



COUNCIL OF EUROPE CONSEIL DE L'EUROPE

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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE
AND NATURAL HABITATS

Standing Committee

33rd meeting
Strasbourg, 3-6 December 2013

**RULES OF PROCEDURE
OF THE STANDING COMMITTEE**

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CONVENTION ON THE CONSERVATION OF EUROPEAN WILDLIFE AND NATURAL HABITATS

Standing Committee

RULES OF PROCEDURE OF THE STANDING COMMITTEE

The Standing Committee,

Having regard to the entry into force on 1 June 1982 of the Convention on the Conservation of European Wildlife and Natural Habitats,

Pursuant to Article 13, paragraph 6 of the Convention,

Adopts the present rules of procedure.

Rule 1 - Meetings

- a.* The Committee shall fix the date of its meeting in consultation with the Secretary General of the Council of Europe (hereafter called the "Secretary General").
- b.* Whenever a majority of the Contracting Parties requests a meeting, the Secretary General shall fix the date of the meeting in consultation with the Chair of the Committee.
- c.* Meetings shall be held in private.

Rule 2 - Convocation

The convocation of the meetings of the Committee shall be addressed by the Secretary General to the Contracting Parties at least two months before, and to observers one month before, the date fixed for the opening of the meeting.

Rule 3 - Postponement of meetings

When a meeting of the Committee has been convened any request for postponement must reach the Secretary General at least one month before the date previously fixed for the opening of the meeting. A decision in favour of postponing the meeting shall be regarded as having been taken when a majority of the Contracting Parties have notified the Secretary General of their agreement at least 15 days before the date previously fixed.

Rule 4 - Agenda

- a.* The Secretary General shall draw up the draft agenda for a meeting. The Chair of the Committee shall be consulted in advance.
- b.* The agenda shall be adopted by the Committee at the beginning of its meeting.

Rule 5 - Official languages

- a.* The official languages of the Committee shall be English and French.
- b.* A delegate or observer may speak in a language other than the official languages, in which case the delegate or observer must provide for interpretation into one of the official languages.
- c.* All documents presented by delegations or observers shall be submitted in one of the official languages. Flora and fauna species shall be indicated by their scientific names.

Rule 6 - Documentation

Subject to contrary provisions in the Convention, meeting documents shall be sent by the Secretary General to Contracting Parties and observers at least one month before the opening of the meeting

concerned. However, the Committee may decide by a two-thirds majority of the votes cast to admit a document submitted later.

Rule 7 - Quorum

A majority of the Contracting Parties shall constitute a quorum for holding a meeting of the Committee.

Rule 8 - Voting

- a.* Entitlement to vote is regulated by Article 13, paragraph 2 of the Convention.
- b.* Subject to any contrary provisions in the Convention or in these rules, decisions of the Committee are taken by a two-thirds majority of the votes cast.
- c.* Procedural matters shall be settled by a majority of the votes cast.
- d.* Where the question arises as to whether or not a matter is procedural in nature, it may not be so regarded unless the Committee decides to that effect by a two-thirds majority of the votes cast.
- e.* For the purpose of these rules "votes cast" shall mean the votes of delegations cast for or against. Delegations abstaining shall be regarded as not having cast a vote.

Rule 9 - Observers

- a.* An observer shall have no right to vote.
- b.* If sponsored by a delegation or with the Chair's permission, an observer may make oral or written statements on the subject under discussion.
- c.* Proposals made by observers may be put to the vote if sponsored by a delegation.

Article 10 - Proposals

Any proposal must be submitted in writing if a delegation so requests. In that case it shall not be discussed until it has been circulated.

Rule 11 - On-the-spot enquiries

- a.* If during discussions on one or more proposals, any doubts and/or difficulties arise regarding the measures to be taken for the implementation of the Convention with regard to a natural habitat essential to the conservation of species of wild flora and fauna, and if it is necessary to obtain appropriate information, the Committee may, if the gravity of the situation so demands, decide that the natural habitat in question should be inspected by an expert with powers to make on-the-spot enquiries and report back to the Committee.
- b.* Such inspections will be conducted in accordance with the relevant rules appended to the Rules of Procedure.

Rule 12 - Order of voting on proposals or amendments

- a.* Where a number of proposals relate to the same subject, they shall be put to the vote in the order in which they were submitted, unless the Chair, with the agreement of the Committee, concludes that the efficient working of the Committee dictates a different order.
- b.* Where a proposal is the subject of an amendment, the amendment shall be put to the vote first. Where two or more amendments to the same proposal are presented, the Committee shall vote first on whichever departs furthest in substance from the original proposal. It shall then vote on the next further removed from the original proposal, and so on until all the amendments have been put to the vote. However, where the acceptance of one amendment necessarily entails rejection of another, the latter shall not be put to the vote. The final vote shall then be taken on the proposal as amended or not amended. In case of doubt as to the order of priority, the Chair shall decide.
- c.* Parts of a proposal or amendment may be put to the vote separately.
- d.* In the case of proposals with financial implications, the most costly shall be put to the vote first.

Rule 13 - Order of procedural motions

Procedural motions shall take precedence over all other proposals or motions except points of order. They shall be put to the vote in the following order:

- a. suspension of the sitting,
- b. adjournment of discussion on the item in hand,
- c. postponement of a decision on the substance of a proposal until a specified date.

Rule 14 - Reconsideration of a question

When a decision has been taken, it is only re-examined if a delegation so requests, and if this request receives a two-thirds majority of the votes cast.

Rule 15 - Minutes

The Committee may, if it considers this necessary, have minutes kept.

Rule 16 - Communications to the press

By unanimous and express agreement of the Committee, the Chair, or the Secretary General on the Chair's behalf, may make suitable communications to the press.

Rule 17 - Reports

The Committee shall at the end of each meeting or, in exceptional cases, as soon as possible thereafter, establish the report specified in Article 15 of the Convention.

Rule 18 - Chair

- a. The Committee shall elect a Chair, a Vice-Chair and two additional Bureau members in accordance with the following procedure:
 - i. Candidates shall be nominated by Parties to the Convention;
 - ii. Nominations shall be sent to the secretariat in at least one of the official languages of the Convention as from 6 weeks before the opening of the meeting at which the election is to take place, up to, and including the first day of the meeting of the Standing Committee. The Secretariat will announce the full list of candidates in the morning of the second day of the meeting.
 - iii. Each nomination can be accompanied by a *curriculum vitae* (CV) of the candidate not exceeding 600 words and may include supporting material;
 - iv. The Secretariat shall distribute the nominations and the CVs together with any supporting material in accordance with Rule 6 of these Rules of Procedure.
- b. The Chair shall conduct proceedings and sum up the conclusions whenever it thinks necessary. The Chair may call to order a speaker who departs from the subject under discussion or from the Committee's terms of reference. The Chair shall retain the right to speak and to vote in its capacity as a delegate.
- c. The Vice-Chair shall replace the Chair if the latter is absent or otherwise unable to take the Chair. If the Vice-Chair is absent, the Chair shall be replaced by another delegate to the Committee, appointed by the latter.
- d. Election of the Chair, Vice-Chair and two additional Bureau members shall require a two-thirds majority of the votes cast at the first ballot and a simple majority of the votes cast at the second ballot. The election shall be held by secret ballot.
- e. The Chair, Vice-Chair and two additional Bureau members shall be elected at the end of each meeting. They shall execute their respective terms of office from their election onwards until the end of the meeting following the meeting where they were elected. Their terms of office may be renewed, but the total length of term of office shall not exceed four years or, as appropriate, the end of the first meeting following the expiry of this period of four years.

f. Whenever the previous Chair is not available to serve in the Bureau, the Committee shall elect three additional Bureau members.

Rule 19 - Bureau

a. The Committee shall set up a Bureau, whose members shall be the Chair, the Vice-Chair, the previous Chair, and two additional Bureau members.

Whenever the previous Chair is not available to serve in the Bureau, the Committee shall set up a Bureau whose members shall be the Chair, the Vice-Chair, and three additional Bureau members.

b. The Bureau shall meet at the request of the Chair. It shall be responsible for taking administrative and organisational decisions between meetings. The Secretariat will distribute the report of those meetings to the Contracting Parties.

Rule 20 - Secretariat

a. The Secretary General shall provide the Committee with the necessary staff, including the Committee secretary, as well as with the administrative and other services it may require.

b. The Secretary General or a representative of the Secretary General may at any time make an oral or written statement on any subject under discussion.

c. The Committee may request the Secretariat to prepare a report on any question relevant to the Committee's work.

d. The Secretariat shall be responsible for circulating all documents to be examined by the Committee.

Rule 21 - Amendment of the rules of procedure

These rules may be amended by a two-thirds majority of the votes cast.

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APPENDIX 1 TO THE RULES OF PROCEDURE**RULES APPLICABLE TO ON-THE-SPOT ENQUIRIES**

1. The decision to organise a visit to a natural habitat shall lie with the Standing Committee which shall reach the relevant decision in accordance with Rule 8.b of its Rules of Procedure, subject to the agreement of the delegation of the Party within whose territory the habitat under consideration is situated.
2. In urgent cases, the Chair may authorise the Secretariat to consult the Standing Committee by post in order that a decision may be reached in accordance with the foregoing paragraph.
3. The expert detailed to carry out the visit of inspection shall be appointed by the Secretary General of the Council of Europe. The expert cannot be a person who represents or has represented a State on the Standing Committee, or a national of the Party in whose territory the natural habitat to be visited is situated. The appointment of the expert must be agreed by the Party concerned.
4. At the request of the Standing Committee or its Chair, the expert shall be accompanied during the visit by a member of the Secretariat and by a representative of the Party concerned.
5. The Standing Committee shall draw up precise terms of reference to be conveyed to the expert.
6. After completing the visit of inspection, the expert shall submit a written report to the Standing Committee in one of the official languages of the Council of Europe. The expert may be called upon to present the report in person to the Standing Committee at one of its meetings.
7. In order to ensure that the said expert may carry out the assignment in full independence, the travel and subsistence expenses pertaining to the visit and those arising out of the presentation of the report to the Standing Committee shall be borne by the Council of Europe.

APPENDIX 2 TO THE RULES OF PROCEDURE

RULES APPLICABLE TO MEDIATION

1. The purpose of mediation is to facilitate dialogue between conservation authorities and a complainant or interest groups concerning matters under the scope of the Convention.
2. The decision to propose a visit of mediation will lie with the Standing Committee or the Bureau, subject to the agreement of the Contracting Party to whom the complaint is addressed.
3. In urgent cases, the Chair may authorise the Secretariat to consult the Bureau by e-mail in order that a decision may be reached in accordance with the foregoing paragraph.
- 3bis Experts appointed as mediators shall have appropriate experience in mediation.
4. The mediator will endeavour to foster dialogue, facilitate discussions, identify and clarify the conservation issues, propose possible solutions that would satisfy the different parties, reach consensus and record agreements, all in the respect of the spirit and letter of the Convention. The mediator will act as an independent, impartial and honest broker in all circumstances.
5. The mediator shall be appointed by the Secretary General of the Council of Europe, in consultation with the Bureau and the parties concerned. The mediator cannot be a national of the Contracting Party concerned by the mediation.
6. At the request of the Standing Committee, the Bureau or its Chair, the mediator shall be accompanied during the visit by a member of the Secretariat and by a representative of the Contracting Party concerned.
7. The Standing Committee or the Bureau shall draw up precise terms of reference to be conveyed to the mediator.
8. After completing the mediation, the mediator shall submit a written report to the Standing Committee in one of the official languages of the Council of Europe. The mediator may be called upon to present the report in person to the Standing Committee at one of its meetings. Mediations shall remain confidential until such point as the mediation process has concluded.
9. In order to ensure that the mediator may carry out the assignment in full independence, the travel and subsistence expenses pertaining to the visit and those arising out of the presentation of the report to the Standing Committee shall be borne by the Council of Europe and shall not be taken from voluntary contributions of Contracting Parties. The Secretariat will ensure that costs of mediation remain moderate and affordable. In no case shall the cost of a single mediation exceed EUR 2,500¹.

¹ Expenses incurred in the framework of mediation shall be borne by the Council of Europe within the limit of budgetary resources allocated by the Committee of Ministers to the standing committee.