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Committee on Environmental Policy

Twenty-second session

Geneva, 25–27 January 2017

Item 12 of the provisional agenda

Rules of procedure

Draft rules of procedure of the Committee on Environmental Policy

Prepared by the Bureau with support from the secretariat

Summary

At its eighteenth session (Geneva, 17–20 April 2012), the Committee on Environmental Policy mandated its Bureau to provide recommendations on “the possible elaboration and further adoption” of the Committee’s rules of procedure (ECE/CEP/2012/2, paras. 87 and 92 (dd)). Accordingly, the Bureau, with support from the secretariat, prepared draft of rules of procedure (ECE/CEP/2013/L.1), which the Committee considered at its nineteenth session in 2013, requesting further amendments. An amended draft was considered at the Committee’s twentieth session in 2014 (ECE/CEP/2014/L.1) and, following further requests from the Committee, was again amended and submitted for the Committee’s consideration at its twenty-first session in 2015 (ECE/CEP/2015/L.6).

At its twenty-first session, the Committee again requested the Bureau to prepare a revised proposal (ECE/CEP/2015/2, paras. 109–110). In particular, the Bureau was to consider the text in square brackets in the draft proposal, which represented alternative language from different delegations, and to indicate its recommendations.

Owing to a heavy schedule in 2016, the Bureau was unable to meet earlier to discuss its recommendations and revise the draft terms of reference. It will do so at its meeting on 24 January 2017, just prior to the Committee’s twenty-second session, and present its recommendations at the session. The draft terms of reference contained in the present document are, therefore, essentially unchanged from the version considered in 2015 and are being provided to Committee members for their convenience.



I. General

1. The work of the Committee on Environmental Policy, 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/778/Rev.5),¹ the terms of reference of the Committee (E/ECE/1447/Add.1) adopted by the Commission at its sixty-second session, and relevant United Nations rules and regulations. It also takes into account the outcome of the review of the 2005 reform of ECE (E/2013/37–E/ECE/1464, annex III),² adopted by ECE at its sixty-fifth session (Geneva, 9–11 April 2013) through its decision A(65), and in particular the Guidelines on Procedures and Practices for ECE bodies (2013 Guidelines) set out in appendix III thereto. In accordance with paragraph 27 of the 2005 reform outcome, all subsidiary bodies and the secretariat should apply the 2013 Guidelines, which seek to ensure that the work of the Commission and its subsidiary bodies is carried out in a way that is member-driven, participatory, consensus-oriented, transparent, responsive, effective, efficient, results-oriented and accountable.

2. The rules of procedure of the Committee 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 Council,³ and taking into account the 2013 Guidelines, *mutatis mutandis*.

II. Sessions

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

4. Special sessions can be held if the Committee so decides.

5. Sessions shall ordinarily be held at the United Nations Office at Geneva. The Committee may decide to hold a particular session elsewhere [upon the concurrence of the Executive Secretary].

III. Agenda

6. The provisional agenda for each session shall be drawn up by the Bureau in consultation with the secretariat.

7. Any requests for items to be included on the provisional agenda should be made to the Chair of the Committee.

8. The first item on the provisional agenda for each session of the Committee shall be the adoption of the agenda.

9. The Committee may amend its agenda at any time.

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. Representation and accreditation

10. Each member of ECE shall be represented on the Committee by officially designated representatives, whose names shall be communicated to the secretariat by the respective permanent missions in Geneva and/or the respective Government entity. The secretariat shall compile a list of the names of such representatives, and shall ensure that the list is made [publicly] available.

11. A representative may be accompanied to the sessions of the Committee by alternate representatives and advisers and, when absent, he or she may be replaced by an alternate representative.

12. Officially designated representatives of ECE member States in Geneva who are duly authorized to do so, including persons accredited to the Executive Committee, may take part in the meetings and participate in the discussions and in the decision-making process without any restrictions.

13. Officially designated representatives and other participants in any of the bodies of the Committee 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.

V. Conduct of business and voting

14. The conduct of the business of the Committee shall be regulated according to chapter VIII (conduct of business) of the Terms of Reference and Rules of Procedure of the Economic Commission for Europe (E/ECE/788/Rev.5).

15. Each member of the Committee shall have one vote.

16. The Committee should continue the existing practice of making every effort to adopt all its decisions by consensus. In case of voting, the procedure shall be regulated according to chapter IX (voting) of the ECE Rules of Procedure.

VI. Adoption of decisions and reports

17. When taking its decisions, the Committee 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 of the Committee session, the [Bureau in consultation with the secretariat] [secretariat in consultation with the Committee Chair] shall prepare and[, with the help of the secretariat,] distribute an advance copy of the annotated provisional agenda for the session, indicating the actions required[, including, where appropriate, draft conclusions, recommendations or decisions to be taken by the Committee 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. At least 10 days before the start of the meeting, the secretariat shall distribute any draft conclusions, recommendations or decisions to all participants and permanent missions in Geneva, so as to allow participants to finalize their position during the meeting. This does not prejudice the possibility for member States to propose additional draft conclusions, recommendations or decisions at the meeting.] [. Draft conclusions, recommendations or decisions to be taken by the Committee on a particular agenda item should be prepared and distributed at least 10 days before the start of the session. 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 the Committee 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 the Committee at the end of the session. Drafts should be projected on a screen, where possible, and read out by the Chair.

18. A list of the decisions adopted by the Committee 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 the Committee. By default, adopted decisions have immediate effect, unless otherwise indicated in the particular decision.

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

[20. A draft report of the meeting, which reflects in a concise and factual manner the discussion and the views expressed by participants, or alternatively a draft summary of key outcomes and decisions, 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. If such a draft report or summary of key outcomes and decisions cannot be circulated at or adopted during the meeting, the Committee may decide to distribute it to all participants and permanent missions of ECE member States in Geneva for subsequent approval, for instance by way of an electronic no-objection procedure under which member States have at least 25 working days to inform the Bureau and the secretariat as to whether they agree on the use of the procedure and on the proposed decision, recommendation or conclusion.]

VII. The Bureau

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

22. Candidates for the Bureau of the Committee 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.

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

24. The composition of the Bureau shall:

(a) Be determined by the Committee [and include a chair, and two vice-chairs];

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

25. The term of office for Bureau members is two years. 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.

26. If a Bureau member is unable to attend a meeting of the Bureau, the member State that designated the Bureau member 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 Bureau member he or she replaces (except the right to chair the meeting).

27. The Bureau may invite major stakeholders to attend the meetings of the Bureau and contribute to its work, without the right to vote.

28. If the Chair is absent from a meeting, or any part thereof, one of the [Vice-Chairs] [Bureau members], designated by the Bureau shall preside and shall enjoy the same rights as the Chair for the particular meeting.

29. If the representative of the member State holding the seat in the Bureau ceases to represent his or her country, the new representative nominated by that country will become the new Bureau member for the unexpired portion of the term in between of the sessions of the Committee.

30. A Chair or [Vice-Chair] [Bureau member] acting as Chair shall participate in the meetings of the Committee in the capacity of the Chair alone and not as the representative of the member State by which he or she was accredited. The Committee shall admit an alternate country representative to represent that member State in the meetings of the Committee and to exercise its right to vote.

31. The key functions of the Bureau are:

(a) To monitor and ensure implementation of the programme of work and the decisions and recommendations of the Committee 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 the rules of procedure, and to facilitate reaching agreement on decisions and recommendations.

32. In addition to these tasks, the Bureau helps the consensus-building process by means of transparent and inclusive consultations on draft outcomes of the Committee, including draft decisions, conclusions and recommendations that might be proposed by representatives of member States.

VIII. Observers

33. 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 the Committee as observers without a right to vote[, as decided by the Committee].

34. Representatives of any Member of the United Nations that is not a member of ECE may participate in the sessions of the Committee in a consultative capacity [in the consideration by the Committee of any matter of particular concern to that country].

IX. Other provisions

35. Aspects of the work of the Committee, its subsidiary bodies and the secretariat not included in the rules of procedure of the Committee 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.
