

Rules of Procedure¹ of the Standing Committee of the European Convention for the Protection of Animals kept for Farming Purposes

The Standing Committee,

Having regard to the entry into force on 10 September 1978 of the European Convention for the Protection of Animals kept for Farming Purposes,

Pursuant to Article 8, paragraph 6, of the Convention,

Adopts the present Rules of Procedure :

Preliminary Article

For the purposes of the Rules of Procedure, the following definitions are used :

- "Convention" means the European Convention for the Protection of Animals kept for Farming Purposes;

- "Committee" means the Standing Committee of the Convention;

- "Representative" means the representative of a Contracting Party or, in his absence, the substitute representative;

- "Observer" means the observer of a member State of the Council of Europe which has not yet become a Party to the Convention; and the observer of the European Community until that Community has become a Party to the Convention as well as the observer of a non-member State nominated in accordance with the provisions of Article 22 of these Rules of Procedure. Experts nominated in accordance with Article 23 of these Rules of Procedure shall not be considered as "Observers".

- "Votes cast" means the votes of the representatives voting for or against; representatives abstaining on a vote are considered as not having cast a vote.

Section I : Procedure in General

Article 1

Appointment of Representatives

1. Each Contracting Party shall communicate to the Secretary General of the Council of Europe, hereafter called the "Secretary General", the name and address of its representative to the Committee, if possible at least one month before the date fixed for the opening of the first meeting which he is entitled to attend.
2. Each representative shall retain office until the Contracting Party concerned has notified the Secretary General that the representative has been replaced.
3. Contracting Parties may also appoint substitute representatives.
4. A representative may be accompanied by one or more advisers.
5. The provisions of this Article shall apply *mutatis mutandis* to observers.

¹ The Rules of Procedure have been adopted by the Standing Committee of the European Convention for the Protection of Animals kept for Farming Purposes at its first meeting on 22 February 1979, and amended at its second meeting held from 27 to 30 November 1979, at its 35th meeting held on 21 - 24 April 1998, at its 45th meeting held from 25 to 27 November 2003, and at its 46th meeting held from 30 November to 2 December 2004.

Article 2

Sessions

1. The Committee shall fix the date of its sessions in consultation with the Secretary General.
2. Whenever the Secretary General considers it necessary to have the Committee convened, he shall fix the date of the session in consultation with the Chairman of the Committee.
3. When a meeting has been convened, any request for postponement must reach the Secretary General at least four weeks before the date previously fixed for the opening of the meeting. A decision in favour of postponement shall be considered as having been taken when a majority of the representatives shall have notified the Secretary General of their agreement two weeks before the date previously fixed.
4. Sessions shall be held at the seat of the Council of Europe at Strasbourg, unless the Committee decides otherwise.

Article 3

Convocation

1. The convocations of sessions of the Committee shall be addressed by the Secretary General to the representatives and observers. Whenever there is a vacancy on the Committee, the convocation shall be addressed to the Contracting Party concerned.
2. A copy of the convocation addressed to the representatives and observers shall be sent to the Governments of the member States and to the European Community.
3. Convocations shall be sent at least two months before the date fixed for the opening of the session.

Article 4

Chairman and Vice-Chairmen

1. The Chairman, the first Vice-Chairman, the second Vice-Chairman and the third Vice-Chairman shall be elected by a majority of the votes cast.
2. The Bureau composed of the Chairman, the Vice-Chairmen and two additional members shall be elected for a term of two years. The additional members of the Bureau shall be elected by a majority of the votes cast. If during that period a position becomes vacant, the Standing Committee may proceed to the election of a new member of the Bureau for the remaining period of the term. The Chairman, the Vice-Chairmen and the additional members of the Bureau shall be eligible for re-election.
3. The Chairman shall direct the work of the Committee and sum up the conclusions of its deliberations.
4. The Chairman shall retain the right to participate in the discussions of the Committee and to vote.
5. Whenever the Chairman is prevented from attending his duties or stands down, he shall be replaced by the first Vice-Chairman or, if he is not available, the second Vice-Chairman or, if he is not available, the third Vice-Chairman. If neither the Chairman nor one of the Vice-Chairmen can carry out his duties the Committee shall elect an acting Chairman by a majority of the votes cast.

Article 5

Secretariat

1. The Secretary General or his representative may at any time make an oral or written statement on any matter under consideration.
2. The Secretary General shall provide the Committee with the necessary staff and facilities.
3. The Secretariat shall be responsible for the preparation and distribution of all documents to be examined by the Committee.

Article 6

Agenda

The agenda shall be adopted at the beginning of each session on the basis of a draft prepared by the Secretariat and annexed to the convocation.

Article 7

Languages

1. The official languages of the Committee shall be those of the Council of Europe.
2. Any representative or observer may, however, use a language other than an official language, provided that he shall himself provide for interpretation into one of the official languages.
3. Any document submitted in a language other than one of the official languages shall be accompanied by a translation into one of the official languages.

Article 8

Privacy of sessions

Sessions shall be held in private.

Article 9

Vote of the European Community

In the fields in which it has the competence, the European Community, on becoming a Contracting Party, exercises its right to vote with the same number of votes as the number of its member States being Parties to the Convention.

The European Community does not exercise its right to vote when its member States exercise their right to vote and vice versa.

Article 10

Rapporteurs

The Committee may appoint rapporteurs for any questions relevant to its work under Article 9 of the Convention.

Article 11

Postponement of decisions

At the request of a representative, a decision shall be postponed till the next session if the document relating to the matter at issue has been addressed to him less than one month before the opening of the session.

Article 12

Reconsideration of a decision

When a decision has been taken on any particular matter, such matter shall not be reopened except at the request of a representative and with the approval of a majority of the votes cast.

Article 13

Communications to the Press

The Committee may by unanimous agreement adopt the text of a communication on its work to be issued to the Press or instruct its Chairman and Vice-Chairmen to make in its name a suitable oral statement to the Press.

Article 14

Minutes

The Secretariat shall prepare minutes which shall be adopted by the Committee. For this purpose observers may ask for correction of errors in the record of their interventions.

An executive summary of proceedings shall be made public after each meeting. The executive summary of proceedings and the way of making it public shall be adopted by the Committee at the end of each meeting.

Section II : Publication of periodical reports

Article 15

The Committee shall decide whether the periodical reports mentioned in Article 13 of the Convention shall be published and in such cases determine when they shall be published.

Section III : Settlement of difficulties concerning the implementation of the Convention

Article 16

1. A request addressed by a Contracting Party to the Committee by virtue of Article 10 of the Convention to use its good offices to settle a difficulty arisen between Contracting Parties concerning the implementation of the Convention shall be made in writing.

2. The Secretariat shall communicate the request to the Governments of the member States and other Contracting Parties, to the European Community, to the representatives and to the observers from member States which are not Parties to the Convention.
3. The Chairman shall fix a reasonable time-limit within which the Governments of the Contracting Parties concerned and, when appropriate, the European Community may send to the Secretariat their observations in writing on the request.
4. On the expiration of the time-limit mentioned in paragraph 3 of this article, the Secretariat shall communicate all observations received to the Governments of the member States and other Contracting Parties, to the European Community, to the representatives and to the observers from member States which are not Parties to the Convention.
5. The request and the observations mentioned in the preceding paragraphs shall be put on the draft agenda of the Committee.
6. The Committee shall consider the request addressed to it and shall adopt the means which it considers most likely to lead to a settlement.

Article 17

If the Parties concerned arrive at a settlement, the Committee shall draw up a report containing a brief outline of the subject matter of the difference and of the settlement reached. The report shall be signed by the Chairman and transmitted to the Governments of the member States and other Contracting Parties and to the European Community. The report shall not be made public.

Article 18

If the representative for the time being in the Chair is the representative of a member State which is a Party to a difference of opinion referred to the Committee, he shall stand down from the Chair in respect of the proceedings which are the subject matter of this section.

Section IV : Advisory opinions

Article 19

1. A request for an advisory opinion addressed by a Contracting Party to the Committee by virtue of Article 11 of the Convention, shall be made in writing.
2. The request shall be communicated by the Secretariat to the Governments of the member States and other Contracting Parties, to the European Community, to the representatives and to the observers.
3. The request shall be included in the first draft agenda of the first session of the Committee following the receipt of the request.

Article 20

1. The Committee shall draw up a report on the question submitted for opinion.
2. When the Committee does not arrive at a unanimous opinion, minority opinions shall be stated in the report.
3. The report shall be signed by the Chairman and transmitted to the Governments of the member States and other Contracting Parties and to the European Community.
4. The Committee shall decide whether the report, or a part thereof, shall be made public.

Section V: National bodies furnishing information and advice

Article 21

The Committee shall decide in which manner to avail itself of the opportunity to request information and advice from bodies appointed by Contracting Parties in conformity with Article 12 of the Convention to assist the Committee in its work.

Section VI : Miscellaneous provisions

Article 22

Observers from non-member States of the Council of Europe

The Committee may, by unanimity of the votes cast, decide to invite Governments of non-member States of the Council of Europe to appoint an observer to the Committee who may attend all meetings of the Committee.

The Committee may, however, decide that the examination of certain questions shall be undertaken only by the representatives and the observers from member States of the Council of Europe which are not Parties to the Convention and the observer from the European Community when the latter has not become a Party to the Convention.

Article 23

Consultation with international organisations or with experts

1. The Committee may, by unanimity of the votes cast, decide to invite intergovernmental or non-governmental organisations to appoint, as an expert, a person who will be available for consultation during all or part of a session.
2. The Committee may, by a majority of the votes cast and in consultation with the Secretary General, appoint consultant experts to make a report on any questions relevant to its work under Article 9 of the Convention.

Article 24

Amendment of the Rules of Procedure

1. These rules may be amended at any time.
2. Amendments shall be adopted by a majority of the votes cast.