

*Task b) : "To draft a proposal for how to change COSAC's rules of procedure concerning majority decisions"*

## **Note on new rules for voting in COSAC<sup>1</sup>**

### **1. COSAC's existing rules for voting**

The existing rule for voting in COSAC is based on *unanimity* among the delegations *present*, but with the *opportunity for what is known as constructive abstention*. Each delegation casts one vote.

In accordance with article 10.5 and article 14.3 of the rules of procedure, the existing rule on unanimity applies to the *adoption of COSAC contributions* and to *amendments of COSAC's rules of procedure*.

The rules on unanimity are worded as follows:

Article 10.5 (on the adoption of contributions)

"The adoption of a contribution requires unanimity among the delegations that are present at the meeting. Abstention from voting on the part of delegations cannot prevent the adoption of a contribution".

Article 14.3 (on amendments to the rules of procedure)

"The adoption of a proposal requires unanimity among the delegations that are present at the meeting. Abstention from voting on the part of delegations cannot prevent the adoption of a proposal".

### **2. Proposal for new rules for voting:**

It is proposed that the new rules for voting in COSAC be based on the principle: *One country – one vote*. The European Parliament will, as now, have one vote.

This principle is already the basis of the existing rule on voting in article 10.5 of COSAC's rules of procedure, which requires unanimity among the *delegations* that are present at the meeting. This is also a question of a basic principle in international co-operation to which the principle of equality applies.

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<sup>1</sup> This note takes its point of departure in the document "13 notes on the Danish COSAC Presidency's draft of 11 July 2002", which was forwarded to all COSAC delegations in advance of the COSAC meeting in Copenhagen from 16 - 18 October 2002. The document is dated 9 October 2002.

## **2.1. Adoption of a contribution**

The proposal in connection with adopting a contribution is to introduce a rule on *a simple majority among the delegations that are present at the meeting*. To the extent necessary it will be possible to include minority statements in the final contribution.

The purpose of introducing a simple majority when adopting COSAC contributions is to enhance COSAC's ability to make decisions.

## **2.2. Amendment of the rules of procedure**

The proposal in connection with amending the rules of procedure is to introduce a rule on a *qualified majority* of at least 2/3 of the delegations that are present at the meeting.

The introduction of a qualified majority in connection with amending the rules of procedure will take into account the need for broad agreement among COSAC participants in connection with amending the rules of procedure, without this compromising the ability to make decisions.

## **2.3. Changes in the group of members**

The proposal in connection with making changes in the group of members is that this should, as now, be decided *unanimously* and with the opportunity for constructive abstention.

## **3. Consequences for COSAC's rules of procedure**

As a consequence of the proposed amendment of COSAC's rules for voting a number of items in the rules of procedure must be changed.

The concrete proposals for changes are contained in the draft of the new rules of procedure.