



**Barents Regional Council  
Barents Regional Committee**

## **Terms of Reference**

**Adopted by the Barents Regional Council on November 14<sup>th</sup> 2012 in Oslo, Norway**

## Article 1. General provisions

1.1. The present terms of reference have been adopted by the Barents Regional Council at its meeting held on November 14<sup>th</sup> 2012 in Oslo, Norway.

1.2. The terms of reference shall be applied to operations of all the regional structures of Barents cooperation.

1.3. The terms of reference have been adopted in the English language. The English version shall remain the only official one. Translations in all other languages cannot be used as a legal reference.

## Article 2. Use of terms

In the present terms of reference:

2.1. **“Declaration on the cooperation in the Barents Euro-Arctic region”** (hereinafter the Kirkenes declaration) refers to the international agreement signed by the Ministers of Foreign Affairs and/or high representatives of Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden, and the Commission of the European Communities, during an international conference held in Kirkenes, Norway on January 13, 1993.

2.2. **“The Barents Euro-Arctic region”** (hereinafter the Barents region) refers to the political body of cooperation, established in 1993, covering the geographical area adjacent to the Barents sea in the Northern parts of Finland, Norway, Sweden, and in the North-Western part of the Russian Federation. The region has been subsequently extended to include other Northern areas in the four above-mentioned countries. It covers a vast territory of approximately 1 800 000 km<sup>2</sup> between the Northern Atlantic coast in the West, the Ural mountains in the East, Novaya Zemlya in the North, the Baltic Sea Gulf of Bothnia, and the lakes of Ladoga as well as Onega in the South.

2.3. **“The Barents Euro-Arctic Council”** (hereinafter BEAC) refers to the highest official body of the Barents cooperation on intergovernmental level. BEAC is a forum<sup>1</sup> that is being convened biennially on the Foreign Ministers level.

2.4. **“Committee of Senior Officials”** (hereinafter CSO) refers to the executive body of the Barents cooperation on the intergovernmental level. CSO is comprised of representatives of the governments of Denmark, Iceland, Finland, Norway, the Russian Federation, Sweden, and the European Commission.

2.5. **“Barents Regional Council”** (hereinafter BRC) refers to the highest official body of the Barents regional cooperation on the interregional level.

2.6. **“Barents Regional Committee”** (hereinafter RC) refers to the executive body of the Barents regional cooperation on the interregional level.

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<sup>1</sup> The Terms of Reference of BEAC states: “The purpose of the Barents Euro-Arctic Council will be to serve as a forum for cooperation among the participants”. [http://www.beac.st/in\\_English/Barents\\_Euro-Arctic\\_Council/Barents\\_Euro-Arctic\\_Council/Terms\\_of\\_Reference.iw3](http://www.beac.st/in_English/Barents_Euro-Arctic_Council/Barents_Euro-Arctic_Council/Terms_of_Reference.iw3)

2.7. **“Regional working group”** refers to a group of regional civil servants, experts, and specialists, established within a particular competence field of common interest for the participants to the Barents regional cooperation.

2.8. **“Joint working group”** refers to a group of state and regional civil servants, experts, and specialists, established within a particular competence field of common interest for the participants to the Barents regional cooperation.

2.9. **“The International Barents Secretariat for the cooperation in the Barents Euro-Arctic region”** (hereinafter the IBS) refers to the secretariat established in 2007 in accordance with the intergovernmental agreement of Finland, Norway, the Russian Federation and Sweden. The IBS shall provide technical and administrative support for multilaterally coordinated regional activities within the framework of the Barents national and regional cooperation, in order to secure continuity and coherence thereof. It shall assist with support of project funding, secretarial tasks, and information dissemination, as well as functioning as an institutional memory of all the work within the Barents cooperation. The work of IBS is accepted on both intergovernmental and interregional level.

### **Article 3. The objective of cooperation**

3.1. The overall aim of the Barents regional cooperation is to ensure stability and progress in the region by promoting peaceful cooperation and sustainable economic and social development.

3.2. The priority areas of work are identified in the periodically revised Barents programme, which constitutes the framework of activities within the cooperation.

### **Article 4. Principles of cooperation**

4.1. The Barents cooperation is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law, and respect for human rights, including the rights of persons belonging to minorities and physically challenged persons.

4.2. These values are common to all the participating regions in a society in which pluralism, non-discrimination, tolerance, justice, solidarity, and equality between women and men prevail.

### **Article 5. Gender equality**

5.1. In line with the principles of the Barents cooperation, the participating regions will strive to ensure an equal gender representation when appointing their members of the RC and of the working groups.

### **Article 6. The role of youth**

6.1. In line with the principles of the Barents cooperation, the participating regions will encourage representatives of the younger generation to participate as widely and actively as possible in the Barents regional cooperation. The regions will give possible support for such cooperation.

## **Article 7. The BRC**

7.1. The BRC is composed of the highest regional representatives, their deputy, elected political representatives of the participating regions, or their authorised nominees, as well as representatives of all three groups of indigenous peoples of the Barents region (i.e. Saami, Nenets and Vepsians).

7.2. The BRC shall endorse the policies of and lead the regional cooperation. The BRC adopts the Barents program and other relevant documents. Decisions of the BRC shall be valid upon all the participants of the regional cooperation.

7.3. The BRC meets at least twice a year. The venue of the meetings is decided by the chairing region according to the principle of rotation.

## **Article 8. The RC**

8.1. The RC is composed of the designated civil servants, or other appointed authorised delegates, representing the participating regions and of the representatives of the indigenous peoples of the Barents region.

8.2. The RC acts as the highest executive body of the regional cooperation in between the meetings of the BRC.

8.3. The RC shall be responsible for the implementation of the decisions made by the BRC, and provide advice as well as recommendations to the latter. The RC shall, furthermore, be responsible for the development of the strategies and policies of the Barents cooperation, provide strategic guidance on the activities of the working groups, and coordinate them.

8.4. The RC meets at least three times per year. The venue of the meetings is decided by the chairing region according to the principle of rotation.

## **Article 9. Chairmanship**

9.1. The Barents regional cooperation is based upon the principle of the biennially rotating chairmanship in both the BRC and the RC.

9.2. The Chairmanship rotates between the participating regions in Norway, Sweden, the Russian Federation, and Finland.

9.3. The same country cannot hold chairmanship on both the intergovernmental and the interregional levels simultaneously.

9.4. The prevailing chair region should, during a transitory period, provide assistance to the upcoming chair region in connection to change of chairmanship.

## **Article 10. Voting procedures**

10.1. The decisions of the BRC shall be adopted by consensus of the member regions present.

10.2. As a general rule, consensus shall be sought for in the RC. A decision of the RC shall be considered adopted if none of the member regions objects in written within two weeks from the date of the last meeting.

## **Article 11. Member regions**

11.1. The member regions in BRC and RC include Nordland, Troms and Finnmark in Norway; Norrbotten and Västerbotten in Sweden; Lapland, Oulu region, and Kainuu in Finland; Murmansk Oblast, Arkhangelsk Oblast, Republic of Karelia, Republic of Komi, and Nenets autonomous Okrug in North West Russia.

## **Article 12. Observers**

12.1. The Council of Christian Churches in the Barents region, the Parliamentary Association of North West Russia and the region of North Karelia in Finland, enjoy an observer status in the BRC.

12.2. The observer status gives the right to participate in the meetings of both the RC and the BRC, to suggest items for the agenda of the meetings, to formulate any other initiatives with a view to implementing the Barents program and strengthening the Barents cooperation, as well as to seconding members to the existing regional and/or joint working groups.

## **Article 13. Cooperation partners**

13.1. The BRC, RC, and its working bodies may decide to invite a special and interested region, organisation or other association to contribute to the regional Barents cooperation as a cooperation partner. The region, organisation or association can, as a result, participate in restricted cooperation to enhance the Barents region and its development.

13.2. The terms of such cooperation will be decided on a case by case basis by the RC who will then prepare a draft cooperation agreement and submit it to BRC for formal approval.

13.3. The framework cooperation agreement is annexed to the present Terms of Reference and constitutes an integral part thereof.

## **Article 14. Joint Working groups**

14.1. The CSO and the RC define the mandate of a joint working group. As a general rule, the mandate of the group shall not be limited in time.

14.2. The group adopts its plan of action, which constitutes the framework of the thematic cooperation. The group reports annually to the BRC. Both the BRC and the RC can, request updates and *ad hoc* reports from the group anytime. There are two co-chairs in the joint working group representing both the intergovernmental and interregional levels. Chairmanship in the joint working group rotates biennially between its members. Co-chairs can not be representatives of the same country. All decisions are being taken by consensus.

14.3. The CSO and the RC may recommend discontinuing the mandate of one or several joint working groups, if the latter have accomplished their mandate, have repeatedly proven to be inefficient, or have failed to hold at least one meeting during one calendar year.

### **Article 15. Regional Working groups**

15.1. The RC defines the mandate of a working group. As a general rule, the mandate of the group shall not be limited in time. Chairmanship in the group normally rotates biennially between its members, but should be flexible for the group to decide. All decisions of the group shall be adopted by consensus.

15.2. The group adopts its plan of action which constitutes the framework of the thematic cooperation. The group reports annually to the BRC. Both the BRC and the RC can request updates and reports from the group anytime.

15.3. The RC may recommend the BRC to establish new thematic working groups. The mandate and, eventually, the timeframe of such groups shall be clearly defined and agreed upon by both the RC and the BRC members.

15.4. The RC may recommend the BRC to discontinue the mandate of one or several working groups, if the latter have accomplished their mandate, have repeatedly proven to be inefficient, or have failed to hold at least one meeting during one calendar year.

### **Article 16. Working group of indigenous peoples**

16.1. The Working Group of Indigenous Peoples in the Barents Euro-Arctic Region (hereinafter called WGIP) is a working group established on a permanent basis, constituted by Saami, Nenets, and Vepsians representatives appointed by indigenous peoples' organizations and the Saami Parliamentary Council. In addition to its operational role, the WGIP has an advisory status to the BEAC and the BRC.

### **Article 17. Task forces**

17.1. The RC may recommend the BRC to establish a task force. The mandate and the timeframe of such groups shall be clearly defined and agreed upon by the RC members.

17.2. The task force adopts its plan of action which constitutes the framework of the thematic cooperation. Before the end of its mandate, the group presents the final report to the BRC. Both the BRC and the RC can request updates from the task force anytime. All decisions of the task force shall be adopted by consensus.

### **Article 18. *Ad hoc* working groups**

18.1. The RC, or a working group, can set up an *ad hoc* working group to tackle a specific issue, to undertake specific actions between RC meetings, and to support the work of the RC members.

## **Article 19. Financial provisions<sup>2</sup>**

19.1. As a general rule, the regional body hosting the meeting of the RC and/or the BRC, shall bear the costs directly connected to holding the meeting, including venue and meals. The hosting regional body shall also provide transfers airport-hotel-airport and hotel-meeting place-hotel for the BRC members. If required, the chairing regional body shall also provide visa support.

19.2. When the meeting is being held in the Russian Federation, the hosting regional body shall bear the accommodation costs for the Nordic members of the RC and BRC. The Russian members shall cover their own expenses. When the meeting is being held in one of the Nordic countries, the accommodation costs of the Russian BRC and RC members shall be covered by the hosting regional body, and the Nordic members cover their own expenses.

19.3. The travel costs shall be covered by the participants.

19.4. Simultaneous interpretation costs shall be covered by the Chair region.

19.5. As a general rule, the body hosting the regional working group meeting shall bear the costs directly connected to holding the meeting, including the venue, meals and interpretation if needed. Each participant covers their own travel and accommodation costs.

19.6. The BRC, with the support and advice from IBS, shall assist the working groups to find financial support in order to implement their plans of action.

19.7. The BRC shall seek to secure a permanent source of financing of its activities in order to make the Barents regional cooperation less dependent on possible financial constraints, and thus be able to ensure continuity, coherence, and strengthening of its work.

## **Article 20. The venue for the RC and the BRC meetings**

20.1. The venue for the BRC and RC meetings shall be equipped with a round or u-shaped table with the capacity to accommodate at least the members of the BRC or RC. The venue for the BRC meeting shall additionally have enough seats for an audience.

20.2. In case of BRC meeting, the equipment and technicalities for simultaneous translation, including special boxes for the interpreters, microphones on the tables, wireless microphones etc., shall be made available.

## **Article 21. Official documentation**

21.1. The agenda of the BRC and/or RC meetings, as well as any relevant additional documentation, shall be transmitted to the BRC and/or RC members by the chair region no later than two weeks before the scheduled meeting.

21.2. As a general rule, the agenda and minutes of the BRC, the RC, and the working groups' meetings, as well as any additional relevant documentation, shall be published on the website [www.beac.st](http://www.beac.st) and be open to public.

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<sup>2</sup> Cf. also the Administrative Manual for the BEAC as amended on June 17, 2008, for the distribution of costs on the state level ([www.beac.st](http://www.beac.st)).

21.3. Systematic numbering of the documents shall be used to identify the items on the agenda, e.g. “item RC 01/YYYY” for the RC meetings and “item BRC 01/YYYY” for the BRC meetings. The counting restarts every calendar year.

## **Article 22. Working languages**

22.1. The official language of the Barents cooperation is the English language.

22.2. However, during the BRC meetings each member region reserves the right to speak its native language if they so wish. However, during the meetings, simultaneous translation between Finnish, Russian and Scandinavian (i.e. Swedish or Norwegian) languages shall be provided.

22.3. All official documentation shall be drafted in English. The agendas and minutes of the BRC meetings shall also be available in Finnish, Russian and Scandinavian languages (i.e. Swedish or Norwegian). Additional documentation shall be held available in English, and, if necessary, translated to each member’s native language by the secretariat in each county.

## **Article 23. Withdrawal from the RC and the BRC**

23.1. Any member region reserves the right to withdraw from the regional cooperation in the Barents region at any time. Decision on such withdrawal shall be made in the following BRC meeting.

## **Article 24. Entry into force and amendments**

24.1. The present terms of reference shall enter into force on the day following their adoption by the BRC.

24.2. The terms of reference is a living document and shall thus be amendable when ever needed. A proposal for any changes to the present terms of reference shall be presented in written to the current Chair of the RC at least two months before the next scheduled RC meeting, and shall be accompanied by explanatory material. The Chair of the RC shall further circulate the suggested amendments among RC members, and decisions will be made during the next RC meeting.

24.3. Amendments to the present terms of reference shall be adopted by consensus of the BRC members.



**Framework Cooperation Agreement**  
**between**  
**the Barents Regional Council**  
**and**

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/name of the cooperation partner/

**Preamble**

The Barents Regional Council, hereinafter referred to as BRC, on one side, and \_\_\_\_\_, hereinafter referred to as the cooperation partner, on the other side,  
/name of the cooperation partner/

*Bearing in mind* the objective and the principles of cooperation in the Barents Euro-Arctic region,

*Recognising* the strength and mutual benefits of the regional cross-border cooperation in the Barents Euro-Arctic region,

*Reiterating* the commitment to promote the Barents Euro-Arctic region as widely as possible and to advocate on behalf of its residents, including indigenous peoples,

*Willing* to contribute to an increased development of the Barents Euro-Arctic region, be it of political, economic, social, scientific, cultural or other nature,

*Willing* to contribute to an improved well-being of the residents of the Barents Euro-Arctic region, including indigenous peoples,

*Have agreed* as follows :

**Scope of the Agreement**

The present Agreement is concluded with a view to conducting joint actions within the framework of the Barents programme and with the participation of all or some of the BRC member regions.

## **Areas of Cooperation**

The parties agreed on the cooperation in the following areas: /to be defined, as precisely as possible, in each particular case/.

### **Rights and Obligations of the BRC**

The BRC invites the cooperation partner to participate in its own and other relevant meetings and events that are being organised within the framework of the cooperation in the Barents Euro-Arctic region considering each time that such participation can enrich the existing cooperation and be of a mutual benefit for all the parties concerned.

The BRC undertakes to provide all required information and assist in establishing and/or strengthening the contacts between the cooperation partner and the BRC member regions.

### **Rights and Obligations of the Cooperation Partner**

The cooperation partner undertakes to make available all resources, including funds and expertise required to achieve the objectives provided for by the present Agreement.

The cooperation partner may conclude further bilateral and/or multilateral agreements with the BRC member regions or BRC working bodies with a view to ensuring a comprehensive implementation the present Agreement.

### **Obligation of Cooperation and Coordination**

The parties agree that they shall cooperate closely, whenever appropriate, with each other and consult each other on matters of mutual interest pursuant to the provisions of the present Agreement.

### **Entry into Force and Duration**

The present Agreement enters into force on the day following its signing by both parties. It is concluded for a period of \_\_\_\_\_ and may be renewed for a successive period of \_\_\_\_\_ unless one of the parties denounces it to the other party in writing six months before the date of expiry.

### **Disputes**

The parties shall seek to resolve all eventual disputes amicably.

Agreed on \_\_\_\_\_ in \_\_\_\_\_  
                    /date/  /place/

On behalf of the Barents Regional Council

On behalf of the /cooperation partner/

\_\_\_\_\_  
/Signature/

\_\_\_\_\_  
/Signature/