

January 2008



GENERAL FISHERIES COMMISSION
FOR THE MEDITERRANEAN
COMMISSION GÉNÉRALE DES PÊCHES
POUR LA MÉDITERRANÉE



E

GENERAL FISHERIES COMMISSION FOR THE MEDITERRANEAN

Thirty-second Session

Rome, Italy, 25-29 February 2008

**ISSUES RELATED TO THE FUNCTIONING OF THE COMMISSION,
INCLUDING AMENDMENTS OF THE RULES OF PROCEDURE**

I. INTRODUCTION

1. This document provides an update of document GFCM/XXXI/2007/4 presented at the 31st session of the Commission (January 2007) which, *inter alia*: i) considered the possibility for the Commission to enter into Memorandum of Understandings (MoUs) with selected partners Organizations and, ii) suggested a set of amendments to the Rules of procedure of the General Fisheries Commission for the Mediterranean (GFCM).

II. MEMORANDUM OF UNDERSTANDING WITH SELECTED PARTNER ORGANIZATIONS

2. Article VIII of the GFCM Agreement provides that the “Commission shall cooperate closely with other international organizations in matters of mutual interest”. At its 31st session, the Commission addressed the issue of using instruments such as MoUs to strengthen the implementation of joint programme or activity with selected partner organizations. With regard to the adoption and signature of specific instruments, the Commission underscored that this might have policy or financial implications and decided to postpone to the 32nd session the consideration of the draft MoUs presented by the IUCN, as well as of any other proposals that might be made by other partner organizations.

3. During the intersessional period, in addition to the confirmation of interest from IUCN, the CIHEAM/IAMZ and the UNEP/RAC-SPA expressed their willingness to enter into such arrangements with the GFCM and drafted, together with the GFCM Secretariat draft MoU proposals which, after being reviewed by the FAO Legal Office, are enclosed in document GFCM/XXXII/2008/Inf.10, for consideration by the Commission.

II. ISSUES RELATED TO THE AMENDMENTS OF THE RULES OF PROCEDURE

Background and Approach

4. This document has been prepared in response to the request of Members to draft a second version of the proposed Rules of Procedure (proposed Rules). It takes into account a number of comments that were made to the proposed amended Rules in the 31st session of the Commission based on the understanding that the Rules were agreed upon in principle. The suggestions herein therefore concern the sole proposed Rules in document GFCM/XXXI/2007/4 which were the subject of discussions at the last session. The Secretariat was requested to prepare on the basis of the proposed Rules, a second draft so as to ensure the presentation of a final version of the Rules of Procedure for adoption at its 32nd session. Such an approach would be in line with Rule XVII of the current Rules of Procedure (current Rules).

5. Given such framework, the thrust of this document is to provide an update in connection with some of the issues that were before the Commission at the last session. The Appendix to this document provides three comparative tables presenting side by side the current Rules, the proposed Rules as agreed upon in principle in occasion of the 31st session and a consolidated version of the proposed Rules drafted taking into account the comments conveyed by delegations at the last session.

Rule I: Definitions

6. Some Members noted that the definition of observer in Rule I of the proposed Rules does not seem to include intergovernmental organizations, non-governmental organizations and cooperating non-contracting parties (see Recommendation GFCM/30/2006/5). With the aim of taking into account the different nature of observers a new definition is hereby proposed. With regard to “Observer nation” it is suggested to retain the comprehensive definition in Rule I of the proposed Rules as it encompasses also cooperating non-contracting parties. The Commission may wish to consider adopting the following definition of “International organization participating as observer” in Rule I:

“International organization participating as observer: an international, intergovernmental and non governmental organization attending a session of the Commission or its Committees or its subsidiary bodies while not being a Member of the Commission.”

Rule II: Sessions of the Commission

7. It was noted by some Members that Rule II of the proposed Rules should specify that invitations to a regular session of the Commission shall be sent to Members, observer nations and international organizations participating as observers. It was also suggested by one Member to retain paragraph four of Rule II of the current Rules in the text of the proposed Rules. The Commission may wish to acknowledge these suggestions.

Rule IV: Agenda

8. A proposal was made by one Member in the 31st session concerning the items to be included in the agenda of each regular session. It was suggested to consider an amendment of Rule IV of the proposed Rules taking into account, where appropriate and applicable, Rule IV of the Rules of Procedure of the Indian Ocean Tuna Commission (IOTC). It was also indicated to specify who the recipients of the provisional agenda should be and to strike out the final sentence of paragraph three of Rule IV of the proposed Rules. The Commission may wish to consider acknowledging these suggestions.

Rule V: The Secretariat

9. Rule V of the proposed Rules has been considered by several Members as missing some of the requirements related to the appointment of the Executive Secretary, his/her duties and the procedure for his/her selection. Accordingly, it was suggested during the 31st session that Rule V of the Rules of Procedure of IOTC, as well as the terms of reference of the current GFCM Executive Secretary, be the basis for adopting Rule V of the proposed Rules. The Commission may wish to consider acknowledging the following amendments to Rule V of the proposed Rules:

“2. The Executive Secretary shall be appointed by the Director General with the approval of the Commission in accordance with the selection procedure, as appended to these Rules of Procedure and which form an integral part thereof.

3. The Executive Secretary shall be responsible for the implementation of the policies and activities of the Commission and shall report thereon to the Commission.

4. The duties of the Executive Secretary shall include:

- a) receive and transmit the Commission’s official communications;*
- b) maintain contacts with appropriate government officials, fishery institutions and international organizations concerned with the development, conservation, rational management and utilization of fisheries, as well as the sustainable development of aquaculture in the Region, to facilitate consultation and cooperation on all matters pertaining to the objectives of the Commission,*
- c) maintain an active and effective network of national focal points for routine communication of progress and results of the activities of the Commission;*
- d) prepare and implement work programmes, prepare budgets and ensure timely reporting to the Commission;*
- e) authorize disbursement of funds in accordance with the Commission’s autonomous budget and account for the funds of the Commission’s autonomous budget;*
- f) participate in the formulation of proposals regarding the budget and programme of work or other activities of the Commission financed by the regular budget of the Organization; take such appropriate steps as may be required to ensure coordination between the activities of the Commission and those carried out by the Organization through its Fisheries Department, with particular reference to all matters having policy, financial or programme implications;”*
- g) stimulate interest among Members of the Commission and potential donors in the activities of the Commission and in possible financing or in implementing pilot projects and*

- complementary activities;*
- h) promote, facilitate and monitor the development of databases for fisheries assessment and monitoring and technical, biological and socio-economic research to provide a sound basis for fisheries management and aquaculture development;*
 - i) coordinate the Members' programmes of research, when required;*
 - j) participate, as appropriate, in the oversight of activities of projects carried out under the general framework of the Commission or its subsidiary bodies;*
 - k) organize sessions of the Commission and its subsidiary bodies and other related Ad Hoc meetings;*

10. With reference to the second paragraph of this Rule V, the Commission is invited to confirm that it considers appropriate to attach the procedure for the selection and appointment of its Executive Secretary to the proposed Rules of Procedure.

Rule VII: Election of the Chairperson and Vice-Chairperson

11. In the light of the observations conveyed by one Member concerning Rule VII of the proposed Rules, the Commission may wish to clarify that the nominees for election as Chairperson and Vice-Chairpersons must be delegates or alternates attending the session at which they are elected.

Rule XII: Participation by Observers

13. It was suggested by some Members that Rule XII of the proposed Rules be amended taking into account Rule XIII of the Rules of Procedure of IOTC and, where appropriate and applicable, RFMOs practices concerning financial contribution for participation of observers. The Commission may wish to consider adopting a revised version of Rule XII of the proposed Rules, consistent with the definition of "international organizations participating as observer" in proposed Rule I above as well as with other definitions therein:

"1. Any Member or Associate Member of FAO that is not a Member of the Commission may, upon its request, be invited as an observer at sessions of the Commission, its Committees and its subsidiary bodies.

2. States which, while not Members of the Commission nor Members or Associate Members of FAO, are Members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency may, upon request and subject to the concurrence of the Commission through its Chairperson and to the provisions relating to the granting of observer status to nations adopted by the Conference of FAO, be invited to attend sessions of the Commission, its Committees and its subsidiary bodies as observers.

3. The Commission may invite international organizations to participate as observers, upon request, having special competence in the field of activity of the Commission, including its Committees and its subsidiary bodies, to attend such of its meetings as the Commission may specify.

4. Unless the Commission expressly determines otherwise, observers may attend the plenary meetings of the Commission and participate in the discussions at any committee and subsidiary body sessions which they may be invited to attend upon request. In no case will they be entitled to vote."

14. Considering the possibility of a financial contribution, practices of RFMOs in the majority of instances exclude that an observer is charged for attendance at meetings or for applying to receive observer statute. In the case of the GFCM, it has to be borne in mind that observer statute has been already granted by the Commission to some NGOs (e.g. MEDISAMAK, EUROFISH, WWF) in order to contribute in promoting responsible fisheries in the Mediterranean. The development of partnerships with the Commission has also led the GFCM to cooperate with some intergovernmental organizations (e.g., ICCAT, UNEP, IUCN and ACCOBAMS). This has been done without charging fees or financial contribution and this practice is reciprocally followed by observers. Generally speaking, the interrelation between the GFCM and observers concerning financial contribution is addressed by Art. XI of the Agreement¹.

Rule XIII: Reports, recommendations and resolutions

15. As was indicated by some Members, the reports of the Commission are usually available on-line; it was suggested that this practice is reflected in the text of Rule XIII of the proposed Rules. It was also suggested to strike out paragraph seven of proposed Rule XIII. The Commission may therefore wish to acknowledge these suggestions.

Rule XVI: Languages of the Commission

16. Members have recommended to retain the text of Rule XVIII of the current Rules, "Official languages", instead of the proposed one. It is suggested though that no distinction is made between official and working languages of the Commission. A more flexible and generic amended rule could allow the Commission to take such decisions on the matter as appropriate. The Commission may therefore wish to consider retaining the language of Rule XVIII of the current Rules provided it makes no reference to "official" languages in the text.

III. SUGGESTED ACTION BY THE COMMISSION

17. The Commission is invited to review this document with particular reference to the third column of its Appendix which contains a consolidated version of the Rules of Procedure and, as appropriate, approve such Rules.

¹ "Expenses incurred by delegates, their alternates, experts and advisers when attending, as government representatives, sessions of the Commission, its sub-commissions and its committees, as well as the expenses incurred by observers at sessions, shall be borne by the respective governments or organizations. The expenses of experts invited by the Commission to attend, in their individual capacity, meetings of the Commission or its sub-commissions or committees shall be borne by the budget of the Commission."

APPENDIX 1

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|---|---|
| RULE I: DEFINITIONS | RULE I: DEFINITIONS | RULE I: DEFINITIONS |
| For the purpose of these Rules, the following definitions apply: | For the purpose of these Rules, the following definitions apply: | For the purpose of these Rules, the following definitions apply: |
| Agreement: The Agreement for the establishment of the General Fisheries Commission for the Mediterranean formulated at Rome (Italy), 24 September 1949 as amended in conformity with Article XII thereof. | Agreement: The Agreement for the establishment of the General Fisheries Commission for the Mediterranean adopted in Rome (Italy) on 24 September 1949, as amended in accordance with Article X thereof, hereinafter referred to as the Agreement. | Agreement: The Agreement for the establishment of the General Fisheries Commission for the Mediterranean adopted in Rome (Italy) on 24 September 1949, as amended in accordance with Article X thereof, hereinafter referred to as the Agreement. |
| Commission: The General Fisheries Commission for the Mediterranean. | Commission: The General Fisheries Commission for the Mediterranean. | Commission: The General Fisheries Commission for the Mediterranean. |
| Chairman: The Chairman of the Commission. | Chairperson: The Chairperson of the Commission. | Chairperson: The Chairperson of the Commission. |
| Vice-Chairman: The Vice-Chairman of the Commission. | Vice-Chairpersons: The Vice-Chairpersons of the Commission. | Vice-Chairpersons: The Vice-Chairpersons of the Commission. |
| Delegate: The representative of a Member as specified in Article II, paragraph 1, of the Agreement. | Delegate: The representative of a Member as specified in Article II, paragraph 1 of the Agreement. | Delegate: The representative of a Member as specified in Article II, paragraph 1 of the Agreement. |
| Delegation: The delegate and his alternate, experts, and | Delegation: The delegate and his alternate, experts | Delegation: The delegate and his alternate, experts and advisers. |

² The suggestions herein concern the sole Rules of Procedure proposed in 2007 (see document GFCM/XXXI/2007/4) which were the subject of discussions by Members. The Secretariat was requested to prepare on the basis of these Rules, most of which were agreed upon in principles, a second draft so as to ensure the presentation of a final version of the Rules of Procedure for adoption at this session of the Commission.

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|--|--|
| advisers. | and advisers. | |
| Member: Members and Associate Members of the Organization, and non-members of the Organization, as may be Members of the Commission. | Member: Members and Associate Members of the Organization and non-members of the Organization, or regional economic integration organizations as may be Members of the Commission. | Member: Members and Associate Members of the Organization, and non-members of the Organization, or regional economic integration organizations as may be Members of the Commission. |
| Secretary: The Secretary of the Commission. | Executive Secretary: The Secretary of the Commission. | Executive Secretary: The Secretary of the Commission. |
| Organization: The Food and Agriculture Organization of the United Nations. | Organization: The Food and Agriculture Organization of the United Nations. | Organization: The Food and Agriculture Organization of the United Nations. |
| Conference: The Conference of the Organization. | Conference: The Conference of the Organization. | Conference: The Conference of the Organization. |
| | Headquarters: The headquarters of the Commission under Article II, paragraph 11 of the Agreement. | Headquarters: The headquarters of the Commission under Article II, paragraph 11 of the Agreement. |
| | Council: The Council of the Organization. | Council: The Council of the Organization. |
| | Director-General: The Director-General of the Organization. | Director-General: The Director-General of the Organization. |
| Observer Nation, Associate Member, or Organization: A nation that is not a Member of the Commission or of the Organization, or an international organization invited to attend a session of the Commission, or a Member or Associate Member of the Organization attending a session of the Commission while not a Member of the Commission. | Observer nation: A nation that is not a Member of the Commission or a Member of FAO or Associate Member of the Organization, but which is a Member of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency, attending a session of the Commission while not being a Member of the Commission. | Observer Nation: A nation that is not a Member of the Commission or a Member of FAO or Associate Member of the Organization, but which is a Member of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency, attending a session of the Commission while not being a Member of the Commission. |
| Observer: The representative of an observer nation or organization. | Observer international organization: An international organization attending a session of the Commission while not being a Member of the Commission. | International organization participating as observer: An international, intergovernmental and non governmental organization attending a session of the Commission or its Committees or its subsidiary bodies while not being a Member of the Commission. |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|--|--|--|
| | | |
| RULE II: SESSIONS OF THE COMMISSION | RULE II: SESSIONS OF THE COMMISSION | RULE II: SESSIONS OF THE COMMISSION |
| 1. In pursuance of, and in accordance with, Article II, paragraph 10 of the Agreement, the Commission, in consultation with the Director-General, shall at each regular session decide the time and place for the next session in accordance with the requirements of the Commission's programmes and the terms of the invitation of the country in which the session is to be held. The Chairman, accordingly, shall issue the announcement of the session. | 1. In pursuance of, and in accordance with, Article II, paragraph 10 of the Agreement, the Commission shall, at each regular annual session decide the time and place of the next session in accordance with the requirements of the Commission's programmes and the terms of the invitation of the country in which the session is to be held, as appropriate. Sessions of the Commission may be held in a country which is a Member of the Commission or at its headquarters or at the headquarters of the Organization. | 1. In pursuance of, and in accordance with, Article II, paragraph 10 of the Agreement, the Commission shall, at each regular annual session decide the time and place of the next session in accordance with the requirements of the Commission's programmes and the terms of the invitation of the country in which the session is to be held, as appropriate. Sessions of the Commission may be held in a country which is a Member of the Commission or at its headquarters or at the headquarters of the Organization. |
| 2. The Chairman may convene a special session of the Commission at the request or with the approval of the majority of the Members. | 2. The Chairperson may convene a special session of the Commission at the request or with the approval of a majority of the Members. | 2. The Chairperson may convene a special session of the Commission at the request or with the approval of a majority of the Members. |
| 3. Invitations to a regular session of the Commission shall be issued by the Secretary on behalf of the Chairman not less than sixty days in advance of the date fixed for the opening of the session. Invitations to special sessions shall be issued not less than forty days in advance of the date fixed for the opening of the session. | 3. Invitations to a regular session of the Commission shall be issued by the Executive Secretary on behalf of the Chairperson not less than sixty days in advance of the date fixed for the opening of the session. Invitations to special sessions shall be issued not less than forty days in advance of the | 3. Invitations to a regular session of the Commission shall be issued by the Executive Secretary on behalf of the Chairperson and sent to Members and, upon request, to observer nations and international organizations participating as observers, not less than thirty days in advance of the date fixed for the opening of the session. Invitations to special sessions shall be issued not less than forty days in advance of the |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|--|--|--|
| | date fixed for the opening of the session. | date fixed for the opening of the session. |
| 4. In order that a proposal to hold a session of the Commission or any of its organs, in a given country, may be considered, such country must have (a) ratified without reservation the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations, or (b) given the assurance that all delegates, representatives, experts, observers, or other persons entitled to attend such session in accordance with the terms of the Agreement or these Rules, will enjoy the privileges and immunities necessary for the independent exercise of their function in connection with the session. | 4. In order that a proposal to hold a session of the Commission or any of its organs, in a given country, may be considered, such country must be prepared to ensure that all delegates, representatives, experts, observers, or other persons entitled to attend such session in accordance with the terms of the Agreement or these Rules, will enjoy the privileges and immunities necessary for the independent exercise of their functions in connection with the session. | 4. In order that a proposal to hold a session of the Commission or any of its organs, in a given country, may be considered, such country must have (a) ratified without reservation the Convention on the Privileges and Immunities of the Specialized Agencies of the United Nations, or (b) given the assurance that all delegates, representatives, experts, observers, or other persons entitled to attend such session in accordance with the terms of the Agreement or these Rules, will enjoy the privileges and immunities necessary for the independent exercise of their function in connection with the session. |
| RULE III: CREDENTIALS | RULE III: REGISTRATION | RULE III: REGISTRATION |
| At each session, the Secretary shall receive the credentials of delegations and observers. Such | The Executive Secretary shall make arrangements for the registration of delegates and observers, | The Executive Secretary shall make arrangements for the registration of delegates and observers, including by establishing a standard format to |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|--|---|
| credentials shall conform to the standard form set by the Secretariat. Upon examination thereof the Secretariat shall report to the Commission for the necessary action. | including by establishing a standard format to that effect. The Executive Secretary shall report to the Commission on the registration of delegates and observers, as may be required. | that effect. The Executive Secretary shall report to the Commission on the registration of delegates and observers, as may be required. |
| <u>RULE IV: AGENDA</u> | <u>RULE IV: AGENDA</u> | <u>RULE IV: AGENDA</u> |
| <p>1. The agenda of each regular session shall include:</p> <p>a) as appropriate, election of the Chairman and of two Vice-Chairmen as provided under Article II, paragraph 9 of the Agreement;</p> <p>b) adoption of the agenda;</p> <p>c) a report by the Secretary on the financial affairs and activities of the Commission;</p> <p>d) consideration of the proposed budget;</p> <p>e) reports of committees;</p> <p>f) consideration of the time and place of the next session;</p> <p>g) proposals for amendments to the Agreement and the present Rules of Procedure;</p> <p>h) applications for membership, in accordance with Article XIII, paragraph 2 of the Agreement, from States which, while not Members of the Organization, are Members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency;</p> <p>i) items referred to the General Fisheries Commission for the Mediterranean by the Conference, the Council or the</p> | <p>1. The agenda for each regular session shall include the following items:</p> <p>(a) as appropriate, election of the Chairperson and of two Vice-Chairpersons as provided under Article II, paragraph 9 of the Agreement;</p> <p>(b) adoption of the agenda;</p> <p>(c) a report by the Executive Secretary on the financial and administrative affairs of the Commission and a report by the Chairperson or the Executive Secretary on the activities of the Commission;</p> <p>(d) consideration of the proposed budget;</p> <p>(e) reports of the committees;</p> <p>(f) consideration of the time and place of the next session;</p> <p>(g) applications for membership in accordance with Article XIII, paragraph 2 of the Agreement, from States which, while not Members of the Organization, are Members of the United Nations, any of its Specialized Agencies or the International</p> | <p>1. The agenda for each regular session shall include the following items:</p> <p>(a) as appropriate, election of the Chairperson and of two Vice-Chairpersons as provided under Article II, paragraph 9 of the Agreement;</p> <p>(b) adoption of the agenda;</p> <p>(c) a report by the Executive Secretary on the financial and administrative affairs of the Commission and a report by the Chairperson or the Executive Secretary on the activities of the Commission;</p> <p>(d) consideration of the proposed budget;</p> <p>(e) reports on intersessional activities of the committees and the subsidiary bodies;</p> <p>(f) consideration of the time and place of the next session;</p> <p>(g) applications for membership in accordance with Article XIII, paragraph 2 of the Agreement, from States which, while not Members of the Organization, are Members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency;</p> <p>(h) items referred to the General Fisheries Commission for the Mediterranean by the Conference, the Council or the Director-General of the Organization.</p> |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|--|---|--|
| Director-General of the Organization. | Atomic Energy Agency; (h) items referred to the General Fisheries Commission for the Mediterranean by the Conference, the Council or the Director-General of the Organization. | |
| 2. The agenda shall also include, upon approval by the Commission: a) items approved at the previous session; b) items proposed by a Member. | 2. The agenda shall also include, upon approval by the Commission: (a) items approved at the previous session; (b) items proposed by a Member. | 2. The agenda shall also include, upon approval by the Commission: (a) items approved at the previous session; (b) items proposed by the committees and the subsidiary bodies; (c) items proposed by a Member. |
| 3. The provisional agenda shall be sent by the Secretary to members and observer nations and organizations not less than sixty days before the date of the session, together with reports and documents available in connection therewith. | 3. The provisional agenda shall be sent by the Executive Secretary to Members and observer nations and international organizations not less than thirty days before the opening of the session, together with reports and documents available in connection therewith. Where this is not possible, every effort shall be made to circulate reports and documents for the session as early as possible in advance of the session. | 3. The provisional agenda shall be sent by the Executive Secretary to Members, observer nations and international organizations participating as observers not less than thirty days before the opening of the session, together with reports and documents available in connection therewith. |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|--|--|
| 4. The agenda of a special session shall consist only of items relating to the purpose for which the session was called. | 4. The agenda of a special session shall consist only of the items relating to the purpose for which the session was called. | 4. The agenda of an extraordinary session shall consist only of the items relating to the purpose for which the session was called. |
| RULE V: THE SECRETARIAT | RULE V: THE SECRETARIAT | RULE V: THE SECRETARIAT |
| 1. The Secretariat shall consist of the Secretary and such staff responsible to him as may be determined by the Director-General. | 1. The Secretariat shall consist of the Executive Secretary and such staff responsible to him as may be appointed in accordance with the Agreement and other relevant rules and procedures as appropriate. | 1. The Secretariat shall consist of the Executive Secretary and such staff responsible to him as may be appointed in accordance with the Agreement and other relevant rules and procedures as appropriate. |
| | | 2. The Executive Secretary shall be appointed by the Director General with the approval of the Commission in accordance with the selection procedure, as appended to these Rules of Procedure and which form an integral part thereof. |
| | | 3. The Executive Secretary shall be responsible for the implementation of the policies and activities of the Commission and shall report thereon to the Commission. |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|--|---|
| <p>2. The duties of the Secretary shall include the receipt, collation, and circulation of documents, reports, and resolutions of the sessions of the Commission and its committees, the record of their proceedings, the certification of expenditures and financial commitments, and the performance of such other duties as the Commission may direct.</p> | <p>2. The Executive Secretary is the executive officer of the Commission and, as such, shall service the Commission and its committees, working parties and other subsidiary bodies, carry out their decisions and act on behalf of the Commission. Without prejudice neither to the general nature of this paragraph, nor to any specific decisions or documents adopted by the Commission which might define his functions, the duties of the Executive Secretary shall include the receipt, collation, and circulation of documents, report, recommendations and resolutions of the sessions of the Commission and its committees, the record of their proceedings, the certification of expenditures and financial commitments, and the performance of such other duties as the Commission may direct. The Executive Secretary shall prepare the budget for approval by the Commission.</p> | <p>4. The duties of the Executive Secretary shall include:</p> <ul style="list-style-type: none"> a) receive and transmit the Commission's official communications; b) maintain contacts with appropriate government officials, fishery institutions and international organizations concerned with the development, conservation, rational management and utilization of fisheries, as well as the sustainable development of aquaculture in the Region of the Commission, to facilitate consultation and cooperation on all matters pertaining to the objectives of the Commission; c) maintain an active and effective network of national focal points for routine communication of progress and results of the activities of the Commission; d) prepare and implement work programmes, prepare budgets and ensure timely reporting to the Commission; e) authorize disbursement of funds in accordance with the Commission's autonomous budget; f) account for the funds of the Commission's autonomous budget; g) participate in the formulation of proposals regarding the budget and programme of work or other activities of the Commission financed by the regular budget of the Organization; h) stimulate interest among Members of the Commission and potential donors in the activities of the Commission and in possible financing or in implementing pilot projects and complementary activities; i) promote, facilitate and monitor the development of databases for fisheries assessment and monitoring and technical, biological and socio-economic research to provide a sound basis for fisheries management and aquaculture development; j) coordinate the Members' programmes of research, when required; k) participate, as appropriate, in the oversight of activities of projects carried out under the general framework of the Commission or its |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|----------------------|---|---|
| | | <p>subsidiary bodies;</p> <p>l) organize sessions of the Commission and its subsidiary bodies and other related Ad Hoc meetings;</p> <p>m) prepare or arrange for the preparation of background documents and papers and a report on the Commission's activities and the programme of work for the submission to the Commission at its regular sessions, and arrange for the subsequent publication of the report and the proceedings of the Commission as well as its subsidiary bodies and related Ad Hoc meetings;</p> <p>n) take such appropriate steps as may be required to ensure coordination between the activities of the Commission and those carried out by the Organization through its Fisheries Department, with particular reference to all matters having policy, financial or programme implications;</p> |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|---|---|
| 3. Copies of all communications concerning the affairs of the Commission shall be sent to the Secretary for purposes of information and record. | 3. Copies of all communications concerning the affairs of the Commission shall be sent to the Executive Secretary for purposes of information and record. | 5. Copies of all communications concerning the affairs of the Commission shall be sent to the Executive Secretary for purposes of information and record. |
| | 4. The procedure for the selection and appointment of the Executive Secretary is appended to these Rules of Procedure and shall form an integral part thereof. | |
| RULE VI: PLENARY MEETINGS OF THE COMMISSION | RULE VI: PLENARY MEETINGS OF THE COMMISSION | RULE VI: PLENARY MEETINGS OF THE COMMISSION |
| Plenary meetings of the Commission shall be held in public unless otherwise decided by the Commission. When the Commission decides to hold a private meeting, it shall at the same time determine the scope of such a decision with respect to observers. | Plenary meetings of the Commission shall be held in public unless otherwise decided by the Commission. When the Commission decides to hold a private meeting, it shall at the same time determine the scope of such a decision with respect to observers. | Plenary meetings of the Commission shall be held in public unless otherwise decided by the Commission. When the Commission decides to hold a private meeting, it shall at the same time determine the scope of such a decision with respect to observers. |
| RULE VII: ELECTION OF CHAIRMAN AND VICE-CHAIRMEN | RULE VII: ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON | RULE VII: ELECTION OF CHAIRPERSON AND VICE-CHAIRPERSON |
| 1. The Commission shall elect the Chairman and first and second Vice-chairman of the Commission, who shall assume office immediately following the regular session at | The Commission shall elect, from among the members of delegations , the Chairperson and the first and second Vice-Chairpersons of the | The Commission shall elect, from among delegates or alternates attending the session at which they are elected, the Chairperson and the first and second Vice-Chairpersons of the Commission, who shall assume |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|--|--|
| which they were elected and who shall be elected for two regular sessions. | Commission, who shall assume office immediately following the regular session at which they were elected and who shall be elected for two regular sessions. The Chairperson and the Vice-Chairpersons shall be eligible for re-election for a further two regular sessions. | office immediately following the regular session at which they were elected and who shall be elected for two regular sessions. The Chairperson and the Vice-Chairpersons shall be eligible for re-election for a further two regular sessions. |
| 2. Nominees must be delegates or alternates present at the regular session at which they are to be elected. They shall be eligible for re-election for a further two regular sessions. | | |
| RULE VIII: FUNCTIONS OF THE CHAIRMAN AND VICE-CHAIRMEN | RULE VIII: FUNCTIONS OF THE CHAIRPERSON AND VICE-CHAIRPERSONS IN CONNECTION WITH MEETINGS OF THE COMMISSION | RULE VIII: FUNCTIONS OF THE CHAIRPERSON AND VICE-CHAIRPERSONS IN CONNECTION WITH MEETINGS OF THE COMMISSION |
| 1. The Chairman shall exercise the functions conferred on him elsewhere in these Rules and, in particular, shall: a) declare the opening and closing of each plenary meeting of the Commission; b) direct the discussions at such meetings and ensure observance of these Rules, accord the right to speak, put questions and announce decisions; | 1. The Chairperson shall exercise the functions conferred on him elsewhere in these Rules and, in particular, shall: (a) declare the opening and closing of each plenary meeting of the Commission: (b) direct the discussions at such meetings and ensure observance of these Rules, accord the right | 1. The Chairperson shall exercise the functions conferred on him elsewhere in these Rules and, in particular, shall: (a) declare the opening and closing of each plenary meeting of the Commission: (b) direct the discussions at such meetings and ensure observance of these Rules, accord the right to speak, put questions and announce decisions; |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|--|---|---|
| <p>c) rule on points of order;</p> <p>d) subject to these Rules, have complete control over the proceedings of the session;</p> <p>e) appoint such committees of the session as the Commission may direct.</p> | <p>to speak, put questions and announce decisions;</p> <p>(c) rule on points of order;</p> <p>(d) subject to these Rules, have complete control over the proceedings of the session;</p> <p>(e) appoint such committees of the session, as the Commission may direct.</p> | <p>(c) rule on points of order;</p> <p>(d) subject to these Rules, have complete control over the proceedings of the session;</p> <p>(e) appoint such committees of the session, as the Commission may direct.</p> |
| <p>2. In the absence of the Chairman, or at his request, his functions shall be exercised by the first Vice-Chairman or, in the absence of the latter, by the second Vice-Chairman.</p> | <p>2. In the absence of the Chairperson, or at his request, his functions shall be exercised by the Vice-Chairperson or, in the absence, of the latter, by the second Vice-Chairperson.</p> | <p>2. In the absence of the Chairperson, or at his request, his functions shall be exercised by the Vice-Chairperson or, in the absence, of the latter, by the second Vice-Chairperson.</p> |
| <p>3. The Chairman or Vice-Chairmen, when acting as Chairman shall not vote and another member of their delegations shall represent their governments.</p> | <p>3. The Chairperson, or the Vice-Chairpersons when acting as Chairpersons, shall not vote and another member of their delegations shall represent their governments.</p> | <p>3. The Chairperson, or the Vice-Chairpersons when acting as Chairpersons, shall not vote and another member of their delegations shall represent their governments.</p> |
| <p>4. The Secretary shall temporarily exercise the functions of the Chairman in the event the Chairman and Vice-Chairmen are unable to serve.</p> | <p>4. The Executive Secretary shall temporarily exercise the functions of the Chairperson in the event that the Chairperson and the Vice-Chairpersons should be unable to serve.</p> | <p>4. The Executive Secretary shall temporarily exercise the functions of the Chairpersons in the event that the Chairperson and the Vice-Chairpersons should be unable to serve.</p> |
| | <p>5. The Commission may adopt rules, consistent with the present Rules, clarifying the functions of the Chairperson and Vice-Chairpersons, with particular reference to any functions performed during the inter-session period.</p> | <p>5. The Commission may adopt rules, consistent with the present Rules, clarifying the functions of the Chairperson and Vice-Chairpersons, with particular reference to any functions performed during the inter-session period.</p> |
| RULE IX: VOTING ARRANGEMENTS AND PROCEDURES | RULE IX: VOTING ARRANGEMENTS AND PROCEDURES | RULE IX: VOTING ARRANGEMENTS AND PROCEDURES |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|--|---|---|
| 1. Except as provided in paragraph 4 of this Rule, voting in plenary meetings shall be oral or by show of hands, except that a vote by roll call shall be taken if a special majority is required by the Agreement or these Rules, or if a request for a vote by roll call is made by any delegation. | 1. Except as otherwise provided in paragraph 4 of this Rule, voting in plenary meetings shall be by show of hands, except that a vote by roll call shall be taken if a special majority is required by the Agreement or these Rules, or if a request for a vote by roll call is made by any delegation. | 1. Except as otherwise provided in paragraph 4 of this Rule, voting in plenary meetings shall be by show of hands, except that a vote by roll call shall be taken if a special majority is required by the Agreement or these Rules, or if a request for a vote by roll call is made by any delegation. |
| 2. A vote by roll call shall be conducted by calling upon delegations in the French alphabetical order. | 2. A vote by roll call shall be conducted by calling upon delegations in the French alphabetical order. | 2. A vote by roll call shall be conducted by calling upon delegations in the French alphabetical order. |
| 3. The record of any roll call vote shall show the votes cast by each delegate and any abstention. | 3. The record of any roll call vote shall show the votes cast by each delegate and any abstention. | 3. The record of any roll call vote shall show the votes cast by each delegate and any abstention. |
| 4. Voting on matters relating to individuals, except the election of officers of the Commission and its committees, shall be by secret ballot. | 4. Voting on matters relating to individuals, except the election of officers of the Commission and its committees, shall be by secret ballot. | 4. Voting on matters relating to individuals, except the election of officers of the Commission and its committees, shall be by secret ballot. |
| 5. When no nominee for an office obtains on the first ballot a majority of the votes cast, there shall be taken a second ballot confined to the two candidates obtaining the largest number of votes. If, on the second ballot, the votes are equally divided, the Chairman shall decide between the candidates by drawing lots. | 5. When no nominee for an office obtains on the first ballot a majority of the votes cast, there shall be taken a second ballot confined to the two candidates obtaining the largest number of votes. If, on the second ballot, the votes are equally divided, the Chairperson shall decide between the candidates by drawing lots. | 5. When no nominee for an office obtains on the first ballot a majority of the votes cast, there shall be taken a second ballot confined to the two candidates obtaining the largest number of votes. If, on the second ballot, the votes are equally divided, the Chairperson shall decide between the candidates by drawing lots. |
| 6. If the Commission is equally divided when a vote is taken on a question other than election, a second vote shall be taken at the next meeting of the current session. If the Commission is then again equally divided, the proposal shall be regarded as rejected. | 6. If the Commission is equally divided when a vote is taken on a question other than an election, a second vote shall be taken at the next meeting of the current session. If the Commission is then equally divided, the proposal shall be regarded as rejected. | 6. If the Commission is equally divided when a vote is taken on a question other than an election, a second vote shall be taken at the next meeting of the current session. If the Commission then equally divided, the proposal shall be regarded as rejected. |
| 7. Voting arrangements and other related matters not specifically provided for by the Agreement, or by these Rules, shall be governed "mutatis mutandis" by the provisions of the General Rules of the Organization. | 7. Voting arrangements and other related matters not specifically provided for by the Agreement, or by these Rules, shall be governed, "mutatis mutandis", by Rule XII of the General Rules of the Organization. | 7. Voting arrangements and other related matters not specifically provided for by the Agreement, or by these Rules, shall be governed, "mutatis mutandis", by Rule XII of the General Rules of the Organization. |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|--|---|---|
| <u>RULE X: COMMITTEES</u> | <u>RULE X: COMMITTEES, WORKING PARTIES AND OTHER SUBSIDIARY BODIES</u> | <u>RULE X: COMMITTEES, WORKING PARTIES AND OTHER SUBSIDIARY BODIES</u> |
| <p>1. There shall be established a Committee on Aquaculture which shall be open to all members of the Commission and which shall:</p> <p>(a) monitor developments and trends of aquaculture practices in the region;</p> <p>(b) monitor the interaction between aquaculture development and the environment;</p> <p>(c) oversee and guide work of the four networks created as a result of the activities of MEDRAP II and in particular by monitoring the progress, evaluating the proposed programmes of the various networks, and directing the work of the SIPAM network through the FAO Secretariat;</p> <p>(d) seek additional support to complement the contribution of the institutions, which support the established networks, namely, CIHEAM, MAP-PAP/RAC and FAO, and to enhance the work of the four networks;</p> <p>(e) carry out other duties related to aquaculture promotion and development that may be referred to it by the Commission.</p> | <p>1. There shall be established a Committee on Aquaculture (CAQ) which shall monitor trends and promote the sustainable development and responsible management of marine and brackishwater aquaculture in the region. The Committee:</p> <p>(a) shall provide independent advice on the technical, socio-economic, legal and environmental bases for common standards, norms and guidelines and management measures for consideration by the Commission;</p> <p>(b) shall be open to all Members of the Commission. Each Member of the Commission may designate a Member of the Committee, and a member may be accompanied by experts;</p> <p>(c) may establish working groups to analyze scientific and technical data and information and to advise the Committee on issues related to sustainable development of aquaculture (such as markets, environmental interactions, health, social, and other relevant issues) and the integration of mariculture into coastal zone management, and ensure their coordination through a Coordinating Meeting of the Working Groups (CMWG).</p> <p>(d) The Committee shall in particular:</p> <p>(1) assess information provided by Members and</p> | <p>Committee on Acquaculture</p> <p>1. There shall be established a Committee on Aquaculture (CAQ) which shall monitor trends and promote the sustainable development and responsible management of marine and brackishwater aquaculture in the region. The Committee:</p> <p>(a) shall provide independent advice on the technical, socio-economic, legal and environmental bases for common standards, norms and guidelines and management measures for consideration by the Commission;</p> <p>(b) shall be open to all Members of the Commission. Each Member of the Commission may designate a Member of the Committee, and a member may be accompanied by experts;</p> <p>(c) may establish working groups to analyze scientific and technical data and information and to advise the Committee on issues related to sustainable development of aquaculture (such as markets, environmental interactions, health, social, and other relevant issues) and the integration of mariculture into coastal zone management, and ensure their coordination through a Coordinating Meeting of the Working Groups (CMWG).</p> <p>(d) The Committee shall in particular:</p> <p>(1) assess information provided by Members and relevant aquaculture related stakeholders or programmes on production statistics, market data, culture systems, technologies used, farmed species, and maintain related databases, including relevant socio-economic, environmental,</p> |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|--|---|--|
| | <p>relevant aquaculture related stakeholders or programmes on production statistics, market data, culture systems, technologies used, farmed species, and maintain related databases, including relevant socio-economic, environmental, biotic and abiotic indicators;</p> <p>(2) promote the formulation of common standards and guidelines for the Commission, on sustainable development of aquaculture;</p> <p>(3) identify cooperative research and training programmes and coordinate their implementation:</p> <p>(4) carry out other duties, functions or responsibilities related to aquaculture promotion that may be conferred to it by the Commission.</p> <p>(e) Members have an obligation to provide information on production and other data relevant to the functions of the Committee in such a way as to enable the Committee to fulfil its responsibilities under this paragraph.</p> | <p>biotic and abiotic indicators;</p> <p>(2) promote the formulation of common standards and guidelines for the Commission, on sustainable development of aquaculture;</p> <p>(3) identify cooperative research and training programmes and coordinate their implementation:</p> <p>(4) carry out other duties, functions or responsibilities related to aquaculture promotion that may be conferred to it by the Commission.</p> <p>(e) Members have an obligation to provide information on production and other data relevant to the functions of the Committee in such a way as to enable the Committee to fulfil its responsibilities under this paragraph.</p> |
| <p>2. (a) There shall be established a Scientific Advisory Committee which shall provide scientific, social and economic information, data, or advice relating to the work of the Commission.</p> <p>(b) The Committee shall be open to all members of the Commission. Each Member of the Commission may designate a member of the Committee, and a member may be accompanied by experts.</p> <p>(c) The Committee may establish working groups to analyze data and to advise the Committee on the state of shared and straddling resources.</p> | <p>2. (a) There shall be established a Scientific Advisory Committee which shall provide scientific, social and economic information, data, or advice relating to the work of the Commission.</p> <p>(b) The Committee shall be open to all Members of the Commission. Each Member of the Commission may designate a member of the Committee and a member may be accompanied by experts.</p> <p>(c) The Committee shall provide independent advice on the technical and scientific basis for decisions concerning fisheries conservation and management,</p> | <p>Scientific Advisory Committee</p> <p>2. (a) There shall be established a Scientific Advisory Committee which shall provide scientific, social and economic information, data, or advice relating to the work of the Commission.</p> <p>(b) The Committee shall be open to all Members of the Commission. Each Member of the Commission may designate a member of the Committee and a member may be accompanied by experts.</p> <p>(c) The Committee shall provide independent advice on the technical and scientific basis for decisions concerning fisheries conservation and management, including biological, environmental, social and economic</p> |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|--|--|---|
| <p>(d) The Committee shall provide independent advice on the technical and scientific bases for decisions concerning fisheries conservation and management, including biological, social and economic aspects, and in particular, it shall:</p> <p>(1) assess information provided by members and relevant fisheries organizations or programmes on catches, fishing effort, and other data relevant to the conservation and management of fisheries;</p> <p>(2) formulate advice to the Commission on the conservation and management of fisheries;</p> <p>(3) identify cooperative research programmes and coordinate their implementation;</p> <p>(4) undertake such other functions or responsibilities as may be conferred on it by the Commission.</p> <p>(e) Members have an obligation to provide information on catches and other data relevant to the functions of the Committee in such a way as to enable the Committee to fulfil its responsibilities under this paragraph.</p> | <p>including biological, environmental, social and economic aspects and, in particular, it shall:</p> <p>(1) assess information provided by members and relevant fisheries organizations or programmes on catches, fishing effort, fleet capacity, and other data relevant to the conservation and management of fisheries;</p> <p>(2) formulate advice to the Commission on the conservation and management of fisheries;</p> <p>(3) identify cooperative research programmes and coordinate their implementation;</p> <p>(4) undertake such other functions or responsibilities as may be conferred on it by the Commission.</p> | <p>aspects and, in particular, it shall:</p> <p>(1) assess information provided by members and relevant fisheries organizations or programmes on catches, fishing effort, fleet capacity, and other data relevant to the conservation and management of fisheries;</p> <p>(2) formulate advice to the Commission on the conservation and management of fisheries;</p> <p>(3) identify cooperative research programmes and coordinate their implementation;</p> <p>(4) undertake such other functions or responsibilities as may be conferred on it by the Commission.</p> |
| | | <p>Compliance Committee</p> <p>3. There shall be established a Compliance Committee that will meet during the annual Commission Session and will be entrusted with the following functions:</p> <p>a) review compliance with conservation and management measures adopted by the Commission and make such recommendations to the Commission as may be necessary to ensure their effectiveness;</p> <p>b) review the implementation of measures of monitoring, control, surveillance, and enforcement adopted by the Commission as may be</p> |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|---|--|
| | | <p>necessary to ensure their effectiveness;</p> <p>c) define, develop and make recommendations to the Commission concerning the phased development and implementation of the GFCM Control and Inspection scheme;</p> <p>d) monitor, review and analyze information pertaining to the activities of Non-Contracting Parties and their vessels which undermine the objectives of the Agreement including, in particular, IUU fishing, and recommend actions to be taken by the Commission to discourage such activities;</p> <p>f) perform such other tasks as directed by the Commission.</p> |
| 3. The Commission may establish such other committees and working parties as it considers desirable. | 3. The Committees may establish such working parties to deal with particular subject matters as may be decided, subject to the provisions of Article VII, paragraph 3 of the Agreement. | 4. The Committees may establish such working parties to deal with particular subject matters as may be decided, subject to the provisions of Article VII, paragraph 3 of the Agreement. |
| 4. The establishment of committees and working parties under this Rule shall be subject to the provisions of Article VII, paragraph 3 of the Agreement. | 4. The Commission may establish such other committees and working parties as it considers desirable, subject to the provisions of Article VII, paragraph 3 of the Agreement. | 5. The Commission may establish such other committees and working parties as it considers desirable, subject to the provisions of Article VII, paragraph 3 of the Agreement. |
| 5. The procedures of such committees and working parties shall be governed "mutatis mutandis" by the Rules of Procedure of the Commission. | 5. The committees and working parties shall be governed "mutatis mutandis" by the Rules of Procedure of the Commission, as well as such other supplementary procedures, consistent with the present Rules, as the Commission established. | 6. The Committees and working parties shall be governed, mutatis mutandis, by the Rules of Procedure of the Commission, as well as such other supplementary procedures, consistent with the present Rules, as the Commission established. |
| | 6. The relationship between the Commission and its | 7. The relationship between the Commission and its subsidiary |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|--|---|
| | subsidiary committees and working parties and networks or Coordinators, or other entities as may deal with matters within the purview of the Commission may be clarified, as appropriate, through specific decisions by the Commission or arrangements to be concluded on behalf of the Commission and relevant interested parties. | committees and working parties and networks or Coordinators, or other entities as may deal with matters within the purview of the Commission may be clarified, as appropriate, through specific decisions by the Commission or arrangements to be concluded on behalf of the Commission and the relevant interested parties. |
| RULE XI: BUDGET AND FINANCE | RULE XI: BUDGET AND FINANCE | RULE XI: BUDGET AND FINANCE |
| 1. Except as otherwise provided in these Rules, the Financial Regulations of the Organization, as amplified by the Administrative Manual and memoranda and the procedures based thereon, shall apply to the Commission. | 1. Any estimates of expenditures to be covered by the general budget of the Organization shall be submitted by the Executive Secretary to the Commission for approval. Once approved, as part of the general budget of the Organization, they will constitute the limits within which funds may be committed for purposes approved by the Conference of FAO. | 1. Any estimates of expenditures to be covered by the general budget of the Organization shall be submitted by the Executive Secretary to the Commission for approval. Once approved, as part of the general budget of the Organization, without prejudice to the relevant rules of the Organization and the decisions of its Governing Bodies, they will constitute the limits within which funds may be committed for purposes approved by the Conference of FAO. |
| 2. A proposed budget of the Commission for the next succeeding financial period consisting of proposed expenses of the Secretariat, including publications and communications, the proposed travelling expenses of the Chairman and Vice-Chairmen, when engaged in the work of the Commission between its sessions, and the expense, if any, of the committees, shall after approval by the Commission be submitted to the Director-General for consideration in the preparation of the general budget estimates of the Organization. | 2. The Commission shall determine the extent to which travelling expenditures incurred by the Chairperson, the Vice-Chairpersons of the Commission and of any subsidiary bodies, in connection with their functions, may be covered by the autonomous budget of the Commission. | 2. The Commission shall determine the extent to which travelling expenditures incurred by the Chairperson, the Vice-Chairpersons of the Commission and of any subsidiary bodies, in connection with their functions, may be covered by the autonomous budget of the Commission. |
| 3. When adopted by the Conference as part of the general | 3. Subject to the provisions of Article IX of the | 3. Subject to Article IX of the Agreement, any budgetary or financial |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|---|--|
| budget of the Organization, the budget of the Commission shall constitute the limits within which funds may be committed for purposes approved by the Conference. | Agreement, any budgetary or financial matters relative to the autonomous budget of the Commission shall be dealt with in accordance with the Financial Regulations of the Commission. | matters relative to the autonomous budget of the Commission shall be dealt with in accordance with the Financial Regulations of the Commission. |
| 4. All cooperative projects shall be submitted to the Council or the Conference of the Organization prior to implementation. | | |
| RULE XII: PARTICIPATION BY OBSERVERS | RULE XII: PARTICIPATION BY OBSERVERS | RULE XII: PARTICIPATION BY OBSERVERS |
| 1. Participation of international organizations in the work of the Commission and the relations between the Commission and such organizations shall be governed by the relevant provisions of the Organization, as well as by the rules on relations with international organizations adopted by the Conference or Council of the Organization. | 1. The Commission may adopt rules concerning participation of international organizations, governmental and non-governmental, as observers, provided that such rules shall be consistent with the relevant rules adopted by the Conference or Council of the Organization. | 1. Any Member or Associate Member of FAO that is not a Member of the Commission may, upon its request, be invited as an observer at sessions of the Commission, its Committees and its subsidiary bodies. |
| 2. Members and Associate Members of the Organization that are not members of the Commission may, upon their request, be represented by an observer at sessions of the Commission and its subsidiary bodies. | 2. Members and Associated Members of the Organization that are not members of the Commission may, upon their request, be represented by an observer at sessions of the Commission and of its Committees. | 2. States which, while not Members of the Commission nor Members or Associate Members of FAO, are Members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency may, upon request and subject to the concurrence of the Commission through its Chairperson and to the provisions relating to the granting of observer status to nations adopted by the Conference of FAO, be invited to attend sessions of the Commission, its Committees and its subsidiary bodies as observers. |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|--|--|--|
| | | |
| <p>3. States that are not Members of the Commission, nor Members or Associate Members of the Organization, but are Members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency may, upon request, and with the approval of the Council of the Organization and of the General Fisheries Commission for the Mediterranean, attend sessions of the Commission and its subsidiary bodies in an observer capacity, in accordance with the Statement of Principles adopted by the Conference relating to the granting of observer status to nations.</p> | <p>3. States that are not Members of the Commission, nor Members or Associate Members of the Organization, but are Members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency may, upon request, and with the approval of the General Fisheries Commission for the Mediterranean, attend sessions of the Commission and its subsidiary bodies in an observer capacity, in accordance with the Statement of Principles adopted by the Conference relating to the granting of observer status to nations.</p> | <p>3. The Commission may invite international organizations to participate as observers, upon request, having special competence in the field of activity of the Commission, including its Committees and its subsidiary bodies, to attend such of its meetings as the Commission may specify.</p> |
| <p>4. Unless the Commission expressly determines otherwise, observers may attend the plenary meetings of the Commission and participate in the discussions at any technical committee sessions which they may be invited to attend. In no case will they be entitled to vote.</p> | <p>4. Unless the Commission expressly determines otherwise, observers may attend the plenary meetings of the Commission and participate in the discussions at any committee or subsidiary body session which they may be invited to attend. In no case will they be entitled to vote.</p> | <p>4. Unless the Commission expressly determines otherwise, observers may attend the plenary meetings of the Commission and participate in the discussions at any committee and subsidiary body sessions which they may be invited to attend upon request. In no case will they be entitled to vote.</p> |
| <p>RULE XIII: COOPERATIVE PROJECTS</p> | | |
| <p>In the furtherance of cooperative projects provided for in Article III, 1e) of the Agreement, and of studies undertaken outside the region referred to in the Preamble</p> | | |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|--|--|
| of the Agreement, arrangements may be made with governments that are not members of the Commission. All such arrangements shall be made by the Director-General of the Organization. | | |
| RULE XIV: RECORDS, REPORTS AND RECOMMENDATIONS | RULE XIII: REPORTS, RECOMMENDATIONS AND RESOLUTIONS | RULE XIII: REPORTS, RECOMMENDATIONS AND RESOLUTIONS |
| 1. Summary records shall be made of each plenary meeting of the Commission and each committee meeting, and shall be distributed as soon as possible to the participants. | 1. At each session, the Commission shall approve a report embodying its views, recommendations, resolutions and decisions, including, when requested, a statement of minority views. | 1. At each session, the Commission shall approve a report embodying its views, recommendations, resolutions and decisions, including, when requested, a statement of minority views. The report shall be made available on the website of the Commission. |
| 2. A summary shall be prepared of the proceedings of each session of the Commission and shall be published together with such reports of committees, technical papers and other documents as the Commission may consider advisable. | 2. Subject to the provisions of Article V of the Agreement, the conclusions, resolutions and recommendations of the Commission shall be transmitted to the Director-General at the end of the session. The Executive Secretary shall, on behalf of the Chairperson, circulate them to Members of the Commission, nations and international organizations which were represented at the session. Similarly, these documents may be made available to other Members and Associate Members of the Organization for their information, as appropriate. | 2. Subject to the provisions of Article V of the Agreement, the conclusions, resolutions and recommendations of the Commission shall be transmitted to the Director-General at the end of the session. The Executive Secretary shall, on behalf of the Chairperson, circulate them to Members of the Commission, nations and international organizations which were represented at the session. Similarly, these documents may be made available to other Members and Associate Members of the Organization for their information, as appropriate. |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|--|---|---|
| 3. At each session the Commission shall approve a report embodying its views, recommendations, resolutions and decisions, including, when requested a statement of minority views. | 3. Resolutions and recommendations having policy, programme or financial implications for the Organization shall be brought by the Director-General to the attention of the Conference through the Council of the Organization for action. | 3. Resolutions and recommendations having policy, programme or financial implications for the Organization shall be brought by the Director-General to the attention of the Conference through the Council of the Organization for action. |
| 4. Subject to the provisions of Article V of the Agreement, the conclusions and recommendations of the Commission shall be transmitted to the Director General of the Organization at the close of each session, who shall circulate them to Members of the Commission, nations and international organizations that were represented at the session and make them available to other Members and Associate Members of the Organization for their information. | 4. Subject to the provisions of the preceding paragraph, the Chairperson may request Members of the Commission to supply information on action taken on the basis of the recommendations made by the Commission. | 4. Subject to the provisions of the preceding paragraph, the Chairperson may request Members of the Commission to supply information on action taken on the basis of the recommendations made by the Commission. |
| 5. Recommendations having policy, programme or financial implications for the Organization shall be brought by the Director-General to the attention of the Conference through the Council of the Organization for action. | 5. The Commission may adopt recommendations for action by Members on any matters pertaining to the functions covered by Article III of the Agreement. Recommendations adopted under Article V of the Agreement shall be governed by the provisions of that Article. | 5. The Commission may adopt recommendations for action by Members on any matters pertaining to the functions covered by Article III of the Agreement. Recommendations adopted under Article V of the Agreement shall be governed by the provisions of that Article. |
| 6. Subject to the provisions of the preceding paragraph, the Chairman may request Members of the Commission to supply the Commission or the Director-General with information on action taken on the basis of recommendations made by the Commission. | 6. The Executive Secretary shall receive on behalf of the Commission the replies of the Members in respect of such recommendations and shall prepare a summary and an analysis of such communications for presentation at the next session. | 6. The Executive Secretary shall receive on behalf of the Commission the replies of the Members in respect of such recommendations and shall prepare a summary and an analysis of such communications for presentation at the next session. |
| | 7. The Commission may also adopt resolutions which will deal primarily with matters of an administrative, institutional, financial and organizational nature. | |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|---|---|
| RULE XV: RECOMMENDATIONS TO MEMBERS | | |
| 1. The Commission may take recommendations for action by Members on any matter pertaining to the functions described in Article III of the Agreement. | | |
| 2. The Secretary shall receive on behalf of the Commission the replies of the Members in respect of such recommendations and shall prepare a summary and an analysis of such communications for presentation at the next session. | | |
| RULE XVI: AMENDMENTS TO THE AGREEMENT | RULE XIV: AMENDMENTS TO THE AGREEMENT | RULE XIV: AMENDMENTS TO THE AGREEMENT |
| 1. Proposals for the amendment of the Agreement as provided by Article XII of the Agreement may be made by any Member in a communication addressed to the Secretary. The Secretary shall transmit to all Members and to the Director-General a copy of such proposals for amendment immediately upon their receipt. | 1. Proposals for the amendment of the Agreement as provided by Article XII of the Agreement may be made by any Member in a communication addressed to the Executive Secretary. The Executive Secretary shall transmit to all Members and to the Director-General a copy of such proposals for amendment immediately upon their receipt. | 1. Proposals for the amendment of the Agreement as provided by Article XII of the Agreement may be made by any Member in a communication addressed to the Executive Secretary. The Executive Secretary shall transmit to all Members and to the Director-General a copy of such proposals for amendment immediately upon their receipt. |
| 2. No action on a proposal for the amendment of the Agreement shall be taken by the Commission at any session unless it has been included in the provisional agenda of the session. | 2. No action on a proposal for the amendment of the Agreement shall be taken by the Commission at any session, unless it has been included in the provisional agenda of the session. | 2. No action on a proposal for the amendment of the Agreement shall be taken by the Commission at any session, unless it has been included in the provisional agenda of the session. |
| | RULE XV: SUSPENSION AND AMENDMENT OF | RULE XV: SUSPENSION AND AMENDMENT OF RULES |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|--|--|
| RULE XVII: SUSPENSION AND AMENDMENT OF RULES | RULES | |
| 1. Subject to the provisions of the Agreement any of the foregoing Rules, other than Rules IV, V, X, paragraphs 5 and 6, XI, XII, XIV, paragraph 4, and XVI, may be suspended on the motion of any delegation by a majority of the votes cast at any plenary meeting of the Commission, provided that announcement is made at a plenary meeting of the Commission and copies of the proposal for suspension have been distributed to the delegations not less than forty-eight hours before the meeting at which action is to be taken. | 1. Subject to the provisions of the Agreement, any of the foregoing Rules, other than Rules IV, V, XI, XII, XIV paragraph 2, and XVI, may be suspended on the motion of any delegation by a majority of the votes cast at any plenary meeting of the Commission, provided that announcement is made at a plenary meeting of the Commission and copies of the proposal for suspension have been distributed to the delegations not less than forty-eight hours before the meeting at which action is to be taken. | 1. Subject to the provisions of the Agreement, any of the foregoing Rules, other than Rules IV, V, XI, XII, XIV paragraph 2, and XVI, may be suspended on the motion of any delegation by a majority of the votes cast at any plenary meeting of the Commission, provided that announcement is made at a plenary meeting of the Commission and copies of the proposal for suspension have been distributed to the delegations not less than forty-eight hours before the meeting at which action is to be taken. |
| 2. Amendments of, or addition to, these Rules may be adopted on the motion of any delegation by a two-thirds majority of the Members of the Commission, at any plenary meeting of the Commission, provided an announcement is made at a plenary meeting and copies of the proposal for the amendment or addition have been distributed to delegations not less than twenty-four hours before the meeting at which action is to be taken. | 2. Amendments of, or additions to, these Rules may be adopted on the motion of any delegation by a two-thirds majority of the Members of the Commission, at any plenary meeting of the Commission, provided an announcement is made at a plenary meeting and copies of the proposal for the amendment or addition have been distributed to delegations not less than twenty-four hours before the meeting at which action is to be taken. | 2. Amendments of, or additions to, these Rules may be adopted on the motion of any delegation by a two-thirds majority of the Members of the Commission, at any plenary meeting of the Commission, provided an announcement is made at a plenary meeting and copies of the proposal for the amendment or addition have been distributed to delegations not less than twenty-four hours before the meeting at which action is to be taken. |
| 3. Any amendment to Rule XVI which may be adopted in accordance with the provisions of paragraph 2 of this Rule, shall not become effective until the next session of the Commission. | 3. Any amendments to Rule XVI which may be adopted in accordance with the provisions of paragraph 2 of this Rule shall not become effective until the next session of the Commission. | 3. Any amendments to Rule XVI which may be adopted in accordance with the provisions of paragraph 2 of this Rule shall not become effective until the next session of the Commission. |
| RULE XVIII: OFFICIAL LANGUAGES | RULE XVI: LANGUAGES OF THE COMMISSION | RULE XVI: LANGUAGES OF THE COMMISSION |

| <u>CURRENT RULES</u> | <u>RULES AGREED UPON IN PRINCIPLE IN THE 31ST SESSION TO REPLACE THE TEXT OF THE CURRENTS RULES OF PROCEDURE</u> | <u>PROPOSED SUGGESTIONS FOR SELECTED RULES (2008)²</u> |
|---|---|--|
| 1. The official languages of the Commission shall be such languages of the Organization as the Commission itself may decide. The delegations may use any one of these languages at sessions and for their reports and communications. A delegation using a non-official language shall provide for interpretation into one of the official languages. | The languages of the Commission shall be such languages of the Organization as the Commission itself may decide. Interpretation of meetings and translation of documents shall be in accordance with such decisions as may be taken by the Commission. | 1. The languages of the Commission shall be such languages of the Organization as the Commission itself may decide. The delegations may use any one of these languages at sessions and for their reports and communications. |
| 2. During the meetings, interpretation in one or more of the official languages will be provided by the Secretariat when requested by one of the delegates present. | | 2. During the meetings, interpretation in one or more of the languages will be provided by the Secretariat when requested by one of the delegates present. |
| 3. Publications of reports and communications shall be in the language in which they are submitted and, when required by the Commission, abstracts in translation may be published. | | 3. Publications of reports and communications shall be in the language in which they are submitted and, when required by the Commission, abstracts in translation may be published. |