

WESTERN CENTRAL ATLANTIC FISHERY COMMISSION (WECAFC)

FIFTEENTH SESSION

Port of Spain, Trinidad and Tobago, 26-28 March 2014

Draft Revised Rules of Procedure

1. BACKGROUND AND INTRODUCTION

The need for strengthening and modernizing FAO Regional Fishery Bodies (RFBs), or establishing new RFBs, in order to improve and promote fisheries governance has been recognized and acted upon since the late 1990s.

The Western Central Atlantic Fishery Commission (WECAFC) was established in 1973 under Article VI (1) of the FAO Constitution¹ and, after considering the need for strengthening the Commission, a Recommendation was adopted at its Eleventh Session in 2003 to establish a WECAFC Intersessional Working Group (IWG) tasked to study the feasibility of strengthening regional fisheries management in the region and to report to the Twelfth Session of WECAFC. As a result of this initiative, a revised and modernized Statute was adopted at the Twelfth Session of the Commission in 2005 and approved by the FAO Council in November 2006, shown in Appendix 1.

The Thirteenth Session of WECAFC held in 2008 adopted the draft Rules of Procedure as prepared by the Third Meeting of the IWG at the request of the Twelfth Session of the Commission, and with the assistance of the FAO Fisheries and Aquaculture Department and Legal Office.

Since the adoption of the Rules of Procedure, a number of developments warranted their review. The major catalyst for change was the publication in 2010 of FAO Fisheries and Aquaculture Circular 1050, "Western Central Atlantic Fishery Commission. Historical overview, impacts and main lessons learned", authored by Messrs. Renard and Chakalall.² It gave depth and perspective to the needs of the region, the weaknesses of WECAFC and focal points and recommendations for strengthening. It formed a strong basis for many of the recommendations to amend the Rules of Procedure.

¹ Resolution 4/61 of the FAO Council.

² *FAO Fisheries and Aquaculture Circular* No. 1050. Rome, FAO. 2010. 172p. It is dedicated to the memory of our friend and colleague Bisessar Chakalall who was the Senior Fisheries Officer at the FAO Subregional Office for the Caribbean (SLC).

Other developments included the reforms that had taken place within FAO, including decentralization of responsibilities and the precedent set by the establishment or modernization of FAO RFBs in the past few years.³

To address these needs and developments, recommendations for proposed amendments to the Rules of Procedure were developed for consideration by the Fourteenth Session of WECAFC. The objective was to contribute to the revitalization of the Commission by strengthening the Rules of Procedure in order to reflect recent developments within FAO and incorporate emerging Best Practices of FAO statutory bodies. The proposed amendments are consistent with the FAO Basic Texts.

The Commission reviewed the draft revised Rules of Procedure proposed and explained in Document WECAFC/XIV/2012/8.⁴ The proposed revisions aimed to revitalize the Commission through improved procedures and decision-making and achieve clearer and more effective administration. They introduced new considerations relating to, *inter alia*:

- strengthened cooperation and transparency with non-Members and international organizations;
- functions and duties of officers and the Secretariat;
- increased efficiency for the Secretariat;
- intersessional governance and procedures through an expanded Bureau to be known as the Executive Committee;
- liaison with and among Members through establishing national focal points;
- assigning functions and duties to the Secretariat;
- voting procedures that permit certain intersessional decision making;
- expanding rules on observers, records and reports; and
- offering clearer procedures for the conduct of meetings.

In addition, some key institutional changes were proposed to strengthen the operation and effectiveness of the Commission as well as the participation by Members in ensuring robust intersessional activity. They included the following:

- a) **Transformation of the Bureau to an Executive Committee (Proposed Rule IV)**
Strengthened intersessional governance and procedures would be provided by expanding and transforming the Bureau to an Executive Committee. Its functions would include: propose a strategy and work plan with the assistance of the Secretariat for the Commission's review; ensure that policies and decisions of the Commission are operationalized; and coordinate and monitor the work of the Technical Advisory Committee and Working Groups.
- b) **Transformation of the SAG to a Technical Advisory Committee (Proposed Rule XII)**
Strengthened advisory capacity, scope and functions would be provided by expanding and transforming the SAG to a Technical Advisory Committee. It has seven functions and

³ For example, new bodies include the Regional Commission for Fisheries (RECOFI) (1999), the South West Indian Ocean Fisheries Commission (SWIOFC) (2004) and the Central Asian and Caucasus Regional Fisheries and Aquaculture Commission (CACFish) (2009), and those with revised Statutes and/or Rules of Procedure (RoP) include Fishery Committee for the Eastern Central Atlantic (CECAF) (2003) and the European Inland Fisheries and Aquaculture Advisory Commission (EIFAAC) (2010). Following recommendations in its Performance Review in 2011, the General Fisheries Commission for the Mediterranean reviewed its Agreement, Rules of Procedure and Financial Regulations in 2013.

⁴ This document is available at: <ftp://ftp.fao.org/Fi/DOCUMENT/wecafc/14thsess/default.htm> . The proposed Rules of Procedure are in Appendix 3.

would address technical and scientific matters such as the biological, social and economic aspects of fisheries.

- c) **Introduction of National Focal Points (Proposed Rule V)** Provides for the designation of National Focal Points to facilitate communication of WECAFC matters, and responsibilities for the effective discharge of their functions. There are 11 functions and duties, consistent with Rules in other FAO Statutory Bodies.
- d) **Specification of the functions of the Chairperson and Vice Chairpersons (Proposed Rule III)** A new provision, this serves as a clear basis for the functions to be undertaken at sessions, arrangements for the intersessional period and cases where they are unable to serve. It is consistent with Rules in other FAO Statutory Bodies.
- e) **Specification of the functions of the Secretary (Proposed Rule VI)** A new provision, seven functions for the Secretary are specified to provide a clear basis for carrying out duties and responsibilities. It is consistent with Rules in other FAO Statutory Bodies.

The proposed revisions did not involve new financial obligations for members. They suggested some reorganization and new duties and allowed for a stronger participatory process. Processes and rules contributing to greater transparency and accountability were recommended. Generally, the result is a more modern basis for procedures that will provide an enduring basis for any agreed revitalization or reform to the Commission's priorities and programmes.

The Commission was unable to take a decision because the required two-thirds of WECAFC members for amending the existing Rules of Procedure were not present at the fourteenth Session. However, the Commission agreed in principle to the draft Rules of Procedure, but expressed concerns about the wording of some rules and recommended that they be considered for adoption at a meeting where the required number of members is present. The Commission considered that the draft revised procedures shown in Appendix E of the report of the fourteenth Session⁵ would contribute significantly to the strengthened operation of the Commission and agreed that they should be implemented on a *de facto* basis.

There was discussion on two issues in the proposed Rules. One related to the termination of membership of WECAFC after not being present at two consecutive meetings, which would be considered at a future session of WECAFC. Noting that members should remain active in WECAFC by attending sessions, a process was favoured for the termination of membership that seeks to work with the members to resolve hurdles to their regular participation. Such measures should not prejudice the least developed countries and small island developing countries that may have difficulty in obtaining financial support for their attendance.

The second related to a proposed *de facto* procedure regarding the use of working languages in Working Groups and other WECAFC activities. The Commission did not make a decision on this matter. The Secretariat emphasized that the reduced funding under FAO's Regular Programme for the region would not allow FAO to continue to supply the translation and interpretation services as in the past. The Secretariat called upon the members to provide for extra-budgetary resources in support of covering translation and interpretation related necessities, or to be flexible when organizing Working Groups.

2. PROPOSED REVISIONS TO THE DRAFT RULES OF PROCEDURE

The draft Rules of Procedure considered at the Fourteenth Session of WECAFC have been reviewed in light of the outcomes of that Session and subsequent developments, and an amended version of the draft Rules is proposed for consideration by the WECAFC Reorientation and

⁵ The report of the fourteenth session is available at: <http://www.fao.org/docrep/017/i2677t/i2677t00.htm>

Strategic Planning Workshop. Proposed substantive amendments relate to the following Rules shown in Appendix 1:

- Rule I – Membership.

Draft Rule I.2 has been deleted on advice from the FAO Legal Office: “A Member of the Commission shall be considered to have resigned if it has not been represented at two consecutive sessions of the Commission.” It was meant to address non-attendance by some members which has affected, *inter alia*, decisionmaking.

The FAO Legal Office undertook in November 2013 to explore options to address the problem of absenteeism in a manner that would have positive outcomes for all affected FAO statutory bodies.

- Rule X - Observers and broader cooperation.

The title is amended to allow for broader cooperation with governments, and international organizations. A new paragraph 4 has been added to allow for formal arrangements with the latter, such as memoranda of understanding, pursuant to Article 11 of the WECAFC Statutes and consistent with paragraph 3 which recognizes such arrangements with governments.

- Rule XVI – Languages.

The existing Rule designating English, French and Spanish as the working languages of the Commission is maintained, but for clarification and consistent with existing practice an amendment is proposed that they are the working languages for its sessions. In addition, two new paragraphs are proposed that reflect existing practice and require:

- interpretation services to be provided, as appropriate, by the host country. A delegation using a language other than English, French or Spanish must provide, at its own expense, for interpretation, translation and publication, as appropriate, into the official languages.
- the Secretariat to make the Commission’s reports available in English, French and Spanish. Reports of subsidiary bodies will be made available in English only, unless extra-budgetary resources are provided by the members for translation into the other working languages.

The 2014 revised draft Rules of Procedure were subsequently reviewed by the FAO Legal Office, and at the WECAFC Reorientation and Strategic Planning Workshop held in Guadeloupe, 29-30 January 2014. The Workshop concluded that “the ‘revised Rules of Procedure’ will bring significant improvements to the functioning of WECAFC and its institutions and should be passed for endorsement to the 15th session, incorporating the comments that were made by the workshop.” The comments included matters relating to voting procedures that are under review by the FAO Legal Office, and to the functions of TAC which are clearly advisory.

For ease of reference, the Statute of WECAFC is provided in Appendix 2, the existing Rules of Procedure are in Appendix 3 and a comparative table of the existing Rules of Procedure and the 2014 proposed revisions, together with brief explanatory notes, is in Appendix 4.

3. SUGGESTED ACTION BY THE SESSION

The Session is invited to review and make recommendations for amendment to the attached draft revised WECAFC Rules of Procedure for consideration by the Fifteenth Session of WECAFC.

APPENDIX 1**WESTERN ATLANTIC FISHERY COMMISSION
DRAFT REVISED RULES OF PROCEDURE
February, 2014****RULE I****Membership**

1. Each Member of the Commission shall, as far as possible before the opening of each session, communicate to the Director-General the name of its representative, alternate, experts and advisors who will attend and who should, to the extent possible, have responsibilities related to marine fisheries conservation, management and development.

RULE II**Election and appointment of officers**

1. The Commission shall, during each regular session or sooner where an office becomes vacant, elect a Chairperson and a maximum of two Vice Chairpersons who shall assume office immediately following the regular session at which they were elected.

2. Nominees for Chairperson or Vice-Chairperson shall be delegates or alternates attending the session at which they may be elected.

3. The Chairperson and Vice-Chairpersons shall serve for a term of two years. The Chairperson and Vice Chairpersons shall be eligible for re-election but they may not serve for more than two consecutive terms.

4. The Commission may appoint one or more rapporteurs from among its members.

5. The Director-General shall appoint, from among the staff of the Organization, a Secretary of the Commission who shall be administratively responsible to him or her.

RULE III**Functions of the Chairperson and Vice-Chairpersons**

1. The Chairperson, or in his or her absence a Vice-Chairperson, shall preside at meetings of the Commission and exercise such other functions as may be necessary or appropriate to facilitate the work of the Commission, including to:

- 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;
- c) rule on points of order;
- d) appoint such *ad hoc*, temporary and special committees of the session as the Commission may direct;
- e) call for votes and to announce results of the votes;
- f) sign on behalf of the Commission a report of the proceedings of each session of the Commission for transmission to the Director General and the Members of the Commission; and
- g) perform any other function as may be decided by the Commission.

2. In the absence of the Chairperson, or at his request, his functions shall be exercised by the first Vice-Chairperson or, in the absence of the latter, by the second Vice-Chairperson.
3. The Chairperson or Vice-Chairpersons, when acting as Chairperson shall not vote and another member of their respective delegations shall represent their governments.
4. In the interval between sessions of the Commission, the Chairperson shall exercise his or her functions in accordance with these Rules of Procedure.
5. In the event the Chairperson and Vice-Chairpersons are unable to serve, the Secretary shall temporarily exercise the functions of the Chairperson.

RULE IV

Executive Committee

1. There shall be an Executive Committee consisting of the Chairperson, the Vice-Chairpersons, the Chairperson of the Technical Advisory Committee and three members elected by the Commission for a term of two years. The three elected members shall be eligible for re-election for a second term of two years only. The Secretary shall be an ex-officio member without vote. The Chairperson of the Executive Committee shall be the Chairperson of the Commission.
2. The functions of the Executive Committee shall be to implement the decisions of the Commission between its sessions, carry out such other tasks entrusted to it by the Commission and to:
 - a) propose a strategy and work plan with the assistance of the Secretariat for review and consideration by the Commission, and monitor its implementation;
 - b) ensure that policies and decisions of the Commission are operationalized; and
 - c) coordinate and monitor the work and review the advice of the Technical Advisory Committee and the Working Groups and any other subsidiary body of the Commission.
3. The Executive Committee shall meet at least once a year.
4. Meetings of the Executive Committee may be held using electronic means such as videoconferencing or back-to-back with other events of the Commission.
5. When the Executive Committee deals with special issues, the Chairperson of the Executive Committee may, in consultation with the Vice-Chairpersons and the Secretary, invite additional members of the Commission or observers to attend in an advisory capacity the meetings of the Executive Committee at which such issues are considered.
6. The Executive Committee shall periodically inform all Members of the Commission, through the Secretariat, of any action taken.
7. The Executive Committee shall report to the Commission on its activities at each session of the Commission.

RULE V

National Focal Points

1. Each Member of the Commission shall designate a National Focal Point who shall facilitate communication of matters relating to the Commission, and communicate the name of the National Focal Point to the Chairperson and Secretariat of the Commission.

2. The National Focal Point shall have responsibilities at national level that enable him or her to effectively discharge the functions and duties described in paragraph 3 of this Rule, and shall normally be the designated representative of the Member of the Commission at Commission sessions or such other person of similar level in the national government.

3. The National Focal Point shall have the following functions and duties:

- a) maintain direct contact with the Secretariat of the Commission;
- b) receive information from the Secretariat of the Commission on activities planned and implemented at the regional level;
- c) develop and maintain a national network, including relevant institutions, government bodies or agencies and stakeholders with mandates or activities relevant to the work of the Commission;
- d) ensure timely briefings of the members of the national network on the work of the Commission and request information on any activities and developments in such network that may be relevant to the Commission;
- e) inform the Secretariat on all national activities and developments relating to the work of the Commission;
- f) inform the Commission at each regular session on the follow-up of WECAFC advice and recommendations at the national level;
- g) facilitate as appropriate the development of national activities, projects, research and training in matters relevant to the Commission;
- h) promote national implementation of the Commission's advice, work programme and activities;
- i) notify the Secretariat of existing or emerging national problems and issues relevant to the work of the Commission;
- j) support liaison and coordination at national and regional levels among institutions and experts relevant to the activities of the Commission; and
- k) such other duties as the Commission may from time to time agree.

RULE VI

Secretariat

1. The Secretariat shall consist of the Secretary and such staff responsible to him/her as may be determined by the Director-General.

2. The Secretary shall be appointed for such term as the Director-General may determine, which shall not normally exceed a total of nine years.

3. The Secretary shall be responsible for implementing the policies and activities of the Commission and for carrying out the duties and performing the functions and responsibilities of the Secretary and shall report thereon to the Commission.

4. In addition to the functions and responsibilities assigned to the Secretary by the Organization, the Statute of the Commission and these Rules of Procedures, the functions and responsibilities of the Secretary shall include:

- a) communicating information received from Members of the Commission;
- b) receiving, collecting, circulating, drafting and presenting documents, reports, papers and recommendations for the sessions of the Commission, the Technical Advisory Committee and Working Groups;
- c) maintaining records of the proceedings of sessions of the Commission, the Technical Advisory Committee and Working Groups;
- d) facilitating the collection of information and data necessary to accomplish the objectives, principles, functions and responsibilities of the Commission;

- e) facilitating cooperation between the Commission and other regional and international organizations on matters of mutual interest;
- f) liaising with the Organization on the administration and reporting on the operation of the Trust Fund established under Rule XIV; and
- g) performing of such other duties as may be decided by the Commission in conformity with the Basic Texts of the Organization.

5. In the exercise of his or her functions, the Secretary shall have direct working relations and communications with all Members of the Commission and observers to the Commission as well as with the FAO Secretariat at all levels as appropriate.

6. Communication between the Secretary and the Members of the Commission for liaison purposes and concerning the affairs of the Commission shall be channelled, as far as possible, through the National Focal Points designated in accordance with Rule V. To facilitate effective communication, the Secretary may also communicate with the Members of the Commission through Permanent Representations of the Members of the Commission to the Organization.

7. Copies of all communications concerning the affairs of the Commission shall be sent to the Secretary for purposes of information and record.

RULE VII

Sessions

1. The Commission shall hold regular sessions at least once every two years.
2. Extraordinary sessions of the Commission shall be held at such other times as the Commission may decide, or at the request of the Executive Committee, provided that adequate funds are available for such extraordinary sessions in the Programme of Work and Budget of the Organization, or from extra-budgetary funds.
3. The sessions of the Commission shall be convened by the Director-General, who shall decide on the place where they are to be held, in consultation with the Chairperson and the competent authorities of the host country, taking into account the views expressed by the Commission.
4. Notice of the date and place of each session of the Commission shall be communicated at least two months before the session to all Members of the Commission, to such Member Nations and Associate Members of the Organization that are not Members of the Commission and to such non-Member Nations of the Organization and international organizations as may have been invited to attend the session.
5. Each Member of the Commission shall have one representative who may be accompanied by alternates and advisers. An alternate or adviser shall not have the right to vote except when substituting for a representative.
6. Meetings of the Commission shall be held in public unless the Commission decides otherwise.
7. A majority of the Members of the Commission shall constitute a quorum.

RULE VIII

Agenda

1. The agenda of each regular session shall include at least:
 - a) as the first item, the adoption of the agenda, and no matter referred to the Commission by the Conference or Council of the Organization may be omitted;

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- b) a review of the status of fisheries in the WECAFC region;
 - c) recommendations on fisheries management;
 - d) a report by the Secretary on the financial and administrative affairs of the Commission;
 - e) consideration of extra-budgetary funding;
 - f) a report of the Executive Committee;
 - g) a report of the Technical Advisory Committee and any other subsidiary body or working group established by the Commission;
 - h) the programme of work; and
 - i) consideration of the time and place for the next session;
2. The agenda may also include, upon approval by the Commission:
 - a) items that were not fully discussed at the previous session; and
 - b) items proposed by a Member, the Chairperson or the Secretary.
 3. An agenda for a special session shall consist only of items relating to the purpose for which the special session was called.
 4. The Director-General, in agreement with the Chairperson of the Commission, after having examined the proposals of the Executive Committee shall prepare a provisional agenda for each session of the Commission.
 5. Any Member of the Commission may request the Director-General to include specific items in the provisional agenda at any time before the circulation of the agenda.
 6. The provisional agenda, together with reports and documents available in connection therewith, shall be circulated by the Director-General at least two months before the date on which the opening of the session is scheduled to take place, to all Members of the Commission.

RULE IX

Voting procedures

1. Subject to paragraph 2 of this Rule, each Member of the Commission shall have one vote.
2. Voting by Member Organizations of the Organization that are Members of the Commission shall be governed by the provisions of Article II.10 of the Constitution of the Organization.
3. Decisions of the Commission shall be taken by a majority of the votes cast, unless otherwise provided in these Rules.
4. The Commission shall endeavour to reach its decisions by consensus without having to resort to formal voting.
5. Upon the request of any Member of the Commission, voting shall be by roll-call, in which case the vote of each Member shall be recorded.
6. When the Commission so decides, voting shall be by secret ballot.
7. In exceptional circumstances, as determined by the Secretary in consultation with the Chairperson, when urgent matters require Members to take decisions intersessionally, any rapid means of communication may be used for decision-making with respect to procedural and administrative matters of the Commission, including any of its subsidiary bodies or working groups, other than matters relating to the interpretation of and the adoption of amendments to the Statute of the Commission or its Rules of Procedure.

8. Voting in the Commission shall be carried out *mutatis mutandis* in accordance with the relevant provisions of Rule XII of the General Rules of the Organization.

RULE X

Observers and broader cooperation

1. Any Member or Associate Member of the Organization that is not a Member of the Commission may, upon request communicated to the Director-General, attend sessions of the Commission, its subsidiary bodies or *ad hoc* meetings, in an observer capacity. Such Members of the Organization or Associate Members may submit memoranda and participate without vote in the discussions.

2. 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 may, upon their request and with the approval of the Commission, attend sessions of the Commission, its subsidiary bodies, and *ad hoc* meetings in an observer capacity. The status of States invited to such sessions or meetings shall be governed by the relevant provisions adopted by the Conference of the Organization.

3. Where the Commission has entered into formal arrangements with any government which is not a member of the Commission in accordance with the FAO Principles and Procedures which should Govern Article VI Commissions, such government shall be invited to attend sessions of the Commission, its subsidiary bodies and meetings in an observer capacity, unless otherwise provided in such arrangement.

4. Where cooperation between the Commission and other international organizations on matters of mutual interest is established in accordance with Article 11 of the WECAFC Statutes, including by formal arrangements such as memoranda of understanding in accordance with FAO Procedures and Rules, such international organization shall be invited to attend sessions of the Commission, its subsidiary bodies and meetings in an observer capacity, unless otherwise provided in such arrangement.

5. Intergovernmental organizations having an interest in the work of the Commission shall, upon request communicated to the Director-General by the relevant organization, the Commission or the Secretary, be invited to attend sessions of the Commission, its subsidiary bodies and *ad hoc* meetings, in an observer capacity.

6. International non-governmental organizations having special competence in the field of activity of the Commission shall, upon request communicated to the Director-General be invited to attend sessions of the Commission, its subsidiary bodies and *ad hoc* meetings, in an observer capacity.

7. Observer members of the Organization may submit memoranda and participate in the discussions. Observer Non-Members of the Organization as well as Observer intergovernmental and non-governmental organizations may be invited by the Commission to submit memoranda and deliver oral statements.

8. The Commission may invite consultants or experts, in their individual capacity, to attend the meetings or participate in the work of the Commission, its Executive Committee, the Technical Advisory Committee and the other subsidiary bodies of the Commission in accordance with the Basic Texts of the Organization.

9. In no case will observers or persons invited pursuant to paragraph 6 attend the meetings or participate in the discussions at meetings of the Commission or its subsidiary bodies or *ad hoc* meetings be entitled to vote.

10. 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 Constitution and the General Rules of the Organization as well as by the rules on relations with international organizations adopted by the Conference and Council of the Organization. All such relations shall be dealt with by the Director-General.

RULE XI

Records, reports, recommendations and information

1. At each session, the Commission shall approve a written report embodying its views, recommendations and decisions including, when requested, a statement of minority views. Such other records for its own use as the Commission may on occasion decide shall also be maintained.
2. The conclusions and recommendations of the Commission shall be transmitted to the Director-General at the close of each session, and he shall circulate them to Members of the Commission and to Member Nations and international organizations that were represented at the session and those that have cooperative arrangements with the Commission and, upon request, to other Members and Associate Members of the Organization for their information.
3. The conclusions and recommendations of the Commission shall also be forwarded by the Secretariat to the FAO Regional Conference for Latin America and the Caribbean and the FAO Committee on Fisheries (COFI) for information, discussion and comments.
4. The Director-General or the Chairperson may request any Member of the Commission to provide information to the Commission or the Director-General on actions it has taken where such actions are based on or related to the recommendations of the Commission.

RULE XII

Technical Advisory Committee

1. The Technical Advisory Committee (TAC) of the Western Central Atlantic Fishery Commission shall act as an advisory body to the Commission.
2. The Technical Advisory Committee will be constituted of no more than seven experts with suitable qualifications and experience in subject matters related to fisheries, including fisheries management, development and scientific research, who may be from an appropriate government agency or from a University or a research institute.
3. Members of the Technical Advisory Committee will be appointed by the Director-General for a term of two years, which may be extended, and the Commission shall finance their participation. The members will serve in their personal capacity.
4. The Technical Advisory Committee may invite experts from any WECAFC Member to attend its meetings.
5. The Members of the Commission shall finance the participation of their representatives, alternates, experts and advisers at Technical Advisory Committee meetings, as well as at any working parties and any out of session work carried out within the framework of the Technical Advisory Committee.
6. The Technical Advisory Committee shall elect, preferably by consensus, a Chairperson and a Vice-Chairperson from among its members for a term of two years. The Chairperson and the Vice-Chairperson shall be eligible for re-election.
7. The Chairperson of the Technical Advisory Committee shall have, during the meetings of the

Committee, the same powers and duties as the Chairperson of the Commission has in relation to the meetings of the Commission itself.

8. Meetings of the Technical Advisory Committee shall be convened by the Chairperson of the Committee after consultation with the Chairperson, the Secretary of the Commission and the Director-General.

9. The Secretary of the Commission or any other FAO staff appointed by the Assistant Director-General of the Fisheries and Aquaculture Department shall act as Secretary of the Technical Advisory Committee.

10. The Technical Advisory Committee shall:

- a) formulate and provide technical and scientific advice and oversight to assist the Commission in implementing its work programme and projects and in monitoring and evaluating such implementation;
- b) advise on elements of the work programme of the Commission with the assistance of the Secretariat;
- c) provide advice on the technical and scientific bases concerning the general conservation and management of fisheries resources, including the biological, social and economic aspects of fisheries management;
- d) review and contribute to the report of the Commission on the status of stocks and fisheries in the WECAFC region;
- e) as appropriate, propose the establishment of subsidiary bodies of the Commission, working groups or cooperation with specified organizations or institutions to work on specific technical issues, cooperative research programmes or to provide a specified output;
- f) formulate and report to the Commission or to individual Members of the Commission, as appropriate, on advice concerning fisheries conservation, management and research;
- g) report annually to the Members through the Secretariat; and
- h) carry out other technical activities and consider any other matter referred to it by the Commission.

11. The Technical Advisory Committee shall conduct its work on a regular basis.

12. The Chairpersons or their representatives of the Commission's working groups and any other experts may be invited to participate in the work of the Technical Advisory Committee.

13. The procedures of the Technical Advisory Committee shall be governed *mutatis mutandis* by the Rules of Procedure of the Commission.

RULE XIII

Other subsidiary bodies

1. The Commission may establish, on an *ad hoc* basis, such other subsidiary bodies as it deems necessary for the accomplishment of its ~~tasks~~ general objective, functions and responsibilities.

2. Membership in such other subsidiary bodies may be made up of all or selected Members of the Commission or of individuals appointed in their personal capacity.

3. The Commission may recommend to the Director-General the convening of *ad hoc* meetings, either of representatives of members of the Commission or of experts serving in an individual capacity, in order to study problems that because of their specialized nature could not fruitfully be discussed during the normal sessions of the Commission.

4. The terms of reference of the subsidiary bodies and the questions to be discussed by *ad hoc* meetings shall be determined by the Commission.
5. The establishment of subsidiary bodies and the convening of *ad hoc* meetings shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Organization, or to the availability of extra-budgetary funds. The determination of such availability shall be made by the Director-General.
6. Before taking any decision involving expenditures in connection with the establishment of subsidiary bodies or the convening of *ad hoc* meetings, the Commission shall have before it a report from the Director-General on the administrative and financial implications thereof.
7. Each subsidiary body and *ad hoc* meeting shall elect its own officers.
8. The Rules of Procedure of the Commission shall apply *mutatis mutandis* to its subsidiary bodies and *ad hoc* meetings.

RULE XIV

Trust fund

1. All voluntary contributions, donations and other forms of assistance to the Commission and any of its programmes and activities, including funds provided to ensure the long-term operations of the Commission pursuant to Article 6 (q) of the Statute, shall be placed in a Trust Fund administered by the Director-General in conformity with the Financial Regulations of FAO.

RULE XV

Expenses

1. Expenses incurred by representatives of Members of the Commission, their alternates or advisers, when attending sessions of the Commission, committees, subsidiary bodies or *ad hoc* meetings, as well as the expenses incurred by observers at sessions, shall be borne by the respective governments or organizations.
2. Expenses of experts invited by the Director-General to attend sessions or meetings in their individual capacity shall be borne by the Organization.
3. Any financial operations relating to the Commission and its subsidiary bodies shall be governed by the appropriate provisions of the Financial Regulations of the Organization.

RULE XVI

Languages

1. English, French and Spanish shall be working languages of the Commission for its sessions.
2. During the meetings, interpretation services shall be provided, as appropriate, by the host country. A delegation using a language other than English, French or Spanish shall provide, at its own expense, for interpretation, translation and publication, as appropriate, into the official languages.
3. The reports of the Commission will be made available in English, French and Spanish by the Secretariat. Reports of subsidiary bodies will be made available in English only, unless extra-budgetary resources are provided by the members for translation into the other working languages.

RULE XVII**Amendment and Suspension of Rules of Procedure**

1. Amendment of, or addition to, these Rules may be adopted by a two-thirds majority of the membership of the Commission provided that 24 hours' notice of the proposal for the amendment or addition has been given. Amendments or additions to these Rules shall come into force upon approval by the Director-General.

2. Any of the above Rules of the Commission, other than Rules I - 1; II - 5; VII - 1, 2, 3, 5 and 7; VIII - 2; IX - 1, 2 and 3; X; XI - 3, 4 and 5; XIV - 1, may be suspended by the Commission by a two-thirds majority of the votes cast, provided that 24 hours' notice of the proposal for the suspension has been given. Such notice may be waived if no Member of the Commission objects.

APPENDIX 2**Council Resolution 1/131*****Revised Statutes of the Western Central Atlantic Fishery Commission (WECAFC)***

THE FAO COUNCIL, at its one hundred and thirty first session, November 2006:

Recalling Resolution 4/61 of 1973 by which it established the Western Central Atlantic Fishery Commission (WECAFC) under Article VI-1 of the FAO Constitution and promulgated its Statutes,

Further recalling Resolution 3/74 of 1978 by which it amended the Statutes of the Western Central Atlantic Fishery Commission (WECAFC),

Taking into consideration that the Western Central Atlantic Fishery Commission (WECAFC), at its Twelfth Session (Port of Spain, Trinidad and Tobago, October 2005), unanimously agreed on a revised text of its Statutes and invited the Council to approve it with a view to strengthening WECAFC to promote effective conservation, management and development of living marine resources throughout the Western Central Atlantic region,

Decides to approve the revised Statutes of the Western Central Atlantic Fishery Commission (WECAFC), as follows:

1. General Objective of the Commission

Without prejudice to the sovereign rights of coastal States, the Commission shall promote the effective conservation, management and development of the living marine resources of the area of competence of the Commission, in accordance with the FAO Code of Conduct for Responsible Fisheries, and address common problems of fisheries management and development faced by Members of the Commission.

2. General Principles

- a. The Commission shall have due regard for and promote the application of the provisions of the FAO Code of Conduct on Responsible Fisheries and its related instruments, including the precautionary approach and the ecosystem approach to fisheries management.
- b. The Commission shall ensure adequate attention to small-scale, artisanal and subsistence fisheries.
- c. The Commission shall coordinate and cooperate closely with other relevant international organizations on matters of common interest.

3. Area of Competence

The Commission's area of competence shall be all marine waters of the Western Central Atlantic bounded by a line drawn as follows:

From a point on the coast of South America at 10° 00' S latitude in a northerly direction along this coast past the Atlantic entry to the Panama Canal; thence continue along the coasts of Central and North America to a point on this coast at 35° 00' N latitude; thence due east along this parallel to 42° 00' W longitude; thence due north along this meridian to 36° 00' N latitude; thence due east parallel to 40° 00' W longitude; thence due south along this meridian to 5° 00' N latitude; thence due east along this parallel to 30° 00' W longitude; thence due south along this meridian to the equator; thence due east along the equator to 20° 00' W longitude; thence due south along this

meridian to 10° 00'S latitude; thence due west along this parallel to the original point at 10° 00'S latitude on the coast of South America.

4. Species

The Commission shall cover all living marine resources, without prejudice to the management responsibilities and authority of other competent fisheries and other living marine resources management organizations or arrangements in the area.

5. Membership

The Commission shall be composed of such Members and Associate Members of the Organization that are coastal States, whose territories are situated wholly or partly within the area of the Commission or States whose vessels engage in fishing in the area of competence of the Commission and that notify in writing to the Director-General of the Organization of their desire to be considered as members of the Commission.

6. Functions of the Commission

The Commission shall have the following functions and responsibilities:

- a. to contribute to improved governance through institutional arrangements that encourage cooperation amongst members;
- b. to assist its members in implementing relevant international fisheries instruments, in particular the FAO Code of Conduct for Responsible Fisheries and its related International Plans of Action;
- c. to help fishery managers in the development and implementation of fishery management systems that take due account of environmental, social, economic and cultural concerns;
- d. to keep under ongoing review the state of the fishery resources in the area and the related industries and promote the interchange of related information;
- e. to promote, coordinate and, as appropriate, organize or undertake research related to the living marine resources in the area of competence of the Commission, including on the interactions between fisheries and the ecosystem, and design programmes required for this purpose;
- f. to promote, coordinate and, as appropriate, undertake the collection, exchange and dissemination of statistical, biological, environmental and socio-economic data and other marine fishery information as well as its analysis or study;
- g. to provide the necessary support and advice to enable Members to ensure that fishery management decisions are based on the best available scientific evidence;
- h. to provide advice on management measures to member governments and competent fisheries organizations;
- i. to provide advice on monitoring, control and surveillance, and to promote cooperation on these matters, including joint activities, especially as regards issues of a regional or subregional nature;
- j. to promote, coordinate and, as appropriate, strengthen the development of institutional capacity and human resources, particularly through education, training and extension activities in the areas of competence of the Commission;
- k. to promote and encourage the utilization of the most appropriate fishing craft, gear, fishing techniques and post harvesting technologies in accordance with the FAO Code of Conduct for Responsible Fisheries;

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- l. to facilitate trade in fish and fish products by promoting the implementation of internationally accepted sanitary and phytosanitary standards;
 - m. to promote and facilitate harmonizing of relevant national laws and regulations, and compatibility of conservation and management measures;
 - n. to assist its Members in and facilitate, as appropriate and upon their request, the conservation, management and development of transboundary and straddling stocks under their respective national jurisdictions;
 - o. to assist, as appropriate, its Members in preventing and, upon request of the interested parties, resolving fisheries disputes;
 - p. to promote liaison between its members and all competent institutions within the area served by the Commission and adjacent waters;
 - q. to seek funds and other resources to ensure the long-term operations of the Commission and establish, as appropriate, a trust fund for voluntary contributions to this end;
 - r. to serve as a conduit of independent funding to its members for initiatives related to conservation, management and development of the living resources in the area of competence of the Commission;
 - s. to draw up its plan of work;
 - t. to carry out such other activities as may be necessary for the Commission to achieve its objectives, as defined above.

7. Institutions

- a. Meetings of the Commission shall be held at least once every two years.
- b. The Commission may establish, on an ad hoc basis, such subsidiary bodies as it deems necessary for the accomplishment of its task, and in particular to deal with special problems arising in subdivisions of its area of competence.
- c. The establishment of any subsidiary body shall be subject to the determination by the Director-General that the necessary funds are available in the relevant chapter of the budget of the Organization. Before taking any decision involving expenditure in connection with the establishment of subsidiary bodies, the Commission must have before it a report from the Director-General on the administrative and financial implications thereof.
- d. The Secretary of the Commission shall be appointed by the Director-General and shall be
- e. administratively responsible to him.
- f. Any financial operations relating to the Commission and its subsidiary bodies shall be governed by the appropriate provisions of the Financial Regulations of the Organization.
- g. Expenses incurred by representatives of Members of the Commission, their alternates or advisers, when attending sessions of the Commission or its subsidiary bodies, as well as the expenses incurred by observers at sessions, shall be borne by the respective governments or organizations.

8. Reporting

The Commission shall submit to the Director-General reports on its activities and recommendations at such appropriate intervals as to enable the Director-General to take them into consideration when preparing the draft Programme of Work and Budget of the Organization and

other submissions to the Conference, Council or Committees of the Council. The Director-General shall bring to the attention of the Conference through the Council recommendations adopted by the Commission which have policy implications or which affect the programme or finances of the Organization. Copies of each report of the Commission shall be circulated to Members of the Commission and to other Member Nations and Associate Members of the Organization and international organizations for their information, as soon as they become available.

9. Observers

- a. Any Member Nation or Associate Member of the Organization that is not a member of the Commission may, upon its request, be represented in an observer capacity at meetings of the Commission and of its subsidiary bodies as appropriate.
- b. 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 may, upon their request, and with the approval of the Commission be represented in an observer capacity in accordance with the provisions adopted by the Conference of the Organization relating to the granting of observer status to Nations.
- c. The Commission shall provide for the participation in its meetings, as observers, and in accordance with its Rules of Procedure, of intergovernmental and international nongovernmental organizations having special competence in the field of activity of the Commission in its meetings as observers in accordance with its Rules of Procedure.
- d. Participation of international organizations in the work of the Commission and relations between the Commission and such organizations shall be governed by the relevant provisions of the Constitution and General Rules of the Organization as well as the rules on relations with international organizations adopted by the Conference and Council of the Organization.

10. Rules of Procedure

The Commission may adopt and amend its own rules of procedure which shall be in conformity with the Constitution and General Rules of the Organization and with the Statement of Principles Governing Commissions and Committees adopted by the Conference. The rules of procedure and amendments thereto shall come into force upon approval by the Director-General.

11. Cooperation with International Organizations

Cooperation between the Commission and other international organizations on matters of mutual interest shall be carried out in accordance with relevant Rules and Procedures of the Organization.

APPENDIX 2**WESTERN ATLANTIC FISHERY COMMISSION
RULES OF PROCEDURE
(October 2008)****RULE I****Membership**

1. The Commission shall be composed of such Members and Associate Members of the Food and Agriculture Organization of the United Nations (hereinafter referred to as “the Organization”) that are coastal States, whose territories are situated wholly or partly within the area of competence of the Commission as described in Article 3 of the Statutes, and that notify in writing to the Director-General their interest in becoming a member of the Commission.
2. Each Member of the Commission shall, before the opening of each session, communicate to the Director-General the name of its representative, who should, as far as possible, have responsibilities related to marine fishery management and development.

RULE II**Officers**

1. The Commission shall elect, at the end of every session, a Chairperson and a maximum of two Vice-Chairpersons who shall remain in office until the election of the new Chairperson and new Vice-Chairpersons.
2. The Chairperson, or in his absence a Vice-Chairperson, shall preside at meetings of the Commission and exercise such other functions as may be required to facilitate the work of the Commission. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.
3. In the event that both the Chairperson and Vice-Chairmen are unable to serve, the Director-General or his representative shall act as Chairperson, until an ad hoc Chairperson is elected.
4. The Director-General shall appoint, from among the staff of the Organization, a Secretary of the Commission who shall be administratively responsible to him.

RULE III**The Bureau**

1. The Chairperson and Vice-Chairpersons of the Commission (hereinafter referred to as the Bureau) will act as a steering committee during sessions of the Commission and in the intersessional period.

RULE IV**Sessions**

1. The Commission shall hold regular sessions at least once every two years.
2. Extraordinary sessions of the Commission shall be held at such other times as the Commission may decide, or at the request of the Bureau of the Commission, provided that adequate funds are available for such extraordinary sessions in the Programme of Work and Budget of the Organization, or from extra-budgetary funds.

3. The sessions of the Commission shall be convened by the Director-General, who shall decide on the place where they are to be held, in consultation with the Chairperson and the competent authorities of the host country, taking into account the views expressed by the Commission.
4. Notice of the date and place of each session of the Commission shall be communicated at least two months before the session to all Members of the Commission, to such Member Nations and Associate Members of the Organization that are not Members of the Commission and to such non-Member Nations of the Organization and international organizations as may have been invited to attend the session.
5. Each Member of the Commission shall have one representative who may be accompanied by alternates and advisers. An alternate or adviser shall not have the right to vote except when substituting for a representative.
6. Meetings of the Commission shall be held in private unless the Commission decides otherwise.
7. A majority of the Members of the Commission shall constitute a quorum.

RULE V

Agenda

1. The Director-General, in consultation with the Chairperson, shall prepare a provisional agenda for each session of the Commission.
2. The first item on the provisional agenda shall be the adoption of the agenda. No matter referred to the Commission by the Conference or Council of the Organization may be omitted from the agenda.
3. Any Member of the Commission may request the Director-General to include specific items in the provisional agenda.
4. The provisional agenda shall be circulated by the Director-General at least two months before the date on which the opening of the session is scheduled to take place, to all Members of the Commission, to such Member Nations and Associate Members of the Organization that are not Members of the Commission and to such non-Member Nations of the Organization and international organizations as may have been invited to attend the session.
5. Any Member of the Commission and the Director-General may, after the dispatch of the provisional agenda, but not later than one month before the date on which the opening of the session is scheduled to take place, propose the inclusion of specific items in the agenda. Such proposals shall be accompanied by a written explanation of the reasons why the inclusion of the items in the agenda is considered desirable. These items shall be placed on a supplementary list, which shall be dispatched by the Director-General to all Members of the Commission, other Member Nations and Associate Members of the Organization attending the session and to such non-Member Nations and international organizations invited to the session, failing which the items shall be communicated to the Chairperson for submission to the Commission.
6. Documents to be submitted to the Commission at any session shall be furnished by the Director-General to the Members of the Commission, the other Members of the Organization attending the session and to the non-Member Nations and international organizations invited to the session, at the time the agenda is dispatched, or as soon as possible thereafter.
7. Subject to paragraph 2 of this Rule, the Commission may, at any session, decide by a two-thirds majority to amend the agenda by the deletion, addition or modification of any item.

RULE VI**Voting procedures**

1. Subject to paragraph 2 of this Rule, each Member of the Commission shall have one vote.
2. Voting by Member Organizations of the Organization that are Members of the Commission shall be governed by the provisions of Article II.10 of the Constitution of the Organization.
3. Decisions of the Commission shall be taken by a majority of the votes cast, unless otherwise provided in these Rules.
4. Upon the request of any Member of the Commission, voting shall be by roll-call, in which case the vote of each Member shall be recorded.
5. When the Commission so decides, voting shall be by secret ballot.
6. Voting in the Commission shall be carried out *mutatis mutandis* in accordance with the pertinent provisions of Rule XII of the General Rules of the Organization.

RULE VII**Observers**

1. Any Member or Associate Member of the Organization that is not a Member of the Commission may, upon request communicated to the Director-General, attend sessions of the Commission, its subsidiary bodies or ad hoc meetings, in an observer capacity. Such Members of the Organization or Associate Members may submit memoranda and participate without vote in the discussions.
2. 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 may, upon their request and with the approval of the Commission, attend sessions of the Commission, its subsidiary bodies, and ad hoc meetings in an observer capacity. The status of States invited to such sessions or meetings shall be governed by the relevant provisions adopted by the Conference of the Organization.
3. Intergovernmental organizations having an interest in the work of the Commission shall be invited to attend sessions of the Commission, its subsidiary bodies and ad hoc meetings, in an observer capacity.
4. International non-governmental organizations having special competence in the field of activity of the Commission shall, upon request communicated to the Director-General, be invited to attend sessions of the Commission, its subsidiary bodies or ad hoc meetings, in an observer capacity.
5. 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 Constitution and the General Rules of the Organization as well as by the rules on relations with international organizations adopted by the Conference and Council of the Organization. All such relations shall be dealt with by the Director-General.

RULE VIII**Records and reports**

1. At each session, the Commission shall approve a report embodying its views, recommendations and decisions including, when requested, a statement of minority views. Such other records for its own use as the Commission may on occasion decide shall also be maintained.
2. The conclusions and recommendations of the Commission shall be transmitted to the Director-General at the close of each session, and he shall circulate them to Members of the Commission and to nations and international organizations that were represented at the session and, upon request, to other Members and Associate Members of the Organization for their information.
3. 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.
4. The Director-General may request Members of the Commission to supply information to him in order to keep the Commission informed on action taken by its Members on the basis of its recommendations.

RULE IX

Scientific Advisory Group (SAG)

1. The Scientific Advisory Group (SAG) of the Western Central Atlantic Fishery Commission will act as an advisory body to the Commission.
2. The SAG will be constituted of no more than five scientists with suitable scientific qualifications and experience in specific subject matters related to fisheries.
3. Members of the SAG will be appointed by the Director-General of FAO. The members will serve in their personal capacity.
4. The Commission will finance the participation of members of the SAG.
5. With the exception of the Chairperson whose term of office will be for two years, with possibility of extension, other members of the group will be appointed based on the specific matters to be addressed.
6. The Secretary of the Commission or any other FAO staff appointed by the Assistant Director-General of the Fisheries Department shall act as Secretary of the SAG.
7. The SAG shall:
 - (a) Provide scientific advice to WECAFC ad hoc working groups and the Commission;
 - (b) Review and contribute to the report to the Commission on the status of stocks in the area covered by the Commission;
 - (c) Review and contribute to the report on the situation, trends and prospects of fisheries in the WECAFC Region; and
 - (d) Consider any other matters referred to it by the Commission and the WECAFC ad hoc working groups.
8. The SAG shall conduct its work on a regular basis particularly in the year when the Commission meets.
9. The Chairpersons or their representatives of the Commission's ad hoc working groups and any other experts may be invited to participate in the work of the SAG.

RULE X**Other subsidiary bodies**

1. The Commission may establish, on an ad hoc basis, such other subsidiary bodies as it deems necessary for the accomplishment of its task.
2. Membership in such other subsidiary bodies may be made up of all or selected Members of the Commission or of individuals appointed in their personal capacity.
3. The Commission may recommend to the Director-General the convening of ad hoc meetings, either of representatives of members of the Commission or of experts serving in an individual capacity, in order to study problems that because of their specialized nature could not fruitfully be discussed during the normal sessions of the Commission.
4. Experts who are to serve in their personal capacity as members of any subsidiary body or who are to be invited to attend ad hoc meetings shall be chosen by the Commission unless the Commission decides otherwise, and shall be appointed by the Director-General in accordance with established procedures.
5. The terms of reference of the subsidiary bodies and the questions to be discussed by ad hoc meetings shall be determined by the Commission.
6. The establishment of subsidiary bodies and the convening of ad hoc meetings shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Organization, or to the availability of extra-budgetary funds. The determination of such availability shall be made by the Director-General.
7. Before taking any decision involving expenditures in connection with the establishment of subsidiary bodies or the convening of an ad hoc meeting, the Commission shall have before it a report from the Director General on the administrative and financial implications thereof.
8. Each subsidiary body and ad hoc meeting shall elect its own officers.
9. The Rules of Procedure of the Commission shall apply *mutatis mutandis* to its subsidiary bodies and ad hoc meetings.

RULE XI**Trust fund**

1. All voluntary contributions, donations and other forms of assistance, in particular those referred to in Article 6 (q) of the Statutes, shall be placed in a Trust Fund administered by the Director-General in conformity with the Financial Regulations of FAO.

RULE XII**Expenses**

1. Expenses incurred by representatives of Members of the Commission, their alternates or advisers, when attending sessions of the Commission, committees, subsidiary bodies or ad hoc meetings, as well as the expenses incurred by observers at sessions, shall be borne by the respective governments or organizations.
2. Expenses of experts invited by the Director-General to attend sessions or meetings in their individual capacity shall be borne by the Organization.

3. Any financial operations relating to the Commission and its subsidiary bodies shall be governed by the appropriate provisions of the Financial Regulations of the Organization.

RULE XIII

Languages

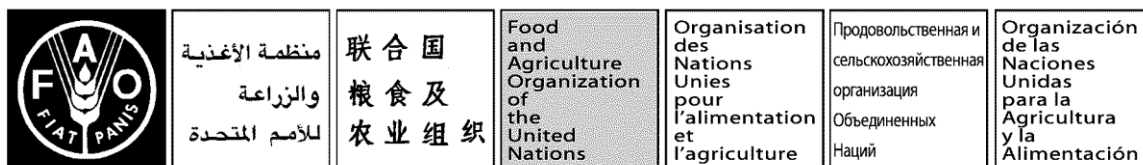
1. English, French and Spanish shall be working languages of the Commission.

RULE XIV

Amendment and Suspension of Rules of Procedure

1. Amendment of, or addition to, these Rules may be adopted by a two-thirds majority of the membership of the Commission provided that 24 hours' notice of the proposal for the amendment or addition has been given. Amendments or additions to these rules shall come into force upon approval by the Director-General.

2. Any of the above Rules of the Commission, other than Rules I - 1; II - 4; IV - 1, 2, 3, 5 and 7; V - 2; VI - 1, 2 and 3; VII; VIII - 3 and 4; XI - 1; may be suspended by the Commission by a two-thirds majority of the votes cast, provided that 24 hours' notice of the proposal for the suspension has been given. Such notice may be waived if no Member of the Commission objects.



APPENDIX 4

COMPARATIVE TABLE
WECAFC RULES OF PROCEDURE

Rules of Procedure proposed at WECAFC XV	Rules of Procedure, 2008	Explanatory notes
<p>RULE I Membership</p> <p>1. Each Member of the Commission shall, as far as possible before the opening of each session, communicate to the Director-General the name of its representative, alternate, experts and advisors who will attend and who should, to the extent possible, have responsibilities related to marine fisheries conservation, management and development.</p>	<p>RULE I Membership</p> <p>1. The Commission shall be composed of such Members and Associate Members of the Food and Agriculture Organization of the United Nations (hereinafter referred to as “the Organization”) that are coastal States, whose territories are situated wholly or partly within the area of competence of the Commission as described in Article 3 of the Statutes, and that notify in writing to the Director-General their interest in becoming a member of the Commission.</p> <p>2. Each Member of the Commission shall, before the opening of each session, communicate to the Director-General the name of its representative, who should, as far as possible, have responsibilities related to marine</p>	<ul style="list-style-type: none"> • Paragraph 1 of 2008 Rules deleted because it is addressed in Article 5 of the 2006 WECAFC Statute. • Paragraph 2 of 2008 Rules amended to allow for notice in advance as far as possible before each session of the representative, alternate etc. to the session, provide that their areas of responsibilities may include marine fisheries conservation as well as management and development.

Rules of Procedure proposed at WECAFC XV	Rules of Procedure, 2008	Explanatory notes
	fishery management and development.	
<p>RULE II Election and appointment of officers</p> <p>1. The Commission shall, during each regular session or sooner where an office becomes vacant, elect a Chairperson and a maximum of two Vice Chairpersons who shall assume office immediately following the regular session at which they were elected.</p> <p>2. Nominees for Chairperson or Vice-Chairperson shall be delegates or alternates attending the session at which they may be elected.</p> <p>3. The Chairperson and Vice-Chairpersons shall serve for a term of two years. The Chairperson and Vice Chairpersons shall be eligible for re-election but they may not serve for more than two consecutive terms.</p> <p>4. The Commission may appoint one or more rapporteurs from among its members.</p> <p>5. The Director-General shall appoint, from among the staff of the Organization, a Secretary of the Commission who shall be administratively responsible to him or her.</p>	<p>RULE II Officers</p> <p>1. The Commission shall elect, at the end of every session, a Chairperson and a maximum of two Vice Chairpersons who shall remain in office until the election of the new Chairperson and new Vice-Chairpersons.</p> <p>2. The Chairperson, or in his absence a Vice-Chairperson, shall preside at meetings of the Commission and exercise such other functions as may be required to facilitate the work of the Commission. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.</p> <p>3. In the event that both the Chairperson and Vice-Chairmen are unable to serve, the Director-General or his representative shall act as Chairperson, until an ad hoc Chairperson is elected.</p> <p>4. The Director-General shall appoint, from among the staff of the Organization, a Secretary of the Commission who shall be administratively responsible to him.</p>	<ul style="list-style-type: none"> • The title is amended and elaborate officers' functions are elaborated in a separate Rule (Rule III) that will, <i>inter alia</i>, permit them a more active role intersessionally, as recommended by FAO Circular 1050. • The gender-neutral terms "Chairperson" and "Vice-Chairperson", and "his or her" are used throughout. • Situations where the office may become vacant between sessions are provided and the term of office is described separately in proposed paragraph 3. • A new requirement is included that nominees are to be delegates or alternates attending the session. • Paragraph 3 of 2008 Rules would be amended and transferred to proposed Rule III, and provides that the Secretary will temporarily exercise the functions of Chairperson or Vice-Chairpersons where the latter are unable to serve. • The Commission would be empowered to appoint one or more rapporteurs. • Paragraphs 2 and 3 would be included in proposed Rule III, where the Commission would be empowered to assign the Chairperson and Vice Chairpersons other functions consistent with Statutes of the Commission.

Rules of Procedure proposed at WECAFC XV	Rules of Procedure, 2008	Explanatory notes
<p>RULE III</p> <p>Functions of the Chairperson and Vice-Chairpersons</p> <p>1. The Chairperson, or in his or her absence a Vice-Chairperson, shall preside at meetings of the Commission and exercise such other functions as may be necessary or appropriate to facilitate the work of the Commission, including to:</p> <ul style="list-style-type: none"> 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; c. rule on points of order; d. appoint such <i>ad hoc</i>, temporary and special committees of the session as the Commission may direct; e. call for votes and to announce results of the votes; f. sign on behalf of the Commission a report of the proceedings of each session of the Commission for transmission to the Director General and the Members of the Commission; and 		

Rules of Procedure proposed at WECAFC XV	Rules of Procedure, 2008	Explanatory notes
<p>g. perform any other function as may be decided by the Commission.</p> <p>2. In the absence of the Chairperson, or at his request, his functions shall be exercised by the first Vice-Chairperson or, in the absence of the latter, by the second Vice-Chairperson.</p> <p>3. The Chairperson or Vice-Chairpersons, when acting as Chairperson shall not vote and another member of their respective delegations shall represent their governments.</p> <p>4. In the interval between sessions of the Commission, the Chairperson shall exercise his or her functions in accordance with these Rules of Procedure.</p> <p>5. In the event the Chairperson and Vice-Chairpersons are unable to serve, the Secretary shall temporarily exercise the functions of the Chairperson.</p>		
<p>RULE IV Executive Committee</p> <p>1. There shall be an Executive Committee consisting of the Chairperson, the Vice-Chairpersons, the Chairperson of the Technical Advisory Committee and three members elected by the Commission for a term of</p>	<p>RULE III The Bureau</p> <p>1. The Chairperson and Vice-Chairpersons of the Commission (hereinafter referred to as the Bureau) will act as a steering committee during sessions of the Commission and in the intersessional period.</p>	<ul style="list-style-type: none"> • The Bureau would be replaced with an Executive Committee with expanded functions to address intersessional matters and to perform other stated functions.

Rules of Procedure proposed at WECAFC XV	Rules of Procedure, 2008	Explanatory notes
<p>two years. The three elected members shall be eligible for re-election for a second term of two years only. The Secretary shall be an ex-officio member without vote. The Chairperson of the Executive Committee shall be the Chairperson of the Commission.</p> <p>2. The functions of the Executive Committee shall be to implement the decisions of the Commission between its sessions, carry out such other tasks entrusted to it by the Commission and to:</p> <ul style="list-style-type: none"> a) propose a strategy and work plan with the assistance of the Secretariat for review and consideration by the Commission, and monitor its implementation; b) ensure that policies and decisions of the Commission are operationalized; and d) coordinate and monitor the work and review the advice of the Technical Advisory Committee and the Working Groups and any other subsidiary body of the Commission. <p>3. The Executive Committee shall meet at least once a year.</p> <p>4. Meetings of the Executive Committee may be held using electronic means such as videoconferencing or</p>		

Rules of Procedure proposed at WECAFC XV	Rules of Procedure, 2008	Explanatory notes
<p>back-to-back with other events of the Commission.</p> <p>5. When the Executive Committee deals with special issues, the Chairperson of the Executive Committee may, in consultation with the Vice-Chairpersons and the Secretary, invite additional members of the Commission or observers to attend in an advisory capacity the meetings of the Executive Committee at which such issues are considered.</p> <p>6. The Executive Committee shall periodically inform all Members of the Commission, through the Secretariat, of any action taken.</p> <p>7. The Executive Committee shall report to the Commission on its activities at each session of the Commission.</p>		
<p>RULE V</p> <p>National Focal Points</p> <p>1. Each Member of the Commission shall designate a National Focal Point who shall facilitate communication of matters relating to the Commission, and communicate the name of the National Focal Point to the Chairperson and Secretariat of the Commission.</p> <p>2. The National Focal Point shall have responsibilities at national level that enable him or her to effectively</p>		<p>The appointment and functions of national focal points would formalize the network and give strengthened responsibilities to officials at national levels which could in turn strengthen the processes for and national interest and participation in WECAFC, as called for in FAO Circular 1050.</p>

Rules of Procedure proposed at WECAFC XV	Rules of Procedure, 2008	Explanatory notes
<p>discharge the functions and duties described in paragraph 3 of this Rule, and shall normally be the designated representative of the Member of the Commission at Commission sessions or such other person of similar level in the national government.</p> <p>3. The National Focal Point shall have the following functions and duties.</p> <ul style="list-style-type: none"> a) maintain direct contact with the Secretariat of the Commission; b) receive information from the Secretariat of the Commission on activities planned and implemented at the regional level; c) develop and maintain a national network, including relevant institutions, government bodies or agencies and stakeholders with mandates or activities relevant to the work of the Commission; d) ensure timely briefings of the members of the national network on the work of the Commission and request information on any activities and developments in such network that may be relevant to the Commission; e) inform the Secretariat on all national activities and developments relating to the work of the Commission; 		

Rules of Procedure proposed at WECAFC XV	Rules of Procedure, 2008	Explanatory notes
<p>f) inform the Commission at each regular session on the follow-up of WECAFC advice and recommendations at the national level;</p> <p>g) facilitate as appropriate the development of national activities, projects, research and training in matters relevant to the Commission;</p> <p>h) promote national implementation of the Commission's advice, work programme and activities;</p> <p>i) notify the Secretariat of existing or emerging national problems and issues relevant to the work of the Commission;</p> <p>j) support liaison and coordination at national and regional levels among institutions and experts relevant to the activities of the Commission; and</p> <p>k) such other duties as the Commission may from time to time agree.</p>		
<p>RULE VI</p> <p>Secretariat</p> <p>1. The Secretariat shall consist of the Secretary and such staff responsible to him/her as may be determined by the Director-General.</p>		<p>The functions of the Secretariat, including functions and responsibilities of the Secretary, are set out to support the clear processes and procedures in the administration of the Commission's mandate.</p>

Rules of Procedure proposed at WECAFC XV	Rules of Procedure, 2008	Explanatory notes
<p>2. The Secretary shall be appointed for such term as the Director-General may determine, which shall not normally exceed a total of nine years.</p> <p>3. The Secretary shall be responsible for implementing the policies and activities of the Commission and for carrying out the duties and performing the functions and responsibilities of the Secretary and shall report thereon to the Commission.</p> <p>4. In addition to the functions and responsibilities assigned to the Secretary by the Organization, the Statute of the Commission and these Rules of Procedures, the functions and responsibilities of the Secretary shall include:</p> <ul style="list-style-type: none"> a) communicating information received from Members of the Commission; b) receiving, collecting, circulating, drafting and presenting documents, reports, papers and recommendations for the sessions of the Commission, the Technical Advisory Committee and Working Groups; c) maintaining records of the proceedings of sessions of the Commission, the Technical Advisory Committee and Working Groups; d) facilitating the collection of information and data necessary to 		

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<p>accomplish the objectives, principles, functions and responsibilities of the Commission;</p> <p>e) facilitating cooperation between the Commission and other regional and international organizations on matters of mutual interest;</p> <p>f) liaising with the Organization on the administration and reporting on the operation of the Trust Fund established under Rule XIV;</p> <p>g) performing of such other duties as may be decided by the Commission in conformity with the Basic Texts of the Organization.</p> <p>5. In the exercise of his or her functions, the Secretary shall have direct working relations and communications with all Members of the Commission and observers to the Commission as well as with the FAO Secretariat at all levels as appropriate.</p> <p>6. Communication between the Secretary and the Members of the Commission for liaison purposes and concerning the affairs of the Commission shall be channelled, as far as possible, through the National Focal Points designated in accordance with Rule V. To facilitate effective communication, the Secretary may also communicate with the Members of the Commission through Permanent Representations of the Members of the Commission to the Organization.</p>		

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<p>7. Copies of all communications concerning the affairs of the Commission shall be sent to the Secretary for purposes of information and record.</p>		
<p>RULE VII</p> <p>Sessions</p> <p>1. The Commission shall hold regular sessions at least once every two years.</p> <p>2. Extraordinary sessions of the Commission shall be held at such other times as the Commission may decide, or at the request of the Executive Committee, provided that adequate funds are available for such extraordinary sessions in the Programme of Work and Budget of the Organization, or from extra-budgetary funds.</p> <p>3. The sessions of the Commission shall be convened by the Director-General, who shall decide on the place where they are to be held, in consultation with the Chairperson and the competent authorities of the host country, taking into account the views expressed by the Commission.</p> <p>4. Notice of the date and place of each session of the Commission shall be communicated at least two months</p>	<p>RULE IV</p> <p>Sessions</p> <p>1. The Commission shall hold regular sessions at least once every two years.</p> <p>2. Extraordinary sessions of the Commission shall be held at such other times as the Commission may decide, or at the request of the Bureau of the Commission, provided that adequate funds are available for such extraordinary sessions in the Programme of Work and Budget of the Organization, or from extra-budgetary funds.</p> <p>3. The sessions of the Commission shall be convened by the Director-General, who shall decide on the place where they are to be held, in consultation with the Chairperson and the competent authorities of the host country, taking into account the views expressed by the Commission.</p> <p>4. Notice of the date and place of each session of the</p>	<p>The requirement in paragraph 6 that “meetings of the Commission shall be held in “private” unless the Commission otherwise decides is amended to „public”, consistent with principles of transparency and requirements of other FAO RFBs.</p>

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<p>before the session to all Members of the Commission, to such Member Nations and Associate Members of the Organization that are not Members of the Commission and to such non-Member Nations of the Organization and international organizations as may have been invited to attend the session.</p> <p>5. Each Member of the Commission shall have one representative who may be accompanied by alternates and advisers. An alternate or adviser shall not have the right to vote except when substituting for a representative.</p> <p>6. Meetings of the Commission shall be held in public unless the Commission decides otherwise.</p> <p>7. A majority of the Members of the Commission shall constitute a quorum.</p>	<p>Commission shall be communicated at least two months before the session to all Members of the Commission, to such Member Nations and Associate Members of the Organization that are not Members of the Commission and to such non-Member Nations of the Organization and international organizations as may have been invited to attend the session.</p> <p>5. Each Member of the Commission shall have one representative who may be accompanied by alternates and advisers. An alternate or adviser shall not have the right to vote except when substituting for a representative.</p> <p>6. Meetings of the Commission shall be held in private unless the Commission decides otherwise.</p> <p>7. A majority of the Members of the Commission shall constitute a quorum.</p>	
<p>RULE VIII</p> <p>Agenda</p> <p>1. The agenda of each regular session shall include at least:</p>	<p>RULE V</p> <p>Agenda</p> <p>1. The Director-General, in consultation with the Chairperson, shall prepare a provisional agenda for each session of the Commission.</p>	<ul style="list-style-type: none"> • Paragraph 2 of the 2008 Rules would be expanded to include additional required items. • The provisional agenda would also include, upon approval by the Commission: <ul style="list-style-type: none"> ○ items that were not fully discussed at the previous session; and

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<p>a) as the first item, the adoption of the agenda, and no matter referred to the Commission by the Conference or Council of the Organization may be omitted;</p> <p>b) a review of the status of fisheries in the WECAFC region;</p> <p>c) recommendations on fisheries management;</p> <p>d) a report by the Secretary on the financial and administrative affairs of the Commission;</p> <p>e) consideration of extra-budgetary funding;</p> <p>f) a report of the Executive Committee;</p> <p>g) a report of the Technical Advisory Committee and any other subsidiary body or working group established by the Commission;</p> <p>h) the programme of work;</p> <p>i) consideration of the time and place for the next session;</p> <p>2. The agenda may also include, upon approval by the Commission:</p> <p>a) items that were not fully discussed at the previous session;</p> <p>b) items proposed by a Member, the Chairperson or the Secretary.</p>	<p>2. The first item on the provisional agenda shall be the adoption of the agenda. No matter referred to the Commission by the Conference or Council of the Organization may be omitted from the agenda.</p> <p>3. Any Member of the Commission may request the Director-General to include specific items in the provisional agenda.</p> <p>4. The provisional agenda shall be circulated by the Director-General at least two months before the date on which the opening of the session is scheduled to take place, to all Members of the Commission, to such Member Nations and Associate Members of the Organization that are not Members of the Commission and to such non-member Nations of the Organization and international organizations as may have been invited to attend the session.</p> <p>5. Any Member of the Commission and the Director-General may, after the dispatch of the provisional agenda, but not later than one month before the date on which the opening of the session is scheduled to take place, propose the inclusion of specific items in the agenda. Such proposals shall be accompanied by a written explanation of the reasons why the inclusion of the items in the agenda is considered desirable. These items shall be placed on a supplementary list, which shall be dispatched by the Director-General to all Members of the Commission, other Member Nations</p>	<ul style="list-style-type: none"> ○ items proposed by a Member, the Chairperson or the Secretary. ● New requirements would include that the agenda for a special session should consist only of items relating to the purpose for which the special session was called, consistent with best practices of other FAO RFBs.

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<p>3. An agenda for a special session shall consist only of items relating to the purpose for which the special session was called.</p> <p>4. The Director-General, in agreement with the Chairperson of the Commission, after having examined the proposals of the Executive Committee shall prepare a provisional agenda for each session of the Commission.</p> <p>5. Any Member of the Commission may request the Director-General to include specific items in the provisional agenda at any time before the circulation of the agenda.</p> <p>6. The provisional agenda, together with reports and documents available in connection therewith, shall be circulated by the Director-General at least two months before the date on which the opening of the session is scheduled to take place, to all Members of the Commission.</p>	<p>and Associate Members of the Organization attending the session and to such non-Member Nations and international organizations invited to the session, failing which the items shall be communicated to the Chairperson for submission to the Commission.</p> <p>6. Documents to be submitted to the Commission at any session shall be furnished by the Director-General to the Members of the Commission, the other Members of the Organization attending the session and to the non-member Nations and international organizations invited to the session, at the time the agenda is dispatched, or as soon as possible thereafter.</p> <p>7. Subject to paragraph 2 of this Rule, the Commission may, at any session, decide by a two-thirds majority to amend the agenda by the deletion, addition or modification of any item.</p>	
<p>RULE IX</p> <p>Voting procedures</p> <p>1. Subject to paragraph 2 of this Rule, each Member of the Commission shall have one vote.</p>	<p>RULE VI</p> <p>Voting procedures</p> <p>1. Subject to paragraph 2 of this Rule, each Member of the Commission shall have one vote.</p>	<ul style="list-style-type: none"> • Consensus decision-making would be encouraged. • Intersessional decision-making by any rapid means of communication would be permitted in certain circumstances.

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<p>2. Voting by Member Organizations of the Organization that are Members of the Commission shall be governed by the provisions of Article II.10 of the Constitution of the Organization.</p> <p>3. Decisions of the Commission shall be taken by a majority of the votes cast, unless otherwise provided in these Rules.</p> <p>4. The Commission shall endeavour to reach its decisions by consensus without having to resort to formal voting.</p> <p>5. Upon the request of any Member of the Commission, voting shall be by roll-call, in which case the vote of each Member shall be recorded.</p> <p>6. When the Commission so decides, voting shall be by secret ballot.</p> <p>7. In exceptional circumstances, as determined by the Secretary in consultation with the Chairperson, when urgent matters require Members to take decisions interessionally, any rapid means of communication may be used for decision-making with respect to procedural and administrative matters of the Commission, including any of its subsidiary bodies or working groups, other than matters relating to the</p>	<p>2. Voting by Member Organizations of the Organization that are Members of the Commission shall be governed by the provisions of Article II.10 of the Constitution of the Organization.</p> <p>3. Decisions of the Commission shall be taken by a majority of the votes cast, unless otherwise provided in these Rules.</p> <p>4. Upon the request of any Member of the Commission, voting shall be by roll-call, in which case the vote of each Member shall be recorded.</p> <p>5. When the Commission so decides, voting shall be by secret ballot.</p> <p>6. Voting in the Commission shall be carried out mutatis mutandis in accordance with the pertinent provisions of Rule XII of the General Rules of the Organization.</p>	

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<p>interpretation of and the adoption of amendments to the Statute of the Commission or its Rules of Procedure.</p> <p>8. Voting in the Commission shall be carried out <i>mutatis mutandis</i> in accordance with the relevant provisions of Rule XII of the General Rules of the Organization.</p>		
<p>RULE X</p> <p>Observers and broader cooperation</p> <p>1. Any Member or Associate Member of the Organization that is not a Member of the Commission may, upon request communicated to the Director-General, attend sessions of the Commission, its subsidiary bodies or <i>ad hoc</i> meetings, in an observer capacity. Such Members of the Organization or Associate Members may submit memoranda and participate without vote in the discussions.</p> <p>2. 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 may, upon their request and with the approval of the Commission, attend sessions of the Commission, its subsidiary bodies, and <i>ad hoc</i> meetings in an observer capacity. The status of States invited to such sessions or meetings shall be governed by the relevant provisions adopted by the Conference of the Organization.</p>	<p>RULE VII</p> <p>Observers</p> <p>1. Any Member or Associate Member of the Organization that is not a Member of the Commission may, upon request communicated to the Director-General, attend sessions of the Commission, its subsidiary bodies or <i>ad hoc</i> meetings, in an observer capacity. Such Members of the Organization or Associate Members may submit memoranda and participate without vote in the discussions.</p> <p>2. 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 may, upon their request and with the approval of the Commission, attend sessions of the Commission, its subsidiary bodies, and <i>ad hoc</i> meetings in an observer capacity. The status of States invited to such sessions or meetings shall be governed by the relevant provisions adopted by the Conference of the Organization.</p>	<ul style="list-style-type: none"> • Provisions on observers are elaborated to promote consistency and transparency and effectively include stakeholders in the governance process.

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<p>3. Where the Commission has entered into formal arrangements with any government which is not a member of the Commission in accordance with the FAO Principles and Procedures which should Govern Article VI Commissions, such government shall be invited to attend sessions of the Commission, its subsidiary bodies and meetings in an observer capacity, unless otherwise provided in such arrangement.</p> <p>4. Where cooperation between the Commission and other international organizations on matters of mutual interest is established in accordance with Article 11 of the WECAFC Statutes, including by formal arrangements such as memoranda of understanding in accordance with FAO Procedures and Rules, such international organization shall be invited to attend sessions of the Commission, its subsidiary bodies and meetings in an observer capacity, unless otherwise provided in such arrangement.</p> <p>5. Intergovernmental organizations having an interest in the work of the Commission shall, upon request communicated to the Director-General by the relevant organization, the Commission or the Secretary, be invited to attend sessions of the Commission, its subsidiary bodies and <i>ad hoc</i> meetings, in an observer capacity.</p> <p>6. International non-governmental organizations having special competence in the field of activity of the</p>	<p>3. Intergovernmental organizations having an interest in the work of the Commission shall be invited to attend sessions of the Commission, its subsidiary bodies and ad hoc meetings, in an observer capacity.</p> <p>4. International non-governmental organizations having special competence in the field of activity of the Commission shall, upon request communicated to the Director-General, be invited to attend sessions of the Commission, its subsidiary bodies or ad hoc meetings, in an observer capacity.</p> <p>5. 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 Constitution and the General Rules of the Organization as well as by the rules on relations with international organizations adopted by the Conference and Council of the Organization. All such relations shall be dealt with by the Director-General.</p>	

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<p>Commission shall, upon request communicated to the Director-General be invited to attend sessions of the Commission, its subsidiary bodies and <i>ad hoc</i> meetings, in an observer capacity.</p> <p>7. Observer members of the Organization may submit memoranda and participate in the discussions. Observer Non-Members of the Organization as well as Observer intergovernmental and non-governmental organizations may be invited by the Commission to submit memoranda and deliver oral statements.</p> <p>8. The Commission may invite consultants or experts, in their individual capacity, to attend the meetings or participate in the work of the Commission, its Executive Committee, the Technical Advisory Committee and the other subsidiary bodies of the Commission in accordance with the Basic Texts of the Organization.</p> <p>9. In no case will observers or persons invited pursuant to paragraph 6 attend the meetings or participate in the discussions at meetings of the Commission or its subsidiary bodies or <i>ad hoc</i> meetings be entitled to vote.</p> <p>10. 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 Constitution and the General Rules of the Organization as well as by the rules on relations with international organizations</p>		

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<p>adopted by the Conference and Council of the Organization. All such relations shall be dealt with by the Director-General.</p>		
<p>RULE XI Records, reports, recommendations and information</p> <p>1. At each session, the Commission shall approve a written report embodying its views, recommendations and decisions including, when requested, a statement of minority views. Such other records for its own use as the Commission may on occasion decide shall also be maintained.</p> <p>2. The conclusions and recommendations of the Commission shall be transmitted to the Director-General at the close of each session, and he shall circulate them to Members of the Commission and to Member Nations and international organizations that were represented at the session and those that have cooperative arrangements with the Commission and, upon request, to other Members and Associate Members of the Organization for their information.</p> <p>3. The conclusions and recommendations of the Commission shall also be forwarded by the Secretariat to the FAO Regional Conference for Latin America and the Caribbean and the FAO Committee on Fisheries (COFI) for information, discussion and comments.</p>	<p>RULE VIII Records and reports</p> <p>1. At each session, the Commission shall approve a report embodying its views, recommendations and decisions including, when requested, a statement of minority views. Such other records for its own use as the Commission may on occasion decide shall also be maintained.</p> <p>2. The conclusions and recommendations of the Commission shall be transmitted to the Director-General at the close of each session, and he shall circulate them to Members of the Commission and to nations and international organizations that were represented at the session and, upon request, to other Members and Associate Members of the Organization for their information.</p> <p>3. 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.</p> <p>4. The Director-General may request Members of the Commission to supply information to him in order to</p>	<ul style="list-style-type: none"> • Recommendations are referenced in paragraphs 2 and 3 of the 2008 Rules, and should also be referenced in the title; this also applies to information, referenced in paragraph 4. • The requirement in paragraph 2 relating to circulation of the reports is expanded to include international organizations that have cooperative arrangements with the Commission. • The requirement in paragraph 3 of the 2008 Rules is updated in accordance with FAO Basic Texts so that recommendations are reported to Council with the comments of the appropriate subsidiary committees, without going first through Conference. • The conclusions and recommendations of the Commission would also be forwarded by the Secretariat to the FAO Regional Conference for Latin America and the Caribbean and the FAO Committee on Fisheries (COFI) for information, discussion and comments under paragraph 3 of the proposed revisions. • The requirements in paragraph 4 of the 2008 Rules empowering the Director-General to request Members to supply information on their action taken on the basis of Commission Recommendations is expanded to permit the Chair to request such information, and to include action taken on the basis of Commission decisions. This

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<p>4. The Director-General or the Chairperson may request any Member of the Commission to provide information to the Commission or the Director-General on actions it has taken where such actions are based on or related to the recommendations of the Commission.</p>	<p>keep the Commission informed on action taken by its Members on the basis of its recommendations.</p>	<p>will permit improved assessments of the impacts of the Commission and contribute to its strengthening.</p>
<p>RULE XII</p> <p>Technical Advisory Committee</p> <p>1. The Technical Advisory Committee (TAC) of the Western Central Atlantic Fishery Commission shall act as an advisory body to the Commission.</p> <p>2. The Technical Advisory Committee will be constituted of no more than seven experts with suitable qualifications and experience in subject matters related to fisheries, including fisheries management, development and scientific research, which may be from an appropriate government agency or from a University or a research institute.</p> <p>3. Members of the Technical Advisory Committee will be appointed by the Director-General for a term of two years, which may be extended, and the Commission shall finance their participation. The members will serve in their personal capacity.</p> <p>4. The Technical Advisory Committee may invite experts from any WECAFC Member to attend its</p>	<p>RULE IX</p> <p>Scientific Advisory Group (SAG)</p> <p>1. The Scientific Advisory Group (SAG) of the Western Central Atlantic Fishery Commission will act as an advisory body to the Commission.</p> <p>2. The SAG will be constituted of no more than five scientists with suitable scientific qualifications and experience in specific subject matters related to fisheries.</p> <p>3. Members of the SAG will be appointed by the Director-General of FAO. The members will serve in their personal capacity.</p> <p>4. The Commission will finance the participation of members of the SAG.</p> <p>5. With the exception of the Chairperson whose term of office will be for two years, with possibility of extension, other members of the group will be</p>	<ul style="list-style-type: none"> • The SAG advisory functions are maintained and expanded in a Technical Advisory Committee, and a core membership of five expert members is increased to a maximum of seven (depending on approval by the Director-General that funds are available). Participation, including decisionmaking functions, is open to all Members not represented among the experts who may participate at their own expense. • The functions are expanded to include all technical aspects of fisheries management, development and scientific research and permit a strengthened role within the Commission. • The name of the SAG is amended to Technical Advisory Committee to reflect the expanded mandate.

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<p>meetings.</p> <p>5. The Members of the Commission shall finance the participation of their representatives, alternates, experts and advisers at Technical Advisory Committee meetings, as well as at any working parties and any out of session work carried out within the framework of the Technical Advisory Committee.</p> <p>6. The Technical Advisory Committee shall elect, preferably by consensus, a Chairperson and a Vice-Chairperson from among its members for a term of two years. The Chairperson and the Vice-Chairperson shall be eligible for re-election.</p> <p>7. The Chairperson of the Technical Advisory Committee shall have, during the meetings of the Committee, the same powers and duties as the Chairperson of the Commission has in relation to the meetings of the Commission itself.</p> <p>8. Meetings of the Technical Advisory Committee shall be convened by the Chairperson of the Committee after consultation with the Chairperson, the Secretary of the Commission and the Director-General.</p> <p>9. The Secretary of the Commission or any other FAO staff appointed by the Assistant Director-General of the Fisheries and Aquaculture Department shall act as Secretary of the Technical Advisory Committee.</p>	<p>appointed based on the specific matters to be addressed.</p> <p>6. The Secretary of the Commission or any other FAO staff appointed by the Assistant Director-General of the Fisheries Department shall act as Secretary of the SAG.</p> <p>7. The SAG shall:</p> <p>(a) Provide scientific advice to WECAFC ad hoc working groups and the Commission;</p> <p>(b) Review and contribute to the report to the Commission on the status of stocks in the area covered by the Commission;</p> <p>(c) Review and contribute to the report on the situation, trends and prospects of fisheries in the WECAFC Region; and</p> <p>(d) Consider any other matters referred to it by the Commission and the WECAFC ad hoc working groups.</p> <p>8. The SAG shall conduct its work on a regular basis particularly in the year when the Commission meets.</p> <p>9. The Chairpersons or their representatives of the Commission's ad hoc working groups and any other experts may be invited to participate in the work of the SAG.</p>	

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<p>10. The Technical Advisory Committee shall:</p> <ul style="list-style-type: none">i) formulate and provide technical and scientific advice and oversight to assist the Commission in implementing its work programme and projects and in monitoring and evaluating such implementation;j) advise on elements of the work programme of the Commission with the assistance of the Secretariat;k) provide advice on the technical and scientific bases concerning the general conservation and management of fisheries resources, including the biological, social and economic aspects of fisheries management;l) review and contribute to the report of the Commission on the status of stocks and fisheries in the WECAFC region;m) as appropriate, propose the establishment of subsidiary bodies of the Commission, working groups or cooperation with specified organizations or institutions to work on specific technical issues, cooperative research programmes or to provide a specified output;n) formulate and report to the Commission or to individual Members of the Commission, as appropriate, on advice concerning fisheries conservation, management and research;o) report annually to the Members through the Secretariat; andp) carry out other technical activities and consider any other matter referred to it by the Commission.		

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<p>11. The Technical Advisory Committee shall conduct its work on a regular basis.</p> <p>12. The Chairpersons or their representatives of the Commission's working groups and any other experts may be invited to participate in the work of the Technical Advisory Committee.</p> <p>13. The procedures of the Technical Advisory Committee shall be governed <i>mutatis mutandis</i> by the Rules of Procedure of the Commission.</p>		
<p>RULE XIII</p> <p>Other subsidiary bodies</p> <p>1. The Commission may establish, on an <i>ad hoc</i> basis, such other subsidiary bodies at it deems necessary for the accomplishment of its general objective, functions and responsibilities.</p> <p>2. Membership in such other subsidiary bodies may be made up of all or selected Members of the Commission or of individuals appointed in their personal capacity.</p> <p>3. The Commission may recommend to the Director-General the convening of <i>ad hoc</i> meetings, either of representatives of members of the Commission or of</p>	<p>RULE X</p> <p>Other subsidiary bodies</p> <p>1. The Commission may establish, on an ad hoc basis, such other subsidiary bodies at it deems necessary for the accomplishment of its task.</p> <p>2. Membership in such other subsidiary bodies may be made up of all or selected Members of the Commission or of individuals appointed in their personal capacity.</p> <p>3. The Commission may recommend to the Director-General the convening of ad hoc meetings, either of</p>	<p>No changes except that the requirement in paragraph 4 of the 2008 Rules for experts who serve in their personal capacity in subsidiary bodies or <i>ad hoc</i> meetings to be appointed by the Director-General has been addressed though Rules XII.3, XIII.3 and</p>

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<p>experts serving in an individual capacity, in order to study problems that because of their specialized nature could not fruitfully be discussed during the normal sessions of the Commission.</p> <p>4. The terms of reference of the subsidiary bodies and the questions to be discussed by <i>ad hoc</i> meetings shall be determined by the Commission.</p> <p>5. The establishment of subsidiary bodies and the convening of <i>ad hoc</i> meetings shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Organization, or to the availability of extra-budgetary funds. The determination of such availability shall be made by the Director-General.</p> <p>6. Before taking any decision involving expenditures in connection with the establishment of subsidiary bodies or the convening of <i>ad hoc</i> meetings, the Commission shall have before it a report from the Director-General on the administrative and financial implications thereof.</p> <p>7. Each subsidiary body and <i>ad hoc</i> meeting shall elect its own officers.</p> <p>8. The Rules of Procedure of the Commission shall apply <i>mutatis mutandis</i> to its subsidiary bodies and <i>ad hoc</i> meetings.</p>	<p>representatives of members of the Commission or of experts serving in an individual capacity, in order to study problems that because of their specialized nature could not fruitfully be discussed during the normal sessions of the Commission.</p> <p>4. Experts who are to serve in their personal capacity as members of any subsidiary body or who are to be invited to attend <i>ad hoc</i> meetings shall be chosen by the Commission unless the Commission decides otherwise, and shall be appointed by the Director-General in accordance with established procedures.</p> <p>5. The terms of reference of the subsidiary bodies and the questions to be discussed by <i>ad hoc</i> meetings shall be determined by the Commission.</p> <p>6. The establishment of subsidiary bodies and the convening of <i>ad hoc</i> meetings shall be subject to the availability of the necessary funds in the relevant chapter of the approved budget of the Organization, or to the availability of extra-budgetary funds. The determination of such availability shall be made by the Director-General.</p> <p>7. Before taking any decision involving expenditures in connection with the establishment of subsidiary bodies or the convening of an <i>ad hoc</i> meeting, the Commission shall have before it a report from the Director General on the administrative and financial implications thereof.</p>	

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	<p>8. Each subsidiary body and ad hoc meeting shall elect its own officers.</p> <p>9. The Rules of Procedure of the Commission shall apply mutatis mutandis to its subsidiary bodies and ad hoc meetings.</p>	
<p>RULE XIV</p> <p>Trust fund</p> <p>1. All voluntary contributions, donations and other forms of assistance to the Commission and any of its programmes and activities, including funds provided to ensure the long-term operations of the Commission pursuant to Article 6 (q) of the Statute, shall be placed in a Trust Fund administered by the Director-General in conformity with the Financial Regulations of FAO.</p>	<p>RULE XI</p> <p>Trust fund</p> <p>1. All voluntary contributions, donations and other forms of assistance, in particular those referred to in Article 6 (q) of the Statutes, shall be placed in a Trust Fund administered by the Director-General in conformity with the Financial Regulations of FAO.</p>	<p>Amendment proposed to ensure consistency with the Statute and flexibility in accepting funds for a wide range of purposes linked to the work of the Commission.</p>
<p>RULE XV</p> <p>Expenses</p> <p>1. Expenses incurred by representatives of Members of the Commission, their alternates or advisers, when attending sessions of the Commission, committees, subsidiary bodies or <i>ad hoc</i> meetings, as well as the expenses incurred by observers at sessions, shall be borne by the respective governments or organizations.</p>	<p>RULE XII</p> <p>Expenses</p> <p>1. Expenses incurred by representatives of Members of the Commission, their alternates or advisers, when attending sessions of the Commission, committees, subsidiary bodies or ad hoc meetings, as well as the expenses incurred by observers at sessions, shall be borne by the respective governments or organizations.</p>	<p>No change.</p>

Rules of Procedure proposed at WECAFC XV	Rules of Procedure, 2008	Explanatory notes
<p>2. Expenses of experts invited by the Director-General to attend sessions or meetings in their individual capacity shall be borne by the Organization.</p> <p>3. Any financial operations relating to the Commission and its subsidiary bodies shall be governed by the appropriate provisions of the Financial Regulations of the Organization.</p>	<p>2. Expenses of experts invited by the Director-General to attend sessions or meetings in their individual capacity shall be borne by the Organization.</p> <p>3. Any financial operations relating to the Commission and its subsidiary bodies shall be governed by the appropriate provisions of the Financial Regulations of the Organization.</p>	
<p>RULE XVI</p> <p>Languages</p> <p>1. English, French and Spanish shall be working languages of the Commission for its sessions.</p> <p>2. During the meetings, interpretation services shall be provided, as appropriate, by the host country. A delegation using a language other than English, French or Spanish shall provide, at its own expense, for interpretation, translation and publication, as appropriate, into the official languages.</p> <p>3. The reports of the Commission will be made available in English, French and Spanish by the Secretariat. Reports of subsidiary bodies will be made available in English only, unless extra-budgetary resources are provided by the members for translation into the other working languages.</p>	<p>RULE XIII</p> <p>Languages</p> <p>1. English, French and Spanish shall be working languages of the Commission.</p>	<p>Expanded to address limited resources of WECAFC for interpretation.</p>

Rules of Procedure proposed at WECAFC XV	Rules of Procedure, 2008	Explanatory notes
<p>RULE XVII Amendment and Suspension of Rules of Procedure</p> <p>1. Amendment of, or addition to, these Rules may be adopted by a two-thirds majority of the membership of the Commission provided that 24 hours' notice of the proposal for the amendment or addition has been given. Amendments or additions to these Rules shall come into force upon approval by the Director-General.</p> <p>2. Any of the above Rules of the Commission, other than Rules I - 1; II - 5; VII - 1, 2, 3, 5 and 7; VIII - 2; IX - 1, 2 and 3; X; XI - 3, 4 and 5; XIV - 1, may be suspended by the Commission by a two-thirds majority of the votes cast, provided that 24 hours' notice of the proposal for the suspension has been given. Such notice may be waived if no Member of the Commission objects.</p>	<p>RULE XIV Amendment and Suspension of Rules of Procedure</p> <p>1. Amendment of, or addition to, these Rules may be adopted by a two-thirds majority of the membership of the Commission provided that 24 hours' notice of the proposal for the amendment or addition has been given. Amendments or additions to these rules shall come into force upon approval by the Director-General.</p> <p>2. Any of the above Rules of the Commission, other than Rules I - 1; II - 4; IV - 1, 2, 3, 5 and 7; V - 2; VI - 1, 2 and 3; VII; VIII - 3 and 4; XI - 1; may be suspended by the Commission by a two-thirds majority of the votes cast, provided that 24 hours' notice of the proposal for the suspension has been given. Such notice may be waived if no Member of the Commission objects.</p>	<p>Amended to address the same items <i>mutatis mutandis</i>.</p>