**Annex to the report on the review of the rules of procedure (ECE/EB.AIR/2023/8) with tracked changes**

**Rules of procedure for sessions of the Executive Body for the Convention on Long-range Transboundary Air Pollution as adopted by decision 2010/19 and amended by decision 2013/1 and […./..]**

**I. Purpose**

**Rule 1**

These rules of procedure shall apply to any session of the Executive Body to the Convention on Long-range Transboundary Air Pollution convened in accordance with article 10, paragraph 1, of the Convention, and to the proceedings of its subsidiary bodies and to the functioning of the Bureau.

**II. Definitions**

**Rule 2**

For the purpose of these rules:

1. “Convention” means the Convention on Long-range Transboundary Air Pollution, adopted in Geneva, Switzerland, on 13 November 1979.

2. “Parties” means Parties to the Convention.

3. “Session” means the session of the Executive Body established in accordance with article 10, paragraph 1, of the Convention.

4. “Regional economic integration organization” means a regional economic integration organization referred to in article 14, paragraph 1, of the Convention.

5. “Chair” means the chair elected in accordance with rule 17 of these rules of procedure.

6. “Bureau” means the Bureau referred to in rule 20 of these rules of procedure.

7. “Subsidiary body(-ies)” means the Working Group on Strategies and Review, the Working Group on Effects and the Steering Body to the Cooperative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP).

8. “Secretariat” means, in accordance with article 11 of the Convention, the Executive Secretary of the United Nations Economic Commission for Europe (UNECE).

9. “Hybrid meeting” means a meeting that is conducted with the option of in-person or remote participation.

10 “Remote participation” means participation in a meeting through an Internet connection to a virtual meeting platform, whereby representatives can participate and address the meeting.

**III. Place and date of meetings**

**Rule 3**

1. In accordance with article 10, paragraph 1, of the Convention the Executive Body is to meet at least annually. The meeting dates shall be fixed by the Executive Body at previous meetings and after consultation with the secretariat. The sessions of the Executive Body shall be held at the United Nations Office at Geneva, unless the Parties decide otherwise.
2. In case a physical meeting cannot take place in accordance with rule 3, paragraph 1 the Bureau may, in consultation with the secretariat, decide to hold a hybrid meeting with remote participation
3. For hybrid meetings with remote participation additional operational rules, prepared by the Secretariat and adopted by the Executive Body, shall apply. Where a hybrid meeting is deemed necessary before the Executive Body has adopted the operating rules, draft operating rules set by the Bureau are applied to the extent necessary until the Executive Body can adopt them.
4. The operating rules shall supplement the rules of procedure to ensure - to the extent possible - that Parties retain the same rights, privileges and protections afforded to them in meetings with only in-person participation. The rules of procedure shall continue to apply in full and, in case of any conflict with the operating rules, take precedence.

**IV. Notification, agenda and documentation**

**Rule 4**

1. The secretariat shall notify all Parties in the working languages of the UNECE of the date and venue of a session at least six weeks before the session is to take place.

2. The secretariat shall also provide notification in the working languages of the UNECE of any session, including information on the date and venue, at least six weeks before the session is due to take place to:

(a) States and regional economic integration organizations that are signatories to the Convention, but have yet to become Parties.

(b) Any State or regional economic integration organization which is entitled under article 15, paragraph 2, of the Convention to accede to it and has requested to be so notified.

**Rule 5**

The secretariat shall, in cooperation with the Bureau, prepare the provisional agenda for each session.

**Rule 6**

1. The provisional agenda for each session shall include:

(a) The items whose inclusion was decided at a previous session;

(b) Any item proposed by the Bureau;

(c) Any item proposed by a Party before the provisional agenda is circulated;

(d) Any item proposed by a subsidiary body;

(e) Any item arising from the articles of the Convention or its Protocols;

(f) The proposed budget as well as all questions pertaining to the accounts and financial arrangements;

(g) Election of officers.

2. The first item on the provisional agenda for each session shall be the consideration and adoption of the agenda.

**Rule 7**

The provisional agenda, together with any official documents for the session, shall be distributed by the secretariat to the Parties and to the other States and organizations referred to in rule 4 at least six weeks before the opening of the session.

**Rule 8**

The secretariat shall, at the request of a Party or the Bureau, and with the agreement of the Chair, include in an addendum, to the provisional agenda, any issue suitable for the agenda which may arise between the dispatch of the provisional agenda and the opening of the session. The Executive Body shall examine the addendum together with the provisional agenda.

**Rule 9**

The Executive Body, when adopting the agenda, may add, delete, defer or amend items. Once a session has begun, only items that the Executive Body considers to be urgent and important may be added to the agenda.

**Rule 10**

1. All notifications and official meeting documentation prepared in connection with sessions of the Executive Body or of subsidiary bodies shall be distributed by electronic means, unless there are specific reasons requiring the use of other communication methods.

2. All such notifications and documentation shall be placed on the UNECE website when distributed to the Parties.

3. The Secretariat shall distribute the draft report of each session of the Executive Body or of subsidiary bodies to the Parties and organizations referred to in rule 4 no later than six weeks after the closure of the session to which the report relates.

**V. Representation and credentials**

**Rule 11**

Each Party participating in the session shall be represented by a delegation consisting of a head of delegation and such other accredited representatives, alternate representatives and advisers as may be required.

**Rule 12**

An alternate representative or an adviser may act as a representative upon designation by the head of delegation.

**Rule 13**

The credentials of all representatives shall be submitted to the secretariat at the latest 24 hours after the opening of the session. Notification of any subsequent change in the composition of the delegation shall also be submitted to the secretariat. Where new protocols or amendments to the Convention or to one of its protocols, other than amendments to the annex to the Protocol on Long-term Financing of EMEP, are to be adopted, the credentials shall be issued either by the Head of State or Government or by the Minister of Foreign Affairs or, in the case of a regional economic integration organization, by the competent authority of that organization. Adjustments to annex II to the 1994 Protocol on the Further Reduction of Sulphur Emissions and annex II to the Protocol to Abate Acidification, Eutrophication and Ground-level Ozone (Gothenburg Protocol) are not considered to be amendments.

**Rule 14**

Pending a decision on their credentials, delegates may participate provisionally in the meeting but not vote. The right to participate in the meeting shall not extend to persons whose credentials the Executive Body has decided are unacceptable.

**Rule 15**

The officers of any session shall examine the credentials and report on them to the Executive Body.

**VI. Observers**

**Rule 16**

1. Representatives of the States and organizations identified in rule 4, paragraph 2 (a), shall be entitled to participate in the proceedings of any session governed by these rules. Representatives of any State or regional economic integration organization that is entitled under article 15, paragraph 2, of the Convention to accede to it shall also be entitled to participate in such sessions, regardless of whether it has requested to be notified of such sessions.

2. Any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by the Convention and which has informed the secretariat of its wish to be represented at a session as an observer, may be so admitted, unless at least one third of the Parties present at the session object.

3. Such observers may, upon the invitation of the Chair, participate in the proceedings of any session in matters of direct concern to the body or agency they represent, unless at least one third of the Parties present at the session object.

4. Observers entitled to participate in sessions pursuant to this rule do not have the right to vote at such sessions.

**VII. Officers**

**Rule 17a**

1. The Executive Body shall have a Chair and [three][four Vice-chairs elected by the representatives of the Parties present at a session. In electing the Chair and the Vice-chairs due account shall be taken of geographical balance and gender parity, as much as possible.
2. The first term of office for a Chair or Vice- chair shall be [two][three] years, commencing at the end of the session at which the officer is elected. Officers shall be eligible for re-election for an additional term equal or less than [two][three] years but may not serve more than two consecutive terms unless the Executive Body decides otherwise
3. The Chair shall participate in the session in that capacity and shall not at the same time exercise the rights of a representative of a Party. The Chair or the Party concerned may designate another representative who shall be entitled to represent the Party in the session and to exercise the Party’s right to vote.

**Rule 17b**

1. In case an officer cannot be elected on the basis of consensus, a secret ballot vote shall take place to be organized by the secretariat.
2. The voting for the election of officers can only take place in the meeting room and only representatives physically present in this room can participate. The officers of the session shall count the votes and report the result to the Executive Body.
3. For the purposes of this rule, “Parties present and voting” means Parties physically present in the meeting room and casting an affirmative or negative vote. Parties abstaining from voting shall be considered as not voting.
4. If in the first ballot no candidate receives a majority of the votes cast by the Parties present and voting, a second ballot restricted to the two candidates obtaining the largest number of votes shall be taken. If the second ballot results in a tie, the Chair assisted by the secretariat shall decide between the candidates by drawing lots.
5. In the case of a tie in the first ballot among three or more candidates obtaining the largest number of votes, a second ballot shall be held. If a tie results among more than two candidates, the number shall be reduced to two by lot and the balloting, restricted to them, shall continue as described in paragraph 4 of this rule.
6. The minutes of the meeting shall record the officers nominated, the course of the vote and the final result.

**Rule 18**

1. In addition to exercising the powers conferred upon him or her elsewhere by these rules, the Chair shall:

(a) Declare the opening and closing of the session;

(b) Preside over the session;

(c) Ensure the observance of these rules;

(d) Accord the right to speak;

(e) Put questions to the vote and announce decisions;

(f) Rule on points of order;

(g) Subject to these rules, have complete control over the proceedings and maintain order.

2. The Chair may, moreover, propose:

(a) The closure of the list of speakers;

(b) A limitation on the time to be allowed to speakers and on the number of times each representative may speak on a question;

(c) The adjournment or closure of debate;

(d) The suspension or adjournment of the session.

3. The Chair, in the exercise of his or her functions, remains under the authority of the Executive Body.

**Rule 19**

1. If the Chair is temporarily absent from a session or any part thereof a Vice-Chair shall act as Chair.
2. If the Chair resigns before the end of its term of office, or the Chair is unable to complete his or her term of office or to perform his or her functions, a new Chair shall be elected at the next session of the Executive Body. Until then one of the Vice-Chairs shall act as Chair.

**VII-bis. The Bureau**

**Rule 20**

1. The Bureau consists of the Chair of the Executive Body and [three][four] Vice-Chairs, along with the Chairs of the subsidiary bodies and the Implementation Committee.

2. The Bureau shall be chaired by the Chair of the Executive Body or, in his or her absence, by a Vice-Chair.

3. If a Vice-Chair of the Executive Body resigns or is otherwise unable to complete the assigned term of office or to perform the functions of the office, a representative of the same Party shall be named by the Party concerned to replace the said member until the next session of the Executive Body, at which session a replacement shall be elected for the remainder of that member’s mandate.

4. The dates of the Bureau meetings, the annotated agenda and the notes of Bureau meetings shall be posted on the website of the Convention as soon as practicable.

 **VIII. Subsidiary bodies**

**Rule 21**

1. These rules of procedure shall apply mutatis mutandis to meetings and the proceedings of subsidiary bodies, save as otherwise specified in paragraphs 2 to 7 below or decided by the Executive Body.

2. The Executive Body shall determine the matters to be considered by the subsidiary bodies and shall establish their terms of reference and programmes of work.

3. The Executive Body may decide the periodicity of meetings for any subsidiary body in the period between sessions.

4. Unless the Executive Body decides otherwise, each subsidiary body shall elect its own chair and vice-chair(s), with the exception of the Chair of the Working Group on Strategies and Review, who shall be elected by the Executive Body.

5. Notwithstanding rule 17.1, a subsidiary body may decide on the number of vice-chairs required to conduct its business. If a subsidiary body decides to elect more than three vice-chairs it shall consider staggering their terms of office.

6. Rules 11 to 15, [] and 30 shall not apply to the proceedings of subsidiary bodies.

7. These rules shall not apply to bodies established by subsidiary bodies.

**IX. Secretariat**

**Rule 22**

1. The Executive Secretary of the UNECE shall act as secretariat for all sessions of the Executive Body and for all sessions of the subsidiary bodies. He or she may delegate his or her functions to a member of his or her staff .

**Rule 23**

For all sessions of the Executive Body, and for all sessions of the subsidiary bodies, and in accordance with article 11 of the Convention, the secretariat shall, inter alia:

(a) Prepare, in consultation with the Bureau, the documentation for the session;

(b) Arrange for the translation, reproduction and distribution of the documents;

(c) Make the necessary arrangements for meetings;

(d) Discharge any other functions assigned to it by the Executive Body.

**X. Conduct of business**

**Rule 24**

1. No one may speak at a meeting without having previously obtained the permission of the Chair. The representatives of the States and organizations entitled to participate under rule 4 shall be entitled to seek to address the Executive Body under each agenda item and, having made such a request, shall be included on the list of speakers. The Chair may call a speaker to order if the latter’s remarks are not relevant to the subject under discussion.

2. The Executive Body may, on a proposal from the Chair or from any Party, limit the time allowed to each speaker and the number of times each representative may speak on a question. When it has been decided to so limit the time for debate and a speaker exceeds the allotted time, the Chair shall call him or her to order without delay.

3. The Executive Secretary of the UNECE, or his or her representative, may at any session make either oral or written statements concerning any question under consideration.

**Rule 25**

An officer of a subsidiary body may be invited to present and explain the conclusions and recommendations arrived at by that subsidiary body.

**Rule 26**

During the discussion of any matter, a representative of a Party may at any time raise a point of order, which shall be decided immediately by the Chair in accordance with these rules. A representative of a Party may appeal against the ruling of the Chair. The Chair may then, following consultation if he or she so desires, deem that the appeal should be put to the vote immediately, whereupon the ruling shall stand unless overruled by a majority of the Parties present and voting. A representative may not, in raising a point of order, speak on the substance of the matter under discussion.

**Rule 27**

Any motion calling for a decision on the competence of the Executive Body to discuss any matter or to adopt a proposal or an amendment to a proposal submitted to it shall be decided on before the matter itself is discussed or a decision is taken on the proposal or amendment in question.

**Rule 28**

1. Without prejudice to paragraph 2 of this rule, proposals and amendments to proposals shall normally be presented in writing and handed to the secretariat, which shall circulate copies to the Parties. As a general rule, no proposal shall be discussed or put to the vote at any session unless copies of it have been circulated to delegations not later than 24 hours in advance. The Executive Body may, however, on a proposal from the Chair, permit the discussion and consideration of amendments to proposals or of procedural motions even though those amendments or motions have not been circulated or have been circulated only the same day.

2. Proposals for amending the Convention or its Protocols shall be submitted to the secretariat at least four months before the session at which they are proposed for adoption, so that the secretariat can communicate them to the Parties in the official languages of the UNECE at least ninety days before the session, in accordance with article 12 of the Convention and the relevant articles of its Protocols.

3. Notwithstanding paragraph 2, proposals for amending the Convention or its Protocols that are accompanied by an unofficial translation into the other two working languages of the UNECE may be submitted to the secretariat after the four-month deadline provided that the secretariat can communicate them to the Parties at least ninety days before the session, in accordance with article 12 of the Convention or the relevant article of the appropriate protocol.

**XI. Decision-making**

**Rule 29**

1. The Executive Body shall make every effort to reach its decisions by consensus, being the absence of a formal objection by a Party to the Convention or to one of its Protocols, as appropriate.

2. For the purpose of decision-making, a majority of the Parties to the Convention or to one of its Protocols, as appropriate, shall constitute a quorum.

3. If all efforts to reach consensus have been exhausted and no agreement reached, decisions on substantive matters shall, as a last resort, be taken by a three-fourths majority vote of the Parties present and voting, except where the Convention, applicable Protocol or these rules provide otherwise.

4. When decisions of the Executive Body on procedural matters cannot be reached by consensus, their adoption shall require a simple majority vote of the Parties present and voting at the session.

5. If the question arises whether a matter is one of a procedural or substantive nature, the Chair shall rule on the question. An appeal against this ruling shall immediately be put to the vote, and the Chair’s ruling shall stand unless overruled by a three-fourths majority of the Parties present and voting.

6. For the purposes of this rule, “Parties present and voting” means Parties present and casting an affirmative or negative vote. Parties abstaining from voting shall be considered as not voting.

7. Except as provided for in paragraph 8 of this rule, each Party shall have one vote.

8. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with a number of votes equal to the number of their member States which are Parties to the Convention or to the Protocol in question, as appropriate. Such organizations shall not exercise their right to vote if their member States exercise theirs, and vice versa.

**Rule 30**

1. Voting shall normally be by show of hands. A roll call vote shall be taken if so requested by any Party. The roll call shall be taken in the English language alphabetical order.
2. The overall result of the vote shall be recorded in the report of the meeting. Any party may request that its vote shall be explicitly mentioned in the report of the meeting.

**Rule 30bis**

Any amendment to decision 1997/2, and any other decision of the Executive Body pertaining to the Implementation Committee or its procedures, shall be made by consensus of the Parties to the Convention meeting within the Executive Body.

**XII. Languages**

**Rule 31**

1. Statements made in a working language of the UNECE shall be interpreted into the other working languages.

2. A representative may speak in a language other than a working language of the UNECE, if he or she provides for interpretation into one of the working languages.

**Rule 32**

Official documents of the sessions shall be drawn up in one of the working languages and translated into the other working languages.

 **XIII. Amendments to rules of procedure**

**Rule 33**

Amendments to these rules of procedure shall be adopted by consensus of the Executive Body.

  **XIV. Overriding authority of the Convention and its Protocols**

**Rule 34**

In the event of a conflict between any provision of these rules and any provision of the Convention or one of its Protocols, the provision of the Convention or the Protocol, as appropriate, shall prevail.