

Rules of procedure of the Congress of Local and Regional Authorities of Europe (2002)

Caption: Rules of procedure of the Congress of Local and Regional Authorities of Europe (CLRAE), adopted by the Congress in 2000.

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Publication date: 21/10/2012

Rules of procedure of the Congress of Local and Regional Authorities of Europe (2002)

Chapter I – Session of the CLRAE

Rule 1

1 The CLRAE shall meet in ordinary session once a year. Ordinary sessions shall be held at the Council of Europe's headquarters, unless otherwise decided, by common consent, by the CLRAE or its Standing Committee and the Committee of Ministers ¹.

2. The sessions of each of the two Chambers shall be held either immediately before and/or after the session of the CLRAE. On the proposal of the Bureau of the CLRAE, either Chamber may hold other sessions after prior agreement with the Committee of Ministers ².

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

4. The CLRAE 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 CLRAE

Rule 2 – Official procedures for the appointment of representatives and substitutes

1 Representatives to the CLRAE and their substitutes are chosen in conformity with the provisions of Articles 2 and 3 and the first transitional provision of the Charter.

Representatives and substitutes to the CLRAE shall be appointed by an official procedure specific to each member State. In particular, it 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 apportioning representatives in the two Chambers ³. Each government shall inform the Secretary General of this procedure. The procedure should make sure that the delegation to the CLRAE has the full confidence of the country's local and regional authorities and its political parties as people who would best represent them all.

Where a country, on the basis of the first transitional provision of the Charter, as provided for in Article 2, paragraph 1 thereof, wishes to send delegates to the CLRAE who do not hold a local or regional electoral mandate but are directly responsible to a local or regional elected body, 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 the first transitional provision of the Charter.

2. These procedures shall be submitted to the Bureau of the CLRAE 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 and 3 and in the first transitional provision of the Charter as well as in these Rules of procedure.

The Bureau shall report to the CLRAE and inform the Secretary General of the approval or rejection of such procedures so that the State concerned can be informed by him. Any person who is appointed to the CLRAE following a procedure not approved by the CLRAE shall not be considered a member of the CLRAE.

3. In order to keep track of the progress towards an equitable representation of women and men in the CLRAE, national delegations shall inform the Bureau of the CLRAE of the percentage of women and men present in the statutory bodies of local and regional authorities in their respective country. Where appropriate, delegations shall also submit information about the presence of women in associations of local and regional authorities.

In order to keep track of the balance of political forces within national delegations, the latter will inform the Bureau of the CLRAE of their members' political affiliation.

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 Article 2 and transitory provision number 1 of the Charter. The 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 ordinary session for which national delegations are renewed in order to be able to report to the CLRAE as soon as the first sitting is opened before discussing any other items on the agenda. Any representatives or substitutes whose appointment does not fulfil the requirements set out in Article 2 of the Charter may be deprived of their daily allowances and excluded pending their replacement according to the appointment procedure set out in Rule 2 of the present Rules of procedure.

2. To qualify for CLRAE membership as a person responsible to an elected local or regional body, in keeping with Article 2.1 and the first transitional provision of the Charter, prospective members should, in practice:

- i. depend on the political trust of an elected local or regional body or hold a mandate which can be revoked individually by such an organ, in the conditions laid down by law and
- ii. have the right to participate in a political decision-making body as a full member.

3. The Bureau of the Congress shall understand that the term “local or regional elected body” in the first transitional provision of the CLRAE Charter refers to an executive body or a political assembly made up of the people's elected representatives, which is a statutory body of a public local or regional authority.

Rule 4 – Term of office of representatives and substitutes

1. Representatives and substitutes shall be appointed for a period of two ordinary sessions and shall maintain their functions until the opening of the following session.

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 chosen in accordance with the same procedure, for the remainder of his predecessor's term ⁴. In addition, the composition of national delegations may be amended to take account of the altered political situation following local and/or regional elections. The President of the Congress shall be notified of such amendments at latest one month before the plenary session. The Bureau shall verify the conformity of the appointment of representatives and substitutes at its first meeting following the notification of such replacement and shall report immediately to the Congress or to the Standing Committee.

3. A representative who loses the mandate mentioned in Article 2.1 of the Charter may not remain a member of the CLRAE for longer than six months after the loss of his mandate.

Rule 5 – Substitutes

1. Any representative prevented from attending a sitting of the CLRAE may nominate as his replacement a substitute to the Congress from his national delegation. He must give notice thereof in writing to the CLRAE'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 the present Rules, a substitute nominated in due form as a replacement shall be considered as a representative and consequently may exercise all the rights and functions of representatives for the duration of the sitting concerned.

Rule 6 – National delegations

1. The representatives and substitutes of a member State shall form the national delegation of that member State.
2. Each national delegation shall appoint a Chair, a secretary and if necessary another person who may make statements to the Congress, to the Chambers and to the Secretariat on its behalf.
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. 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.
3. These statements shall be published in the CLRAE yearbook.
4. A political group shall consist of members of at least three different nationalities. It must have at least fifteen members in order to be recognised by the Bureau of the CLRAE.
5. The Secretariat of the Congress shall provide political groups with working facilities during plenary sessions.

Chapter IV – Observers to the CLRAE

Rule 8 – Observers

1. The international associations of local and regional authorities holding consultative status with the Council of Europe shall have the status of observer to the CLRAE and to both Chambers ⁵.
2. The Standing Committee of the CLRAE may grant observer status to other organisations that request it. In that case, such an organisation will have the status of observer to the CLRAE and to both Chambers.
3. Organisations with the status of observer to the CLRAE have the right to take part in the proceedings of the CLRAE and of its Chambers, with the right to speak, subject to the Chair's consent, but not to vote. They may also, at their own expense, submit memoranda relating to subjects on the agenda of plenary sessions of the CLRAE or of its Chambers.
4. The Standing Committee, the Bureau of the CLRAE, 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 CLRAE to attend the whole or part of a given meeting.

Chapter V – Special guests

Rule 9 – Special guests

1. The CLRAE 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 CLRAE shall assign to each special guest State the same number of seats as it has in the Parliamentary Assembly. The appointment of the representatives of special guest States shall be based on the same criteria set out in the Articles 2 and 3 and in the first transitional provision of the Charter as well as in these Rules of procedure.

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 CLRAE, 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 CLRAE and both Chambers without the right to vote. 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 CLRAE 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 such case, this will be clearly stated in the convocation letter.

Statutory Committees and *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 CLRAE not less than one month before the opening of the session. These credentials shall be submitted to the Bureau of the CLRAE for verification. The Bureau shall check their conformity with the requirements set out in Rules 2, 3 and 4.

4. A delegation shall lose its special guest status with the CLRAE 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 CLRAE 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 CLRAE

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 plenary sessions, mini-sessions, the Standing Committee and/or statutory committees of the Congress in an advisory capacity ⁶.

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

Rule 11 – Provisional President

1. At the beginning of each ordinary session for which national delegations are renewed the oldest representative or substitute present shall discharge the duties of President until the new President of the CLRAE is elected.

2. 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.

Rule 12 – Election of the President

1. The election of President of the CLRAE shall take place during the opening sitting of each ordinary session for which national delegations are renewed. The CLRAE shall elect its President from among the representatives of each Chamber on an alternating basis. The President shall remain in office for two ordinary sessions ⁷.

2. No representative may be a candidate for the office of President unless he has been nominated in writing by at least three representatives. Candidatures should be notified to Chief Executive of the Congress twenty-four hours before the opening of the session at the latest.

3. The President of the CLRAE 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 and substitutes actually appointed to the Congress by the official authorities of the Council of Europe member states and whose credentials have been approved by the Congress, the candidate who, on the third ballot, receives a relative majority of the votes cast shall be declared elected. In the event of a tie, lots shall be drawn.

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 – Vice-Presidents of the CLRAE

1. The President of each Chamber, elected from among its members having representative status, and their seven Vice-Presidents, shall be the Vice-Presidents of the Congress.

2. The President of the Chamber which has not proposed candidates for President of the CLRAE shall hold the office of first Vice-President of the Congress. The President of the Chamber from which the President of the CLRAE has been elected shall also hold the office of second Vice- President. The first Vice-President of the Chamber which has not proposed any candidates for President of the CLRAE shall hold the office of third Vice-President of the Congress, and so on.

3. If the President of the CLRAE is absent or temporarily unable to discharge his duties, he shall be replaced by one of the Vice-Presidents.

4. While acting as President, a Vice-President shall exercise the powers and be subject to the obligations provided for in Rule 17.

Rule 14 – Term of office of the President and the Vice-Presidents

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

2. Where the President of the CLRAE is permanently unable to carry out his duties, the CLRAE or its Bureau shall elect a representative to replace him from among the members of the Bureau of the Chamber to which he 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 successor shall be elected in

accordance with his Chamber's internal provisions. In the order of precedence he shall come after the Vice-Presidents previously elected.

Rule 15 – Standing Committee

1. The Standing Committee shall act on behalf of the CLRAE between sessions ⁸.
2. Without prejudice to the general nature of its competence as laid down in paragraph 1 above, the Standing Committee shall examine all matters referred to it by the Congress and carry out the tasks provided for in other Rules.
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 CLRAE shall be full members of the Standing Committee *ex officio*. If any member of the Bureau of the CLRAE 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 Committee ⁹. The CLRAE 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 CLRAE Chambers' activities, but only during its plenary meetings ¹⁰. One substitute of the President of the Congress may attend a meeting of the Standing Committee in chamber if the President does not attend.
5. The Standing Committee may invite the Chairpersons of the political groups to its meetings in a consultative capacity. It may also invite the President and/or the Rapporteur of a statutory Committee to attend all or part of a meeting. And it may hold joint meetings with one or more statutory Committees. Decisions to this effect shall be taken by the Bureau of the Congress and the Bureaux of the two Chambers.
6. When necessary to ensure the CLRAE's continuity of action between plenary sessions, the Standing Committee shall examine, on its behalf, reports submitted to it by statutory Committees or joint working groups. Unless otherwise stated in the present Rule, the Standing Committee shall make its decision following Rule 41. 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. Following article 11.2 of the Charter, the Standing Committee adopts recommendations, opinions and resolutions falling exclusively within the competence of a Chamber.
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.
10. Nominations for the 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 of the Standing Committee. The Congress shall decide by secret ballot disputed proposals for any non ex-officio seat or seats in the Standing Committee.

Rule 16 – Bureau of the CLRAE

1. The Bureau of the CLRAE 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 Congress ¹¹.

2. The Bureau shall also be responsible for the preparation of the plenary session of the CLRAE, the co-ordination of the work of the two Chambers, in particular the distribution of questions between the two Chambers, the co-ordination of the work of the statutory Committees, the preparation of the budget and the balanced allocation of budgetary resources between the Congress and the two Chambers ¹².

3. The Bureau of the CLRAE shall be made up by the President of the CLRAE and the members of the Bureaux of the Chambers. It shall be presided over by the President of the Congress ¹³.

4. The outgoing President of the CLRAE may attend meetings of the Bureau, 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 may decide to invite observers and the President and/or Rapporteur of a statutory Committee to the whole or parts of a given meeting and organise hearings for individuals and organisations. When it sees fit, the Bureau may invite the Chairpersons of the political groups to its meetings in a consultative capacity.

Chapter VIII – Duties of the Chair, discipline and order

Rule 17 – Duties of the Chair

1. During sessions, the duties of the President of the CLRAE shall be to open, suspend and close sittings; to propose at the end of each sitting the date, time and orders of the day of the next sitting; to guide the debates of the Congress, ensure observance of the Rules, maintain order, call on speakers, close debates, put questions to the vote and announce the results of votes.

He 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 neither speak in debate nor vote. In this case he can nominate a substitute of the same nationality as himself, who may speak and vote; a substitute so nominated shall be considered as a representative for the purposes of the application of the present Rules.

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

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

The President shall carry out the policy decided by the CLRAE and maintain contacts with international organisations as part of the general external relations policy of the Council of Europe. The President may delegate part of his duties in this respect to the Vice-Presidents of the CLRAE ¹⁴.

4. If the President of the CLRAE is absent or temporarily unable to discharge his duties, he 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 this 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 CLRAE shall draw up the agenda for each session. Any question within the competence of the CLRAE, as defined in Article 2 of Statutory Resolution (2000) 1, may be placed on the agenda.

Rule 20 – Urgent Procedure

1. At the request of a Chamber, of the Standing Committee or of ten representatives belonging to at least two national delegations, a question may be added to the agenda by the Congress at its first sitting after the Bureau has given its opinion.
2. A request for urgent procedure shall be tabled two working days before the plenary session at the latest.
3. In connection with a request for urgent procedure, the following only shall be heard: one speaker “for” the proposal, one speaker “against”, a representative of the Bureau of the CLRAE speaking in its name, and a representative speaking on behalf of the Chamber, the Standing Committee or the group of representatives which has tabled the proposal.
4. The adoption of the urgent procedure shall require two-thirds of the votes cast.
5. A request for urgent procedure which has not been put forward by a Chamber or the Standing Committee shall, if accepted by the Congress, be referred to the competent statutory Committee or working group, which shall report back before the end of the session.

Rule 21 – Order of business

1. The Bureau of the CLRAE 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 CLRAE shall submit the draft order of business to the Congress for approval at its first sitting ¹⁵.

Chapter X – Holding of sittings and rules governing the proceedings

Rule 22 – Orders of the day

1. At the end of each sitting, the Congress, acting on a proposal by the Chair, shall fix the date, time and order of the day for the next sitting of the Congress.
2. The orders of the day shall be drawn up having regard to the order of business approved pursuant to Rule 21.2.

Rule 23 – Tabling of motions

1. Any representative or substitute may table motions which must bear on the substance of the question raised and take the form of a resolution; they may contain an explanatory memorandum.

Such motions must be in writing, be signed by ten representatives or substitutes belonging to at least two

national delegations and relate to a question within the competence of the CLRAE.

2. The Chair shall decide whether such motions are in order. Motions which are in order shall be printed and distributed immediately.

3. The decision of the CLRAE 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 by the CLRAE for future examination shall be referred to the Bureau. 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.

Rule 24 – Reference to committees

1. The Bureau of the CLRAE shall consider all requests for an opinion presented by the Committee of Ministers or the Parliamentary Assembly, all proposals 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 CLRAE. It shall decide to refer them to a statutory Committee or to a committee of a Chamber, or to submit them to a statutory Committee or to a committee of a Chamber 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 committee of a Chamber shall be accompanied by clear terms of reference, appended to the decision of the Bureau and transmitted to the Committee or the Chamber committee concerned.

3. Reference to a statutory Committee or to a committee of a Chamber 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 orders of the day 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 and of reports concerning the verification of the credentials of representatives, substitutes and special guests.

Rule 26 – Tacit adoption procedure

1. When preparing the agenda for a session of the CLRAE, the Bureau may include in it reports presented by a statutory Committee or a joint working group 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 bear an indication that they are to be dealt with according to the procedure described in paragraph 1 above.

3. At the first sitting of the session concerned, the Chair shall announce the report or reports to be dealt with as provided in the foregoing paragraphs. The orders of the day shall give a list of such reports.

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. Texts giving rise to an objection shall be included in the orders of the day for a later sitting of the current session 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 above. Abstentions notified within the period prescribed for the lodging of objections 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.

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 it is sought 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 insofar 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; they 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, insofar as amendments are concerned, at the latest at 4.00 pm 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 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 is debated.

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 negated; if it is negated, 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 speaker authorised shall be the author of, or another member moving, the amendment or sub-amendment, one speaker against and the Rapporteur or statutory Committee or working group Chair. 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.

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 joint working group concerned.
4. A speaker may not be interrupted, except on a point of order. However, he may, with the permission of the Chair, give way during his speech to allow another representative to put a question to him on a particular point in his intervention.
5. If a speaker deviates from the subject, the Chair shall call him 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 to speak during the remainder of the debate.
6. Rapporteurs on a question under discussion, as well as the representatives of the Committee of Ministers or of the Parliamentary Assembly when the discussion concerns a request for an opinion of the CLRAE made by one of these organs, shall be allowed to speak whenever they wish.
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 Chairmen of statutory Committees three minutes. For the general discussion, speakers shall have five minutes each. Speaking time may be no more than two minutes 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, they may hand in at the close of the debate 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.

Rule 29 – Procedural Motions

1. A representative shall have a prior right to speak if he asks leave:
 - a. to move the previous question ¹⁶ or to present a dilatory motion ¹⁷ 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 ¹⁸;
 - c. to move the closure of a debate ¹⁹;
 - 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 or the Chair of the statutory Committee or working group concerned.
4. The Congress shall decide these matters by standing up.
5. In addition, a representative shall have a prior right to speak if he asks leave to raise a point of order.²⁰ A request for leave 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.

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 nominated in accordance with Rule 5 or Rule 17.2. A substitute so named shall vote in his 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: “is adopted” or 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. In the case of elections, voting shall take place by secret ballot. 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.

Rule 32 – Majorities required

The majorities required are the following:

- a. In respect of the adoption of a recommendation or an opinion of the CLRAE²¹, of decisions to admit a motion tabled by representatives for future examination, to adopt the 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 cast²².
- b. In respect of elections²³ an absolute majority of votes cast²⁴ 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.

Rule 33 – Quorum

1. The Congress may deliberate, decide the orders of the day, 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 more than half the representatives have not taken part in it. This provision shall not be applicable in the cases provided for in paragraph 1 above.
5. 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.
6. Without prejudice to the provisions of paragraph 2 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 Article 29.1 above, the President shall declare that motion to be null and void.

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.

Chapter XI – Written declarations

Rule 35 – Written declarations

1. Written declarations not exceeding two hundred words on subjects within the competence of the CLRAE may be tabled provided they have been signed by at least three representatives or substitutes of different nationalities.
2. If such declarations are judged by the President of the CLRAE 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 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.

Chapter XII – Statutory Committees

Rule 36 – Constitution of statutory Committees

1. In the course of each ordinary session for which the national delegations are renewed, the CLRAE shall constitute the following statutory Committees:

- an Institutional Committee;
- a Culture and Education Committee;
- a Committee on Sustainable Development;
- a Committee on Social Cohesion.

2. The criteria for the apportionment of seats on the statutory Committees shall be determined by the Bureau of the CLRAE ²⁵ 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 ²⁶. 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, the Bureau. 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 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 membership, 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, with its independent experts, 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 ²⁷;

– The Culture and Education Committee shall also be responsible for the media, youth, sport and communication.

– The Committee on Sustainable Development shall also be responsible for the environment and spatial and urban planning.

– The Committee on Social Cohesion shall also be responsible for issues concerning employment, citizenship, inter-community relations, public health and equality between women and men.

2. The 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, but without this leading to the preparation of a report or the organisation of a conference unless agreed by the Bureau.

3. The Committees 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.

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.

Rule 38 – 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 Committee ²⁸.

2. At its first meeting, each committee of a Chamber shall elect its Chair ²⁹, who shall be ex officio Vice-Chair of the statutory Committee. It shall also elect a Vice-Chair.

3. The provisions of these Rules of procedure concerning the statutory Committees shall apply, *mutatis mutandis*, to the committees of their Chambers.

Rule 39 – Chairs of the statutory Committees

1. The Chair shall be elected at the first meeting of the Committee following its constitution.

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 may stand for election to the Chair of that Committee. If there is only one candidate, that candidate shall be declared elected without a vote. Candidatures shall be presented to the Secretariat at least one hour before the opening of the Committee's first meeting.

4. The election shall be held by secret ballot. Two tellers drawn by lots shall count the votes, assisted by the Secretariat ³⁰.

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 CLRAE ³¹.

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 proposal referred to a Committee 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 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 vote cast ³². Voting shall be by show of hands.
3. A Committee may deliberate, decide the orders of the day, 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 third ³³ of its members ³⁴ are present.

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

However, a quorum shall be considered to exist if, before any decision other than those referred to in the first 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 ³⁵. 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. The member concerned shall give due notice of the change to the President of the delegation concerned and the Secretariat of the Congress.
7. Unless the Committee decides otherwise, only reports approved 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. He 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 a text put forward for adoption and an explanatory memorandum.

2. Only the text for adoption is voted upon by the statutory Committee and by the Congress. It must be presented in the form of a draft opinion, resolution or recommendation. 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 approved by a statutory Committee, the Committee shall decide if 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.

6. Where a statutory Committee decides to submit one of its reports to the Standing Committee for examination in accordance with Rule 15.6, all representatives and substitutes shall be so informed and placed in possession of that report not less than one month before the relevant meeting of the Standing Committee. 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 received by the Secretariat, a clear week before the meeting of the Standing Committee.

7. With the exception of reports submitted in application of the urgent procedure, reports of statutory Committees shall be distributed at least twenty days before the opening of the session at which they are to be discussed.³⁶ 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 before the Standing Committee or until the following session.

Chapter XIII – Working groups

Rule 43 – Constitution of working groups

1. 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 set up an *ad hoc* working group with a maximum number of eleven full members and an equal number of alternates, empowered with specific terms of reference, such as:

- preparation of a report;
- organisation of a conference;
- follow-up to a co-operation project or to specific intergovernmental activities of the Council of Europe³⁷.

2. When a question falls within the competence of the two Chambers, the Bureau of the CLRAE may exceptionally set up a *ad hoc* working group common to both Chambers³⁸.

3. Nominations for seats in the joint working groups shall be addressed by the Bureaux of the Chambers to

the Bureau of the CLRAE. The Bureau concerned shall designate the members of the working group taking into account the provisions set out in paragraph 1 above, the candidates' knowledge of the subjects to be studied, and the need for an equitable geographical distribution.

4. The working groups shall cease to exist when their terms of reference are fulfilled. The terms of reference of a working group which involve a continuous activity (eg. follow-up of specific intergovernmental activities of the Council of Europe) may be renewed at the opening of the session for which delegations are renewed.

The Bureau of the CLRAE may also appoint a joint working group between the sessions.

5. 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. In the light of 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 CLRAE.

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 CLRAE concerning the maintenance of order (Rule 17), 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) 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 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.

c. The Chair of a working group shall be elected by the members of the group by secret ballot ³⁹. One teller chosen by lot shall count the votes cast. In the event of a tie, lots shall be drawn.

d. In the event of absence of the Chair, the working group shall charge one of its members to act as Chair.

4. In general working groups shall decide by consensus. 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 working group to take part in its discussion 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 joint working groups

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

Chapter XIV – Adoption of texts by the Congress and the 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 regional authorities as a whole shall be adopted by the CLRAE at its plenary session or by the Standing Committee ⁴⁰. No question may be considered in both Chambers. Any matter in which both Chambers would have an interest shall be considered in the CLRAE ⁴¹.

2. However, when a question is considered by the Bureau of the CLRAE as falling exclusively within the competence of a Chamber:

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 by the Standing Committee, without any consideration of the substance of the matter. 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 and which are addressed to the authorities that the Chamber represents, shall be adopted by the Standing Committee without consideration of the substance of the matter ⁴².

3. Where the Bureau of the CLRAE, following paragraph 2a 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 works of the competent Chamber and draft an opinion which he shall submit to his 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 CLRAE, or any individual to attend the whole or part of a given meeting. Such a decision shall be taken by a two-third 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 CLRAE, 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 such individuals or representatives of organisations shall be borne by such individuals or organisations ⁴³.
7. This Rule applies, *mutatis mutandis*, to the statutory Committees and joint working groups.

Rule 48 – Advisers

A member of the Standing Committee or a statutory Committee may be accompanied at meetings thereof by not more than one adviser selected by him. The cost of participation of such an adviser shall not be borne by the budget of the CLRAE.

Chapter XV – Use of language and publicity of debates

Rule 49 – Official and working languages

1. The official languages of the CLRAE and of its Chambers shall be English and French.
2. All documents of the CLRAE and of its Chambers shall be drawn up in the two official languages.
3. At all plenary sessions of the CLRAE 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 at the Bureau of the CLRAE shall be, as far as possible, the same as in plenary session.
2. Interpretation at the Bureaux of the Chambers and at statutory Committee and working group meetings 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.

Chapter XVI – Official documents of the CLRAE

Rule 52 – Public Documents

1. The public documents of the CLRAE are the following:
 - a. orders of business of the Congress and the Chambers;
 - 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 CLRAE;
- g. opinions of the CLRAE;
- h. recommendations of the CLRAE;
- 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 CLRAE;
- 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 a special guest status, and to organisations which have the status of observer to the CLRAE, at least twenty days before the opening of the session at which they are to be discussed.

3. Public documents may be freely quoted.

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 Presidents of political groups and to the organisations having observer status with the CLRAE, as well as organisations or persons invited to a hearing, as provided for in Rule 47; they are also available to other persons making a specific request, under the control of the Secretariat of the CLRAE.

They may only be publicly quoted after having been examined by the body concerned.

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.

Chapter XVII – Budget

Rule 55

1. For the purpose of drawing up the annual budget, the CLRAE shall make its needs known to the Secretary General and to the Committee of Ministers ⁴⁴.
2. The Bureau of the CLRAE 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 CLRAE 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 Session.

Chapter XVIII – Secretariat of the CLRAE

Rule 56 – Secretariat of the CLRAE 45

1. The Secretariat of the Congress shall be provided by the Chief Executive of the Congress, elected by the Congress ⁴⁶.
2. The Chief Executive shall be answerable to the Congress and its organs and act under the authority of the Secretary General of the Council of Europe.
3. The Secretary General of the Council of Europe shall appoint a Deputy Chief Executive, following consultation of the Bureau of the Congress.
4. The Secretary General of the Council of Europe shall appoint the Secretary of each 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 CLRAE 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 (Tabling of Motions), subject to the following provisions:
 - a. They shall be signed by ten representatives or substitutes belonging to at least two national delegations.
 - b. If in order, they shall be circulated to the organisations holding observer status with the Council of Europe, in addition to all members of the Congress, including those belonging to special guest delegations.
 - 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.

3. The Standing Committee, the Bureau of the CLRAE 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. 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 CLRAE at which it is to be discussed.

Chapter XX – Revision of the Rules of procedure

Rule 58 – Revision of the Rules of procedure

1. Motions tabled by representatives and substitutes and containing proposals to amend the Rules of procedure shall be governed by Rule 23, subject to the following provisions:

- a. They shall be signed by ten representatives or substitutes belonging to at least two 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 under Rule 42.

2. The Standing Committee and the Bureau of the CLRAE 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 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 CLRAE at which it is to be discussed.

3. The Bureau of the CLRAE may establish a joint working group in charge of the preparation of proposals to amend the Rules of procedure of the CLRAE.

4. The Standing Committee of the CLRAE supervises the co-ordination of the Rules of procedure of the Congress and of the Chambers.

Appendix 1 to the Rules of procedure of the CLRAE

Practical arrangements for elections other than those of the Presidents of the Congress and the Chambers

1. Such elections shall be held in the following places:

- if the organ concerned is meeting in the hemicycle: in the area behind the President’s rostrum;
- if the organ concerned is meeting in a meeting room in the Palais de l’Europe: at the entrance to the room.

2. A specific time-limit shall be set for these elections, but:

- 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 properly appointed substitutes) or 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 above-designated places; there shall be a second table on which members can fill out their ballot papers.

4. The members of the Congress or the Chambers shall sign the register of voters in the presence of a member of the Secretariat.
5. In elections in the Congress, by signing the register a substitute 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.
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 detailed information on the running of the election.

Appendix 2 to the Rules of procedure of the CLRAE

Apportionment of seats on committees

At its meeting on 29 February 2000 the Bureau of the Congress adopted the following criteria for the apportionment of seats on committees by country:

1. Countries with 2 seats: Andorra ⁴⁷, Liechtenstein ⁴⁷ and San Marino ⁴⁷

1 member on the Standing Committee

1 member on one of the four statutory Committees (at the country's discretion)

2. Countries with 3 seats: Cyprus ⁴⁷, Estonia ⁴⁷, Iceland ⁴⁷, Latvia, Luxembourg ⁴⁷, Malta ⁴⁷, Slovenia ⁴⁷ and "the former Yugoslav Republic of Macedonia" ⁴⁷

1 member on the Standing Committee

1 member on two of the four statutory Committees (at the country's discretion)

3. Countries with 4 seats: Albania, Armenia ^{47, 48}, Ireland and Lithuania

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

1 member on two of the four statutory Committees (at the country's discretion)

4. Countries with 5 seats: Bosnia and Herzegovina, Croatia, Denmark, Finland, Georgia, Moldova, Norway and Slovakia

2 members 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)

5. Countries with 6 seats: Austria, Azerbaijan, Bulgaria ¹, Sweden and Switzerland

2 members 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 and Portugal

2 members 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

7. Countries with 10 seats: Romania

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

4 members (2 L and 2 R) on each of the four statutory Committees.

Appendix 3 to the Rules of procedure of the CLRAE

Election of the Chief Executive of the Congress

In conformity with the provisions of Article 15 of the Charter, the Chief Executive of the Congress shall be elected by the Congress.

Candidates shall be free to submit their applications directly to the Secretary General of the Council of Europe, who will transmit them to the President of the Congress, together with his opinion. Following examination of these candidatures, the Bureau shall submit a list of candidates to the vote of the Congress.

The Congress shall elect its Chief Executive for a renewable term of five years, without the age limit applicable to all Council of Europe staff being exceeded.

The Standing Committee, on behalf of the Congress, shall establish the procedure for the election of the Chief Executive of the Congress.

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The following election procedure was adopted by the Standing Committee at its meeting on 25 May 2000.

Procedure for the election of the Chief Executive of the CLRAE

1. Vacancy notice

The post of Chief Executive shall be advertised by means of a Vacancy Notice under an external recruitment procedure, prepared by the Secretary General and specifying the requisite qualifications.

2. Submission of applications

a. Candidates 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.

3. Preliminary consideration of applications

a. Applications forwarded by the closing date shall undergo an initial examination by the Secretary General 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 shall transmit to the President of the Congress the list of candidatures received, indicating the ineligible candidates (list A) and the candidates meeting the requirements as stated in the Vacancy Notice (list B).

4. Nomination of candidates

a. The President of the Congress and the Presidents of each Chamber shall meet in order to:

- i. examine the list of candidatures transmitted by the Secretary General. Some candidates may be asked to attend an interview;
- ii. draw up from the list of candidates deemed eligible by the Secretary General a short list of not more than five names for submission to the vote of the Congress.

In drawing up the short list, the President of the Congress and the Presidents of the Chambers shall have particular regard to the following requirements:

- i. Recruitment of persons of the highest competence, integrity and aptitude for the post to be filled.
- ii. 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. Need for equitable geographical distribution of vacancies among nationals of member states. This Secretariat appointment shall not be considered the prerogative of any one member state.
- iv. 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.

b. The President of the Congress and the Presidents of the Chambers shall report to the Bureau of the Congress, which shall take the decision to transmit the final list of candidates to the members of the Congress.

c. The final list and the Curriculum Vitae of the short-listed candidates shall be transmitted to the members of the Congress not later than one week before the Session during which the election is to be held.

5. Procedure in the Congress of Local and Regional Authorities of Europe

a. The Congress shall conduct the election;

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

c. If, after the first ballot, no candidate has obtained an absolute majority of the votes cast by representatives and substitutes actually appointed to the Congress by the official authorities of Council of Europe member

states and whose credentials have been approved by the Congress, the candidate who gains a relative majority of the votes cast in the second ballot shall be declared elected. In the event of a tie, the female candidate, if any, and otherwise the candidate who is senior in age, shall be declared elected.

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

6. Term of office

a. The Chief Executive shall be elected for a term of five years and may be re-elected.

b. The Chief Executive's term of office shall terminate when he/she reaches the age limit of that of officials of the Council of Europe, 65 years.

Appendix 4 to the Rules of procedure of the CLRAE

Honorary membership

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

1. on all former Presidents of the Congress and the Chambers when they are no longer members of the CLRAE;
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 CLRAE;
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 representatives or substitutes for at least ten (not necessarily successive) years.

At the first session following the end of their term of office, honorary members of the CLRAE shall be given a medal and a badge of honorary member.

All honorary members of the CLRAE 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 2.6 of the Charter.
5. See Article 5.1 of the Charter.
6. As at 6 June 2002, this provision applies to the European Commission for Democracy through Law (Venice Commission) and the Council of Europe's North-South Centre.

7. See Article 14.1 of the Charter.
8. See Article 8.1 of the Charter.
9. See Article 8.2 of the Charter.
10. See Article 4.2 of Statutory Resolution (2000) 1.
11. See Article 9.1 of the Charter.
12. See Article 9.2 of the Charter and Rule 24 of these Rules of procedure.
13. See Article 9.3 of the Charter.
14. See Article 2.1d) of the Statutory Resolution (2000) 1.
15. See Article 42.7 of these Rules of procedure.
16. The effect of adopting a previous question is to remove the subject of the debate from the Congress's agenda.
17. 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.
18. The effect of adjourning the debate is to bring up the next item on the agenda for immediate discussion.
19. 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.
20. A point of order must be confined to raising questions of procedure for a ruling from the Chair.
21. See Rule 13.1 b) of the Charter.
22. See Rule 31.1 of these Rules of procedure.
23. For practical details of election procedures, other than the election of the Presidents of the Congress and the Chambers, see Appendix 1 to these Rules of procedure.
24. See Rule 31.4 of these Rules of procedure.
25. See Appendix 2 to these Rules of procedure for the criteria for the apportionment of seats on Committees by country adopted by the Bureau at its meeting on 29 February 2000.
26. See Article 5 of Statutory Resolution (2000) 1.
27. See Article 2.3 of Statutory Resolution (2000) 1.
28. See Article 4.2 of Statutory Resolution (2000) 1.
29. See Article 32.b of these Rules of procedure.
30. See Rule 32.b of these Rules of procedure.
31. See Article 9.2 of the Charter.
32. Only affirmative and negative votes shall count in calculating the number of votes cast (Rule 31.1 of the Rules of procedure).
33. 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.
34. 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.
35. According to the postmark date.
36. Between sessions the date of distribution is the postmark date. See Rule 25.2 of these Rules of Procedure.
37. See Article 10.1 of the Charter.
38. See Article 10.2 of the Charter.
39. See Article 32.b of these Rules of procedure.
40. See Article 11.1 of the Charter.
41. See Article 9.2 of the Charter.
42. See Article 11.2 of the Charter.
43. See Article 10.4 of the Charter.
44. See Article 16 of the Charter.
45. See Article 15 and the second transitional provision of the Charter.
46. Appendix 3 to these Rules of procedure lays down the procedure for electing the Chief Executive of the Congress, as adopted by the Standing Committee on 25 May 2000.
47. These countries do not have regions as understood in Recommendation 56 (1999).
48. Armenia might wish to appoint a representative (L) to the Standing Committee and one member each to such three of the four statutory committees as it may choose.