

## **RULES OF PROCEDURE OF THE COMMISSION**

### **RULE I**

#### **Definitions**

For the purpose of these Rules, the following definitions apply:

Agreement:	The Agreement for the Establishment of the Regional Commission for Fisheries adopted by the Council of FAO on 11 November 1999, at its Hundred and Seventeenth Session.
Commission:	The Regional Commission for Fisheries.
Chairperson:	The Chairperson of the Commission.
Vice-Chairperson:	The Vice-Chairpersons of the Commission.
Delegate:	The representative of a Member as specified in Article II, paragraph 1 of the Agreement.
Delegation:	The delegate and his alternate, experts, and advisers.
Member:	Members of the Commission.
Secretary:	The Secretary of the Commission.
Organization:	The Food and Agriculture Organization of the United Nations.
Conference:	The Conference of the Organization.
Council:	The Council of the Organization.
Director-General:	The Director-General of the Organization.
Observer Nation, Associate Member, or Organization:	A nation that is not a Member of the Commission or of the Organization, or an international organization invited to a session of the Commission, or a Member or Associate Member of the Organization attending a session of the Commission while not a Member of the Commission.
Observer:	The representative of an observer nation or organization.

### **RULE II**

#### **Sessions of the Commission**

1. In pursuance of, and in accordance with Article II, paragraph 4 of the Agreement, the Commission, in consultation with the Director-General, shall at each session consider the time and place for the next session in accordance with the requirements of the Commission's programmes and the terms of the invitation of the country in which the session is to be held. The Chairperson, accordingly, shall issue the announcement of the session, provided that, if the Commission at a regular session is unable to fix a time and place for the next session, it shall, in consultation with the Director-General, take a decision as to the calendar year in which the next session is to be held, and the Chairperson, in consultation with the Director-General, is then authorized to fix the time and place of the session provided that the approval of a majority of the Members of the Commission has been secured.

2. The Chairperson, in consultation with the Director-General, may call a special session of the Commission at the request of, or with the approval of the majority of the Members, and decide the time and place of such a session.

3. Invitations to a regular session of the Commission shall be issued by the Secretary, on behalf of the Chairperson, not less than sixty days in advance of the date fixed for the opening of the session. Invitations to special sessions shall be issued not less than forty days in advance of the date fixed for the opening of the session.

### **RULE III Credentials**

At each session of the Commission, the Secretary shall receive the credentials of delegations and observers. Such credentials shall conform to the standard form set by the Secretariat. Upon examination thereof the Secretariat shall report to the Commission for the necessary action.

### **RULE IV Agenda**

1. The agenda of each regular session shall include:
  - a. election of the Chairperson and two Vice-Chairpersons as provided under Article II, paragraph 3 of the Agreement;
  - b. adoption of the agenda;
  - c. a report by the Secretary on the financial affairs of the Commission;
  - d. consideration of the proposed budget;
  - e. reports of subsidiary committees and working parties (taking decisions and making recommendations as appropriate);
  - f. consideration of management measures and decisions as appropriate;
  - g. programme of work for the intersessional period;
  - h. consideration of the time and place of the next session;
  - i. proposals for amendments to the Agreement and the present Rules of Procedure;
  - j. items referred to the Regional Commission for Fisheries by the Conference, the Council or the Director-General of the Organization.
2. The agenda shall also include, upon approval by the Commission:
  - a. items that were not fully discussed at the previous session;
  - b. items proposed by a Member.
3. The provisional agenda shall be sent by the Secretary to Members and observer nations and organizations not less than sixty days before the date of the session, together with reports and documents available in connection therewith.
4. The agenda of a special session shall consist only of items relating to the purpose for which the session was called.

### **RULE V The Secretariat**

1. The Secretariat shall consist of the Secretary and such staff responsible to him as may be determined by the Director-General.
2. The duties of Secretary shall include the receipt, collation, and circulation of documents, reports, and resolutions of the sessions of the Commission and its committees, the report of their proceedings, the certification of expenditures and financial commitments, and the performance of such other duties as the Commission may direct.

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

## **RULE VI**

### **Plenary Meetings of the Commission**

Plenary meetings of the Commission shall be held in public unless otherwise decided by the Commission. When the Commission decides to hold a private meeting, it shall at the same time determine the scope of such a decision with respect to observers.

## **RULE VII**

### **Election of Chairperson and Vice-Chairpersons**

1. The Commission shall, during each regular session, elect the Chairperson and two Vice-Chairpersons of the Commission who shall assume office immediately following the regular session at which they were elected.

2. Nominees must be delegates or alternates. They shall be eligible for re-election.

## **RULE VIII**

### **Functions of the Chairperson and Vice-Chairpersons**

1. The Chairperson shall exercise the functions conferred on him elsewhere in the Rules and, in particular, shall:

- a. declare the opening and closing of each plenary meeting of the Commission;
- b. direct the discussions at such meetings and ensure observance of these Rules, accord the right to speak, put questions and announce decisions;
- c. rule on points of order;
- d. subject to these Rules, have complete control over the proceedings of the session;
- e. appoint such ad hoc committees of the session as the Commission may direct.

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 delegations shall represent their governments.

4. The Secretary shall temporarily exercise the functions of the Chairperson in the event the Chairperson and Vice-Chairpersons are unable to serve.

## **RULE IX**

### **Voting Arrangements and Procedures**

1. Except as provided in paragraph 4 of this Rule, voting in plenary meetings shall be oral or by show of hands, except that a vote by roll call shall be taken if a special majority is required by the Agreement or these Rules, or if a request for a vote by roll call is made by any delegation.

2. A vote by roll call shall be conducted by calling upon delegations in English alphabetical order.

3. The record of any roll call vote shall show the votes cast by each delegate and any abstention.

4. Voting on matters relating to individuals, including the election of officers of the Commission and its Committees and Working Groups, shall be by secret ballot, unless the Commission or the concerned committee or working group decides otherwise.
5. When no nominee for an office obtains on the first ballot a majority of the votes cast, there shall be taken a second ballot confined to the two candidates obtaining the largest number of votes. If, on the second ballot, the votes are equally divided, the Chairman shall decide between the candidates by drawing lots.
6. If the Commission is equally divided when a vote is taken on a question other than an election, a second vote shall be taken at the next meeting of the current session. If the Commission is then again equally divided, the proposal shall be regarded as rejected.
7. Voting arrangements and other related matters not specifically provided for by the Agreement, or by these Rules, shall be governed mutatis mutandis by the provisions of the General Rules of the Organization.

#### **RULE X**

##### **Subsidiary Committees and Working Groups**

1. The establishment of Committees and Working Parties shall be subject to the provisions of Article VII, 7 paragraph 3 of the Agreement.
2. The procedures of such Committees and Working Groups shall be governed mutatis mutandis by the Rules of Procedure of the Commission.

#### **RULE XI**

##### **Budget and Finance**

1. Subject to paragraph 5 of this Rule, the Financial Regulations of the Organization, as implemented by the Administrative Manual and memoranda and the procedures based thereon, shall apply to the Commission.
2. A proposed budget of the Commission for the next succeeding financial period consisting of proposed expenses the secretariat, including publications and communications, the proposed travelling expenses of the Chairperson and Vice-Chairpersons, when engaged in the work of the Commission between its sessions, and expense, if any, of the Committees and Working Groups, shall after approval by the Commission be submitted to the Director-General for consideration in the preparation of general budget estimates of the Organization.
3. When adopted by the Conference, as part of general budget of the Organization, the budget of the Commission shall constitute the limits within which funds may be committed for purposes approved by the Conference.
4. All cooperative projects shall be submitted to the Council or the Conference of the Organization prior to implementation.
5. The Commission shall adopt Financial Regulations for the administration of the budget for cooperative activities referred to in Article IX, paragraph 1 of the Agreement.

#### **RULE XII**

##### **Participation by Observers**

1. Participation of international organizations in the work of the Commission and the relations between the Commission and such organizations shall be governed by the relevant provisions of the Organization, as well as by the rules on relations with international organizations adopted by the Conference or Council of the Organization.

2. Members and Associate Members of the Organization that are not members of the Commission may, upon their request, be represented by an observer at sessions of the Commission and its subsidiary bodies.

3. States that are not Members of the Commission, nor Members or Associate Members of the Organization, but are Members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency may, upon request, and with the approval of the Council of the Organization and of the Regional Commission for Fisheries, attend sessions of the Commission and its subsidiary bodies in an observer capacity, in accordance with the Statement of Principles adopted by the Conference relating to the granting of observer status to nations.

4. Unless the Commission expressly determines otherwise, observers may attend the plenary meetings of the Commission and participate in the discussions at any technical sessions of the Committees or Working Groups which they may be invited to attend. In no case will they be entitled to vote.

### **RULE XIII**

#### **Cooperative Projects**

In the furtherance of cooperative projects provided for in Article III e) of the Agreement arrangements may be made with governments that are not members of the Commission. All such arrangements shall be made by the Director-General of the Organization.

### **RULE XIV**

#### **Records, Reports and Recommendations**

1. Summary records shall be made of each plenary meeting of the Commission and each meeting of the Committees and Working Groups, and shall be distributed as soon as possible to the participants.

2. A summary shall be prepared of the proceedings of each session of the Commission and shall be published together with such reports of the committees or groups, technical papers and other documents as the Commission may consider advisable.

3. At each session, the Commission shall approve a report embodying its views, recommendations, resolutions and decisions, including, when requested a statement of minority views.

4. Subject to the provisions of Article V of the Agreement, the conclusions and recommendations of the Commission shall be transmitted to the Director-General of the Organization at close of each session, who shall circulate them to Members of the Commission, nations and international organizations that were represented at the session and make them available to the other Members and Associate Members of the Organization for their information.

5. Recommendations having policy, programme or financial implications for the Organization shall be brought by the Director-General to the attention of the Conference through the Council of the Organization for action.

6. Subject to the provisions of the preceding paragraph, the Chairperson may request Members of the Commission to supply the Commission or the Director-General with information on action taken on the basis of recommendations made by the Commission.

### **RULE XV**

#### **Recommendations to Members**

1. The Commission may take recommendations for action by Members on any matter pertaining to the functions described in Article III of the Agreement.

2. The Secretary shall receive on behalf of the Commission the replies of the Members in respect of such recommendations and shall prepare a summary and an analysis of such communications for presentation at the next session.

## **RULE XVI**

### **Amendments to the Agreement**

1. Proposals for the amendment of the Agreement, as provided by Article XII of the Agreement, may be made by any Member in a communication addressed to the Secretary. The Secretary shall transmit to all Members and to the Director-General a copy of such proposals for amendment immediately upon their receipt.

2. No action on a proposal for the amendment of the Agreement shall be taken by the Commission at any session, unless it has been included in the provisional agenda of the session.

## **RULE XVII**

### **Suspension and Amendment of Rules**

1. Subject to the provisions of the Agreement any of the foregoing Rules, other than Rules IV, V, X, paragraph 1, XI, XII, XIV, paragraph 4, and XVI, may be suspended on the motion of any delegation by a majority of the votes cast at any plenary meeting of the Commission, provided that announcement is made at a plenary meeting of the Commission and copies of the proposal for suspension have been distributed to the delegations not less than forty-eight hours before the meeting at which action is to be taken.

2. Amendments of, or addition to, these Rules may be adopted on the motion of any delegation by a two-thirds majority of the Members of the Commission, at any plenary meeting of the Commission, provided an announcement is made at a plenary meeting and copies of the proposal for the amendment or addition have been distributed to delegations not less than twenty-four hours before the meeting at which action is to be taken.

3. Any amendment to Rule XVI which may be adopted in accordance with the provisions of paragraph 2 of this Rule, shall not become effective until the next session of the Commission.

## **RULE XVIII**

### **Languages**

1. The official languages of the Commission shall be such languages of the Organization as the Commission may itself decide. The delegations may use any of these languages at sessions and for their reports and communications. A delegation using a non-official language shall provide for interpretation into one of the official languages.

2. During the meetings, interpretation in one or more of the official languages will be provided by the Secretariat, when requested by one of the delegates present.

3. Publications or reports and communications shall be in the language in which they are submitted and, when requested by the Commission, abstracts in translation may be published.

4. Notwithstanding the provisions of this Rule, the Commission may decide on the working language or languages to be used at its meetings or in publications and reports.