

# THE EUROPEAN UNION TRUST FUND FOR COLOMBIA

## TRUST FUND BOARD

### RULES OF PROCEDURES

**ARTICLE ;ERROR! UTILICE LA PESTAÑA INICIO PARA APLICAR HEADING 1 AL TEXTO QUE DESEA QUE APAREZCA AQUÍ.: COMPOSITION**

1.1. The Trust Fund Board shall be composed of the following members (**'Trust Fund Members'**):

1.1.1. The Commission representing the European Union, who shall chair the meetings of the Board (**'Chair'**);

1.1.2 Donors who have signed the Constitutive Agreement, who are Founding Members and Deputy Chairs of the Board (**'Deputy Chairs'**);

1.1.3. Other donors.

1.2. The representative of the Colombian Government shall be invited to participate in the meetings of the Board (**'Trust Fund Partner'**).

1.3. The following observers shall be invited to all the meetings of the Board (**'Observers'**):

1.3.1. EU Members States not contributing to the Trust Fund;

1.3.2. The EU's Special Envoy to the Peace Process.

1.4. The Chair may invite third parties, such as representatives of regional or international organisations, or experts, to address the Trust Fund Board on specific issues of the agenda of the Board meeting. The Chair shall announce in advance to the Trust Fund Members his/her intention to invite these representatives at least 10 calendar days before the meeting. The invitation shall be deemed confirmed unless a simple majority of the Trust Fund Members expressly declares their opposition at least seven calendar days before the meeting.

1.5. The Manager of the Trust Fund appointed by the Commission shall act as Secretariat of the Board (**'Manager'**).

**ARTICLE ;ERROR! UTILICE LA PESTAÑA INICIO PARA APLICAR HEADING 1 AL TEXTO QUE DESEA QUE APAREZCA AQUÍ.: REPRESENTATION**

2.1. Upon signature of or adherence to the Constitutive Agreement, each Trust Fund Member, the Trust Fund Partner and the EU Member States referred to in Article 1.3.1 shall appoint a duly authorised representative to the Board. The

Manager shall be immediately informed of this appointment, or any modification thereof.

The Director-General of the Directorate-General for International Cooperation and Development shall be the full representative of the Commission. He/she shall be flanked by a representative of the High Representative of the Union for Foreign Affairs and Security Policy and by the Head of the EU Delegations in Colombia.

2.2. If the representative of a Trust Fund Member, the Trust Fund Partner and a EU Member States referred to in Article 1.3.1 is unable to attend a Board meeting, an alternate may be appointed to take part in that meeting. The Manager shall be immediately informed of this appointment, or any modification thereof.

2.3. Any representative of a Trust Fund Member, except that of the Commission, may represent more than one donor on the Board, provided that the donors concerned jointly notify the Manager and send a copy of the instrument of authorisation drawn up before the meeting.

2.4. The representatives of Trust Fund Members, the Trust Fund Partner and the Observers may be accompanied by advisory staff to a Board meeting. In case the representative intends to invite more than one advisory staff, he/she should communicate the exact number, names and title of this advisory staff to the Manager at least 7 calendar days before the meeting. For a specific meeting, the Manager may limit the number of advisory staff per representative, which in no even can exceed three except otherwise agreed with the Manager.

## **ARTICLE ;ERROR! UTILICE LA PESTAÑA INICIO PARA APLICAR HEADING 1 AL TEXTO QUE DESEA QUE APAREZCA AQUÍ.: ROLE AND RESPONSIBILITIES OF THE TRUST FUND BOARD**

The Trust Fund Board shall:

3.1. Within the framework of the Constitutive Agreement, adopt and review the strategy of the Trust Fund, which has been previously discussed and agreed with the Trust Fund Partner ;

3.2. Within the framework of Articles 2.1 and 19.1 of the Constitutive Agreement, adjust the geographical and thematic scope of the Trust Fund activities;

3.3. issue strategic guidelines addressed to the Operational Committee and the Manager of the Trust Fund;

3.4. take receipt of the annual report and the annual accounts for the Trust Fund drawn up by the Manager and adopted by the Operational Committee and assess the results and impact of actions financed by the Trust Fund;

3.5. decide whether donors other than EU Member States may contribute to the Trust Fund and lay down the conditions under which such contributions may be accepted;

3.6. decide upon proposed amendments to the Constitutive Agreement, in accordance with Article 19 of the Constitutive Agreement;

3.7. decide on the winding-up of the Trust Fund, in accordance with Article 17.2 of the Constitutive Agreement; and

3.8. discuss any other issue falling under its competences, such as the outcome of evaluation reports or audit reports of actions financed by the Trust Fund.

#### **ARTICLE 4: MEETINGS OF THE TRUST FUND BOARD**

4.1. The Trust Fund Board shall meet as often as necessary and at least once a year. Meetings of the Trust Fund Board may be called by the Chair at any time or at the request of at least one third of the Trust Fund Members.

4.2. Meetings of the Board shall usually be held at the premises of the European Union in Brussels, unless the Chair and the Deputy Chairs previously agree to meet in another location for a specific meeting.

4.3. The Trust Fund Board may hold meetings by videoconference, conference call or any other remote communication system.

4.4. The meetings shall be held in English. Where time, premises and means permit, interpretation shall be provided in Spanish.

#### **ARTICLE 5: INVITATION TO THE BOARD MEETINGS, AGENDA AND DOCUMENTATION**

5.1. Except in cases of urgency, the Chair shall, through the Manager, send the invitation and draft agenda to all the Trust Fund Members, the Trust Fund Partner and the Observers at least 21 calendar days before the date of the meeting. The invitation shall specify the location and time of the meeting. Should the draft agenda be updated following a proposal from a Trust Fund Member or the Trust Fund Partner to include an item of that agenda, to be received by the chair at least 14 calendar days before the meeting, the Chair shall send the updated agenda at least 7 days before the meeting.

The draft agenda shall include the approval of the minutes of the previous meeting.

5.2. Other documents related to the meeting, in particular documents for information and an exchange of views, shall, as far as possible, be submitted within the same time limit.

Documents submitted to the Board shall in principle be made available in English.

**ARTICLE ;ERROR! UTILICE LA PESTAÑA INICIO PARA APLICAR HEADING 1 AL TEXTO QUE DESEA QUE APAREZCA AQUÍ.: VOTING RIGHTS, QUORUM, VOTING RULES**

6.1 The Chair, as well as the Trust Fund Members contributing for an amount of not less than EUR 3 million, shall each have one vote on the Trust Fund Board. The group of donors contributing individually less than the aforementioned threshold, which have pooled their contributions to reach this threshold, shall also have one vote. The vote of this group of donors shall be cast by the representative (or alternate) appointed in the relevant contribution certificates. The representatives of the Trust Fund Members able to vote in the Board are hereinafter referred to as '**Voting Members**'.

6.2. The positive vote of the Chair shall be required to adopt the decisions taken by the Trust Fund Board. The Chair shall ensure that decisions are consistent with the law and principles of the European Union and with European development policy as laid down by the European Parliament and the Council of the Union.

6.3. The Board shall be quorate if one third of the Trust Fund Members, including necessarily the Chair and at least one Deputy Chair, are present in the Board meeting. At the start of each meeting of the Board, the Chair shall establish whether quorum is reached.

6.4. The Board shall operate on the basis of consensus. However, where a vote is required, the Chair will ask Voting Members to vote. In such case, a proposal shall require a simple majority of the votes to be adopted.

6.5. The Board shall take into account the opinion expressed by the Observers and the Trust Fund Partner.

**ARTICLE ;ERROR! UTILICE LA PESTAÑA INICIO PARA APLICAR HEADING 1 AL TEXTO QUE DESEA QUE APAREZCA AQUÍ.: WRITTEN PROCEDURE**

7.1. In duly justified cases, the Chair may obtain the Board's opinion by written procedure with tacit approval. The Chair shall communicate to the Trust Fund Members, Trust Fund Partner and Observers the proposed draft measures and shall lay down a deadline, according to the urgency of the matter, by which the Board shall deliver its opinion.

7.2. Except in cases of urgency, Voting Members shall have at least 14 calendar days from the sending of the proposals to express their opinion. Any Voting Member that does not express opposition to the proposal in writing before the deadline communicated is considered to have given tacit agreement to the proposal.

7.3. The Chair shall inform the Members of the Board in writing of the outcome of a written procedure.

**ARTICLE 8: MINUTES AND SUMMARY REPORTS OF THE MEETINGS**

8.1. The minutes of each meeting shall be drawn up by the Manager under the auspices of the Chair and shall contain the opinions expressed on the proposed measures and the positions expressed during the meeting. The Manager shall send the minutes to the Trust Fund Members, the Trust Fund Partner and the Observers without delay and, wherever possible, within 14 calendar days after the meeting.

8.2. The Trust Fund Members, the Trust Fund Partner and the Observers may send any written comments they may have on the minutes to the Chair within the deadline established by the Manager, which cannot be shorter than 14 calendar days from the date of submission by the Manager of the minutes to these Members. The Board shall be informed of these comments. If there are any disagreements between the Trust Fund Members on a proposed amendment, it shall be discussed by the Board. If the disagreement persists, the proposed amendment shall be annexed to the minutes.

**ARTICLE 9: ATTENDANCE LIST**

At each meeting, the Chair shall draw up an attendance list specifying the authorities or bodies to which the participants belong and shall distribute it to the participants during the course of that meeting.

At the beginning of every meeting, any representative whose participation in the work constitutes a conflict of interest with regard to a particular point on the agenda shall inform the Chair of this situation.

**ARTICLE 10: REPRESENTATION COSTS**

No representative (or advisory staff) shall receive any form of remuneration from the Trust Fund. They shall bear all costs arising from their function, including all costs incurred for travelling to and attending Board meetings.

**ARTICLE 12: CORRESPONDENCE**

Correspondence relating to the Board shall be addressed to the Commission, for the attention of the Manager:

*Delegación de la Unión Europea en Colombia*

*Calle 116 número 7-15, interior 2, piso 12,  
Edificio Cusezar, barrio Santa Bárbara,  
Bogotá D.C*

Correspondence addressed to Trust Fund Members, Trust Fund Partner and Observers shall be made available by electronic means to the Trust Fund Members and the Trust Fund Partner and Observers.

