

# OMCL Network of the Council of Europe

## GENERAL DOCUMENT

### PA/PH/OMCL (15) 99 R3

#### GEON Terms of Reference

#### Annex 8: Policy in case of exceptional voting

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<b>Concerned Network</b>	GEON

## **Annex 8 to GEON Terms of Reference: Policy in case of exceptional voting**

In general all decisions within the GEON are to be taken by consensus, as defined in the Terms of Reference (ToR). Consensus is mandatory for decisions affecting the structure of the OMCL Network and for GEON documents (ToR, guidelines, recommendation documents, GEON position papers etc.). This also applies to adoption by correspondence. Decisions taken in the specific Networks and restricted groups such as human OCABR, VBRN, CAP and MRP/DCP are excluded from the scope of this document.

Individual OMCLs agree that they will not block decisions, where otherwise there is agreement, without a good reason (legal, scientific, organisational or practical). They must be prepared to explain their reasons for objecting which should not be limited to personal preference or the fact it is not their current practice, and propose alternative solution(s) to overcome these issues to the Network.

Where an OMCL may not agree with all of a proposal, if there is a majority in favour then the OMCL will respect this, unless the proposal would actually cause the OMCL significant operational problems, would be impossible to adopt, or other sound reason.

Equally, where one or more OMCL(s) have good reasons for objecting and have explained these reasons, the Network will respect this and a solution will be found in order to achieve a consensus.

Where an OMCL is not able to agree to the majority view, then it becomes their responsibility to work with the proposer (this may be another OMCL, EDQM, GEON Advisory Group or a working group) and find a way to resolve the issue.

In exceptional cases when consensus cannot be reached on topics not related to OMCL documents (e.g. decision about the future of Network programmes linked to budgetary reasons i.e. setting priorities and maintaining one programme over another due to budget constraints; decisions delegated by the GEON Advisory Group to the Network i.e. changing of membership status or deprivation of membership), a vote during the Annual Meeting of the GEON can be organised. A consensus is not reached when at least one OMCL indicates that it cannot support the proposal of the Network. After the presentation of the different opinions at the Annual Meeting and provided that adoption still remains impossible, the vote will be organised as follows:

- One vote by member state; entitled are OMCLs with full or limited membership to the GEON; in cases where there are more than one eligible OMCL in the member state, the delegation of the member state decides internally on the person to vote in advance of the election.
- A quorum of 2/3 of who is entitled to vote must be present for a valid vote.
- A minimum of 85% assent is required for the adoption.