

# **RULES OF PROCEDURE OF THE ORGANIZATION OF THE BLACK SEA ECONOMIC COOPERATION (BSEC)<sup>1</sup>**

## **Article 1**

### **Council of the Ministers of Foreign Affairs**

1. The principal regular decision making organ of the Organization of the Black Sea Economic Cooperation is the Council of the Ministers of Foreign Affairs.
2. The Council may be preceded by a meeting of the Committee of the Senior Officials of the Ministers of Foreign Affairs of the Member States.
3. The decision making within the BSEC is, apart from the Summit, bestowed upon the Council which may charge subsidiary organs to make a decision on a particular question and inform the Council on it.

## **Article 2**

### **Regular Meetings of the Council**

1. The Council shall, in principle, be convened at least once every six months.
2. Additional meetings of the Council may be held upon the request of one or more of the Member States, subject to consensus of the Member States. This request, together with the background documents shall be communicated by the PERMIS to the Member States promptly to allow them the time to consider the matter. In case of a consensus on the question, the meeting may be convened on a shorter notice.
3. In case the Council's Meeting is preceded by a preparatory meeting, such meeting shall be chaired by the host country.
4. Unless otherwise decided, the Council's Meetings will be held in camera.
5. The date and venue of the subsequent meeting will be determined

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<sup>1</sup> Approved by the Tenth MMFA (Kyiv, 22 October 1997).

in principle at the end of each meeting. Should this not be possible, the incoming Chairman-in-Office shall hold consultations with the Member States in order to determine a date acceptable to all Member States.

### **Article 3**

#### **Special Meetings of the Council**

1 One or more Member States may propose the convening of a special Meeting of the Council. The proposal shall be forwarded to the Chairman-in-Office at least 20 days before the proposed date of the meeting together with background documents explaining the reasons for convening a special meeting. The special Meeting may also be convened on shorter notice of the urgency if the circumstances warrant it.

2 The Chairman-in-Office shall circulate the proposal to the Member States together with the background documents.

3 The special Meeting shall be convened unless a Member State raises an objection within 5 days after the receipt of the notification.

4 The special Meeting shall be convened in the country of the requesting Member State with the consent of the Chairman-in-Office and chaired by the Latter.

### **Article 4**

#### **Agenda of a Special Meeting of the Council**

1 The agenda of the Special Meeting of the Council will be distributed by the PERMIS together with the notification of the opening date of the meeting. This agenda shall, in principle, consist of the item for which the meeting is proposed.

2 However, other issues may also be considered during the meeting should all the Member States agree to it.

### **Article 5**

#### **Meetings of Subsidiary Organs**

1 Meetings of subsidiary organs established by the Council shall be chaired by the host country. If the host country so wishes, it may propose another Member State to chair those meetings in accordance with the general principle of rotation or by any other common agreement.

2 The subsidiary organs shall themselves determine the periodicity and venue of their meetings on a voluntary basis.

3 The subsidiary organs shall carry out their mandate defined by the Council, draw up the cooperation projects as well as consider the possibility of implementing joint projects in their respective areas of activity.

4 The subsidiary organs shall submit reports to the Council on the progress of their activities.

5 The subsidiary organs shall also prepare for the Council draft documents on new areas of cooperation.

6 Unless otherwise decided, the meetings of the subsidiary organs will be held in camera.

7 Proposals of any Member State on any matter pertaining to the functioning of the BSEC and corresponding to the BSEC principles and objectives shall be submitted in writing to the Chairman-in-Office and PERMIS. If the sending country so requests, such proposals will be duly numbered and distributed among the Member States according to the established practice. The Chairman-in-Office shall forward the proposal to appropriate subsidiary organ for consideration and recommendation. Should this not be possible, the proposal may be submitted to preparatory Meetings of the Committee of Senior Officials preceding the Council's Meeting.

## **Article 6**

### **Preparation of the Draft Agenda**

1 The PERMIS shall prepare a draft agenda for every Meeting of the Council in full conformity with the decisions of its previous meetings, the recommendations of the subsidiary organs and proposals of the Member States, and circulate it at least 30 days before the meetings. The documents pertaining to the agenda items shall be circulated together with the draft agenda.

2 The Member States may propose to the Chairman-in-Office, within 10 days following the receipt of the draft agenda, addition of other items along with documents explaining the reasons for such a request.

3 The Chairman-in-Office shall circulate the proposal to the Member States at least 15 days before the meeting together with background documents explaining the reasons for the addition of the other items.

4 The Member States may also, at the stage of the adoption of the agenda during the meeting, propose the inclusion of new items or changes to the proposed agenda with respect to important and urgent issues.

### **Article 7**

#### **Applicability to Subsidiary Organs**

1 The provisions of the Article 6 of the present Rules of Procedure shall be applied to the proceedings of the subsidiary organs.

2 The rest of the provisions of this Rules of Procedure shall be applicable to the subsidiary organs unless otherwise specified.

### **Article 8**

#### **Official Languages**

1 The official language of the BSEC documents is English.

2 The official languages of the BSEC meetings are English and Russian.

3 During meetings at ministerial level, simultaneous interpretation shall be provided by the host country in English, French and Russian.

### **Article 9**

#### **Other Languages**

1 The Member States shall be free to make, on their own expenses, special arrangements for simultaneous or consecutive translation to and from the working languages of their choice.

2 The intention to make special arrangements shall be notified to the authorities of the state hosting the meeting at least 15 days before the date of the meeting in order to allow them to make appropriate arrangements.

## **Article 10**

### **Quorum**

1 Quorum for meetings of the Council, as stipulated in Article 17 of the BSEC Charter, shall be 2/3 majority of the Member States.

2 Quorum for meetings of subsidiary organs shall be simple majority of the Member States taking part in the respective subsidiary organs.

## **Article 11**

### **Consensus**

1 Consensus shall be understood as the absence of any objection expressed by any Member State and presented by the Latter as constituting an obstacle to the taking of the decision in question.

2 Member States shall decide by consensus on the following subjects:

- a) admission of new Member States in the BSEC ;
- b) granting and extending of observer status to third states and international organizations;
- c) establishing dialogue partnership and sectoral dialogue partnership with third parties;
- d) creation of new organs of the BSEC; defining, modifying and terminating their mandates; and structural mechanisms;
- e) adoption and modification of the Rules of Procedure;
- f) adoption of the agenda for the BSEC meetings if the issues included therein require consensus;
- g) approval of cooperation projects (consensus of States interested);
- h) financial commitments affecting all Member States.

## **Article 12**

### **Majority Vote**

1 When there is no consensus on issues other than those enumerated in Article 11, they may be put to vote. Decisions shall be made by the 2/3 majority of the Member States present and voting.

2 Recommendations shall be made by the simple majority of the Member States present and voting.

3 In case the required majority vote could not be attained on an issue, the proposal shall be regarded as rejected.

## **Article 13**

### **Abstention and Absence**

1 Abstaining in voting by a Member State shall be considered as not voting and consequently shall not have any effect on the result of the voting.

2 The vote of a Member State which was not present during the process of voting shall have no effect on the result of the voting.

## **Article 14**

### **Method of Voting**

The vote shall normally be taken by show of hands. Any Member State may request a roll-call vote which shall be taken in English alphabetical order of the names of the States present in the meeting, beginning with the name of the state drawn by lot by the Chairman-in-Office. In such voting, the representatives shall reply "yes", "no", or "abstention".

## **Article 15**

### **Conduct During Voting**

1 After the Chairman-in-Office has announced the beginning of

voting, it may not be interrupted before the results are announced. Once the Chairman-in-Office announces the results of the voting, it shall be considered completed and results shall be considered final.

2 Any Member State has the right to make interpretative statements, formal reservation or explanation of their vote before the voting has commenced or after the voting has been completed. They may ask that their respective declaration be duly registered and circulated by the PERMIS.

3 After the Chairman-in-Office has announced the commencement of voting, no representative may interrupt the voting except on a point of order in connection with the actual process of voting.

### **Article 16<sup>2</sup>**

#### **Silence Procedure**

When the decision-making organs of BSEC are not in session, the silence procedure may be applied for the adoption of resolutions and decisions. The draft resolutions and decisions circulated to the Member States by the Chairman-in-Office through PERMIS shall be considered as approved unless any objection preventing the adoption of a resolution or a decision is received within 30 working days from the communication of the draft by PERMIS. The 30 working days start running from the date PERMIS confirms by a note that all the Member States have received the draft resolution or decision.”

### **Article 16 bis<sup>3</sup>**

#### **Established Urgency**

In case of urgency established by the Committee of Senior Officials, it is entitled to adopt binding acts in accordance with the decision making procedure applicable to the Council. Such acts shall cease to exist, unless the Council of Ministers of Foreign Affairs of the BSEC Member States explicitly approves them at its earliest meeting after their adoption by the Committee of Senior Officials.”

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<sup>2</sup> Amended by the Sixteenth Council (Belgrade, 19 April 2007)

<sup>3</sup> Adopted by the Sixteenth Council (Belgrade, 19 April 2007)

## **Article 17**

### **Resolutions**

- 1 A Resolution is a text adopted by the Council on substantive issues pertaining to the structure and/or functioning of the BSEC, as enumerated in Article 11.
- 2 Resolutions shall be adopted by consensus.
- 3 All Member States shall abide by the provisions of the Resolutions.

## **Article 18**

### **Decisions**

1. A Decision is a text adopted by the Council on a specific issue pertaining to technical matters and/or functioning of the BSEC.
2. Decisions shall be adopted by a 2/3 majority of votes.
3. All Member States who have voted in favor shall abide by the provisions of the Decisions.

## **Article 19**

### **Recommendations**

- 1 A Recommendation is a text duly adopted either by the Council or by the subsidiary organs, without binding effects on the Member States.
- 2 A Recommendation of the subsidiary organs will bear effect upon its approval by the Council.
- 3 When a Recommendation is adopted by the subsidiary organs, it is for the consideration by the Council.

## **Article 20**

### **Admission**

- 1 The Chairman-in-Office shall circulate to the Member States a



copy of the application together with a document indicating the financial implications arising from the admission of the new Member State.

2 In its application, the applicant State shall declare its readiness to comply with the principles and objectives of the Charter and to accept the resolutions adopted by the Council.

3 The application will be included in the agenda of the earliest possible Council's Meeting for consideration.

## **Article 21**

### **Observer Status**

1 The Chairman-in-Office shall circulate to the Member States a copy of the application to the Chairman-in-Office expressing its willingness to obtain such a status.

2 Applications shall be examined on a case by case basis, on an equal level, in view of the readiness of the applicants to make practical and valuable contribution to the work of the BSEC.

3 The application for an observer status shall be included in the agenda of the earliest possible Council's Meeting.

4 Observer status shall be granted to a State for a renewable period of 2 years.

5 Observer status may be granted to international organizations for an unlimited period.

6 Observer status granted to third States or to international organizations may be valid for all or only selected activities of the BSEC to be determined by the Council.

7 Observers may attend, with special permission of the Chairman-in-Office, a meeting of restricted nature or a part of a meeting during which an item of restricted nature is being discussed.

8 Observers attending the meetings of the BSEC may be authorized by the Chairman-in-Office :

- a) to address the BSEC meetings;

- b) to participate in the discussions of technical or expert level meetings;
- c) to receive official BSEC documents;
- d) to submit written statements on particular items of the agenda.

9 The observer status of a State or an international organization may come to an end upon the request of the State or the organization in question.

10 The observer status of a State or an international organization may be suspended or terminated by the Council.

11 If consensus cannot be secured to renew the observer status at the end of the two year period, such status shall come to an end for the State in question.

## **Article 22**

### **Expenses Incurred for the Organization of Meetings**

1 Expenses incurred for the organization of meetings shall be born by the host country.

2 The host country of the Council's Meeting and of the meetings of the subsidiary organs shall cover the board and lodging expenses of the members per delegation and representatives of the PERMIS participating in the BSEC meetings, the numbers of which will be determined by the host country itself. Travel expenses shall be covered by the participants themselves.

3 Expenses stemming from the participation of observers and guests in the BSEC meetings shall be covered by themselves.

## **Article 23**

### **Incorporation of New Rules**

If new Rules of Procedure or modifications regarding the functioning of the BSEC are adopted, they will be incorporated in the present Rules of Procedure.