



Economic Commission for Europe**Committee on Sustainable Energy****Twenty-ninth session**

Geneva, 25-27 November 2020

Item 3(c) of the provisional agenda

Strategic review of the sustainable energy subprogramme:**Ways of working****Draft rules of procedure for the Committee on Sustainable Energy****Note by the secretariat***Summary*

This document contains the draft rules of procedure for the Committee on Sustainable Energy. They have been prepared in accordance with the Guidelines on procedures and practices for ECE bodies adopted by the Economic Commission for Europe (E/2013/37-E/ECE/1464, annex III, appendix III) and draw substantially on rules of procedure that apply in other committees. It has been prepared following the wish of the Committee on Sustainable Energy in its twenty-seventh session (ECE/ENERGY/119, para. 31.(d)) and is submitted for consultation at the twenty-ninth session of the Committee to clarify: i) the relationship between the Committee on Sustainable Energy and its subsidiary bodies; ii) the role of the respective Bureaux and nomination process; iii) decision making when not in session; and iv) decision making in case of disagreement.

The objective is to streamline the work of the Committee and its subsidiary bodies, to provide a basis for accelerated delivery of the sustainable energy subprogramme, and to solidify ECE's reputation as a credible, relevant, and responsive partner.

The document has been refined by the Bureau of the Committee based on the recommendations made at the twenty-eighth session and is submitted to the Committee for approval at its twenty-ninth session.

I. Introduction

1. These Draft rules of procedure have been prepared following a request by the Committee at its twenty-seventh session to develop procedures for decision making between sessions and on predefined topics. They seek to clarify i) the relationship between the Committee on Sustainable Energy and its subsidiary bodies; ii) the role of the respective Bureaux and nomination process; iii) decision making when not in session; and iv) decision making in case of disagreement.

II. Organization of Committee sessions

2. Official sessions of the Committee shall be held annually, on dates fixed by the Committee at previous meetings. Changes in previously-agreed dates of sessions due to unforeseen circumstances can be made by the Bureau in consultation with the secretariat and subject to the availability of services in Geneva (e.g. meeting rooms, interpretation, document services etc.).

3. Committee sessions can be held outside Geneva if a host-country is identified, a host-country agreement signed and all meeting-related costs including interpretation, staff travel, and security are covered for the secretariat.

4. The provisional agenda for the annual sessions shall be drafted by the Bureau in consultation with the secretariat and shall be circulated to member States well in advance of the meeting.

5. The agenda of the sessions shall cover, *inter alia*, a review of programme performance and planning, including capacity-building and technical advisory activities, policy-relevant documents developed in the context of the Committee's programme of work and deliberations on future activities.

6. The Bureau shall choose important substantive issues within the mandate of the Committee to be addressed during the substantive segment of the sessions.

7. The Committee shall agree on its annual programme of work to be submitted to EXCOM for approval.

III. Representation and credentials

8. The terms of reference and rules of procedure of the Economic Commission for Europe (E/ECE/778/Rev.5) and the Guidelines on procedures and practices for ECE bodies adopted by the Economic Commission for Europe¹ shall apply.

9. Representatives of the business and academic communities and other stakeholders are encouraged to participate in the sessions of the Committee at the invitation of the secretariat.

IV. Officers

10. The Committee shall elect one Chair and as many Vice-Chairs as it deems appropriate. The Chairs of the subsidiary bodies are Vice-Chairs of the Committee *ex officio* and have the same status as elected Vice-Chairs¹.

11. The term of office of a Bureau member shall be two years. Bureau members, including the Chair, can be re-elected for additional terms. Efforts shall be made to ensure both turnover and continuity within the Bureau. Not all officers need to be elected at the same time. The terms of office of elected officials will begin at the end of the session in which they are elected to allow Bureaux to preside over the sessions they have planned.

¹ The Committee determined the role of the Chairs of the subsidiary bodies from 2014 [ECE/ENERGY/119, para. 13; ECE/ENERGY/99, para. 12].

12. Candidates for the Bureau of the Committee shall be nominated by ECE member States based on the person's expertise, professionalism, and expected support from both the Committee and the person's institution(s). The expectation is that the Vice Chairs will lead one or more activities of the Sustainable Energy Sub-programme, thereby furthering implementation of the work plan or outreach of a subsidiary body. Candidates should be supported financially by the nominating country or institution, should attend the annual Committee session, and should participate in regular meetings of the Bureau. There is an expectation that Bureau members will participate in Bureau calls and meetings on a regular basis.
13. Candidates for the Bureaux of the subsidiary bodies shall be nominated by ECE member States where possible. The Bureaux of the subsidiary bodies can nominate additional Vice-Chairs from the expert community based on their expertise, professionalism, and support as appropriate.
14. Elections to Bureaux will take place in accordance with the Guidelines on procedures and practices for ECE bodies adopted by the Economic Commission for Europe¹.
15. If the Chair is absent from any meeting or part thereof, a Vice-Chair shall perform the functions of the Chair. If no Vice-Chair is present, the Committee shall elect an interim Chair for that meeting or that part of the meeting.
16. If the Chair can no longer perform the functions of the office, the Bureau of the Committee shall designate one of the Vice-Chairs as interim Chair to perform those functions, pending election of a new Chair. The interim Chair shall have the same powers and duties as the Chair.
17. The Chair and Vice-Chairs serve collectively in the interest of all member States and not as official representatives of their Governments.
18. The Bureau may invite observers to meetings or calls of the Bureau as appropriate.

V. Functions of the Bureau

19. The key functions of the Bureau are detailed in the Guidelines on procedures and practices or ECE bodies adopted by the Economic Commission for Europe¹. The Bureau must approve programmes of work and draft agendas for Committee Sessions prior to their submission to member States.
20. At the beginning of its term, the new Bureau shall decide on frequency and means of its interactions (calls, in-person meetings etc.), supported by the secretariat. It is expected that meetings of the Bureau will be convened at least 6 times throughout each year, notably in advance of the deadline for document submission and for final preparations for the Committee meeting. Additional Bureau meetings may be convened as the need arises.
21. Documentation for Bureau meetings will be determined by the Bureau members in each case. As a rule, the secretariat should make all proposals for resolutions with the associated documents (including bureau syntheses) available to all Bureau members at least two weeks prior to a meeting. The Secretariat shall prepare minutes of the meetings in consultation with the Chair within 14 days, to be approved in the subsequent bureau meeting.
22. Announcements for Bureau meetings should be issued by the secretariat not less than six weeks in advance.
23. The Bureau can act on certain topics between sessions. Such topics can be related to requests from ECOSOC and the General Assembly with regards to new initiatives on energy or the United Nations reform process, as well as policy messages and recommendations into the High-Level Political Forum, the ECE Regional Forum, and outcomes and recommendations from Committee sessions. In such cases, the secretariat will distribute minutes and related documents to the entire Bureau and activities will be reported at the subsequent Committee session.

VI. Procedures for the adoption of decisions and reports

24. The Committee shall, whenever possible, take decisions on the basis of consensus.
25. In case of disagreement and when a consensus cannot be reached, the Committee can decide on ways forward in the interests of member States and its mandate. These can comprise: i) voting; ii) forming “coalitions of the willing” and positive sign-on approaches to initiatives or recommendations; iii) reconvening for future decision making, either in person or virtually; or iv) tasking its Bureau to develop a consensus. If voting is used, the Chapter on Voting in the Rules of procedure of the ECE shall apply.
26. The preparation and circulation of draft conclusions, recommendations or decisions, and their formal adoption at the end of the meeting, will take place in accordance with the Guidelines on procedures and practices for ECE bodies adopted by the Economic Commission for Europe¹.
27. A draft report of the meeting that reflects in a concise and factual manner the discussion and views expressed by participants shall be circulated before the end of the meeting for comments and adoption by member States at the end of the meeting.
28. If a draft report cannot be circulated at or adopted during the meeting for technical reasons, the Bureau of the Committee will be tasked with taking the necessary steps for subsequent approval no later than ten days after the conclusion of the meeting. Under such circumstances, the Bureau will be authorised to circulate the draft report to the Committee members through the Permanent Missions in Geneva, under a silence procedure of at least 72 hours and in accordance with Rule 44 of the Terms of Reference and Rules of Procedure of UNECE as contained in E/ECE/778/Rev.5. If the silence is not broken, the reports shall be considered approved.
29. If special circumstances such as the coronavirus pandemic render it impossible to conduct business normally, as determined and assented by the UNECE Executive Committee, the respective Bureaux may convene informal consultations of the Committee or the relevant subsidiary body to discuss matters of crucial importance for the continuity of their work. Under such circumstances, the Bureau of the Committee or of the relevant subsidiary body will be authorised to circulate recommendations on decisions to the members of those subsidiary bodies on business-critical issues resulting from these informal consultations, through the Permanent Missions in Geneva, under a silence procedure of at least 72 hours and in accordance with Rule 44 of the Terms of Reference and Rules of Procedure of UNECE as contained in E/ECE/778/Rev.5. If the silence is not broken, the recommendations shall be considered adopted and will be submitted to the subsequent session of the Committee on Sustainable Energy for consideration, as appropriate.

VII. Subsidiary bodies

30. The Committee may establish Teams of Specialists or other subsidiary bodies in accordance with the existing Guidelines for the establishment and functioning of Teams of Specialists within ECE,² to fulfil particular objectives in accordance with the terms of reference created for them, subject to approval by EXCOM.
31. Subsidiary bodies report to the Committee on an annual basis. The Committee approves the mandates and workplans of the subsidiary bodies every two years when in session.
32. Subsidiary bodies play lead roles in the implementation of the mandate and programme of work of the Committee. Subsidiary bodies are invited to make recommendations on the effectiveness and efficiency of current approaches and whether the current structure and work plans adequately support them in the implementation of their respective work plans.

² ECE/EX/2/Rev.1

Annex

Guidelines on procedures and practices for ECE bodies adopted by the Economic Commission for Europe (E/2013/37-E/ECE/1464, annex III, appendix III)

I. General

1. The work of the Commission, its subsidiary bodies and the secretariat is based on the United Nations Charter, the Terms of Reference of ECE as adopted by the Economic and Social Council (ECOSOC), Rules of Procedure of ECE, relevant United Nations rules and regulations, and is in line with these guidelines on procedures and practices for ECE bodies and the secretariat. It should be ensured, at all administrative levels of the secretariat and for all bodies of the Commission, that the work is carried out in a way that is member driven, participatory, consensus-oriented, transparent, responsive, effective, efficient, results-oriented and accountable. The Commission and its subsidiary bodies should continue their existing practice of inviting, without a right to vote, other relevant stakeholders such as international organizations, private sector representatives, members of academia or representatives of civil society.

II. Rules of procedure

2. All Sectoral Committees and other subsidiary bodies may adopt their own Rules of Procedure on the basis of ECE Rules of Procedure and, where applicable, Rules of Procedure of ECOSOC, taking into account these guidelines. Otherwise it will be presumed that they are governed by the Rules of Procedure of the Commission and, where applicable, Rules of Procedure of ECOSOC and taking into account these guidelines *mutatis mutandis*.

III. Communication with the member States

3. The secretariat will continue to communicate with the member States in accordance with the official channels of communication. In cases where the secretariat communicates directly with national experts and counterparts, all correspondence will be copied to the Permanent Representations. Similarly, when the secretariat requires assistance in identifying national experts, it will communicate with the line ministries with a copy to the Permanent Representations.

IV. Accreditation process for participants/representatives to intergovernmental bodies

4. In meetings of subsidiary bodies, member States shall be represented by officially designated representatives whose names shall be communicated to the secretariat by the respective Permanent Representations and made available by the secretariat.

5. Officially designated representatives of the member States who work in the Geneva Permanent Representations and are duly authorized, including persons accredited to the Executive Committee, may take part in the meetings without any restrictions to participate in the discussion and in the decision-making process.

6. Officially designated representatives and other participants to all bodies of the ECE should be registered by the secretariat in the respective lists of participants which will be communicated to the Permanent Representations.

V. Nomination and election of Chairs and other members of the Bureaux of intergovernmental bodies

7. Candidates for the Bureaux of the Sectoral Committees and other subsidiary bodies shall be nominated by member States based on the person's expertise, professionalism, and expected support from the membership. The candidatures for election should be made available to all member States well in advance of the elections and preferably agreed upon.

8. The members of the Bureaux shall be elected by the respective body according to the relevant Rules of Procedure and following consultations among member States. Elected Bureau members serve collectively in the interest of all member States. In the absence of Rules of Procedure of such body, the composition of the Bureau should take into account expertise, with due regard to as wide a geographical representation as possible; the term of office should be up to two years. Bureau members including the Chair can be re-elected for an additional term.

9. A Bureau may invite major stakeholders active in the area of the subprogramme to attend the meetings of the Bureau and contribute to its work, without the right to vote.

VI. Functions of the Bureaux

10. The key functions of the Bureaux are:

(a) To monitor and ensure implementation of the programme of work and of past decisions and recommendations during intersessional periods;

(b) To ensure effective and transparent preparations of forthcoming sessions and, for that purpose, to collectively outreach and consult with all member States, and other stakeholders as appropriate;

(c) To ensure effective conduct of business during the sessions in full compliance with their respective Rules of Procedure, taking into account these guidelines, and to facilitate reaching agreement on decisions and recommendations.

11. In addition to these tasks, the Bureaux help the consensus-building process by means of transparent and inclusive consultations on draft outcomes of the subsidiary bodies, including draft decisions, conclusions and recommendations that might be proposed by representatives of member States.

12. The Bureaux do not adopt the conclusions, recommendations, decisions and meeting reports of the subsidiary bodies.

13. In its activities the Bureaux should coordinate with the secretariat on all relevant issues.

VII. Procedures for the adoption of decisions and reports of intergovernmental bodies

14. When taking a decision, the Commission and its subsidiary bodies shall continue their existing practice of making every effort to reach a consensus.

A. On draft decisions

15. Without prejudice to the Rules of Procedure of the Commission, any draft conclusions, recommendations or decisions which ECE bodies within their competence are expected to discuss and adopt at their meetings, should be prepared in line with items 9 to 12 and distributed by the secretariat to all participants and Geneva Permanent Representations at least ten days before the start of the meeting, for information, so as to allow participants to finalize their position during the meeting in order to adopt conclusions, recommendations and decisions. This does not prejudice the possibility for member States to propose additional

agenda items, draft conclusions, recommendations or decisions at the meeting. Should the submission of draft proposals not be possible ten days prior to a meeting, the prevailing Rules of Procedure will be used to determine how such draft proposals will be considered in order not to block the decision-making process.

16. The secretariat should make available only those draft conclusions, recommendations or decisions for discussion and adoption that are proposed by one or more member States.

17. The secretariat can make proposals on administrative issues within its prerogatives.

18. Draft conclusions, recommendations and decisions are formally adopted by the subsidiary body at the end of the session. Drafts should be projected on a screen, where possible, and read out by the Chair.

19. If a draft conclusion, recommendation or decision cannot be adopted at the meeting for technical reasons, the subsidiary body may decide to circulate it to all Geneva Permanent Representations for subsequent approval.

B. On draft reports

20. A draft report of the meeting, which reflects in a concise and factual manner the discussion and the views expressed by participants, should be circulated well in advance of the end of the meeting for comments and adoption by member States at the end of the meeting.

21. If the draft report cannot be circulated at or adopted during the meeting for technical reasons, the subsidiary body may decide to distribute it to all Geneva Permanent Representations for subsequent approval.
