

GLOBAL  
ENVIRONMENT  
FACILITY

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RULES OF PROCEDURE  
FOR THE GEF COUNCIL

GEF Council Meeting  
Washington, D.C.  
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## INTRODUCTION

These rules provide the procedures that will be applied by the Council of the Restructured Global Environment Facility in the conduct of its business. The rules were adopted by the Council at its meeting on \_\_\_\_\_ . These rules complement the ones contained in the Instrument for the Establishment of the Restructured Global Environment Facility, accepted by representatives of the States participating in the GEF at their meeting in Geneva, Switzerland, from March 14 to 16, 1994, and subsequently adopted by the Implementing Agencies. The rules that are drawn from the Instrument are presented in this text in boxes with a reference to the appropriate paragraph of the Instrument. It should be noted that the text cited in the boxes is not necessarily the complete text of the referenced paragraph.

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## **I. SCOPE**

1. These rules of procedure shall apply to the conduct of business of the Council of the restructured Global Environment Facility.

## **II. DEFINITIONS**

2. For the purposes of these rules:

- a. "Instrument" means the Instrument for the Establishment of the Restructured Global Environment Facility, accepted by representatives of the States participating in the GEF at their meeting in Geneva, Switzerland, from March 14 to 16, 1994, and subsequently adopted by the Implementing Agencies.
- b. "GEF" means the restructured Global Environment Facility established in accordance with, and for the purposes set forth in, the Instrument.
- c. "Council" means the Council of the GEF established in accordance with paragraphs 11 and 15 to 20 of the Instrument.
- d. "Elected Chairperson" means the Member elected Chairperson by the Council for the duration of a meeting in accordance with paragraph 18 of the Instrument.
- e. "CEO" means the Chief Executive Officer/Chairperson of the Facility appointed by the Council in accordance with paragraph 21 of the Instrument.
- f. "Chair" means the Elected Chairperson and/or the CEO, as the case may be, who is responsible for conducting the deliberations of the Council meeting in accordance with paragraph 18 of the Instrument.
- g. "Trustee" means the International Bank for Reconstruction and Development (IBRD or World Bank) acting as Trustee of the GEF Trust Fund in accordance with paragraph 8 of the Instrument.
- h. "Implementing Agencies" means the United Nations Development Programme (UNDP), the United Nations Environment Programme (UNEP) and the World Bank in accordance with paragraph 22 of the Instrument.
- i. "Secretariat" means the Secretariat of the GEF established in accordance with paragraph 21 of the Instrument.
- j. "Participants" means States which have become Participants in the GEF in accordance with paragraph 7 of the Instrument.

- k. "GEF Trust Fund" means the trust fund established in accordance with paragraph 8 of the Instrument.
- ~~l. "GET" means the Global Environment Trust Fund established for the GEF pilot program by Resolution No. 91-5 of the Executive Directors of the World Bank.~~
- l. "STAP" means the Scientific and Technical Advisory Panel established by UNEP in accordance with paragraph 24 of the Instrument.
- m. "Attend" means that a representative shall be permitted to be present in the Council meeting room and, at the invitation of the Chair, may address the Council.
- n. "Observe" means that a representative shall be permitted to observe the Council proceedings from a viewing room. At the invitation of the Chair, an observer may address the Council.
- o. "Consensus" means the prevailing sense of the meeting such that the Chair ascertains that if a vote were to be taken on a decision under consideration the decision would be adopted.

### III. COUNCIL

#### *Members and Alternates*

***Paragraph 16 of the Instrument provides:***

The Council shall consist of 32 Members, representing constituency groupings formulated and distributed taking into account the need for balanced and equitable representation of all Participants and giving due weight to the funding efforts of all donors. There shall be 16 Members from developing countries, 14 Members from developed countries and 2 Members from the countries of central and eastern Europe and the former Soviet Union, in accordance with Annex E. There shall be an equal number of Alternate Members. The Member and Alternate representing a constituency shall be appointed by the Participants in each constituency. Unless the constituency decides otherwise, each Member of the Council and each Alternate shall serve for three years or until a new Member is appointed by the constituency, whichever comes first. A Member or Alternate may be reappointed by the constituency. Members and Alternates shall serve without compensation. The Alternate Member shall have full power to act for the absent Member.

- 3. In the event that both a Member and his/her Alternate are unable to attend a Council meeting, the Member may designate a temporary Alternate to act for him/her.

4. Except as may be expressly provided otherwise in these rules, any reference in these rules to a Member shall be deemed to include his/her Alternate or temporary Alternate when such Alternate acts for such Member.

*Constituencies*

***Annex E, paragraph 1, of the Instrument provides:***

GEF Participants shall be grouped in 32 constituencies, with 18 constituencies composed of recipient countries (referred to as "recipient constituencies"), and 14 constituencies composed principally of non-recipient countries (referred to as "non-recipient constituencies").

***Annex E, paragraph 6, of the Instrument provides:***

The grouping of constituencies as communicated to the Secretariat, including any adjustments pursuant to paragraph 8 of this Annex, shall be subject to confirmation by the Council after the effective date of the establishment of the GEF Trust Fund, taking into account the instruments deposited in accordance with Annex A to the Instrument.

***Annex E, paragraph 8, of the Instrument provides:***

Any State that becomes a Participant in accordance with paragraph 7 of the Instrument after the formation of constituencies pursuant to paragraphs 3 to 6 above shall, after consultation with the Participants in the constituency concerned, notify the Secretariat as regards the constituency in which it wishes to be grouped and shall be grouped in that constituency subject to agreement by the Participants in that constituency and subsequent confirmation by the Council at its next meeting.

5. At its first meeting after the effective date of the establishment of the GEF Trust Fund, the **grouping of constituencies shall be subject to confirmation by the Council.** ~~and~~ At any meeting subsequent to notification to the Secretariat by a Member that a Participant has joined the Member's constituency, that notification shall be subject to confirmation by the Council.

#### IV. MEETINGS

##### *Frequency*

*Paragraph 17 of the Instrument provides:*

The Council shall meet semi-annually or as frequently as necessary at the seat of the Secretariat to enable it to discharge its responsibilities.

6. The CEO shall convene two regular meetings of the Council in each calendar year. **Such meetings shall normally be convened in April and October.** Special meetings of the Council may be called by the CEO, **after consultation with Members,** when necessary decisions have to be made, ~~but that cannot await adoption in a regular meeting or that are not taken pursuant to paragraphs 36 through 38. and cannot be adopted by voting without a meeting under paragraph 38 of these Rules.~~

7. The CEO shall give notice of the date and place of each regular meeting of the Council not less than ~~four~~ **eight** weeks prior to the date of such meeting. The CEO shall give such notice for any special meeting of the Council not less than ~~two~~ **four** weeks prior to the date of such meeting. Notice shall be conveyed to ~~Members, Alternates, Participants, Implementing Agencies and other attendees defined~~ **all those invited to the meeting** accordance with paragraphs 8 to 13 below.

##### *Attendance*

8. Council meetings shall be open to Members, Alternates **and the CEO or his/her representative.** ~~Members may be accompanied by one~~ **No more than two advisors may accompany each Member.**

9. ~~Representatives of~~ **Each of the Participants shall be invited to send representatives to observe the Council meetings.**

10. Representatives of the Implementing Agencies and STAP shall be invited to attend the Council meetings.

11. Representatives of the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity shall be invited to attend the Council meetings.

12. **Representatives of the Montreal Protocol on Substances that Deplete the Ozone Layer and its Multilateral Fund, the United Nations Convention to Combat Desertification in Those Countries Experiencing Serious Drought and/or Desertification, Particularly in Africa, and the United Nations Commission on Sustainable Development shall also be invited to attend the Council meetings.**

13. The Council CEO may invite representatives of other organizations and entities to attend or observe the Council meetings.

*Executive Sessions*

14. Executive sessions of Council meetings may be held by decision of the Council upon the request of at least four Members or upon the request of the CEO. Executive sessions will be open only to Members, and Alternates and the CEO or his/her representative. The CEO may designate an official of the Secretariat to serve as the Secretary of an executive session.

*Quorum*

*Paragraph 17 of the Instrument provides:*

Two-thirds of the Members of the Council shall constitute a quorum.

**V. AGENDA FOR MEETINGS.**

15. A provisional agenda for each regular meeting of the Council shall be prepared by the CEO, and a copy of such provisional agenda, together with the notice of the meeting, shall be transmitted to ~~each Member~~ all those invited to the meeting in accordance with paragraphs 8 to 13 of these rules.

16. Additions to the provisional agenda of a regular meeting may be proposed to the CEO by any Member and incorporated in the final agenda provided that the Member shall give notice thereof to the CEO not less than fourteen days prior to the date fixed for the opening of the meeting. The final agenda for the meeting shall be transmitted by the CEO to ~~the Members~~ all those invited to the meeting in accordance with paragraphs 8 to 13 of these rules seven days prior to the date fixed for the meeting.

17. An agenda for each special meeting of the Council shall be prepared by the CEO, and a copy of such agenda, together with the notice of the meeting, shall be transmitted to ~~each Member~~ all those invited to the meeting in accordance with paragraphs 8 to 13 of these rules.

18. The Council shall, at the beginning of each meeting, adopt the agenda for the meeting.

19. Any item included on the agenda for a meeting of the Council, consideration of which has not been completed at that meeting, shall, unless the Council decides otherwise, be automatically included on the provisional agenda for the next meeting.



## VI. TRANSMITTAL OF DOCUMENTATION

20. The CEO shall, to the extent possible, transmit the documentation relating to items on the provisional agenda to ~~Members of the Council~~ all those invited to the meeting in accordance with paragraphs 8 to 13 of these rules at least ~~three~~ four weeks before the start of a regular meeting and as soon as possible before a special meeting. The CEO shall transmit documentation relating to new items on a final agenda at the time of transmitting that agenda.

## VII. ELECTED CHAIRPERSON

*Paragraph 18 of the Instrument provides:*

At each meeting, the Council shall elect a Chairperson from among its Members for the duration of that meeting.

The position of elected Chairperson shall alternate from one meeting to another between recipient and non-recipient Council Members.

21. For purposes of this section ~~paragraph~~ and paragraph 18 of the Instrument, the non-recipient Members shall include the Members from developed countries and the Members from countries with economies in transition of central and eastern Europe and the former Soviet Union. The Members from the group that is entitled to the position of elected Chairperson for any meeting shall nominate a Member to be elected by the Council at that meeting.

22. The elected Chairperson shall ~~participate~~ serve in the meeting in that capacity, without the right to vote. The Alternate to the Member elected Chairperson shall act for the Member in the meeting.

## VIII. CHIEF EXECUTIVE OFFICER/CHAIRPERSON OF THE FACILITY (CEO)

*Paragraph 21 of the Instrument provides:*

The CEO shall be appointed to serve for three years on a full time basis by the Council on the joint recommendation of the Implementing Agencies. Such recommendation shall be made after consultation with the Council. The CEO may be reappointed by the Council. The CEO may be removed by the Council only for cause.

## IX. SECRETARY OF THE COUNCIL MEETINGS

23. An official of the Secretariat designated by the Chief Executive Officer shall serve as Secretary of the Council meetings.

**X. LANGUAGES**

24. ~~English, French and Spanish shall be the official languages of the Council. English shall be the working language of the Council.~~ Documents for Council meetings shall be prepared in English only.

25. Interventions shall be made at the Council meetings in ~~an official language~~ either English, French or Spanish and shall be interpreted into the other ~~official~~ two languages.

**XI. CONDUCT OF BUSINESS**

*Chair of Deliberations*

*Paragraph 18 of the Instrument provides:*

The elected Chairperson shall conduct deliberations of the Council at that meeting on issues related to Council responsibilities listed in paragraphs 20(b), (g), (i), (j) and (k). The position of elected Chairperson shall alternate from one meeting to another between recipient and non-recipient Council Members. The Chief Executive Officer of the Facility (CEO) shall conduct deliberations of the Council on issues related to Council responsibilities listed in paragraphs 20(c), (e), (f) and (h). The elected Chairperson and the CEO shall jointly conduct deliberations of the Council on issues related to paragraph 20(a).

*Paragraph 20 of the Instrument provides:*

The Council shall:

- (a) keep under review the operation of the Facility with respect to its purposes, scope and objectives;
- (b) ensure that GEF policies, programs, operational strategies and projects are monitored and evaluated on a regular basis;
- (c) review and approve the work program referred to in paragraph 29, monitor and evaluate progress in the implementation of the work program and provide related guidance to the Secretariat, the Implementing Agencies and the other bodies referred to in paragraph 28, recognizing that the Implementing Agencies will retain responsibility for the further preparation of individual projects approved in the work program;
- (d) arrange for Council Members to receive final project documents and within four weeks transmit to the CEO any concerns they may have prior to the CEO endorsing a project document for final approval by the Implementing Agency;

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- (e) direct the utilization of GEF funds, review the availability of resources from the GEF Trust Fund and cooperate with the Trustee to mobilize financial resources;
- (f) approve and periodically review operational modalities for the Facility, including operational strategies and directives for project selection, means to facilitate arrangements for project preparation and execution by organizations and entities referred to in paragraph 28, additional eligibility and other financing criteria in accordance with paragraphs 9(b) and 9(c) respectively, procedural steps to be included in the project cycle, and the mandate, composition and role of STAP;
- (g) act as the focal point for the purpose of relations with the Conferences of the Parties to the conventions referred to in paragraph 6, including consideration, approval and review of the arrangements or agreements with such Conferences, receipt of guidance and recommendations from them and compliance with requirements under these arrangements or agreements for reporting to them;
- (h) in accordance with paragraphs 26 and 27, ensure that GEF-financed activities relating to the conventions referred to in paragraph 6 conform with the policies, program priorities and eligibility criteria decided by the Conference of the Parties for the purposes of the convention concerned;
- (i) appoint the CEO in accordance with paragraph 21, oversee the work of the Secretariat, and assign specific tasks and responsibilities to the Secretariat;
- (j) review and approve the administrative budget of the GEF and arrange for periodic financial and performance audits of the Secretariat and the Implementing Agencies with regard to activities undertaken for the Facility;
- (k) in accordance with paragraph 31, approve an annual report and keep the UN Commission on Sustainable Development apprised of its activities; and
- (l) exercise such other operational functions as may be appropriate to fulfill the purposes of the Facility.

### *Interventions*

26. No one may address the Council without ~~having previously obtained the permission of having been invited or recognized to speak by the Chair. The Chair shall call upon speakers in the order in which they signify their desire to speak.~~
27. Debate shall be confined to the question before the Council, and the Chair may call a speaker to order if his/her remarks are not relevant to the subject under discussion.
28. With the consent of the Council, the Chair may limit the time allowed to speakers and the number of times a ~~Member~~ speaker may speak on any question.

### *Closure of list of speakers*

29. During the course of a debate, the Chair may announce the list of speakers and, with the consent of the Council, declare the list closed. When there are no more speakers on the list, the Chair shall declare the debate closed.

## XII. ~~Voting~~ Decisions of the Council

### *Paragraph 25(b) of the Instrument provides:*

Decisions of the Council shall be taken by consensus. In the case of the Council if, in the consideration of any matter of substance, all practicable efforts by the Council and its Chairperson have been made and no consensus appears attainable, any Member of the Council may require a formal vote.

### *Paragraph 25(c) of the Instrument provides:*

Unless otherwise provided in the Instrument, decisions requiring a formal vote by the Council shall be taken by a double weighted majority, that is, an affirmative vote representing both a 60 percent majority of the total number of Participants and a 60 percent majority of the total contributions.

Each Member of the Council shall cast the votes of the Participant or Participants he/she represents. A Member of the Council appointed by a group of Participants may cast separately the votes of each Participant in the constituency he/she represents.

For the purpose of voting power, total contributions shall consist of the actual cumulative contributions made to the GEF Trust Fund as specified in Annex C to the Instrument and in subsequent replenishments of the GEF Trust Fund, contributions made to the GET, and the grant equivalent of co-financing and parallel financing made under the GEF pilot program, or agreed with the Trustee, until the effective date of the GEF Trust Fund. Until the effective date of the GEF Trust Fund, advance contributions made under paragraph 7(c) of Annex C of the Instrument shall be deemed to be contributions to the GET.

30. The Chair shall ascertain a consensus as the prevailing sense of the meeting. Whenever **decisions require a formal vote** ~~is required~~, the written text of the motion shall be distributed to all Members. A formal vote on a substantive matter shall only be taken following the distribution of the motion.

31. If an amendment to a proposal before the Council is presented by a Member or Members, voting shall take place first on this amendment. In case of more than one amendment, voting shall take place first on the amendment **furthest** ~~further~~ ~~most~~ removed from the original proposal.

#### *Method of voting*

32. Voting shall be by roll-call, which shall be taken in the English alphabetical order of the names of the Members, beginning with the Member whose name is drawn by lot by the Chair. The name of each Member shall be called in all roll-calls, and he/she shall ~~announce~~ **indicate** the votes ("yes" or "no") or the abstention of the Participants in the constituency.

33. Except in the case of executive sessions, the votes cast by each Member participating in a roll-call shall be ~~inserted~~ **recorded** in the summary report of the meeting.

#### *Conduct of voting*

34. The Chair shall announce the start of voting, after which no one shall be permitted to intervene until the results of the vote have been announced, unless an issue is raised in connection with the process of voting.

35. Members may, before the announcement of the start of voting or after the results of the vote have been announced, make brief statements consisting solely of explanation of their votes.

#### *Voting Decisions without Meeting*

36. Whenever, in the judgment of the CEO, ~~any action~~ **a decision** must be taken by the Council which should not be postponed until the next regular meeting of the Council but does not warrant the calling of a special meeting of the Council, the CEO shall ~~request the Council Members to vote without meeting~~ ~~37. The CEO shall present~~ **transmit** to each Member by any rapid means of communication ~~a motion embodying~~ the proposed ~~action~~ **decision**. Such communication shall also be transmitted to all those who would be invited to a meeting in accordance with paragraphs 8 to 13.

37. Members' comments on the proposed decision shall be sent to the CEO ~~Votes shall be cast~~ during such period as the CEO may prescribe, provided such period is not less than two weeks.

38. At the expiration of the period prescribed for ~~voting~~ **comments**, the CEO shall ascertain whether there is a consensus among Members to approve the decision. If no consensus is

achieved, the CEO shall include consideration of the proposed decision as an item on the agenda for the next meeting of the Council. The CEO ~~shall record the results and~~ shall notify all Members those that received the communication referred to in paragraph 36 of the action he/she takes pursuant to this paragraph. If the replies received do not include replies from at least two-thirds of the Members, which is the quorum required for a Council meeting, the motion shall be considered lost.

### **XIII. RECORD OF THE MEETING**

39. Before the end of each meeting, the Chairs shall present a joint summary of the main ~~decisions~~ discussions and conclusions of the meeting. Any decisions approved by the Council at a meeting shall be appended to the Chairs' joint summary. After the meeting, the Secretariat shall prepare and circulate a draft summary report of the meeting ~~based on the Chairs' joint summary~~. The draft summary report will be submitted to the Council for approval at its next meeting. The Chairs' joint summary and the summary report shall be public documents.

40. The Secretariat will arrange for sound recordings of the proceedings of each meeting. The sound recordings of the meetings of the Council shall be kept by the Secretariat.

### **XIV. AMENDMENTS TO THE RULES**

41. These rules may be amended by consensus of the Council.

### **XV. OVERRIDING AUTHORITY OF THE INSTRUMENT**

42. In the event of any conflict between any provision of these rules and any provision of the Instrument, the provisions of the Instrument shall prevail.