

## Group of Independent Experts on the European Charter of Local Self-Government

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## Revised Statute of the Group of Independent Experts on the European Charter of Local Self-Government (2017)

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## **CHAPTER I – PURPOSE OF THE GROUP OF INDEPENDENT EXPERTS**

### **Article 1**

The *Group of Independent Experts* (hereafter “GIE”) works for the Congress of Local and Regional Authorities of the Council of Europe, and more particularly for the Committees, which it shall assist in discharging their statutory responsibilities in the field of local and regional democracy as set out in Article 2, paragraph 3, of Committee of Ministers Statutory Resolution on the Congress (CM/RES (2011)2).

## **CHAPTER II – MEMBERSHIP**

### **Article 2**

a) One full member expert and at least one alternate shall be appointed for each Council of Europe member state signatory to the *European Charter of Local Self-Government*, who must exercise a permanent professional or academic activity in the state for which they are appointed, and hold, barring express derogation by the Secretary General, the nationality of such state. Alternates may be appointed by the Secretary General other than during renewal of the Group, in consultation with the Chair of the GIE.

b) In the full member’s absence, the alternate shall be considered as the full member and can consequently exercise the whole of the latter’s remit for the duration of the sitting in question.

### **Article 3**

a) Experts shall sit in their individual capacity and be independent and impartial in the exercise of their functions. They shall take no instructions from any government, organisation, or person on how to perform their duties as experts.

b) The experts shall be chosen principally from amongst teachers and researchers in universities and other research centres with recognised knowledge of local or regional self-government.

c) Non-academics with recognised skills and/or experience in this area, and who have distinguished themselves with relevant works or publications, may also be appointed.

d) The experts’ skills shall primarily be in the legal field, but their knowledge of other disciplines in the political and financial fields or in other important fields to local or regional self-government shall also be taken into account.

e) All experts must have an excellent knowledge – oral and writing – of at least one of the Council of Europe’s two official languages (English and French).

### **Article 4**

In order to move towards respect for the principle of equality between women and men in the Council of Europe’s bodies, the genders shall be represented in a balanced manner within the GIE, the initial aim being to reach at least 30% of the under-represented gender.

### **Article 5**

Experts shall be appointed by the Secretary General of the Congress in consultation with the Chair of the GIE and the Chairs of the Committees.

## **CHAPTER III – CHAIR AND VICE-CHAIRS OF THE GIE**

### **Article 6**

a) The Chair and the two Vice-Chairs of the GIE shall be elected by the GIE for renewable five year terms.

b) Any full member expert may stand for election as Chair or one of the two Vice-Chairs of the GIE by applying to the Secretary General of the Congress. The Chair's duties shall be discharged by the one of the Vice-Chairs, or the Secretary General, or his/her representative, until the appointment of the GIE's Chair.

c) In the absence of the Chair from a meeting, he or she may instruct one of the Vice-Chairs to chair the meeting. If necessary, the Secretary General, or his/her representative, may discharge this duty.

## **CHAPTER IV – TASKS OF THE GIE**

### **Article 7**

The competences of the Committees,<sup>1</sup> which the GIE is responsible for assisting include:

a) drafting reports on the situation of local and regional democracy in Council of Europe member states and applicant countries (as part of general monitoring assignments);<sup>2</sup>

b) drafting reports on a specific aspect of the Charter or on a country or group of countries (specific monitoring assignments);

c) drafting reports in response to a request for a review of a specific matter posing a problem with regard to compliance with one of the Charter provisions (as part of fact-finding missions);<sup>3</sup>

d) drafting reports on a topical issue that has implications for local and regional authorities;

e) drafting reports relating to the promotion of local and regional democracy and monitoring of the progress of local and regional self-government;

f) drafting reports relating to the observation of local and regional elections.

## **CHAPTER V – APPLICATION OF THE COUNCIL OF EUROPE'S GENERAL RULES**

### **Article 8**

a) The Council of Europe's general rules on consultants shall apply to the experts of the GIE,<sup>4</sup> with which the experts must comply when working as consultants, for which they are remunerated on a contractual basis, as part of a monitoring or election observation assignment or a fact-finding mission, or for the drafting of a report on a specific theme decided by one of the Committees.

b) The experts shall surrender their copyright to the Council of Europe in accordance with the Council of Europe's general rules on consultants' contracts.

## **CHAPTER VI – RELATIONS BETWEEN EXPERTS AND THE CONGRESS**

### **Article 9**

Experts shall provide scientific and expert assistance to the Congress. They work under the authority of the Rapporteurs appointed by the Congress and more particularly by the Committees, in close co-operation with the Congress Secretariat.

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<sup>1</sup> Rule No. 45 of the Rules and procedures of the Congress.

<sup>2</sup> See Resolution 395(2015)

<sup>3</sup> Idem.

<sup>4</sup> Presently Instruction No. 59 of 21 December 2007

#### **Article 10**

During monitoring and election observation assignments, the Secretariat shall be assisted by an expert when drawing up reports and working documents (questionnaires etc.). Experts shall provide the information that Rapporteurs need for meetings planned with various counterparts. They shall be bound to honour the obligations contracted by signing a contract with the Council of Europe in respect of the monitoring assignment in which they have agreed to participate.

#### **Article 11**

Experts shall refrain from the public expression of opinions committing the Council of Europe or the Congress. Experts shall stand by Congress' decisions.

### **CHAPTER VII – TERMS OF OFFICE AND RENEWAL OF GIE MEMBERS**

#### **Article 12**

- a) The terms of office of the members of the GIE shall last five years renewable.
- b) The alternate's term of office shall be of equal length to that of the full member whom he or she represents.

#### **Article 13**

- a) Experts may resign from the GIE before their term of office has expired by notifying the Secretary General in writing, who shall then inform the President of the GIE.
- b) If an expert fails to comply with the rules in this Statute, the Secretary General may end his or her term of office.
- c) On expiry of an expert's term of office or where a post has become vacant, the Secretary General of the Congress shall issue an appeal for applications at universities, research centres and other institutions specialising in local and regional self-government in the countries in respect of which the post (or posts) is (or are) vacant.

#### **Article 14**

- a) This Statute shall come into force as soon as it is adopted by the Congress Bureau.
- b) From the annual meeting 2018 the membership of the GIE shall be completely renewed every five years, in accordance with the procedure set out in this Statute.
- c) The Chair and both Vice-Chairs of the GIE shall be elected during the meeting of the GIE immediately following the renewal.