

Strasbourg, 15 November 2022

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## CONFERENCE OF THE PARTIES

**Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS NO. 198)**

## RULES OF PROCEDURE<sup>1</sup>

Directorate of Information Society and Action against Crime  
Directorate General Human Rights and Rule of Law – DGI

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<sup>1</sup> Adopted by the Conference of the Parties at its first meeting (Strasbourg, 22-23 April 2009), and most recently **revised at the 14<sup>th</sup> meeting (Strasbourg, 15 November 2022)**.

## **Rules of Procedure**

The Conference of the Parties,

Having regard to the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No. 198) (hereinafter "the Convention"), in particular Article 48 thereof on monitoring of its implementation;

Pursuant to paragraph 5 of Article 48 of the Convention;

Adopts the present rules of procedure:

### **Rule 1 – Composition**

#### **Members**

1. The members of the Conference of the Parties (hereinafter Conference) shall be representatives of the States and entities referred to in article 49 paragraph 1 of the Convention that are Parties to the Convention and of other states that have acceded to the Convention under its article 50.
2. Delegations designated in pursuance of paragraph 1 above shall usually consist of not more than three representatives. One representative shall be appointed as head of the delegation.
3. The head of delegation and one member shall be entitled to reimbursement of their expenses, within the limits of the Council of Europe budgetary appropriations.

#### **Participants**

4. Participants shall be representatives of:
  - a) States and entities referred to in article 49 paragraph 1 of the Convention which have signed but not yet ratified the Convention;
  - b) States or entities which have ratified or acceded to the Convention but in respect of which it has not yet come into force;
  - c) other member states of the Council of Europe;
  - d) states having observer status with the Council of Europe;
  - e) the Committee of Ministers of the Council of Europe;
  - f) the Parliamentary Assembly of the Council of Europe;
  - g) the Committee of Experts on the evaluation of anti-money laundering measures and the financing of terrorism (MONEYVAL);
  - h) the European Committee on Crime Problems (CDPC);
  - i) the Group of States against Corruption (GRECO);
  - j) the Financial Action Task Force (FATF);
  - k) the Eurasian Group (EAG).
5. Participants shall not have the right to vote, nor shall they be entitled to reimbursement of their expenses.

## Observers

6. The Conference or its Bureau may, on a permanent or ad hoc basis, authorize international governmental organizations, including the United Nations, the Organization for Security and Co-operation in Europe (OSCE), the International Monetary Fund (IMF), the World Bank, the Egmont Group and Interpol, to send representatives to its meetings as observers without the right to vote, or defrayal of their expenses.

## Rule 2 – Restricted composition

1. The Conference of the Parties may decide to hold sessions with a more restricted composition than that set out in Rule 1 above; however, it cannot restrict members' participation in any session.
2. The Conference of the Parties may decide on measures to restrict the participation in its work of a Party that has ceased to be a member of the Council of Europe following the procedure launched under Article 8 of the Statute of the Council of Europe for a serious violation of Article 3 of the Statute. Similar measures restricting the participation of a Party can be taken in respect of any non-member state of the Council of Europe concerned by a Committee of Ministers decision ceasing its relations with it due to serious breaches of international law comparable to a serious violation of Article 3 of the Statute. No participants or observers shall be present during the examination of the matter by the Conference of the Parties.

No measures contravening the rights of the State Parties under the Convention may be imposed. Specifically, restrictions shall not prevent the State Party from having access to all materials of the meetings and providing comments in writing. Participating in decision-making with a right to vote may not be restricted as regards:

- any discussion relating to the interpretation of the treaty and/or any general guidance in respect of its implementation;
- tasks of the Conference in the monitoring of States' obligations as far as they concern the Party's own obligations;
- adoption of the Rules of Procedure or amendments thereto.

The types of restrictions which may be applied, separately or in combination, include but are not limited to:

- a) that the State Party shall not have the right to vote on any issues, which do not concern the statutory functions of the Conference as enshrined in Article 48 of the Convention and as specified above;
- b) that the participation of the State Party in meetings of the Conference shall be limited. Examples of limitations may include no attendance or on-line attendance only;
- c) that the representative of the State Party shall not:
  - be allowed to chair the Conference of the Parties or any of its sub-committees or working groups, nor to be a member of the Bureau of the Conference of the Parties, nor to stand for election for any of these functions;
  - be entrusted with any task of rapporteur, coordinator, head of a delegation representing the Conference of the Parties or anything equivalent;
  - have a right to vote in elections for the offices mentioned in this paragraph.

### **Rule 3 – Presidency and Vice-Presidency**

1. The Conference shall elect a President and a Vice-President from among its Parties. These elections shall not affect the total number of representatives of the Parties concerned.
2. The term of office of the President and the Vice-President shall be two years. It shall be renewable once.
3. Election of the President and the Vice-President shall require a two-thirds majority in the first round of voting and a simple majority in the second round of voting.
4. Elections shall be held by secret ballot.
5. The President shall direct discussions and draw conclusions from them whenever he/she deems appropriate. He/she may call to order any speaker who departs from the subject under discussion or the restrictions set out in Rules 1 and 2 above.
6. The Vice-President shall replace the President if he/she is unavailable or unable to chair a meeting for any other reason. If the Vice-President is unavailable, the President shall be replaced by another member of the Bureau appointed by it.
7. The President or any other member acting as President shall retain the right to take the floor and to vote as a member of the Conference.

### **Rule 4 – Bureau**

3. The Conference of the Parties shall elect a Bureau consisting of the President, the Vice-President and three other members of the Conference.
4. The Bureau shall be responsible for:
  - assisting the President in directing the work of the Conference;
  - ensuring the preparation of meetings;
  - ensuring continuity between meetings where necessary;
  - performing any other specific additional task delegated to it by the Conference.
5. Bureau members shall be elected in the same way as the President and the Vice-President. The election shall take place immediately after the election of the President and the Vice-President. The term of office of Bureau members shall be two years and may be renewed once. In exceptional circumstances and upon decision of the Plenary meeting, the term of office of Bureau members may be extended for the duration determined by the Plenary meeting.

### **Rule 5 – Secretariat**

The secretariat of the Conference shall be provided by the Secretariat General of the Council of Europe. To this end, the Secretary General of the Council of Europe shall appoint the Executive Secretary of the Convention and any other necessary staff.

### **Rule 6 – Official languages**

1. The official languages of the Conference shall be those of the Council of Europe.

2. Documents of the Conference shall be drafted in either of the official languages of the Council of Europe. At the request of a member documents adopted shall be distributed in both official languages.
3. A member of the Conference may speak in a language other than the official languages; in this case the member concerned shall be responsible for arranging interpretation into one of the official languages at their expense. Any document drawn up in a language other than the official languages shall be translated into one of the official languages under the responsibility and at the expense of the member, participant or observer submitting it.

## **Rule 7 – Convening of meetings**

1. The Conference shall meet physically at least once a year and shall decide at the end of each of its meetings the date of its next meeting.
2. The Conference shall be convened by the Secretary General of the Council of Europe. Additional meetings can be convened by the Secretary General or upon request of one-third of the members to the Secretary General.
3. The Executive Secretary shall notify members of the Conference of the place, date and opening time of a meeting, its probable duration and the subjects to be dealt with. Convocation letters shall be sent at least six weeks before the date of the meeting except on grounds of urgency, which shall be duly explained.
4. Analogous arrangements shall apply to participants and any observers.

## **Rule 8 – Agenda**

1. The Executive Secretary shall prepare a draft agenda for the meeting after consulting the President of the Conference and on the basis of proposals received from the Parties.
2. The Executive Secretary shall make the draft agenda and the provisional list of working documents available to members, participants and observers at least two weeks before the date of the meeting.
3. The agenda shall be adopted by the Conference at the beginning of the meeting.

## **Rule 9 – Documents, lists of decisions and meeting reports**

1. The Executive Secretary shall be responsible for the preparation and the distribution of the Conference's working documents. Documents requiring a decision shall be transmitted to members at least three weeks in advance of the opening of the meeting at which the decision is to be taken. However, in exceptional cases, if no member objects, the Conference may deliberate a document submitted closer to the meeting. Unless the Conference decides otherwise, documents shall be made public after the meeting for which they were prepared.
2. At the end of each meeting the Executive Secretary shall submit to the Conference for approval, in both official languages, the list of the decisions adopted at the

meeting. Unless the Conference decides otherwise, the approved list of decisions shall be public.

## **Rule 10 – Quorum**

The quorum of the Conference shall be reached when the majority of the members is present.

## **Rule 11 – Privacy of meetings**

Meetings shall be held in camera.

## **Rule 12 – Working methods**

1. The Conference may establish working or drafting groups among its members. Participants and observers may be invited to take part in the above-mentioned groups.
2. The Conference may ask the Executive Secretary to commission the services of one or more scientific experts or consultants, as appropriate, within the limits of budgetary appropriations.
3. Throughout all the activities carried out for the purposes of the Conference information technology should be used as appropriate under the circumstances.

## **Rule 13 – Hearings**

The President or the Conference may decide to hold hearings of experts or other qualified persons possibly able to contribute to the work of the Conference.

## **Rule 14 – Proposals**

1. Any proposal submitted to the Conference shall be tabled in writing in one of the official languages if a member so requests. In this case the proposal shall not be discussed until it has been circulated.
2. The President may suggest the adoption of a proposal/decision through a 'silence procedure.' Suggestion to apply the silence procedure shall be made during the plenary meeting and subsequently made in writing, with an indication of the exact time for the expiration of the period of silence.  
At the first meeting following the adoption of the decision, the President shall make an announcement concerning this adoption.  
Silence procedure shall not be applied for the adoption of COP assessment reports.

## **Rule 15 – Order of voting on proposals and amendments**

1. If two or more proposals relate to the same subject, they shall be put to the vote in the order in which they were submitted. In the event of doubt as to the order, the President shall decide.
2. Where a proposal is the subject of an amendment, the amendment shall be put to the vote first. Where a proposal is the subject of two or more amendments, the

Conference shall vote first on whichever departs furthest in substance from the original proposal. It shall then vote on the amendment which next departs furthest from the proposal and so on, until all the amendments have been put to the vote. However, where the acceptance of an amendment necessarily entails the rejection of another amendment, 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 the event of doubt as to the order of priority, the President shall decide.

3. Parts of a proposal or an amendment may be put to the vote separately.
4. For proposals with financial implications, the most costly shall be put to the vote first.

## **Rule 16 – Order of procedural motions**

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

- a) suspension of the sitting;
- b) adjournment of the discussion on the item in hand;
- c) postponement to a specified date of the decision on the merits of a proposal;
- d) closure of the discussion on the item in hand.

## **Rule 17 – Reconsideration of a matter**

When a decision has been taken, it shall be re-examined only if a member so requests and this request is approved by a two-thirds majority of the votes cast.

## **Rule 18 – Voting**

1. Each member of the Conference shall have one vote; only one deputy member per delegation of a Party may take part in a vote in place of the member.
2. When the European Community shall ratify the Convention, the rules as to the voting rights of the European Community and of its member states shall be reviewed.
3. A quorum shall exist before a vote can be taken.
4. The Conference shall take decisions by a two-thirds majority of the votes cast unless regulated otherwise.
5. Points of procedure shall be decided by a majority of the votes cast. If the question arises whether an item concerns a procedural matter, it may be considered a point of procedure only if the Conference so decides by a two-thirds majority of the votes cast.
6. For the purpose of these rules, "votes cast" shall mean the votes of members voting for or against. Members who abstain shall be considered not to have voted.

## **Rule 19<sup>2</sup> - Procedure for monitoring the implementation of the Convention**

In respect of its function under Article 48 paragraph 1a of the Convention, the Conference of the Parties will apply the following procedures:

### **Questionnaire**

1. The Conference of the Parties shall prepare, within six months from its first meeting, a Questionnaire for its use in the monitoring of the proper implementation of the Convention (hereinafter “the Questionnaire”).
2. The Questionnaire will seek information on the implementation of provisions in the Convention which are not covered by other relevant international standards on which mutual evaluations are carried out by FATF, MONEYVAL and other equivalent AML/CFT assessment bodies (the FATF style regional bodies, the International Monetary Fund and the World Bank).
3. The Questionnaire should, where appropriate, include requests for statistics and information on resources assigned to a relevant area covered by the Questionnaire in order to assist the Conference in monitoring the proper implementation of the Convention by the Parties.
4. The Questionnaire may be amended by a majority decision of the Conference of the Parties as necessary.

### **Procedures and timescales**

5. The Conference of the Parties will decide the order of assessment of individual Parties, on the basis of the adopted Questionnaire, taking into account the dates on which the Convention came into force in Parties and any representations from a Party.
6. At each meeting of the Conference of the Parties, consideration will be given to draft reports on the implementation of relevant provisions in the Convention covered by the Questionnaire in respect of a number of Parties to be decided at the previous meeting of the Conference of the Parties.
7. The Parties to be assessed first will be decided only after the adoption of the Questionnaire.
8. The adopted Questionnaire will be sent to Parties which will be assessed at the next meeting of the Conference immediately after a decision is taken as to when a Party will be assessed.
9. At the time decisions are taken on the order of Parties to be assessed, the Conference will appoint one or more rapporteur(s) from among the Parties to assist

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<sup>2</sup> At its 9<sup>th</sup> Plenary the COP decided to suspend the procedure under Rule 19 and to apply a transversal thematic monitoring in line with the newly adopted Rule 19bis for an initial period of two years with a further stocktaking discussion on the matter at its 11<sup>th</sup> Plenary in 2019. At its 11<sup>th</sup> Plenary (22-23 October 2019), the COP decided to renew the suspension of Rule 19 for another five years and continue with the transversal thematic monitoring under Rule 19bis during that period.



the Conference in monitoring the proper implementation of the Convention by the Party being assessed.

10. The assessed Party should return the completed Questionnaire to the Secretariat within ten weeks of receipt, together with texts of relevant legislation, regulations, guidelines or other documentation which will assist the Conference of the Parties in its monitoring function.
11. If the rapporteur(s) consider(s) that the replies to the Questionnaire provide insufficient information, the Secretariat will liaise with the Party concerned to obtain further information before preparing a draft report. The additional information should be sent by the Party two weeks upon receipt of the request.
12. In order to ensure a proper preparation and discussion of that report, the rapporteur(s) retain(s) a discretion to include any new factual information submitted thereafter.

### **Draft report**

13. A draft report will be prepared by the Secretariat in conjunction with the rapporteur(s) within eight weeks following the receipt of the replies to the Questionnaire and, if necessary, additional information. The draft report will constitute a “desk review” by the Secretariat and the rapporteur(s).
14. The Party shall provide comments no later than four weeks upon the receipt of the draft report. New information beyond this time limit may be taken into consideration only with the explicit consent of the rapporteurs. The Secretariat and the rapporteur(s) shall consider the comments and amend the draft report within three weeks upon receipt of the comments.
15. The draft report may contain recommendations.
16. The draft report should take account, where appropriate, of publicly available information from the bodies mentioned in Rule 19, paragraph 2.
17. The draft report shall be objective, accurate and of a high standard. In order to restrict itself to the added-value it aims to provide, the draft report shall exclusively focus on the parts of the Conventions which are not covered by other relevant international standards on which mutual evaluations are carried out by the FATF, MONEYVAL and other equivalent AML/CFT assessment bodies. The monitoring procedure will deal with areas covered by this Convention only in respect of those areas which are not covered by other relevant international standards on which mutual evaluations are carried out by the FATF or MONEYVAL.
18. The draft report will be circulated to the Conference of the Parties at least three weeks in advance of the meeting at which it is to be discussed.
19. Prior to the discussion in the Conference of the Parties, the Secretariat will engage the assessed party, the rapporteur(s) and any other interested party to single out the list of priority issues that will be discussed by the Conference of the Parties. The other state parties will be invited to make proposals for such priority issues upon receipt of the draft report.

20. A pre-meeting between the rapporteurs, Secretariat and the assessed Party may be held if necessary. IT technology (such as video conference) may be used for this purpose.

### **Discussion in the Conference of the Parties**

21. The Party will present an overview of its implementation of the relevant provisions of the Convention.
22. The rapporteur(s) will present their comments and the priority issues (as referred in paragraph 19) on the implementation of relevant provisions of the Convention to the Conference. The rapporteur(s) may also raise questions on the draft report for replies by the Party concerned and for discussion in the Conference of the Parties.
23. The draft report will then be subject to peer review by the Conference of the Parties.
24. All representatives of the Parties, participants and observers will be entitled to ask questions of the Party being assessed or to raise issues on the draft report.
25. The discussion in the Conference of the Parties should be guided by the priority issues. The assessed Party should restrict its submission to these issues. If a particular issue raised in the report is contested by the assessed Party, it is also expected to be in a position to make alternative proposals.
26. After discussion, the rapporteur(s) will indicate to the Conference of the Parties whether, in their view, the Conference of the Parties has sufficient information to adopt the draft report. The Conference of the Parties shall decide whether the draft report should be adopted.
27. If the Conference of the Parties decides the information is sufficient and the progress on implementation of the Convention's provisions is satisfactory, the Conference will adopt the report, together with any amendments agreed by the Conference of the Parties.
28. If there are significant concerns raised about the sufficiency of the information provided in the draft report, or about the implementation of the Convention's provisions by the Party concerned and the Conference of the Parties concludes that it requires further information in the discharge of its functions, it shall liaise with the Party concerned, taking advantage, if so required, of the procedure and mechanism of MONEYVAL. The Party concerned shall then report back to the Conference of the Parties. The latter shall on this basis decide on whether or not to carry out a more in-depth assessment of the position of the Party concerned.
29. A more in-depth assessment may, but need not necessarily, involve an onsite visit by an evaluation team. The Conference of the Parties will decide what further steps should be taken in respect of an assessed Party where a draft report is not adopted on a case by case basis.
30. If the draft report is not adopted, an amended draft report will be considered at the next meeting of the Conference of the Parties, in the light of any further assessment required and authorised by the Conference of the Parties.

## **Publication**

31. After the adoption of the final report, the corrected version of the report will be sent to the Party being assessed to check its accuracy with decisions taken by the Conference of the Parties, and to provide any comments on the report for publication.
32. All adopted reports of the Conference of the Parties will automatically be published within four weeks of adoption, together with any comments from the relevant Party.

## **European Community**

33. When the European Community shall ratify the Convention, the involvement of the European Community in the procedure for monitoring of the implementation of the Convention will be set out.

## **Follow up**

34. There shall be a follow up procedure, based on a template prepared by the Secretariat and approved by the Conference of the Parties by a majority decision.
35. Thirty months after the adoption of the Conference of the Parties report, the assessed Party should provide an update of its progress in meeting the recommendations and/or other issues identified in the adopted report as being sufficient for follow up,
36. The Secretariat will dispatch the replies and the adopted report to a rapporteur country appointed by the Conference of the Parties for reviewing the replies.
37. The Secretariat will prepare a brief written analysis of the progress made to meet the identified deficiencies to assist the Conference of the Parties in its analysis. The Secretariat will provide a copy of its draft analysis to the assessed Party, which may provide comments.
38. The draft analysis, amended as necessary, will be circulated to the Conference of the Parties, including the rapporteur country, no later than 2 weeks before the Conference of the Parties meeting at which it is to be discussed.
39. At the discussion of the follow up report:
  - a) the State Party will present an overview of the measures taken to meet the recommendations in the Conference of the Parties report, and provide information which demonstrates effective implementation;
  - b) the Secretariat will present its draft analysis;
  - c) the rapporteur country will raise questions on the replies to the follow up template;
  - d) all representatives of the Parties, participants and observers will be entitled to ask questions of the Party whose follow up report is being assessed;
  - e) after discussion the rapporteur country will indicate to the Conference of the Parties whether, in their view, the Conference of the Parties has sufficient information to adopt the replies to the template;
  - f) if the Conference of the Parties decides the information is sufficient and the progress on meeting the Conference of the Parties recommendations is satisfactory, the conference of the Parties will adopt the replies to the questionnaire prepared by the State Party and the draft analysis of the Secretariat, together with any amendments agreed by the Conference of the Parties;

- g) if there are significant concerns raised about the sufficiency of the information provided or lack of progress made by the party, the replies to the follow up template will not be adopted. The Party concerned shall re-submit an updated follow up template before the next Conference of the Parties plenary meeting. If the amended replies and amended Secretariat analysis are satisfactory, they will be adopted as set out in Rule 19, paragraph 39(f) above and the interim draft analysis published on the website will be removed and replaced with the amended version.
- h) If the amended replies are not satisfactory, the Conference shall liaise with the Party concerned taking advantage if so required of the procedure and mechanism of MONEYVAL such as inviting the Secretary General of the Council of Europe to write a letter to the competent minister(s); possible on-site visit; and ultimately a public statement on the website of the Conference of the Parties.

### **Publication of follow up**

- 40. Where Rule 19, paragraph 39(g) applies the Conference of the Parties may authorise the publication of the interim draft analysis pending reconsideration of the issue at the next Conference of the Parties;
- 41. After adoption of the replies to the follow up questionnaire and draft analysis by the Secretariat, as amended under Rule 19, paragraph 39(f), they will be sent to the Party being assessed to check accuracy with decisions taken by the Conference of the Parties;
- 42. All adopted follow up questionnaires and draft Secretariat analyses of the replies to the follow up questionnaires will be published within 4 weeks of adoption.

### **Rule 19 bis - Procedure for monitoring the implementation of the Convention**

- 1. In respect of its function under Article 48 paragraph 1a of the Convention, the Conference of the Parties will apply the following procedures:

#### **Evaluation procedure**

- 2. The Conference will monitor the implementation of the Convention through horizontal monitoring.
- 3. The Conference shall select the provision(s) which form(s) the basis of the horizontal monitoring for the next meeting. To that effect, the Bureau and the Secretariat should make a proposal for such selection. The Conference shall ensure that the selection focuses on the provisions of the Convention which bring added value to the international AML/CFT standards, as well as on priorities for actions identified by the Conference or the Council of Europe in general. The Conference shall ensure that overlap with evaluations by the Financial Action Task Force (FATF) and MONEYVAL are kept to a minimum in order to avoid any duplication (Article 48, paragraph 2 of the Convention).
- 4. The Conference will assess State Parties which acceded to the Convention after the introduction of Rule 19bis with regard to the implementation of all provisions which were subject to horizontal monitoring since the afore-mentioned rule entered into force. Upon ratification of the Convention and based on a questionnaire sent by the

Secretariat, a State Party shall provide information on the application of those provisions of the Convention which were subject to horizontal reviews prior to its ratification. The State Party shall be given four months to return the questionnaire. The analysis shall be presented at the Plenary meeting following the submission of the State Party's questionnaire and following a two-month period for an appointed Rapporteur and the Secretariat to analyse the submissions. If there is not sufficient time between the entering into force of the Convention for that State Party and the next Plenary, the analysis shall be considered by the Conference at the following Plenary. Paragraphs 11 – 18 of Rule 19bis shall apply *mutatis mutandis*. After adoption, the analysis shall be made available on the website of the Conference of the Parties.

### **Thematic monitoring report**

5. The Conference shall adopt a "Thematic monitoring report" on the selected Convention provision(s), prepared by appointed Rapporteurs with the support of the Secretariat. The "Thematic monitoring report" will be composed of both a descriptive and an analytical part. It will contain conclusions on the achievements made by the Parties in the implementation of a specific provision, as well as on difficulties faced by Parties in its implementation. It should also contain, where appropriate, recommendations addressed to those Parties which failed to fully implement the Convention.

### **Rapporteur(s)**

6. The Conference shall appoint one or more Rapporteur(s) for each provision selected. The appointment shall take place following the selection of the specific provision(s) of the Convention. When preparing the "Thematic monitoring report", a Rapporteur should not be involved with regard to the assessment of the State Parties which he/she represents. Such preparation should instead be undertaken by another Rapporteur, if appropriate, or the Secretariat.

### **Template for evaluating implementation**

7. The Secretariat will prepare a template questionnaire which forms the basis for the Parties' responses. The template will be circulated to all parties within one month.
8. The template may, where appropriate, include requests for available statistics and information on resources assigned to a relevant area covered by the provision(s) in order to assist the Conference in monitoring the effective implementation of the Convention by the Parties.

### **Preparation, discussion and adoption of the "Thematic monitoring report"**

9. Parties should return the completed template to the Secretariat within three months of receipt, together with texts of relevant legislation, regulations, guidelines or other documentation which will assist the Conference of the Parties in its monitoring function. The responses should answer all questions in the template. Parties may indicate that certain information is not meant to be public.
10. If a Party fails to return the completed template or if the Rapporteur(s) consider(s) that the responses to the template provide insufficient information, the Secretariat will liaise with the Party concerned to request the submission of the template or to obtain

further information. These should be sent by the Party as soon as possible, and not later than one month upon receipt of the request.

11. The draft “Thematic monitoring report” should take account, where appropriate, of publicly available information from the bodies mentioned in Rule 19 bis, paragraph 3.
12. The Rapporteur(s), with the assistance of the Secretariat, will prepare the “Thematic monitoring report” within four months following the receipt of the responses to the template and, if necessary, additional information. The report will be circulated for comments to all Parties.
13. Each Party may provide comments no later than one month upon the receipt of the draft report. New information beyond this time limit may be taken into consideration only with the consent of the rapporteurs. The rapporteur(s) and the Secretariat shall consider the comments and amend the draft “Thematic monitoring report” within one month upon receipt of the comments.
14. The draft “Thematic monitoring report” will be circulated to the Parties of the Conference at least one month in advance of the meeting at which it is to be discussed.
15. The Rapporteur(s) will introduce the “Thematic monitoring report” to the Conference. The report will then be subject to peer review by the Conference of the Parties.
16. All representatives of the Parties, participants and observers will be entitled to ask questions or to raise issues on the draft report. If a particular issue raised in the report is contested by a Party, it is also expected to be in a position to make alternative proposals.
17. After finalisation of the discussion, the Conference shall adopt the “Thematic monitoring report”, including any amendments agreed at the meeting.

### **Publication**

18. After the adoption of the final report, the corrected version of the report will be sent to the Parties to check its accuracy with decisions taken by the Conference of the Parties.
19. The Conference should publish on its website the “Thematic monitoring report” within six weeks after its adoption.

### **Follow-up**

20. The Conference may decide that those Parties whose implementation of a certain provision of the Convention was not considered satisfactory report back on progress made within three years’ time at the latest, taking into account the nature of the recommendations rendered in the thematic monitoring reports. State Parties which declared not to apply the Articles selected to be assessed through the thematic monitoring shall be exempted from the follow – up process on these Articles. The suggestion which States Parties should undergo the follow up process shall be made by the Rapporteurs based on the findings of the Thematic monitoring reports in consultation with the Bureau and shall be confirmed by the Plenary. A follow-up procedure for a State Party could also be decided by the Plenary at the request of that State Party. The decision should be made once the thematic monitoring reports

are adopted. Those State Parties, which are not selected for the particular follow – up process are invited to provide an update of the measures taken to implement the recommendations as set up in the report.

21. Three months before the Plenary of the Conference of the Parties where the follow-up report is due for discussion, the Parties subject to the follow-up process should provide a written contribution on progress in meeting the recommendations and/or other issues identified in the adopted report.
22. The Secretariat will review the responses and prepare a brief written analysis of the progress made to meet the identified deficiencies to assist the Conference of the Parties in its analysis.
23. The draft analysis will be circulated to the Conference of the Parties no later than two weeks before the Conference of the Parties meeting at which it is to be discussed.
24. At the discussion of the follow-up report:
  - a) the Secretariat will present its draft analysis, indicating specific issues on the responses to the follow-up template;
  - b) all representatives of the Parties, participants and observers will be entitled to ask questions;
  - c) if the Conference of the Parties decides the information is sufficient and the progress on meeting the Conference of the Parties recommendations is satisfactory, the Conference of the Parties will adopt the responses to the template prepared by the State Party concerned and the draft analysis of the Secretariat, together with any amendments agreed by the Conference of the Parties;
  - d) If there are significant concerns raised about the sufficiency of the information provided or lack of progress made by a Party concerned, the response to the follow-up template will not be adopted with regard to that Party. The Party concerned shall re-submit updated information before the next Plenary meeting.
25. Should the Conference conclude that a Party has repeatedly failed to implement a provision of the Convention and not satisfactorily made progress thereafter, or where it has not returned the completed template as referred to under paragraph 10, the Conference shall liaise with the Party concerned, taking, if so required, the following measures: i) inviting the President of the Conference to write a letter to the Head of Delegation and Permanent Representative of the Party concerned to the Council of Europe; ii) inviting the Secretary General of the Council of Europe to write a letter to the competent minister(s); iii) conducting a high level and/or technical on-site visit in the State Party concerned with a view of preparing a report on implementation of the relevant provisions of the Convention; and ultimately iv) issuing a public statement on the website of the Conference of the Parties.

#### **Publication of follow-up**

26. All adopted follow-up templates and Secretariat analyses of the responses to the follow up templates will be published within four weeks of adoption.

## **Rule 20 – Periodic reports to the Committee of Ministers**

The Conference shall periodically inform the Committee of Ministers of the progress of its work under conditions to be agreed with the latter.

## **Rule 21 – Activity report**

The Conference shall publish a report on its activities periodically.

## **Rule 22 – Amendments to the rules of procedure**

The Conference may amend these rules of procedure by a decision requiring a two-thirds majority of the votes cast.