



ANNEX 14

GUIDELINES ON GRANTING OBSERVER STATUS TO INTERGOVERNMENTAL ORGANIZATIONS AND INTERNATIONAL NON-GOVERNMENTAL ORGANIZATIONS TO THE HELSINKI COMMISSION

These guidelines do not concern applications by national governments, which are handled on a case-by-case basis. The governments of the states located in the Baltic Sea catchment area are automatically granted observer status if they so wish.

1. Criteria for considering applications for observer status to the Helsinki Commission:
 - 1.1. Observer status can be granted to an organization or an established network of organizations, which has members, branches or affiliated bodies in at least three Baltic Sea states or countries of the Baltic Sea catchment area or which operates in or for the benefit of the whole Baltic Sea area.
 - 1.2. The organization or network must have organized administration and must be able to speak for its members through accredited representatives. It must have a constitution and rules of procedure.
 - 1.3. The organization must be able to contribute substantially to the aims and objectives of the Commission. It must have technical, scientific, economic, social or other expertise relevant to the objectives of the Convention on the Protection of the Marine Environment of the Baltic Sea Area.
 - 1.4. Intergovernmental organizations, which do not operate in the Baltic Sea area, can be accepted as observers if they are considered to be able to contribute substantially to the aims and objectives of the Commission. These decisions are made on a case-by-case basis.
2. The decision process includes the following steps:
 - 2.1. An application for observer status should be sent to the HELCOM Secretariat at least three months before a Commission meeting. The application should contain reasons for applying for observership and a description of how the applicant fulfils the criteria and how it plans to contribute to HELCOM work. The application should also indicate whether the applicant is interested in HELCOM work in general or would like to be involved in specific HELCOM groups or activity areas.
 - 2.2. The Executive Secretary shall immediately distribute the application for observer status to all Contracting Parties for comments.
 - 2.3. The Executive Secretary shall submit the application, together with possible statements from the Contracting Parties, to the next meeting of the Commission, which shall decide on the observership.

3. Organizations with observer status are regularly invited to the meetings of the Helsinki Commission and its subsidiary bodies. The observers shall have the right:
 - 3.1. to have access to the HELCOM Meeting Portal and to meeting documents of the Commission and its subsidiary bodies and other documentation on matters of special interest to the observer concerned;
 - 3.2. to attend the meetings of the Commission and its subsidiary bodies;
 - 3.3. to submit in accordance with the rules written statements or documents on items of the agenda of the meeting concerned;
 - 3.4. to participate in discussion and give oral statements at the discretion of the Chair of the meeting concerned but not a right to vote.

4. The observer status of any international organization shall impose an obligation:
 - 4.1. to recognize the basic purposes of the Commission and the principles governing the work of the Commission and to follow the rules of the Commission;
 - 4.2. to deliver only such information as is relevant to the work of the Commission;
 - 4.3. to respect any specific requirements agreed to by the Contracting Parties relating to the participation of observers at a meeting of the Commission or its subsidiary bodies.

5. Continuation and discontinuation of observer status:
 - 5.1 When HELCOM observer status has been granted to an intergovernmental organization, it is valid as long as the observer follows the rules and instructions of the Commission and does not change form or constitution.
 - 5.2 When observer status has been granted to an international non-governmental organization, it is valid as long as the observer is active (regularly participates in HELCOM meetings or activities), follows the rules and instructions of the Commission and does not change form or constitution.
 - 5.3 Observer status is discontinued if the observer organization is dissolved/disbanded or changes so that it no longer fulfils the criteria of observer organization.
 - 5.4 In the case of international non-governmental organizations, observer status can be discontinued if the observer stays inactive, i.e. does not actively attend the HELCOM meetings, does not participate otherwise in the HELCOM work or fails to keep contact with HELCOM, for three consecutive years.
 - 5.5 HELCOM has the right to cancel observer status of any organization in case the observer organization fails to follow the rules and instructions of the Commission or if the conduct of its representative(s) is inconsistent with the criteria for granting observer status.
 - 5.6 At its own initiative the observer organization can discontinue its observer status any time.
 - 5.7 All communication regarding application, continuation or discontinuation of observer status must be made in writing.