

Human Rights Trust Fund Assembly of Contributors



*Resolution **HRTF (2008) 1***

The Assembly of Contributors of the Human Rights Trust Fund,

Meeting in Strasbourg, on 24 November 2008,

In the following composition :

For Norway, Ambassador Petter Wille, Permanent Representative to the Council of Europe

For Germany, Ambassador Eberhard Kölsch, Permanent Representative to the Council of Europe

For the Netherlands, Mr Marcel van der Kolk, Deputy Permanent Representative to the Council of Europe

For the Council of Europe, Mr Christos Giakoumopoulos, Director of Monitoring DGHL

For the Council of Europe Development Bank, Mr Leon Herrera, Director of European Affairs

Having regard to the Agreement on the Establishment of the Human Rights Trust Fund and in particular to Article 2.1. b (8)

Having regard to the letter of the Permanent Representative of Norway to the Council of Europe convening the first meeting of the Assembly of Contributors,

Adopts by consensus the following Rules of Procedure of the Assembly of Contributors of the HRTF

Rules of Procedure
of the
Assembly of contributors

Article 1
Powers

The Assembly of contributors (hereafter the “Assembly”) is the governing body of the Fund. In conformity with the Agreement establishing the Human Rights Trust Fund (hereafter, the “Agreement”) it shall exercise all powers assigned to it, in particular those listed in Article 2.1. of the Agreement and shall in all execution of its powers act in full compliance with the Agreement.

Article 2
Composition

The Assembly shall consist of representatives of

- each contributor,
- the Council of Europe and
- the Council of Europe Development Bank (“the Bank”).

Each contributor to the Human Rights Trust Fund (hereafter “the Fund”) shall be represented in the Assembly by one duly appointed Representative. Each contributor may appoint a substitute Representative. The appointment of the Representative and his/her substitute shall be made by letter addressed to the Secretary General of the Council of Europe and the Governor of the Bank. It will be valid if the contributor has met, at the date of the Assembly’s meeting, its obligations under its contribution. It will remain valid until its revocation.

The Secretary General of the Council of Europe and the Governor of the Bank shall each appoint one Representative and one substitute to sit in the Assembly.

Article 3
Chairmanship

The Assembly shall elect its Chair from the Representatives of contributor States at its first meeting. The term of office of the Chair shall be two years and is renewable. It shall end if the Chair no longer represents a contributor State.

Article 4

Secretariat

The Secretariat of the Assembly shall be provided by the contributor whose Representative is chairing the Assembly. The Secretariat General of the Council of Europe and/or the Services of the Bank may provide assistance for the carrying out of this work.

Article 5

Allowances and expenses

The Fund shall neither pay allowances to nor cover any expenses of Representatives to the Assembly.

Article 6

Meetings

The Assembly shall be convened by its Chair whenever necessary but at least once a year.

When convening a meeting of the Assembly, the Chair shall take into account the time limits provided for in Article 10 of the present Rules. Meetings shall be convened with no less than two weeks' notice.

The Chair shall determine the date and place where the meeting will be held, after consulting the Representatives of contributors and the Representatives of the Secretary General of the Council of Europe and of the Governor of the Bank.

Meetings shall be held in camera. The Assembly shall decide what information to publish concerning its proceedings and decisions.

Article 7

Attendance at meetings

Any persons assisting the Representatives of contributors, the Council of Europe and the Bank may attend meetings of the Assembly provided the Chair has been duly informed thereof and has not objected to their attending the meeting.

The Secretary General of the Council of Europe and the Governor of the Bank may at any time attend meetings of the Assembly and exercise the powers as described in Article 2.1 and 2.2 of the Agreement and Article 8 of the Rules of Procedure.

The Chair, after consulting the members of the Assembly, may invite representatives of other Member States of the Council of Europe, Council of Europe bodies and institutions

and other international organisations, as well as other persons or experts whose presence is deemed helpful for the Assembly's work, to attend meetings of the Assembly.

Article 8

Decisions and Quorum

Decisions of the Assembly shall be taken by consensus.

The Assembly shall not take decisions unless two-thirds of its contributors are present.

Decisions with respect to Article 2.1 b (1), (2), (6), (7) and (8) of the Agreement shall only be taken when the representatives of the Council of Europe and the Bank are present.

Article 9

Agenda

The Chairman shall circulate the draft agenda to members of the Assembly with the convocation letter. Additional items may be included in the draft agenda at the request of any member of the Assembly, which shall reach the Chair at least five working [?] days before the meeting. The Assembly shall adopt the agenda for each meeting at the opening of the meeting.

Article 10

Documentation

All relevant documents related to the draft agenda, including proposals for possible projects under Article 2.2. of the Agreement, shall be circulated to members of the Assembly with the convocation letter.

Documentation concerning the following points shall be circulated to the Assembly's members at least four weeks before a meeting:

- determination of the Fund's principal orientation and strategies
- determination of priority sectors and criteria for projects to be financed with resources from the Fund
- consideration of the annual report of activities of the Project Management Entity (hereafter "PME")
- consideration of the annual financial report.

Documentation relating to the following points shall be circulated to the Assembly's members at least two months before the meeting:

- amendments to the Agreement
- any decision as to the termination of the Fund and disposal of its resources.

Article 11

Languages

All resolutions, decisions and any working documents of the Assembly shall be in English or in French.

The meetings shall be held in English or in French.

The Fund, the Council of Europe and the Bank shall not provide any translation or interpretation between these two languages.

Article 12

Minutes

Draft minutes shall be prepared by the Secretariat of the Assembly and shall be circulated to participants in the meeting for adoption within five working days from the meeting. They shall be approved by all participants in the meeting on a no objection basis, within ten working days from their submission for approval.

Article 13

Written decisions

In the absence of a meeting, the Assembly may take decisions on the basis of written resolutions. To this end, the Secretariat shall, upon instruction by the Chair, circulate draft Resolutions and related documentation to the contributors, the Council of Europe and the Bank. Resolutions under this procedure will be approved where all contributors and, in accordance with article 2.1 (e) of the Agreement, the Council of Europe and the Bank approve the written resolution on a no-objection basis. A minimum of 10 working days will be given for each request for approval on a no-objection basis.

Article 14

Approval and acceptance of possible projects

The Assembly may approve or reject a proposal for a project submitted by the Council of Europe or the Bank. The Assembly's decision approving a project shall include the designation of the PME.

Where the Assembly decides to approve a project with a revised budget or disbursement schedule, the Assembly's decision shall be immediately submitted during the meeting to the representative of the designated PME who may accept or reject the project as approved by the Assembly, in accordance with Article 2.3 of the Agreement. The PME representative may accept or reject the approved project at the meeting, or notify the Chair of the Assembly in writing of acceptance within 10 working days of the meeting. If no acceptance is communicated to the Assembly within 10 working days, the project is considered as not accepted. The Secretariat of the Assembly shall notify members of any written acceptance by the PME.

Article 15
Amendment of the present Rules

The Assembly may at any time revise or amend the present Rules of Procedure.