

RULES OF PROCEDURE OF THE HELSINKI COMMISSION - BALTIC MARINE ENVIRONMENT PROTECTION COMMISSION

adopted by the Extraordinary Meeting on 7 September 1999; and revised by the 21st meeting of the Commission in 2000, by the 22nd meeting in 2001, by the 23rd meeting in 2002, by the 29th meeting in 2008 and by the 41th meeting of the Heads of Delegation in 2013 as mandated by the 34th meeting of the Commission in 2013.

RULE 1 REPRESENTATION

1.1 Each Contracting Party to the Convention on the Protection of the Marine Environment of the Baltic Sea Area (hereinafter referred to as "the Convention") shall be represented on the Baltic Marine Environment Protection Commission (hereinafter referred to as "the Commission") by a delegation consisting of representatives, alternate representatives, experts and advisers as may be required by that Party.

1.2 The names of the members of a delegation shall be submitted to the Executive Secretary not less than one week before the date fixed for the opening of any meeting of the Commission.

1.3 Upon invitation by the Commission the Government of any state not party to the Convention may be represented at the meetings of the Commission by one or more observers.

1.4 Upon invitation by the Commission any intergovernmental organization and non-governmental international organization with specialized technical, scientific or equivalent expertise pertinent to objectives of the Convention may be represented at the meetings of the Commission as an observer. The criteria and the selection process for granting such status, the suspension of such status as well as the rights and obligations of such an observer in the deliberations of the Commission is adopted by the Commission.

1.5 Upon the invitation issued by the Executive Secretary on behalf of the Commission, the Contracting Parties undertake to authorize at no expense and delay the entry of the delegates appointed for attending meetings of the Commission or its subsidiary bodies which are called to be held in their countries.

1.6 The Executive Secretary may, within the quota of the budget adopted by the Commission, after consultation with the Chairman, designate observers to meetings of other international organizations.

RULE 2 CHAIRMAN

2.1 The chairmanship of the Commission shall be given to each Contracting Party in turn in alphabetical order of the names of Contracting Parties in the English language.

2.2 The Contracting Party chairing the Commission shall nominate the Chairman and a Vice-Chairman six months in advance. If the Chairman finds it necessary to be absent during any meeting or any part thereof and/or is unable to perform his/her functions the Vice-Chairman shall take his/her place.

2.3 The Chairman shall serve for a period of two years, and cannot during the period of his/her chairmanship serve as representative of his/her country.

2.4 Should the chairmanship fall vacant, the Contracting Party chairing the Commission shall nominate a successor to remain in office until the term of chairmanship of that Contracting Party expires.

2.5 In addition to exercising the powers and duties conferred upon him/her elsewhere in these Rules the powers and duties of the Chairman shall be:

- a) to convene the regular and extraordinary meetings of the Commission and of the Heads of Delegation;
- b) to declare the opening and closing of these meetings;
- c) to preside at all meetings of the Commission and of the Heads of Delegation;
- d) to ensure observance of these Rules and to decide all questions of order raised at meetings of the Commission and of the Heads of Delegation, subject to the right of any representative to request that any ruling by the Chairman shall be submitted to the Commission for decision by vote;
- e) generally, to make such decisions and give such guidance to the Executive Secretary as will ensure that the business of the Commission is carried out efficiently and in accordance with its decisions.

RULE 3 MEETINGS OF THE COMMISSION

3.1 Upon convocation by the Chairman the Commission shall hold a regular meeting at least once a year, at ministerial level at least every three years, unless the Heads of Delegation decide otherwise. The regular meeting of the Commission where it is proposed that the budget shall be adopted shall be held not later than 1st May each year. These meetings shall be held in the Helsinki region unless the Commission decides otherwise. The date of the next Commission meeting shall be set at each meeting.

3.2 An extraordinary meeting of the Commission shall be convened at any time at the request of any Contracting Party, provided that such a request is endorsed by another Contracting Party. The meeting shall be held as soon as possible at such time and place as the Chairman determines, but, not later than ninety days after the Executive Secretary has received the written endorsement by another Contracting Party.

3.3 Invitations to the meetings of the Commission shall be issued by the Executive Secretary to all Contracting Parties and to any Government, any intergovernmental organization and any non-governmental international organization invited by the Commission to send observers to the meetings, at least sixty days before the date fixed for the opening of the regular meeting. Invitations to extraordinary meetings shall be transmitted without delay by the Executive Secretary after having received the request by a Contracting Party and the written endorsement by another Contracting Party, if possible sixty but not later than thirty days before the date fixed for the opening of the extraordinary meeting.

3.4 The meetings of the Commission shall be private, unless the Commission decides otherwise.

3.5 The Agenda and Annotations to the Agenda of each meeting can be made available at the HELCOM web-site after their submission while the other documents submitted for consideration of the Commission can be made available at the HELCOM web-site after the respective meeting, unless otherwise decided by the meeting or the author of the document(s) in question.

RULE 4 MEETINGS OF HEADS OF DELEGATION

4.1 Heads of Delegation shall normally meet twice a year, unless the Heads of Delegation decide otherwise, to

- a) supervise implementation of Commission policy;
- b) make policy and strategy proposals to the Commission;
- c) provide guidance to and support the Executive Secretary in programme development and management; and
- d) carry out all other tasks which they may be given by the Commission.

4.2 For promoting the NGO and Observer consultation process meetings of Heads of Delegation shall be open to any organization given the observer status by the Commission to be represented by maximum one person. Heads of Delegations may decide on particular issues such as financial and institutional/organizational aspects of the Commission to be dealt with in an internal part of the meeting. The agenda and preliminary timetable with relevant documents of the meeting, except those documents concerning internal issues, will be distributed to all invited participants thirty days in advance.

4.3 The Heads of Delegation may invite, as appropriate, the Chairmen or Vice-Chairmen of subsidiary bodies and PITF to participate in their meetings.

RULE 5 AGENDA

5.1 The Executive Secretary shall in consultation with the Chairman prepare the provisional agenda for the meetings of the Commission and for meetings of the Heads of Delegation.

5.2 The provisional agenda of meetings of the Commission and to the extent possible the supporting documents shall be transmitted by the Executive Secretary to the Contracting Parties and the observer organizations at least sixty days before the date of the regular meeting and without delay after the submission of the request for the convocation of an extraordinary meeting, unless otherwise decided by the Heads of Delegation.

5.3 Items may be placed on the provisional agenda of the Commission at the request of the Chairman, the Heads of Delegation, or any Contracting Party.

5.4 The provisional agenda for an extraordinary meeting shall consist of items proposed for consideration in the request for the holding of the meeting.

RULE 6 SUBMISSION OF DOCUMENTS FOR MEETINGS OF THE COMMISSION

6.1 Basic documents and documents which require action or decision by the Commission shall be received by the Secretariat not later than twenty-two days before the opening day of a meeting, and the Secretariat shall circulate documents which require action or decision by the Commission not later than twenty-one days before the opening day of a meeting, unless otherwise decided by the Heads of Delegation. Bulky documents should include abstracts embodying the essence of the proposals and action requested from the body in question.

6.2 Documents containing comments to the basic documents shall be accepted if they are received by the Secretariat not later than seven days before the opening of a meeting.

6.3 With the consent of all the Delegations present at a meeting of the Commission documents submitted at a meeting may be considered at the meeting in question.

RULE 7 SUBSIDIARY BODIES OF THE COMMISSION

7.1 The Heads of Delegation may establish such subsidiary bodies as are necessary for involving the expertise of the Contracting Parties to enable the Commission to perform its functions. The Heads of Delegation shall determine the terms of reference of such bodies, specifying objectives, time frame, budgets and reporting requirements, as well as guidelines for the publication and dissemination of results.

7.2 The subsidiary bodies shall submit for the approval of Heads of Delegation their annual work programmes as well as annual reports on the implementation of their work programme.

7.3 The subsidiary bodies and PITF shall receive technical and administrative support from the Secretariat.

7.4 Any organization given the observer status by the Commission may be represented at meetings of the subsidiary bodies of the Commission, as appropriate.

7.5 Each subsidiary body shall elect a Chairman and a Vice-Chairman. The Chairmen of the subsidiary bodies may exercise the right to vote on behalf of their delegations.

7.6 The subsidiary bodies shall report through the Secretariat to the Heads of Delegation on the election of Chairman and Vice-Chairman.

7.7 The Rules of Procedure applicable to the conduct of the business of the Commission shall apply mutatis mutandis to the subsidiary bodies of the Commission or their sub-groups/projects.

RULE 8 VOTING

8.1 Each Contracting Party shall have one vote in the Commission. Within the area of its competence, the European Community is entitled to a number of votes equal to the number of its Member States which are the Contracting Parties to the Convention. The European Community shall not exercise its right to vote in cases where its Member States exercise theirs and conversely.

8.2 Decisions of the Commission, the Heads of Delegation and the subsidiary bodies shall be taken unanimously in accordance with the Convention.

8.3 Between meetings of the Commission a written vote may be taken.

8.4 Any amendment to a proposal before the Commission shall be voted on before the proposal.

RULE 9 EXECUTIVE SECRETARY AND SECRETARIAT

9.1 The Commission shall appoint the Executive Secretary and determine his/her duties, terms and conditions of service.

9.2 The Executive Secretary is the chief administrative official of the Commission. All communications to and from the Commission and Heads of Delegation shall be addressed to or dispatched by the Executive Secretary. He/she shall be responsible to the Commission and Heads of Delegation for the management of the Office of the Commission (hereinafter referred to as "the Secretariat") and for the receipt and disbursement of all monies received by the Commission.

9.3 In addition to exercising the powers and duties conferred upon him/her elsewhere by the Rules the Executive Secretary shall:

- a) implement policies, strategies and programmes approved by the Commission and Heads of Delegation;
- b) advise the Commission and Heads of Delegation on policy formation;
- c) appoint general staff of the Secretariat and, in consultation with the Heads of Delegation, the professional staff;
- d) assign duties within the Secretariat for the provision of technical and administrative support to the Commission, Heads of Delegation, subsidiary bodies of the Helsinki Commission and PITF;
- e) ensure effective communication and coordination between the subsidiary bodies of the Helsinki Commission and within the Secretariat;
- f) ensure the training, development and annual assessment of all staff of the Secretariat;
- g) be responsible for the proper execution of the budget, and for all other tasks conferred on him/her by the Financial Rules of the Helsinki Commission;
- h) ensure, together with the Chairman, proper representation of the Helsinki Commission in international fora and public awareness of the activities of the Commission;
- i) ensure the efficient functioning of the Helsinki Commission alarm and warning system;
- j) promote development of a team culture, mutual assistance and readiness to accept new and other tasks within the Secretariat; and
- k) perform such other functions and duties as may be entrusted to him/her by the Commission or Heads of Delegation.

9.4 The Secretariat shall have the power of initiative, i.e., to prepare and present to the Heads of Delegation proposals on strategies, policies, Commission Recommendations and decisions and any other actions on administration, budget, etc. related to the running of the Commission and the execution of the duties of Secretariat.

9.5 The Secretariat of the Commission shall be in Helsinki.

RULE 10 LANGUAGE OF THE COMMISSION

The working language of the Commission shall be English.

RULE 11 RECORDS AND REPORTS

11.1 At the end of each meeting the Commission shall adopt a list of decisions. The Executive Secretary shall, in consultation with the Chairman and in time decided by the meeting, submit minutes of the meeting including the list of main decisions, to all Contracting Parties and to any Government, intergovernmental organization and non-governmental international organization invited to send observers to the meeting.

11.2 At the end of each meeting the Heads of Delegation shall adopt a list of decisions. The Executive Secretary shall, in consultation with the Chairman and in time decided by the meeting, submit minutes of the meeting including the list of main decisions to all Contracting Parties and any invited participants.

11.3 The subsidiary bodies shall report to the Commission or Heads of Delegation in accordance with their terms of reference.

11.4 The Executive Secretary shall prepare an annual report and submit it for approval to the Commission.

11.5 No report shall be considered an official report of the Helsinki Commission until it has been approved by the Commission or Heads of Delegation.

RULE 12 AMENDMENTS TO THE RULES OF PROCEDURE

These Rules of Procedure may be amended by the Commission by unanimous decision.
