

Rules of Procedure for the EMBL Council



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European Molecular Biology Laboratory

Rules of Procedure for the Council of the European Molecular Biology Laboratory

*As amended by the Council at its 69th Ordinary Session Meeting on 24 and 25 June 2025
and effective from 25 June 2025*

A record of changes for the Rules of Procedure is available on the
EMBL Intranet at: <https://www.embl.org/about/info/embl-council/wp-content/uploads/2021/10/e7rop2017-EMBL-Rules-of-Procedure-08082018.pdf>

Rules of Procedure

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Rules of Procedure

Purpose

1. These Rules of Procedure are adopted pursuant to Article VI (3) k) of the Agreement Establishing the European Molecular Biology Laboratory.
2. References to the Laboratory Agreement at the end of a rule are inserted for information only. They do not constitute part of the Rules.

Rule 1 – Election of the Chair and Vice-Chairs

1. The Council shall elect a Chair and two Vice Chairs at the last meeting of its ordinary annual session. These appointments are effective from 1 January of the following year and incumbents shall normally hold office for one year and be re-elected on not more than two consecutive occasions (Agreement Article VI (1)).
2. In circumstances deemed exceptional by the Council, the Chair and Vice-Chairs may be re-elected on more than two consecutive occasions.
3. The Chair, or the Vice Chair who is acting as chair, shall participate in the proceedings as such, and not as a delegate of a member state.
4. The Director General, as Secretary of the Council, shall provide the Council with secretariat services.

Rule 2 – Chair

1. The Chair shall conduct the proceedings in the Council and shall ensure that these Rules are observed.
2. If the Chair is unable to attend, the Council shall appoint one of the Vice Chairs to take the chair.
3. The Chair shall be subject to the authority of the Council in the discharge of his/her duties.

Rule 3 – Sessions

1. The sessions of the Council shall not be open to the public unless otherwise decided by the Council.
2. An open session may be attended by the members of Council accompanied by their adviser(s), the Director General assisted by such members of personnel of the Laboratory as she/he deems necessary and, at the invitation of the Chair after consultation with the Director General, by any other persons whose presence is required to assist in the proceedings
3. If the Council decides to go into closed session only accredited delegates of full member states shall be present. A delegation, having notified the Chair of Council in advance, may also be supported in a closed session by one adviser. The Chair of the Finance Committee shall participate *ex officio* if not a delegate to the Council. The Chair of Council may invite the Director General and the Chair of the Scientific Advisory Committee to attend a closed session. With the agreement of the Council, the Chair may also invite delegations from Associate and Prospect Member States, members of personnel of the Laboratory as well as any other expert(s) to participate.

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Rule 4 – Timing of Sessions

1. The Council shall meet at least once a year, and shall normally meet in ordinary session twice annually. It shall in any event meet between 1 July and 30 November each year to approve the budget (Agreement Article VI (5)).
2. If required by at least one third of the Member States, the Director General shall convene an extraordinary session of the Council. The Director General may, in the case referred to in Paragraph (1) of Article XIII of the Agreement or in an emergency call an extraordinary session.

Rule 5 – Agenda and Supporting Papers

1. A draft agenda prepared by the Director General in agreement with the Chair shall be sent to Member States no less than twenty-one days before each ordinary session. Papers to be considered by the Council must be circulated in time for them to reach delegates, if possible, at least fourteen days before the date of the session.
2. In the case of an extraordinary session a detailed description of the business to be discussed shall be circulated with the notice convening the session.
3. The draft agenda for an ordinary session shall be considered for adoption at the opening of the session. Supplementary items with supporting papers may be added to the agenda during the session only if the Council so decides.
4. The draft agenda and adopted agenda of open sessions can be made available to the public by the Laboratory or the Council members unless otherwise decided by the Council.

Rule 6 – Languages

At sessions of the Council simultaneous interpretation may be provided in English, French and German if requested by a member state delegation at least eight weeks before the scheduled start of the meeting. Council documents shall in principle be issued in these three languages.

Rule 7 – Minutes of Sessions

1. Draft minutes of each open session of the Council, giving the substance of the discussion and recording the decisions reached, shall be prepared on the responsibility of the Chair. They shall be circulated to all delegates as soon as possible for approval or for correction. Where no observations are forthcoming within one month, the draft minutes shall be deemed to have been approved and shall thereupon be circulated to delegates in their final form for approval by the Council at its next session. Minutes of sessions and supporting papers are confidential and not for public dissemination, unless the Council decides otherwise.
2. A summary of conclusions and decisions of open and closed Council sessions shall normally be recorded. At the discretion of the Chair or on request of a majority of delegations present, a decision shall be in the terms of a formal resolution.
3. The summary of conclusions and decisions taken by the Council in open sessions can be made available to the public, by the Laboratory or the Council members, unless otherwise decided by the Council.

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Rule 8 – Quorum

1. The presence of delegates of a majority of all Member States shall be necessary to constitute a quorum at any session of the Council (Agreement Article VI (6) c)).
2. If the quorum specified in the preceding paragraph is not reached, the Chair may either adjourn the session to a later date to be fixed in consultation with the Director General, or declare the session an informal assembly.

Rule 9 – Chair's Conduct of Sessions

1. The Chair shall open and close meetings, grant or withdraw the right to speak, put proposals to vote, and announce decisions. He/she shall rule on points of order and shall in particular be entitled to propose that the discussion be suspended or deferred.
2. The Chair shall call upon speakers in the order in which they signify their desire to speak.
3. However, the Chair shall give priority to a delegate speaking to a point of order, on which the Chair shall rule forthwith.
4. The ruling of the Chair may be challenged, but the discussion thereon shall be confined to the challenger and to the Chair.
5. If the difference of opinion persists, it shall at once be put to the vote.

Rule 10 – Delegates

Each member state shall be represented by not more than two delegates who may be accompanied by advisers. As far as is possible Member States shall arrange that their delegates to the Council should be the same as those to the European Molecular Biology Conference.

Rule 11 – Observers

1. States not parties to the Agreement may attend sessions of the Council as observers as follows:
 - a. Members of the European Molecular Biology Conference as of right;
 - b. States which are not members of the European Molecular Biology Conference on a decision of the Council taken by unanimous vote of the Member States present and voting (Agreement Article VI (2) a)).
2. The designated representatives of the European Molecular Biology Organisation shall have the right to attend sessions and take part in the work of the Council except as the Council may otherwise decide on particular occasions (Agreement Article VI (2) b)).
3. The Council may invite other observers to attend any of its sessions (Agreement Article VI (2) b)).

Rule 12 – Credentials

1. Participation as a delegate shall be subject to production of credentials to the Director General issued by the competent authority of the state concerned. A delegate shall continue to hold that position until such time as the Director General is notified of the termination of his/her appointment.

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2. The names of advisers not mentioned in the above credentials should be communicated to the Director General by the competent authority or a delegate of the state concerned no later than the opening of the relevant session of the Council.

Rule 13 – List of Participants

The Director General shall draw up lists of delegates, advisers and observers attending Council sessions in the German alphabetical order of the names of the countries, followed by those of the organisations which they represent.

Rule 14 – Resolutions and Points of Order

1. Any delegate to the Council or any adviser sitting as a delegate may table resolutions or amendments in accordance with the following procedure.
2. Every draft resolution must be handed to the Chair in writing. The text shall be distributed as early as possible before the vote.
3. Where a number of amendments are tabled to the same draft resolution, the Chair shall decide in what order they shall be discussed and put to the vote, subject to the following provisions:
 - a. all resolutions or amendments shall be put to the vote
 - b. an amendment may be put to the vote separately or as the antithesis of another amendment, at the discretion of the Chair; and
 - c. if a resolution is amended as the outcome of a vote, the resolution as amended shall be put to the Council for a final vote.
4. Points of order need not be handed to the Chair in writing or distributed. Apart from any point considered by the Chair to be a point of order and which is not contested as such by the Council, the following motions shall be points of order: a motion that the question be referred back; a motion that consideration of a particular issue be deferred; a motion that the meeting stand adjourned; and a motion that the meeting proceed to the next item on the agenda

Rule 15 – Voting

1. Each member state shall have one vote in the Council subject to the provisions of Paragraph (6) a) iii) of Article VI of the Agreement. In the event that a member state is in arrears in the payment of its contribution which equals or exceeds the amount of the contributions due from it for the preceding two financial years, the Director General shall make a statement to that effect in the Council.
2. Votes shall normally be taken at the Council by show of hands unless a member state requests a roll-call, which shall then be taken in the German alphabetical order of the names of the Member States, beginning with a member state whose name shall be drawn at random by the Chair. The vote of each member state participating in a roll-call shall be included in the record of the session.
3. On the demand of two or more member states present, voting shall be by secret ballot. In the case of votes by secret ballot, the number of abstentions shall be recorded. In voting by secret ballot, the Council Secretariat shall collect the votes and provide them to the Chair for counting.

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4. Decisions of the Council, to be valid, shall require the voting majorities specified in the relevant provisions of the Agreement and set out in Annex 1 to the present rules. In applying these rules member states which abstain from voting are to be considered as not voting and such abstentions shall not prevent a decision from being considered as unanimous or as taken with the specified majority. However, abstentions are in all cases to be recorded.

Rule 16 – Bureau of the Council

1. The Bureau of the Council shall consist of:
 - a. the Chair;
 - b. the two Vice-Chairs;
 - c. the Chair and Vice-Chair of the Finance Committee;
 - d. the Director General.
 - e. the Director General shall provide the Secretariat of the Bureau.
2. The Chair shall convoke meetings of the Bureau and decide the agenda in consultation with the Director General.
3. If the Chair, in consultation with the Director General, so decides, he/she may extend the Bureau for certain items of business. The Extended Bureau shall comprise the members of the Bureau and one delegate of each member state.

Rule 17 – Press Communiqués

Press communiqués upon the proceedings of the Council shall be issued by the Chair or with his/her specific authority.

Rule 18 – Written Procedure

1. If the Chair, or the Director General with the agreement of the Chair, considers that a matter requires a decision before the next session of the Council but does not warrant an extraordinary session, he/she may submit the matter to the Council for decision by written procedure.
2. If formally requested by at least one Member State, the decision may be postponed to the next ordinary session. Alternatively, the Chair, or the Director General with the agreement of the Chair, may convene an extraordinary session to consider the matter.
3. Any proposal submitted to a vote by written procedure shall be arranged so that independent matters are subject to separate votes.
4. The response deadline shall be specified in the invitation to vote and shall be at least 14 calendar days. Votes will only be valid if received by the Council Secretariat within the deadline specified in the invitation.
5. The rules regarding the quorum for voting by written procedure shall be the same as at a session of the Council (Rule 8).

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6. Decisions on matters submitted in the written procedure shall be subject to the same voting requirements stipulated in Rule 15 and voting majorities specified in the relevant provisions of the Agreement and set out in Annex 1 to the present rules.
7. A proposal is approved once both the required majority and quorum are reached. If quorum is lacking, the Chair - or the Director General with the Chair's agreement - may resubmit the proposal at the next ordinary or extraordinary Council session.
8. The results of the written procedure shall be communicated to all delegations no later than 14 calendar days after the deadline and shall be reported at the next ordinary Council session.

Rule 19 – Entry into Force and Amendments

1. These Rules of Procedure shall come into effect on the date of their adoption by the Council (Agreement Article VI (3) k)).
2. They may be amended by the Council.

Rule 20 – Conflict

In the event of conflict between any of the provisions of these Rules and the terms of Agreement the provisions of the Agreement shall prevail.

Requirements for Voting Majorities

Annex 1 – Requirements for Voting Majorities as Laid Down in the Agreement Establishing the European Molecular Biology Laboratory

1. Establishment of co-operation with non-member states, national bodies in those states, international governmental or non-governmental organisations and definition of the conditions and terms of such cooperation.

Unanimous vote of the Member States present and voting (Art. IV (2)).

2. Attendance at sessions of the Council by states which are not members of EMBC.

Unanimous vote of the Member States present and voting (Art. VI (2) a) ii)).

3. Determination or variation of a minimum period of participation in the program and of maximum credits that may be committed or spent during that period.

Unanimous vote of the Member States present and voting (Art. VI (3) b)).

4. Adoption of the **budget**.

Two-thirds majority of the Member States present and voting provided that, either the contributions of such member states constitute not less than two-thirds of the total contribution to the Laboratory budget or that affirmative votes are cast by all but one of the member states present and voting (Art. VI (3) c)).

5. Approval of the **provisional estimate of expenditure**.

Two-thirds majority of the Member States present and voting (Art. VI (3) d)).

6. Adoption of **Financial Regulations**.

Two-thirds majority of the Member States present and voting (Art. VI (3) e)).

7. Adoption of **Staff Rules**.

Two-thirds majority of all the Member States (Art. VI (3) i)).

8. **Establishment** of groups and facilities **outside** the Laboratory **headquarters**.

Two-thirds majority of the Member States present and voting (Art. VI (3) j)).

9. Modification of the **programme**.

Unanimous vote of the Member States present and voting (Art. VI (4)).

10. **Establishment of** a Scientific Advisory Committee, a Finance Committee and such other **subordinate bodies** as may prove necessary.

Two-thirds majority of all the Member States (Art. VI (7) a)).

11. **Appointment** for a defined period of time **or dismissal of a Director General**.

Two-thirds majority of all the Member States (Art. VII (1) a)).

Requirements for Voting Majorities

12. **Refusal of gifts** contributed by member states in addition to their financial contributions because of inconsistency with the purposes of the Laboratory.

Two-thirds majority of Member States present and voting (Art. IX (3) b)).

13. **Approval** of the receipt of **gifts** offered by private organisations or individuals.

Two-thirds majority of Member States present and voting (Art. IX (3) c)).

14. Decision on the 3-year **scale of Member States' contributions**.

Two-thirds majority of all the Member States (Art. X (1)).

15. **Adjustment of the contributions** of member states affected by special circumstances.

Two-thirds majority of all the Member States (Art. X (2)).

16. Fixation of level of per capita income to be considered **a special circumstance** in fixing Member States' contributions.

Two-thirds majority of all the Member States (Art. X (2)).

17. Fixation of the amount of the **special contributions** to be paid by states becoming parties to the Agreement after the 31st December following its coming into force.

Two-thirds majority of all the Member States (Art. X (3) a)).

18. **Decision not to reduce the contributions** of Member States after receipt of special contributions paid by states which became parties to the Agreement after the 31st December following its coming into force.

Two-thirds majority of all Member States (Art. X (3) b)).

19. Conclusion of a **Headquarters Agreement**.

Two-thirds majority of all the Member States (Art. XI).

20. Adoption of **amendment of the Agreement**.

Unanimously by all Member States (Art. XIII (2)).

21. **Decision to prolong the Agreement** for a specific period **or to terminate it** after the initial seven years.

Two-thirds majority of all Member States provided the contributions of such member states constitute not less than two-thirds of the total contributions to the Laboratory budget (Art. XV (4) d) i)).

22. **Deprivation of membership**.

Two-thirds majority of all the Member States (Art. XVI (2)).

General Provision

Except where otherwise stipulated in the Agreement, decisions of the Council shall be taken by a *majority of the Member States present and voting* (Art. VI (6) b)).