

RULES OF PROCEDURE

Council of European Municipalities and Regions AISBL

Adopted by the CEMR Policy Committee of Soria

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Council of European Municipalities and Regions
European section of United Cities and Local Governments

Rules of procedure

1. CEMR Membership

1.1 Becoming a CEMR Member

- 1.1.1 A national association or section of local / regional authorities seeking CEMR membership must complete an application dossier which allows for verification that the membership criteria are respected (Article 4.1.a.1 of the Statutes). This procedure shall also be applicable with regard to associate membership.
- 1.1.2 Concerning the matter of taking into account “particular constitutional or political situations” (Article 4.1.a.4 of the Statutes), the decision of the Policy Committee should be based on a specific report by the Secretary General.
- 1.1.3 Should an association submit an application for membership from a country in which CEMR already has a member, that member shall be consulted first concerning the request, prior to any study of the application by CEMR’s organs.
- 1.1.4 If multiple associations in one country are members, they agree to actively cooperate with regard to respecting membership duties, and especially concerning the common designation of representatives to the statutory organs and for the apportioning of affiliation fees. The apportioning of affiliation fees, once jointly determined, shall be communicated to the Secretariat General.
- 1.1.5 In the event of a disagreement over the apportioning of affiliation fees, it shall be the task of the Financial Management Committee to recommend a solution to the Policy Committee.

1.2 Resignation

- 1.2.1 Resignation of a member is brought to the attention of the Secretariat General in writing. In such a case, the affiliation fee for the current and coming year shall be due.

1.3 Dismissal

- 1.3.1 Resignation of a member is brought to the attention of the Secretariat General in writing. In such a case, the affiliation fee for the current and coming year shall be due.

2. CEMR Membership

2.1 The statutory organs of CEMR are the Assembly of Members (Policy Committee), the Board of Directors (Executive Bureau) and the Financial Management Committee. In addition, the Secretaries General and Directors of the national associations are convened to meet upon the initiative of the Secretary General.

2.2 In accordance with Article 5.5 of the Statutes, and the commitments promoted in CEMR's "*European Charter for Equality of Women and Men in Local Life*", CEMR shall aim to ensure a balanced representation, in particular between women and men, within the statutory organs. All national delegations should include representatives of both genders. In this context, the following distributions for national delegations must be respected:

Minimum representation of each gender in the national delegation shall be:

- 1 delegate of each gender for 2 or 3 seats' delegations on the Policy Committee;
- 2 delegated of each gender for 4 or 5 seats' delegations on the Policy Committee;
- 3 delegated of each gender for 6 or 7 seats' delegations on the Policy Committee;
- 4 delegated of each gender for 8 seats' delegations on the Policy Committee.

This rule applies equally and separately to full delegates and to substitute delegates of the Policy Committee. The minimum representation of each gender in the Executive Bureau and in the Financial Management Committee shall be of at least 30 %. Any proposed delegation that does not fulfil these conditions will not be validated by the Secretariat General.

2.3 In addition, nominations to the Policy Committee should, as far as possible, respect a geographic and territorial balance, representing the different spheres of local / regional authorities.

2.4 The nomination of substitute delegates will be carried out in accordance with Article 5.3 of the Statutes. However, in order to take into account, the diversity of national cultures, national associations and sections will have the possibility of designating among their substitute delegates the association's highest officer who is politically responsible and accountable before their own statutory bodies.

2.5 The national associations or sections shall transmit to the Secretariat General the proposals for appointment of the full and substitute delegates of the Policy Committee, at the time of the three-yearly elections. Any changes over the course of the mandate must be notified to the Secretariat General in writing, including appointments for vacant positions. The changes must maintain previous balances (Articles 1.2.2 and 1.2.3 of the Rules of procedure). Verification of credentials shall occur at the outset of each meeting.

2.6 Observers may be invited to attend the meetings of the statutory bodies. The President and the Secretary General of UCLG shall be permanently invited to the meetings of CEMR's Policy Committee.

3. The functioning of the organisation

3.1 Convening meetings, quorum, procedures for voting and candidatures

- 3.1.1 Members shall receive invitations for their delegates to attend the meetings of the Executive Bureau and Policy Committee by circular letter from the Secretariat General. These shall be sent at a minimum of sixty days before meetings, except under exceptional circumstances, the reasons for which shall be justified. Such invitations may be sent electronically. The calendar of meetings is fixed, as far as possible, during the last meeting of the Policy Committee of the previous year.
- 3.1.2 The quorum (Article 7.1 of the Statutes) is deemed to be met, unless a delegate explicitly requests its verification at the opening of the meeting or in the course of the meeting. If this verification takes place in the course of the meeting, it shall not affect the validity of decisions taken previously.
- 3.1.3 In accordance with Article 7 of the Statutes, voting by proxy shall be allowed to the extent of one written proxy for each full delegate. Only full delegates or substitutes of the Policy Committee may vote, and substitutes may only vote with a written proxy from the full delegate or the national association or section, on his/her behalf. Substitutes may attend meetings, but only vote in the absence of the full delegate, and Article 5.6 of the Statutes should be understood in this way.
- 3.1.4 In accordance with Article 7.3.c of the Statutes and unless there is an agreement approved by the Policy Committee, the representatives of a full or associate member shall have their voting rights restricted if, 7 working days prior to the vote, the latter are in default of payment of their affiliation fees for the two financial years preceding the meeting. If a meeting takes place in the last trimester of the year, the payment of the first instalment of that financial year is required.
- 3.1.5 Restriction of voting rights shall be implemented on a national basis as follows:
- For a national delegation of 3 or 4 seats:
If less than 50 % of the fees are settled, 2 seats are suspended;
If more than 50 % but less than 100 % are settled, 1 seat is suspended.
 - For a national delegation of 5 or 6 seats:
If less than 50 % of the fees are settled, 3 seats are suspended;
If more than 50 % but less than 100 % are settled, 2 seats are suspended;
 - For a national delegation of 7 or 8 seats:
If less than 50 % of the fees are settled, 4 seats are suspended;
If more than 50 % but less than 100 % are settled, 3 seats are suspended.
- 3.1.6 If a member is in default of payment of over two financial years of its affiliation fees (Articles 2.1.4 and 2.1.5) and without previous agreement approved by the Policy Committee, its voting rights will be suspended and its membership might be temporarily revoked, until a financial agreement is reached.

- 3.1.7 Voting shall be, in principle, by open vote. Vote by secret ballot or via an electronic device should be carried out for elections and budget approval or at the initiative of the Chair of the meeting or at the request of more than one delegate in the Policy Committee. The results shall be made public immediately after the vote. In the case of elections, if more than one candidature is received, the candidate who receives the absolute majority of votes in the first round will be selected. If there is no absolute majority, a second round will be organised in order to decide between the two candidates that obtained the most votes in the first round.
- 3.1.8 Concerning candidatures for office within the statutory organs, the nomination procedure, including applicable deadlines, shall be launched by the Secretariat General, in writing, toward the national associations or sections at a minimum of six months before the date of the election. Nominations should be submitted in writing before a deadline that must be strictly respected. This deadline shall be fixed at four weeks prior to the vote on the political roles, and one week prior to the relevant meeting for the constitution of the Policy Committee.
- 3.1.9 Position papers proposed by the committees and the expert groups are submitted for endorsement to the Secretaries General and Directors, then for ratification to the Policy Committee or Executive Bureau. The same applies for resolutions, declarations and other papers of particular interest such as budgetary proposals. Secretaries General and Directors, and Policy Committee or Executive Bureau delegates may table amendments, both written and orally to the texts that are submitted for approval. These should be circulated prior to and made public during the meeting.

3.2 Modalities and settlements of affiliation fees

- 3.2.1 The affiliation fee scale is fixed by the Policy Committee, on the basis of national population and GDP per capita. Except in the case of a special agreement, affiliation fees shall be called in three instalments (for 31 January, 1 April and 1 October) and paid in euros.
- 3.2.2 The Policy Committee may accept that the application of the affiliation fee scale have the flexibility to take into account specific or exceptional national situations, on the basis of a recommendation of the Financial Management Committee.

4. Article 4: CEMR committees and working structures

4.1 CEMR committees

- 4.1.1 The Policy Committee or Executive Bureau may set up committees, standing or ad hoc, and to deal with political issues or matters of major importance for the organisation. These shall be made up of local and regional elected representatives, based on proposals of the national associations or sections, and shall be supported by officers or experts proposed by the associations or

sections. The Policy Committee retains the right to restrict a given committee to elected representatives only.

- 4.1.2 CEMR committees shall be chaired by a person holding political office who shall be elected by the Policy Committee. The committees may, as appropriate, propose recommendations with a view to the election. The chairs shall be appointed according to modalities based on those implemented for nominations of the representatives within CEMR's statutory organs.
- 4.1.3 The "Standing Committee for Equality of Women and Men in Local Life" is instituted as a standing committee, the modalities of designation of its members are subject to the same criteria as other committees. However its dissolution must be approved by a $\frac{2}{3}$ majority of members of the Policy Committee.
- 4.1.4 The mandate of the Chairs of committees shall be limited to three years. No Chair should hold the post for more than two consecutive terms.
- 4.1.5 Committee Chairs shall be entitled to attend meetings of the Policy Committee and of the Executive Bureau as observers.
- 4.1.6 Expenses incurred for travel of committee Chairs for the purpose of representing the organisation may be covered by CEMR, after agreement of the Secretary General. Travel to meetings of the Policy Committee and Executive Bureau shall be covered by the relevant national association(s) or section(s).

4.2 Technical working structures

- 4.2.1 Technical working structures – known as expert groups – which essentially concern associations' or sections' experts and officers are not concerned by the provisions of Article 4.1 of the Rules of procedure and may organise their work in a more flexible way.
- 4.2.2 Expert groups are established by the Policy Committee, or alternatively by the Executive Bureau. They are not permanent structures. However, in order to be properly established, they shall require a minimum of four contributing members, as well as a coordinator nominated by a CEMR member association.
- 4.2.3 Expert groups shall have a working programme including a lobbying and communication plan. The Secretariat will provide an electronic repository for members to share and store documents.

4.3 Spokespersons

- 4.3.1 The Policy Committee shall appoint spokespersons for specific policy areas.
- 4.3.2 Spokespersons shall hold a local or regional political mandate. They shall be associated to the relevant CEMR work falling under their scope; chair the corresponding committee; report, chair or participate to the political discussions on their fields in the meetings of the CEMR's statutory bodies; represent CEMR in the dialogue with European and international institutions, civil society organisations and any other third party, on the occasion of high-level events or

any other relevant meetings; and bring forward the voice of the entire network, by echoing the positions formally approved by the Policy Committee.

- 4.3.3 Expenses incurred for travel of spokespersons or for the purpose of representing the organisation may be covered by CEMR, after agreement of the Secretary General. Travel to meetings of the Policy Committee and Executive Bureau shall be covered by the relevant national association(s) or section(s).

5. Secretary General

- 5.1. The terms of reference of the Secretary General's mandate shall be approved by the Policy Committee, upon the proposal of the President. The conditions of the mandate drawn up on this basis shall be negotiated with CEMR's President and the Chair of the Financial Management Committee. The mandate may be held either by a natural or legal person.
- 5.2. The election procedure of the Secretary General is launched upon initiative of the President. A recruitment announcement shall be diffused in specialised media and national associations/sections. Shortlisted candidates shall be interviewed by a panel of at least three members from the CEMR political leadership from among the President, the two Co-Presidents, the Chair of the Financial Management Committee, and one or several member(s) of the Executive Bureau. The President may request the support of an adviser. The recommendation of this panel (be it one candidate or the choice between several potential candidates) shall be submitted to the Policy Committee.
- 5.3. The Secretary General has a general delegation to sign legal documents and contracts with regard to the functioning of the organisation, under the supervision of the President and the Co-Presidents, and in accordance with European and national legislation. The Secretary General may delegate his/her signature to other colleagues within the Secretariat General, depending on rules approved by the Financial Management Committee.
- 5.4. As necessary, the Deputy Secretary General works under the supervision of the Secretary General. The modalities of recruitment for this position and his/her status shall be based on the aforementioned dispositions.
- 5.5. The Secretary General shall report annually to the Policy Committee on the activities of the Secretariat and the objectives fixed in conjunction with the President, the Co-Presidents and the Chair of the Financial Management Committee.
- 5.6. The President, the Co-Presidents and the Chair of the Financial Management Committee have an annual evaluation meeting with the Secretary General, in order to monitor the objectives as mentioned in Article 5.5 and to discuss and agree on targets for the coming year. This meeting will take place at least one month before the second Policy Committee meeting of the year. The President will present a short oral summary of the meeting to the Policy Committee.

6. Article 6: Other provisions

6.1 President, Co-Presidents, Chair of the Financial Management Committee, Executive Presidents and Vice Presidents

- 6.1.1 The President, the Co-Presidents, and the Chair of the Financial Management Committee constitute the CEMR Presidency.
- 6.1.2 If needed, the Presidency meets, in the presence of the Secretary General and at the request of the President or at the invitation of the Secretary General.
- 6.1.3 The Presidency shall not replace the Executive Bureau. Nevertheless, it offers a platform of exchange between members of the political leadership of the organisation and with the Secretary General on the priorities to be presented to the Executive Bureau and the Policy Committee.
- 6.1.4 The President, and in cases of absence the both of the Co-Presidents, shall have a general delegation of signature, in the name of CEMR, including in cases of litigation involving the organisation.
- 6.1.5 The Co-Presidents may represent the President on any occasion. In the case of the President's absence, they shall be called upon to chair the meetings of the Executive Bureau or Policy Committee.
- 6.1.6 The Executive Presidents participate in the political representation of the organisation.
- 6.1.7 Each country in which CEMR has membership, and which is not represented on the Executive Bureau, may propose an appointment by the Policy Committee of one Vice-President Non-member of the Executive Bureau. The Vice-Presidents who are not members of the Executive Bureau may be invited to attend the meetings of the Executive Bureau, without right of vote.

6.2 Financial Management Committee

- 6.2.1 Members of the Financial Management Committee are elected by the Policy Committee among its delegates.
- 6.2.2 They are responsible for the monitoring of CEMR's financial affairs, and in particular formulate recommendations to the Policy Committee on the budget.
- 6.2.3 Financial Management Committee meeting files shall be available on the electronic repository for members before the meeting; minutes shall also be uploaded on the repository after the meeting.
- 6.2.4 Expenses incurred for travel shall be covered by the national association or section.

6.3 Secretaries General and Directors

- 6.3.1 In order to ensure the smooth running of CEMR and to support the adoption of strategic decisions, the CEMR Secretary General shall convene at least thirty days before each Policy Committee, and when necessary, meetings of the Secretaries General and Directors of the national sections and associations and associate members. Secretaries General and Directors may be represented at such meetings by a designated official, having previously notified the CEMR Secretary General.

6.4 Internal auditors

- 6.4.1 The Policy Committee shall appoint a maximum of three internal auditors for a three-year mandate, renewable.
- 6.4.2 The internal auditors meet once a year. They have access to all the accounts of the organisation. They examine the accounts of the previous year, CEMR financial arrangements and give their views on the value for money issues. More particularly, they check if the financial resources are allocated in accordance with the strategy and priorities defined by CEMR statutory bodies.
- 6.4.3 The internal auditors meet before the first yearly Financial Management Committee and they report to them. They are also invited to attend the meetings of the FMC and the meetings of the Policy Committee where financial matters are due to be debated. Travel costs shall be covered by CEMR for internal honorary auditors meetings in Brussels and for attendance to the FMC meetings. All other costs shall be covered by the relevant national association or section.

6.5 Designation of the host city/region of the General Assembly

- 6.5.1 CEMR organises, in principle every four years, a General Assembly of European municipalities and Regions.
- 6.5.2 A call for candidacies is launched in particular via the members based on terms of reference approved by the Secretaries General and Directors. The host city/region must submit to the Secretariat General a complete application dossier responding to the essential criteria before a deadline which shall be strictly respected. The Policy Committee shall interview and select the host city/region based on a shortlist drawn up by the Secretaries General and Directors.
- 6.5.3 In the case of multiple candidacies the selection of the host shall be carried out by a vote by secret ballot. The provisions of Article 3.1.7 of the Rules of procedure shall apply to the selection of the host city/region.

6.6 Co-operation between CEMR & other organisations

- 6.6.1 CEMR co-operates with other organisations in Europe or in other regions of the world which work particularly for the promotion of local and regional self-government.

6.6.2 It develops close working relations with the Congress of the Council of Europe and the Committee of the Regions of the European Union.

6.6.3 As European section of UCLG, CEMR undertakes to ensure the effective participation of European local and regional authorities within the world organisation, particularly through the “UCLG Europe Coordination Platform”.

6.7 Dissolution of CEMR

6.7.1 In the event of a proposal for dissolution of CEMR (Article 15.3 of the Statutes), the member associations shall be notified, at latest two months before the launch of the process is to be debated.

6.8 Revision and entry into force

6.8.1 These Rules of procedure shall enter into force at a date to be fixed by the Policy Committee. They may be revised at any time by the Policy Committee.

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