

Revised on 12 December 2011

**CHARTER
OF THE FORUM OF THE BLACK SEA BROADCASTING REGULATORY
AUTHORITIES (BRAFA)**

The Founding Members of the Forum of Black Sea Broadcasting Regulatory Authorities,

- Republic of Albania - The National Council of Radio and Television (NCRT),
- Republic of Armenia - The National Commission on Television and Radio (NCTR),
- Republic of Azerbaijan - The National Television and Radio Council of the Republic of Azerbaijan (NTRC),
- Republic of Bulgaria - The Council for Electronic Media (CEM),
- Georgia - The National Communications Commission (GNCC),
- Hellenic Republic - The National Council for Radio and Television (NCRT),
- Republic of Moldova - The Council for Coordination on the Audiovisual Activity in Moldova (CCA),
- Romania - The National Audiovisual Council (CNA),
- Russian Federation - The Federal Service on Supervision in Sphere of Communication and Mass Media (ROSCOMNADZOR),
- Republic of Serbia - The Republic Broadcasting Agency (RBA),
- Republic of Turkey - The Radio and Television Supreme Council (RTUK),
- Ukraine. - The National Council of TV and Radio Broadcasting.

HAVING adopted on 30 June 2008 in Istanbul the Joint Declaration of the Forum of the Black Sea Broadcasting Regulatory Authorities,

CONFIRMING their adherence to the principles and objectives of cooperation stated in the BSEC Charter,

AWARE of the potential of the Founding Members and the opportunities for enhancing the mutually advantageous cooperation,

REAFFIRMING that the establishment of a Forum among Black Sea Broadcasting Regulatory Authorities would contribute to a lasting and closer cooperation in the Region,

DETERMINED to promote fruitful cooperation among the Broadcasting Regulatory Authorities in the BRAF Region through the implementation of tasks reflected in the Joint Declaration of the Forum of the Black Sea Broadcasting Regulatory Authorities,

HAVE AGREED as follows:

CHAPTER I **GENERAL PROVISIONS**

Article 1 **Establishment of the Forum**

The Founding Members established the Forum of the Black Sea Broadcasting Regulatory Authorities, as a regional independent, non-profitable organization, hereinafter referred to as the BRAF.

Article 2 **Definitions**

For the purpose of the present Charter:

- a) "Forum" means the Forum of the Black Sea Broadcasting Regulatory Authorities, which may also be referred to as "BRAF".
- b) "Founding Members" are the National Broadcasting Regulatory Authorities which adopted the Joint Declaration of the Forum of the Black Sea Broadcasting Regulatory Authorities on 30 June 2008 in Istanbul.
- c) "BRAF Annual Conference" means a principal organ of the BRAF, comprising all the members.
- d) "Observer" means a Broadcasting Regulatory Authority or international organizations which are granted Observer status by the BRAF.
- e) "International organizations" means intergovernmental or non-governmental organizations.
- f) "BRAF Region" means the territories of the BRAF Members.

- g) “Chairperson” means the representative of the National Broadcasting Regulatory Authority which assumes the Chairmanship of the BRAF.
- h) “Executive Board” means the organ, which consists of the current Chairperson, the previous and the next Chairpersons of the BRAF or their representatives (rotation system).
- i) “Permanent Secretariat” means the Permanent Secretariat of the Forum, which may also be referred to as “BRAFF PS”.
- j) “Executive Secretary” means the Executive Secretary of the BRAF Permanent Secretariat.

CHAPTER II **PARTICIPATION**

Article 3 **Membership**

Members of the BRAF are the National Broadcasting Regulatory Authorities which are Parties to this Charter.

Article 4 **Admission**

1. The BRAF is open to any National Broadcasting Regulatory Authority which desires to become a Member and is deemed to be able and willing to fulfill the principles and objectives of the BRAF as set forth in the present Charter.
2. Upon receiving an application for membership the Chairperson shall circulate it to the Members.
3. The application will be included in the agenda of the earliest possible Annual Conference’s Meeting for consideration and taking decision accordingly.
4. The Membership is granted by the decision of the Annual Conference.

Article 5 **Observer Status**

1. Observer status in the BRAF shall be open, upon request, to any National Broadcasting Regulatory Authority or international organization which expresses its will to make practical and valuable contribution to the work of the BRAF.
2. Upon receiving an application for observer status, the Chairperson shall circulate its copy to the Members expressing its willingness to obtain such a status.

3. The application will be included in the agenda of the earliest possible Annual Conference's Meeting for consideration and taking decision accordingly.
4. The Observer status is granted by the decision of the Annual Conference.
5. Observers attending the meetings of the BRAF may be authorized by the Chairperson:
 - a) to address the BRAF meetings;
 - b) to participate in the discussions of working or expert level meetings;
 - c) to receive official BRAF documents;
 - d) to submit written statements on particular items of the agenda.

Article 6
Relations with Third Parties

1. The BRAF shall promote a relationship with third parties (governmental authorities, Broadcasting Regulatory Authorities, NGOs and international organizations and institutions) interested to cooperate in various fields of mutual interest through:
 - a) periodic professional exchanges and consultations;
 - b) possibility of attending meetings or specific events;
 - c) invitation of guests; possibility of attending meetings of the BRAF.
2. Invitations should be extended by the Chairperson on behalf of the Executive Board.

CHAPTER III
PRINCIPAL AND OTHER ORGANS

Article 7
Annual Conference

1. The BRAF Annual Conference is the principal regular decision making organ of the BRAF.
2. The Annual Conference, in the framework of the BRAF objectives, shall:
 - a) decide on all issues pertaining to the functioning of the BRAF;
 - b) consider all matters submitted and take accordingly appropriate decisions;
 - c) take the decisions on membership and observer status of candidates;
 - d) establish relevant working or expert groups within the BRAF, assign tasks to them, define, modify or dissolve their mandates;
 - e) consider any other related matters which are deemed appropriate.

Article 8
Working or Expert Groups

1. The Annual Conference may establish Working or Expert Groups.
2. The Working or Expert Groups shall carry out their tasks defined by the Annual Conference.
3. The Working or Expert Groups shall submit to the Annual Conference reports on their achievements, as well as relevant recommendations.

Article 9
Chairperson

1. The Chairperson shall coordinate all activities carried out within the framework of the BRAF and ensure the proper conduct of the BRAF proceedings as well as the implementation of the Decisions and Recommendations adopted.
2. The Chairmanship shall rotate every year based on the consent of BRAF members at Annual Conference Meetings.

Article 10
Executive Board

Upon request of the Chairperson, the Executive Board meets at the appropriate level in order to exchange views on current and prospective activities of the BRAF and on its relations with other international organizations and institutions.

Article 11
Committee of Experts

The Committee of Experts, representing the National Broadcasting Regulatory Authorities of the Members and acting on their behalf, is entrusted with the following competencies:

- a) reviews activities of the BRAF, evaluates the implementation of decisions and recommendations of the Annual Conference and elaborates recommendations and proposals to be presented to the next Annual Conference;
- b) considers issues related to coordination and cooperation with the third parties, informs the Annual Conference about these issues and works out, if necessary, pertinent recommendations and proposals;

- c) researches on organizational aspects of the BRAF activities, participates in the elaboration of preliminary calendar of events, takes decisions on relevant matters except the issues under the competence of the Annual Conference and the Chairperson.

Article 12
Permanent Secretariat

1. The Secretarial services of the BRAF shall be carried out by the Permanent Secretariat, called hereinafter PS, established for this purpose.
2. The BRAF PS is located in Ankara, Republic of Turkey.
3. The financial burden with regard to operation of the Secretariat will be kindly covered by the Turkish Supreme Council of Radio and Television (RTUK).
4. The BRAF PS will function under the authority of the Chairperson. That authority shall be executed by the Executive Secretary.
5. The Executive Secretary shall be appointed by the RTUK with due prior informing BRAF Members about this appointment.
6. The staff of the BRAF PS shall perform their duties with due regard to the principles and objectives of the BRAF.

Article 13
Regular Meetings of the Annual Conference

1. The Annual Conference shall be convened once a year.
2. The date and venue of the subsequent meeting will be determined in principle at the end of each meeting. If it is not possible, the incoming Chairperson shall hold consultations with the Members in order to determine a date acceptable to all Members.
3. The Annual Conference may be preceded by a meeting of the Committee of Experts.
4. Unless otherwise decided, the Annual Conference's Meetings will be open to the third parties wishing to participate.
5. Additional meetings of the Conference may be held upon the request of at least three Members, subject to consensus of the Members, and resolving financial implications in this regard. This request, together with the background documents shall be communicated to the Members via the BRAF PS.

Article 14
Preparation of the Draft Agenda

1. The BRAF PS shall prepare a draft agenda for every Meeting of the Annual Conference in full conformity with the decisions of its previous meetings, the recommendations of the Working or Expert Groups and proposals of the Members, and circulate it at least 30 days before the meeting. The documents pertaining to the agenda items shall be circulated together with the draft agenda.
2. The Members may propose to the Chairperson, within 10 days following the receipt of the draft agenda, additional items along with documents explaining the reasons for such a request.
3. The Chairperson shall circulate the proposal to the Members at least 15 days before the meeting together with background documents explaining the reasons for the addition of items.

CHAPTER IV
QUORUM, VOTING AND DECISION-MAKING

Article 15
Quorum

Quorum for the Annual Conference shall be 2/3 majority of the Members.

Article 16
Consensus

1. Consensus shall be understood as the absence of any objection expressed by any Member and presented by the Latter as constituting an obstacle to the taking of the decision in question.
2. Members shall decide by consensus on the following subjects:
 - a) admission of new Members in the BRAF;
 - b) granting and extending of observer status to third parties and international organizations;
 - c) creation of new organs of the BRAF; defining, modifying and dissolving their mandates; and structural mechanisms;
 - d) adoption of the agenda for the BRAF meetings if the issues included therein require consensus;
 - e) financial commitments affecting all Members.

Article 17
Majority Vote

1. When there is no consensus on issues other than those enumerated in Article 16, they may be put to vote. Decisions shall be made by the 2/3 majority of the Members present and voting.
2. Recommendations shall be made by the simple majority of the Members present and voting.
3. In case the required majority vote could not be attained on an issue, the proposal shall be regarded as rejected.

Article 18
Abstention and Absence

1. Abstaining in voting by a Member shall be considered as not voting and consequently shall not have any effect on the result of the voting.
2. The vote of a Member which was not present during the process of voting shall have no effect on the result of the voting.

Article 19
Method of Voting

The vote shall normally be taken by show of hands.

Article 20
Decisions

1. A Decision is a text adopted by the Annual Conference on a specific issue pertaining to technical matters and/or functioning of the BRAF.
2. Decisions shall be adopted by a 2/3 majority of votes.
3. All Members who have voted in favor shall abide by the provisions of the Decisions.

Article 21
Recommendations

A Recommendation is a text duly adopted either by the Annual Conference or by the Working or Expert Groups, without binding effects on the Members.

Article 22
Expenses Incurred for the Organization of Meetings

1. Expenses incurred for the organization of meetings shall be born by the host country.
2. The travel and accommodation expenses shall be covered by the participants themselves.
3. Expenses stemming from the participation of observers and guests in the BRAF meetings shall be covered by themselves.

Article 23
Official Languages

The official language of the BRAF documents and the working language of the BRAF Annual Conference are English.

Article 24
Incorporation of New Rules

If new Rules of Procedure or modifications regarding the functioning of the BRAF are adopted, they will be incorporated in the present Charter.

CHAPTER V
FINAL PROVISIONS

Article 25
Acceptance and Entry into Force

1. The present Charter shall be approved by letters of acceptance received from the Founding BRAF Members.
2. This Charter shall immediately enter into force for the Members which sent their letters of acceptance to the BRAF PS.

Article 27
Depository

The BRAF PS shall be the depository of this Charter.