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Committee on Environmental Policy

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Geneva, 28–31 October 2014

Item 12 of the provisional agenda

Rules of procedure

Draft rules of procedure of the Committee on Environmental Policy

Summary

At its eighteenth session (Geneva, 17–20 April 2012), the Committee on Environmental Policy (CEP) mandated its Bureau to provide recommendations to it at its nineteenth session on “the possible elaboration and further adoption” of the rules of procedure of CEP (ECE/CEP/2012/2, paras. 87 and 92 (dd)).

In accordance with that mandate, the CEP Bureau, with support from the secretariat, prepared draft of rules of procedure (ECE/CEP/2013/L.1) for the nineteenth session of CEP (Geneva, 22–25 October 2013). CEP took note of the draft rules of procedure and the written comments received from the European Union and its member States, as well as comments made by delegations during its nineteenth session, and requested the Bureau and the secretariat to continue working on the rules, with a view to providing recommendations to CEP at its twentieth session (ECE/CEP/2013/2, paras. 111 and 116 (ee)).

Pursuant to that request, the present draft has been revised accordingly by the CEP Bureau, with support from the secretariat. The draft rules of procedure contained herein are being submitted to CEP at its twentieth session for further consideration and prospective adoption.

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I. General

1. The work of the Committee on Environmental Policy (CEP), its subsidiary bodies and its secretariat is based on the United Nations Charter, the Terms of Reference and Rules of Procedure of the Economic Commission for Europe (ECE) adopted by the Economic and Social Council (E/ECE/788/rRev.5),¹ the present rules of procedure and relevant United Nations rules and regulations. It also takes into account the outcome of the review of the 2005 reform of ECE (E/ECE/1468),² adopted by the Economic Commission for Europe at its sixty-fifth session (Geneva, 9–11 April 2013), and in particular the guidelines on procedures and practices for ECE bodies (2013 Guidelines) set out in annex III thereto, which, in accordance with paragraph 27 of the outcome document, must be applied by all the subsidiary bodies and the secretariat. It should be ensured that the work is carried out in a way that is member-driven, participatory, consensus-oriented, transparent, responsive, effective, efficient, results-oriented and accountable. CEP and its subsidiary bodies should continue inviting, without a right to vote, other relevant stakeholders, such as international organizations, business representatives, members of academia and representatives of civil society, to take part in its sessions.

II. Rules of procedure

2. The rules of procedure of CEP are adopted on the basis of the ECE Rules of Procedure, taking into account the 2013 Guidelines. Where particular issues are not covered by the present rules of procedure they are governed by the Rules of Procedure of the Commission and, where applicable, the Rules of Procedure of the Economic and Social Council³ and taking into account the 2013 Guidelines, *mutatis mutandis*.

III. Sessions

3. Regular sessions of CEP shall be held annually, on dates fixed by CEP at previous meetings.

4. Special sessions can be held if CEP so decides.

5. Sessions shall ordinarily be held at the United Nations Office at Geneva. CEP may decide to hold a particular session elsewhere.

6. Relevant stakeholders, such as international organizations, regional integration organizations, regional environmental centres, business representatives, members of academia and representatives of civil society, may participate in the sessions of CEP as observers without a right to vote, as decided by CEP.

7. Representatives of any Member of the United Nations not a member of the ECE may participate in a consultative capacity in the consideration by CEP of any matter of particular concern to that Member, as decided by CEP.

¹ Available from http://www.unece.org/oes/nutshell/mandate_role.html.

² Available from http://www.unece.org/commission/2013/65th_index.html.

³ United Nations publication, Sales No. E.92.I.22.

IV. Agenda

8. The provisional agenda for each session shall be drawn up by the Chair of the Bureau, in consultation with the Bureau and the secretariat.
9. Any requests for items to be included in the provisional agenda should be made to the CEP Chair.
10. The first item upon the provisional agenda for each CEP session shall be the adoption of the agenda.
11. CEP may amend its agenda at any time.

V. Representation and credentials

12. Each member of ECE shall be represented on CEP by officially designated representatives, whose names shall be communicated to the secretariat by the respective permanent missions in Geneva, and/or respective Government entity, and shall be made available by the secretariat.
13. A representative may be accompanied to the sessions of CEP by alternate representatives and advisers and, when absent, he or she may be replaced by an alternate representative.
14. Officially designated representatives of member States working at the country's permanent mission in Geneva who are duly authorized to do so, including persons accredited to the ECE Executive Committee, may participate in the discussion and in the decision-making process during CEP meetings without restrictions.
15. Officially designated representatives and other participants in any of the bodies of the CEP should be registered by the secretariat on the respective lists of participants, which will be communicated to the permanent missions of ECE member States in Geneva.

VI. Conduct of business and voting

16. The conduct of the business of CEP shall be regulated according to the existing Rules of Procedure of ECE.
17. Each member of CEP shall have one vote.
18. CEP should endeavour to adopt all its decisions by consensus.
19. In case of voting, the procedure shall be regulated according to the existing Rules of Procedure of ECE.
20. CEP shall take no action in respect of any country without the agreement of the Government of that country.
21. CEP may decide that a particular meeting or meetings shall be held in private.

VII. Adoption of decisions and reports

22. When taking its decisions, CEP shall follow the following procedures:
 - (a) It shall continue the existing practice of making every effort to reach a consensus;

(b) Preferably at least two months in advance to the CEP session, the secretariat in consultation with the CEP Chair shall prepare and distribute an advance copy of the annotated provisional agenda for the session, with the indication of the actions required, including, where appropriate, draft conclusions, recommendations or decisions to be taken by CEP on a particular agenda item. The annotated provisional agenda and other documents for the session shall be made available by the secretariat to all participants and permanent missions of ECE member States in Geneva;

(c) The circulation of the annotated provisional agenda and any draft conclusions, recommendations or decisions prior to CEP sessions shall not prejudice the possibility for member States to propose additional agenda items, draft conclusions, recommendations or decisions at the meeting;

(d) Draft conclusions, recommendations and decisions are formally adopted by CEP at the end of the session. Drafts should be projected on a screen, where possible, and read out by the Chair;

(e) If a draft conclusion, recommendation or decision cannot be adopted at the meeting for technical reasons, CEP may decide to use electronic communication channels and agree on the technical procedure for such an approval, including the timely circulation of information to all the permanent missions of ECE member States in Geneva.

23. A list of the decisions adopted by CEP should be distributed to all participants and permanent missions of ECE member States in Geneva by electronic media (e.g. e-mail, website) as soon as possible after their formal adoption by CEP. By default, adopted decisions have immediate effect, unless otherwise indicated in the particular decision.

24. A list of the decisions adopted by CEP, reflecting in a concise and factual manner the discussion and the views expressed by participants, shall be included in the draft report of the meeting.

25. CEP shall approve the draft report prepared by the secretariat in consultation with the CEP Chair through the electronic no-objection procedure after the meeting. If so decided, CEP may agree on a different procedure for approval.

VIII. The Bureau

26. CEP shall, every two years, at its regular session, elect its Bureau from among its members. If the need arises, elections can also be held at special sessions of CEP.

27. Candidates for the Bureau of CEP shall be nominated by member States based on the person's expertise, professionalism and expected support from the membership. The list of candidates should be made available to all member States in advance of the elections and preferably agreed upon.

28. The members of the Bureau shall be elected by CEP according to these rules of procedure and following consultations among member States. Elected Bureau members serve collectively in the interest of all member States.

29. The composition of the Bureau shall:

(a) Follow the formula "9+1" (one chair and nine members, serving as vice-chairs), with members elected for a biennium with the possibility of re-election;

(b) Take into account individual expertise with due regard to as wide and balanced a geographical representation as possible.

30. The term of office is the biennial period between the regular sessions of CEP. Members of the Bureau can be re-elected. The need for continuity and the timing of important events (e.g., ministerial conferences) can be taken into consideration when re-electing members, especially the Chair.
31. If the Chair or Vice-Chair is unable to attend a meeting of the Bureau, the member State holding the chairmanship or vice-chairmanship has the right to nominate an alternate representative for a particular meeting. The alternate representative shall enjoy the same voting and other rights for that meeting as the Chair or Vice-Chair they are replacing.
32. If the Chair or the Vice-Chair does not attend two consecutive meetings of the Bureau and no alternate representative is provided, the respective Bureau member will be automatically excluded from re-election at the nearest CEP session. This does not prejudice the right of CEP to re-elect the respective member through a separate decision, if necessary.
33. If the secretariat is unable to establish working contact with an elected Bureau member for most of intersessional period, the case should be reported to the Chair of the Bureau for guidance.
34. The Bureau may invite major stakeholders to attend the meetings of the Bureau and contribute to its work, without the right to vote.
35. If the Chair is absent from a meeting, or any part thereof, one of the Vice-Chairs, designated by the Chair, shall preside.
36. If the representative of the country holding the chairmanship or vice-chairmanship of CEP ceases to represent his/her country, the new representative nominated by that country will become the new Chair or Vice-Chair for the unexpired portion of the term in between of the sessions of CEP.
37. A Vice-Chair acting as Chair shall have the same powers and duties as the Chair.
38. A Chair or Vice-Chair acting as Chair shall participate in the meetings of CEP as such and not as the representative of the member State by which he/she was accredited. CEP shall admit an alternate country representative to represent that member State in the meetings of the Committee and to exercise its right to vote.
39. The key functions of the Bureau are:
- (a) To monitor and ensure implementation of the programme of work and the decisions and recommendations of CEP during intersessional periods;
 - (b) To ensure the effective and transparent preparations of forthcoming sessions and, to that end, to reach out to and consult with all member States, and other stakeholders as appropriate;
 - (c) To ensure the effective conduct of business during the sessions in full compliance with rules of procedure, and to facilitate reaching agreement on decisions and recommendations.
40. In addition to these tasks, the Bureau helps the consensus-building process by means of transparent and inclusive consultations on draft outcomes of CEP, including draft decisions, conclusions and recommendations that might be proposed by representatives of member States.
41. The Bureau does not adopt the conclusions, recommendations, decisions and meeting reports of CEP. However, in some exceptional cases CEP might adopt a decision on a conditional basis and mandate the Bureau to define the technical particulars.
42. In its activities the Bureau should coordinate with the secretariat on all relevant issues.

IX. Secretariat

43. The Secretary of CEP shall act in that capacity at all meetings of CEP and subsidiary bodies. He/she may appoint another member of the staff to take his/her place at any meeting.

44. The Secretary or his/her representative may at any meeting make either oral or written statements concerning any question under consideration.

45. The Secretary shall direct the staff of the secretariat required by CEP and its subsidiary bodies.

46. The Secretary shall be responsible for making the necessary arrangements for meetings.

X. Other provisions

47. Aspects of the work of CEP, its subsidiary bodies and the secretariat not included in the rules of procedure of CEP shall be regulated in accordance with the United Nations Charter, the Terms of Reference and Rules of Procedure of ECE as adopted by the Economic and Social Council, and relevant United Nations rules and regulations and taking into account the 2013 Guidelines.

48. Adoption, enforcement, amendment, or suspension of these rules of procedure is subject to the decision of CEP.
