

<b>FIRMS Steering Committee Meeting</b>
<b>Tenth Session</b>
<b>Copenhagen, Denmark 21-24 June 2017</b>
<b>Review of the FIRMS Partnership Arrangement and proposals for amendments</b> (Draft 12 June 2017)
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## **SUMMARY**

This document analyses the current **FIRMS Partnership Arrangement**<sup>1</sup> and makes alternative arrangements proposals for new partners willing to contribute to FIRMS but not being in a position to fulfil the whole obligations foreseen in the Partnership Arrangement.

This document has been triggered by several feedback collected from representatives of organizations in quality of FIRMS Observers or interacting with the FIRMS secretariat in different occasions.

The FSC10 participants are invited to express their opinions on the proposals. In case of approval, the FIRMS secretariat would provide a proper and formal formulation of the proposal for its final endorsement by FSC members.

## **BACKGROUND**

Since the FSC1, the need to facilitate organizations in joining and contributing to FIRMS was always stated with a focus on the contribution, as the FSC1 report<sup>2</sup> par.5 reads: *“The criteria for Partner’s inactivity should not be measured through absence at FSC meetings, and partners with insufficient resources to attend meetings would be obviously disadvantaged. These criteria should rather be based on lack of contributions from a Partner. Means to involve Partners unable to attend FSC meetings have to be found, such as Newsletter or a FIRMS Agenda item at the level of Regional Fishery Body meetings”*.

Recently, the need of alternative ways to join the FIRMS partnership emerged in various occasions. The following extract from the RSN-6 report<sup>3</sup> well summarizes the most common situation of many potential FIRMS partners: *“SPRFMO Executive Secretary appreciated FAO’s efforts aimed at improving knowledge dissemination. While noting the difficulties for the SPRFMO to join the Coordinating Working Party (CWP) and other related bodies, due to the limited financial and human resources available, it proposed to develop a cost-effective way of contributing without having to participate in meetings”*.

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<sup>1</sup> FIRMS Partnership Arrangement

[http://ftp.fao.org/FI/DOCUMENT/FIGIS\\_FIRMS/Partnership\\_Arrangement/FIRMS\\_Partnership\\_Arrangement.pdf](http://ftp.fao.org/FI/DOCUMENT/FIGIS_FIRMS/Partnership_Arrangement/FIRMS_Partnership_Arrangement.pdf)

<sup>2</sup> First Session of the FIRMS Steering Committee Meeting Rome, Italy, 2-5 February 2004 Final Report.

[http://ftp.fao.org/fi/document/FIGIS\\_FIRMS/2004/FIRMS\\_FSC1\\_Final\\_Report.pdf](http://ftp.fao.org/fi/document/FIGIS_FIRMS/2004/FIRMS_FSC1_Final_Report.pdf)

<sup>3</sup> FAO. 2016. Report of the Sixth Meeting of the Regional Fishery Body Secretariats’ Network, Rome, Italy, 9 and 15 July 2016. FAO Fisheries and Aquaculture Report No. 1175. Rome, Italy. <http://www.fao.org/3/a-i6597e.pdf>

Finally, the preamble of the partnership arrangement includes: “*NOTING that international and national fisheries institutions have a wide variety of mandates and responsibilities, which may change over time, and that Partnerships should be in conformity with such mandates and responsibilities and adapt to new and changing institutional circumstances, as appropriate*”.

And Article 5.7.4 specifies that *the Arrangement may be amended or terminated with the consensus of all Partners.*

## **ANALYSIS OF THE FIRMS PARTNERSHIP ARRANGEMENT**

Here follows a list of points of the FIRMS partnership arrangement which could be evaluated for less stringent conditions as per above considerations.

### **1. From Article 3. PARTNERS RESPONSIBILITIES:**

The Partners will contribute to FIRMS according to their mandate. To this effect the Partners will be responsible *inter alia*, for:

...  
3.2.3 ensuring collaboration with and participating in the work of the FSC, including in the identification of information that will complement each Partner’s information sources and prevent duplication, and in attending meetings of the FSC.

### **2. From Article 5. Institutional Arrangements**

#### 5.3 FIRMS Steering Committee (FSC)

5.3.1 The FSC will be constituted of one member nominated by each Partner, including FAO in its capacity of Partner.

....

5.4 In administrative matters, the FSC will:

5.4.1 meet at regular intervals, as appropriate or required in accordance with its Rules of Procedure.

.....

5.6 Cost sharing of the FIRMS Partnership

...

5.6.2 The Partner will cover the costs of information contributions to FIRMS, attendance at FSC meetings and additional FIRMS services, which might include information system functionality or customisation for the specific use of the Partner, to the extent that funds have been allocated thereto.

## **Considerations on the steering committee mechanism**

It should be noted that the modern teleconferencing facilities should enable partners to attend meetings remotely, if not for the entire duration at least for specific sessions when the steering committee deliberates on key matters and decisions are expected to be taken with as big as possible number of participants. The Secretariat of the Coordinating Working Party on Fishery Statistics (CWP) has already undertaken steps along that direction.

Article 8 Decision making of the Rules of Procedures state: *All decisions of the FSC, including amendments to these Rules of Procedure, will be taken by consensus of all FSC members attending the Session unless this is specified differently in these Rules of Procedure*

## **PROPOSAL**

Considering that the main limiting factor is the availability of funds and resources to fulfil partners’ obligations including the attendance of the FIRMS Steering Committee meetings, hence the capability to take part to the body which takes decisions on the partnership and its governance, the interested organizations would be offered the following options:

### Option 1

Join the FIRMS partnership in quality of “FIRMS Associate Member”<sup>4</sup> by accepting conditions similar to Article 3 “Partners Responsibilities” par 3.2.1 and 3.2.2 but excluding par. 3.2.3.

3.2 The Associate Members will contribute to FIRMS according to their mandate. To this effect the Associate Members will be responsible *inter alia*, for:

3.2.1 presenting for inclusion in FIRMS databases fishery assessment and management reports, statistics and other related information in a timely manner and according to its own policies on ownership, transparency and quality assurance, as referred to in Annex 2;

3.2.2 collating fishery information, or establishing databases jointly with FAO or with others;

~~3.2.3 ensuring collaboration with and participating in the work of the FSC, including in the identification of information that will complement each Partner's information sources and prevent duplication, and in attending meetings of the FSC.~~

### Option 2

Join FIRMS partnership in quality of “FIRMS Associate Member” by accepting conditions similar to Article 3 “Partners Responsibilities” par 3.2.1 and 3.2.2 and including par. 3.2.3 partially modified.

3.2 The Associate Members will contribute to FIRMS according to their mandate. To this effect the Associate Members will be responsible *inter alia*, for:

3.2.1 presenting for inclusion in FIRMS databases fishery assessment and management reports, statistics and other related information in a timely manner and according to its own policies on ownership, transparency and quality assurance, as referred to in Annex 2;

3.2.2 collating fishery information, or establishing databases jointly with FAO or with others;

3.2.3 ensuring collaboration with and participating in the work of the FSC, including in the identification of information that will complement each Partner's information sources and prevent duplication, and in attending meetings of the FSC at least once physically while signing as Associate Member, and through teleconferencing as appropriate.

For both options the Associate Member would be entitled and welcome to participate in the TWG meetings and e-meetings, and to advice along the TWG mandate: “to consider technical issues and make recommendations on matters of a purely technical nature”.

The Associate Member has always the faculty to change its membership status and apply as FIRMS Partner.

In conclusion, joining FIRMS partnership as Associate Member would grant the capability to be part of the FIRMS database, to advice on standards and other matters of the TWG as well as to get those benefits of having joined the FIRMS partnership; the relieving from the comprehensive partners' obligations come along with no voting right in the FSC decision making.

### **Teleconferencing**

In addition, with the overall goal to ease the participatory process of the FIRMS Partnership, an amendment could as well be brought to the rules of procedure<sup>5</sup> that would address new participation mechanisms at the steering committee meetings through teleconferencing. Care should be taken in such formulation to avoid drifts toward full virtual meetings (e.g. with quota limitations per partner, with proportion between partners meeting physically and partners on teleconferencing ...). The FAO Legal office will be consulted to get the general framework in

<sup>4</sup> OR Data contributor OR Associate Member OR FIRMS Data provider OR...

<sup>5</sup> Rules of procedure of the Firms Steering Committee (FSC)  
[ftp://ftp.fao.org/FI/DOCUMENT/FIGIS\\_FIRMS/Partnership\\_Arrangement/FIRMS\\_FSC\\_RulesProcedures.pdf](ftp://ftp.fao.org/FI/DOCUMENT/FIGIS_FIRMS/Partnership_Arrangement/FIRMS_FSC_RulesProcedures.pdf)

which such new ways of participation could be formally designed to give full validity to votes and opinions expressed through virtual participations.

### **ACTION REQUESTED BY FSC10**

FSC10 is kindly requested:

1. To evaluate the above proposal with options and provide feedback;
2. In case of consensus, to give mandate to FIRMS Secretariat for finalization of the proposed amendment to the FIRMS Partnership Arrangement in collaboration with the FAO legal office, and for circulation to all FIRMS Partners for final endorsement as per Article 5.7.4 of the FIRMS Partnership Arrangement; and
3. In case of consensus for an amendment to the Rules or Procedures addressing participation mechanisms at the steering committee meetings through teleconferencing, formulate such amendment and adopt the amended Rules of Procedures.