

Pursuant to Article 16 paragraph 1(c) of the Framework Agreement on the Sava River Basin, Article 4 paragraph 2(a) of the Statute of the International Sava River Basin Commission, the International Sava River Basin Commission adopted on its 1st Regular Session held on June 27-29, 2005, and amended on the 9th Special Session held on April 7-8, 2008, and amended in written procedure on December 14, 2009, the following

Rules of Procedure Consolidated text

Article 1 Definitions

For the purposes of these Rules of Procedure:

- (a) **FASRB** means the Framework Agreement on the Sava River Basin, signed at Kranjska Gora, Slovenia, on 3 December 2002, including changes and amendments stipulated within the Agreement on Amendments to the Framework Agreement on the Sava River Basin and Protocol on Navigation Regime to the Framework Agreement on the Sava River Basin, signed in Ljubljana on 2 April 2004;
- (b) **Statute** means the statute of the International Sava River Basin Commission as stipulated by Annex I of the FASRB;
- (c) **Sava Commission** means the International Sava River Basin Commission established by Article 15 of the FASRB;
- (d) **Secretariat** means the Secretariat of the Sava Commission, established by Article 19 of the FASRB;
- (e) **Party** means a State Party to the FASRB;
- (f) **Representative** means a member and deputy member of the Sava Commission, as defined by the FASRB, Article 1 (1) of the Statute;
- (g) **Expert Groups** means the permanent and *ad hoc* expert groups established pursuant to Article 9 of the Statute.

Article 2 Scope

These rules of procedure shall apply to the work of the Sava Commission, its Secretariat and Expert Groups.

Article 3 Notification

- 1) Each Party shall notify the Secretariat of the names of their representatives.
- 2) Each Party shall notify the Secretariat of the names of representatives' advisors two weeks before the session of the Sava Commission, if possible.

Article 4 Chairmanship

- 1) The Sava Commission shall be chaired by a member.

- 2) The Chairman shall serve for a period of three years. The Chairmanship shall be rotated following the English alphabetical listing of the Parties. Lots shall be drawn for the first Chairman.
- 3) The Vice Chairman of the Sava Commission shall be the member from the next Party following the English alphabetical listing of the Parties.
- 4) In the temporary absence of the Chairman, the Vice Chairman shall chair the Sava Commission. In the case of the incapacitation, resignation or other permanent vacancy of the Chair, the Party on behalf of which the Chairman was a member shall designate a successor to serve until the expiration of the Chairman's original term.
- 5) In addition to exercising the powers and duties conferred upon him/her elsewhere in these Rules, the powers and duties of the Chairman shall be to:
 - (a) Convene the sessions of the Sava Commission;
 - (b) Prepare a preliminary draft agenda for the session with consultation of the Representatives and the Secretary;
 - (c) Preside over each session of the Sava Commission;
 - (d) Open and close each session of the Sava Commission;
 - (e) Sign jointly with the Secretary the reports of each meeting;
 - (f) Ensure the observance of these Rules;
 - (g) Receive full powers of the Representatives, jointly with the Secretary;
 - (h) Give directives to the Secretary, which will ensure that the work of the Sava Commission is carried out efficiently and in accordance with its decisions and recommendations.

Article 5
Sessions of the Sava Commission

- 1) The sessions shall be held in the Seat of the Sava Commission unless the Sava Commission decides otherwise. The Chairman shall propose the agenda for the sessions. Representatives of each Party may propose agenda items. The first item on each agenda shall be "adoption of the agenda".
- 2) Sessions of the Sava Commission shall be convened at least once a year by the Chairman. The sessions can be convened more often upon initiative of the Chairman or at request of one or more of the representatives. The Sava Commission may decide to hold the session in parts. For the sessions of the Sava Commission:
 - (a) The Secretary shall, with approval and on behalf of the Chairman, circulate an invitation letter and preliminary agenda at least six weeks before the opening of the session. Representatives of each Party shall be entitled, up to four weeks before the opening of the session, to ask for item(s) to be placed on the draft agenda with explanatory memorandum supporting their request. The draft agenda shall be sent to all representatives at least two weeks before the opening of the session. The agenda shall be adopted at the beginning of the session, and at that stage, it may only be amended upon approval of the Sava Commission;
 - (b) All documents submitted shall be distributed to the representatives of the Sava Commission at least four weeks before the opening of the

session in e-form in principle. Documents received after this deadline will be circulated as late ("L") documents and will only be discussed if the Sava Commission so decides;

- (c) No other documents shall be circulated by the Secretariat less than two weeks before a session, except:
 - (i) Documents that the Chairman considers essential for the session;
 - (ii) The comments on already circulated documents;
- (d) Bulky documents should include abstracts embodying the essence of the proposals and action requested.
- (e) The date and preliminary agenda for the next session shall be set at the session.

In case the session has to be urgently convened, the Sava Commission may reduce the above mentioned deadlines.

- 3) The sessions of the Sava Commission shall be held in private, unless the Sava Commission decides otherwise and audio recorded. The participation of observers to sessions of the Sava Commission shall be done according to the procedure specified in Rule 16 on Observer Status.

Article 6 **Decision Making and Voting Procedures**

- 1) At least one representative from each Party shall be present at each session of the Sava Commission.
- 2) Each Party shall have one vote.
- 3) Any amendment to a proposal before the Sava Commission shall be voted on before the proposal. If the amendment is adopted, the amended proposal shall then be voted on. A motion is considered to be an amendment to a proposal if it merely adds to, deletes from, or revises that proposal.
- 4) If two or more proposals relate to the same question, the Sava Commission, unless it decides otherwise, shall vote on the proposals in the order in which they have been submitted. The Sava Commission may, after each vote on a proposal, decide whether or not to vote on the next proposal.
- 5) Any representative may request that any part of a proposal or an amendment to a proposal be voted on separately. If objection is made to the request for division, the Chairman shall permit two representatives to speak, one in favour of and the other against the motion, after which it shall immediately be put to vote.
- 6) If the motion referred to in Article 6 paragraph 5 is adopted, those parts of a proposal or an amendment to a proposal, which have been approved shall then be put to the vote as a whole. If all the operative parts of a proposal or amendment have been rejected, the proposal or amendment shall be considered to have been rejected as a whole.
- 7) After the Chairman has announced the beginning of voting, no representative shall interrupt the voting except on a point of order in

connection with the actual conduct of voting. The Chairman may permit the representatives to explain their votes and may limit the time allowed for such explanations. The Chairman shall not permit the proponent of a proposal or an amendment to a proposal to explain his/her vote on his/her own proposal or amendment, unless it has been amended.

- 8) Decisions and Recommendations shall be adopted by unanimous vote.

Article 7 Written Vote

- 1) A written procedure for adoption of decisions and recommendations may be used in principle in urgent cases.
- 2) The adoption of a decision or recommendation by written procedure may be proposed by the Chairman or by any representative.
- 3) The Secretary shall, with approval and on behalf of the Chairman, circulate draft decision or recommendation to the representatives of the Sava Commission for consideration without delay.
- 4) Representatives of the Sava Commission shall give urgent consideration to the proposal. If within proposed time limit no representative has rejected the draft decision or recommendation in writing, it shall be taken as unanimously accepted.
- 5) The Secretary shall announce the adoption of the decision or recommendation to all representatives. The adoption of the decision or recommendation shall be reflected in the report of the next following session of the Sava Commission, together with the text of the decision or recommendation and the date of adoption.

Article 8 Reports of the Sessions

Report shall be adopted and distributed before the end of the session. Report shall contain:

- (a) Date, place and number of the session, as well as a remark whether the session is regular or special;
- (b) List of participants;
- (c) Adopted agenda;
- (d) Texts of the adopted decisions, recommendations and conclusions.

Article 9 Communication

- 1) All communication and documentation addressed to or emanating from the Sava Commission shall be sent to or dispatched by the Secretariat. Communication to the Parties shall be addressed to their representatives.
- 2) The Secretariat shall be in charge of receiving, translating and distributing all reports and minutes, and drafted and adopted decisions and recommendations of the Sava Commission and its expert groups.

Article 10

Expert Groups

- 1) An expert group (EG) shall be composed of the experts appointed by the Sava Commission upon proposal of the representatives and chaired by the appointed official of the Secretariat.
- 2) The term of the office of all EGs shall be determined by the decision of the Sava Commission.
- 3) The Chairman shall submit to the EG a draft of measures to be taken. The EG shall deliver its opinion, recommendation or proposal based on the draft within a time limit, which the Chairman may set according to the urgency of the matter. The opinion shall be delivered by the majority of votes. All members of EG from one Party shall have one vote. The Chairman shall not vote.
- 4) The opinion, recommendations and proposals of the permanent expert group (PEG) shall be reported to the Sava Commission by the PEG Chairman for approval, in particular regarding:
 - (a) Draft Terms of Reference of the expert group, as well as proposed amendments to them. The Terms of Reference shall specify:
 - (i) the objectives;
 - (ii) timeframe;
 - (iii) budget;
 - (iv) reporting obligation;
 - (v) methodology for publication and dissemination of the results;
 - (b) Draft Programme of Work for the PEG and other proposals provided by its ToR;
 - (c) Results and achievements of their work.
- 5) Terms of Reference of the *ad hoc* EG shall, in principle, consist of the same elements as PEGs and be passed simultaneously with the decision on establishment of the *ad hoc* EG. The *ad hoc* EG may propose amendments to the Terms of Reference, as well as the Programme of Work, if in accordance with the given mandate and if considered necessary in course of its activities.
- 6) The Chairman of each EG shall represent the expert group in mutual coordination procedures with other EGs and in cooperation with the Secretariat.
- 7) In addition to exercising the powers and duties conferred upon him/her elsewhere by the Rules, the Chairman of each EG shall:
 - (a) Prepare the initial expert materials (with assistance of the *ad hoc* experts in accordance with need);
 - (b) Prepare the draft agenda and documentation for meetings of the respective EG, in close cooperation with staff members of the Secretariat;
 - (c) Convene and preside over meetings;
 - (d) Oversee the work of the EG between the meetings;
 - (e) Report on the results achieved at the meetings, especially the proposals and recommendations to the Sava Commission.

- 8) Each Party has the right to be represented by additional experts to participate in particular meetings of EG, as required. The Secretariat shall keep a list of all EGs and their composition.
- 9) These Rules of Procedure shall be applied, *mutatis mutandis*, to each EG except as otherwise approved by the Sava Commission.
- 10) The Sava Commission may also engage individual experts through the Secretariat in order to investigate specific issues. The Terms of Reference for the work of such experts shall be defined by the Sava Commission.
- 11) The Secretariat shall support work of the expert groups.

Article 11 **Conflict of interests**

- 1) The representatives of the Parties, their advisors, expert groups members, staff members of the Secretariat and other persons who are in any way directly or indirectly interested in any matter being subject to discharging of functions of the Sava Commission and its bodies, shall be obliged to disclose such interest.
- 2) Such disclosure shall be made in written or recorded in the report and minutes of the meeting.
- 3) After such disclosure, the interested person shall not participate in the related decision-making process.

Article 12 **Flag, Seal, Emblem and Logo**

- 1) The Sava Commission shall have its flag, seal, emblem and logo.
- 2) The Sava Commission shall adopt decision on design and use of its flag, seal, emblem and logo.

Article 13 **Annual reports**

The draft annual report shall be prepared by the Secretary and circulated to the members of the Sava Commission by May 31 of subsequent year. Representatives shall be allowed at least three weeks to comment on the draft report. The Secretary shall resolve any inconsistencies in comments received in consultation with the Parties concerned. Upon approval of the Sava Commission, the report shall be sent to the Parties and made available to the public.

Article 14 **Languages of the Sava Commission**

- 1) The official languages of the Sava Commission, its Secretariat and expert groups shall be the official languages of Bosnia and Herzegovina (Bosnian, Croatian, Serbian), Croatian, Serbian and Slovenian.
- 2) The Sava Commission, its Secretariat and expert groups may decide on working language(s).

Article 15
Availability of documents

- 1) Documents of the Sava Commission, its Secretariat and expert groups should be available to the public unless the Sava Commission decides otherwise.
- 2) The Sava Commission may restrict availability of certain documents.
- 3) The Sava Commission shall maintain a website and shall, wherever convenient, use the website for distribution of and access to documents, including possibilities for feedback from the public. Posting the documents on the websites the Sava Commission meets requirement referring to public access to information.

Article 16
Observer status

- 1) The Sava Commission may grant observer status to states, international, regional and national governmental and non-governmental organizations. The granted observer status may be permanent or *ad hoc*.
- 2) The Sava Commission shall adopt detailed criteria and procedure for granting observer status.

Article 17
Cooperation with International Organizations

- 1) In realization of obligations designated in Article 5 of the FASRB, the Sava Commission shall develop specific cooperation and coordination mechanisms.
- 2) The Sava Commission may cooperate with other international, regional and national organizations.
- 3) The Secretary may nominate officials of the Secretariat as representatives to meetings organized by other international, regional and national organizations.

Article 18
Amendments to the Rules of Procedure

These Rules including their annexes, if any, may be amended at any session of the Sava Commission by unanimous vote. Proposals for amendment of these Rules shall be circulated to the Representatives at least four weeks before such sessions.