

RULES OF PROCEDURE OF THE SOCIAL FORUM OF THE TRANSPORT COMMUNITY

I. GENERAL

1. These rules of procedure establish the internal procedures for the Social Forum under the Treaty establishing the Transport Community ('the Treaty') between the European Union and the South East European Parties (the Republic of Albania, Bosnia and Herzegovina, the Republic of North Macedonia, Kosovo*, Montenegro and the Republic of Serbia).

II. MEMBERS, OBSERVERS AND OTHER PARTICIPANTS

1. The members of the Social Forum shall consist of representatives of the social partners and contracting parties to the Transport Community. They shall be representatives of the respective ministries in charge of transport and be responsible for social issues related to transport.

2. The members of the Social Forum shall be appointed based on the agenda and topics of the meetings.

3. The observers of the Social Forum shall be invited to attend, on an ad hoc basis, specific meetings of the Social Forum or one or more parts thereof, as representatives of other states, international organisations or other bodies.

4. Other participants, including representatives of other ministries, authorities or bodies of the Contracting Parties to the Transport Community, may be invited to join a dialogue of the Social Forum on ad hoc basis.

III. CHAIR

1. The Permanent Secretariat of the Transport Community ('Permanent Secretariat') shall chair the Social Forum. The Permanent Secretariat will be represented by the Director or Deputy Director.

2. The Chair shall be assisted by two Deputy Chairs: one representative of the South East European Parties and one representative of the European Union. Each South East European Party shall hold the Presidency of the Social Forum for one calendar year and shall follow in alphabetical order.

3. Should the Chair not be in a position to perform its duties for a particular meeting, that meeting shall be chaired by one of the Deputy Chairs.

IV. PREPARATION OF MEETINGS

1. The Permanent Secretariat shall notify the Social Forum members of the time and venue of the meetings. Meetings will take place in one of the South East European Parties, preferably in the country that holds the rotating Presidency of the Regional Steering Committee.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/1999 and the ICJ Opinion on the Kosovo declaration of independence.

2. The draft agenda of the meeting shall be agreed by the Chair and Deputy Chairs. The draft agenda and any documents related thereto shall be distributed to the members and the observers at least four weeks prior to the relevant meeting. The members may make comments and propose new items to be added. The relevant documents which are of interest to the other parties, international organisations or other bodies, invited in accordance with paragraph 3 of Section II, shall also be distributed to them.

3. The Permanent Secretariat shall be responsible for the preparation of the meetings. It shall inform the Deputy Chairs periodically and upon request about the preparations and follow their requests and guidance in this regard.

V. MEETINGS OF THE SOCIAL FORUM - PROCEDURAL RULES

1. The Social Forum shall be considered an official meeting only if the quorum of a minimum of four South East European Parties and the European Union is met.

2. The meeting agenda shall be approved at the beginning of the meeting. Under urgent circumstances, new items may be added to the agenda during the meeting, subject to the agreement of the Chair and Deputy Chairs.

3. Members, observers and other participants are encouraged to actively participate in the discussions and may make statements when invited to do so by the Chair.

4. The meeting conclusions shall be drawn up with the assistance of the Permanent Secretariat. The conclusions shall record all measures adopted at the meeting as well as the positions of the members and any statement by observers regarding proposed actions to be taken by the Social Forum.

5. The conclusions shall be distributed to the members and the observers. The Chair shall ensure that the conclusions are prepared and distributed within seven calendar days after the meeting. Any member may request corrections within seven calendar days upon receipt of the conclusions. The Chair shall ensure that the final version is distributed within seven days upon the expiry of the deadline for comments.

6. If a member of the Social Forum is absent from the meeting, he/she shall communicate his/her position in writing within the same period of seven calendar days from the date of receipt of the conclusions or a specific request upon the meeting. Following that period, if no written comments are received, it shall be deemed that the member concerned has no objection to the conclusions.

7. The conclusions may not in any way restrict the scope or effects of relevant legal acts or the Treaty. No statements or conclusions which contradict legally binding provisions shall be made. The conclusions shall not form part of legal acts, nor shall they have any normative effect.

VI. REPORTING

1. Conclusions and recommendations issued by the Social Forum shall be communicated to the Regional Steering Committee of the Transport Community through the Permanent

Secretariat. Social Forum members may be called upon to present a report on their Joint Proposals.

2. The Chair/the Permanent Secretariat will report annually to the Regional Steering Committee on the work of the Social Forum and the progress made in the implementation of the conclusions of the dialogue or joint proposals.

VII. DISCLOSURE OF INFORMATION

1. Unless otherwise decided, the finalised documents of the meetings (agenda, conclusions, etc.) shall be made public on the website of the Secretariat.

2. The right of access to documents held by the Social Forum shall be laid down in accordance with Article 38(2) and (3) of the Treaty.

VIII. FINAL PROVISIONS

1. Any amendment to these Rules of Procedure shall be adopted by a decision of the Social Forum.
2. The Regional Steering Committee shall be informed of any amendment to the Rules of Procedure.
3. If the application of these Rules of Procedure gives rise to a difficulty of interpretation, the Chair, in consultation and agreement with the Deputy Chairs, shall provide advice in order to assist in resolving the situation.
4. The working language of the Social Forum shall be English.
5. One year following the entry into force of these Rules of Procedure, and based on the practical experience gained in their application, the Permanent Secretariat may propose to amend them where it deems useful or necessary. Where a member of the Social Forum wishes to propose such an amendment, it shall first consult the Permanent Secretariat.
6. In case of any contradiction between these Rules of Procedure and the Treaty, the provisions of the Treaty shall apply.

These Rules of Procedure shall enter into force on the day of their adoption by the Social Forum.