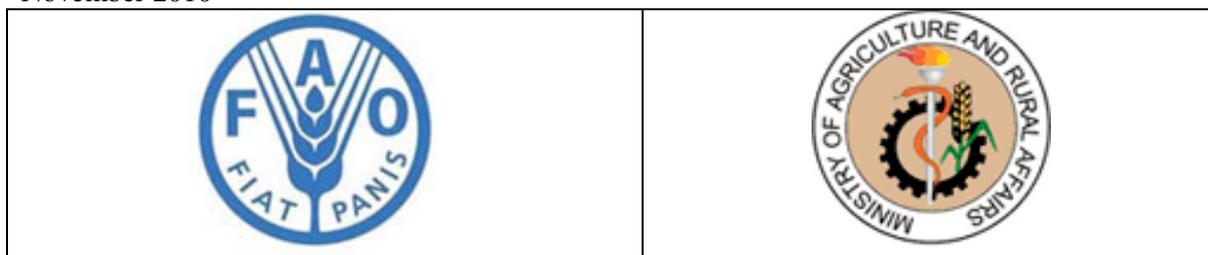


November 2010



**THIRD INTER-GOVERNMENTAL AND PREPARATORY MEETING FOR THE
CENTRAL ASIAN AND CAUCASUS FISHERIES AND AQUACULTURE COMMISSION**

Trabzon, Turkey, 30 November – 1 December 2010

**DRAFT RULES OF PROCEDURE OF THE CENTRAL ASIAN AND CAUCASUS
FISHERIES AND AQUACULTURE COMMISSION**

RULE I

Definitions and application

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

Agreement:	The Agreement for the Establishment of the Central Asian and Caucasus Fisheries and Aquaculture Commission adopted by the Council of FAO on 1 October 2009 , at its Hundred and Thirty Seventh Session.
Commission:	The Central Asian and the Caucasus Fisheries and Aquaculture Commission.
Chairperson:	The Chairperson of the Commission elected in accordance with paragraph 3 of Article II of the Agreement.
Delegation:	The representative and his/her alternate designated by a Member of the Commission in accordance with paragraph 1 of Article II of the Agreement and the experts, and advisers accompanying them.
Secretary:	The Secretary of the Commission appointed in accordance with paragraph 6 of Article II of the Agreement.
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.
Member	A Party to the Agreement /Member of the Commission
Observer Nation,	

- or Organization: A nation that is a non Party or not a Member of the Organization, or an international organization, governmental or nongovernmental, invited to attend a session of the Commission in accordance with paragraph 3 of Article I and Article VIII of the Agreement.
- Observer: The representative of an observer nation or organization.
- Representative: The representative of a Member of the Commission as designated in accordance with paragraph 1 of Article II of the Agreement;
- Subsidiary bodies: Temporary, special or standing committees and working groups established in accordance with paragraph 2 of Article VII of the Agreement;
- Technical
Advisory Committee The Committee established under paragraph 1 of Article VII of the Agreement.
- Vice-Chairpersons: The Vice-Chairpersons of the Commission elected in accordance with paragraph 3 of Article II of the Agreement.
2. Unless expressly stated otherwise, these Rules shall apply, *mutatis mutandis*, to the inaugural regular session of the Commission.

RULE II

Sessions of the Commission

1. Pursuant with paragraph 4 of Article II of the Agreement, the Commission, in consultation with the Director-General, shall at each session consider and agree on the time and place for the next session in accordance with the requirements of the Commission's programmes. The Chairperson, accordingly, shall issue the announcement of the session.
2. Where the Commission, at a regular session is unable to agree on a time and place for the next session in accordance with paragraph 1 of this Rule, it shall nevertheless, in consultation with the Director-General, take a decision as to the calendar year in which the next session is to be held. The Chairperson, in consultation with the Director-General, is then authorized to decide on the time and place of the session subject to the approval of a majority of the Members of the Commission.
3. 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 of the Commission, and decide the time and place of such a session.
4. 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

Representation, Credentials

1. Each Member of the Commission shall appoint one representative and one alternate to represent it in the sessions of the Commission in accordance with paragraph 1 of Article II of the Agreement.
2. 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 necessary action including for the Commission to decide, consistent with the Agreement, on the right of the delegation to participate in the session of the Commission and in the adoption of decisions as appropriate.

3. Each Member of the Commission, shall notify the Secretary as far as possible in advance of the session of the Commission of the names of its representative, alternate, experts and advisors who will attend.

RULE IV

Agenda

1. The agenda of each regular session shall include:
 - a. election, as appropriate, 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 and administrative affairs of the Commission;
 - d. consideration of the proposed budget;
 - e. reports of the Technical Advisory Committee (TAC) and other subsidiary bodies (taking decisions and making recommendations as appropriate);
 - f. consideration of management measures and decisions as appropriate;
 - g. programme of work ;
 - h. consideration of the time and place of the next session;
 - i. proposals for amendments to the Agreement and the Rules of Procedure as appropriate;
 - j. items referred to the Commission 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 of the Commission, the Chairperson or the Secretary.
3. The provisional agenda, following approval by the Chairperson, shall be prepared and sent by the Secretary to Members of the Commission and observers 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/her as may be determined by the Director-General.
2. The Secretary shall be appointed for a term of three years renewable for two further terms of three years each.
3. The Secretary shall continue to perform the functions of the office of the Secretary until a successor has taken up duties.
4. The Secretary shall be responsible for implementing the policies and activities of the Commission and for carrying out the duties and perform the functions and responsibilities of the Secretary described in Annex A of these Rules and shall report thereon to the Commission.

5. In the exercise of his/her functions, the Secretary shall have direct working relations and communication with all Members of 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 channeled, as far as possible through the National Focal points designated in accordance with Rule V bis. To facilitate effective communication, the Secretary may communicate with the Members of the Commission through Permanent Representations of the Members of the Commission in Rome and FAO Representations of the Members of the Commission concerned..
7. Copies of all communications concerning the affairs of the Commission shall be sent to the Secretary for purposes of information and record.
8. The Organization may, with the approval of the Commission, provide technical support and services to the Secretariat and the work of the Commission, the TAC and other subsidiary bodies. The costs of providing technical support and services in accordance with this Rule shall be borne by the budget of the Commission.

RULE V bis

1. Each Member of the Commission shall designate a National Focal Point who shall facilitate communication between the Member of the Commission and the Secretariat. The National Focal Point shall be a high level, experienced fishery scientist/manager who has access to his/her country's main fishery information. The National Focal Point shall normally be the Representative of the Member of the Commission at the Commission sessions or any other person so designated. The name of the National Focal Point shall be communicated to the Chairperson and Secretariat of the Commission, as shall any change in that designation
2. The National Focal Point shall perform the duties and responsibilities in the Terms of Reference described in Annex B which may be reviewed and revised from time to time by the Commission.

RULE VI

Plenary Sessions and Meetings of the Commission

1. Subject to Rule XII and in accordance with paragraph 3 of Article I and Article VIII of the Agreement, sessions of the Commission shall be open to Observers. 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.
2. Subject to Rule XII, the meetings of the Technical Advisory Committee and other subsidiary bodies which may be established shall be open only to Delegations unless otherwise decided by the Commission.

RULE VII

Election of Chairperson and Vice-Chairpersons

1. Subject to paragraph 4, the Commission shall, during each regular session, or sooner where an office becomes vacant, elect the Chairperson and two Vice-Chairpersons of the Commission pursuant to paragraph 3 of Article II of the Agreement, who shall assume office immediately following the regular session at which they were elected.

2. Nominees for the Chairperson or Vice-Chairpersons must be delegates or alternates attending the session.
3. The Chairperson and Vice-Chairpersons shall serve for a term of two years. The Chairperson and Vice Chair-persons shall be eligible for re-election but they may not be elected to serve for more than two consecutive terms.
4. Notwithstanding paragraph 1, the Chairperson and Vice-Chairpersons of Commission appointed at its inaugural Regular session shall assume their roles immediately upon their election.

RULE VIII

Functions of the Chairperson and Vice-Chairpersons

1. The Chairperson shall exercise the functions conferred on him by the Agreement and in these Rules and, in particular, shall:
 - a. declare the opening and closing of each plenary meeting of the Commission;
 - b. direct the discussions at such meetings and ensure observance of these Rules, accord the right to speak, put questions and announce decisions;
 - 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, temporary, special and standing committees of the session as the Commission may direct;
 - f. call for votes and to announce results of the votes;
 - g. 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;
 - h. perform any 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 delegations shall represent their governments.
4. The Chairperson or the Vice-Chairperson acting as Chairperson has a right to vote if he is acting as only representative of his country.
4. In the interval between sessions of the Commission, the Chairperson shall exercise the functions assigned to him/her by the Agreement.
5. The Secretary shall temporarily exercise the functions of the Chairperson in the event the Chairperson and Vice-Chairpersons are unable to serve.

RULE IX

Quorum, Decisions, Voting and Procedures

1. A majority of the total membership of the Commission shall constitute a quorum at any session of the Commission.
2. In accordance with paragraph 2 of Article II of the Agreement, each Member of the Commission shall have one vote.
3. Except as otherwise expressly provided for in the Agreement, all decisions of the Commission shall be taken by a majority of the votes cast.

4. The Commission shall endeavour to reach its decisions by consensus without having to resort to formal voting.
5. Decisions of the Commission on the matters described in paragraphs 7 and 8 of Article II, paragraph 1 of Article V, paragraph 2 of Article IX and Article XII of the Agreement shall be taken in accordance with the terms of those Articles.
6. 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 specified majority is required by the Agreement or these Rules, or if a request for a vote by roll call is made by any delegation.
7. A vote by roll call shall be conducted by calling upon delegations in the English alphabetical order.
8. The record of any roll call vote shall show the votes cast by each delegate and any abstention.
9. 9 Voting on matters relating to individuals, including the election of officers of the Commission, its Technical Advisory Committee (TAC) and other subsidiary bodies, shall be by secret ballot, unless the Commission or the concerned committee or working group decides otherwise.
10. 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.
11. 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.
12. 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.
13. The right to vote of a Member of the Commission who is in arrears shall be subject to the paragraph 7 of Article IX of the Agreement.

RULE X

The Technical Advisory Committee and other subsidiary bodies

1. The Technical Advisory Committee shall have the functions and responsibilities described in the Terms of Reference in Annex C of these Rules.
2. The establishment of subsidiary bodies shall be subject to the provisions of Article VII, paragraph 3 of the Agreement.
3. The procedures of the Technical Advisory Committee and other subsidiary bodies shall be governed *mutatis mutandis* by the Rules of Procedure of the Commission.

RULE XI

Budget and Finance

1. The Commission shall administer its budget and other funds pursuant to its Financial Regulations adopted in accordance with paragraph 8 of Article II and Article IX of the Agreement.

2. The Financial Regulations of the Organization, as implemented by the Administrative Manual and memoranda and the procedures based thereon, shall, apply to the Commission until such time the Commission adopts its financial regulations in accordance with paragraph 8 of Article II of the Agreement.

RULE XII

Participation by Observers and Others

1. The Director-General or a representative designated by him, shall have the right to participate without vote in all meetings of the Commission, of the Technical Advisory Committee and of other subsidiary bodies of the Commission.
2. Members of the Organization that are non Members of the Commission may, upon their request, be invited to be represented by an observer at sessions of the Commission in accordance with the terms and conditions established by the Commission.
3. Non Members of the Commission and non Members of the Organization that are Members of the United Nations, any of its Specialized Agencies or the International Atomic Energy Agency, may, upon request made to and granted by the Commission in accordance with paragraph 3 of Article I of the Agreement and the principles relating to the granting of observer status to Nations adopted by the Conference as well as the terms and conditions established by the Commission, be invited to attend sessions of the Commission and its subsidiary bodies in an observer capacity.
4. The Commission may, on their request or on the proposal of the Secretary pursuant to Article VIII of the Agreement, invite international organization, governmental or nongovernmental having special competence in the field of activity of the Commission, to attend such of its meetings as the Commission may specify and in accordance with the terms and conditions established by the Commission. The list of the nongovernmental organization wishing to be invited in accordance with this rule shall be submitted beforehand by the Secretary to the Members of the Commission. If one of the Members of the Commission objects giving in writing its reasons within 30 days, the matter will then be subject to decision of the Commission out of session by written procedure.
5. Participation of regional economic integration 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 the relations with international regional economic integration organizations adopted by the Conference or the Council.
6. Unless the Commission expressly determines otherwise, observers may attend the plenary meetings of the Commission. Observer members of the Organization may submit memoranda and participate in the discussions. Observer Non-Members of the Organization as well as Observer intergovernmental organizations may be invited by the Commission to submit memoranda and deliver oral statements.
7. The Commission may invite consultants or experts, in their individual capacity, to attend the meetings or participate in the work of the Commission as well as the Technical Advisory Committee and the other subsidiary bodies of the Commission in accordance with the terms and conditions established by the Commission.
8. In no case will observers and persons invited to attend the meetings or participate in the discussions of the Commission be entitled to vote.

9. In accordance with Article VIII of the Agreement and, the Commission may enter into agreements with other intergovernmental organizations and institutions, especially those active in the fisheries sector.

RULE XIII

Records, Reports and Recommendations

1. A written report shall be adopted at the end of each session of the Commission. The report shall be published together with such technical papers and other documents as the Commission may wish to publish.
2. The report, adopted pursuant to paragraph 1 of this Rule shall, in accordance with Article VI of the Agreement, embody the Commission's views, recommendations and decisions, including, when requested, a statement of minority views. Such report, together with the schedule for implementation of decisions and recommendations by the Members of the Commission as appropriate, shall be transmitted to the Director-General.
3. The Secretary shall circulate the report as well as such technical papers and other documents as appropriate, to the Members of the Commission and other States and international organizations that were represented at the session or that have cooperative arrangements with the Commission. These documents may be made available to other Members and Associate Members of the Organization for their information, as appropriate.
4. Decisions and recommendations which might have policy, programme or financial implications for the Organization shall be brought by the Director-General to the attention of the Conference through the Council for action.
5. The Chairperson may request each Member of the Commission to provide information to the Commission or the Director-General on actions it has taken and where such actions are based on or related to the decisions and recommendations of the Commission.

RULE XIV

Amendments to the Agreement

1. Proposals for the amendment of the Agreement, as provided by Article XII of the Agreement, shall be communicated in writing to the Secretary. The Secretary shall transmit to all Members of the Commission and to the Director-General a copy of such proposals 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. Decisions on amendments shall be made in accordance with Article XII of the Agreement,

RULE XV

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 2, XI, XII, XIV paragraph 4 and XVI, may be suspended by a two-thirds 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 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 XVI

Languages of the Commission

1. The official languages of the Commission shall be English and Russian. The delegations may use these languages at sessions and for their reports and communications. A delegation using a non-official language shall provide for interpretation, translation and publication as appropriate into one of the official languages.
2. During the meetings, interpretation in English and Russian will be provided by the Secretariat.
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.