

# CONGRESS OF LOCAL AND REGIONAL AUTHORITIES OF EUROPE

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## **Resolution 133 (2002)<sup>1</sup> on the partial revision of the Congress's Rules of Procedure and of the procedure for electing the Chief Executive**

1. Having regard to the Committee of Ministers' Statutory Resolution (2000) 1 and the CLRAE Charter,

2. Having regard to the Rules of Procedure of the CLRAE of Europe and the appendices thereto,

3. Taking into account the observations made by the rapporteur, Mr Halvdan Skard (Norway, L),

*a.* after the present Chapter V, add a new chapter entitled "Participation by the statutory bodies of Council of Europe partial agreements in the work of the CLRAE", comprising a single rule to read as follows, and renumber the following chapters and rules accordingly:

Rule ...

"Subject to reciprocal arrangements, the statutory bodies of Council of Europe partial agreements may be invited to appoint their representatives to participate in the plenary sessions, mini-sessions, the Standing Committee and/or statutory committees of the Congress in an advisory capacity",<sup>2</sup>

*b.* amend Rule 11, paragraph 3 of the CLRAE's Rules of Procedure as follows:

*i.* "The President of the CLRAE shall be elected by secret ballot. Two tellers per ballot-box, chosen by lot, shall count the votes cast;

*ii.* if, after two ballots, no candidate has obtained an absolute majority of the representatives and substitutes actually appointed to the Congress by the official authorities of the Council of Europe member states and whose credentials have been approved by the Congress, the candidate who, on the third ballot, receives a relative majority of the votes cast shall be declared elected. In the event of a tie, lots shall be drawn;

*iii.* any ballot paper from which the voter's intention to vote for one of the candidates can be clearly determined shall be considered valid;

*iv.* as soon as the President has been elected, the provisional President shall leave the Chair";

*c.* add the following at the end of paragraph 6 of Rule 14 entitled "Standing Committee":

"...However, whenever the Standing Committee adopts texts on behalf of the Congress and without prejudice to paragraph 8 of this rule, the rules governing the holding and conduct of debates as stipulated in Chapter IX (Rules 21-33) of these Rules of Procedure shall apply *mutatis mutandis*";

*d.* delete the former paragraph 8 of Rule 14 entitled "Standing Committee";

*e.* add to Article 40, paragraph 3 after the sentence: "It shall not elect its Chair or take any decision unless one third of its members are present" the following sentence:

"The President of the committee shall be elected by secret ballot. If no candidate has received an absolute majority of the votes cast by members of the committee on the first ballot, a second ballot shall be held. The candidate shall be elected who has received the relative majority of votes cast. In the event of a tie, lots shall be drawn."

*f.* renumber the following paragraphs accordingly;

*g.* in Appendix 2 to the Rules of Procedure, entitled "Apportionment of seats on committees by country", delete the footnotes on pages 2 and 3 concerning the absence of regions in Slovakia and the Czech Republic;

*h.* in Appendix 2 to the Rules of Procedure, entitled "Apportionment of seats on committees by country", add the number of seats for the delegations of Armenia, Azerbaijan and Bosnia and Herzegovina, namely 4, 6 and 5 respectively;

*i.* in Appendix 2 to the Rules of Procedure, entitled "Apportionment of seats on committees by country", attribute to Armenia the footnote 1 concerning the absence of regions;

*j.* in Appendix 2 to the Rules of Procedure, entitled "Apportionment of seats on committees by country", add a new footnote for Armenia, to read: "Armenia might wish to appoint a representative (L) to the Standing Committee and one member each to such three of the four statutory committees as it may choose";

*k.* in Appendix 2 to the Rules of Procedure, entitled "Apportionment of seats on committees by country", at the end of point 5 replace "...of the four statutory committees (L and R)" by "... of the four statutory committees (L or R)";

*l.* in Appendix 3 to the Rules of Procedure, in the Procedure for the election of the chief executive of the CLRAE, amend as follows point 5 entitled "Procedure in the Congress of Local and Regional Authorities of Europe";

"*a.* The Congress shall conduct the election;

*b.* Voting shall be conducted by secret ballot. Two tellers per ballot-box, chosen by lot, shall count the votes cast;

*c.* If, after the first ballot, no candidate has obtained an absolute majority of the votes cast by representatives and substitutes actually appointed to the Congress by the official authorities of Council of Europe member states and whose credentials have been approved by the Congress, the candidate who gains a relative majority of the votes cast in the second ballot shall be declared elected. In the event of a tie, the female candidate, if any, and otherwise the candidate who is senior in age, shall be declared elected;

*d.* Any ballot paper from which the voter's intention to vote for one of the candidates can be clearly determined shall be considered valid.”

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1. Debated and adopted by the Congress on 6 June 2002, 3rd Sitting (see Doc. CG (9) 4, draft resolution presented by Mr H. Skard, rapporteur).

2. As at 6 June 2002, this provision applies to the European Commission for Democracy through Law (Venice Commission) and the Council of Europe's North-South Centre.