



منظمة الأغذية
والزراعة
للأمم المتحدة

联合国
粮食及
农业组织

Food
and
Agriculture
Organization
of
the
United
Nations

Organisation
des
Nations
Unies
pour
l'alimentation
et
l'agriculture

Продовольственная и
сельскохозяйственная
организация
Объединенных
Наций

Organización
de las
Naciones
Unidas
para la
Agricultura
y la
Alimentación

WESTERN CENTRAL ATLANTIC FISHERY COMMISSION (WECAFC)

FOURTEENTH SESSION

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Proposal for the amendment of the Rules of Procedure of WECAFC

1. INTRODUCTION

1. 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.

2. 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 FAO Fisheries and Aquaculture Department.

3. Since the adoption of the Rules of Procedure there have been a number of developments that warrant their review. The major catalyst for change is 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 gives depth and perspective to the needs of the region, the weaknesses of WECAFC and focal points and recommendations for strengthening. It forms a strong basis for many of the recommendations in this document.

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).

4. Other developments include the reforms that have 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

5. The aim of this document is to make recommendations that contribute to revitalization of the Commission by strengthening the Rules of Procedure that reflect recent developments within FAO, incorporate emerging Best Practices of FAO statutory bodies, are consistent with the FAO Basic Texts and improve procedures and decision making to achieve clearer and more effective administration.

6. This document reviews the existing Rules of Procedure and introduces 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 intersessional decision making, building upon the structure of Scientific Advisory Group (SAG) to broaden its considerations to all aspects of fisheries management, permit participation by interested members and change its name to the Technical Advisory Committee, expanding rules on observers, records and reports and offering clearer procedures for the conduct of meetings.

7. The proposed revisions do not involve new financial obligations for members. They suggest some reorganization and new duties and allow for a stronger participatory process. Processes and rules contributing to greater transparency and accountability are 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.

8. For ease of reference, the Statute of WECAFC is in Appendix 1, the existing Rules of Procedure are in Appendix 2 and the recommended revised Rules of Procedure for consideration by the Commission are in Appendix 3.

2. WECAFC RULES OF PROCEDURE, RECOMMENDATIONS FOR AMENDMENT OR REVISION AND EXPLANATORY NOTES

This section provides a summary of the existing Rules of Procedure (in *italics*), a summary of recommendations for amendment or revision for consideration by Members (in boxes) and explanatory notes for the proposed revisions based, *inter alia*, on considerations raised in Circular 1050, the provisions of the FAO Basic Texts and best practices of other FAO RFBs.

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 is reviewing its Statutes.

RULE I - Membership

1. *The Membership of the Commission is described.*
2. *Members are required to inform the Director-General of the name of its representative prior to each session.*

RULE I – Membership
Summary of Recommendations

1. Delete paragraph 1 because it is addressed in Article 5 of the 2006 WECAFC Statute.
2. Amend paragraph 2 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.
3. Address issues relating to different categories of membership recommended in FAO Circular 1050 and relevant requirements of the FAO basic texts.
4. Consider options to define relations with States not currently members.
5. Provide that a Member is deemed to resign if it has not been represented at two consecutive sessions of the Commission, similar to the Rule applicable to Council and Conference.

1. Delete paragraph 1 because it is addressed already in Article 5 of the WECAFC Statute. Membership is governed by, and addressed more broadly in Article 5 of the WECAFC Statute, which also allows for members from outside the region.⁴

2. Address issues relating to different categories of membership as recommended in FAO Circular 1050 and relevant requirements of FAO Basic Texts. FAO Circular 1050 notes that issues surrounding the membership status of countries from outside the region are complex and require further debate. The extra-regional countries may or may not have a real interest in the fisheries or very specific interests and may often seek to play a critical role. Circular 1050 suggests that this may be a factor in institutional weakening, as Caribbean countries would not feel as strong a sense of ownership for an institution which is not solely theirs. Circular 1050 recommends an analysis of the advantages and disadvantages of various options on membership status for countries from outside the region, including that of establishing two or more membership categories. If it is agreed to delete paragraph 1, this issue should not be discussed in the context of amendment of the Rules of Procedure but may be taken up at

⁴ Article 5 of the 2006 WECAFC Statute provides that “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.”

Commission level. A number of options could then be considered that are consistent with the FAO basic texts.

3. Amend paragraph 2. Paragraph 2 should be amended as shown above to ensure notification of the Secretary at an early opportunity of the names of the representative, any alternate, experts and advisers to the session, consistent with existing Rule IV.5. Provision should also be made for notification of the names of any others on the delegation, consistent with the Rules of other RFBs.

4. Consider options to define relations with States not currently members. Based on the FAO Basic Texts, options for consideration by WECAFC regarding membership or cooperation issues could include the following.

- Promote the use of observer status as appropriate for extra-regional countries.
- Enter into arrangements with governments that are not members of WECAFC in accordance with the FAO Principles and Procedures for Article VI bodies, and invite them as observers to Commission sessions. This could include establishing a category of cooperating non-member States;
- Establish a subcommittee or other mechanism that has as an objective the general or specific cooperation with non-Members; and
- As appropriate, set up a consultation mechanism with FAO so the Commission may review, at the request of the Director-General, any notification by an FAO Member or Associate Member of its desire to be considered as a member of the Commission.

Towards these ends, it is recommended that the draft Rules of Procedure are clear that non-members cooperating under an arrangement would be invited as observers. Otherwise the Commission would establish such an arrangement in accordance with the FAO Principles and Procedures.

5. Constructive resignation. Members of WECAFC that do not currently participate in meetings, thereby contributing to stalled processes, are encouraged to participate as a matter of course. However, another approach could be to incorporate in the WECAFC Rules of Procedure the provisions in the FAO General Rules where Members of Council and Conference are considered to have resigned where they have not been represented in two consecutive sessions.⁵ This is reflected in the draft Rules of Procedure.

RULE II - Officers

1. A Chairperson and a maximum of two Vice Chairpersons at the end of each must be elected, and their term of office extends until the next election.

2. The Chairperson, or in his absence a Vice-Chairperson, shall preside at Commission meetings and exercise such other functions as may be required.

⁵ For example, Rule XXII.7: A Member of the Council shall be considered to have resigned if it is in arrears in payment of its financial contributions to the Organization in an amount equal to or exceeding the contributions due from it for the two preceding calendar years, or if it has not been represented at two consecutive sessions of the Council.

3. Where 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 a Secretary from among FAO staff.

RULE II – Officers

Summary of Recommendations

1. Amend the title to “Election and appointment of officers”, and, as noted in Recommendation 8, elaborate their functions in a separate Rule that will, *inter alia*, permit them a more active role intersessionally, as recommended by FAO Circular 1050.
2. In line with the use of the gender-neutral term “Chairperson” and “Vice-Chairperson”, ensure that reference is made to *his or her* as appropriate throughout.
3. Amend paragraph 1 to provide for situations where the office may become vacant between sessions and delete the term of office which should be described separately.
4. Require that nominees to be delegates or alternates attending the session.
5. Provide flexibility for officers to serve up to two terms. This could support a stronger intersessional role recommended by FAO Circular 1050 and allow for continuity for initiatives supported by the Chairperson’s leadership or involvement.
6. Amend paragraph 3 to provide that the Secretary will temporarily exercise the functions of Chairperson or Vice-Chairpersons where the latter are unable to serve, rather than the Director-General or his designee, and place it under the new Rule on functions.
7. Empower the Commission to appoint one or more rapporteurs.
8. Include paragraphs 2 and 3 in a separate Rule on “Functions of the Chairperson and Vice-Chairpersons”, and elaborate their functions consistent with the FAO Basic Texts. In addition, permit the Commission to assign them other functions consistent with Statute of the Commission.

FAO Circular 1050 states that a specific opportunity that has apparently not been very well utilised throughout the life of the Commission is the one offered by the position of Commission Chair. It further elaborates that,

if properly utilised, these mechanisms could help the Commission to strengthen its image as an autonomous Caribbean institution and to increase its efficiency and effectiveness.⁶ The objective

⁶ The Circular elaborates: At every Session, a new Chair is elected, in the person of the representative of the country that will host the next Session. This is, typically, a senior government official with policy experience and responsibility in fisheries and marine affairs in his/her country and, with adequate support, this person could play a very significant role in the work of the Commission during the intersessional period. Similarly, the Chairperson and members of the

of providing a basis for strengthening the role of the Chairperson and Vice-Chairpersons is accommodated in Recommendations 1, 5 and 8, which should be considered together.⁷

- 1. Address elections/functions of Chairperson, Vice-Chairpersons in separate Rules.** Supported by Recommendation 8, this would permit a clear division between the terms of election and the functions of the Chairperson and Vice-Chairpersons. It would elaborate their functions in a manner consistent with the Basic Texts of the Organization (in particular the powers and duties of Chairpersons and Vice Chairpersons of Conference in Rule IX of the General Rules of the Organization), Rules of Procedure of other FAO statutory bodies and the general objective and principles of the Commission.
- 2. Use of “his or her”.** In line with the use of the gender-neutral term “Chairperson” and “Vice-Chairperson”, it is recommended that the Rules of Procedure ensure that reference is made to *his or her* as appropriate throughout, and not just to the masculine form.
- 3. Include provision for vacancy in office.** It is recommended that paragraph 1 be amended to provide for situations where the office may become vacant between sessions and to delete the term of office which would be described separately as described in Recommendation 5.
- 4. Requirements for nominees.** It is recommended to add a new requirement, in line with other FAO Regional Fishery Management Organization (RFMO) Rules of Procedure, that nominees must be delegates or alternates attending the session where they are nominated.
- 5. Provide flexibility for up to two terms.** This allows for a second consecutive two year term in order to support a stronger intersessional role and as appropriate allow for continuity for initiatives supported by the Chairperson’s and Vice-Chairpersons’ leadership or involvement.
- 6. Secretary to temporarily serve as Chairperson or Vice-Chairperson.** It is recommended that paragraph 3 be amended to provide that the Secretary will temporarily exercise the functions of Chairperson or Vice-Chairpersons where the latter are unable to serve, rather than the Director-General or his designee as currently provided. It should be placed under a separate Rule describing their functions.
- 7. Appointment of rapporteurs.** Appointment of rapporteurs at sessions of FAO bodies is standard practice and should be included.
- 8. Provide for broad and flexible functions of the Chairperson, Vice-Chairperson.** This includes amendment and elaboration of paragraph 3 to provide for an expanded basis for intersessional work by the Chairperson and Vice-Chairpersons, who would *inter alia* exercise functions as may be “necessary or appropriate” to facilitate the work of the Commission, replacing “required”. It also spells out functions relevant to the conduct of meetings.

SAG, who are all part of major scientific and policy networks in the region, could be much more active on behalf of the Commission, in addition to their contribution to SAG meetings.---

⁷ The order of the Recommendations follows the order of the Rule throughout this document, but these recommendations are interrelated so should be considered together.

RULE III - The Bureau

1. *The Bureau consists of the Chairperson and Vice-Chairpersons of the Commission, and must act as a steering committee during sessions and intersessionally.*

RULE III - The Bureau

Recommendation

Replace the Bureau with a subsidiary body that would fulfil the functions of a combined scientific advisory body, technical advisory committee and Bureau/executive committee. It would then be the responsibility of the new body, in the form of a technical advisory committee, to address intersessional matters and to perform other stated functions. Membership could include the Chairperson, Vice Chairpersons and other elected Members, and the Secretary would be an *ex officio* member. A draft Rule for a Technical Advisory Committee is submitted as an example for consideration. This is discussed under Rule IX.

This Rule is insufficient because it does not define the functions of the Bureau as a steering committee, does not include the Secretary as an *ex officio* member and is not open to any other members of WECAFC in a transparent manner. FAO Circular 1050 did not evaluate the functionality or activities of a steering committee, although the issue is closely related to the Circular's call for greater intersessional activity by the Chairperson and Vice-Chairpersons, strengthened ownership of WECAFC by the members and a need for more effective governance.

These are all matters that have ongoing intersessional implications and should fall within the realm of a Bureau or Executive Committee to consider. Providing for the constitution and functions of a Committee to represent members intersessionally would allow for strengthened intersessional activity, increased ownership by WECAFC members and consideration by members of these important topics.

The recommendations are therefore made taking into account best practices and acknowledging that a policy decision would need to be made on the role of the Bureau or on the formation of an executive committee which would also include the Chairperson of the subsidiary body, as well as the Secretary.

New Rule – National Focal Points

Recommendation

It is recommended that a separate Rule governing the appointment and functions of national focal points be included in the Rules of Procedure, as is done in other FAO RFBs. This 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.

**New Rule – Functions of the Secretariat
Recommendation**

It is recommended that the functions of the Secretariat, including functions and responsibilities of the Secretary, be included in the Rules of Procedure, similar to other FAO RFBs, to support the clear processes and procedures in the administration of the Commission's mandate.

RULE IV - Sessions

1. *Regular sessions are to be held at least once every two years.*
2. *The Commission may decide, or the Bureau may request extraordinary sessions at other times decided by the Commission, provided that adequate funds are available.*
3. *The Director-General convenes sessions and decides on the venue in consultation with the Chairperson and the authorities of the host country, taking into account the views of Commission.*
4. *At least two months' prior notice of the date and place of each session is required. .*
5. *Each Member has one representative who may be accompanied by alternates and advisers..*
6. *Meetings of the Commission are to be held in private unless the Commission decides otherwise.*
7. *A majority of the Members of the Commission constitute a quorum.*

**RULE IV - Sessions
Recommendation**

The requirement in paragraph 6 that "meetings of the Commission shall be held in 'private' unless the Commission otherwise decides" should be amended to 'public', consistent with principles of transparency and requirements of other FAO RFBs.

RULE V - Agenda

1. *The Director-General, in consultation with the Chairperson, shall prepare a provisional agenda for each session.*
2. *The first item must be the adoption of the agenda, and it must contain all matters referred by the Conference or Council.*
3. *Members may request the Director-General to include specific items in the provisional agenda.*
4. *The Director-General must circulate the provisional agenda at least two months before the scheduled opening date of the session .*
5. *Any Member and the Director-General may, after the dispatch of the provisional agenda, but not later than one month before the session is scheduled to open, propose the inclusion of specific items in the agenda and comply with related requirements.*

6. *The Director-General must furnish documents to be submitted to the Commission at any session to Members, etc.*
7. *The Commission may decide to amend the agenda at any session by a two-thirds majority.*

RULE V - Agenda
Summary Recommendations

1. Paragraph 2 should be expanded to include additional required items.
2. The provisional agenda should also include, upon approval by the Commission:
 - items that were not fully discussed at the previous session; and
 - items proposed by a Member, the Chairperson or the Secretary.
3. Include a requirement 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.

1. Paragraph 2 should be expanded to include additional required items and other items indicated in Recommendation 2. Circular 1050 emphasized that the agendas for sessions do not reflect items relating to planning or strategy. Such items are normally reviewed and prepared by a committee that meets intersessionally. Such committees - steering, executive or management committees - are able to develop a broader vision for the Commission, leading to more effective implementation of its objective, principles and functions.⁸ The Rules of Procedure should require the following items to appear on the provisional agenda, in keeping with best practices of RFBs:

- the adoption of the agenda;
- a report by the Secretary on the financial and administrative affairs of the Commission;
- consideration of extra-budgetary funding;
- a report of any subsidiary body/bodies and as appropriate *ad hoc* working group;
- a programme of work;
- consideration of the time and place for the next session; and
- proposals for amendment to the Statutes and Rules of Procedure as appropriate.

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 FAO/WECAFC is governed by the FAO Constitution.*
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 and the vote of each Member shall be recorded.*

⁸ For example Rules of Procedure have recently been proposed for the European Inland Fisheries and Aquaculture Advisory Commission (EIFAAC) to transform its Executive Committee to a Management Committee with expanded terms of reference.

5. *When the Commission decides, voting shall be by secret ballot.*
6. *Voting is to be carried out in accordance with Rule XII of the General Rules of the Organization.*

RULE VI - Voting procedures

Summary Recommendations

1. Consensus decision-making should be encouraged.
2. A provision should be included to enable intersessional decision-making in certain circumstances by any rapid means of communication.

1. **Consensus decision-making.** It is standard best practice in other RFBs to encourage decision-making by consensus. Otherwise, the voting procedures are standard for FAO Article VI bodies, and Rule XII of the FAO General Rules⁹ would apply.

2. **Intersessional decision-making.** It is recommended that a provision be included to enable decision-making by rapid means of communication in extraordinary circumstances and for non-controversial decisions, as determined by the Secretary in consultation with the Chairman. FAO Council has a similar procedure, and this may include decisions by electronic means such as e-mail or teleconferencing.

RULE VII - Observers

1. *Attendance by FAO Members/Associate Members as observer permitted.*
2. *Attendance by non-Members that are Members of the UN, any of its Specialized Agencies or the International Atomic Energy Agency as observer permitted.*
3. *Intergovernmental organizations (IGOs) having an interest in the work of the Commission shall be invited to attend as observer.*
4. *International non-governmental organizations (NGOs) having special competence in the field of activity of the Commission shall be invited to attend sessions of the Commission as observer upon requested to the Director-General.*
5. *Rules for participation of international organizations shall be governed by the relevant provisions of the Constitution, the General Rules of the Organization, etc.*

Recommendation

Attendance by observers appears to be automatic on request to the Director-General and apply to sessions of the Commission, its subsidiary bodies or ad hoc meetings. Provisions on observers should be elaborated to promote consistency and transparency and effectively include stakeholders in the governance process.

⁹ Quorum and voting arrangements at meetings of Conference and Council.

Among the key points in the conclusion of FAO circular 1050 were transparency and accountability. The Circular stated that governance can only be effective if it includes the non-state actors, especially industry, the fisheries associations, representative of small-scale fishers, and civil society organizations.¹⁰ Great importance was also attached to the need for greater interface with other relevant regional organizations. The existing WECAFC Rules of Procedure relating to observers are standard for FAO Article VI RFBs and consistent with the FAO Basic Texts¹¹ but should be modernized and elaborated to more accurately reflect the Basic Texts.

The Rules and relevant Conference Resolution allow attendance by observers, if in the judgement of the Director-General, there are concrete reasons for inviting them which would forward the work of the Organization.¹² A request must be made to the Director-General to permit attendance from intergovernmental organizations and international non-governmental organizations, but it is not clear who should make the request. It is recommended that the request may be made by the Organization, the Commission, or the Secretary for such observers to attend.

The Rules are unclear as to the rights of the observer at the meetings to participate in discussions and circulate memoranda; it is recommended to include such rights to enhance transparency. In addition, it is recommended that the Commission be empowered to invite expert observers to promote improved understanding. Amendments to the Rules have been recommended to accommodate these situations.

RULE VIII - Records and reports

1. *The Commission must approve a report at each session.*
2. *The conclusions and recommendations of the Commission shall be transmitted to the Director-General after each session, and he shall circulate them to Members 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 FAO shall be brought by the Director-General to the attention of the Conference through the Council.*
4. *The Director-General may request Members to supply information in order to keep the Commission informed on action taken by its Members on the basis of its recommendations.*

¹⁰ The authors suggested that, “with regard to fisheries governance, the prevalence of small-scale fisheries in the Caribbean presents special problems...if sustainability is to be achieved, small-scale fishers will have to be a major component of arrangements that pertain to larger geographic scales and that take place at higher levels of organization”. Mechanisms would therefore have to be designed to ensure that the voice of small-scale fishers is heard in WECAFC fora and processes. Many also see the need for greater involvement of civil society in the work of the Commission and, eventually, in its governance.

¹¹ Rule XII of the General Rules of the Organization.

¹² Rule XVII “Participating International Organizations” applies to intergovernmental organization with which an agreement has been concluded and an observer of any international non-governmental organization having consultative status. This has been extended by Conference Resolution No. 44/57 “Observer Status in Respect of International Organizations” to include intergovernmental organizations that do not have an agreement with FAO and non-governmental organizations in liaison status with FAO. This Resolution allows them to be invited to send observers to Conference and Council sessions if, in the judgement of the Director-General, there are concrete reasons for inviting them which would forward the work of the Organization.

RULE VIII - Records and reports

Recommendations

1. Recommendations are referenced in paragraphs 2 and 3, and should be referenced in the title; this could also apply to information, referenced in paragraph 4.
2. The requirement in paragraph 2 relating to circulation of the reports should be expanded to include international organizations that have cooperative arrangements with the Commission.
3. The requirement in paragraph 3 should be 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.¹³
4. The conclusions and recommendations of the Commission should 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
5. The requirements in paragraph 4 empowering the Director-General to request Members to supply information on their action taken on the basis of Commission Recommendations should be expanded to permit the Chair to request such information, and to include action taken on the basis of Commission decisions. This will permit improved assessments of the impacts of the Commission and contribute to its strengthening.

This Rule is straightforward, but to strengthen cooperation with other regional bodies as recommended in Circular 1050, there should be a provision that reports be circulated to those which have cooperative arrangements with the Commission. This is consistent with the FAO Basic Texts, Rule VI.2.

RULE IX - Scientific Advisory Group (SAG)

1. *SAG is to act as an advisory body to the Commission.*
2. *SAG is constituted of no more than five scientists with suitable scientific qualifications and experience in specific subject matters related to fisheries.*
3. *SAG members will be appointed by the Director-General and will serve in their personal capacity.*
4. *The Commission will finance the participation of members of the SAG.*
5. *The Chairperson has a two year term of office, with possibility of extension, and other members are 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:*

¹³ General Rules of the Organization, Rule VI, paragraph 1.

- (a) *Provide scientific advice to WECAFC ad hoc working groups and the Commission;*
 - (b) *Review and report to the Commission on the status of stocks in the Commission area;*
 - (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 by the Commission and the ad hoc working groups.*
8. *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 IX - Scientific Advisory Group (SAG)

Recommendations

1. Continue the requirement for SAG to have advisory functions and a core membership of five expert members. In addition, open the participation, including decisionmaking functions, to all Members not represented among the experts who may participate at their own expense.
2. Replace the terms of reference of the SAG with broader terms that refer to all technical aspects of fisheries management, development and scientific research and permit a strengthened role within the Commission.
3. Amend the name of the SAG to Technical Advisory Committee.

In 2008, Members at the Thirteenth session of WECAFC, in reviewing Rule IX of the proposed draft Rules of Procedure regarding the SAG, considered a similar provision included in the Rules of Procedure of the FAO South West Indian Ocean Fisheries Commission (SWIOFC). They recommended that Rule IX should not be modified at that time given the financial implications, but this decision should be reviewed after the current world economic situation had improved. The Commission endorsed this recommendation.

The main differences between the SAG and the SWIOFC Scientific Committee are shown in Appendix 4. An essential difference is that WECAFC must finance the members of the SAG, which is limited to five scientists, whereas all SWIOFC Members may appoint representatives but must also finance them.

It is recommended that the structure and financing of the SAG remain the same, with five experts appointed and financed by WECAFC. However, changes are suggested for the terms of reference and name, to broaden the range of matters it may address and to reflect that by adopting the name "Technical Advisory Committee". In addition to the experts, Members should be permitted to participate at their own expense. The SWIOFC and CACfish terms of reference offer precedent for terms of reference.

The terms of reference of the Technical Advisory Committee could include the following:

- 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 the work programme of the Commission with the assistance of the Secretariat;
- c) provide advice on the technical and scientific bases for decisions and recommendations on measures concerning the general conservation and management of fisheries resources, including the biological, social and economic aspects of fisheries management;
- d) as appropriate, propose the establishment of subsidiary bodies, *ad hoc* working groups or cooperation with specified organizations or institutions to work on specific technical issues, cooperative research programmes or to provide a specified output;
- e) formulate and report to the Commission or to individual Members of the Commission, as appropriate, on recommendations concerning fisheries conservation, management and research; and
- f) carry out other technical activities and consider any other matter referred to it by the Commission.

They aim to provide the Committee with a strengthened mandate that takes into account all aspects of fisheries management, broader than scientific advice.

RULE X - Other subsidiary bodies

1. *The Commission may establish, on an ad hoc basis, such other subsidiary bodies at it deems necessary for the accomplishment of its task.*
2. *Membership in other subsidiary bodies is addressed.*
3. *The Commission may recommend that the Director-General convenes ad hoc meetings.*
4. *Experts are chosen by the Commission unless it decides otherwise, and appointed by the Director-General.*
5. *The Commission determines terms of reference of the subsidiary bodies and the questions to be discussed by ad hoc meetings.*
6. *The establishment of subsidiary bodies and the convening of ad hoc meetings shall be subject to the availability of the necessary funds as determined by the Director-General.*
7. *Before deciding on relevant expenditures the Commission shall have a report from the Director-General on the administrative and financial implication.*
8. *Each subsidiary body and ad hoc meeting elects its own officers.*
9. *The Rules of Procedure apply to its subsidiary bodies and ad hoc meetings.*

Recommendation

The reference to “task” in paragraph 1 should be replaced by reference to the following provisions in the WECAFC Statute: General Objective, General Principles and Functions and Responsibilities of the Commission.

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 Statute, shall be placed in a Trust Fund administered by the Director-General.*

RULE XI - Trust fund

Recommendation

This Rule should be amended to ensure consistency with the Statute and flexibility in accepting funds for a wide range of purposes linked to the work of the Commission.

The establishment of a trust fund administered by the Director-General to receive contributions, donations and other forms of assistance to statutory bodies is standard practice in FAO.

However, the language should be adjusted to enhance the provisions in Article 6(q) of the Statute, which identifies the Commission's responsibility "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".

It should be clear that funds may also be sought for short-term purposes, such as specific projects or programmes. To address this, it is recommended that "in particular" be replaced by "including".¹⁴

RULE XII - Expenses

1. *Expenses incurred by representatives of Members of the Commission to attend sessions or meetings 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. *Financial operations relating to the Commission are governed by the FAO Financial Regulations.*

This is a standard provision for FAO Article VI bodies, and there are no recommendations.

¹⁴ This broad approach would be consistent with the encouragement by the Twenty-ninth Session of Conference in 1997, for Article VI Commissions to seek more extra-budgetary resources to complement contributions from the FAO budget.

RULE XIII - Languages

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

This is a standard provision for FAO Article VI bodies, and there are no recommendations.

However, it is recommended that working arrangements be discussed with a view to reducing translation and interpretation costs.

RULE XIV – Amendment and Suspension of Rules of Procedure

1. *Rules for amendment or suspension of the Rules of procedure in accordance with the FAO Basic Texts.*

This is a standard provision and will be finalized when the new Rules of Procedure are agreed to take into account any additions, deletions or reordering.

3. SUGGESTED ACTION BY THE COMMISSION

The Commission is invited to review and decide on the recommendations for amendment to the WECAFC Rules of Procedure.

APPENDIX 1**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:

- b. to contribute to improved governance through institutional arrangements that encourage cooperation amongst members;
- c. 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;
- d. to help fishery managers in the development and implementation of fishery management systems that take due account of environmental, social, economic and cultural concerns;
- e. 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;
- f. 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;
- g. 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;
- h. to provide the necessary support and advice to enable Members to ensure that fishery management decisions are based on the best available scientific evidence;
- i. to provide advice on management measures to member governments and competent fisheries organizations;
- j. 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;
- k. 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;
- l. 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;
- m. to facilitate trade in fish and fish products by promoting the implementation of internationally accepted sanitary and phytosanitary standards;
- n. to promote and facilitate harmonizing of relevant national laws and regulations, and compatibility of conservation and management measures;
- o. 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;
- p. to assist, as appropriate, its Members in preventing and, upon request of the interested parties, resolving fisheries disputes;
- q. to promote liaison between its members and all competent institutions within the area served by the Commission and adjacent waters;
- r. 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;
- s. 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;
- t. to draw up its plan of work;
- u. 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.

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 nonMember 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 nonMember 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 at 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 3

WESTERN ATLANTIC FISHERY COMMISSION

DRAFT REVISED RULES OF PROCEDURE

December, 2011

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, as far as to the extent possible, have responsibilities related to marine fisheries conservation, management and development.

2. A Member of the Commission shall be considered to have resigned if it has not been represented at two consecutive sessions of the Commission.

RULE II

Election and appointment of Officers

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

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

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 be elected to serve for more than two consecutive terms.

4. The Commission may appoint one or more rapporteurs.

45. 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 ~~required~~ 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. 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; and
- h. 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. The Chairperson or a Vice-Chairperson acting as Chairperson has a right to vote if he or she is acting only as a representative of his country.

5. In the interval between sessions of the Commission, the Chairperson shall exercise the his or her functions in accordance with these Rules of Procedure.

6. In the event the Chairperson and Vice-Chairpersons are unable to serve, ~~the Director General or his representative shall act as Chairperson, until an *ad hoc* Chairperson is elected.~~ the Secretary shall temporarily exercise the functions of the Chairperson.

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

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) prepare estimates of expenses for the next succeeding two years for presentation to the Commission for submission to the Organization;
- c) ensure that policies and decisions of the Commission are operationalized; and
- d) coordinate and monitor the work of the Scientific Advisory Group and the Working Groups and any other subsidiary body of the Commission.

3. The Executive 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 Executive 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 WECAFC.

4. When the Executive Committee deals with special issues, the Chairperson of the Executive Committee may, in consultation with the Vice-Chairpersons, invite not more than two 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.

5. The Executive Committee shall periodically inform all Members of the Commission, through the Secretariat, of any action taken.

6. 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) facilitate as appropriate the development of national activities, projects, research and training in matters relevant to the Commission;
- g) promote national implementation of the Commission's advice, work programme and activities;
- h) notify the Secretariat of existing or emerging national problems and issues relevant to the work of the Commission;
- i) support liaison and coordination at national and regional levels among institutions and experts relevant to the activities of the Commission; and
- j) 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 described in Annex A of these Rules and shall report thereon to the Commission.

4. 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.

5. 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.

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

RULE ~~IV~~II

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~~public unless the Commission decides otherwise.
7. A majority of the Members of the Commission shall constitute a quorum.

RULE VIII**Agenda**

1. The Director-General shall, in consultation with the Chairperson, ~~shall~~ prepare a provisional agenda for each session of the Commission.

2. The agenda of each regular session shall include:

~~a) as the first item, on the provisional agenda shall be the adoption of the agenda, and n- No matter referred to the Commission by the Conference or Council of the Organization may be omitted; from the agenda.~~

b) a report by the Secretary on the financial and administrative affairs of the Commission;

c) consideration of extra-budgetary funding;

d) a report of the Executive Committee;

e) a report of the Scientific Advisory Group and any other subsidiary body or *ad hoc* working group in existence;

f) the programme of work;

g) consideration of the time and place for the next session;

h) proposals for amendment to the Statutes and Rules of Procedure as appropriate.

~~3. Any Member of the Commission may request the Director-General to include specific items in the provisional agenda. The agenda may also include, upon approval by the Director-General:~~

~~a) items that were not fully discussed at the previous session;~~

~~b) items proposed by a Member, the Chairperson or the Secretary.~~

4. An agenda for a special session shall consist only of items relating to the purpose for which the special session was called.

54. 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.

65. 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.

76. 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.

87. 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 ~~VII~~

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

45. 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.

56. 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.

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

RULE ~~VIII~~

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. 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 *ad hoc* meetings in an observer capacity.

43. 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.

54. 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~~ and *ad hoc* meetings, in an observer capacity.

6. 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.

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 Basic Texts of the Organization.

8. In no case will observers or persons invited pursuant to paragraph 6 to 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.

59. 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, 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 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. 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.Any recommendation adopted by the Commission which affects the programme or finances of the Organization or concerning legal or constitutional matters shall be brought by the Director-General to the attention of the Council with the comments of the appropriate subsidiary committees of the Council.

5. The Director-General or the Chairperson may request any Members of the Commission to supply provide information to him the Commission or the Director-General on actions it has taken where such actions are based on or related to the decisions or in order to keep the Commission informed on action taken by its Members on the basis of its recommendations of the Commission.

RULE ~~IX~~

Scientific Advisory Group (SAG) Technical Advisory Committee and other subsidiary bodies

1. The Scientific Advisory Group (SAG) Technical Advisory Committee (TAC) of the Western Central Atlantic Fishery Commission will shall act as an advisory body to the Commission.

2. The SAGTAC will be constituted of no more than five scientist experts with suitable scientific qualifications and experience in specific 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 an accredited research institute.

3. Members of the SAG Technical Advisory Committee will be appointed by the Director-General of FAO, and the Commission shall finance their participation.

4. In addition to the members appointed by the Director-General, the TAC shall be open to all Members of the Commission. Each Member of the Commission shall have the right to appoint a representative and an alternate, if needed, both with suitable qualifications, who may be accompanied by other experts and advisors.

~~The members will serve in their personal capacity.~~

~~4. The Commission will finance the participation of members of the SAG. 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.~~

~~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.~~

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.

6. The Chairperson of the Technical Advisory Committee shall have, during the meetings of the Scientific Committee, the same powers and duties as the Chairperson of the Commission has in relation to the meetings of the Commission itself.

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

86. 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.

~~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.~~

9. 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 the work programme of the Commission with the assistance of the Secretariat;
- c) provide advice on the technical and scientific bases for decisions and recommendations on measures concerning the general conservation and management of fisheries resources, including the biological, social and economic aspects of fisheries management;
- d) as appropriate, propose the establishment of subsidiary bodies, *ad hoc* working groups or cooperation with specified organizations or institutions to work on specific technical issues, cooperative research programmes or to provide a specified output;
- e) formulate and report to the Commission or to individual Members of the Commission, as appropriate, on recommendations concerning fisheries conservation, management and research; and
- f) carry out other technical activities and consider any other matter referred to it by the Commission.

810. The Technical Advisory Committee~~SAG~~ shall conduct its work on a regular basis, ~~particularly in the year when the Commission meets.~~

911. 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~~Technical Advisory Committee.~~

12. 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 XIII

Other subsidiary bodies

1. The Commission may establish, on an *ad hoc* basis, such other subsidiary bodies at it deems necessary for the accomplishment of its ~~task~~general objective, general principles, 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. 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 XIV

Trust fund

1. All voluntary contributions, donations and other forms- of assistance to the Commission and any of its programmes and activities, including particular those referred to funds provided to ensure the long-term operations of the Commission pursuant to— 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 XVH

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 ~~XVIII~~

Languages

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

RULE ~~XIVII~~

Amendment and Suspension of Rules of Procedure (*To be reviewed and revised after version for distribution is approved – to take into account any additions, deletions or reordering*)

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.

ANNEX A**FUNCTIONS AND RESPONSIBILITIES OF THE SECRETARY**

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;
- g) -performing of such other duties as may be decided by the Commission in conformity with the Basic Texts of the Organization.

APPENDIX 4

A COMPARISON OF THE SCIENTIFIC SUBSIDIARY BODIES OF THE WESTERN ATLANTIC FISHERY COMMISSION AND THE SOUTH WEST INDIAN OCEAN FISHERIES COMMISSION

	WECAFC SAG	SWIOFC Scientific Committee
Mandate	Advise the Commission	Advise on the scientific basis for possible regulatory measures to be considered for adoption by Members
Membership	Five scientists appointed by Director-General (Chairpersons of ad hoc working groups, other experts may be invited to participate in the work of the SAG)	Each Member has the right to appoint a representative and an alternate
Financing	Commission	Member in respect of its representative; Commission in respect of experts
Officers	Reference to the two year term of a Chairperson (with possibility of extension) No provision stating who appoints or elects him/her	Scientific Committee to elect Chairperson and Vice-Chairperson for a two year term. Eligible for re-election, no maximum term
Secretary	Secretary to be the Secretary of the Commission or other staff appointed by the Director-General	Secretary of the Commission
Powers and duties of Chairperson		Chairperson to have same powers and duties as Chairperson has in relation to meetings of Commission
Functions and duties	(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	a) Recommend policies and procedures for the collection, processing, dissemination and analysis of fishery data; b) Facilitate the exchange and critical review among scientists of information on fisheries of relevance to the Commission; c) Develop and coordinate cooperative research programmes involving Members of the Commission in support of fisheries management;

	WECAFC SAG	SWIOFC Scientific Committee
	<p>(d) Consider any other matters referred to it by the Commission and the WECAFC ad hoc working groups.</p>	<p>d) Assess and report to the Commission on the status of stocks of relevance to the Commission and the likely effects of further fishing and of different fishing patterns and intensities;</p> <p>e) Formulate and report to the Commission or to individual Members of the Commission, as appropriate, on recommendations concerning fisheries conservation, management and research;</p> <p>f) Carry out other technical activities and consider any other matter referred to it by the Commission.</p>
Conduct of work	On a regular basis and particularly in the year when the Commission meets.	