

Report of the First Special Session of the

**EUROPEAN INLAND FISHERIES AND AQUACULTURE ADVISORY
COMMISSION**

Rome, 27 October 2011



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PREPARATION OF THIS DOCUMENT

The present text is the final version of the report of the First Special Session of the European Inland Fisheries and Aquaculture Advisory Commission.

FAO.

Report of the First Special Session of the European Inland Fisheries and Aquaculture Advisory Commission. Rome, 27 October 2011.

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ABSTRACT

The First Special Session of the European Inland Fisheries and Aquaculture Advisory Commission (EIFAAC) was held in Rome, Italy, on 27 October 2011. This Session was held with the sole purpose of adopting the new Rules of Procedure of the Commission. The two-thirds quorum, that was needed to adopt the new Rules of Procedure, was reached and the new Rules of Procedure were eventually adopted by voting with 25 affirmative votes, two negative votes and one abstention. The new Rules of Procedure of the Commission will be submitted to the Director-General of FAO for approval.

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I. OPENING OF THE SESSION AND ADOPTION OF THE AGENDA

1. The European Inland Fisheries and Aquaculture Advisory Commission (EIFAAC) held its First Special Session in Rome, Italy, on 27 October 2011.
2. The First Special Session was chaired by Mr Tomás Brenner and attended by delegates from 30 Members of EIFAAC listed in Appendix B to this report. The necessary quorum for the Session to adopt the revised Rules of Procedure was reached as more than two-thirds of the Members of the Commission attended.
3. The First Special Session was opened by Mr Tomás Brenner as Chairperson.
4. The Session was informed that the European Union was participating in accordance with paragraphs 8 and 9 of Article II of the FAO Constitution. The Session subsequently adopted the Agenda which can be found in Appendix A to this report.

II. ADOPTION OF THE NEW RULES OF PROCEDURE

5. The Chairperson, recalling the restructuring process of EIFAAC, noted that the purpose of this Session was to adopt the revised Rules of Procedure which had already been reviewed, largely discussed and agreed upon at the Twenty-sixth Session of the Commission in Zagreb, Croatia, in May 2010 and finalized at the meeting in Rome on 22 November 2010.
6. The Chairperson recalled that it was originally planned to hold the Special Session for the Adoption of the new Rules of Procedure on 29 April 2011, noting with disappointment that it had to be cancelled because only twenty-two Members had confirmed their participation within the required time and hence a two-third quorum would not have been reached at the Session.
7. The Commission then considered the revised Rules of Procedure which were contained in document EIFAAC/SSI/2011/2. The Members welcomed in general the revised Rules of Procedure.
8. The delegate from Greece referred to Rule II.6.a, which required that a function and duty of the EIFAAC Operational Focal Point was to *"ensure that his/her country is represented at each Session by a National Delegation and participate regularly in such Sessions"*, and stated that compliance may be difficult for economic reasons. The Session agreed to amend this subparagraph to read as follows: *"[...] facilitate the representation of his/her country at each Session by a National Delegation and regular participation in such Sessions"*.
9. Rule XIII entitled "Language" which provides that *"English shall be the working language of the Commission"* was subsequently subject to a lengthy discussion. The delegates from France and Spain objected to this provision. The delegate of France observed that EIFAAC, being a regional fishery body under the FAO Constitution, and French, being one of FAO's official languages, France could not agree to the content of Rule XIII. She added that if the current wording was retained, France would not be in a position to vote the adoption of the revised Rules of Procedure and claimed the right for France to have at future EIFAAC Sessions all documents translated into French. The delegate of Spain stated that Spain would also vote against such adoption. Other delegates recalled that the primary objective of the present wording of Rule XIII was to reduce the overall costs of EIFAAC Sessions and noted that the revised Rules of Procedure, as presented to the Commission, were in principle agreed to during Twenty-sixth Session of the Commission in Zagreb in May 2010.
10. However, no compromise could be found on the contents of Rule XIII.
11. The Chairperson then called for a vote of the revised Rules of Procedure. The Commission adopted through nominal vote the Rules of Procedure set out in Appendix C to this Report. The results

were as follows: 25 affirmative votes, two negative votes and one abstention. Therefore, as established in Rule XII of the Rules of Procedure still in force, the new Rules were adopted by more than a two-thirds majority of the membership of the Commission.

III. ANY OTHER MATTERS

12. The delegate from Finland invited the participants to the Twenty-seventh Session of EIFAAC, to be held in Hämeenlinna, Finland, from 13 to 15 June 2012, with a Symposium preceding the Session on 11 and 12 June 2012.

IV. CLOSING OF THE SESSION

13. The Chair thanked the participants, interpreters and the EIFAAC Secretariat, and closed the Special Session at 11.25 hours.

APPENDIX A**Agenda**

- I. Opening of the Session and adoption of the Agenda
- II. Adoption of the new Rules of Procedure
- III. Any other matters
- IV. Closing of the Session

APPENDIX B

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APPENDIX C

Rules of Procedure as adopted by the First Special Session

Rule I **Membership**

1. Membership in the European Inland Fisheries and Aquaculture Advisory Commission is open to European Member Nations of the Food and Agriculture Organization in accordance with the provisions of Article VI, paragraph 1 of the Constitution of the Organization. Membership shall comprise such eligible Nations as have notified in writing the Director-General of their interest in becoming a member of the Commission.
2. Each Member Nation 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 inland fisheries.

Rule II **Officers and Operational Focal Points**

1. The Commission shall elect, at the end of each session, a Chairperson, a first Vice-Chairperson and a second Vice-Chairperson from among the representatives to the Commission who shall remain in office until the election of the new Chairperson and new Vice-Chairpersons at the next session. The Chairperson and Vice-Chairpersons shall be eligible for re-election for a term of two years, but not exceeding a total of four consecutive terms.
2. The Chairperson, or in his/her 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 the Vice-Chairpersons are unable to serve, the Director-General or his or her 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 responsible to him or her.
5. The Commission may appoint one or more rapporteurs.
6. Each Member shall appoint an Operational Focal Point for purposes of communication of relevant matters relating to the Commission, who shall have the following functions and duties:
 - a) facilitate the representation of his/her country at each Session by a National Delegation and regular participation in such Sessions;
 - b) develop and maintain a national network of fisheries and aquaculture institutions, scientists and practitioners to facilitate communication and the flow of information to and from EIFAAC and in this regard make full use of electronic means, including developing a national website as appropriate that provides information links and resources on EIFAAC and on inland fisheries and aquaculture matters of interest to their country and may be used for information exchange;
 - c) promote national and international collaboration among fisheries and aquaculture scientists, managers and administrators by providing the necessary contacts, either directly or with the help of the EIFAAC Secretariat;

- d) make use of the advice and information provided by EIFAAC, including reports and publications and inform national partners regularly of new EIFAAC inland fisheries and aquaculture publications;
- e) periodically brief the relevant government bodies or agencies on the work and achievements of EIFAAC;
- f) notify EIFAAC of existing or emerging problems and issues in inland fisheries and aquaculture and inform EIFAAC of relevant new publications and projects from their country;
- g) encourage participation by experts from Members in EIFAAC projects and activities; and
- h) brief the incoming Operational Focal Point on the ongoing activities of EIFAAC and on the duties of a Operational Focal Point.

Rule III
Management Committee

1. There shall be a Management Committee consisting of the Chairperson, the Vice-Chairpersons, the Chairperson of the Technical and Scientific Committee and three members elected by the Commission for a term of two years. The members shall be eligible for re-election for a term of two years, but not exceeding a total of four terms. The Secretary shall be an ex-officio member without vote. The Chairperson of the Management Committee shall be the Chairperson of the Commission.
2. The functions of the Management 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) review and decide upon recommendations and advice of the Technical and Scientific Committee;
 - c) prepare estimates of expenses for the next succeeding two years for presentation to the Commission for submission to the Organization, in accordance with the Statutes of the Commission;
 - d) ensure that policies and decisions of the Commission are operationalized; and
 - e) coordinate and monitor the work of the Technical and Scientific Committee and other subsidiary bodies of the Commission;
3. The Management Committee shall meet at least once a year, and the quorum for each meeting shall be four persons. In the unavoidable absence of up to four members of the Management Committee from a Committee session, the Chairperson shall have the power to co-opt such alternate as may be proposed by the government or institution of the relevant member or such other person that may be involved in relevant intersessional work, programmes or projects of EIFAAC.
4. When the Management Committee deals with special issues, the Chairperson of the Management Committee may, in consultation with the Vice-Chairpersons, invite not more than two additional members of the Commission to attend in an advisory capacity the meetings of the Management Committee at which such issues are considered.
5. The Management Committee shall periodically inform all Members of the Commission, through the Secretariat, of any action taken.
6. The Management Committee shall report to the Commission on its activities at each session of the Commission.

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 Management 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 the 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 an alternate and advisers. An alternate or adviser shall not have the right to vote except when substituting for the 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.
8. In exceptional circumstances, when unforeseen urgent matters require intersessional action, the Commission may apply an electronic decision-making process with respect to scientific advice and procedural and administrative matters other than matters relating to the interpretation of and the adoption of amendments to the statutes of EIFAAC and its rules and regulations.

Rule V
Agenda

1. The Director-General shall, in consultation with the Chairperson, 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 and 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, who 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 Member Nations 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 in order to keep the Commission informed on action taken on the basis of its recommendations.

Rule IX
Technical and Scientific Committee

1. There shall be a Technical and Scientific Committee consisting of seven experts in European inland fisheries and aquaculture, elected by the Commission for a term of two years, but not exceeding a total of four consecutive terms.

2. Notwithstanding the provisions of paragraph 1, meetings of the Technical and Scientific Committee shall be open to all Members of the Commission, and each Member may designate a representative who has to be expert in European inland fisheries and aquaculture. Decisions at the meetings of the Technical and Scientific Committee shall be taken by all Members present and, as applicable, voting.

3. The Secretary shall be an *ex-officio* member without vote. The Chairperson shall be elected by the Commission from among the seven experts elected pursuant to subregulation (1) for a renewable term of two years, but not exceeding a total of four consecutive terms.

4. The functions of the Technical and Scientific Committee shall be to:

- a) make, review, evaluate and as appropriate recommend to the Management Committee proposals for programmes or projects to be carried out by the Commission in accordance with these Rules;
- b) develop Terms of Reference for programmes/projects and monitor project implementation against the Terms of Reference;
- c) provide technical oversight, monitoring and evaluation of projects and related programme of work activities;

- d) formulate and draft technical and scientific advice for consideration by the Management Committee; and
- e) function as an editorial and publications committee.

5. Proposals for programmes or projects to be implemented wholly or partly by the Commission may be developed by the Technical and Scientific Committee, a Member, a donor, a partner organization or an independent partner institution.

6. Each project proposal shall specify the following:

- a) purpose of the proposal;
- b) expected outcome;
- c) benefits of outcome;
- d) funding source(s) and budget;
- e) Terms of Reference of the proposal;
- f) time frame and benchmarks;
- g) methodology;
- h) project manager and Terms of Reference as appropriate, including authority to select experts and others involved in project implementation;
- i) administrative arrangements;
- j) partners; and
- k) such other requirements that may be recommended by the Technical and Scientific Committee and agreed by the Commission.

7. The Secretariat shall review each proposal to ensure it fulfils the requirements in these Rules or as may be otherwise agreed by the Technical and Scientific Committee in accordance with these Rules, and where such requirements:

- a) are not fulfilled shall return the proposal with an explanation and request the originator to re-submit as appropriate; or
- b) are fulfilled shall forward the proposal for the consideration of the Technical and Scientific Committee.

8. The Technical and Scientific Committee shall review and evaluate each project proposal, taking into account the following criteria:

- a) the project proposal is consistent with the objectives and functions of the Commission and with the terms of its Agreement;
- b) the project outcomes shall have relevance to one or more Members of the Commission;
- c) to the extent possible, the project proposal is forward-looking, proactive and results-oriented; and
- d) the total financial and other support for the project is identified and shall not require any contributions or additional resources from EIFAAC.

9. The Technical and Scientific Committee may recommend a project to the Management Committee or, where a project proposal does not meet the criteria and other requirements of these Rules, reject the project proposal or request further information or modifications.

10. The Technical and Scientific Committee shall review each EIFAAC Working Party in existence at the time these Rules are adopted, and recommend to the Management Committee the continuation as projects under the Agreement of those that are active and meet the requirements of these Rules.

11. Where it has been agreed to recommend a project proposal or continuation of an EIFAAC Working Party as a project under this Agreement pursuant to Rule 8 or 9 above, the Technical and

Scientific Committee shall identify the terms of reference of the project for recommendation to the Management Committee, including the following:

- a) objective and expected outcome;
- b) programme/project management;
- c) budget;
- d) administrative requirements;
- e) reporting to the Committee at regular intervals, including on the implementation of benchmarks and on completion of the programme/project; and
- f) follow-up as appropriate.

12. The Technical and Scientific Committee shall require each project manager to report through the Secretariat on the implementation of the approved Terms of Reference no less than twice a year, and shall monitor the implementation of approved programmes/projects no less frequently based on such reports.

13. The Technical and Scientific Committee may, where it considers that the Terms of Reference and other conditions of the programme/project are not being fulfilled, recommend to the Management Committee the imposition of conditions for reform on the programme/project, or suspension or termination.

14. The Technical and Scientific Committee shall meet at least once each year between regular sessions, but shall hold meetings more frequently where the Chairperson of the Committee in consultation with the Secretary deem it necessary to effectively carry out the mandate and functions of the Committee.

Rule X

Subsidiary bodies

1. The Commission may, on an *ad hoc* basis, establish such other subsidiary bodies as it deems necessary for the accomplishment of its objectives.

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

All voluntary contributions, donations and other forms of assistance, in particular those referred to in Article 6 (i) 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 and advisers, when attending Sessions of the Commission, Management Committee, Technical and Scientific Committee, 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
Language

English shall be the working language of the Commission.

Rule XIV
Amendment and suspension of Rules

1. Amendment of, or additions 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, subject to confirmation by the Council of the Organization, as appropriate.

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; IX-5 and 6; X; and XII-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.

The First Special Session of the European Inland Fisheries and Aquaculture Advisory Commission (EIFAAC) was held in Rome, Italy, on 27 October 2011. This Session was held with the sole purpose of adopting the new Rules of Procedure of the Commission. The two-thirds quorum, that was needed to adopt the new Rules of Procedure, was reached and the new Rules of Procedure were eventually adopted by voting with 25 affirmative votes, two negative votes and one abstention. The new Rules of Procedure of the Commission will be submitted to the Director-General of FAO for approval

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