

# **Rules of Procedures of China Council for International Cooperation on Environment and Development**

**(Adopted by the 1<sup>st</sup> Meeting of CCICED in 1992, Amended in October  
1997 and Re-amended in November 2002)**

The China Council for International Cooperation on Environment and Development (the Council) is a non-governmental body, established by and providing advices to the government of the People's Republic of China.

## **1. The Mandate of the Council**

- (1) The Mandate of the Council is outlined in the Terms of Reference and was adopted at the 1<sup>st</sup> Meeting of the Council in Beijing in April 1992. By September 1996, the Council had successfully completed its mandate for Phase I. The 1<sup>st</sup> Meeting of Phase II of the Council defined the tasks of the Council for Phase II. The 1<sup>st</sup> Meeting of Phase III has defined the mandate of the Council Phase III: in principle to continue and improve research achievements, policy recommendations and successful experience of the first two phases; and to provide more executable policy recommendations, enhance and extend demonstration projects, and at the same time, to provide with new strategic policy recommendations in the new context.
- (2) The objectives of the Council are to explore ways of coordinating and integrating environmental protection, economic and social development, science and technology and related areas in order to provide Chinese government with more executable policy recommendations, technology assistance and demonstration experience for China's "Tenth Five-Year Plan", 2010 long-term plan and beyond, and the implementation of sustainable development strategy.
- (3) The Council will encourage the cooperation and support of the international communities for China's efforts to protect ecological environment, conserve energy and natural resources, and realise environmental, social and economic sustainable development.

## **2. Adoption of the Rules of Procedure**

- (1) The Rules of Procedure have defined the regular operation of the Council, its Bureau, Members, Lead Experts, Task Forces and the Secretariat. The Rules of Procedure have been amended after its adoption in Phase I and Phase II of the Council, and will be reviewed for adoption at the 1<sup>st</sup> meeting of the Council Phase III.

- (2) Amendments to the Rules of Procedure will be made in accordance with Section 18 below.

### **3. Nomination of the Chair and Vice-Chairs**

- (1) The Chair of the Council will be a leader of the State Council.
- (2) There will be five Chinese and international Vice-Chairs (three Chinese Vice-Chairs and two international Vice-Chairs). The Chinese Vice-Chairs will be nominated by the Chinese government. The international Vice-Chairs will be nominated by Canadian government in consultation with relevant countries. The candidates will be submitted to the Chinese government for adoption at the Council AGM.
- (3) The terms of office for the Chair and Vice-Chairs shall be five years. Under special circumstances, they may resign before their term ends. If such circumstance occurs, the Chinese government will nominate new Chair or the Chinese Vice-Chairs, and the Canadian government, in consultation with relevant countries, will nominate international Vice-Chair(s).

### **4. Selection of Council members**

- (1) Members of the Council will be invited to serve on the Council by the Bureau acting on behalf of the Chinese government.
- (2) Before any new member is invited, the Bureau shall consult with relevant parties.
- (3) There will be 40 Council members (20 Chinese members and 20 international members), who will serve for five years on the Council. They may resign in mid-term to the Bureau.
- (4) Arrangements will be made for members to retire if they do not perform their duties or, for other personal reasons, or no longer meet the requirements of the Council.
- (5) The change in Council membership has to be approved by the Bureau and adopted by the Council AGM.

### **5. The Secretary-General and Deputy Secretariat-General of the Council**

- (1) The Secretary-General of the Council will be appointed by the Bureau. (If necessary, the Bureau may appoint 1-2 Deputy Secretary-Generals.)
- (2) The Secretary-General is in charge of day to day operation of the Council, and supervises the work of the Council Secretariat. The Deputy Secretary-General assists the Secretary-General.

### **6. Participation in the Council AGMs**

- (1) Members participate in the Council AGMs in their personal capacities. They shall not send representatives in case of their absence.

- (2) Special guests and observers may participate in AGMs at the invitation of the Council after approved by Chair or Vice-Chairs.

## **7. Notices of AGMs**

- (1) The Council AGM is held once every calendar year. Notice of AGM of the Council, unless otherwise directed by the Bureau, shall be sent out in writing to each Member at least 30 days prior to the date of the AGM.
- (2) Under special circumstances, the Chair, together with other members of the Bureau, will decide whether a special meeting be called. Notice of such a special meeting of the Council, unless otherwise directed by the Chair, shall be sent out in writing to each Member at least 30 days prior to the date of the meeting.
- (3) No meeting shall be invalidated as a result of any member's failure to receive notices as described in this section.

## **8. Procedures at AGM**

- (1) The Chair shall preside over AGM of the Council. In the event the Chair is absent or unable to preside, or the office of Chair is vacant, a Vice-Chair may assume the duties and functions of the Chair with approval of the Members. In the event both the Chair and Vice-Chair are absent from the AGM, the Members shall select one Member to preside.
- (2) Decisions at the Council AGM shall be made by consensus. In the event consensus cannot be reached and, in the opinion of the Chair a decision is required, each Member present shall have one vote and a majority present shall decide the issue. If votes are equally divided, the Chair may cast the deciding vote.
- (3) A quorum for any AGM shall be a majority of the Members consisting of at least half of the Chinese Members and one third of the international Members.
- (4) The recommendations to the Chinese government submitted by the Council shall be forwarded to relevant Chinese government departments within 90 days.
- (5) Task Force interim work reports shall be submitted to the Council Secretariat 30 days before the AGM. Other reports of the Council, Task Force activities or reports to the AGM shall be circulated to the Council Members prior to the AGM.

## **9. The Council Bureau**

- (1) A Bureau shall be established in the Council, consisting of Chair, Vice-Chairs, Secretary-General and Head of Secretariat Canadian Office.
- (2) The Chair of the Council is also the Chair of the Bureau.
- (3) The Bureau shall designate two executive Vice-Chairs (one Chinese and one international) to make decisions for the Council's regular operation.
- (4) The Bureau shall meet at such times and places as it deems necessary with meeting agenda prepared before such meetings. The Bureau shall meet once a year in conjunction with the Council AGM. Between AGMs, decisions shall be

- made through submission for approval. Under special circumstances, the Chair may call for or entrust executive Vice-Chair(s) to hold Bureau meetings.
- (5) If any position in the Bureau shall become vacant, the Chair may appoint a Member of the Council to take the position until the next Council AGM.
  - (6) If the international Vice-Chair is unable to participate in the Bureau meeting, an international Council Member may be designated to be present at the Bureau meeting with the Chair's approval.
  - (7) A quorum of the Bureau shall be a majority of its members, including both Chinese and international members.
  - (8) For convenience, the Chinese and international Lead Experts and Head of Secretariat shall participate in Bureau meetings as required.

#### **10. The operation of the Lead Experts**

- (1) Lead Experts will be invited by the Council. Assistants to Lead Experts shall be provided to carry out the work related.
- (2) Lead Experts will be nominated through the consultation between the Chinese side and Canadian side, and approved by the Bureau.
- (3) The major responsibilities of the Lead Experts include: assessing Task Force project proposals, identifying research priority areas of the Council, giving suggestions for Task Force management, commissioning issue papers for the Council, making recommendations on the themes of the Council AGM, assessing the work of the Task Forces, drafting and finalizing Council recommendations to the Chinese government, etc.
- (4) Lead Experts and their assistants shall keep necessary contacts with Task Forces and other organization involved.

#### **11. The operation of the Secretariat**

- (1) The Secretariat Head Office is established in the State Environmental Protection Administration (SEPA). It will provide support to, coordinate, and follow up on the activities of the Council and its Task Forces.
- (2) The Secretariat shall obtain support in the international aspects of the Council's activities from a Canadian Executing Agency for CIDA. This Agency will be financed by Canada and shall serve as the Council Secretariat Canadian Office.
- (3) The Secretariat, in the event that it cannot make decisions on its own, shall act as directed by the Bureau.
- (4) The Secretariat Canadian Office shall operate in accordance with the management plan agreed upon by the Council and Canadian International Development Agency (CIDA).
- (5) Heads of the Secretariat shall participate in the Council AGM and Bureau meetings as an observer. The Secretariat shall provide note taking and translation services for the above meetings.

## **12. Task Force activities**

- (1) Based on the needs of China's environment and development areas, the Council will establish short term Task Forces on an on-going basis to conduct studies (in general, each TF will not exceed two years at most,) (Please refer to the attachment for "The Establishing Procedures for Task Force").
- (2) The basic requirements for TFs are: the subject area represents urgent priority in China's environment and development, there is sufficient funding for the TF, and suitable candidates for both Chinese and international Co-Chairs are identified. The TF proposal shall be assessed by the Lead Experts and submitted to the Bureau for approval.
- (3) Each TF will have a Chinese and an international Co-Chairs with no more than 10 members (5 Chinese and 5 international members).
- (4) When establishing the TF, the Council will clarify:
  - The study area, funding budget and expected objectives;
  - The qualification of the TF Co-Chair candidates;
  - The time table for the TFs;
  - The composition of TFs (international members should not be limited only to donor countries);
  - The scope of TF activities, including final report and financial requirements.
- (5) The TFs will take into consideration assessment of the Lead Experts, with support from the Secretariat Head Office and the Secretariat Canadian Office.
- (6) The Co-Chairs of the TFs will make decisions on its members and other issues in consultation with the Secretariat, to ensure the smooth completion of its work within the framework set up by the Council.
- (7) The appointment of the TF members shall be carried out by the Co-Chairs individually, including (but not limited to) fees for service, estimated working days and duration of appointment.
- (8) Any TF member wishing to resign from the TF shall notify the Co-Chair at least 60 days in advance.
- (9) In the event of an unresolved disagreement related to the activities or membership of the TF, the case will first be referred to the Bureau. If it cannot be resolved at the Bureau level, it will be referred to the Council by correspondence if necessary. The decision of the Council will be final and binding for all parties.

## **13. Financial issues**

- (1) The funding for the Council comes from contributions of the Chinese government and international donors.
- (2) The Council will set up a core funding mechanism gradually to finance studies that are unable to obtain other financial support. Donor countries are welcome to provide funds to the task force that they are interested in.

- (3) The Secretariat Head Office and the Secretariat Canadian Office will administer core funding funds that enter their respective accounts according to their respective financial regulations and rules.
- (4) The usage of funds will be subject to the approval of the Bureau based on the proposal in consultation with donors, the SHO and the SCO. The funds will be audited annually by a third independent auditing agency.
- (5) The Council will actively seek contributions from organizations that are interested in cooperation with the Council. The Council will also make specific arrangement to ensure systematic and continuous financial and other support necessary for carrying out the Council's activities are in place.
- (6) In the Council activities, contracts and agreement will be signed with approval of the Bureau. The Council may designate a representative or entrust a representative in writing as the signatory.
- (7) The funds from international donors will be administered under guidelines accepted by donors and the Council, or the Council's Bureau.
- (8) The funds from international donors will be audited as agreed upon by the donors and the Council, or the Council's Bureau.
- (9) The funds for the Council and the TFs will be executed through budgeting and final accounting.
- (10) The Council, TFs and any other organization or individuals accepting financial support must keep accurate and complete financial records according to financial regulations and practice.

#### **14. Presents and donations**

- (1) No gift, present or donation shall be accepted by or on behalf of the Council without the approval of the Bureau.
- (2) Where a gift, present or donation is approved by the Bureau, it shall be dealt with in accordance with the terms and conditions of its acceptance by the Bureau.

#### **15. Conflict of interest**

- (1) When accepting any gift, present or donation or allocating funds, any member of the Council or the Bureau who is officially or formally connected to the contributor shall declare his/her connection.
- (2) No Council member shall materially benefit, either directly or indirectly, from a contract or agreement entered into by the Council without prior approval of the Bureau.

#### **16. Execution of document**

Every agreement, contract, or official document in writing that requires execution or approval in the name of the Council shall be signed by the Council Chair, or by one or several members of the Bureau designated for such purpose by the Chair.

## **17. Statements and reports**

- (1) Any official statement and announcement (except for regular announcements and news briefs issued by the Secretariat) in the name of the Council shall only be made by the Chair of the Council or his/her designee.
- (2) The Council will make an annual report to the Chinese government on its conclusions, activities and recommendations. This report will be discussed at the Council AGM and submitted with the entrustment of the Council Chair.
- (3) The Council will make appropriate arrangement for its relations with the media.

## **18. Amendments to the Rules of Procedure**

Amendments to these rules of procedure may be made by the Council at any Council AGM. The draft amendment shall be sent to Council members prior to AGM.

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