and Spanish.

The proposed names are:

- North American Network of Basin Organizations (NANBO)
- Réseau des organisations de bassin d'Amérique du Nord (ROBAN)
- Red de Organizaciones de Cuenca de América del Norte (ROCAN)

## **Clause 2 – THE NETWORK OBJECTIVE**

NANBO's objective is to promote integrated water resources management at the level of river basins, as an essential tool for sustainable development. According to this objective, NANBO endeavours:

- to develop lasting relationships with organizations interested in comprehensive management, and to exchange experiences and expertise among these organizations;

- to facilitate the implementation of tools suitable for institutional and financial management, for knowledge and follow up of water resources, for the organization of data banks, for the concerted preparation of master plans and action programs in the medium and long term;
- to reinforce and to make available existing information and documentation to members, and to support the creation of new water information and documentation systems for organizations who previously lacked these kinds of documents;
- to develop information and training programs for local elected officials, for users' representatives and for the different stakeholders involved in water management as well as for the executives and staff of the organizations in charge of water management at the river basin level;
- to promote these principles in international cooperation programs;
- to evaluate ongoing actions initiated by the member organizations and to distribute their results.

Consequently, NANBO:

- reinforces links between members of the INBO in North America and other parts of the world;
- develops collective activities of the INBO in North America;
- organizes general interest activities.

### **Clause 3 – DURATION OF THE ASSOCIATION**

The duration of the association is a function of the members' wishes.

### **Clause 4 – THE NETWORK HEADQUARTERS**

NANBO's headquarters and its Secretariat, is situated in Quebec city.

### **Clause 5 – MEMBERS**

NANBO consists of:

- ◆ organizations which have been entrusted by relevant public organizations with integrated water resources management at the level of river basins, national, federal or transboundary;
- ◆ cooperative structures, river basin agencies, have developed among them.

### **Admission of members**

The candidates belonging to one of the above mentioned categories become NANBO members when they have been admitted by the NANBO Liaison Bureau and have paid their annual subscription fee. They must be confirmed by the General Assembly following their admission.

The members must be up to date with the payment of their annual subscription fee. The Liaison Bureau may provide special conditions and possibly a transition period to those members who might find it difficult to pay subscription fees.

Once their annual subscription fee has been paid and their admission to the NANBO has been approved by the Liason Bureau, NANBO members also become INBO members.

### **Loss of membership**

Membership is lost:

- through resignation or withdrawal;
- through termination of watershed activities;
- when a member fails to pay their subscription fee.

### **Clause 6 – PARTNER MEMBERS** *(Modified on May 23, 2012)*

Public organizations involved in integrated water resource management or organizations interested in NANBO objectives that don't fall within Clause 5 of the present statutes can become a partner member of the NANBO. A partner member is/are:

- government ministries or organizations in charge of water in every country, state or province of North America, which includes the area of Greenland to Panama and the Antilles, who exercise integrated and sustainable water resources management on watersheds;
- cooperative organizations supporting integrated and sustainable water resource management actions in North American watersheds;
- commercial, industrial and energy enterprises;
- universities and other research institutions;
- people with expertise in this subject.

Candidates become NANBO partner members as soon as they have been admitted by NANBO Liaison Bureau and have paid their annual subscription fee. They must be confirmed by the General Assembly following their admission.

Partner members of NANBO have a right to intervene but do not have the right to vote.

On approval of their annual subscription fee and their admission to NANBO by the Liaison Bureau, the partner members of NANBO are also partner members of INBO.

The membership of a partner member is lost through the conditions mentioned in Clause 5; loss of membership.

## **Clause 7 - GENERAL ASSEMBLY**

### **Composition**

The General Assembly is made up of all NANBO members.

It is chaired by the NANBO President.

The President and Permanent Secretary of INBO participate in the NANBO General Meeting as observers without voting privileges.

### **Convening of the meetings - Agenda**

On the initiation of NANBO's President, the General Meeting is held at least every 2 years. It may hold extraordinary sessions at the President's discretion.

The successive General Assemblies are usually held in a different country, state or province each year, whenever possible.

The General Assembly is convened:

- either on the NANBO President's initiative;
- or upon the request of the NANBO Liaison Bureau;
- or upon the request of half of the NANBO's members plus one;
- or on the INBO President's request.

NANBO's President convenes the meetings and proposes an agenda at least 45 days before the fixed date. The same is done for working documents.

## **Role of the General Assembly**

On the proposal of the NANBO Liaison Bureau, the General Assembly approves:

- the admission of new members and new partner members;
- the orientations of the NANBO activities up to the following meeting;
- the accounts of the NANBO prepared by the NANBO's Liaison Bureau.

It decides the amount of the annual subscription fee proposed by the Liaison Bureau.

It elects the members of the Liaison Bureau from its members according to the process given in the clause hereafter.

It designates a financial auditor.

In addition, on the proposal of the Bureau, the General Assembly approves:

- the statutes of the NANBO and their amendments;
- the content of the *Declaration of Membership* and its modifications.

The NANBO's constitution, statutes and rules conform to INBO's and are transmitted along with their amendments at the INBO General Meeting.

## **Quorum**

A quorum for any meeting of the General Assembly shall consist of all members present.

*Modified on May 23, 2012*

## **Decisions**

The decisions made by the General Assembly are adopted by consensus between the attending members. When a consensus cannot be reached, the President of NANBO may request a vote as a last resort.

When a vote is decided, conclusions are adopted with a relative majority among the attending or represented members.

However, a two-third majority among the attending or represented members is needed when the vote concerns NANBO statutes, rules or the content of the *Declaration of Membership* to NANBO.

Each member has one vote. Should a tie occur, the NANBO President shall have a casting vote.

The partner members are invited to attend the General Assemblies. They cannot vote or be elected as members of the NANBO Liaison Bureau.

Qualified persons or interested organizations may be invited by members to attend in the same way as the partner members.

## **Clause 8 - THE LIAISON BUREAU OF NANBO**

The NANBO is managed by its Liaison Bureau.

### **Composition**

The NANBO Liaison Bureau is made up of:

- the serving President of the NANBO;
- other members chosen from NANBO members, these must include:
  - ✦ six (6) members from Canada
    - one (1) from the Maritimes;
    - two (2) from Quebec, including the Quebec Basin Organizations Group;
    - two (2) from Ontario, including Conservation Ontario;
    - one (1) from the Western provinces.
  - ✦ six (6) members from the United States of America, including the Lake Champlain Basin Program
  - ✦ six (6) members from Mexico and/or other territories.
- a maximum of two newly admitted members with full rights;
- past Presidents of the NANBO for two terms.

The General Manager of the Secretariat of the NANBO takes part in the meetings of the NANBO Liaison Bureau. He/she has no voting privileges.

The President and the Secretary of INBO participate in the NANBO Liaison Bureau meetings. They have no voting privileges. The President of the NANBO can also invite representatives of organizations taking part in joint actions to the meetings of the Liaison Bureau.

To insure transition during the foundation of the NANBO, members of the foundation's temporary committee are named to the Liaison Bureau for the first mandate following the foundation's General Assembly.



## **Nomination of the NANBO Liaison Bureau members**

The NANBO Liaison Bureau members are elected during each General Assembly.

The length of the Liaison Bureau member's mandate is two years.

The NANBO members are voted into the Liaison Bureau by the General Assembly and each elected member designates his/her representative.

Whenever possible, the Liaison Bureau member organizations endeavour to keep the same representative until the next election. Should they decide to choose another representative they have to inform the NANBO President in writing before the meeting.

## **Role and functioning**

The NANBO Liaison Bureau:

- is chaired by the NANBO President;
- insures the promotion of NANBO to North American governments and concerned organizations;
- prepares the meetings of the General Assembly and approves their agenda, in collaboration with the NANBO Secretariat;
- carries out the decisions made by the General Assembly, in collaboration with the NANBO Secretariat;
- coordinates joint projects, in collaboration with the NANBO Secretariat;
- identifies files or programs to be submitted for General Assembly approval and supervises their coordinated completion by the NANBO Secretariat;
- while waiting for the final admission, it accepts temporary applications of new NANBO members and new observer members until the next NANBO General Assembly;
- prepares the NANBO accounts and submits them to the General Assembly for approval;
- writes the activity report and the plan of action of NANBO for approval by the General Assembly.

It adopts recommendations by consensus between the attending members. When a consensus cannot be reached, the NANBO President requests a vote to obtain a majority among the attending members. The NANBO President has a casting vote.

The NANBO Liaison Bureau can join any technical commission for the carrying out of specific tasks.

## **Quorum**

A quorum for the meeting of NANBO Liaison Bureau shall consist of a simple majority of the administrators. The quorum is necessary to permit the administrators to legitimately deliberate and to make a decision.

In the case that the quorum is not reached at a meeting of the NANBO Liaison Bureau, the administrators will vote for the resolution by email or other electronic devices, in order to make it executive, under the condition that the resolution was discussed by the attending members at the regular meeting.

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## **Clause 9 - THE NANBO President**

The NANBO President:

- is nominated by the NANBO General Assembly while rotating as much as possible between regions (Canada/USA/other countries);
- represents NANBO up to the next meeting of the General Assembly;
- convenes the NANBO General Assembly and sets its agenda;
- ensures that the recommendations of the General Assembly are carried out with the support of the Liaison Bureau and the Permanent Technical Secretariat;
- ensures that the decisions of the Liaison Bureau are taken into account, with the support of the Permanent Technical Secretariat.

## **Clause 10 - THE PERMANENT SECRETARIAT OF NANBO**

The Permanent Secretariat of NANBO is the responsible to the NANBO Liaison Bureau. It is responsible for, under the authority of NANBO President:

- preparing the documents needed for the meetings of the NANBO Liaison Bureau and General Assembly, especially the agendas, provisional budgets and draft recommendations;
- supporting the responsibilities and mandates of the NANBO President;
- writing the reports of the statutory meetings;
- preparing financial statements;

- directing NANBO and following up the implementation of joint projects in close cooperation with the members designated by the NANBO Liaison Bureau and accepted by the General Assembly;
- any other task necessary in realizing NANBO's mission and mandates.

The General Manager of the NANBO Permanent Secretariat participates without voting privileges in meetings of the NANBO General Assembly and Liaison Bureau. Due to its human, financial and material needs, the Permanent Secretariat's location in Quebec is assured.

The General Manager of the NANBO Permanent Secretariat ensures a lasting coordination with the INBO Permanent Technical Secretariat.

### **Clause 11 – RELATIONS WITHIN INBO**

INBO President and Permanent Technical Secretary are invited to the meetings and events organized by the NANBO and participate in the meetings of its managing board (Liaison Bureau, General Assembly).

The President and the General Manager of the NANBO Permanent Secretariat participate in meetings of the Liaison Bureau and the INBO General Assembly.

NANBO submits to the INBO General Assembly their activity progress report and the program of their future actions.

### **INBO:**

- assists the NANBO, whenever possible in the execution of activities and prioritizes the implementation of common actions and programs of INBO in North America;
- favour exchanges of information and experiences among the regional networks.

### **Clause 12 - FINANCIAL RESOURCES OF THE NANBO**

The financial resources of the NANBO include:

- annual subscription fees;
- subsidies or contributions from administrations and public organizations;
- funding from cooperative agencies;
- the income generated by providing services, and the sale of documents;

- the financial contributions requested to the participants to attend events organized by NANBO;
- donations and bequests.

In order to finance their activities, the NANBO may directly use financial resources from central and local administrations of the countries concerned and from bilateral and multilateral cooperative agencies in North America. They inform the INBO Liaison Bureau of their request for financing and of the corresponding budgets.

INBO Liaison Bureau is in charge of coordinating and supporting the requests for financing made by the NANBO.

The NANBO financial audits are in compliance with Canada's laws and rules. The NANBO Liaison Bureau designates an Auditor.

### **Clause 13 - TERMINATION OF NANBO**

The termination of the NANBO can be decided, once advised by the Liaison Bureau, during a General Assembly, through the voting of at least two-thirds of the members attending, and representing at least half of the NANBO members.

In such a case, this Assembly will designate one or several liquidators and the assets, if there are any, will be devolved between the NANBO members.

### **Clause 14 - TRANSPARENCY**

The statutes and rules, as well as any amendments are notified and transmitted to the government authorities of the country where the NANBO resides.

Yearly accounts are checked by auditors, whose task is to certify that they are in order and straightforward and that they provide a clear picture of the tasks implemented during the financial year. The audit report is presented to the NANBO General Assembly before the yearly accounts approval.

### **Clause 15 – ADMINISTRATIVE DISPUTES**

All administrative disputes between NANBO members or between NANBO and one of its members will be dealt with in collaboration with INBO or, by default, by the tribunals of the country where the NANBO resides.

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## Annex I

### Declaration of Morelia

Adopted by the General Assembly of March 29, 1996

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Eighty representatives of governmental administrations in charge of water management in their country and of basin organizations that are established or are being set up, in 40 countries, together with interested bi and multi-lateral cooperation agencies, gathered in Morelia (Mexico) from March 27 to 29, within the framework of the (INBO) International Network of Basin Organizations' first General Assembly, in order to reflect upon the most adapted means for attaining a rational, balanced and overall management of inland freshwater resources to ensure the quality of life on our planet and the sustainable socio-economic development of our societies.

#### **The objectives of a comprehensive water management**

The delegates emphasized that the questions brought to light are complex and that the answers must at one and the same time make it possible :

- to control natural catastrophes and the risk of erosion, floods or drought by taking into account the management of water and space;
- to meet the needs of urban and rural populations for water of good quality, in order to improve hygiene, health and to prevent important outbreaks of disease;
- to ensure sufficient food by improving drainage of agricultural lands and irrigation;
- to harmoniously develop industry, energy production, recreational activities and in certain sectors, tourism and waterway transport;
- to prevent and control pollution of all kinds and origins in order to preserve the aquatic ecosystems, especially with view to protecting fauna and optimizing fish breeding for human consumption, to meet all the requirements of different uses and more generally, to preserve the biodiversity of aquatic media.

It is obvious that these problems can no longer be tackled on a sectoral or local basis, or indeed separately, in fact the search for solutions must transit by an integrated approach, respectful of the natural medium and aiming at a sustainable water resources utilization.

### **The principles to be applied**

In accordance with the Recommendations of the United Nations Conference for the Environment and Development, held in Rio de Janeiro in June 1992 and those of the Dublin International Conference on Water and the Environment, January 1992, also the Final Resolutions of the constitutive meeting of INBO, the International Network of Basin Organizations, May 1994 in Aix-les-Bains (France), the delegates declared that in order to reach these ambitious objectives, to be implemented all over the world, the procedures that they are already applying or are willing to apply in due time, with regard to the management of inland freshwater resources, are as follows :

- organization of an integrated water resources management at river basin level aimed at preventing dangerous, natural risks and catastrophes, at rationally and equitably meeting the different uses for a sustainable economic development, and at protecting and restoring the aquatic media;
- establishment of financial systems based on the «Polluter-User-Pays» principle and on the basin common cause concept for financing long-term development, equipment and protection programs;
- establishment of partnership procedures, associating national authorities and possibly, competent international institutions with local authorities, water users and representative non-governmental organizations to the planning and management of basin organizations;
- building information capacity of those partners' representatives in order for them to fully assume their responsibilities and missions within the framework of the basin policy.

Moreover, they recommended that agreements and strategies, programs, financial support and monitoring be designed at river basin level and that cooperation agreements be signed between the riparian countries of large transboundary rivers, lakes or seas.

### **Three recommendations**

The delegates agreed that they would promote the above-mentioned principles in their own country and to international institutions in which they participate, such as international commissions for the management of transboundary rivers, the Collaborative Council for drinking water and sanitation or the World Water Council, and to bi and multi-lateral cooperation agencies and generally speaking, to all interested parties.

During the General Assembly's deliberations, particular attention was drawn to the following items :

- the necessity to found the overall management of water resources on data systems that are complete, reliable, representative and easily accessible, and organized in basin observatories and standardized to allow for syntheses and comparisons to be made both at national level in each country and at international level;
- the interest of an organized exchange of all useful information to facilitate the creation or the development of basin organizations, with regard to institutional documentation (AQUADOC-INTER network), educational and sensibilizing tools, the agenda for interesting events or the list of competent experts to be called upon, in particular;
- the importance of training executives of administrations, basin organizations, of institutions in charge of water management and development and also, under appropriate forms, basin committee members, local elected officials, representatives of users' associations or interested non-governmental organizations.

The delegates requested the INBO's President and the Permanent Technical Secretariat to ensure the widest possible circulation of the present «Declaration of Morelia».