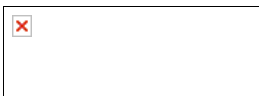




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The Congress
of Local and Regional Authorities

Rules of Procedure of the Congress and its Chambers

Revised by the Congress at its 15th Plenary Session on 28 May 2008 (Resolution 256 (2008)) and completed by the Standing Committee on 2 December 2008 (Resolution 273 (2008))

Strasbourg 2008

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Rules of Procedure of the Congress and its Chambers

The Congress is a consultative organ composed of representatives of local and regional authorities. Its membership and functions are regulated by the Statutory Resolution CM/Res(2007)6 relating to the Congress of Local and Regional Authorities of the Council of Europe and the appended Charter of 2 May 2007, as well as by the Rules of Procedure which it adopts (see Article 1 of the Statutory Resolution).

The Rules of Procedure concern the Congress and its Chambers, in compliance with Article 13 of the Charter.

In these Rules of Procedure:

- "plenary session" is used in the same sense as "ordinary session", which is used in the Congress Charter;
- the word "Representative" (with a capital letter) is meant for members sitting with the right to vote in plenary sittings of the Congress, as opposed to the word "Substitute" (with a capital letter);
- a recommendation is a proposal by the Congress which shall be addressed to the Committee of Ministers and/or the Parliamentary Assembly and/or European and international institutions and organisations;
- a resolution shall be addressed to the Congress itself or to the local and/or regional authorities of the member states;
- an opinion is a reply from the Congress following consultation by the Committee of Ministers or the Parliamentary Assembly.

Chapter I – Sessions of the Congress

Rule 1

Sessions of the Congress

1 The Congress shall meet in plenary session at least once a year (see Article 4.1 of the Statutory Resolution). Plenary sessions of the Congress shall be held at the Council of Europe's headquarters, unless otherwise decided, by common consent, by the Congress or its Standing Committee and the Committee of Ministers¹.

2 The sessions of each of the two Chambers shall be held immediately before and/or after the plenary sessions of the Congress. On the proposal of the Bureau of the Congress, either Chamber may decide to hold other sessions².

3 The Bureau of the Congress shall set the dates of the Congress's plenary sessions and inform the President of the Parliamentary Assembly and the President of the Committee of Ministers accordingly.

4 The Congress may meet in extraordinary session on the proposal of the Standing Committee acting on its own initiative, subject to the approval of the Committee of Ministers.

Chapter II – Membership of the Congress and its Chambers

Rule 2

Official procedures for the appointment of Representatives and Substitutes

1 Representatives and Substitutes to the Congress are appointed in conformity with the provisions of Articles 2, 3 and 7 of the Charter.

They shall be appointed by an official procedure specific to each member state. In particular, this shall provide for consultation in each member state of the relevant associations and/or institutional bodies and shall specify the principles to be adhered to in the apportionment of members in the two Chambers³.

Each government shall inform the Secretary General of the Council of Europe of their procedure. This procedure shall be approved by the Congress in conformity with the principles contained in these Rules of Procedure⁴. It should ensure that the country's delegation to the Congress has the full confidence of its local and regional authorities and its political parties as people who would best represent them all.

Each member state, when notifying the Secretary General of the Council of Europe of the membership of its delegation, shall indicate which Representatives and Substitutes are members of the Chamber of Local Authorities and of the Chamber of Regions⁵, where Substitutes sitting in the Chambers are members on an equal footing with the Representatives⁶. Each state shall appoint an equal number of members to each Chamber, and this number shall be equal to the number of seats which it holds in the Congress⁷.

Moreover, countries with regions within the meaning of Article 2, paragraph 4, of the Charter must as far as possible appoint the same number of Representatives to the Chamber of Regions as to the Chamber of Local Authorities, or else numbers as close as possible in the case of national delegations with odd numbers of Representatives².

Where a country, on the basis of Article 2.1 of the Charter, wishes to send to the Congress members who do not hold a general mandate stemming from a direct election within a local or regional authority but who are politically responsible to a directly elected assembly, its official procedure for appointing the delegation should state it openly and specify the offices and conditions of dismissal of the delegates concerned which it deemed were in conformity with Article 2.1 of the Charter.

2 These procedures shall be submitted to the Bureau of the Congress for approval two months before the opening of the plenary session to which they apply for the first time.

The Bureau shall consider whether they meet the requirements set out in Articles 2, 3 and 7 of the Charter as well as in these Rules of Procedure. The Bureau shall report to the Congress and inform the Secretary General of the Council of Europe of the approval or rejection of these procedures so that he/she can inform the state concerned. Any person who is appointed to the Congress following a procedure not ratified by the Congress shall not be considered a member of the Congress.

3. In order to ensure an equitable representation of women and men in the Congress, national delegations shall comprise members of both sexes with a participation of at least 30% of the under-represented sex⁸. This minimum of 30% concerns all members (Representatives and Substitutes) of a delegation, and should be strictly complied with, even in the case of incomplete appointment of the delegation.

In order to keep track of the balance of political forces within national delegations, the latter shall inform the Bureau of the Congress of their members' political affiliation and of the apportionment of the various political trends represented within their local and regional authority bodies, as a result of the last local and regional elections held in their countries.

4 Members of the Chamber of Regions must be from authorities placed between central government and local authorities, enjoying prerogatives either of self-organisation or of a type normally associated with the central authority and having a genuine competence to manage, on their own responsibility and in the interests of their populations, a substantial share of public affairs, in accordance with the principle of subsidiarity⁹.

In particular, member states which do have regions with legislative powers shall include members from these regions in the Chamber of Regions.

If a country has authorities which cover a large area and exercise both local and regional responsibilities, representatives of such authorities shall also be entitled to sit in the Chamber of Regions. A list of these authorities shall be provided in the context of the national appointment procedure¹⁰.

Member states which do not have regional authorities within the meaning of the previous paragraph shall be able to send members to the Chamber of Regions and its organs in an advisory capacity (not entitled to vote)¹¹.

The list of those countries shall be determined by the Bureau of the Congress on the proposal of the Institutional Committee of the Congress, following consultation of the national delegations¹².

Rule 3

Verification of credentials

1 The Bureau shall verify the conformity of the appointment of Representatives and Substitutes with the principles set out in Rule 2 of these Rules of Procedure and those of the Charter. The draft composition of all national delegations to the Congress shall be submitted to the Bureau for approval six weeks before the opening of the plenary session to which they apply. The Bureau will meet in good time before every plenary session for which national delegations are renewed in order to be able to report to the Congress as soon as the first sitting is opened before discussing any other items on the agenda. Its report shall propose that the composition of the delegations be ratified, enter reservations or advise against ratifying the composition of specific delegations. In accordance with Article 4 of the Charter of the Congress, its report shall be put to the vote in the Congress during sessions or in the Standing Committee between sessions.

2 Members whose credentials are contested by the Bureau shall provisionally sit with the same rights as other members of national delegations until the Congress, or the Standing Committee on its behalf, has ruled on the matter. However, such members may not take part in any vote relating to the verification of credentials or of the appointment procedures.

Where the composition of a national delegation does not comply with Article 2.2 of the Charter, its members can only attend Congress meetings without voting rights nor refund of expenses (see Article 4.2 of the Charter), and without rights of participation in debates.

3 A Representative or Substitute whose credentials have not been ratified is not deemed to be a member of the Congress. In the normal course of events, therefore, he or she is not entitled to receive allowances for attending Congress meetings¹³.

4 In conformity with Article 2.1 of the Charter, the Congress shall be composed of representatives of local and regional bodies who either hold a general local or regional authority mandate resulting from direct elections or are politically accountable to a directly elected assembly, on the condition that they can be individually dismissed by, or following the decision of the aforementioned assembly and that

dismissal is provided for by law.

Rule 4

Term of office of Representatives and Substitutes

1 Representatives and Substitutes shall be appointed for a period of two years. Their term of office shall expire on the date of opening of the plenary session for which national delegations are renewed.

2 In the event of the death or resignation of a Representative or Substitute or of loss of the mandate referred to in Article 2.1 of the Charter, a replacement shall be appointed in accordance with the same rules and procedures for the remainder of his/her predecessor's term. A Representative or Substitute who loses the mandate mentioned in Article 2.1 of the Charter may not remain a member of the Congress for longer than six months after the loss of his or her mandate¹⁴.

In addition the composition of national delegations must be amended at the latest one month prior to the following plenary session to take account of the altered political situation following local and/or regional elections concerning a substantial proportion of the local or regional authorities of that member state¹⁵.

The Bureau shall verify the conformity of the appointment of Representatives and Substitutes at its first meeting following the notification of this replacement and shall report immediately to the Congress or to the Standing Committee¹⁶.

Rule 5

Substitutes

1 Any Representative prevented from attending a sitting of the Congress may nominate as his/her replacement a Substitute to the Congress from his/her national delegation. He/she must give notice thereof in writing to the Congress's secretariat.

A Substitute may be a replacement for more than one Representative, but for only one at a time.

2 For the purpose of the application of these Rules of Procedure, a Substitute nominated in due form as a replacement shall be considered as a Representative and consequently may exercise all the attributions of Representatives for the duration of the sitting concerned.

3 Substitutes shall be members of the Chambers in the same capacity as Representatives¹⁷.

Rule 6

National delegations

1 The Representatives and Substitutes of a member state shall form its national delegation.

2 Each national delegation shall appoint from among its members a Head of delegation. It shall also appoint a secretary.

Secretaries of delegations may attend plenary sessions and Standing committee meetings. They may also attend the meetings of bodies where members of their delegation hold a seat, with the consent of these members, except for *in camera* meetings.

3 The secretariat of the Congress shall provide national delegations with working facilities during plenary sessions.

Chapter III – Political groups

Rule 7

Political groups

1 Representatives and Substitutes may form political groups and become members of these groups.

2 A political group shall consist of members of at least six national delegations. It must have at least 20 members in order to be recognised by the Bureau of the Congress.

3 Each political group shall submit to the Bureau of the Congress a statement which shall include the title of the group, the list of its members, the composition of its bureau and, if appropriate, the name of its secretary.

4 These statements shall be published in the Congress yearbook.

5 The political groups of the Congress may meet on the occasion of plenary sessions and Standing Committee meetings¹⁸. The secretariat of the Congress shall provide political groups with working facilities during these meetings.

Chapter IV – Observer status and Co-operation agreements

Rule 8

Observer status and Co-operation agreements

1 The international associations of local and regional authorities holding participatory status with the Council of Europe shall have the status of observer to the Congress and to both Chambers¹⁹.

2 The Standing Committee of the Congress may grant observer status to other organisations that request it. In that case, these organisations will have the status of observer to the Congress and its Chambers.

3 Organisations with the status of observer to the Congress have the right to take part in the proceedings of the Congress and of its Chambers, with the right to speak, subject to the Chair's consent, but not to vote²⁰. They may also, at their own expense, submit memoranda relating to subjects on the agenda of plenary sessions of the Congress or of its Chambers.

4 The Standing Committee, the Bureau of the Congress, the statutory committees and the *ad hoc* working groups may invite one or more representatives of organisations which have the status of observer to the Congress to attend the whole or part of a meeting.

5 Other organisations may apply for observer status with a Chamber. Where such an application is received, the Standing Committee of the Chamber shall make a decision on this²¹.

6 Furthermore, according to Article 10.4 of the Charter, the Congress and its Chambers may, on the proposal of the Bureau of the Congress or the bureaux of the Chambers, consult and co-operate with representatives of the international associations of local and regional authorities mentioned in Article 5 of the Charter and the national associations of local and regional authorities involved in appointing the national delegations. As a general rule, participation expenses must be defrayed by these organisations or associations.

7 The Congress and its Chambers may also, on the proposal of the respective bureaux, decide on specific co-operation agreements with organisations or institutions representing local and regional authorities of the member states of the Council of Europe^{22 23}.

Chapter V – Special guests

Rule 9

Special guests

1 The Congress may, on request, grant special guest status to European non-member states which have such status with the Parliamentary Assembly of the Council of Europe. The Bureau of the Congress shall assign to each special guest state the same number of seats as it has in the Parliamentary Assembly. The appointment of the members of special guest states shall be based on the same criteria set out in Articles 2 and 3 of the Charter as well as in these Rules of Procedure²⁴.

Any request for special guest status should be addressed at least three months before the plenary session of the Congress in writing to the President of the Congress, who will submit it to the Congress for decision after consulting with the Bureau. The same rule applies when the Standing Committee acts on behalf of the Congress.

2 Members of such delegations shall sit in the Congress and both Chambers without the right to vote²⁵. They shall have the right to speak with the authorisation of the Chair.

They may also submit memoranda regarding issues on the agenda of the plenary sessions of the Congress and of the Chambers.

The Standing Committee may invite special guest delegations to attend its meetings with the right to speak, but not to vote. It may, however, decide to hold its meetings in camera. In this case, it will be clearly stated in the convocation letter.

The statutory committees and the *ad hoc* working groups may invite members of special guest delegations to take part in their meetings.

3 The credentials of members of special guest delegations shall be sent to the President of the Congress not less than one month before the opening of the session. These credentials shall be submitted to the Bureau of the Congress for verification. The Bureau shall check their conformity with the requirements set out in Rules 2, 3, 4 and 7 of the Charter.

4 A delegation shall lose its special guest status with the Congress if the Parliamentary Assembly of the Council of Europe has withdrawn such status from its country's parliamentary delegation.

Special guest status may be suspended or withdrawn at any time by the Congress or by the Standing Committee, acting on a request by ten Representatives belonging to at least two national delegations. The Congress or the Standing Committee will reach their decision by a majority of two thirds of the votes cast.

5 Where special guest status has been withdrawn, a new request may be presented following the procedure set out in paragraphs 1 to 3 above.

Chapter VI – Participation by the statutory bodies of Council of Europe partial agreements in the work of the Congress

Rule 10

Subject to reciprocal arrangements, the statutory bodies of Council of Europe partial agreements may be invited to appoint their representatives to participate in the sessions of the Congress and its Chambers, the Standing Committee and/or statutory committees of the Congress in an advisory capacity²⁶.

Chapter VII – President, Standing Committee and Bureau of the Congress

Rule 11

Provisional President

1 At the beginning of each plenary session for which national delegations are renewed the oldest Representative present shall discharge the presidential duties until the new President of the Congress is elected.

2 Until the election of the President of each Chamber, sittings shall be chaired by the oldest member present.

3 No discussion may take place while the provisional President is in the Chair unless it is concerned with the examination of credentials or the election of the President of the Congress or the Chambers.

Rule 12

Election of the President of the Congress

1 The election of the President of the Congress shall take place during the opening sitting of the plenary session for which the national delegations are renewed. The Congress shall elect its President, on an alternating basis, from among the Representatives of the Chamber of Local Authorities and the Representatives sitting with full capacity in the Chamber of Regions.

2 No Representative may be a candidate for the office of President unless he/she has been nominated in writing by at least 20 Representatives from at least four national delegations. Candidatures should be notified to the Secretary General of the Congress at the latest twenty-four hours before the opening of the session.

3 The President of the Congress shall be elected by secret ballot. Two tellers per ballot box, chosen by lot, shall count the votes cast.

If, after two ballots, no candidate has obtained an absolute majority of the Representatives or of their Substitutes duly nominated according to Rule 5.1 of these Rules of Procedure and whose credentials have been ratified 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.

When the Congress is presented with a sole candidate, the individual is declared elected without proceeding to a ballot, unless a ballot is requested by at least 25 Representatives or Substitutes duly nominated in accordance with Rule 5.1 of these Rules of Procedure and whose credentials have been ratified by the Congress.

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

As soon as the President has been elected, the provisional President shall leave the Chair.

Rule 13

Elections of the Presidents of the Chambers and of the Vice-Presidents

1 The President of a Chamber shall be elected from among the Representatives sitting with full capacity in the Chamber. The seven Vice-Presidents of a Chamber shall be elected from among the members sitting with full capacity in the Chamber. The Presidents and Vice-Presidents of the Chambers shall be the Vice-Presidents of the Congress. The election of the Vice-Presidents of a Chamber shall follow the election of the President of the Chamber at the opening of the first sitting of the Chamber of the plenary session during which the national delegations are renewed.

2 No member of a Chamber may be a candidate for the office of President of the Chamber unless he/she has been nominated in writing by at least ten members sitting with full capacity in the Chamber, from at least four national delegations. Candidatures should be notified to the Executive Secretary of the Chamber at the latest two hours before the opening of the first sitting of the Chamber.

The Presidents of the Chambers shall be elected by secret ballot. Two tellers per ballot box, chosen by lot, shall count the votes cast.

The candidate who has obtained the absolute majority of the votes cast in the first ballot shall be declared elected. If no candidate has obtained this majority, the candidate obtaining a relative majority of votes cast in the second ballot shall be declared elected. In the event of a tie, lots shall be drawn.

When the Chamber is presented with a sole candidate, the individual is declared elected without proceeding to a ballot, unless a ballot is requested by at least 15 members of the Chamber present.

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

The presidency of a Chamber can under no circumstances be held by the same person for more than two consecutive mandates.

As soon as the President of the Chamber has been elected, the provisional President shall leave the Chair.

3 Candidatures for the office of Vice-Presidents of the Chambers must be submitted in writing to the secretariat of the Chambers at the latest two hours before the scheduled opening of the ballot. The election of the Vice-Presidents shall be conducted by means of a single, secret ballot, on the same voting paper.

4 The seven candidates obtaining the most votes shall be declared elected in each Chamber. If, among these seven candidates, two or more belong to the same national delegation, only the candidate who has obtained the most votes shall be declared a Vice-President. In the event of a tie, lots shall be drawn. No national delegation may have more than one member in the bureau of a Chamber.

5 The election of the Vice-Presidents shall take place even if the number of candidates does not exceed the number of posts to be filled.

6 The President of the Chamber which has not proposed candidates for President of the Congress shall hold the office of first Vice-President of the Congress. The President of the other Chamber shall hold the office of second Vice-President. The first Vice-President of the Chamber which has not proposed candidates for President of the Congress shall hold the office of third Vice-President of the Congress, and so on.

7 The order of precedence of the Vice-Presidents of Chambers corresponds to the order in which they were elected. In the event of a tie, lots shall be drawn.

Rule 14

Term of office of the President and the Vice-Presidents

1 The President of the Congress, and the Vice-Presidents of the Congress shall remain in office until the opening of the next plenary session for which national delegations are renewed.

2 Where the President of the Congress is permanently unable to carry out his/her duties, the Congress or its Bureau shall elect a Representative to replace him/her from among the members of the bureau of the Chamber to which he/she belongs and shall invite that Chamber to elect a new Vice-President.

3 Should it be necessary for one of the Vice-Presidents to be replaced, his/her successor shall be elected in accordance with his/her Chamber's internal provisions. In the order of precedence he/she shall come after the Vice-Presidents previously elected.

Rule 15

Standing Committee

1 The Standing Committee shall act on behalf of the Congress between sessions²⁷. It shall be chaired by the President of the Congress.

2 Without prejudice to the general nature of its competence, the Standing Committee shall adopt reports and organise debates and hearings in accordance with the aims of the Congress.

3 The Standing Committee shall consist of two Representatives from each national delegation, who shall be full members. The members of the Bureau of the Congress shall be full members of the Standing Committee *ex officio*. If any member of the Bureau of the Congress are Substitutes, the national delegations concerned may appoint Representatives as their alternates. States which are represented in only one Chamber shall have only one seat on the Standing Committee²⁸. The Congress shall also elect alternates within the limit of two alternates per full member, belonging to the same national delegation as the member. The Standing Committee should, as far as possible, have a

balanced composition representing both Chambers. In the event of a change in the membership of the Bureau, the composition of the Standing Committee shall be reviewed accordingly.

4 The Standing Committee can meet in chambers, in particular to ensure the continuity of the Congress Chambers' activities, but only during its plenary meetings²⁹. One substitute of the President of the Congress may attend a meeting of the Standing Committee of a Chamber if the President does not attend.

5 The Standing Committee may to its meetings invite the chairpersons of the political groups, of the statutory committees and of the working groups, in a consultative capacity. It may also invite the rapporteur of a statutory committee or of a working group to attend all or part of its meetings.

It may also hold joint meetings with one or more statutory committees at the Council of Europe's headquarters or, upon invitation, in a member state after consent by the Congress Bureau or the Standing Committee.

6 To ensure the Congress's continuity of action between plenary sessions, the Standing Committee shall examine, on its behalf, subject to the conditions set out in Rule 42.6 of these Rules of Procedure, reports submitted to it by statutory committees or Congress working groups. Unless otherwise stated in the present rule, the Standing Committee shall make its decision following Rule 41 of these Rules of Procedure. 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 X (Rules 22-34) of these Rules of Procedure shall apply *mutatis mutandis*.

7 According to Article 11.2 of the Charter, the recommendations and opinions falling exclusively within the competence of a Chamber, and resolutions intended for the authorities represented by the Chamber shall be adopted without consideration of the substance of the matter either by the Congress in a plenary sitting of a plenary session, or by the Standing Committee between plenary sessions.

8 The Standing Committee may deliberate and make decisions when one third of its members are present. However, it may not vote on a report as a whole unless the majority of its members are present.

9 Action taken by the Standing Committee shall be the subject of a report to the Congress. This report shall be presented by a person appointed for this purpose from within the Standing Committee. It is not voted upon.

10 Nominations for members of the Standing Committee who are not members *ex officio* shall be addressed to the Bureau, which, having regard to the provisions of paragraph 3 of the present rule, shall submit to the Congress proposals for those seats. Only Representatives shall be eligible for appointment as full members. The Congress shall decide by secret ballot disputed proposals for any non *ex officio* seat or seats in the Standing Committee.

11 The standing committees of the Chambers are responsible for ensuring the continuity of the work of the Chambers and for acting on their behalf between plenary sessions. Paragraphs 1, 2 and 8 of the present rule shall apply *mutatis mutandis* to the Chambers. The standing committees of the Chambers can only meet on the occasion of the meetings of the Standing Committee of the Congress. They may approve draft resolutions, recommendations and opinions on behalf of the Chambers and perform any other tasks entrusted by these Rules of Procedure.

Rule 16

Bureaux of the Congress and its Chambers

1 The Bureau of the Congress shall be responsible in the period between the sessions of the Standing Committee and the Congress, for ensuring the continuity of the Congress's work. It shall perform the tasks entrusted to it by the Standing Committee or by the Congress³⁰.

2 The Bureau of the Congress shall be responsible for the preparation of the plenary session of the Congress, the preparation of the order of business, the agenda of the sessions, the allocation of reports between the sessions, the co-ordination of the work of the two Chambers, in particular the distribution of questions between them, the co-ordination of the work of the statutory committees and the *ad hoc* working groups, the preparation of the budget and the balanced allocation of budgetary resources between the Congress and the two Chambers³¹.

The Bureau may prepare reports and submit them for consideration and vote to the Chambers or to the Congress and, during the periods between sessions, to the Standing Committee, in particular with regard to the general policies of the Congress, the budget or the observation of elections.

It determines and updates the apportionment of full members' seats on statutory committees and the list of member states sitting in the Chamber of Regions in a consultative capacity only, in conformity with Rules 2.4 and 36.2 of these Rules of Procedure.

3 The Bureau of the Congress shall consist of the President of the Congress and the members of the bureaux of the Chambers. It shall be presided over by the President of the Congress³².

The bureaux of the Chambers shall consist of their Presidents and their seven Vice-Presidents.

4 The outgoing President of the Congress may attend meetings of the Bureau of the Congress, without the right to vote, provided that he/she continues to enjoy current membership of the Congress.

5 In general, meetings of the Bureau will be held in camera. However, the Bureau of the Congress may decide to invite observers to the whole or part of its meetings and organise hearings of individuals and organisations. When it sees fit, the Bureau may also invite to the whole or part of its meetings, in a consultative capacity, the chairpersons of the political groups, of the statutory committees, of the working groups, as well as the rapporteur of a statutory committee or of a working group. Persons invited may speak only on those subjects for which they were invited.

6 Paragraphs 1, 4 and 5 of the present rule shall apply *mutatis mutandis* to the bureaux of the Chambers when discharging for the Chambers the same duties as the Bureau of the Congress for the Congress.

Chapter VIII – Duties of the Chair, discipline and order

Rule 17

Duties of the Chair

1 During sessions, the duties of the respective Presidents of the Congress and the Chambers shall be to open, suspend and close sittings. They propose at the end of each sitting the date, time and agendas of the next sitting. They guide the debates of the Congress, ensure

observance of the Rules of Procedure, maintain order, call on speakers, close debates, put questions to the vote and announce the results of votes. They may decide to check whether there is a quorum before proceeding with a vote by roll-call.

2 When in the Chair, the President shall vote but not speak in debate.

The President may speak in a debate from the floor of the conference room; in such cases he/she may not resume the Chair until that debate is over.

3 The President of the Congress shall represent the Congress in its relations with other bodies. In particular, he/she shall be responsible for informing the Parliamentary Assembly and the Committee of Ministers of texts adopted by the Congress.

The President of the Congress shall carry out the policy decided by the Congress and maintain contacts with international organisations as part of the general external relations policy of the Council of Europe³³. The President may delegate part of his/her duties in this respect to the Vice-Presidents of the Congress.

The President of a Chamber shall carry out the policy decided by his/her Chamber and maintain contacts with international organisations as part of the general external relations policy of the Council of Europe.

4 If the President of the Congress or a Chamber is absent or temporarily unable to discharge his/her duties, he/she shall be replaced by one of the Vice-Presidents.

5 While acting as President, a Vice-President shall exercise the powers and be subject to the obligations provided for in the present rule.

Rule 18

Public order in the conference room and galleries

1 Only persons to whom an admission card has been duly issued shall be allowed to enter the conference room.

2 Members of the public admitted to the galleries shall remain seated and in silence. Any person disrupting the debates shall be removed, at the Chair's request, by the ushers.

Chapter IX – Agenda and order of business of sessions

Rule 19

Settlement of the agenda

The Bureau of the Congress shall draw up the agenda for each session, co-ordinating the Chambers' sittings in line with the provisions of Article 9 of the Charter. Any question within the competence of the Congress, as defined in Article 2 of Statutory Resolution CM/Res(2007) 6 may be placed on the agenda.

The bureaux of the Chambers shall draw up the agenda for their Chamber's sessions.

Rule 20

Urgent procedure and current affairs debates

1 At the request of the President, of a Chamber or its bureau, of the Standing Committee or of ten Representatives belonging to at least two national delegations, a question may be added to the agenda of the Congress at its first sitting after the Bureau of the Congress has given its opinion.

Requests for urgent procedure shall be submitted to the President of the Congress in time to be considered at the last Bureau meeting before the opening of the plenary session. The President shall submit these to the Bureau, which will make a proposal to the Congress.

In connection with a request for urgent procedure, the following only shall be heard: one speaker "for" the proposal, one speaker "against", a member of the Bureau of the Congress speaking in its name and a member speaking on behalf of the Chamber, the Standing Committee or the group of Representatives which tabled the proposal.

The adoption of the urgent procedure shall require two thirds of the votes cast. If urgent procedure is granted, the Congress shall set the date of the debate.

Where a request for urgent procedure which has been ordered by the Congress has not been proposed by a Chamber or the Standing Committee, it shall be submitted to the statutory committee or the competent working group, which will report back before the end of the session.

Notwithstanding Rule 27.4, the Bureau may decide on specific deadlines for tabling amendments to reports prepared under urgent procedure.

2 At the request of the President of a Chamber, its Standing Committee or of ten of its members belonging to at least two national delegations, the opinion of its bureau having been secured, a question may be added to the Chamber's agenda during its first sitting.

Only a member of the Standing Committee of the Chamber or the group of members having tabled the proposal, a speaker "against" and a member of its bureau speaking on the latter's behalf can be validly consulted on the request for a debate under urgent procedure.

Where a debate under urgent procedure has been accepted by the Chamber, the matter is referred to the competent committee or working group, which must report back before the end of the session.

The second, fourth and sixth sub-paragraphs of paragraph 1 of the present rule shall apply *mutatis mutandis* to both Chambers.

3 A request for a current affairs debate must be submitted to the President of the Congress by a Chamber or its bureau, the Standing Committee or five Representatives belonging to at least two national delegations. It must be tabled in writing in time for consideration at the last meeting of the Bureau before the opening of the session.

During a session the Congress can only hold one current affairs debate on a subject which is not included on the agenda or for which the Congress has not adopted urgent procedure.

Where necessary, the Bureau of the Congress shall choose among several requests for current affairs debates, although it may decide to reject all of them.

At the close of a current affairs debate the Congress is not called upon to vote, but the Bureau may subsequently propose referring the question addressed to the competent working structure for report.

Rule 21

Order of business

1 The Bureau of the Congress shall draw up a draft order of business for each session. It shall indicate whether a question on the agenda is to be discussed by a Chamber or by the Congress, and at which sitting it is to be discussed. This draft shall be communicated to the members of the Congress at least one month before the opening of the session.

2 The Bureau of the Congress may update the draft order of business. It shall submit it to the Congress for approval at its first sitting³⁴.

3 Where the Bureau has voiced a favourable opinion on a request for a debate under urgent procedure or a current affairs debate, it shall propose the necessary reorganisation of the draft order of business, principally, where necessary, by the withdrawal of one or more items of equivalent length.

4 The provisions of paragraph 1 and the first sentence of paragraph 2 of the present rule shall apply *mutatis mutandis* to both Chambers.

Chapter X – Holding of sittings and rules governing the proceedings

Rule 22

Agendas of the sittings

1 At the end of each sitting, the Congress and Chambers, acting on a proposal by the Chair, shall fix the date, time and agenda for their next sitting.

2 The agendas shall be drawn up having regard to the order of business ratified pursuant to Rules 21.2 and 21.4 above. They shall indicate the texts submitted for consideration where there are related draft recommendations, resolution or opinions, and those submitted for debate only.

Rule 23

Tabling of motions for recommendations or resolutions

1 Any member may table motions before the Congress or its Chambers but these must relate to the substance of the question raised and take the form of a resolution or a recommendation; they may also contain an explanatory memorandum. Such motions must be in writing, be signed by ten members belonging to at least five national delegations and relate to a question within the competence of the Congress or of a Chamber.

2 The President of the Congress shall decide whether such motions are in order. Motions which are in order shall be printed and distributed immediately.

3 The decision of the Congress or its Chambers to admit such motions for future examination shall require a two thirds majority of the votes cast. On the question of admission, the following only shall be heard: one speaker "for" the motion and one speaker "against".

4 Motions admitted for future examination shall be referred by the Congress or its Chambers to the Bureau of the Congress. The Bureau shall then examine the question and decide whether it falls within the competence of a Chamber or of the Congress and act in conformity with Rule 24 below.

Rule 24

Reference to committees

1 The Bureau of the Congress shall consider all requests for an opinion presented by the Committee of Ministers or the Parliamentary Assembly, all motions presented by the members of the Congress and admitted for future examination, all proposals presented by a statutory committee as well as all memoranda submitted by special guest delegations or organisations enjoying observer status with the Congress. It shall decide to refer them to a statutory committee or to a Chamber committee, or to submit them to a statutory committee or to a Chamber committee for information, or, exceptionally, to set up a working group or to take no further action.

2 Reference to a statutory committee or to a Chamber committee shall be accompanied by clear terms of reference, appended to the decision of the Bureau and transmitted to the statutory committee or the Chamber committee concerned.

3 Reference to a statutory committee or to a Chamber committee shall lapse after two years or, at the request of the committee concerned, by decision of the Bureau.

Rule 25

Debating of texts

1 Unless the Congress decides otherwise, a debate shall be held on every item in the agendas of the sittings on the basis of the report submitted by the competent body.

2 Reports shall be distributed to members of the Congress at least twenty days before the opening of the session at which they are to be discussed with the exception of reports submitted in application of the urgent procedure laid down in Rule 20 above and of reports concerning the verification of the credentials of Representatives, Substitutes and special guests.

3 The present rule shall apply *mutatis mutandis* to both Chambers.

4 Between the plenary sessions, reports submitted to the Standing Committee for consideration and vote are distributed to the members of the Congress at least one month before the meeting at which they are to be discussed, in application of Rule 42.6 of these Rules of Procedure.

Rule 26

Tacit adoption procedure

- 1 When preparing the agenda for a session of the Congress, the Bureau may include in it reports presented by a statutory committee or a working group of the Congress under the tacit adoption procedure, consisting of approval of a draft resolution, recommendation or opinion by the Congress without oral presentation or debate.
- 2 Such reports shall be distributed at least one month before the opening of the session and shall give an indication that they are to be dealt with according to the procedure described in paragraph 1 of the present rule.
- 3 At the first sitting of the session concerned, the Chair shall announce to the Congress the report or reports subject to the tacit adoption procedure, as listed on the agendas for the sittings.
- 4 If no objection to any draft resolution, recommendation or opinion contained in such reports has been lodged by midday on the following day, they shall be regarded as adopted. Where an objection has been notified to the Congress secretariat, they shall be included in the agendas for a later sitting of the current session or of the following Standing Committee and shall be the subject of a debate.
- 5 At the last sitting of the session, the Chair shall give notice of any texts which have been adopted by the procedure referred to in paragraph 4 of the present rule. Abstentions notified within the period for lodging objections as set out in the said paragraph shall be recorded in the minutes of proceedings of that sitting.
- 6 Texts adopted by tacit procedure according to the provisions of this rule shall be published in the same manner as those adopted after debate.
7. The present rule shall apply *mutatis mutandis* to both Chambers.

Rule 27

Amendments and sub-amendments

- 1 Any Representative may propose amendments and sub-amendments to a text under consideration by the Congress.
- 2 Amendments shall relate directly to the text which they seek to alter and shall apply only to texts submitted to the Congress for adoption.
- 3 Sub-amendments shall relate to an amendment previously tabled and are only admissible in so far as they do not contradict the sense of the amendment. They shall not be subject to any further amendment.
- 4 The Chair shall decide whether the amendments and sub-amendments are in order. These shall be signed by their author and shall be tabled so as to leave sufficient time for them to be printed and distributed before they are discussed and, in any case, in so far as amendments are concerned, at the latest at 4.00 p.m. on the eve of the day on which the debate is opened on the texts to which they refer. However, after consultation with the Chair or the rapporteur of the statutory committee or the working group concerned, the Chair may exceptionally declare an oral amendment or sub-amendment to be in order if, in his/her opinion, it is designed to clarify, to take account of new facts or to lead to conciliation, and if there is no opposition to it being debated.
- 5 Amendments and sub-amendments shall have priority over the text to which they refer and shall be debated and put to the vote before the text itself.
- 6 If two or more contradictory amendments relate to the same paragraph, the amendment which differs most from the text shall have priority over the others and shall be put first to the vote. If it is agreed to, the other amendments shall be considered as having been thereby rejected; if it is rejected, the amendment which, according to the same principle, is next in priority shall be put to the vote, and similarly for each of the remaining amendments. In case of doubt as to the degree of priority, the Chair shall give a ruling after consultation with the Chair of the statutory committee or the working group concerned.
- 7 The same procedure shall be followed if two or more contradictory sub-amendments relate to the same amendment.
- 8 During examination of an amendment or sub-amendment, unless the Congress decides otherwise, the only speakers authorised shall be the author of, or another member moving, the amendment or sub-amendment, one speaker against and the rapporteur and the Chair of the statutory committee or working group, each of them for one minute. An amendment or sub-amendment which is not moved during the sitting by its author or by another member shall not be examined. An amendment or sub-amendment which has been withdrawn by its author may not be moved.
- 9 The present rule shall apply *mutatis mutandis* to both Chambers.

Rule 28

Right to speak

- 1 Representatives wishing to speak shall either enter their names before the opening of the sitting in a register provided for the purpose or ask for the right to speak in the course of the sitting. The Chair may, in the interest of the debate, depart from the order in which delegates have entered their names or have asked to speak.
- 2 Representatives may only speak if called upon to do so by the Chair. They shall speak from their places and address the Chair; the Chair may invite them to come to the rostrum.
- 3 Substitutes have the right to speak to the Congress when they are rapporteurs on a question under discussion or Chair of a statutory committee or a working group concerned by the question.
- 4 A speaker may not be interrupted, except on a point of order. However, he/she may, with the permission of the Chair, give way during his/her speech to allow another Representative to put a question to him/her on a particular point in his/her intervention.
- 5 If a speaker deviates from the subject, the Chair shall call him/her to order. If a speaker has already been called to order twice in the same debate, the Chair may, on the third occasion, forbid him/her to speak during the remainder of the debate.
- 6 Rapporteurs on a question under discussion, as well as representatives of the Committee of Ministers or of the Parliamentary Assembly, when the discussion concerns a request for an opinion of the Congress made by one of these organs, shall be allowed to speak, upon their request, in the debate.

7 The time allotted for the presentation of reports shall be ten minutes or twice six minutes when there are two co-rapporteurs. At the end of the debate main rapporteurs shall have five minutes and co-rapporteurs and Chairpersons of statutory committees three minutes each.

For the general discussion, speakers shall have five minutes each. Speaking time may be no more than one minute for personal statements, comments on the minutes of proceedings of the previous sitting, setting of the agenda of a sitting, all questions of procedure and the discussion of amendments.

8 The Chair may, at any time it thinks fit, move the closure of the list of speakers and/or the suspension of a debate. Following consultation, if appropriate, with the Chair of the statutory committee or working group concerned, the aforesaid suggestions shall be put to the Congress for a decision without debate. If the decision is in the affirmative, no Representative shall thereafter in that debate speak for longer than the time fixed, and/or the debate shall be suspended at the appointed time. If shortage of time precludes speeches by a number of members who are down to speak and present, at the close of the debate they may hand in the text of their speeches in an official or working language for publication in the summary record, provided that the length of the text does not exceed the duration of the speaking time which they would otherwise have been granted.

9 The present rule, apart from paragraph 3, shall apply *mutatis mutandis* to both Chambers.

Rule 29

Procedural motions

1 A Representative shall have a prior right to speak if he/she asks permission:

a to move the previous question³⁵ or to present a dilatory motion³⁶ which, unless the Chair decides otherwise, are only admissible if they have been notified in writing at least one hour before the opening of the debate;

b to move the adjournment of a debate;³⁷

c to move the closure of a debate;³⁸

d to move the closure of the list of speakers;

e to move reference back to the committee or working group.

None of these procedural motions may be moved more than once during the course of a given debate.

2 The above matters shall take precedence over the main question, the discussion of which shall be suspended.

3 In debate on the above matters, the following only shall be heard: the proposer of the motion, one speaker against the motion and the rapporteur and the Chair of the statutory committee or working group concerned for one minute each.

4 The Congress shall decide these matters by standing up.

5 In addition, a Representative shall have a prior right to speak if he/she asks permission to raise a point of order³⁹. A request for permission to raise a point of order shall not exceed one minute. Where points of order are misused, the Chair may forbid the offending member to speak during the remainder of that debate.

6 Under this article, a Substitute nominated as Chair, rapporteur of a statutory committee or of a working group is considered a Representative.

7 The present rule shall apply *mutatis mutandis* to both Chambers.

Rule 30

Right to vote

1 The right to vote is an individual one. Voting by proxy is not permitted.

2 Substitutes have no right to vote in the Congress, unless they have been duly nominated in accordance with Rule 5.1 of these Rules of Procedure and their credentials ratified by the Congress. A Substitute so named shall vote in his/her own name.

Rule 31

Methods of voting

1 Normally the Congress shall vote by a show of hands. If the result of the show of hands is doubtful, the Congress shall proceed to vote by standing up. Only affirmative and negative votes shall count in calculating the number of votes cast. The Chair shall be responsible for the counting of votes and shall announce the result in the following terms: "the draft text is adopted" or "the draft text is not adopted".

2 Whenever ten Representatives belonging to at least two national delegations so desire or the Chair so decides, the vote shall be taken by roll-call unless some other method of voting is expressly provided.

3 Voting by roll-call shall commence five minutes after warning bells have been rung. The roll shall be called in alphabetical order beginning with the name of a Representative drawn by lot. Voting shall take place by word of mouth and shall be expressed by "yes", "no" or "abstain". Only affirmative and negative votes shall count in calculating the number of votes cast. The Chair shall be responsible for the counting of votes and shall announce the result with figures. The result shall be recorded in the minutes of the sitting in alphabetical order.

4 Voting in elections shall take place by secret ballot, except in cases explicitly provided for in these Rules. Only those ballot papers bearing the names of persons who have been duly entered as candidates shall be taken into account for the purposes of calculating the number of votes cast.

5 The present rule shall apply *mutatis mutandis* to both Chambers.

Rule 32

Majorities required

The majorities required are the following:

a in respect of the adoption of a recommendation – including those addressed to a country following the observation of local or regional elections – or an opinion of the Congress⁴⁰, or of decisions to admit a motion tabled by Representatives for future examination, to adopt an urgent procedure, to withdraw or suspend a delegation's special guest status or to set up a statutory committee, a two thirds majority of the votes cast⁴¹;

b in respect of elections⁴² an absolute majority of votes cast⁴³ in the first ballot and a relative majority in the second ballot, subject to the provisions of Rule 12 above; in the event of a tie, lots shall be drawn;

c for adoption of a resolution and all other decisions, a majority of votes cast.

The present rule shall apply *mutatis mutandis* to both Chambers, when approving the texts put to the vote.

Rule 33

Quorum

1 The Congress may deliberate, decide the agendas, approve the minutes of the proceedings and agree to adjourn, regardless of the number of Representatives present.

2 The Congress shall not take any decision, other than those provided for in paragraph 1 above, unless at least a majority of the Representatives to the Congress are present.

3 Without prejudice to the provisions of paragraph 2 above, all votes other than votes by roll-call shall be valid whatever the number of Representatives voting, unless, before the voting has begun, the Chair has been requested by ten Representatives belonging to at least two national delegations to ascertain the number of those present.

4 A vote by roll-call shall not be valid, nor the result be made public, if less than half the Representatives have taken part in it. This provision shall not be applicable in the cases provided for in paragraph 1 above.

5 The Chambers may validly deliberate and take decisions unless it has been established, at the request of ten members belonging to at least two national delegations or as the result of a vote by roll-call or by secret ballot, that less than one third of members are present.

6 In the absence of a quorum, the vote shall be postponed until the next sitting or, on a proposal from the Chair, until a subsequent sitting.

7 Without prejudice to the provisions of paragraph 6 above, if, owing to the absence of a quorum, the Congress is unable to take a decision on one of the procedural motions specified in Rule 29.1 above, the President shall declare that motion to be null and void.

8 Paragraphs 1, 3, 6 and 7 of the present rule shall apply *mutatis mutandis* to both Chambers.

Rule 34

Minutes of proceedings

1 The minutes of proceedings of each sitting shall be distributed and laid before the Congress for approval.

2 If the minutes of proceedings are challenged, the Congress shall, if necessary, vote on the changes requested.

3 The minutes of proceedings of the last sitting of the Congress are submitted for approval at the next meeting of the Standing Committee.

4. The present rule shall apply *mutatis mutandis* to both Chambers.

Chapter XI – Written declarations

Rule 35

Written declarations

1 Written declarations not exceeding 200 words on subjects within the competence of the Congress may be tabled provided they have been signed by at least 20 Representatives or Substitutes of four national delegations.

2 If such declarations are judged by the President of the Congress to be in order they shall then be printed and distributed. They shall neither be referred to a statutory committee or a working group, nor debated in the Congress or in a Chamber.

3 Any Representative or Substitute may add his/her signature to a written declaration. In such a case the declaration shall be distributed again at the beginning of the next session together with the names of all members who have signed it.

4 The present rule shall apply *mutatis mutandis* to both Chambers.

Chapter XII – Statutory committees

Rule 36

Constitution of statutory committees

1 In the course of each plenary session for which the national delegations are renewed, the Congress shall constitute the following statutory committees:

a an Institutional Committee;

b a Culture and Education Committee;

c a Committee on Sustainable Development;

d a Committee on Social Cohesion.

2 The criteria for the apportionment of seats on the statutory committees shall be determined and updated by the Bureau of the Congress⁴⁴ in such a way as to guarantee the principle that each member of the Congress shall have the right to one seat on a committee. A Congress member may be a full member of one committee only, including the Standing Committee⁴⁵. Both Representatives and Substitutes in the Congress may be full committee members. However, the total number of full members of committees, including the Standing Committee, to which each country is entitled equals the number of Representatives its national delegation has in the Congress.

3 A maximum of two alternates shall be appointed for each statutory committee full member, from the same national delegation.

4 The national delegations shall address candidatures for the statutory committees to the President of the Congress no later than the day preceding the opening of the session. The President shall submit them to the Congress for approval or, between sessions, to the Standing Committee or, failing that, to the Bureau of the Congress. Any objection shall be submitted by the President of the Congress to the national delegation concerned. In the event that confirmed nominations or new nominations should give rise to objections, the Congress or the Standing Committee shall settle the matter by secret ballot as swiftly as possible.

5 The Congress may decide to set up any other statutory committee it considers necessary to its work, within the priorities of the Council of Europe and within the limits of its budget. It shall inform the Committee of Ministers of any such decision.

Rule 37

Powers of the statutory committees

1 The powers of the statutory committees are as follows:

a the Institutional Committee shall be responsible in particular for preparing reports on the situation of local and regional democracy in the member states and in states applying for membership⁴⁶, for regionalisation in Europe and for monitoring all specific questions related to local and regional democracy in the member states. The Institutional Committee of the Chamber of Local Authorities shall be responsible, for monitoring the European Charter of Local Self-Government. The Institutional Committee of the Chamber of Regions shall monitor institutional developments in the regions of greater Europe, on the basis of the corresponding texts adopted by the Congress. The Institutional Committee is assisted in its spheres of activity by a group of independent experts.

b the Culture and Education Committee shall be responsible for the media, youth, sport and communication.

c the Committee on Sustainable Development shall be responsible for the environment and spatial and urban planning.

d the Committee on Social Cohesion shall be responsible for social and economic issues, in particular employment, citizenship, inter-community relations, public health and equality between women and men.

2 These committees shall examine all matters referred to them in keeping with Rules 16.2 and 24 of these Rules of Procedure. They may also address any other subject within their sphere of interest, without this necessarily leading to the preparation of a report or the organisation of a conference unless agreed by the Bureau.

3 They shall be responsible for following up the texts adopted by the Congress on the strength of their reports. They shall also follow the intergovernmental activities of the Council of Europe and of the Parliamentary Assembly committees within their respective spheres of competence as defined in paragraph 1 above. They shall also follow the work of the committees of the Committee of the Regions of the European Union within their respective spheres of competence.

4 In the event that a committee should consider that it lacks competence to examine a question, or of a dispute over competence between two or more committees, the problem shall be submitted to the Bureau of the Congress.

Rule 38

Statutory committees of the Chambers

1 The statutory committees shall comprise a committee for the Chamber of Local Authorities and a committee for the Chamber of Regions, which may meet separately, but only during plenary meetings of the committees. The committees of the Chambers shall examine questions and adopt reports that fall within the exclusive scope of the corresponding Chamber of the Congress. Any matter considered by a committee of a Chamber may not be considered by a plenary meeting of that committee⁴⁷.

2 The provisions of these Rules of Procedure relating to the statutory committees shall apply, *mutatis mutandis*, to the committees of the Chambers.

Rule 39

Chairs and Vice-Chairs of the statutory committees

1 At the first meeting immediately after its constitution, a statutory committee shall elect its Chair and each Chamber committee shall also elect its Chair⁴⁸, as well as a Vice-Chair. The Chairs and Vice-Chairs of the Chamber committees are the Vice-Chairs of the committee.

2 Pending the election of the Chair of the committee, the duties of the Chair shall be discharged by the oldest member present, and no discussion shall take place unless it is concerned with the election of the Chair.

3 Only full members of a committee may stand for election to the Chair or Vice-Chair of that committee. In addition, in the committees of the Chamber of Regions, only members sitting with full capacity in this Chamber may stand for election to the Chair or Vice-Chair of that committee.

Candidatures for the position of Chair and Vice-Chairs must be presented to the secretariat by 6 p.m. at the latest on the day before the opening of the first committee meeting.

4 The election shall be held by secret ballot. Two tellers drawn by lots shall count the votes, assisted by the secretariat⁴⁹. 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.

If there is only one candidate, that candidate shall be declared elected without a vote, unless a ballot is requested by at least 10 full members present.

5 The Chair and Vice-Chairs of a committee shall remain in office until the opening of the next session for which the national delegations are renewed. They may be re-elected only once.

6 The Chair and Vice-Chairs of a committee shall co-ordinate the committee's work.

Rule 40

Meetings of statutory committees

1 The statutory committees shall meet at the convocation of their Chairs, within the limits of the budgetary resources allocated by the Bureau of the Congress⁵⁰.

The Institutional Committee shall normally be authorised to hold one more meeting per year than the other statutory committees.

2 The statutory committees shall normally meet in Strasbourg or Paris. Where appropriate, the Bureau may authorise them to hold meetings elsewhere.

3 Unless a committee decides otherwise, committee meetings shall not be public.

4 A Representative or Substitute at the origin of a motion for a recommendation or resolution referred to a committee in application of Rule 23 of these Rules of Procedure, who is not a member of that committee may be invited to take part in the committee's work in a consultative capacity.

5 A Representative or Substitute who is not a member of the committee may attend a meeting of the committee at his or her own expense. He or she may take the floor only with the authorisation of the Chair and shall not have the right to vote.

6 In keeping with the provisions of Rule 9.2 of these Rules of Procedure, the statutory committees may invite members of special guest delegations to attend all or part of certain of their meetings, without the right to vote.

Rule 41

Procedure in the statutory committees

1 Unless otherwise stipulated, the procedure followed in the work of the Congress shall apply to the committees.

2 Votes taken in committee shall be carried by a majority of the votes cast⁵¹. Voting shall be by show of hands.

3 A committee may deliberate, decide the agendas, approve minutes and agree to adjourn, regardless of the number of members present. It shall not elect its Chair or take any other decision unless one third⁵² of its members⁵³ are present.

However, a quorum shall be considered to exist if, before any decision other than those referred to in the paragraph above, the Chair is not asked by two members of the committee to ascertain the number of those present.

In the absence of a quorum, the decision shall be postponed until the next meeting of the committee.

4 Between sessions all documents related to items on the agenda of a committee meeting shall be sent to the members at least two weeks prior to the date of the meeting.⁵⁴ If this deadline is not respected and at least five members so request, examination of the items concerned shall be postponed until a later meeting.

5 The Chair may take part in the committee's discussions and votes, but shall not have a casting vote.

6 A full member of a committee who is unable to attend a meeting shall be replaced by an alternate from the same national delegation, appointed in application of Rule 36.3 above. The member concerned shall give due notice of the change to the President of his/her delegation and to the secretariat of the Congress.

7 Unless the committee decides otherwise, only reports ratified by the committee and communications and lists of decisions drawn up on the responsibility of the Chair shall be made public.

Rule 42

Reports of statutory committees

1 Statutory committees shall appoint a rapporteur for each subject who shall be responsible for the preparation of the report of the committee and for presenting it to the Congress. The final report of a statutory committee shall comprise one or more texts put forward for adoption and an explanatory memorandum.

2 Only the texts for adoption are voted upon by the statutory committee and by the Congress. They must be presented in the form of a draft opinion, resolution or recommendation.⁵⁵ The explanatory memorandum shall mention the result of the vote taken in the statutory committee.

3 The explanatory memorandum shall be introduced by the rapporteur. Any dissenting opinions expressed in the committee shall be included therein at the request of their authors, preferably in the body of the explanatory memorandum, otherwise in an appendix or footnote.

4 Statutory committees may also table information or interim reports which do not necessarily contain a text for adoption.

5 After a report has been ratified by a statutory committee, the committee shall suggest to the Bureau whether it is to be:

a submitted to the Congress for debate;

b submitted to the Congress for tacit adoption in accordance with Rule 26 above;

c submitted to the Standing Committee for examination and adoption in accordance with Rule 15.6 of these Rules of Procedure.

6 When a report is submitted to the Standing Committee for examination in accordance with Rule 15.6, all Representatives and Substitutes shall be so informed and given a copy of that report not less than one month before the meeting of the Standing Committee where it will be examined. They may submit reasons for the report to be debated in plenary session and any such request shall be granted if submitted by ten Representatives or Substitutes belonging to at least two national delegations and notified to the secretariat, at least a week before the meeting of the Standing Committee.

7 With the exception of reports submitted under urgent procedure, reports of statutory committees shall be distributed at least twenty days⁵⁶ before the opening of the session at which they are to be discussed. If this deadline is not respected and at least ten Representatives or Substitutes from at least two national delegations so request when adopting the draft order of business, the discussion shall be adjourned until the next Standing Committee or until the following session.

8 These paragraphs shall apply *mutatis mutandis* to the reports of the statutory committees of the Chambers.

Chapter XIII – Working groups of the Congress and its Chambers

Rule 43

Constitution of working groups

1 The Bureau of the Congress distributes questions between the statutory committees of the Congress and those of the two Chambers. No question may be considered in both Chambers at the same time⁵⁷.

2 When a question falls within the competence of the two Chambers, the Bureau of the Congress may exceptionally set up a *ad hoc* working group common to both Chambers⁵⁸.

3 After the distribution of questions between the two Chambers in accordance with Article 9 of the Charter, the Bureau of the Chamber competent to deal with a question may exceptionally propose to the Bureau of the Congress to set up an *ad hoc* working group.

4 Each working group shall be made up of a limited number of full members and an equal number of alternates, set by the Bureau of the Congress. It is empowered with specific terms of reference, agreed upon by the Bureau of the Congress, which indicate the set number of members and may include, in particular, the following tasks:

- a preparation of a report;
- b organisation of a conference;
- c follow-up to a co-operation project or to specific intergovernmental activities of the Council of Europe⁵⁹.

The activities of a working group are monitored by the competent bureau which ensures that its terms of reference are adhered to.

5 Nominations for seats in the working groups shall be addressed by the bureaux of the Chambers to the Bureau of the Congress, in line with the provisions set out in paragraphs 3 and 4 above, the candidates' knowledge of the subjects to be studied and the need for an equitable geographical distribution. Only members sitting with full capacity in the Chamber of Regions shall be entitled to be part of a working group of this Chamber. The composition of the working groups of the Congress and the Chambers shall be validated by the Bureau of the Congress.

6 The working groups shall cease to exist when their terms of reference are fulfilled. The terms of reference of a working group may be renewed at the opening of the session for which delegations are renewed.

7 A member of a working group who is unable to attend a meeting shall inform the secretariat so that he or she may be replaced.

Rule 44

Procedure in working groups

1 Pursuant to Article 9.2 of the Charter, working group meetings shall be convened in accordance with the allocation of budgetary resources established by the Bureau of the Congress.

2 At the beginning of the first meeting held after the appointment of the working group, the oldest member present shall take the Chair until the Chair is elected.

3 The rules adopted for the Congress concerning the maintenance of order (Rule 17 of these Rules of Procedure), amendments (Rule 27), the right to speak (Rule 28), procedural motions (Rule 29), the right to vote (Rule 30), the methods of voting (Rule 31) and minutes of proceedings (Rule 34), as well as the rules concerning the procedure in committee (Rule 41) shall apply, *mutatis mutandis*, to the proceedings of working groups, subject to the following provisions:

- a The Chair of a working group shall remain in office until the terms of reference of that group come to an end or at the latest until the opening of the next session for which national delegations are renewed. He/she can be re-elected if the working group so decides.
- b Nomination to the office of Chair of a working group shall be presented to the secretariat not later than one hour before the opening of the first meeting of the working group. The members of the Bureau cannot put forward their candidatures for Chair of a working group.
- c The Chair of a working group shall be elected by the members of the group by secret ballot.⁶⁰ One teller chosen by lot shall count the votes cast. In the event of a tie, lots shall be drawn. If there is only one candidate, that candidate shall be declared elected without a vote.
- d In the event of absence of the Chair, the working group shall charge one of its members to act as Chair.

4 Working groups shall usually decide by consensus. However, if the working group's decision is not unanimous, minority opinions have to be recorded in the report.

5 The Chair of a working group may take part in discussion and may vote, but without having a casting vote.

6 A Representative or Substitute who has moved a motion which has been referred to in a working group and who is not a member of the group may be invited by that group to take part in its work in an advisory capacity.

7 Working group meetings shall be held in private unless a working group decides to the contrary in a particular case.

8 Unless a working group decides otherwise, the only documents which shall be made public are reports that have been adopted or statements issued on the responsibility of the Chair. Under no circumstances shall confidential documents be made public.

Rule 45

Reports of working groups of the Congress and its Chambers

The provisions of Rule 42 of these Rules of Procedure concerning statutory committee reports, shall apply, *mutatis mutandis*, to the reports of working groups.

Chapter XIV – Adoption of texts by the Congress and its Chambers

Rule 46

Adoption of texts

1 All the recommendations and opinions to be addressed to the Committee of Ministers and/or the Parliamentary Assembly as well as the resolutions addressed to the local and/or to the regional authorities, shall be adopted by the Congress at its plenary session or by the Standing Committee.⁶¹ No question may be considered in both Chambers at the same time. Any matter in which both Chambers could have an interest shall be considered in the Congress⁶².

2 However, when a question is considered by the Bureau of the Congress as falling exclusively within the competence of a Chamber, after examination and approval by the Chamber, in conformity with Article 11.2 of the Charter:

a the recommendations and opinions relating to such a question which are addressed to the Committee of Ministers and/or to the Parliamentary Assembly shall be adopted without consideration of the substance of the matter either by the Congress in a plenary sitting of a plenary session, or by the Standing Committee between plenary sessions. In exceptional cases, the Bureau of the Congress may authorise the other Chamber to formulate an opinion on these draft texts.

b the resolutions relating to the question which are addressed to the authorities represented by the Chamber shall be adopted without consideration of the substance of the matter either by the Congress in a plenary sitting of a plenary session, or by the Standing Committee between plenary sessions.

3 Where the Bureau of the Congress, following paragraph 2.a of this rule, considers that, although a particular issue falls within the exclusive competence of a Chamber, the opinion of the other Chamber is required, it will ask the bureau of that Chamber, to appoint an observer. The observer shall follow the work of the competent Chamber and draft an opinion which he/she shall submit to his/her Chamber for adoption. Once the Chamber has issued its opinion, it shall be sent to the Standing Committee together with the draft report and any amendments thereto.

Rule 47

Hearings

1 The Standing Committee may invite one or more representatives of any organisation, regardless of whether it has observer status to the Congress, or any individual to attend the whole or part of a given meeting. Such a decision shall be taken by a two thirds majority of the votes cast.

2 Members of the Standing Committee may make proposals for inviting organisations or persons to a given meeting for a hearing. The President or the secretariat shall also present any written requests for hearings which have been received from organisations or individuals.

3 After notice has been given of all members' proposals and written requests, a vote shall be taken on each of them. Votes shall be taken first on members' proposals and written requests in respect of organisations which have the status of observers to the Congress, and then on other members' proposals and written requests, in each case in the order in which they have been received.

4 Decisions as regards the invitation of organisations or persons to the forthcoming meeting of the Standing Committee should in principle be taken during the discussion of the date, venue and agenda of that meeting.

5 Documents relating to a matter for which an organisation or individual has been invited for a hearing shall be sent to the organisation or person concerned, unless they are classified as confidential.

6 Except in the case of expert consultants, the cost of participation of these individuals or representatives of organisations in the hearings shall be borne by such individuals or organisations⁶³.

7 The provisions of the present rule shall apply *mutatis mutandis* to hearings held by the standing committees of the Chambers.

Rule 48

Advisers

1 Members of the Congress Bureau, the Standing Committee or a statutory committee may be accompanied to the meetings of these bodies by an advisor of their choice."

2 The provisions of paragraph 1 of this rule equally apply to members of the working groups of the Congress and of the Chambers.

3 The cost of participation of such an adviser shall not be borne by the budget of the Congress.

Chapter XV – Use of languages and publicity of debates

Rule 49

Official and working languages

1 The official languages of the Congress and of its Chambers shall be English and French.

2 All documents of the Congress and of its Chambers shall be drawn up in the two official languages.

3 At all plenary sessions of the Congress and of its Chambers, simultaneous interpretation shall be provided in the official languages and in German, Russian and Italian.

Rule 50

Interpretation at non-plenary meetings

1 Arrangements for interpretation at the Standing Committee and its chambers and at the Bureau of the Congress and the bureaux of its Chambers shall be, as far as possible, the same as in plenary session.

2 Interpretation at statutory committee and working group meetings of the Congress and its Chambers shall be provided as far as possible in all or some of the working languages listed in Rule 49.3, as need be.

Rule 51

Publicity of debates

1 The debates of the Congress shall be public, unless the Congress decides otherwise. The same shall apply to the Standing Committee when it adopts texts on behalf of the Congress.

2 After each session the summary reports of debates shall be published in the official languages.

3 The present rule shall apply *mutatis mutandis* to both Chambers.

Chapter XVI – Official documents of the Congress and its Chambers

Rule 52

Public documents

1 The public documents of the Congress are the following:

a orders of business and agendas of the Congress;

b minutes of proceedings of each sitting;

c reports of debates;

d reports to the Congress and requests for an opinion;

e motions tabled by Representatives and Substitutes;

f resolutions of the Congress;

g opinions of the Congress;

h recommendations of the Congress;

i proposed amendments to draft resolutions, opinions and recommendations;

j written declarations;

k memoranda submitted by organisations which have the status of observer to the Congress;

l memoranda submitted by delegations which have a special guest status;

m any other document considered as a public document by the President of the Congress.

2 All reports and requests for an opinion referred to in sub-paragraph 1.d above shall be distributed to members of the Congress, to the secretaries of national delegations, including those with special guest status, and to organisations which have the status of observer to the Congress, at least twenty days before the opening of the session at which they are to be discussed.

3 Public documents may be freely quoted.

4 The present rule shall apply *mutatis mutandis* to both Chambers.

Rule 53

Restricted documents

1 Restricted documents are Standing Committee, Bureau, statutory committee and working group papers, including minutes, with the exception of those classified as confidential.

2 Restricted documents are distributed to members of the body concerned, to the secretaries of national delegations, including those having a special guest status, to the Chairs of political groups and to the organisations having observer status with the Congress, as well as to organisations or persons invited to a hearing, as provided for in Rule 47 of these Rules of Procedure; they are also available to other persons making a specific request, subject to the control of the secretariat of the Congress. They may only be publicly quoted after having been examined by the body concerned.

3 The present rule shall apply *mutatis mutandis* to both Chambers.

Rule 54

Confidential documents

1 Each statutory committee, each working group and the bureaux may decide that certain of their working papers and minutes shall be classified as confidential.

2 Confidential documents shall be distributed to members of the body concerned and, to the extent necessary for its work, to other persons or organisations by decision of that body; they shall not be publicly quoted.

3 The present rule shall apply *mutatis mutandis* to both Chambers.

Chapter XVII – Budget

Rule 55

Budget

1 For the purpose of drawing up the annual budget, the Congress shall make its needs known to the Secretary General of the Council of Europe and to the Committee of Ministers⁶⁴.

2 The Bureau of the Congress shall prepare the draft budget on the basis of the proposals made by the bureaux of the Chambers and the Standing Committee.

3 Under the provisions of Article 16 of the Charter, the Bureau of the Congress shall be responsible for managing the budget of the Congress, within the framework of the budgetary resources allocated to it and of the priorities of the Council of Europe, and in compliance with the latter's financial regulations.

4 The Bureau shall inform the Congress of the implementation of the previous year's budget at every plenary session⁶⁵.

Chapter XVIII – Secretariat of the Congress and its Chambers

Rule 56

Secretariat of the Congress and its Chambers⁶⁶

1 The secretariat of the Congress shall be provided by the Secretary General of the Congress, elected by the Congress.

2 The Secretary General shall be answerable to the Congress and its organs and act under the authority of the Secretary General of the Council of Europe.

3 In accordance with Article 15.1 of the Charter, the Standing Committee, on behalf of the Congress, shall establish the procedure for the election of the Secretary General of the Congress, in order to clarify any points which are not dealt with in the Charter. This procedure shall be appended to the Rules of Procedure (see Appendix 3).

4 The Secretary General of the Council of Europe shall appoint a Director, following consultation with the Bureau of the Congress.

5 Where the secretariat of each Chamber is concerned, the Secretary General of the Council of Europe shall appoint the Executive Secretary of the Chamber following an informal exchange of views with the President of the Chamber concerned, during which he or she shall communicate his or her intentions and the reason for his or her choice.

Chapter XIX – Revision of the Charter

Rule 57

Revision of the Charter

1 Without prejudice to the respective rights of the Committee of Ministers and the Parliamentary Assembly, the Congress may submit proposals to amend the Charter to the Committee of Ministers for decision.

2 Motions tabled by Representatives and Substitutes and containing draft proposals to amend the Charter shall be governed by Rule 23 of these Rules of Procedure, subject to the following provisions:

a they shall be signed by ten Representatives or Substitutes belonging to at least five national delegations;

b if in order, they shall be distributed to all members of the Congress, including those belonging to special guest delegations, and transmitted to the organisations holding observer status with the Council of Europe;

c if admitted by the Congress for future examination, they shall be referred to the Standing Committee, which shall report on them as provided under Rule 42 of these Rules of Procedure.

3 The Standing Committee, the Bureau of the Congress and both Chambers may on their own initiative submit to the Congress draft proposals to amend the Charter. Such draft proposals shall be set out in a report prepared as provided under Rule 42 of these Rules of Procedure. This report must be circulated to all members of the Congress and to the international associations of local and regional authorities holding consultative status with the Council of Europe at least one month before the opening of the session of the Congress at which it is to be discussed.

Chapter XX – Revision of the Rules of Procedure

Rule 58

Revision of the Rules of Procedure

1 In accordance with Article 13 of the Charter of the Congress, the Rules of Procedure of the Congress and its Chambers and any revisions thereof shall be adopted by the Congress.

2 Motions tabled by Representatives and Substitutes and containing proposals to amend the Rules of Procedure of the Congress and its Chambers shall be governed by Rule 23 of these Rules of Procedure, subject to the following provisions:

a they shall be signed by ten Representatives or Substitutes belonging to at least five national delegations;

b if admitted by the Congress for future examination, they shall be referred to the Standing Committee, which shall report on them as provided for under Rule 42 of these Rules of Procedure.

3 The Standing Committee and the Bureau of the Congress may on their own initiative submit to the Congress proposals to amend the Rules of Procedure. Such proposals shall be set out in a report prepared as provided for under Rule 42. This report must be circulated to all members of the Congress at least one month before the opening of the session of the Congress at which it is to be discussed.

4 The Bureau of the Congress may set up a working group in charge of the preparation of proposals to amend the Rules of Procedure of the Congress and its Chambers.

Appendix 1 to the Rules of Procedure of the Congress and its Chambers

Practical arrangements for elections

1 Such elections shall be held in the following places:

- when the organ concerned is meeting in the hemicycle: in the area behind the President's rostrum;
- when the organ concerned is meeting in a meeting room in the Palais de l'Europe: in the immediate vicinity of the room.

2 A specific time-limit shall be set for these elections and the following conditions adhered to:

- the meeting shall not be interrupted following the announcement of the start of the voting, after a possible brief presentation of the candidates and the appointment of two tellers by drawing of lots;
- the members of the Congress (Representatives and Substitutes duly appointed according to Rule 5.1 of these Rules of Procedure and whose credentials have been ratified by the Congress) or the members of the Chambers shall not be called to vote individually, but rather shall place their ballot papers in the ballot box at any time within the specified time-limit.

3 The register of voters and the ballot box shall be placed on a table in one of the places designated in paragraph 1; there shall be a second table nearby on which members can fill out their ballot papers.

4 The members of the Congress or the members of the Chambers shall sign the register of voters in the presence of a member of the secretariat of the Congress.

5 In elections in the Congress, by signing the register a Substitute thereby prevents the Representative whom he or she is replacing from taking part in the election and also from serving as an *ad hoc* Substitute to any other Representative who is absent.

6 In cases of doubt or dispute about a member's entitlement to vote, the matter shall, if necessary, be submitted to the President, who shall take the final decision; no points of order shall be permitted.

7 After verification that a member is entitled to vote, he or she shall be issued with a ballot paper.

8 Voters shall place their ballot papers in the ballot box.

9 On expiry of the specified time-limit, the President shall ask whether any more members wish to vote and, when all the votes have been cast, shall declare the voting closed.

10 Ballot papers shall be counted outside the meeting room directly after the vote, under the supervision of the two tellers assisted by the secretariat of the Congress.

11 The result shall be announced by the President, if possible before the close of the sitting or else at the opening of the following sitting.

12 The notices of proceedings shall contain the necessary detailed information on the running of the election.

Appendix 2 to the Rules of Procedure of the Congress and its Chambers

Apportionment by country of full members' seats on committees

(See Rules 15.3 and 16.2 of these Rules of Procedure)

1 Countries with 2 seats:

Andorra⁶⁷, Liechtenstein¹, Monaco¹, San Marino¹

1 Representative on the Standing Committee: L

1 member on one of the four statutory committees (at the country's discretion): L or R

2 Countries with 3 seats:

Latvia⁶⁸

2 Representatives on the Standing Committee: 1 L and 1 R

1 member on one of the four statutory committees (at the country's discretion): L or R

Cyprus¹, Estonia¹, Iceland¹, Luxembourg¹, Malta¹, Montenegro¹, Slovenia¹, "The former Yugoslav Republic of Macedonia"¹

1 Representative on the Standing Committee: L

1 member on two of the four statutory committees (at the country's discretion): L or R

3 Countries with 4 seats:

Armenia¹

1 Representative on the Standing Committee: L

1 member on three of the four statutory committees (at the country's discretion): L or R

Albania, Ireland, Lithuania

2 Representatives on the Standing Committee: 1 L and 1 R

1 member on two of the four statutory committees (at the country's discretion): L or R

4 Countries with 5 seats:

Bosnia and Herzegovina, Croatia, Denmark, Finland, Georgia, Moldova, Norway, Slovakia

2 Representatives on the Standing Committee: 1 L and 1 R

1 member on the Institutional Committee: L or R

1 member on two of the three other statutory committees (at the country's discretion): L or R

5 Countries with 6 seats:

Bulgaria¹

1 Representative on the Standing Committee: L

1 member on each of the four statutory committees: L or R

Plus an additional member on one of the four statutory committees (at the country's discretion):

L or R

Austria, Azerbaijan, Sweden, Switzerland

2 Representatives on the Standing Committee: 1 L and 1 R

1 member on each of the four statutory committees: L or R

6 Countries with 7 seats:

Belgium, Czech Republic, Greece, Hungary, Netherlands, Portugal, Serbia

2 Representatives on the Standing Committee: 1 L and 1 R

2 members on the Institutional Committee: 1 L and 1 R

1 member on each of the three other statutory committees: L or R

7 Countries with 10 seats:

Romania

2 Representatives on the Standing Committee: 1 L and 1 R

2 members on each of the four statutory committees: 1 L and 1 R

8 Countries with 12 seats:

Poland, Spain, Turkey and Ukraine

2 Representatives on the Standing Committee: 1 L and 1 R

2 members on each of the four statutory committees: 1 L and 1 R

Plus an additional member on two of the four statutory committees (at the country's discretion):

1 L and 1 R

9 Countries with 18 seats:

France, Italy, Germany, United Kingdom and Russian Federation

2 Representatives on the Standing Committee: 1 L and 1 R

4 members on each of the four statutory committees: 2 L and 2 R

Appendix 3 to the Rules of Procedure of the Congress and its Chambers

Procedure for the election of the Secretary General of the Congress

adopted by the Standing Committee on 2 December 2008 (Resolution 273(2008))

1. Vacancy notice:

The post of Secretary General of the Congress shall be advertised by means of a vacancy notice under an external recruitment procedure, prepared by the Secretary General of the Council of Europe and specifying the responsibilities attached to the post, the required qualifications and competencies and the appointment conditions.

2. Submission of applications:

a. candidates for the post of Secretary General of the Congress shall be free to submit their applications directly.

b. applications must reach the Secretary General of the Council of Europe by the closing date specified in the vacancy notice which must be no later than 8 weeks before the opening of the plenary session at which this election is scheduled.

3. Preliminary consideration of applications:

a. applications submitted by the closing date shall undergo an initial examination by the Secretary General of the Council of Europe in the light of the requirements stated in the vacancy notice.

b. within a fortnight after the closing date specified in the vacancy notice, the Secretary General of the Council of Europe shall transmit to the President of the Congress two lists of candidatures received, with his/her opinion and the relevant applications: list A indicating the ineligible candidates and list B indicating the candidates who meet the requirements stated in the vacancy notice.

4. Appointment of candidates:

a. the President of the Congress and the Presidents of the two Chambers shall meet in order to:

i. examine the applications transmitted by the Secretary General of the Council of Europe. On the basis of a first analysis of the compliance of the candidates with the criteria set out in the vacancy notice and those specified in paragraph 4.b below, they may decide to invite some or all of the candidates to attend an interview;

ii. draw up a shortlist of names for submission to the vote of the Congress. This shortlist shall comprise two to five names (unless list B comprises only one candidate), possibly in order of preference, indicating in writing the reasons for their choice.

b. in drawing up the shortlist, the President of the Congress and the Presidents of the Chambers shall have particular regard to the following requirements:

i. the recruitment of persons of the highest integrity and competence for the post to be filled;

ii. the necessity, under the Council of Europe's equal opportunities policy, of consistently ensuring parity in the numbers of men and women employed in each category and grade;

iii. the need for equitable geographical distribution of vacancies among nationals of the member states. This secretariat appointment shall not be considered the prerogative of any one member state;

iv. the need to take into account the qualifications and experience of persons already serving with the Council of Europe in order to offer members of the secretariat reasonable promotion prospects.

c. the President of the Congress and the Presidents of the two Chambers shall forward to the Bureau of the Congress the shortlist drawn up in accordance with paragraphs 4.a and b. above, indicating in writing the reasons for their choice.

d. the Bureau shall examine this shortlist and decide on the final shortlist of candidates, possibly in order of preference. It shall instruct the President of the Congress to transmit it, as well as the relevant *curricula vitae*, to the members of the Congress no later than one week before the Congress session at which the election is to be held.

5. Procedure in the Congress:

a. the Congress shall conduct the election. Only the Representatives or their Substitutes duly appointed according to Rule 5.1 of the Rules of Procedure and whose credentials have been ratified by the Congress are entitled to vote.

b. voting shall be conducted by secret ballot. Two tellers per ballot box, chosen by lot, shall count the votes cast. If only one candidate is proposed to the Congress, the candidate shall be declared elected without a ballot, unless a ballot is requested by at least 25 Representatives or Substitutes duly appointed according to Rule 5.1 of the current Rules of Procedure and whose credentials have been ratified by the Congress.

c. if, after the first ballot, no candidate has obtained an absolute majority of the votes cast, there shall be a second ballot, restricted to the candidates who came in first and second place in the first ballot. The candidate who, in the second ballot, gains a relative majority of the votes cast, shall be declared elected. In the event of a tie, preference shall be given to the candidate from the under-represented sex in the grade of the post to be filled within the Council of Europe. If the candidates are of the same sex, the candidate who is senior in age shall be elected.

d. any ballot paper from which the voter's intention to vote for a candidate on the final shortlist can be clearly determined shall be considered valid.

6. Term of office:

a. the Secretary General of the Congress shall be elected for a term of five years and may be re-elected.

b. the Secretary General of the Council of Europe shall appoint him/her accordingly.

c. the term of office of the Secretary General of the Congress shall terminate when he/she reaches the age limit of officials of the Council of Europe, 65 years.

Appendix 4 to the Rules of Procedure of the Congress and its Chambers

Honorary membership

The title of "honorary member of the Congress" shall be bestowed by the Bureau:

1 on all former Presidents of the Congress and its Chambers when they are no longer members of the Congress;

2 at their request, on former Vice-Presidents of the Chambers and on Chairs of the committees when they cease to be members of the Congress;

3 at the request of the Chair of the national delegation of which they were members, on former members of the Congress or the old Standing Conference of Local and Regional Authorities of Europe who have been or were members for at least ten (not necessarily

successive) years.

Honorary members of the Congress shall be given a medal and a badge of honorary member.

All honorary members of the Congress shall have access, upon presentation of their badge, to the same places as the members of the Congress during the plenary sessions, with the exception of the committee meeting rooms while the committees are meeting.

At their request, which shall be renewed annually, they shall be included on the mailing lists for public documents of the Congress and its organs and given access to the non-confidential databases.

They may be invited to special events of the Congress, Chambers or committees at the initiative of the organisers.

¹ See Article 6.1 of the Charter

² See Article 6.2 of the Charter

³ See Article 3.1 of the Charter

⁴ See Article 3.1 of the Charter

⁵ See Article 3.2 of the Charter

⁶ See Article 2.3 of the Charter

⁷ See Article 7.1 of the Charter

⁸ See Article 2.2.d of the Charter

⁹ See Article 2.4 of the Charter

¹⁰ See Article 2.4 of the Charter

¹¹ See Article 2.4 of the Charter

¹² See Article 2.4 of the Charter

¹³ See Article 4.3 of the Charter

¹⁴ See Article 2.6 of the Charter

¹⁵ See Article 2.6 of the Charter

¹⁶ See Article 4.1 of the Charter

¹⁷ See Article 2.3 of the Charter

¹⁸ See Article 6.3 of the Charter

¹⁹ See Article 5.1 of the Charter

²⁰ See Article 5.3 of the Charter

²¹ See Article 5.1 of the Charter

²² A co-operation agreement was signed between the Congress and the Committee of the Regions of the European Union on 13 April 2005.

²³ See Article 2.1.e of the Statutory Resolution CM/Res(2007)6

²⁴ See Articles 5.2 and 5.3 of the Charter

²⁵ See Article 5.3 of the Charter

²⁶ As of 29 May 2008, this provision applies to the European Commission for Democracy through Law (Venice Commission) and the Council of Europe's North-South Centre.

²⁷ See Article 8.1 of the Charter

²⁸ See Article 8.2 of the Charter

²⁹ See Article 4.2 of Statutory Resolution CM/Res(2007)6

³⁰ See Article 9.1 of the Charter

³¹ See Article 9.2 of the Charter

³² See Article 9.3 of the Charter

³³ See Article 2.1.d of the Statutory Resolution CM/Res(2007)6

³⁴ See Rule 42.7 of these Rules of Procedure

³⁵ The effect of adopting a previous question is to remove the subject of the debate from the Congress's agenda.

³⁶ The effect of adopting a dilatory motion is to defer the debate until such time as one or more conditions relating to the text under discussion are fulfilled.

³⁷ The effect of adjourning the debate is to bring up the next item on the agenda for immediate discussion.

³⁸ The effect of closure of a debate is to halt discussion and, where appropriate, have the text or texts before the Congress submitted immediately to a vote.

³⁹ A point of order must be confined to raising questions of procedure for a ruling from the Chair.

⁴⁰ See Article 13.1.c of the Charter

⁴¹ See Rule 31.1 of these Rules of Procedure

⁴² For practical details of election procedures, see Appendix 1 to these Rules of Procedure

⁴³ See Rules 31.1 and 31.4 of these Rules of Procedure

⁴⁴ See Appendix 2 to these Rules of Procedure for the criteria for the apportionment by country of full members' seats on committees

⁴⁵ See Article 5 of Statutory Resolution CM/Res(2007)6

⁴⁶ See Article 2.3 of Statutory Resolution CM/Res(2007)6

⁴⁷ See Article 4.2 of Statutory Resolution CM/Res(2007)6

⁴⁸ See Rule 32.b of these Rules of Procedure

⁴⁹ See Rule 32.b of these Rules of Procedure

⁵⁰ See Article 9.2 of the Charter

⁵¹ Only affirmative and negative votes shall count in calculating the number of votes cast (Rule 31.1 of the Rules of Procedure).

⁵² If the number of members of a committee is not divisible by three, the quorum shall be calculated on the basis of the multiple of three immediately below the number of members.

⁵³ The number of members of a committee is the number of members of the Congress whose appointment to the committee has been confirmed by the Congress in keeping with Rule 36.4 of these Rules of Procedure.

⁵⁴ According to the date of publication on the website

⁵⁵ See Preamble of these Rules of Procedure

⁵⁶ Between sessions the date of "distribution" is the date of publication on the website. See Rule 25.2 of these Rules of Procedure.

⁵⁷ See Article 9.2. of the Charter

⁵⁸ See Article 10.2 of the Charter

⁵⁹ See Articles 10.1 and 10.2 of the Charter

⁶⁰ See Rule 32.b of these Rules of Procedure

⁶¹ See Article 11.1 of the Charter

⁶² See Article 9.2 of the Charter

⁶³ See Article 10.4 of the Charter

⁶⁴ See Article 16 of the Charter

⁶⁵ See Article 16.2 of these Rules of Procedure

⁶⁶ See Article 15 of the Charter

⁶⁷ These countries do not have regions as understood in Recommendation 56 (1999): Andorra, Armenia, Bulgaria, Cyprus, Estonia, Iceland, Liechtenstein, Luxembourg, Malta, Monaco, Montenegro, San Marino, Slovenia, "The former Yugoslav Republic of Macedonia".

⁶⁸ Latvia may wish to appoint one Representative (L or R) on the Standing Committee and one member (L or R) on two of the four statutory committees, at the country's discretion.

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