

# General Rules

of the International Transport Forum

2013

## **GENERAL RULES OF THE INTERNATIONAL TRANSPORT FORUM**

### **Context**

1. In 2006, the Council of Ministers of the European Conference of Ministers of Transport<sup>1</sup> (hereinafter ECMT) adopted the Dublin Ministerial Declaration<sup>2</sup> creating the International Transport Forum (hereinafter ITF), broadening its substantive scope to cover global transport issues across all modes, and opening its membership to European and non-European countries. In 2008, the ITF approved its General Rules<sup>3</sup>, which were due to expire at the end of 2012.
2. While the Transport Management Board (hereinafter TMB) undertook a review of the General Rules prior to the expiry of the transition period, the TMB concluded further to its March 2012 meeting that it required more time to thoroughly agree on revised General Rules and for their presentation to the Ministers.
3. At the Summit in May 2012, Transport Ministers agreed that the current General Rules shall remain in force until new General Rules are adopted by the TMB. Ministers also decided to invite the TMB to continue its review of the ITF General Rules with a view to approving new General Rules as soon as possible and to report thereon to Transport Ministers at its next Summit in 2013<sup>4</sup>.
4. After discussions at the TMB meeting in Oslo, 3-4 October 2012, the TMB decided to set up a Working Group on the General Rules (hereinafter WGGR), chaired by Germany, to further review the General Rules.
5. The TMB held its extraordinary meeting in Paris on 31 January – 1 February 2013 as well as on 11 March 2013 to further discuss the revision of the General Rules based on the report from the WGGR. European Members of TMB had their meeting on 11 March 2013 to specifically discuss decision-making with regard to the Road Transport Group (hereinafter RTG).

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<sup>1</sup> Inter-governmental organisation created by treaty in 1953, the ECMT Protocol, Brussels, 17th October 1953.

<sup>2</sup> ECMT Declaration of Dublin; 17th and 18th May 2006, article 12. CEMT/CM (2006)2/FINAL.

<sup>3</sup> [ITF\(2008\)1/FINAL](#) and ITF/M (2008)1.

<sup>4</sup> [ITF\(2012\)2](#).

## Revision of the General Rules

6. The TMB decided, through its review process, to make structural revisions to the General Rules and also to make substantial changes in several key articles for more efficient operation and management of the organisation, to be noted in particular:
  - Observer countries shall be required to pay a standard fee, and the period of Observer status for non-Member countries shall be limited to one renewable two-year term.
  - Decisions with regard to the RTG, the Programme of Work and Budget, the scales of contributions, the contributions from non-ECMT members and the revision of the General Rules shall be adopted by unanimity, which requires explicit agreement of all Members present.
  - Abstention from decisions is possible with regard to the adoption of Policy Recommendations, Declarations, Resolutions, and Operational Decisions with regard to the RTG.
  - Certain Operational Decisions, such as decisions with regard to the preparation of the Annual Summit, would be adopted by qualified majority vote, when mutual agreement would fail to be reached.
  - The venue of the Annual Summit is specified to be in Germany as is indicated in the Dublin Declaration on condition that the host country shall cover significant part of the incurred costs for the Annual Summit.
  - The Corporate Partnership Board is to be established and composed of representative companies in the transport sector or any related domain in order to facilitate information exchange and networking with industry and to engage them in the activities of ITF.
  - Official languages and working languages are clarified, while the costs of interpretation and translation in working languages and any language other than official languages shall be borne by requesting countries.
  - A new procedure for the election of the Secretary-General is defined providing for thorough and careful coordination with the Secretariat of the OECD in order to avoid any confusion during the process.
7. Article 48 of the General Rules adopted in 2008 provided that: “The TMB may revise or add to the present General Rules of ITF by unanimous decision.” At the 2012 Summit, Ministers therefore invited the TMB to revise the General Rules and to report thereon to Transport Ministers at the next Annual Summit in 2013. At its meeting in Paris on 13 March 2013, the TMB approved by unanimous decision the new ITF General Rules [[ITF/TMB\(2013\)7/FINAL](#)], which repeal and replace the 2008 General Rules. These new ITF General Rules (attached to this document) shall be in force as from 13 March 2013.

## Proposed action

In light of the preceding, the Council of Ministers of Transport (hereinafter CMT) is invited to:

- a) note document [ITF/TMB\(2013\)7/FINAL](#) and [ITF\(2013\)2](#);
- b) welcome the adoption by the TMB of the new ITF General Rules set out in document [ITF/TMB\(2013\)7/FINAL](#), which shall be in force as from 13 March 2013;
- c) note that any future proposed revision of the General Rules shall be approved by the TMB by unanimity and be transmitted to the CMT for approval by unanimity in accordance with article 19 of the new General Rules.

# **GENERAL RULES OF THE INTERNATIONAL TRANSPORT FORUM**

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## **PREAMBLE**

These General Rules were adopted on 13 March 2013 by the International Transport Forum Members, including all Members of the European Conference of Ministers of Transport (hereinafter "ECMT"), in accordance with the ECMT Protocol signed in Brussels on 17 October 1953 (hereinafter the "Protocol") and the Dublin Declaration adopted by the Council of Ministers of the ECMT at the Ministerial session held in Dublin on 17 and 18 May 2006 (hereinafter the "Dublin Declaration").

These General Rules replace and repeal the General Rules adopted in 2008 [[ITF\(2008\)1/FINAL](#)]. The Annexes to these General Rules shall form an integral part thereof.

## **ARTICLE 1 – INTERNATIONAL TRANSPORT FORUM**

- 1.1 The International Transport Forum (hereinafter "ITF") was established by the Dublin Declaration within the legal framework of the Protocol.
- 1.2 ITF has a global dimension and a worldwide reach. ITF is to be above all a forum for discussion and pre-negotiation of strategic and non-technical issues, while at the same time analysing trends, sharing knowledge and promoting dialogue among decision-makers and key figures from civil society.

## **ARTICLE 2 – OBJECTIVES**

The objectives of ITF are to:

- a) foster a deeper understanding, among policy makers, decision-makers in the transport sector and wider audiences, of the role of transport as a key element in economic growth and of its impact on the social and environmental dimensions of sustainable development;
- b) raise the public profile of transport policy and develop a better understanding of the significance of transport to the economy, environment and society;
- c) fulfil the purposes of the ECMT as set out in the Protocol.

## **ARTICLE 3 – MEMBERSHIP**

- 3.1 The ITF Members are the Members and Associate Member countries of ECMT and the countries acceding to ITF after 18 May 2006.
- 3.2 Any country adhering to the objectives of ITF as set out in article 2 may apply to become an ITF Member. ITF will favour the accession of such country which, because of the size of its economy or its significant transport policy interests, could be a key actor for, and contribute towards, ITF activities. The accession of a country to ITF shall be agreed in accordance with these General Rules, provided that such country is prepared to assume the financial obligations of membership.

- 3.3 Any applicant country shall address a letter of interest to the ITF Secretary-General. The Transport Management Board (hereinafter “TMB”) shall decide, by mutual agreement only, to invite the applicant country to apply to become an ITF Member. The Council of Ministers of Transport (hereinafter “CMT”) shall decide, by mutual agreement only, on the accession of the applicant country.

#### **ARTICLE 4 – OBSERVERS AND GUESTS**

- 4.1 a) The status of Observer may be granted by the TMB, by mutual agreement only, to:
- i) a non-Member country, for one renewable two-year term, provided that it is prepared to assume its financial obligations;
  - ii) an intergovernmental organisation, subject to the specific agreements to be concluded with it by the Secretary-General and to be approved by the TMB by mutual agreement only.
- b) Observers may participate in all meetings and activities of ITF and will have access to all documents, unless otherwise decided by the Presidency in consultation with Vice-Presidencies, but shall not have the right to vote.
- 4.2 a) The status of Guest may be granted by the TMB, by mutual agreement only, to a country, an intergovernmental organisation, an enterprise, a non-governmental organisation, an institution, an expert or a key figure from civil society.
- b) Guests may participate in specific meetings and activities. The conditions of their participation in such activities and meetings shall be specified by the TMB by mutual agreement only. Where appropriate, particular meetings, or parts of meetings, may be held without their attendance and/or specific documents may not be made available to them. Guests shall not be required to pay a fee and shall not have the right to vote.

#### **ARTICLE 5 – STRUCTURES**

The Structures of ITF shall comprise:

- a) the CMT;
- b) the TMB;
- c) Support Structures:
  - i) the Summit Task Forces;
  - ii) the Road Transport Group (hereinafter “RTG”);
  - iii) the OECD/ITF Joint Transport Research Centre (hereinafter “JTRC”);
  - iv) the Corporate Partnership Board (hereinafter “CPB”);
- d) a Secretariat.

## **ARTICLE 6 – PRESIDENCY**

- 6.1 The Presidency of ITF shall be held by an ITF Member on an annual rotating basis. The Presidency shall chair the CMT and the TMB and be assisted by two Vice-Presidencies held by ITF Members.
- 6.2 The first Vice-Presidency shall hold the next Presidency, and the second Vice-Presidency shall hold the next first Vice-Presidency.
- 6.3 The Presidency and the two Vice-Presidencies shall be designated by the CMT by mutual agreement, or failing such an agreement by a simple majority vote of Members present.
- 6.4 The term of office of the Presidency and Vice-Presidencies shall begin at the end of the Annual Summit and cease at the end of the following Annual Summit.
- 6.5 In the absence or impediment of the Presidency, the functions and powers conferred on it by these General Rules shall be carried out by the first Vice-Presidency. In the absence or impediment of the first Vice-Presidency, the functions and powers conferred on it by the General Rules shall be carried out by the second Vice-Presidency.

## **ARTICLE 7 – COUNCIL OF MINISTERS OF TRANSPORT**

- 7.1 The CMT is the governing body of ITF. The CMT is composed of ITF Members, represented by their Ministers responsible for Transport.
- 7.2 In pursuance of the objectives of ITF, the CMT is to:
  - a) adopt Policy Recommendations aiming at fulfilling the objectives of ITF;
  - b) adopt Declarations and Resolutions on general transport policy;
  - c) adopt Operational Decisions, for internal purposes;
  - d) approve the accession of new Members to ITF;
  - e) address activities of the TMB and give it a mandate to deal with any issue related to ITF's objectives which it considers appropriate;
  - f) decide on activities of the RTG;
  - g) elect the Secretary-General.

## **ARTICLE 8 – TRANSPORT MANAGEMENT BOARD**

- 8.1 The TMB shall be composed of high-level representatives of the Ministries responsible for transport in ITF Members.
- 8.2 The TMB is to:



- a) consider which applicant countries to invite to accede to ITF and transmit relevant application to become an ITF Member to the CMT for approval;
- b) grant the status of Observers or Guests;
- c) set out the general strategy as to the pursuit of ITF's activities and determine which Support Structures to put in place for that purpose;
- d) prepare the Annual Summit;
- e) supervise, in liaison with the OECD, the activities of the JTRC in accordance with its mandate to undertake cooperative transport research programmes;
- f) define the principles of the communication strategy of ITF;
- g) discuss, prepare and approve the Programme of Work and Budget and submit it to the OECD Council for inscription in the OECD Programme of Work and Budget;
- h) decide on the financial matters assigned to it;
- i) deal with any issue for which it has been given a mandate by the CMT;
- j) regularly assess the activities of ITF and of its Secretariat, and propose future directions for its work to the CMT;
- k) address activities of the RTG, including the multilateral quota system (hereinafter "MQ");
- l) designate the two candidates it considers as best qualified for the election of the Secretary-General by the CMT;
- m) carry out the functions of the ECMT Committee of Deputies and Extended Committee of Deputies.

**ARTICLE 9 – DECISION-MAKING OF THE COUNCIL OF MINISTERS OF TRANSPORT AND THE TRANSPORT MANAGEMENT BOARD**

- 9.1 Policy Recommendations, Declarations and Resolutions shall be reviewed by the TMB and adopted by the CMT by mutual agreement only. If a Member abstains from participating to the adoption of a Policy Recommendation, a Declaration or a Resolution, such abstention shall not invalidate it and it shall be applicable to the other Members but not to the abstaining Member.
- 9.2 Unless otherwise provided in these General Rules, Operational Decisions shall be adopted by the CMT or the TMB by mutual agreement, or failing such an agreement by qualified majority vote (hereinafter "QMV") of Members present, in accordance with the formula specified in Annex 3.
- 9.3 Operational Decisions mentioned in articles 12.1, 12.5, 12.6, 16.2, 16.5, 16.6 and 19.2 shall be adopted by unanimity.

9.4 Each Member shall have one vote.

9.5 Policy Recommendations, Resolutions, Declarations and Operational Decisions may be adopted by written procedure, as set out in Annex 2, when the CMT, the TMB, or, between meetings, the Presidency so decides.

#### **ARTICLE 10 – ANNUAL SUMMIT AND MEETINGS OF THE COUNCIL OF MINISTERS OF TRANSPORT AND THE TRANSPORT MANAGEMENT BOARD**

10.1 ITF is to organise an Annual Summit around themes of world-wide strategic importance for transport policy, with the participation of key actors from the policy sphere, industry, civil society and representatives of entities with an interest in transport policy. Other specific events such as meetings of experts, hearings of key actors, seminars, exhibitions and demonstrations may also be organised during this Annual Summit. In accordance with the Dublin Declaration, the Annual Summit shall be held in Germany. The host country of the Annual Summit shall cover a significant part of the incurred costs for the Annual Summit through a voluntary contribution.

10.2 The CMT shall meet at least once a year during the Annual Summit. The CMT meeting may include additional special sessions to discuss any issues of interest, including regional ones.

10.3 a) The TMB shall meet at least twice a year. The TMB may decide to hold these meetings at any location it considers to be appropriate.

b) The TMB may hold meetings or parts of meetings devoted to any issues of interest, including regional ones.

10.4 Additional meetings of the CMT or the TMB may be convened by the Presidency after consultation with the Vice-Presidencies or on the request of at least one-third of the Members.

10.5 a) Before each meeting, the Presidency shall draw up a provisional agenda. The provisional agenda shall be made available to all Members not less than six weeks before the date of each meeting.

b) Documents shall be communicated at least fourteen calendar days in advance of the meeting to those attending it, including Members, Observers and Guests.

#### **ARTICLE 11 – SUMMIT TASK FORCES**

11.1 The TMB shall establish and mandate a Task Force to prepare each Annual Summit and shall appoint the Chair or Co-Chairs for each Task Force by mutual agreement, or failing such an agreement by a simple majority vote of Members present. The Task Force shall be established at least eighteen months before the Annual Summit is due to be held and shall cease its activities at the end of that Annual Summit.

11.2 The Task Force may decide to hold these meetings at any location it considers to be appropriate.

- 11.3 The Task Force shall be composed of representatives of the ITF Members that wish to take part. Should the Chair of the Task Force consider it appropriate, Guests may be invited to participate in the Task Force under the conditions set out in these General Rules.
- 11.4 The Task Force shall have responsibility for planning the contents of the Annual Summit. In particular, it shall propose the detailed agenda and structure of the Annual Summit, appropriate speakers and documents to be discussed and distributed at the Annual Summit. It shall also coordinate the communications strategy for that Annual Summit with the Secretary-General.
- 11.5 The Task Force shall choose its own working methods, including decision-making process and schedule of meetings. It should regularly report on the progress of its activities to the TMB, which may provide it with guidelines or instructions. The Task Force may consult any parties or seek any external input it considers appropriate.

#### **ARTICLE 12 – ROAD TRANSPORT GROUP**

- 12.1 The remit of the RTG shall be to deal with issues regarding the ECMT MQ and any other European aspects of road transport, decided by the European Members of the TMB by unanimity.
- 12.2 The RTG shall be composed of ITF Members participating in the ECMT MQ.
- 12.3 a) Should the RTG so decide, the RTG may hold these meetings at any location it considers to be appropriate.
- b) Before each meeting, the Chair of the RTG shall draw up a provisional agenda. The provisional agenda shall be made available to all RTG Members not less than six weeks before the date of each meeting.
- c) Documents shall be communicated at least fourteen calendar days in advance of the meeting to those attending.
- 12.4 a) The RTG shall be chaired by a representative of a RTG Member. The RTG Chair shall be assisted by one Vice-Chair, a representative of RTG Members.
- b) In the absence or impediment of the Chair, the functions and powers conferred on him/her by these General Rules shall be carried out by the Vice-Chair.
- 12.5 a) Decision-making authority with regard to management of the ECMT MQ and any other European aspects of road transport is delegated to the RTG, which will decide by unanimity.
- b) If an RTG Member abstains from participating to the adoption of a decision, such abstention shall not invalidate the instrument or decision, which shall be applicable to the other Members but not to the abstaining Member.
- c) The Secretariat is to print the MQ licenses in accordance with the decision taken by the RTG.

- 12.6 The RTG may refer to the TMB, and the TMB may address, issues regarding the management of the ECMT MQ and any other European aspects of road transport. In such cases, only the Members participating in the ECMT MQ may adopt decisions by unanimity. The TMB may also refer major policy decisions of a strategic nature to the Members of the CMT participating in the ECMT MQ, adopted by unanimity, if necessary by convening a special session of the CMT meeting.

#### **ARTICLE 13 – OECD/ITF JOINT TRANSPORT RESEARCH CENTRE**

- 13.1 OECD and ITF Members have established the JTRC. The role and financing of the JTRC are set out in the JTRC Mandate. Beyond supporting the work of ITF, the role of the JTRC, as set out in its mandate, is to undertake co-operative transport research programmes which contribute to structural improvement of ITF Members.
- 13.2 The TMB may ask the JTRC to adjust its programme of work in order to provide inputs for use in preparing the Annual Summit.
- 13.3 ITF Members shall participate in the JTRC.

#### **ARTICLE 14 – CORPORATE PARTNERSHIP BOARD**

- 14.1 The objectives of CPB are to provide a platform to stimulate high-level discussions with important stakeholders on transport policy matters; facilitate information exchange and networking with industry; engage global actors of the corporate world in the activities of ITF.
- 14.2
- a) The CPB shall be composed of representative companies (hereinafter “Partners”), with clear international perspectives and operations, which play an active role in the transport sector or any related domain and agree to make a grant to ITF.
  - b) The Secretary-General shall grant the status of Partner to a company meeting the criteria set out in paragraph a) above.
  - c) For companies registered in Member countries of ITF, and for the case of countries who so wish, the Secretary-General will consult with the country in which the company has its main permanent establishment to ensure the country has no opposition to his/her extending an invitation to the company to join the CPB. If the company is established in several countries, the country consulted will be the country where the main headquarters of the company are located and the invitation shall only be made to this company.
  - d) For companies with their main permanent establishment in non-Member countries of ITF, the Secretary-General will consult by written procedure with all members of the TMB before extending an invitation to the company to join the CPB.
  - e) The composition of CPB shall be as broad as possible in terms of geographical and modal balance. The status of Partner may be granted for a three-year renewable term, subject to the signature by the company of a grant agreement.

f) The amount of the standard grant to be paid by the Partners shall be decided by the TMB by mutual agreement only.

#### **ARTICLE 15 – SECRETARIAT**

- 15.1 The Secretariat shall assist all ITF Structures and the ITF Presidency in the fulfilment of the objectives of ITF and all its activities. The Secretariat may submit, or be requested by the Presidency or any ITF Structures to submit, proposals to all ITF Structures.
- 15.2 a) A Secretary-General, responsible to the CMT, shall be elected by the CMT for a five-year term of office, by a simple majority vote of Members present, following the procedure set out in Annex 1. The Secretary-General shall be a national of an ITF Member.
- b) The term of office of the Secretary-General may be renewed by the CMT, upon recommendation of the TMB, by a simple majority vote of Members present, following the procedure set out in Annex 1.
- 15.3 The Secretariat shall be managed by the Secretary-General of ITF. The ITF Secretariat shall be administratively integrated within the Secretariat of the OECD in accordance with Article 7 of the Protocol, although the ITF Secretariat shall be solely under the operational supervision of the ITF Secretary-General.
- 15.4 The ITF Secretariat shall be in Paris, France.

#### **ARTICLE 16 – FINANCIAL PROVISIONS**

- 16.1 The ITF budget shall include appropriations for the implementation of the objectives of ITF, including the implementation of the purposes of ECMT, as well as appropriations for the participation of ITF in the JTRC. The financial period shall be defined as a one-year period, running from 1 January to 31 December.
- 16.2 The ITF Secretariat shall propose, and the TMB approve by unanimity, the Programme of Work and Budget. The draft Programme of Work and Budget shall be made available to all Members not less than four weeks before the date of approval. The Budget discussions shall take place no later than the autumn session of the TMB. In approving the Budget, the TMB accords the necessary expenditure authorisation to the OECD Secretary-General. ITF Members shall make the necessary appropriations for the functioning of ITF and the carrying out of its Programme of Work. Approval of the Budget by the TMB shall empower the OECD Secretary-General to receive the contributions and other income included in the Budget. Once the TMB approves the ITF Budget, it shall be submitted for information to all ITF Members and to the OECD Council for inscription into the Part II Budget of the OECD.
- 16.3 If the TMB is not able to approve the Budget before the first day of a financial period, the TMB accords the necessary expenditure authorisation to the OECD Secretary-General and ITF Members shall make the necessary appropriations for the functioning of ITF based on the Budget for the preceding financial period.

- 16.4 Unless otherwise decided by the TMB, the contributions of the ITF Members shall be the main source of funding for the Budget and be calculated as to cover the appropriations authorised in the Budget. It may also include other income, such as sponsoring, grants, including Corporate Partner grants, observer fees and other charges. Additional work may be funded by voluntary contributions.
- 16.5 The scales of contributions of ITF Members shall be approved by the TMB by unanimity.
- 16.6 ITF Members which were Associate Members of ECMT or countries acceding to ITF after 18 May 2006 may make voluntary contributions to ITF that may take a variety of forms including: financial contributions, secondment of staff, provision of the services of staff, financing of consultants or studies, organisation of events or financing of publications. These ITF Members are particularly invited to do so until the scales of contributions mentioned in article 16.5 are approved. Full participation of these Member countries in all activities, including budget decisions, will nevertheless require a minimum annual budgetary contribution of 40 000 Euros or such sum as is decided by the TMB by unanimity.
- 16.7 Appropriations corresponding to expenditure committed but for which no payment has been made by the end of the current financial period shall be carried forward automatically to the Budget of the ensuing financial period. Appropriations so carried forward shall be used only for the realisation of the commitments that justified their carry forward.
- 16.8 Non-member countries to which the status of Observer is granted shall be required to pay a standard fee, the amount of which is to be decided by the TMB by mutual agreement only.
- 16.9 Whenever ITF holds a meeting elsewhere than Paris, the country hosting the meeting shall pay the incremental costs for the meeting, not already covered by appropriations in the Budget.

#### **ARTICLE 17 – LANGUAGES OF THE INTERNATIONAL TRANSPORT FORUM**

- 17.1 The official languages of ITF are English and French. Working languages of ITF are German, Russian, Spanish, and any other language as requested by Members subject to verification of technical feasibility.
- 17.2 The costs of any interpretation and/or translation in a working language or in any language other than the two official languages of ITF for any ITF meeting or document shall be borne by the Member(s) requesting such services.
- 17.3 a) An estimate of the annual costs of these services for each working language will be provided in advance by the Secretariat based on the Programme of Work.
- b) The set of ITF activities for which language services are required for each working language must be agreed beforehand between the interested countries and the Secretariat. These could cover all or part of the activities of the CMT, the TMB, the RTG, the Annual Summit as well as other activities.

c) Agreement with the Secretariat on the total costs of these services and on the split among the countries associated with each working language must be reached before the beginning of the financial year.

- 17.4 Language costs allocated to each country will be invoiced simultaneously with the assessed contribution, mentioning this as language support. Any surpluses or deficits over the year would be carried forward to the following period, with a positive or negative correction added to the following year's invoice.

#### **ARTICLE 18 – WITHDRAWAL OF A MEMBER**

- 18.1 Any ITF Member may withdraw from ITF by giving at least twelve months' notice to that effect.
- 18.2 The notice mentioned in article 18.1 shall be given to the Presidency who shall inform accordingly all ITF Members.

#### **ARTICLE 19 – REVISION OF THESE GENERAL RULES**

- 19.1 The ITF Members may revise or add to these General Rules, as appropriate, primarily to ensure they remain fit for purpose.
- 19.2 Any proposed revision of these General Rules shall be approved by the TMB by unanimity, and be transmitted to the CMT for approval by unanimity.

## ANNEX 1

### PROCEDURE FOR THE ELECTION OF THE SECRETARY-GENERAL

1. The Secretary-General of the ITF shall be a national of an ITF Member and shall be elected by the CMT by a simple majority vote of Members present.
2. Although the Secretary-General shall only report to the CMT and the TMB with regard to all substantive matters, the ITF Secretariat is administratively integrated within the Secretariat of the OECD and the Secretary-General is an OECD senior official. Therefore, for its election by the CMT and its appointment as OECD official, the following procedure shall be followed.
3. When the Secretary-General functions are vacant or fall vacant in a near future:
  - a) A Selection Panel shall be instituted, which shall comprise a maximum of seven members:
    - i. the ITF Presidency, who shall chair the Selection Panel;
    - ii. a maximum of three representatives of ITF Members, designated by the TMB by mutual agreement, or failing such an agreement, by a simple majority vote of Members present;
    - iii. the OECD Head of Human Resource Management (HRM);
    - iv. a senior official of the OECD; and
    - v. an external expert to be designated by the other Panel members.

Panel members shall not be authorised to apply to the vacant position, shall be independent and shall not express their opinion on a candidate holding their nationality.

- b) A vacancy notice of the Secretary-General's position shall be drafted by the ITF Secretariat, with the support of the OECD HRM. The vacancy notice:
      - i. shall include the job description;
      - ii. shall set out all requirements for candidates related to the selection process;
      - iii. may include topics or questions to be addressed in the application, such as managerial experience and skills and/or specific required qualifications;
      - iv. shall set a deadline for the submission of applications;
      - v. shall be approved by the ITF Presidency;
      - vi. shall be simultaneously sent to all ITF Members, published on the ITF and OECD websites and advertised in relevant newspapers.
    - c) All candidates need to hold the nationality of an ITF Member. All applications should be received through the OECD recruitment portal (as mentioned in the vacancy notice).
    - d) Prior to the selection by the Panel, a Member may indicate to the TMB that it supports one or several applications submitted by its nationals, but this support shall not be a requirement for any application to be valid. A Member may also indicate to the TMB that it does not support one or several applications, in which case the TMB shall decide whether such application(s) should be considered based on the reasons submitted by the Member.



- e) The Selection Panel shall:
- i. review all applications, together with all supporting documents (resumes, accompanying letters, OECD forms, etc.) provided by the OECD HRM;
  - ii. approve a short list of the candidates it wishes to interview that shall be prepared by the ITF Secretariat and OECD HRM;
  - iii. interview all short-listed candidates;
  - iv. if needs be, have these candidates assessed by a professional assessment center;
  - v. select among the short-listed candidates a minimum of three and a maximum of five candidates it considers as best qualified for performing the functions of ITF Secretary-General;
  - vi. provide the TMB and the OECD Secretary-General with a report assessing these best qualified candidates, at least four weeks before the TMB meeting preceding the Annual Summit. The assessments of interviewed candidates who are not considered by the Selection Panel as best qualified are not included in the report and their application shall not be considered by the TMB. The report shall detail the experience, qualifications, skills and strengths of each best qualified candidate, but shall not rank the qualified candidates.
- f) The TMB, at its meeting preceding the Annual Summit, shall:
- i. hear the presentation on the Selection Panel report given by the Chair of the Selection Panel to the TMB;
  - ii. review the report of the Selection Panel;
  - iii. interview all best qualified candidates;
  - iv. designate, by a simple majority vote of Members present, the two candidates it considers as best qualified for election by the CMT.
- g) The CMT shall at the Annual Summit:
- i. hear the vision statement and oral presentation of the two candidates selected by the TMB;
  - ii. elect the new Secretary-General by a simple majority vote of Members present, for a five-year term of office.
- h) Once the new Secretary-General elected, the Presidency of ITF shall inform the OECD Secretary-General, who shall appoint the elected candidate as a senior OECD official at grade A7 for the duration of the term of office. The OECD relevant advisory body (the Management review Board) shall not need to be consulted before appointment.
4. a) Nine months before the expiry of the Secretary-General's term of office, the Secretary-General shall notify the TMB whether he/she wishes to serve another term. If the Secretary-General wishes to serve another term, the TMB shall decide, by a simple majority vote of Members present, to recommend to the CMT that his/her term of office be renewed. Should the TMB decide not to recommend that this term of office be renewed, the procedure set out in paragraph 3 shall apply. Should the TMB decide to recommend to the CMT the renewal of his/her term of office, the CMT shall decide, by simple majority vote of Members present, to renew it. If the CMT decides that such term of office shall not be renewed, the procedure set out in paragraph 3 shall apply.
- b) When the Secretary-General indicates that he/she does not wish his/her mandate to be renewed, the procedure set out in paragraph 3 shall apply.

c) In case of impediment of the Secretary-General, or if his/her functions fall vacant, the functions conferred on him/her shall be carried out *ad interim* by an official of the ITF Secretariat designated by the Presidency of ITF, in consultation with the Vice-Presidencies, and the OECD Secretary-General shall be informed accordingly.

## ANNEX 2

### ADOPTION BY WRITTEN PROCEDURE

1. The written procedure may be used by the TMB or the CMT to adopt a Policy Recommendation, a Declaration, a Resolution, an Operational Decision (hereinafter “document”) or any other document.
2. The written procedure may be justified by urgency (given that the Members do not meet often) or by the mere fact that the draft document has gathered broad support in the TMB or the CMT.
3. The written procedure provides for written questioning of all Members and final adoption of a document, by e-mail.
4. Members should register official e-mail accounts with the Secretariat for that purpose and regularly ensure that they are still valid.
5. The written procedure is launched by the Presidency, through an e-mail sent to the official accounts registered by Members. Such e-mail must include in attachment to the draft document to be adopted. The Presidency shall recall to all Members consulted, before or when launching the procedure, the process contained in this Annex and the exact end date of the deadline mentioned below.
6. The draft document is adopted if, within the deadline set in the written procedure, at least 14 calendar days as from the starting date of the written procedure, no Member: a) objects; b) or requests a substantive revision of the draft document.
7. In order to raise a valid objection, a Member should send an e-mail to that effect to the Presidency and all Members within the deadline.
8. If the comments received from any Member require a substantive revision of the draft document:
  - a. The procedure is interrupted and the decision making procedure resumes at the stage and in the body it had reached before, *i.e.* the Presidency adds an item related to the adoption of the draft document at the agenda of its next meeting;
  - b. If the Presidency considers that all Members could adopt such substantive revision, the Presidency may launch a new written procedure on that basis.
9. The results of a written procedure are notified to Members by e-mail and recorded in the Record of the next meeting of the body which adopted the document.

**ANNEX 3**  
**GLOSSARY**  
**(AND AGREED INTERPRETATION OF TERMS)**

The understanding of certain terms used in the ITF General Rules is set out below.

**Instruments**

**Instruments** include policy Recommendations, Declarations, Resolutions and Operational Decisions.

**Policy Recommendations** represent the political will of Members and there is an expectation that Members will do their utmost to fully implement them. They are not legally binding, but practice accords them great moral force. Thus, Members which do not intend to implement a Policy Recommendation usually abstain when it is adopted.

**Declarations** are solemn texts setting out relatively precise political will, which are subscribed to by Members. They are not legally binding. This category of instrument may include Statements and Key Messages.

**Resolutions** reflect the common opinion or intention of ITF Members. They are not legally binding.

**Operational Decisions** concern matters pertaining to the life of the institution itself, such as Budget approval, Programme of work approval, election of the Secretary-General. Members are obliged to implement them and must take the measures necessary for such implementation.

**Decision-making**

**Unanimity** requires the explicit agreement of all Members present to a draft proposal.

The following instruments shall be adopted by unanimity:

- Operational Decisions adopted by or with regard to the RTG (articles 12.1, 12.5 and 12.6);
- Operational Decisions on the Programme of Work and Budget (article 16.2);
- Operational Decisions on the scales of contributions (article 16.5);
- Operational Decisions with regard to contributions from non-ECMT members (article 16.6);
- Operational Decisions on the revision of the General Rules (article 19.2).

**Mutual agreement only** requires that there be no objection to a draft instrument by any Member present, without any possibility for the draft instrument to be adopted by majority vote. If mutual agreement cannot be reached, the Chair shall not call for a vote and the draft instrument shall not be adopted.

The following instruments shall be adopted by mutual agreement only:

- Adoption of Policy Recommendations, Declarations, Resolutions (article 9.1);
- Operational Decisions on the accession of new Members (article 3.3);
- Operational Decisions on the granting of Observer and Guest status, agreements with international organisations and conditions of Guest participation (article 4.1 and 4.2);
- Operational Decisions on the amount of Observer's fee and Partner's grant (articles 14.2 and 16.8).

An **Objection** is an explicit statement by a Member that it objects to the draft instrument being adopted. Where "mutual agreement only" is required, objection by any Member blocks the adoption of the draft instrument. Consequently, the draft instrument does not come into effect for any Member.

An **Abstention** is an explicit statement by a Member that it abstains, *i.e.* that it does not wish to take a political commitment to implement an instrument. Silence is not considered as an abstention but as an acceptance to participate in the mutual agreement (*i.e.* to join the consensus). An abstention does not prevent the draft instrument from being adopted. However, the resulting instrument will only be applicable to those Members which have not abstained. Abstentions on Operational Decisions are not possible, except for Operational Decisions with regard to the RTG.

Abstention is possible for the following decisions:

- Adoption of Policy Recommendations, Declarations, Resolutions (article 9.1);
- Operational Decisions with regard to the RTG (article 12.5).

Unless otherwise provided in the General Rules, **Simple majority votes** should only be resorted to after the Chair has first made every effort to reach mutual agreement. When the Chair considers that mutual agreement cannot be reached, he/she should call for a short pause for reflection and set a final time or date for reaching an agreement. If mutual agreement is still not achieved by that time or date, the Chair will call for a vote by simple majority, in accordance with the decision-making process specified in these General Rules.

The following decisions shall be adopted by mutual agreement, or failing such an agreement by a simple majority vote:

- Designation of Presidency and Vice-Presidencies (article 6.3);
- Appointment of Chair(s) of Summit Task Force (article 11.1);
- Election of Chair and Vice-Chair of the RTG (article 12.4).

The Secretary-General shall be elected by simple majority vote by the CMT in accordance with article 15.2 and Annex 1.

***Simple majority vote formula*** allows a draft instrument to be considered as adopted if more Members vote in its support than against it. In case there are an equal number of votes for and against the draft instrument, the Chair shall have a casting vote.

***Mutual agreement and qualified majority votes. Qualified majority votes*** should only be resorted to after the Chair has first made every effort to reach mutual agreement. When the Chair considers that mutual agreement cannot be reached, he/she should call for a short pause for reflection and set a final time or date for reaching an agreement. If mutual agreement is still not achieved by that time or date, the Chair will call for a vote by qualified majority, in accordance with the decision-making process specified in these General Rules.

Unless otherwise provided in these General Rules, all Operational Decisions, which include a broad range of decisions for internal purposes, shall be adopted by mutual agreement, or failing such an agreement by a qualified majority vote. These decisions include:

- Decisions on the general strategy as to the pursuit of ITF's activities (article 8.2 c);
- Decisions with regard to the preparation of Annual Summit (article 8.2 d);
- Decisions with regard to the supervision of the activities of the JTRC (article 8.2 e);
- Decisions on the principles of the communication strategy of ITF (article 8.2 f);
- Decisions on the location of the TMB meetings (article 10.3);
- Decisions on the consideration of non-supported application(s) for the position of Secretary-General (Annex 1 paragraph 3 d).

***Qualified majority vote formula*** requires that two-thirds of Members present support a draft instrument for it to be considered as adopted.

***Agreement and vote by Members present***: In determining whether an instrument has been validly adopted, shall only be taken into account those Members who are physically represented at the meeting at which it is to be taken. In case of exceptional circumstances duly justified, should the TMB so decides, the representation of a Member to meetings, other than the CMT meetings, may be authorised through video-conference. In such cases, the technical feasibility and the accreditation of the representative(s) of the Member(s) shall be thoroughly verified. While a Member may submit its written position in advance of a meeting on a draft instrument, objections or vote by mail, except in case of written procedure, as well as by proxy, shall not be allowed. Members who cannot be represented at a specific meeting by their usual representative(s) may have another person accredited for representing them, subject to official information being delivered to the Secretariat. For instance, a Member country can be represented by its permanent representative in the country in which the meeting is organised.

## **ANNEX 4**

### **LIST OF ABBREVIATIONS**

European Conference of Ministers of Transport – **ECMT**

ECMT Protocol signed in Brussels on 17 October 1953 – **Protocol**

Organisation for Economic Cooperation and Development – **OECD**

International Transport Forum – **ITF**

Council of Ministers of Transport – **CMT**

Transport Management Board – **TMB**

Road Transport Group – **RTG**

Joint Transport Research Centre – **JTRC**

Corporate Partnership Board – **CPB**

Multilateral Quota System – **MQ**