

European Roma and Travellers Forum



Europako Romengo Ithaj Travelerengo Forumo
European Roma and Travellers Forum
Forum européen des Roms et des Gens de voyage

Appendix V
Rules of Procedure
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Rules of Procedure

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I. Assemblies of Delegates

Assemblies of Delegates shall be convened by the President or, where necessary, by one of the Vice-Presidents by means of written invitations to the members and delegates already appointed. The invitations shall be accompanied by the agenda, venue and date of meeting.

Convocations can be issued with the proviso that in the absence of a quorum a further Assembly of Delegates will be convened forthwith, which shall be deemed to have a quorum even if fewer than 50% of delegates entitled to vote are present.

1. Chair of the Assembly

The oldest delegate present shall open and chair the first Assembly of Delegates. He or she shall open the meeting and appoint a minute taker.

The oldest delegate present shall determine the presence of a quorum and initiate the procedure for electing the Chairperson and three Deputy Chairpersons. They shall be elected for a 4-year term and then replace the oldest delegate present in the chair with his official tasks.

The Chairperson shall be elected on a simple majority of the votes cast by a minimum of ten delegates entitled to vote. The same shall apply to the Deputy Chairperson.

If the Chairperson is male, two of the Deputy Chairpersons must be female, and vice-versa.

2. Agenda

The President of the Forum, or if unavailable one of the Vice-Presidents of the Forum, shall enclose the provisional agenda with the letter of convocation, in agreement with the members of the Executive Committee.

a) Each delegate shall be entitled to move amendments or additions to the agenda up to two weeks before the date of the Assembly. The Assembly of Delegates shall vote on amendments/additions on a simple majority. Reasons may be requested for the proposed amendments/additions during the Assembly of Delegates.

b) Urgent motions for additions/amendments to the agenda may be tabled in writing by a minimum of 10 delegates entitled to vote up until 6 pm on the day before the Assembly. The Assembly of Delegates must vote on such urgent motions on a simple majority, and may request oral reasons for such motions.

3. Sittings

a) Public nature of sittings

Sittings of the Assembly of Delegates shall be open to the public, unless the Assembly decides, on a motion from any delegate, to exclude the public, by means of a simple majority vote.

b) Requests for permission to speak, permission to speak, speaking time, order of speakers

The Chairperson shall determine the order of speakers, whereby each delegate shall be entitled to speak on one agenda item. The Chairperson shall invite delegates to speak, and may reduce the overall speaking time on any one agenda item.

c) Conclusion of debates

The Assembly of Delegates may, on a motion from any delegate, decide to conclude the debate on a simple majority vote. If the motion is accepted, no further speakers or requests for permission to speak will be heard.

d) Adjournment

A motion for conclusion of a debate may be combined with a motion for adjournment of the discussions. If this motion is accepted, the agenda item under discussion will be resumed at the following meeting of the Assembly of Delegates.

e) Motion for a vote

A motion for conclusion of a debate may be combined with a motion for a vote. If this motion is accepted, a vote must be taken.

f) Procedural motions

Motions for conclusion of debates, conclusion of debates with adjournment and conclusion of debates with voting are procedural motions which must be decided on forthwith, including between speeches.

The same applies to all other procedural motions (reducing speaking time, withdrawal of permission to speak, etc).

g) Right to decide order of speakers, withdrawal of permission to speak

The Chairperson shall be entitled to decide the order of speakers during the meeting, and may withdraw permission to speak from individual speakers for infringing the Statute or failing to adhere to the agenda, etc.

h) Voting

Voting and adoption of decisions must be conducted in secret where so moved by more than 10% of the total number of delegates.

4. Elections

A. General comments

a) Each delegate shall have one vote.

b) For the election of the President, the two Vice-Presidents and the other seven members of the Executive Committee, an Electoral and Election Validation Committee must, on a motion from the Chairperson, be elected on a simple majority.

The Electoral Committee must ensure compliance with the regulations on electoral procedure and announce the results of the election.

Records must be kept of each person elected and the results of voting.

B. Election of the President and two Vice - Presidents

a) In order to be eligible, delegates must be entitled to vote and must speak Romani and/or English and/or French. They should have experience of European or international organisations.

If a man is elected President, at least one of the Vice –Presidents must be a woman, and vice-versa.

The President and the two Vice –Presidents retain their status as delegates entitled to vote.

b) Candidatures must be presented by at least 10 delegates entitled to vote in order to be valid. Multiple nominations of the same delegate shall be permissible.

c) Each Candidate must present his or her political ideas.

d) The President and the two Vice- Presidents shall be elected for four-year terms of office, in separate ballots.

e) The election shall proceed as follows:

“The President and the two Vice- Presidents shall be elected in different ballots. If a man is elected President, only female candidates are eligible for the election of the first Vice-President and vice- versa.

All eligible candidates shall be listed on the ballot paper in alphabetical order. Each delegate shall indicate his or her choice of candidate with an “x”.

Any candidate who has obtained over 50% of the votes in the first ballot shall be declared elected.

Where no candidate has obtained over 50% of votes in the first ballot, a second ballot must be held between the two candidates having obtained the most votes in the first ballot. The candidate who obtains a simple majority of votes in the second ballot shall be declared elected.

C. Elections of the other seven members of the Executive Committee

a. Nominations

Nominations for the other seven members of the Executive Committee may be submitted, on a motion from the President, up to a maximum of ten candidates. The nomination should reflect the gender¹ and geographical balance², and diversity³ of the ERTF.

At least one candidate should be specialised in financial matters.

b) Introduction

Each candidate must present his or her political ideas.

c) Election procedure

All admissible candidates should be listed on the ballot paper or should be proclaimed with their names in written form.

Each delegate shall have up to seven votes to the other seven members of the Executive Committee.

The seven candidates who have obtained most of the votes shall be declared elected..

5. Dismissal of members of the Executive Committee

a) The President shall be entitled to move the dismissal of members of the Executive Committee. In such cases, he or she must also convene, within a period of six weeks, an Assembly of Delegates the agenda for which shall include an item "Dismissal of a member of the Executive Committee".

The member in question shall be suspended from office until the Assembly of Delegates has reached a final decision.

The motion from the President must be transmitted to the Chairperson elected at the most recent Assembly of Delegates.

Where no Assembly of Delegates takes place within the six-week period following the dismissal motion, the Executive Committee member in question may, after expiry of the 6-week period, resume his or her office and official duties.

b) A motion to dismiss the President, one of the Vice- Presidents or other members of the Executive Committee is admissible provided that a minimum of 20 delegates entitled to

¹ The percentage of Roma women in the Executive Committee should be at minimum the same as the percentage of the Plenary Assembly.

² The Forum should reflect the presence and representance of Roma in the Council of Europe member states.

³ No more than two delegates from the same organization can be nominated

vote submit the motion in writing to the Chairperson of the most recent Assembly of Delegates. The motion must be decided on at the subsequent Assembly of Delegates.

The motion for dismissal shall only be admissible and valid if accompanied by a fresh nomination for the office vacated.

II. Executive Committee

The Executive Committee shall implement decisions adopted by the Assembly of Delegates, and may take any relevant action to do so at its own discretion, in accordance with the circumstances and in compliance with the Statute.

1. Sitings

The President shall convene the sittings of the Executive Committee and determine the agenda.

At the beginning of the sitting, any Executive Committee member may move amendments or additions to the agenda.

The Secretary shall take minutes on each sitting, and decisions must be recorded together with the results of voting.

Sittings shall not be public.

One or more individuals may, on a motion from (an) Executive Committee member(s), be admitted to the sitting, subject to the President's agreement.

a) Requests for permission to speak, permission to speak, speaking time and order of speakers

The President and/or one of the Vice -Presidents shall establish the order of speakers, and each Executive Committee member shall be entitled to speak on any agenda item. The President shall invite the member to speak, and may reduce the overall speaking time on any one agenda item.

b) Conclusion of debates

The Executive Committee may, on a motion from any member, decide to conclude the debate, by means of a simple majority vote. If the motion is accepted, no further speakers or requests for permission to speak will be heard.

c) Adjournment

A motion for conclusion of a debate may be combined with a motion for adjournment of the discussions. If this motion is accepted, the subject under discussion will be included on the agenda of the following sitting of the Executive Committee.

2. Voting

Votes shall be taken and decisions adopted on a simply majority of members present. In case of a tie the voting of the President shall be decisive.

The Executive Committee shall be deemed to have a quorum if the President and/or, if he/she is unable to attend, the two Vice- Presidents the Treasurer and three further members of the Executive Committee are Present.

In urgent cases, votes can be taken or decisions adopted under ordinary procedure, the relevant texts being transmitted by electronic means, provided that all members agree in writing to the ordinary procedure and all members take part in the voting. Decisions under ordinary procedure shall be adopted on a simple majority.

3. **Guidelines**

The President shall set out the guidelines for the political activities of the ERTF, the Executive Committee and individual members of the Executive Committee. He/she shall determine the fields of official activity of all Executive Committee members except the Treasurer.

The President may veto decisions adopted by the Executive Committee. Where a decision is so vetoed and no friendly settlement can be reached, the matter must be referred to the Assembly of Delegates for decision.

The President and/or Executive Committee may set up ad hoc and/or standing committees as appropriate.

4. **Secretary**

The Secretary shall be elected on a simple majority, as nominated by the President. He or she must take minutes, keep files and support the Chairperson of the Assembly of Delegates.

5. **Treasurer, financial planning**

The Treasurer shall be elected on a simple majority as nominated by the President.

The Executive Committee shall adopt, on a simple majority, the Forum's schedule of receipts and expenses for each calendar year, with the President's approval. The annual financial plan must have been tabled the previous year with the Assembly of Delegates for information and debate. The Assembly of Delegates shall not be responsible for voting or deciding on the financial plan.

Where the Executive Committee wishes to derogate from a financial plan, with the President's approval, the Treasurer has the right to object. On recording of the Treasurer's objection in the minutes, the President must take the final decision.

6. **Annual accounts and financial statements**

The Treasurer must submit the annual accounts and financial statements for the previous year to the president within the first three months of the new year. The accounts and

statements must be tabled at the subsequent Assembly of Delegates for information, debate and voting on the Treasurer's discharge in respect of his/her financial management.

The Treasurer must give the auditor appointed by the Assembly of Delegates access to all the relevant financial documentation, and must report to the President, the Executive Committee and the Assembly of Delegates on the outcome of the audit.

The Treasurer shall be responsible for transmitting information on transactions and audit reports to the Council of Europe.

7. **Right to give instructions to consultants**

The President shall exercise the right to give instructions to consultants. He or she may delegate this right to members of the Executive Committee permanently or on an ad hoc basis.

The president shall decide, in agreement with the Executive Committee, on the recruitment or dismissal of consultants.

III. **Members**

1. **Admission of members**

In accordance with the statute, applications should be submitted to the President, they shall subsequently be processed by the Secretariat and tabled with the Executive Committee for decision.

2. **Members and delegates**

Members of ERTF may only be organisations originating in the population set out in Articles 1.2 and 5.1 of the statute.

Each admitted member – organisation of ERTF has the right to appoint at least one delegate to be present at the Plenary Assemblies of ERTF.

3. **International members**

- a. The main criteria for admission of new members are set out in the Statute (Article 5.2.ii).
- b. Transitional clause 4. of the statute
International NGOs, which are applying for membership, have to prove their official registration not later than 3 months before the end of the first term of office, if they had appointed their delegates under Transitional clause 4. of the statute.
- c. International Organisations shall inform the President in writing of their appointed delegates

4. **National members**

a) Preliminary Remarks

According to Article 5.2. only one national umbrella organisation per Council of Europe member State can become a member and dispatch delegates. This umbrella organisation must represent at least 75 % of all established and officially registered structures representative of the populations in question in the individual state, within the meaning of Art. 1.2. of the statute.

The founding members of ERTF are aware that probably no existing national umbrella organisation fulfilled this criteria prior ERFT was founded.

This highlights the decisive importance of Transitional clause 3 of the statute, which stipulates that an Assembly involving all the established structures representative of the populations in question in the relevant Council of Europe member state within the meaning of Art. 1.2. can appoint delegates to sit in the ERFT Plenary Assembly for one term of office.

The building up of such national umbrella organisations or structures will be a process.

That means for example that under Transitional clause 3 appointed delegates also are responsible for their political work and behaviour to the national member, the national assembly or the national structure, even if this structure is not really clear in the beginning of its work.

b. Transitional clause 3. of the statute

Against this background, expressed under a, the procedure of Transitional clause 3. is as follows:

i.Expression of interest

The Executive Committee will contact all the known organisations working in the corresponding Council of Europe member Stat, and invite them to notify in writing whether they are interested in taking part in the Forum.

The Executive Committee shall provide as much specific and general information as possible on the Forum, its aims and membership and the possibilities for sending delegates from national assemblies.

The Executive Committee is entitled to set deadlines on expression of interest in participation in the Forum, concerning delegate selection for one term of office.

Existing umbrella organisations are regarded as one single organisation. Members of national umbrella organisations must send the Executive Committee of the Forum the "expression of interest" form on their own behalf if they wish to be considered as a separate organisation.

The Executive Committee will review and consider applications by branches of a political party to register separately (like a NGO).

ii. Assembly in CoE member states

Convocation of the Assembly in individual Council of Europe member States for the purposes of designating delegates shall be organised as follows:

The Executive Committee will nominate one or more organisation (s) in the individual member States as a partner organisation for the purposes of implementing the Assembly.

The Executive Committee will inform the partner organisation of the names of all the organisations.

The partner organisation must invite all organisations that have submitted expressions of interest to the Assembly, giving them sufficient advance notice.

iii. Appointment of delegates at the Assembly

Only participating organisations which have forwarded their expression of interest in time shall be entitled to vote in the Assembly.

Organisations represented in the Assembly with voting rights shall have one vote each.

iv. Admission as delegate to the ERTF Plenary Assembly

The Executive Committee shall decide, on a motion from the President, on the admission of delegates appointed to the Assembly of the individual State, in accordance with Transitional Clause 3 of the Statute.

The decision must be taken on the basis of the following criteria , as evidences to the Executive Committee's satisfaction:

- supporting documents showing that all organisations submitting an expression of interest have been invited;
- procedure for consideration of candidates;
- electoral procedure, together with information on the results of the voting;
- type and scope of information provided to the organisations in the State in question and its invitation to the Assembly;
- type and scope of voting rights in the Assembly of participating organisations;
- checks on registration of organisations;
- level of representativeness of the relevant populations on the part of the organisations participating in the Assembly (over 75%?);
- compliance with the principles of gender balance and generation balance in election/appointment;
- results of voting during election

- introduction of candidates and possibility of putting questions to candidates
- possible participation by members of the Executive Committee in the Assembly.

Should the Executive Committee withhold delegate status from individuals who can evidence that they have been elected from an assembly in accordance with paragraph 3 of the Transitional Clauses of the Statute, the Assembly of Delegates shall take the final decision on the matter.

c. National umbrella organisations or structures

Taking into account the criteria of Art. 5.2.i. of the statute and the preliminary remarks above under a. each national umbrella organisation, or structure, which applies for membership, has to be proved by ERTF, whether it fulfils the criteria or not.

Therefore the following is stipulated:

i. A prerequisite for membership of ERTF is that all interested national Organisations must be registered with the ERTF. To this end they should fill in the form "Questionnaire – expression of interest" and send it to the president. One single registration for the whole national umbrella organisation is insufficient.

ii. The structure chosen from the selection of delegates (Transitional clause3.) shall submit an application for membership.

iii. The national umbrella organisation/structure has to be open for participation of new organisations which send on expression of interest after the end of the first Plenary Assembly to ERTF.

d. Decisions on membership

Where a national umbrella organisation or structure (Article 5.2.i of the Statute) applies for membership, the Executive Committee shall assume that it fulfils the criteria set out in the Statute if the applicant organisation can produce evidence that:

all the registered organisations were invited to the inaugural assembly of the umbrella organisation or structure

- and
- the umbrella organisation or structure was founded by the necessary number of organisations invited.

Where an umbrella organisation or structure from a given State applies for membership despite the fact that another umbrella organisation from the same State is already a member, the aforementioned assumption shall be deemed refuted. The Executive Committee will hear both umbrella organisations, and initiate its own investigations if appropriate.

The Executive Committee shall, on a motion from the President, decide whether either or both of the structures in question fulfil the criteria set out in the Statute. Should it emerge that the umbrella organisation which is already a member fails to fulfil the criteria, this organisation must be excluded from membership.

Only one umbrella organisation or a national structure can fulfil the criteria.

Where over 75% of the organisations in a Council of Europe member State that have submitted expressions of interest are already members of a national umbrella organisation, it can be assumed that this umbrella organisation already complies with the criteria set out in Article 5.2.i of the Statute. In such cases the umbrella organisation is entitled to submit its application for membership.

This assumption shall be deemed refuted where a national organisation can provide the Executive Committee with documentary evidence that:

- the umbrella organisation which is already recognised as a member has refused the complainant individual national organisation admission to the umbrella organisation on grounds that are incompatible with the principles set out in the Statute;

or

- there is a different umbrella organisation that fulfils the criteria set out in the Statute.

In such cases the Executive Committee must hear the organisations in question and reach a decision, on a motion from the President. Only umbrella organisations can fulfil the criteria of the Statute. The regulations on exclusion of members shall apply *mutatis mutandis*.

5. Delegates, substitutes and delegations

a. Composition of delegations

Delegations from the international organisations shall consist of delegates entitled to vote, including delegates from National Members (Article 5.2.i of the Statute), delegates from an Assembly in the individual State (Transitional Clause III of the Statute), and delegates entitled to vote and their substitutes under the specific provisions of Article 6.5 of the Statute.

Members must appoint their delegate(s) and the three substitutes in a written document submitted to the President, giving full names.

The President shall verify the composition of the delegation, including the three substitutes, in accordance with Article 6.3 of the Statute. Where the member fails to comply with Article 6.3 in appointing the delegate and the three substitutes, the Executive Committee may, on a motion from the President, invite the member to alter the composition, stipulating the reasons for this request. Should the member fail to comply, a final decision must be taken at the subsequent Assembly of Delegates on whether or not the delegate and the three substitutes appointed by the member in question should retain their delegate status. The delegate in question and the three substitutes shall not be entitled to vote, and the final decision shall be taken on a simple majority of the delegates who are entitled to vote and are in attendance at the Assembly.

b. Members with more than one delegate entitled to vote

The Executive Committee shall issue a written decision, at the time of admission of a member, on whether this member can appoint several delegates entitled to vote (Article 6.5 of the Statute).

Where the member is entitled to appoint several delegates entitled to vote, indent a) above shall apply *mutatis mutandis*.

The number of national delegates shall be established in accordance with the following scale, in conjunction with the principles of Article 6.3 of the Statute:

Roma/Traveller Population

- 1 - 100 000 1 delegate
- 100 000 - 500 000 2 delegates
- 500 000 - 1 million 3 delegates
- over 1 million 4 delegates

Each delegate, whether national or from an international organisation, shall be supported by three named substitutes. Delegate and substitute status shall be personal and non-transferable.

Only delegates shall be invited to Assemblies, and only their expenses shall be defrayed.

Where delegates are represented by their substitutes, the latter should be treated as delegates, with the same rights and duties.

IV. Exclusion of members

The Assembly of Delegates shall base any decision to exclude a member on the relevant resolution adopted by the Executive Committee. The intended exclusion must be notified in writing to the member at least one month before the final decision by the Assembly of Delegates.