



European Commission against Racism and Intolerance  
Commission européenne contre le racisme et l'intolérance

## INTERNAL RULES OF PROCEDURE OF ECRI

Adopted by ECRI on 20 March 2003,  
at its 30<sup>th</sup> plenary meeting

Amended by ECRI on 4 December 2012,  
at its 59<sup>th</sup> plenary meeting



COUNCIL OF EUROPE    CONSEIL DE L'EUROPE



**Internal Rules of Procedure of the European Commission  
against Racism and Intolerance**

**(Adopted on 20 March 2003 – Amended on 4 December 2012)**

The European Commission against Racism and Intolerance (hereinafter referred to as “ECRI”)

Having regard to the Statute of ECRI, in particular to Article 8.2,

Adopts the present Rules:

**I. ORGANISATION OF ECRI**

**Members of ECRI**

**Article 1**

*(Calculation of term of office)*

The duration of the term of office of an ECRI member shall be calculated as from the approval of her/his appointment by the Committee of Ministers.

**Article 2**

*(Solemn declaration)*

Each member of ECRI shall, at the first meeting of ECRI at which she/he is present after her/his appointment, make the following solemn declaration:

“I solemnly declare that I will exercise my functions as a member of ECRI independently, impartially, conscientiously, and without accepting any instruction. I will respect on all occasions the confidentiality of ECRI’s documents and internal debates; and I will stand by ECRI’s decisions”.

**Article 3**

*(Resignation)*

Resignation of an ECRI member shall be notified to the Chair, who shall inform the Secretary General of the Council of Europe.

**Chair and Bureau of ECRI**

**Article 4**

*(Functions of the Chair and the Vice-Chairs)*

1. ECRI shall elect from among its members a Chair, a first Vice-Chair and a second Vice-Chair.
2. The Chair shall conduct ECRI's discussions, co-ordinate the work of its working groups and represent ECRI, without prejudice to this function being fulfilled for particular purposes by other members.
3. In the exercise of her/his functions, the Chair shall remain under the authority of ECRI.
4. The Chair shall retain the right to participate in the discussions of ECRI and to vote.

5. Whenever the Chair is absent or stands down, she/he shall be replaced by the First Vice-Chair or, if she/he is absent or stands down, by the Second Vice-Chair.

**Article 5**  
*(Functions of the Bureau)*

1. The Bureau shall consist of the Chair, the two Vice-Chairs and of four other members elected by ECRI.
2.
  - a. The Bureau assists the Chair.
  - b. Between ECRI meetings, it shall be responsible for deciding on the need to and the manner in which to respond to urgent developments in member States related to serious issues concerning the fight against racism, racial discrimination, xenophobia, antisemitism and intolerance; and for monitoring the implementation of ECRI's decisions and making any adjustments that are needed urgently. The Bureau will inform ECRI of any urgent action/decisions taken.
  - c. The Bureau shall make proposals to ECRI on the agenda for its meetings and its priorities for the following year. The Bureau may also make other proposals on issues to be decided by ECRI.
  - d. Finally, the Bureau shall perform any other function conferred upon it by ECRI.

**Article 6**  
*(Duration of term of office)*

1. The Chair is elected for a term of two years. She/he may be re-elected once.
2. The two Vice-Chairs are elected for a term of one year. They may be re-elected twice.
3. The four other Bureau members are elected for a term of two years. They may be re-elected once.
4. Terms of office shall run for calendar years. In case of a vacancy arising, the replacing person shall complete the term in question.
5. No member of ECRI may be a Bureau member for more than six out of eight consecutive years.

**Article 7**  
*(Elections of the Chair, Vice-Chairs and other Bureau members)*

1. The elections of the Chair, Vice-Chairs and other Bureau members shall be decided by secret ballot.
2. The elections shall take place in three stages:
  - a. Election of the Chair:

If no candidate receives the votes of the majority of members present at the beginning of this election in the first ballot, a second ballot shall take place if there is only one candidate or otherwise a second ballot shall take place between the two candidates who have received most votes. If neither of these two candidates receives the aforementioned majority in the second ballot, a

third ballot shall take place between them. The candidate who receives the most votes in such a third ballot shall be declared elected.

In the first ballot, in case of equal votes between candidates who have not received the most votes, an intermediate ballot shall take place between these candidates. The candidate who receives the most votes in the intermediate ballot shall continue to the second ballot. In case of equal votes between candidates in the intermediate ballot, a drawing of lots shall take place between them.

In the third ballot, in case of equal votes between candidates, a drawing of lots shall take place between them.

- b. Election of the two Vice-Chairs: the two candidates who receive the highest number of votes cast shall be elected first Vice-Chair and second Vice-Chair.

In case of equal votes between candidates, a drawing of lots shall take place between them.

- c. Election of the other Bureau members: the candidates having received the highest number of votes cast shall be elected.

In case of equal votes between candidates, a drawing of lots shall take place between them.

3. Elections shall take place at the last plenary session of each calendar year, except in the case of a vacancy arising, where an election shall take place as soon as possible and the above rules shall be applied accordingly.

4. Candidatures for the elections shall preferably be transmitted to the Secretariat at the latest two weeks before the elections. The Secretariat shall draw up a list of these candidates and distribute it to the members of ECRI. Persons whose candidatures are not announced at the end of the first day of the meeting at which the elections are to take place are not eligible unless they have been candidates in a previous election during the same session.

## **ECRI deputy members**

### **Article 8**

*(Participation of deputy members)*

1. A deputy member of ECRI can participate in ECRI plenary meetings and working groups meetings only when she/he replaces the ECRI member.

2. The deputy has the same right to vote as the ECRI member she/he replaces.

3. The Secretariat shall send the deputy a copy of any correspondence addressed to ECRI members, including working documents and meeting reports.

## **Representatives without the right to vote**

### **Article 9**

*(Participation)*

Representatives without the right to vote may take part in ECRI meetings held *in camera*, unless ECRI decides otherwise.

## **Secretariat of ECRI**

### **Article 10** *(Secretariat)*

The Secretary General shall provide ECRI with the necessary staff, including an Executive Secretary, as well as with the administrative and other services it may require.

## **II. FUNCTIONING OF ECRI**

### **Article 11** *(Languages)*

The official and working languages of ECRI shall be English and French.

### **Article 12** *(Holding of meetings)*

1. ECRI and its Bureau shall hold such meetings as are required for the exercise of their functions.
2. The Executive Secretary shall notify the members of ECRI of the date, time and place of each ECRI meeting.
3. It shall be for each member to decide whether she/he will attend the meeting in person or be replaced by her/his deputy and to inform the Secretariat accordingly.

### **Article 13** *(Agenda)*

1. In consultation with the Chair, the Secretariat shall send a draft agenda to the members along with the notification of the meeting.
2. The agenda shall be adopted by ECRI at the beginning of the meeting.

### **Article 14** *(Meeting Documentation)*

The Secretariat shall be responsible for preparing and circulating documents which are to be examined by ECRI.

### **Article 15** *(Quorum)*

The quorum of ECRI shall be the majority of its appointed members.

### **Article 16** *(Privacy of meetings)*

1. Meetings shall not be opened to the public, unless ECRI decides otherwise. ECRI's deliberations remain confidential.
2. Discussions relating the country-by-country reports shall always be held *in camera*.

### III. CONDUCT OF BUSINESS

#### **Article 17** *(Proposals)*

Any proposal for an ECRI decision must be submitted in writing if a member of ECRI so requests. In that case, it shall not be discussed until it has been circulated.

#### **Article 18** *(Order to follow in the examination of proposals or amendments)*

1. 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. In case of doubt as to the order of priority, the Chair shall decide.

2. 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, ECRI shall vote first on whichever departs furthest in substance 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.

3. Parts of a proposal or amendment may be put to the vote separately.

#### **Article 19** *(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 meeting;
- b. adjournment of the meeting;
- c. adjournment of discussion on the item in hand;
- d. closure of discussion on the item in hand.

#### **Article 20** *(Re-examination of a question)*

Once a decision has been taken, the question shall not be re-examined unless a member of ECRI so requests and two-thirds of the members present agree to this request.

#### **Article 21** *(Votes)*

1. Subject to the provisions of Articles 7 and 24, decisions shall be taken by consensus unless a member of ECRI calls for a vote. If a vote is called for, the decision shall be taken by show of hands unless a secret ballot is requested by a member of ECRI.

2. Decisions taken by vote shall be decided by the majority of the votes cast. "Votes cast" shall mean the votes of members cast for or against. In case of equal votes, the decision shall be postponed for a short time. At the second vote on the question, in the case of equal votes, the Chair shall have the casting vote.

#### **IV. DECISIONS AND REPORTS OF MEETINGS**

##### **Article 22**

*(Decisions and reports of meetings)*

1. At the end of each meeting, the Secretariat shall submit to ECRI for approval a draft abridged meeting report containing a list of decisions adopted at that meeting.
2. The Secretariat shall subsequently prepare a draft full meeting report containing also a summary of the discussions held at the meeting and shall submit it to the Chair and Vice-Chairs for approval. The full meeting report as approved by the Chair and Vice-Chairs shall then be sent to ECRI members.

##### **Article 23**

*(Annual report)*

1. An annual report on ECRI's activities shall be prepared by the Secretariat for each calendar year. This report shall be adopted by ECRI at its first meeting of the following year.
2. The annual report shall be submitted to the Committee of Ministers and made public.

#### **V. AMENDMENTS**

##### **Article 24**

*(Amendments to the Rules of Procedure)*

1. Any amendment to the Rules of Procedure must be proposed and circulated to each member, unless the members of ECRI present unanimously decide otherwise.
2. Any amendment to the Rules of Procedure shall require a decision taken by a two-thirds majority of votes cast.



## **Appendix to the Internal Rules of Procedure of ECRI**

(This appendix forms an integral part of the Internal Rules of Procedure)

### **Introduction**

1. Following the entry into force on 31 December 2002 of Resolution Res (2002) 8 concerning the Statute of ECRI, ECRI adopted its Internal Rules of Procedure at its 30th plenary meeting (18-20 March 2003).

2. The Internal Rules of Procedure are mainly based on the document on "ECRI's internal organisation and operating methods", adopted by ECRI at its 12th plenary meeting (15-18 September 1997), and which was in force until ECRI's 29th plenary meeting (10-13 December 2002).

### **Article 2 of the Internal Rules of Procedure (Solemn declaration):**

3. The solemn declaration is proclaimed orally by each ECRI member. It is also proclaimed orally by each deputy member.

### **Article 6 of the Internal Rules of Procedure (Duration of terms of office):**

4. The following exceptional transitional provisions apply for the year 2003:

- The ECRI Bureau members elected in December 2001 for a term of office of two years (Chair and two other Bureau members) will remain in their posts until December 2003.
- Elections will take place during the 30th plenary meeting of ECRI (18-20 March 2003) for the posts of two Vice-Chairs and two other Bureau members, for whom the terms of office, which were due to expire in December 2002, had been extended by ECRI, as an exceptional measures, until its 30th plenary meeting.

5. The rule contained in paragraph 5 of Article 6 stipulating that no member of ECRI may be a Bureau member for more than six out of eight consecutive years will come into force with the adoption of these Internal Rules of Procedure and only applies to terms of office carried out subsequent to such adoption.

### **Article 8 of the Internal Rules of Procedure (Participation of deputy members):**

6. A deputy member may not ask for the floor or participate actively in ECRI meetings if she/he is attending at the same time as the member. This provision does not preclude the non-active presence of the deputy member in the meeting room.

### **Article 9 of the Internal Rules of Procedure (Participation of representatives without the right to vote)**

7. Representatives without the right to vote participate only in ECRI's plenary meetings. They do not participate in ECRI's working groups.

8. During ECRI's discussions on its country-by-country reports, representatives without the right to vote may speak only once on each issue under discussion.

9. ECRI's confidential working documents are transmitted to representatives without the right to vote only upon written confirmation of their participation in the meeting at which the documents in question are to be examined.