



***PAN-EUROPEAN BIOLOGICAL AND LANDSCAPE
DIVERSITY STRATEGY***

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**Bureau of the Council for the
Pan-European Biological and Landscape Diversity Strategy**

Twelfth meeting
Geneva, 16 September 2005

**PROPOSALS FOR AMENDED TERMS OF REFERENCE
OF THE BUREAU OF PEBLDS**

Prepared by the Joint Secretariat for the PEBLDS

Introduction

The enclosed amended Terms of Reference and Rules of Procedures of bodies responsible for the implementation of the Pan-European Biological and Landscape Diversity Strategy were adopted by the Council for PEBLDS on 28 February 2002. The Committee of Ministers of the Council of Europe and UNEP approved in 2002 the amended Terms of Reference and Rules of Procedures.

Possible amendment of the Terms of Reference of the Bureau

Eight of the members of the Bureau are at present elected on a geographical basis:

“Membership:

- c) eight members representing four sub-regions (European Union; other Western European countries; Central and Eastern Europe; and the Newly Independent States), two members per sub-region, elected by the Council.”

At the last meeting of the Council it was suggested to change this part of the terms of reference, as the enlargement of the European Union makes the four geographical groups unbalanced (they have at present respectively 25, 8, 9 and 10 States.)

The Secretariat proposes two alternative drafts of paragraph c):

- C1. c) eight members representing four sub-regions (3 for the European Union, 1 for other western European countries, 2 for Central and Eastern Europe, 2 for the Newly Independent States), elected by the Council;*
- C2. c) eight members elected by the Council respecting a fair geographical distribution.*

The Bureau is invited to discuss the possible amendment of the terms of reference of the Bureau and make appropriate recommendations to the Council for adoption at their 10th meeting.

**Amended Terms of Reference of governing bodies
of the Pan-European Biological and Landscape Diversity Strategy**

**TERMS OF REFERENCE
OF THE COUNCIL FOR THE PAN-EUROPEAN BIOLOGICAL
AND LANDSCAPE DIVERSITY STRATEGY***

- 1. Name of Committee:** COUNCIL FOR THE PAN-EUROPEAN BIOLOGICAL AND LANDSCAPE DIVERSITY STRATEGY
- 2. Type of Committee:** Committee of Senior Officials
- 3. Source of Terms of Reference:** The UNEP and the Committee of Ministers of the Council of Europe
- 4. Terms of Reference:**

Under the joint responsibility of the UNEP and the Council of Europe and in conformity with the Agreement concluded between the UNEP and the Secretary General of the Council of Europe, the Council for the Strategy has the following tasks:

- a) to devise a policy to direct the implementation of the Strategy and determine priorities;
- b) to implement and review the Pan-European Biological and Landscape Diversity Strategy, in the light of the Sofia Declaration of 25 October 1995 and of the discussion at the "Environment for Europe" Ministerial Conference; to study and prepare further developments of the Strategy;
- c) to prepare and adopt a rolling Work Programme as instruments for implementing the Strategy;
- d) to consider, for the purposes of preparing the Action Plan and the Work Programme, the activities of States, international intergovernmental organisations and NGOs relevant to the Strategy in order to promote co-ordination and complementarity between the different activities, including those carried out in the framework of international conventions;
- e) to disseminate information about the Strategy and its implementation;
- f) to approve any report to be submitted to the "Environment for Europe" Ministerial Conference;

* Revision of the Terms of Reference adopted in 1996, as approved by the Council for the Pan-European Biological and Landscape Diversity Strategy on 8 April 1998 and consequently adopted by the Committee of Ministers of the Council of Europe

5. Membership:

- a) the Governments of the following member States of the United Nations Economic Commission for Europe (UN-ECE) are invited to appoint Senior Officials with responsibilities in fields relating to the Strategy:

Albania	Latvia
Andorra	Liechtenstein
Armenia	Lithuania
Austria	Luxembourg
Azerbaijan	Malta
Belarus	Monaco
Belgium	Netherlands
Bosnia-Herzegovina	Norway
Bulgaria	Poland
Canada	Portugal
Croatia	"The former Yugoslav Republic of Macedonia"
Cyprus	Moldova
Czech Republic	Romania
Denmark	Russian Federation
Estonia	San Marino
Federal Republic of Yugoslavia	Slovakia
Finland	Slovenia
France	Spain
Georgia	Sweden
Germany	Switzerland
Greece	Tajikistan
Hungary	Turkey
Iceland	Turkmenistan
Ireland	Ukraine
Israel	United Kingdom
Italy	United States
Kazakhstan	Uzbekistan
Kyrgyzstan	

- b) The European Community¹ is invited to appoint Senior Officials with responsibilities in fields relating to the Strategy.

The Council of Europe will defray the travelling and subsistence expenses of one representative from each of its member States in Central and Eastern Europe and from States, which enjoy special guest status with the Parliamentary Assembly. The UNEP will defray the travelling and subsistence expenses of representatives of other Central and Eastern European States.

- c) The Parliamentary Assembly of the Council of Europe and the Congress of Local and Regional Authorities of Europe may send representatives, without the right to vote, to meetings of the Council for the Strategy;
- d) OECD, UN-ECE and IUCN may send representatives, without the right to vote or defrayal of expenses, to meetings of the Council for the Strategy;

¹ The European Community, within the areas of its competence, shall exercise its right to vote with a number of votes equal to the number of its members. The Commission shall not exercise its right to vote in cases where its member States concerned exercise theirs, and conversely.

- e) The following State and organisations may send representatives, without the right to vote or defrayal of expenses, to meetings of the Council for the Strategy:
- Holy See
 - UNESCO
 - FAO
 - World Bank
 - European Bank for Reconstruction and Development (EBRD)
 - European Investment Bank (EIB)
 - Nordic Environment Financing Cooperation (NEFCO)
 - European Environment Agency and European Topic Centre for Nature Conservation
 - European Centre for Nature Conservation (ECNC)
 - Secretariat of Ramsar Convention
 - Secretariat of Barcelona Convention
 - Secretariat of Bonn Convention
 - Secretariat of Bern Convention
 - Secretariat of Bucharest Convention
 - Secretariat of the Convention on Biological Diversity
 - Ministerial Conference on the Protection of Forests in Europe (MCPFE)
 - World Wide Fund for Nature (WWF)
 - Birdlife International
 - Globe
 - European ECO-Forum
 - Regional Environmental Centre (REC)
 - Foundation for Environmental Education in Europe
 - International Commission for the Protection of the Alps (CIPRA)
 - Federation of Nature and National Parks of Europe (EUROPARC)
 - Centre européen d'intérêt rural et environnemental
 - European Habitats Forum
 - Federation of Hunting Associations of the European Union (FACE)

6. Structures and working methods:

The Council for the Strategy shall meet once every year alternatively in Strasbourg and Geneva or in a location decided by the Council. It shall adopt Rules of Procedure and its working methods and structures.

The Council for the Strategy shall report to the "Environment for Europe" Ministerial Conference and keep the UNEP, the Committee of Ministers of the Council of Europe and the Economic Commission for Europe's Committee on Environmental Policy abreast of its activities.

Normally, the activities included in the Work Programme of States, international organisations and NGOs shall be financed by the budgets of such bodies. However, new activities may be included in the Strategy's Work Programme that States, international organisations and NGOs cannot include in their regular programmes. In such cases, the Council for the Strategy may advise the body agreeing to take on these activities about possible sources of financing. Voluntary contributions could be given to the UNEP, the Council of Europe or the body concerned and would be used in accordance with the guidance of the Council for the Strategy; reports on expenditure should be presented to the Council for the Strategy if appropriate, taking into account the accounting procedures of the receiver.

7. Duration: Unlimited

**TERMS OF REFERENCE
OF THE BUREAU OF THE COUNCIL FOR THE PAN-EUROPEAN BIOLOGICAL
AND LANDSCAPE DIVERSITY STRATEGY**

- 1. Name of Committee:** BUREAU OF THE COUNCIL FOR THE PAN-EUROPEAN BIOLOGICAL AND LANDSCAPE DIVERSITY STRATEGY
- 2. Type of Committee:** Bureau
- 3. Source of Terms of Reference:** The UNEP and the Committee of Ministers of the Council of Europe

4. Terms of Reference:

Under the guidance and instructions of the Council for the Strategy, the Bureau of the Council for the Strategy shall have the following tasks:

- a) to prepare the meetings of the Council for the Strategy;
- b) to examine questions entrusted to it by the Council for the Strategy and take measures to this effect;
- c) to take urgent measures between meetings of the Council for the Strategy and submit those measures to its approval.

5. Membership:

- a) the Chair of the Council for the Strategy;
- b) a representative of the State which will organise the next Ministerial Conference “Environment for Europe” and a representative of the State which has organised the previous Conference;
- c) eight members representing four sub-regions (European Union; other Western European countries; Central and Eastern Europe; and the Newly Independent States), two members per sub-region, elected by the Council;
- d) a representative of the European Community;
- e) European members of the Bureau of CBD/COP, ex officio;
- f) three observer organizations, elected by the Council, may send representatives without the right to vote and defrayal of expenses;
- g) the terms of office of members and observers under a), c) and f) above will last two years, the terms of office of members under b) follow the frequency of the Ministerial Conference “Environment for Europe”.

The Council of Europe will defray the traveling and subsistence expenses of one representative from each of its member States in Central and Eastern Europe and from States, which enjoy special guest status with the Parliamentary Assembly. The UNEP will defray the traveling and subsistence expenses of representatives of other Central and Eastern European States.

6. Structures and working methods:

The Bureau will meet at least once a year alternatively in Strasbourg and Geneva or in a location decided by the Council or its Bureau. It can invite experts to attend its meetings on specific items of the agenda and on decision of the Chair.

The working languages will be English and French.

7. Duration: Unlimited.

**DRAFT AMENDED RULES OF PROCEDURE
OF THE COUNCIL FOR THE PAN-EUROPEAN BIOLOGICAL
AND LANDSCAPE DIVERSITY STRATEGY AND ITS BUREAU****

Article 1 - Convening of meetings

Meetings of the Council for the Pan-European Biological and Landscape Diversity Strategy and of its Bureau shall be convened by the Secretary General of the Council of Europe and the Director of the Regional Office for Europe of the United Nations Environment Programme, in accordance with the instructions of the Committee of Ministers of the Council of Europe and of UNEP. The Council shall normally meet once every year, alternately in Strasbourg and Geneva or in a location decided by the Council. The STRA-CO Bureau shall meet at least once a year alternately in Strasbourg and Geneva or in a location decided by the Council or its Bureau.

Article 2 - Postponement of meetings

When a meeting has been convened in accordance with the provisions of Article 1, any request for postponement, for valid reasons, shall be made at least fifteen days before the date fixed for the opening of the meeting; a decision in favour of postponing the meeting shall be regarded as taken if the majority of members of STRA-CO or its Bureau, as appropriate, inform the Secretary General of the Council of Europe and the Director of UNEP's Regional Office for Europe of their agreement at least seven days before the date originally fixed.

Article 3 - Agenda

a. The Secretary General of the Council of Europe and the Director of UNEP's Regional Office for Europe shall draw up the draft agenda for a meeting. The Chair of the STRA-CO, who is also the Chair of the STRA-CO Bureau, shall be consulted in advance.

b. The agenda shall be adopted by STRA-CO or by its Bureau, as appropriate, at the beginning of its meeting.

Article 4 - Documentation

a. Documents for the meeting shall be sent to members by the Secretary General of the Council of Europe and the Director of UNEP's Regional Office for Europe, in accordance with the instructions of the Committee of Ministers of the Council of Europe and of UNEP.

b. Documents requiring a decision, whether originating from the Secretariat of the Council of Europe and the Secretariat of UNEP ("Secretariat of STRA-CO and of its Bureau") or from a member of STRA-CO or its Bureau, as appropriate, shall be sent to the members of STRA-CO or its Bureau, as appropriate, at least one month before the opening of the meeting at which the decision is to be taken. In exceptional cases, however, STRA-CO or its Bureau, as appropriate, may, if no member objects, consider a document submitted later.

** as adopted by the Council for the Pan-European Biological and Landscape Diversity Strategy on 8 April 1998 and amended by the Council on 21 April 1999

Article 5 - Secrecy of meetings

Meetings of STRA-CO and of its Bureau, as appropriate, shall be held in private.

Article 6 - Communications to the press

By unanimous and express agreement of STRA-CO or its Bureau, as appropriate, the Chair, or the Secretary General of the Council of Europe and the Director of UNEP's Regional Office for Europe or their representative, may make suitable communications to the press on the work of STRA-CO or its Bureau, as appropriate.

Article 7 - Quorum

There shall be a quorum if two-thirds of the members of STRA-CO or its Bureau, as appropriate, are present.

Article 8 - Official languages

a. The official languages of STRA-CO shall be English, French and Russian. The official languages of STRA-CO Bureau shall be English and French.

b. Members of STRA-CO or its Bureau may speak in a language other than the official languages; in which case, they must themselves provide for interpretation into one of the official languages.

c. Any document drafted in a language other than the official languages shall be translated into one of the official languages, the member from whom it originates being responsible for making the necessary arrangements.

*Article 9 - Responsibilities and composition**1. Responsibilities*

a. Under the joint responsibility of the Committee of Ministers of the Council of Europe and of UNEP and in accordance with the Agreement concluded between UNEP and the Secretary General of the Council of Europe, STRA-CO shall be responsible for the tasks specified in the Terms of Reference of the bodies responsible for the implementation of the Pan-European Biological and Landscape Diversity Strategy ("Strategy").

b. Under the guidance and instructions of STRA-CO, STRA-CO Bureau shall be responsible for the tasks specified in the Terms of Reference of the bodies responsible for the implementation of the Strategy.

c. The Terms of reference of STRA-CO and its Bureau are set out in an appendix hereto (Terms of Reference of the bodies responsible for the implementation of the Strategy).

2. Composition

The members of STRA-CO and of its Bureau shall be those designated in the Terms of Reference of the bodies responsible for the implementation of the Strategy.

Article 10 - Observers

a. The States and organisations specified in the Terms of Reference of the bodies responsible for the implementation of the Strategy may send observers to meetings of STRA-CO. Other States and organisations may be permitted to send observers to meetings of STRA-CO with the agreement of the Secretary General of the Council of Europe and the Director of UNEP's Regional Office for Europe.

Permanent status of observers needs the agreement of the Secretary General of the Council of Europe, the Director of UNEP's Regional Office for Europe and the approval of the STRA-CO.

b. An observer shall have no right to vote, subject, as regards the European Union, to the provisions of Article 15 a.

c. With the Chair's permission, an observer may make oral or written statements on the subjects under discussion.

d. Proposals made by observers may be put to the vote if sponsored by a member of STRA-CO.

Article 11 - Proposals

Any proposal must be submitted in writing if a member of STRA-CO or its Bureau, as appropriate, so requests. In that case, it shall not be discussed until it has been circulated.

Article 12 - Order of voting on proposals or amendments

a. Where a number of proposals relate to the same subject, they shall be put to the vote in the order in which they were submitted. In case of doubt, the Chair shall decide.

b. Where a proposal is the subject of an amendment, the amendment shall be put to the vote first. Where two or more amendments to the same proposal are presented, STRA-CO or its Bureau, as appropriate, shall vote first on whichever departs furthest in substance from the original proposal. It shall then vote on the next furthest removed from the original proposal, and so on until all the amendments have been put to the vote. However, where acceptance of one amendment necessarily entails rejection of another, the latter shall not be put to the vote. The final vote shall then be taken on the proposal as amended or not amended. In case of doubt as to the order of priority, the Chair of STRA-CO and its Bureau shall decide.

c. Parts of a proposal or an amendment may be put to the vote separately.

d. In the case of proposals with financial implications, the most costly shall be put to the vote first.

Article 13 - Order of procedural motions

Procedural motions shall take precedence over all other proposals or motions submitted, except points of order. They shall be put to the vote in the following order:

a. suspension of the sitting;

b. adjournment of discussion of the item in hand;

c. postponement of a decision on the substance of a proposal until a specified date.

Article 14 - Reconsideration of a question

When a decision has been taken, it is only re-examined if a member of STRA-CO or its Bureau, as appropriate, so requests and if this request receives a two-thirds majority of the votes cast.

Article 15 - Voting

- a.* Each member of STRA-CO or its Bureau, as appropriate, shall have one vote; however, where a government designates more than one member, only one of them is entitled to take part in the voting. The European Commission, in its areas of competence, shall exercise its right to vote with a number of votes equal to the number of its member States. The European Community shall not exercise its right to vote in cases where the member States concerned exercise theirs, and conversely.
- b.* Subject to any contrary provisions in these Rules, decisions of STRA-CO or its Bureau, as appropriate, shall be taken by a two-thirds majority of the votes cast.
- c.* Procedural questions shall be settled by a simple majority of the votes cast.
- d.* Where the question arises as to whether or not a matter is procedural in nature, it may not be so regarded unless STRA-CO or its Bureau, as appropriate, decides to that effect by a majority of two-thirds of the votes cast.
- e.* For the purposes of these Rules, "votes cast" shall mean the votes of members cast for or against. Members abstaining shall be regarded as not having cast a vote.

Article 16 - Reports

STRA-CO or its Bureau, as appropriate, shall draw up the reports specified in the Terms of Reference of the bodies responsible for the implementation of the Strategy. These reports shall be public.

Article 17 - Minutes

STRA-CO or its Bureau, as appropriate, may, if it considers this necessary, have minutes kept. After meetings, the Secretariat of STRA-CO and of its Bureau shall submit a draft to the Chair of STRA-CO and its Bureau. On expiry of the period specified for the submission of corrections, the Secretariat of STRA-CO and of its Bureau shall prepare and circulate the final version.

Article 18 – Chair, Vice-Chair and elected members of the Bureau of the STRA-CO

- a.* STRA-CO shall elect the Chair of STRA-CO and its Bureau, as well as the eight elected members of STRA-CO Bureau. The elections shall respect a fair geographical distribution.
- b.* The representatives of the State organising the next Ministerial Conference "An Environment for Europe" and of the State which organised the previous Ministerial Conference "An Environment for Europe" are Vice-Chairs of the STRA-CO and its Bureau.
- c.* The Chair of STRA-CO and its Bureau shall conduct proceedings and sum up the conclusions whenever he/she thinks necessary. He/she may call to order a speaker who departs from the subject under discussion or from the terms of reference of STRA-CO or its Bureau, as appropriate. He/she shall retain the right to speak and to vote in his/her capacity as a member of STRA-CO or its Bureau, as appropriate.
- d.* The Vice-Chairs of STRA-CO and its Bureau shall replace the Chair of STRA-CO and its Bureau if the latter is absent or otherwise unable to take the Chair. If the Vice-Chairs of STRA-CO and its Bureau are absent, the Chair of STRA-CO and its Bureau shall be replaced by a member of STRA-CO Bureau appointed by the latter or by a member of STRA-CO appointed by this body.

e. The election of the Chair of STRA-CO and of its Bureau, and of the eight elected members of STRA-CO Bureau shall require a two-thirds majority at the first ballot and a simple majority at the second ballot. The election shall be held by secret ballot if there are two or more candidates for each post.

f. Wherever practicable, the Chair of STRA-CO and of its Bureau and the eight elected members of STRA-CO Bureau shall be appointed at the end of the meeting preceding expiry of the outgoing Chair or Vice-Chair's term of office. Otherwise, they shall be appointed at the beginning of the meeting, in which case the Secretary General of the Council of Europe and the Director of UNEP's Regional Office for Europe or their representative shall take the Chair temporarily.

g. The terms of office of the Chair of the STRA-CO and its Bureau and of the eight elected members of the Bureau shall be two years.

Article 19 - Rapporteur and drafting committee

STRA-CO or its Bureau, as appropriate, may appoint a rapporteur or a drafting committee or both.

Article 20 - Secretariat of STRA-CO and of its Bureau

a. The Secretary General of the Council of Europe and the Director of UNEP's Regional Office for Europe shall provide STRA-CO and its Bureau with the necessary staff as well as with the administrative and other services they may require in accordance with available resources.

b. The Secretary General of the Council of Europe and the Director of UNEP's Regional Office for Europe or their representative may, at any time, make an oral or written statement on any subject under discussion.

c. STRA-CO or its Bureau, as appropriate, may direct the Secretary General of the Council of Europe and the Director of UNEP's Regional Office for Europe to prepare a report on any question relevant to the work of STRA-CO or its Bureau, as appropriate.

d. The Secretariat of STRA-CO and of its Bureau shall be responsible for preparing and circulating all documents to be examined by STRA-CO and its Bureau.

Article 21 - Adoption and revision of the Rules of Procedure

STRA-CO shall adopt the Rules of Procedure of STRA-CO and of its Bureau, as well as their working methods and structures. It may revise these Rules or add provisions supplementing them or creating exceptions to them.