

OPERATING PROCEDURES FOR VIRTUAL MEETINGS

Note by the Secretariat of the Carpathian Convention

The following practical guidance could be followed for a virtual inter-governmental meeting of the Carpathian Convention, that is governed by a formal mandate, to which Rules of Procedure would apply and that may require formal decision-making:

Rules of Procedure do not expressly require that meetings be held face to face or “in person”, although they are written with that understanding. As stated above, the traditional view has been that Member States/Parties need to be physically present. However, a more progressive view which is now reflected in the practice of some MEAs, would be that rules of procedure do not expressly require physical presence, and the requirement of “presence” can be met through participation in a virtual meeting. For this reason, it should not be a strict legal requirement that a formal decision to meet virtually is needed, especially under extraordinary circumstances, such as COVID-19. In the current crisis, Secretariats have thus convened virtual meetings after consulting with their presiding officers and bureaus. **The Rules of Procedure for the Conference of the Parties to the Carpathian Convention (Rule 3) provide that “each ordinary meeting of the Conference of the Parties shall decide on the place of the following ordinary meeting, unless other appropriate arrangements are made by the Secretariat in consultation with the Bureau”.**

Operating procedures for virtual meeting shall be considered as a supplement to the current Rules of Procedures of the Conference of the Parties to the Carpathian Convention

However, in the interests of openness and transparency, should virtual meetings become a developing practice, Member States/Parties or the Bureau of the relevant body may wish to agree in advance to meet virtually/allow virtual participation when required or authorize their subsidiary bodies to do so. Hence, **the meeting of the Carpathian Convention COP Bureau shall discuss and agree on organization of the virtual Carpathian Convention COP.**

These operating procedures for virtual meetings shall be agreed by the Bureau and circulated in advance by the secretariat. These operating procedures should follow the relevant Rules of Procedure as closely as possible. Importantly, it should be agreed that “presence” for the purpose of determining quorum and decision-making under the rules is not physical presence but remote presence, via a secure internet or telephone or video link. **The operating procedures for the virtual Carpathian Convention COP meeting shall be used to help to apply the Rules of Procedures in the virtual meeting.**

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Representation and credentials

Member States/Parties may wish to signify well in advance their intention to participate in the meeting and a pre-register on time. Credentials from Member States and Parties would still be needed. **Traditional online registration of the Carpathian Convention COP will be established by the Secretariat. The Credentials will still be required following the Rule 14¹ and 15² of the Carpathian Convention Rules of Procedures, however, due to online format of the meeting, duly signed credentials shall be submitted to the Secretariat in an electronic format via email as soon as available, and before start of the Meeting at the latest. The hard copy shall be mailed to the Secretariat, for its records, but it does not need to arrive before the start of the Meeting.**

With reference to the Rule 14 on Delegation there will be no limitations on how many delegates of any Party may be present. However, in the interest of efficiency, it is recommended that the size of each delegation not exceed 10 connections.

Duration and nature of meetings

The duration of a virtual meeting may differ from an in-person meeting. Also, it would be difficult to organize sub-groups (to work on decisions and report back to the plenary) in a virtual setting so alternative means may need to be found. Thus, it is very important in case of virtual meetings to have a clear understanding among all Member States/Parties in advance of the meeting on the scope of the meeting, whether decisions will be taken and the level of expectations. This helps to keep the meeting focused and mitigates the risk getting side-tracked and not achieving any outcomes.

The Secretariat suggests organizing the virtual COP meeting within one day, reducing the number of presentations, side events, interventions and other regular elements of the COPs to the essential minimum due to logistical and technical difficulties of running an online meeting. The proposed provisional agenda of the COP shall be made available to the Bureau.

¹ Rule 14. *Each Party participating in a meeting shall be represented by a delegation consisting of a head of delegation and such other accredited representatives, alternate representatives and advisers as it may require. A representative may be designated as an alternate head of delegation. An alternate representative or an adviser may act as a representative upon designation by the head of delegation.*

² Rule 15. *The credentials of representatives and the names of alternate representatives and advisers shall be submitted to the Executive Secretary of the Conference of the Parties or the representative of the Executive Secretary if possible, not later than twenty-four hours after the opening of the meeting. Any later change in the composition of the delegation shall also be submitted to the Executive Secretary or the representative of the Executive Secretary.*

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Requesting/giving floor

The Presidency or the secretariat should at the outset make clear the “ground rules” for requesting and giving the floor, that will be communicated in advance. For example, participants could use the “chat function” (or its equivalent) to indicate to the Secretary or presiding officer(s) their desire to make an intervention. Sometimes the “raised hand” function can be used, which should be visible to both the presiding officer and the secretariat. **Modalities for asking and giving the floor at the virtual COP meeting will be specified in the technical note which will be provided by the Secretariat.**

The Chair may also mention the time limit for the interventions/statements, especially since the duration of virtual meetings is more limited than in-person meetings. The moderation of virtual meetings by the Presidency is crucial. The Secretariat shall establish firm protocols on how to request the floor and be sure that he/she identifies who is taking the floor at every single occasion. Delegations may want to identify themselves every time they take the floor to facilitate the work of note takers as well as to other participants.

Internet connection and related logistics

The internet connection and video conference link should be secure in order to ensure that only the representatives of Member States/Parties, observers and stakeholders that had registered for the meeting, would have access.

The internet link for the virtual meetings should allow for live interactive discussions.

It is important to ensure that the Chair is very familiar with the technology and meeting platform. Time may need to be set aside to train the Chair.

If certain Member States/Parties are not connected, then from a procedural point of view, this can be addressed as a question of quorum. If quorum is met, it would be up to the presiding officer(s) to decide whether to proceed or to suspend/postpone the meeting, if some participants are not connected.

If the connection fails for certain participants, the meeting may, depending on the decision of the presiding officer(s) must be suspended until all participants are back online or at least enough in order to make quorum.

The secretariat should have a way to communicate with participants outside the virtual meeting platform, for example, by phone or email in order to resolve connection failures. It is thus important to have a channel for communication outside of the meeting.

Before a virtual meeting, participants can be required to join a test video call to confirm the adequacy of the connection and to familiarize themselves with the link that will be used for the meeting. Importantly, training sessions should be offered to Members States/Parties a few days before official sessions. Training materials in video animation format can be produced for Member States/Parties to learn to use the virtual meeting platform.

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The “virtual meeting room” should be scheduled to be opened at least 30 minutes before the start of the official proceedings to ensure that connection problems can be resolved in good time. However, it may be important to distinguish between smaller meetings of about 50 to 100 people and bigger meetings for which a longer testing period may be needed.

The Secretariat tested several online tools (MS Teams, MS Teams Live Event, Cisco Webex) that could serve as a platform hosting the virtual COP6 meeting. The technical details regarding security of meeting link, registration of participants, testing video call and training for the Parties will be provided by the Secretariat. However, the Parties will need to make sure that their delegations will be connected to the virtual COP from a stable and reliable internet source, allowing smooth running of the meeting. The proposed platform for the CCIC and COP meetings is MS Teams, following a successful example of other MEAs conducting decision-making meetings.

Quorum, decision-making and voting

A virtual meeting should follow the format of an in-person meeting and, in accordance with Rules of Procedure, be split between a “discussion phase” and a “decision-making phase”. During the discussion phase, agreement on substance, including on substantive proposals, may require several rounds of discussions, which can be held through virtual live discussions, negotiation of proposals via an online platform, and virtual discussions among subsets of members. Greater use may have to be made of off-line tools such as questionnaires, “chair’s texts” that synthesize input from participants and summaries provided by the secretariat. **In case of the Carpathian Convention, the Secretariat suggest undergoing, as much as possible, online consultation regarding finalization of the documents and decisions to be adopted by the COP. This practice was successfully tested within the COP5 and its preparations.**

Once views have been synthesized and consensus reached, the virtual meeting may need to be held for decision-making only. **If possible, the Carpathian Convention virtual COP6 meeting could be held for decision-making by consensus only.**

The Rules of Procedure and usual practices of the body apply with respect to the quorum and decision-making. Quorum should be checked before opening the meeting and at the time of decision-making. Decisions will be taken by consensus. **The Rule 34³ of the Carpathian Convention COP Rules of Procedures shall fully apply. With reference to Rule 25⁴ on quorum, for the purpose of determining quorum and decision-making under the Rules, ‘presence’ includes remote presence via a video link or telephone.**

³ Rule 34. *All decisions of the Conference of the Parties on all matters shall be reached by consensus.*

⁴ Rule 25. *The President may declare a meeting open and permit the debate to proceed if at least a majority of the Parties to the Convention are present*

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It is important to ensure that proposals and, final texts on which the body takes a decision are communicated to all those participating remotely including through a clear document version reference. Following the relevant Rule of Procedure, the President should clearly introduce each proposal, and announce which proposals have been adopted.

Report writing

The report of the meeting should indicate that Member States/Parties have met virtually, provide a record of the on-line discussions and clearly indicate which substantive decisions have been adopted. To improve the accuracy of the records of a virtual meeting, in cases where such records are required, all formal interventions should be provided in writing to the secretariat.

Participation of Observers

The participation by observers should, as far as possible, not change due to the online nature of a meeting. Following the Rule 35 of the Carpathian Convention COP Rules of Procedures, the observers may participate, in the deliberations of the Conference of the Parties and its subsidiary bodies, on questions within their competence or scope of activities. Such observers may present any information or report relevant to the objectives of the Convention. The Secretariat will establish the speakers list for the observer interventions after the Parties. **Therefore, there will be no limitations on how many delegates of observer organizations, admitted in accordance with Rule 35 (1) and (5), may be present. However, in the interest of efficiency, it is recommended that the size of each delegation not exceed 5 connections.**