



Economic Commission for Europe**Committee on Sustainable Energy****Twenty-eighth session**

Geneva, 25-27 September 2019

Item 8(a) of the provisional agenda

Future work of the Committee on Sustainable Energy:**Review of subprogramme performance and planning****Draft rules of procedure of the Committee on Sustainable Energy****Note by the secretariat**

This document contains the draft rules of procedure for the Committee on Sustainable Energy. They have been prepared in accordance with the Guidelines on procedures and practices for ECE bodies adopted by the Economic Commission for Europe (E/2013/37-E/ECE/1464, annex III, appendix III), following the wish of the Committee on Sustainable Energy in its twenty-seventh session to prepare draft procedures for decision making when the Committee is not in session (ECE/ENERGY/119, para. 31.(d)).

These are submitted for consultation at the twenty-eighth session of the Committee in order to clarify: i) the relationship between the Committee on Sustainable Energy and its subsidiary bodies; ii) the role of the respective Bureaux and nomination process; iii) decision making when not in session; and iv) decision making in case of disagreement. Some points have been left blank intentionally [...] to allow for discussion and later decision.

The objective is to streamline the work of the Committee and its subsidiary bodies and to provide a basis for an accelerated delivery of the sustainable energy subprogramme, thus to solidify ECE's reputation as a credible, relevant, and responsive partner. The document will be refined by the Bureau of the Committee based on the recommendations made at the twenty-eighth session and will be submitted to the Committee for approval at its twenty-ninth session, if so desired by member States.

I. Introduction

1. The Committee on Sustainable Energy (the Committee) is an intergovernmental body that provides the member States of the Economic Commission for Europe (ECE) with a platform for international dialogue and cooperation. It is mandated to carry out a programme of work in the field of sustainable energy with a view to providing access to affordable and clean energy to all and to help reduce greenhouse gas emissions and the carbon footprint of the energy sector. The Committee and its six subsidiary bodies aim to carry out concrete and results-oriented activities to achieve the specific objectives identified for each priority area. They will work in accordance with the Guidelines on procedures and practices for ECE bodies as adopted by the Commission session on 11 April 2013¹.
2. The objectives of the sustainable energy subprogramme are set out in the 11 April 2013 Commission Decision A (65) on the Outcome of the Review of the 2005 Reform of ECE (including subsection II E)² and the Executive Committee decision of 4 December 2013 on the terms of reference of the Committee on Sustainable Energy and mandates and terms of reference of its subsidiary bodies³. In any area not covered in this document, the Rules of procedure of the Economic Commission for Europe, and where applicable, the Rules of procedure of the Economic and Social Council (ECOSOC) will be used, as considered by the Guidelines on procedure and practices for ECE bodies, *mutatis mutandis*.
3. The responsibility for the subprogramme is vested in the Committee. This subprogramme is implemented under the overall oversight of the ECE Executive Committee (EXCOM) and is serviced by the Sustainable Energy Division.
4. The Committee has been rethinking its procedures, structures and activities to deliver more compelling outcomes, also informed and guided by the ongoing United Nations reform process. There is a desire to develop procedures that allow swifter decision making in order to solidify the Committee's position as a credible and responsive partner in international energy policy making and to increase impact in member States.
5. These Draft rules of procedure have been prepared following a request by the Committee at its twenty-seventh session to develop procedures for decision making between sessions and on predefined topics. They seek to clarify i) the relationship between the Committee on Sustainable Energy and its subsidiary bodies; ii) the role of the respective Bureaux and nomination process; iii) decision making when not in session; and iv) decision making in case of disagreement.
6. The document is presented to the Committee for consultation. Some points have been left blank intentionally [...] to allow for discussion and later decision. The document will be refined by the Bureau of the Committee based on the recommendations made at the twenty-eighth session and will be submitted to the Committee for approval at its twenty-ninth session, if so desired by member States.

II. Organization of Committee sessions

7. Official sessions of the Committee shall be held annually, on dates fixed by the Committee at previous meetings. Changes in previously agreed dates of sessions due to unforeseen circumstances can be made by the Bureau in consultation with the secretariat and subject to the availability of services in Geneva (e.g. meeting rooms, interpretation, document services etc.).
8. Committee sessions can be held outside Geneva if a host-country is identified, a host-country agreement signed and all meeting related costs including interpretation, staff travel and security are covered for the secretariat.

¹ E/2013/37-E/ECE/1464, annex III, appendix III; see also Annex of this document.

² https://www.unece.org/fileadmin/DAM/commission/EXCOM/Key_documents/Decision_A65.pdf

³ https://www.unece.org/fileadmin/DAM/energy/se/pdfs/comm24/ECE.EX.7_e.pdf

9. The provisional agenda for the upcoming session shall be drafted by the Bureau in consultation with the secretariat and shall be circulated to member States well in advance of the meeting.

10. The agenda of the sessions shall cover, *inter alia*, a review of programme performance and planning, including a review of capacity-building and technical advisory activities, policy-relevant documents developed in the context of the Committee's programme of work and deliberations on future activities.

11. The Bureau shall choose important substantive issues within the mandate of the Committee to be addressed during the substantive segment of the sessions.

12. The Committee shall agree on its annual programme of work to be submitted to ECOSOC for approval.

III. Representation and credentials

13. The terms of reference and rules of procedure of the Economic Commission for Europe (E/ECE/778/Rev.5) and the Guidelines on procedures and practices for ECE bodies adopted by the Economic Commission for Europe¹ shall apply.

14. Representatives of the business and academic communities and other stakeholders are encouraged to participate in the sessions of the Committee at the invitation of the secretariat and as observers without a right to vote.

IV. Officers⁴

15. The Committee Bureau shall elect one Chairperson, [add number after consultation if applicable] Vice-Chairpersons and as many additional Bureau members as the Committee deems appropriate.

16. The term of office of a Bureau member shall be two years. Bureau members, including the Chairperson, can be re-elected for [add number after consultation if applicable] additional terms. Efforts shall be made to ensure continuity within the Bureau. Not all officers need to be elected at the same time. The terms of office of elected officials will begin at the end of the session in which they are elected. This will allow the current officers to preside over the session that they have planned.

17. Candidates for the Bureau of the Committee shall be nominated by ECE member States based on the person's expertise, professionalism, and expected support from the membership. Candidates for the Bureaux of the subsidiary bodies shall be nominated by ECE member States where possible. The Bureaux of the subsidiary bodies can also nominate Vice-Chairs from the expert community based on the person's expertise, professionalism as appropriate and as it deems necessary.

18. Candidates should be supported financially by the nominating country and should attend the annual Committee session at a minimum. There is an expectation that Bureau members participate in Bureau calls and meetings on a regular basis and as available. [add after consultation with the Bureau if desired: that they lead an activity furthering the implementation of the work plan or outreach of the subsidiary body they are involved with].

19. The elections for the Bureau will take place in accordance with the Guidelines on procedures and practices for ECE bodies adopted by the Economic Commission for Europe¹.

20. The Chairs of the Committee's subsidiary bodies are Vice-Chairs *ex officio* and have the same status as elected Vice-Chairs.⁵

⁴ to be further discussed by Bureau

⁵ The Committee has already decided and reconfirmed the role of the Chairs of the subsidiary bodies at all earlier sessions since 2014, e.g. ECE/ENERGY/119, para. 13; ECE/ENERGY/99, para. 12.

21. If the Chairperson is absent from any meeting or part thereof, a Vice-Chairperson shall perform the functions of the Chairperson. If no Vice-Chairperson is present, the Committee shall elect an interim Chairperson for that meeting or that part of the meeting.
22. If the Chairperson can no longer perform the functions of the office, the Bureau of the Committee shall designate one of the Vice-Chairpersons as interim Chairperson to perform those functions, pending the election of a new Chairperson. The interim Chairperson shall have the same powers and duties as the Chairperson.
23. The Chairperson and Vice-Chairpersons serve collectively in the interest of all member States and not as official representatives of their Governments.
24. [add a paragraph on Observers in the Bureau or the Committee if so desired]

V. Functions of the Bureau

25. The key functions of the Bureau are those detailed in the Guidelines on procedures and practices or ECE bodies adopted by the Economic Commission for Europe¹.
26. At the beginning of its term, the new Bureau shall decide on frequency and means of interaction (calls, in-person meetings etc.), supported by the secretariat.
27. [to be refined after consultations: Meetings of the Bureau will normally be held in x and x of each year. Additional Bureau meetings may be convened in conjunction with the annual plenary session. Further meetings of the Bureau could be determined by the Bureau members as the need arises.]
28. The documentation necessary for the Bureau meetings will be determined by the Bureau members in each case. As a rule, the secretariat should make all documentation available via e-mail at least one week prior of the meeting.
29. As a rule, announcements for Bureau meetings are issued by the secretariat not less than [six weeks] in advance]
30. The Bureau must approve the draft agenda for the following session of the Committee and its programme of work before submission to member States.
31. The Bureau can take decisions on predefined topics between sessions. Such topics can be related to requests from ECOSOC and the General Assembly with regards to new mandates on energy or the United Nations reform process, as well as policy messages and recommendations into the High-Level Political Forum, the ECE Regional Forum, and outcomes and recommendations from Committee sessions. In such cases, the secretariat will distribute minutes and related documents to the entire Bureau and activities will be reported at the subsequent Committee session.
32. [Add if desired a paragraph about how the decisions are made, e.g. in a meeting, call, quorum, written procedure etc. and respective deadlines]

VI. Procedures for the adoption of decisions and reports

33. The Committee shall, whenever possible, take decisions on the basis of consensus.
34. In case of disagreement and when a consensus cannot be reached, the Committee can decide on ways forward in the interest of member States and the mandate. These can comprise: i) voting; ii) forming “coalitions of the willing” and positive sign-on approaches to initiatives or recommendations; iii) reconvening for future decision making, both in person and through means of remote technologies and IT; iv) tasking its Bureau. If voting is used, the Chapter on Voting in the Rules of procedure of the ECE shall apply.
35. The preparation and circulation of draft conclusions, recommendations or decisions, and their formal adoption at the end of the meeting, will take place in accordance with the Guidelines on procedures and practices for ECE bodies adopted by the Economic Commission for Europe¹.

36. A draft report of the meeting, which reflects in a concise and factual manner the discussion and the views expressed by participants, shall be circulated before the end of the meeting for comments and adoption by member States at the end of the meeting.

37. If the draft report cannot be circulated at or adopted during the meeting for technical reasons, the Bureau of the Committee will be tasked with the necessary steps for subsequent approval no later than ten days after the conclusion of the meeting.

VII. Subsidiary bodies

38. The Committee may establish Teams of Specialists or other subsidiary bodies, in accordance with the existing Guidelines for the establishment and functioning of Teams of Specialists within ECE⁶, to fulfil particular objectives in accordance with the terms of reference created for them, subject to approval by EXCOM.

39. Subsidiary bodies report to the Committee on an annual basis. The Committee approves the mandates and workplans of the subsidiary bodies every two years when in session.

40. Subsidiary bodies play lead roles in the implementation of the mandate and programme of work of the Committee. Subsidiary bodies are invited to make recommendations on the effectiveness and efficiency of current approaches and whether the current structure and work plans adequately support them in the implementation of their respective work plans.

41. [Add if requested more about the relationship of the Committee and its subsidiary bodies, nexus approaches as needed etc].

⁶ ECE/EX/2/Rev.1

Annex

Guidelines on procedures and practices for ECE bodies adopted by the Economic Commission for Europe (E/2013/37-E/ECE/1464, annex III, appendix III)

I. General

1. The work of the Commission, its subsidiary bodies and the secretariat is based on the United Nations Charter, the Terms of Reference of ECE as adopted by the Economic and Social Council (ECOSOC), Rules of Procedure of ECE, relevant United Nations rules and regulations, and is in line with these guidelines on procedures and practices for ECE bodies and the secretariat. It should be ensured, at all administrative levels of the secretariat and for all bodies of the Commission, that the work is carried out in a way that is member driven, participatory, consensus-oriented, transparent, responsive, effective, efficient, results-oriented and accountable. The Commission and its subsidiary bodies should continue their existing practice of inviting, without a right to vote, other relevant stakeholders such as international organizations, private sector representatives, members of academia or representatives of civil society.

II. Rules of procedure

2. All Sectoral Committees and other subsidiary bodies may adopt their own Rules of Procedure on the basis of ECE Rules of Procedure and, where applicable, Rules of Procedure of ECOSOC, taking into account these guidelines. Otherwise it will be presumed that they are governed by the Rules of Procedure of the Commission and, where applicable, Rules of Procedure of ECOSOC and taking into account these guidelines *mutatis mutandis*.

III. Communication with the member States

3. The secretariat will continue to communicate with the member States in accordance with the official channels of communication. In cases where the secretariat communicates directly with national experts and counterparts, all correspondence will be copied to the Permanent Representations. Similarly, when the secretariat requires assistance in identifying national experts, it will communicate with the line ministries with a copy to the Permanent Representations.

IV. Accreditation process for participants/representatives to intergovernmental bodies

4. In meetings of subsidiary bodies, member States shall be represented by officially designated representatives whose names shall be communicated to the secretariat by the respective Permanent Representations and made available by the secretariat.

5. Officially designated representatives of the member States who work in the Geneva Permanent Representations and are duly authorized, including persons accredited to the Executive Committee, may take part in the meetings without any restrictions to participate in the discussion and in the decision-making process.

6. Officially designated representatives and other participants to all bodies of the ECE should be registered by the secretariat in the respective lists of participants which will be communicated to the Permanent Representations.

V. Nomination and election of Chairpersons and other members of the Bureaux of intergovernmental bodies

7. Candidates for the Bureaux of the Sectoral Committees and other subsidiary bodies shall be nominated by member States based on the person's expertise, professionalism, and expected support from the membership. The candidatures for election should be made available to all member States well in advance of the elections and preferably agreed upon.

8. The members of the Bureaux shall be elected by the respective body according to the relevant Rules of Procedure and following consultations among member States. Elected Bureau members serve collectively in the interest of all member States. In the absence of Rules of Procedure of such body, the composition of the Bureau should take into account expertise, with due regard to as wide a geographical representation as possible; the term of office should be up to two years. Bureau members including the Chair can be re-elected for an additional term.

9. A Bureau may invite major stakeholders active in the area of the subprogramme to attend the meetings of the Bureau and contribute to its work, without the right to vote.

VI. Functions of the Bureaux

10. The key functions of the Bureaux are:

(a) To monitor and ensure implementation of the programme of work and of past decisions and recommendations during intersessional periods;

(b) To ensure effective and transparent preparations of forthcoming sessions and, for that purpose, to collectively outreach and consult with all member States, and other stakeholders as appropriate;

(c) To ensure effective conduct of business during the sessions in full compliance with their respective Rules of Procedure, taking into account these guidelines, and to facilitate reaching agreement on decisions and recommendations.

11. In addition to these tasks, the Bureaux help the consensus-building process by means of transparent and inclusive consultations on draft outcomes of the subsidiary bodies, including draft decisions, conclusions and recommendations that might be proposed by representatives of member States.

12. The Bureaux do not adopt the conclusions, recommendations, decisions and meeting reports of the subsidiary bodies.

13. In its activities the Bureaux should coordinate with the secretariat on all relevant issues.

VII. Procedures for the adoption of decisions and reports of intergovernmental bodies

14. When taking a decision, the Commission and its subsidiary bodies shall continue their existing practice of making every effort to reach a consensus.

A. On draft decisions

15. Without prejudice to the Rules of Procedure of the Commission, any draft conclusions, recommendations or decisions which ECE bodies within their competence are expected to discuss and adopt at their meetings, should be prepared in line with items 9 to 12 and distributed by the secretariat to all participants and Geneva Permanent Representations at least ten days before the start of the meeting, for information, so as to allow participants to finalize their position during the meeting in order to adopt conclusions, recommendations and decisions. This does not prejudice the possibility for member States to propose additional

agenda items, draft conclusions, recommendations or decisions at the meeting. Should the submission of draft proposals not be possible ten days prior to a meeting, the prevailing Rules of Procedure will be used to determine how such draft proposals will be considered in order not to block the decision-making process.

16. The secretariat should make available only those draft conclusions, recommendations or decisions for discussion and adoption that are proposed by one or more member States.

17. The secretariat can make proposals on administrative issues within its prerogatives.

18. Draft conclusions, recommendations and decisions are formally adopted by the subsidiary body at the end of the session. Drafts should be projected on a screen, where possible, and read out by the Chair.

19. If a draft conclusion, recommendation or decision cannot be adopted at the meeting for technical reasons, the subsidiary body may decide to circulate it to all Geneva Permanent Representations for subsequent approval.

B. On draft reports

20. A draft report of the meeting, which reflects in a concise and factual manner the discussion and the views expressed by participants, should be circulated well in advance of the end of the meeting for comments and adoption by member States at the end of the meeting.

21. If the draft report cannot be circulated at or adopted during the meeting for technical reasons, the subsidiary body may decide to distribute it to all Geneva Permanent Representations for subsequent approval.
