

Enlarged Partial Agreement on Cultural Routes (EPA) Rules of Procedure of the EPA Governing Board

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

EPA) Rules of Procedure of the EPA Governing Board

As adopted on 7 June 2019

Rules of Procedure of the EPA Governing Board regarding the functioning of the Governing Board of the Enlarged Partial Agreement on Cultural Routes and the award of the "Council of Europe Cultural Route" certification

The Governing Board of the Enlarged Partial Agreement on Cultural Routes (hereinafter referred to as "the EPA");

Having regard to the Statute of the EPA, as set forth in Resolution CM/Res(2013)66 confirming the establishment of the EPA, adopted by the Committee of Ministers on 18 December 2013 at the 1187bis meeting of the Ministers' Deputies, which highlights the key role of the European Institute of Cultural Routes based in Luxembourg for the gathering and dissemination of information and dealing with an increasing number of requests for technical assistance to the creation of Cultural Routes, as well as the key role of the European Union, including the European Parliament, in the setting up and development of the programme;

Having regard to Resolution CM/Res(2013)67 revising the rules for the award of the "Cultural Route of the Council of Europe" certification, adopted by the Committee of Ministers on 18 December 2013, at the 1187bis meeting of the Ministers' Deputies;

Having regard to the Declaration on the 30th Anniversary of the Cultural Routes of the Council of Europe, better known as the "Santiago +30" Declaration, adopted by the Committee of Ministers on 27 September 2017 at the 1295th meeting of the Ministers' Deputies; In light of the terms of the Co-operation Agreement between the Government of the Grand Duchy of Luxembourg and the Council of Europe of 20th October 2011 concerning the European Institute of Cultural Routes and in particular article II regarding the mission of the European Institute of Cultural Routes (EICR);

Pursuant to Article 3.7 of the Statute of the EPA (Appendix to Resolution CM/Res(2013)66), which provides that in all other matters except voting procedures "the Governing Board shall adopt its own rules of procedure and any other arrangements for the implementation of its activities";

Adopts the following Rules of Procedure:

TITLE I

Composition of the Governing Board

Rule 1 - Membership

In pursuance of the EPA Statute (Appendix to Resolution CM/Res(2013)66 article 3.1), the Governing Board of the EPA shall be composed of one representative appointed by each member of the EPA with each member State having one vote. The EPA member States may invite a national expert or a representative of other ministries to take part in the meeting in agreement with the EPA Secretariat.

Rule 2 - Participation of the European Union

Pursuant to Article 2.4 of the EPA Statute (Appendix to Resolution CM/Res(2013)66), which provides that "Pending its accession to the EPA, the European Union will continue to participate in the work in

accordance with arrangements laid down by each body of the EPA". The European Union institutions such as the European Parliament, the European Commission, the Council of the European Union and the European External Action Service are invited to participate in the work of the Governing Board with the same rights and obligations as the other members of the EPA.

Rule 3 — Participation of UNESCO, UNWTO, OECD

Under Article 2.5 of the EPA Statute and in accordance with Statutory Resolution Res(93)28 on partial and enlarged agreements and at their request, the UNESCO, the United Nations World Tourism Organisation (UNWTO) and the OECD will be invited to participate in meetings of the EPA as observers without the right to vote.

Rule 4 — Participation by other international organisations, NGOs, the representative of the Council of Europe Cultural Routes or other bodies

Pursuant to Article 2.6 of the EPA Statute, "the Committee of Ministers, in its composition restricted to the representatives of the States members of the Enlarged Partial Agreement, may, [...] following consultation of EPA members which are not members of the Council of Europe, authorise the EPA to invite other international intergovernmental organisations, the representative of the Council of Europe Cultural Routes, NGOs or other bodies who contribute to EPA's objectives, to participate in its work, without the right to vote." If such decisions are taken, the Chair shall invite the observers concerned to participate in its work, subject to consultation of the members of the Governing Board.

Rule 5 — Participation of the relevant Council of Europe intergovernmental committee

In accordance with Article 3.2 of the EPA Statute, a representative of the relevant Council of Europe intergovernmental committee¹ is invited to participate in the work of the Governing Board, in a consultative capacity. The Chair of the Governing Board will invite the Chair of the body concerned to designate a representative.

Pursuant to Article 2.7, "The Parliamentary Assembly, the Congress of Local and Regional Authorities of the Council of Europe and the Conference of INGOs, may participate in the work of the EPA in accordance with article 3.5". The Chair may invite representatives of the relevant Council of Europe bodies to attend its meetings, without voting rights, according to the items of the agenda.

Rule 6 — Participation of the European Institute of Cultural Routes (EICR)

The President of the Board of Directors of the European Institute of Cultural Routes may participate, without the right to vote, in the meeting of the Governing Board of the EPA and of its Bureau.

TITLE II - Functioning of the Governing Board

Rule 7 - Voting procedures

1. With the exception of decisions on procedural matters, which shall be settled by a majority of the votes cast, decisions of the Governing Board shall be adopted by a two-thirds majority of the votes cast, with each member having one vote.

2. Voting shall normally take place by show of hands. Voting on specific points can take place by secret ballot upon request by three or more members of the Board or by decision of the Chair. In the event of secret vote, the Chair and the Vice-Chair or any two members of the Governing Board appointed by the Chair, will count the votes cast, assisted by the EPA Secretariat.

3. Meetings shall take place with the participants being present physically at a meeting venue, via videoconferencing or through a combination of both.

4. There shall be a quorum if two-thirds of the members of the Governing Board are attending either physically or via videoconference.

¹ At the time of adoption of the present Rules, the CDCPP — Steering Committee on Culture, Heritage and Landscape

Rule 8 – Election of the Governing Board Chair and Vice-Chair, and Bureau

1. The Governing Board shall elect from among its member States a Bureau comprised of the Chair, the Vice-Chair, and three other members, for a term of office of two years, renewable only once. As per standard practice for Council of Europe Partial Agreements, the elections shall take place at the end of the meetings of the Governing Board, with the members of the Bureau taking up their positions immediately thereafter. A gender balance shall be sought in the composition of the Bureau.
2. The Chair opens and closes meetings of the Bureau and Governing Board. He or she shall direct the discussions, put questions to the vote and announce decisions. The Chair shall retain the right to speak and to vote in his/her capacity as a member of the Governing Board.
3. The Chair shall set the dates of the meetings of the Bureau and the Governing Board in consultation with the Bureau members and the Executive Secretary.
4. The Chair shall represent the EPA before the Statutory Committee, the Committee of Ministers of the Council of Europe and any other Council of Europe body.
5. The Vice-Chair shall take the place of the Chair if the latter is unable to carry out his or her duties.
6. The Vice-Chair acting as Chair has the same powers and duties as the Chair.
7. The Bureau shall:
 - assist the Governing Board in its work and prepare its decisions;
 - authorise the updating of the budget in the course of the financial year, to take account of unforeseen variations in resources within the framework of the priorities decided by the Governing Board;
 - prepare for meetings, at the Governing Board's request;
 - ensure, as necessary, continuity between meetings;
 - carry out any other specific task delegated to it by the Governing Board of the EPA.
8. ~~Bureau and~~ Governing Board meetings shall be convened by the Chair of the Governing Board at least once a year, and Bureau meetings, twice a year. The representative of the relevant intergovernmental committee² is invited to attend the meetings of the Bureau in his or her consultative capacity.
9. Bureau meetings shall take place with the participants being present physically at a meeting venue, via videoconferencing or through a combination of both.
10. The Governing Board shall nominate two representatives to the Board of Directors of the European Institute of Cultural Routes, preferably one being the Chair and the other being the representative of Luxembourg.

TITLE III - AWARD OF THE " CULTURAL ROUTE OF THE COUNCIL OF EUROPE " CERTIFICATION

Rule 9 - Submission of applications

Applications for the certification " Cultural Route of the Council of Europe" shall be submitted in English or French to the Secretariat. Required documentation submitted in another language shall be accompanied by a French or English translation. Applications shall be presented in both digital and paper format, and reply to a set of questions developed by the EPA Secretariat with the support of the European Institute of Cultural Routes (EICR), based on the criteria outlined in CM Resolution Res(2013)67 on the rules for the award of the "Cultural Route of the Council of Europe" certification.

The network must provide comprehensive historic background and scientific definition of the theme. The theme submitted by candidate networks must not duplicate themes already represented by existing Cultural Routes. Should the applications present an already certified theme, their networks will be encouraged by the Governing Board to join the corresponding certified Cultural Route.

Cultural routes must implement activities and events in line with their theme and with each field of action described in the Resolution. Cultural routes must demonstrate that their activities have been carried out by

² At the time of adoption of the present Rules, the CDCPP — Steering Committee on Culture, Heritage and Landscape

the network and/or its members. Cultural routes must also organise at least one annual transnational event with the participation of all network members. Any events organised by third parties will not be considered eligible.

Cultural routes aiming to apply for certification must attend a compulsory training session to be delivered by the Secretariat prior to the application deadline. Candidate networks are strongly recommended to attend programme events (Annual Forum, Training Academy). Attendance to the programme events (Annual Forum, Training Academy) is required from candidate networks.

Cultural routes aiming to apply for certification should notify the Secretariat in writing by 31st of March and should submit the complete application by the 31st of July. Following review by the Secretariat, only complete applications which reach the EPA Secretariat by 31st July³ (for the paper version postmarked by 31st July) are eligible for examination at the Governing Board meeting of the following year. Applications which do not meet this deadline will not be considered and will need to be updated and resubmitted by the applicants for the following evaluation cycle.

Applications failing to provide evidence of compliance with the certification criteria will be considered incomplete by the Secretariat and therefore non eligible for consideration. Applications which are not retained for examination will be notified accordingly by the EPA Secretariat.

Rule 10 - Examination of applications

1. Each application will be examined by one or more independent experts chosen by the EPA Executive Secretary among the experts identified following the procedure in Rule 14 below. For reference, the full independent expert reports will be made available to Governing Board members. On the basis of the results of the examination conducted by these experts, the EPA Secretariat, with the assistance of the EICR, draws up a report with recommendations regarding the awards of the certification.
2. This report is sent to the Bureau of the Governing Board in English and French no later than two weeks before the meeting of the Bureau. The report assesses whether the applications fulfill the criteria laid down in CM/Res(2013)67 and provides a recommendation as to the position the Board may take with regard to the applications. The Bureau in turn makes a recommendation to the Governing Board at least two weeks before the meeting of the Board.
3. Following the meeting of the Bureau, the EPA Executive Secretary informs applicants of the recommendation of the Bureau with respect to certification of the route and communicates any requests from the Bureau for additional information required for its recommendation to the Governing Board which will have to be submitted three weeks prior to the meeting of the Governing Board. The communication shall also include procedure and calendar for further information of the file.
4. Applicants are invited to the relevant meeting of the Governing Board and given the possibility to answer the questions of the Board members. One or more experts among those which have examined the applications under paragraph 1 may be invited to give their opinion during the meeting. Applicants cover the cost of their participation.
5. The applicants and experts may participate in the meetings either being present physically or via videoconferencing.

Rule 11 - Decisions on certification of applicants

1. The Governing Board formulates a decision in light of the evaluations and the recommendations of the Bureau and the presentation of the applicants. The Governing Board decides whether to award the "Cultural Route of the Council of Europe" certification to applications presented at the meeting. The representative of the relevant intergovernmental committee⁴ will give an opinion on the decision of the Governing Board.
2. In the case of a negative opinion, or in case of a disagreement among Governing Board members on the award of the certification which has not been resolved by a vote, the recommendations of the Bureau

³ From 2020

⁴ At the time of adoption of the present Rules, the CDCPP — Steering Committee on Culture, Heritage and Landscape

to the Governing Board concerning the award of the "Cultural Route of the Council of Europe" certification, together with the evaluation report, are presented to the relevant intergovernmental committee⁵ and, should the Governing Board consider it necessary, other pertinent committees or bodies of the Council of Europe. The Committee of Ministers takes the final decision on the award of the "Cultural Route of the Council of Europe" certification.

3. Following the meeting of the Governing Board, the EPA Executive Secretary informs the applicants in writing of the decision concerning their application, stating the reasons in case of a negative decision.

4. An application which has been denied certification by the Governing Board may be submitted again no earlier than 12 months following the date of the decision.

5. In the event of a candidate obtaining certification, the complete evaluation report by the independent expert will be made available online on the EPA webpage.

Rule 12 — Award ceremony

The EPA Executive Secretary prepares a diploma for signature by the Secretary General of the Council of Europe for newly-certified Cultural Routes of the Council of Europe. Following communication of the decision of the Governing Board, the EPA Secretariat shall organise an award ceremony at the occasion of the Annual Advisory Forum for transmission of the diploma. Newly certified Routes are also encouraged to organise their own award ceremony and invite member States which are part of the newly certified route network.

Rule 13 - Evaluation of "Cultural Route of the Council of Europe"

1. The Executive Secretary of the EPA, in cooperation with the EICR, requests Cultural Routes to submit every ~~five~~^{three} years following the award of their certification a report on their organisation, functioning and activities in compliance with the requirements of Resolution CM/Res(2013)67. The reports shall be presented in English or French on both digital and paper support, and reply to a set of questions developed by the EPA Secretariat with the support of the EICR, based on the criteria outlined in CM Resolution Res(2013)67. Complete reports should reach the EPA Secretariat by 31st July⁶ (for the paper version postmarked by 31st July) prior to the Governing Board meeting of the following year. Certified networks are strongly recommended to attend programme events (Annual Forum, Training Academy).

2. Should a certified Cultural Route submit an incomplete report or fail to submit a report within the framework of its regular evaluation, the EPA Governing Board will launch an exceptional evaluation procedure; should the cultural routes fail to submit a report or the report be considered incomplete by the Secretariat, the following year, the EPA Governing Board may decide to withdraw the network certification.

3. The reports submitted in pursuance of paragraph 1 above shall be assessed by the EPA Secretariat, with the assistance of the EICR, who may decide to request the opinion of experts chosen in accordance with the procedure laid out in Rule 14.

4. The EPA Secretariat prepares recommendations regarding the evaluation of Cultural Routes for examination by the Bureau, which in turn makes a recommendation to the Governing Board. If the Governing Board finds compliance with Resolution CM/Res(2013)67 unsatisfactory, it issues a recommendation to the route in order to ensure this compliance.

5. Following the meeting of the Governing Board, the Executive Secretary of the EPA informs in writing Cultural Routes undergoing evaluation of the decision of the Governing Board and requests Cultural Routes whose performance has been found unsatisfactory to submit a new report by 31st December of the calendar year, in accordance with paragraph 1 above and following the procedure under paragraphs 3 and 4 above.

6. If, following a second evaluation report, the Governing Board finds the performance of the network unsatisfactory, it may decide to withdraw the certification.

⁵ At the time of adoption of the present Rules, the CDCPP — Steering Committee on Culture, Heritage and Landscape

⁶ From 2020

7. In case the representative of the relevant intergovernmental committee is of the opinion that the certification should not be withdrawn, a report is submitted to the Committee of Ministers of the Council of Europe which takes the final decision on the withdrawal of the "Cultural Route of the Council of Europe" certification.

89. The Executive Secretary of the EPA informs the network in writing of the withdrawal of the "Cultural Route of the Council of Europe" certification. The withdrawal of the certification entails the network's obligation to remove immediately all references to the certification and the Council of Europe logo from its digital material, and to discontinue their use in new printed publications, road signs and posts.

~~98. A network responsible for a Cultural Route of the Council of Europe that is subject to a decision of decertification may not submit a new application for certification earlier than 3 years following the decision of withdrawal. Because important themes may be lost with the decertification of a Cultural Route Considering the possible loss of important themes due to the decertification of a Cultural Route, interested network members with the financial and organizational resources will be allowed to assume interim management and submit a new application to the EPA Governing Board in the framework of the regular certification cycle until a new application is submitted to the EPA Governing Board. Should the EPA Governing Board agree, the new network carrier will be allowed to take over the certified theme until a new application is submitted to the EPA Governing Board by the original network carrier.~~

~~A network responsible for a Cultural Route of the Council of Europe that is subject to a decision of decertification may not submit a new application for certification earlier than 3 years following the decision of withdrawal. Should there be network members with financial and organizational resources interested in establishing a new carrying network and assume the management of the decertified route, they will be exceptionally allowed to submit a new application to the EPA Governing Board in the framework of the following certification cycle.~~

~~9. The Executive Secretary of the EPA informs the network in writing of the withdrawal of the "Cultural Route of the Council of Europe" certification. The withdrawal of the certification entails the network's obligation to remove immediately all references to the certification and the Council of Europe logo from its digital material, and to discontinue their use in new printed publications, road signs and posts.~~

10. In case of renewal of certification, full reports by the independent experts will be made available on the EPA website.

Rule 14 - Experts

1. The Executive Secretary of the EPA, in cooperation with the EICR, shall establish a list of eligible independent experts. These experts may be asked to provide opinions and make recommendations on the award of the "Cultural Route of the Council of Europe" certification and on the evaluation of Cultural Routes of the Council of Europe. The list of experts will be made available to the members of the Governing Board.

2. In establishing the list mentioned in paragraph 1 above, the Executive Secretary of the EPA shall ensure diversity in terms of geographical coverage, gender, fields of expertise and languages. Eligible experts need not be nationals of EPA member states. Public calls for experts will be issued every five years in order to reach out to the largest possible number of potential candidates. In order to ensure their independence, experts may not be employees of national ministries and may not have been involved in advising applicants on the development of their project prior to the application.

3. The Executive Secretary of the EPA shall draw a profile of each eligible expert, including formal qualifications, work experience, academic record, publications, language skills and other relevant information.

4. The Executive Secretary, in consultation with the EICR, shall be responsible for designating, from among the list, the experts to whom specific tasks may be entrusted.

TITLE IV - ANNUAL ADVISORY FORUM

Rule 15 – Selection criteria

1. Member States are invited by the EPA Chair to submit proposals to host the Annual Advisory Forum usually held at the end of September or the start of October to the Executive Secretary of the EPA in writing no later than 3 weeks before the Governing Board. The EPA Secretariat welcomes detailed proposals concerning Forum covered expenditures by the host country (including local transportation, accommodation, catering, conference premises, cultural programme, etc.). The Governing Board shall review all candidacies and make a decision by a two thirds majority of the votes casted respecting geographical coverage.

2. The Governing Board shall review applications and invite unsuccessful candidates to ~~re-apply~~reapply
~~the following year.no earlier than twelve (12) months following the date of the decision. An application by~~
~~a candidate network may be submitted a maximum of three times.~~