

Focus Group on the Rules of Procedure
10th February 2023
3rd meeting via ZOOM
REPORT

Chair: Ingemar Berglund (BSAC Honorary Chair)

Present: Wolfgang Albrecht, Glenn Douglas, Lise Laustsen, Nils Höglund, Klavs Skovsholm, Christian Tsangarides, Ewa Milewska (rapporteur).

Apologies: Jarek Zieliński, Guillaume Carruel.

The BSAC Honorary Chair welcomed all participants to the third meeting of the Focus Group on the Rules of Procedure. He chaired the meeting.

The BSAC Secretariat referred to the discussions held during the ExCom meeting on 30th - 31st January 2023. He regretted that due to the lack of time, the draft Rules of Procedure could not be properly discussed by the ExCom members. There was no opposition from the BSAC members to take the draft Rules of Procedure to the next stage in the framework of the Focus Group and to produce the final draft to be presented to the ExCom for approval.

The Secretariat referred to one amendment proposed by one member of the Focus Group after the ExCom meeting, concerning the decisions taken by the Management Team.

A member of the Focus Group underlined that in line with the EU legislation on the functioning of the ACs, the GA and the ExCom shall ensure a balanced and wide representation of all stakeholders, with emphasis on small-scale fleets. He referred to the fact that this point had not been fully discussed in the ExCom due to the lack of time and asked to further discuss the issue.

The Focus Group (FG) discussed point 26a¹, referring to the a deadline of at least 20 working days from the day of the submission by the Executive Committee. **The FG decided** that to apply the rule requires at least 6 ExCom members to respond. If submitted to the General Assembly for approval, at least 10 members of the General Assembly are required to respond.

The FG discussed whether the rules referring to the membership of the General Assembly should specify that only representatives from the fisheries sector organisations and other

¹ In exceptional cases, the Executive Committee can decide to submit an issue for decision by written procedure to the General Assembly. The Executive Committee must state the exceptional reasons for the written procedure and the General Assembly must decide by simple majority within a deadline of at least 20 working days from the day of the submission by the Executive Committee.

While allowing for exceptional circumstances, failure to comment by set deadlines will be regarded as assent. **To apply this rule requires at least 10 members of the General Assembly to respond.**

interest groups from the EU Baltic Sea Member States, and who support the objectives of the BSAC should be members.

Some FG members pointed to the fact that some organisations which are members of the BSAC are based in the EU but outside the Baltic region. They proposed to delete the reference to the Baltic Sea Member States. The FG did not reach consensus on this proposal and considered it to be a non-issue.

The FG discussed point 17a. **The FG agreed** that the point should remain unchanged and state that points under “any other business” are for information or discussion only.

The FG agreed to the proposal submitted by one member of the FG to amend point 31c² to state that if decisions in the MT cannot be taken by consensus, a majority should decide. Only in the event of a tie among the team members, the chair shall decide.

With reference to point 31d, **the FG agreed** that the BSAC representatives to external meetings shall solely express the adopted opinions of the BSAC.

With reference to point 31g, **the FG agreed** that topics to be discussed at working group meetings should be proposed no less than two weeks before the meeting to allow for inclusion on the updated agenda and, where relevant, be accompanied by the necessary documents.

The FG discussed how the minority positions should be reflected in the BSAC recommendations (points 31 p, q, r referring to the development of draft BSAC advice).

The FG discussed whether the names of organisations should be explicitly mentioned in the recommendations. Some FG members were of the opinion that it is important to list the organisations supporting the majority and minority positions to avoid any misunderstanding.

The FG decided that WG participants holding minority positions will be mentioned succinctly along with the majority position in the body of the text. A detailed description explaining the difference in position should be made in a short annex.

The FG discussed point 31r referring to the approval of the BSAC advice and the Secretariat’s proposal to deviate from the text of the Best Practices on the approval of the advice in order to make the rules more operative. The Secretariat had proposed to delete the rule whereby in all cases consensus is required for the ExCom to amend a draft would be contrary to this and would be too restrictive especially if there is a need to meet a certain deadline. After some discussion, **the FG decided** to come back to point 31 r at the next meeting.

The FG decided to further discuss points relevant to the balanced and wide representation of all stakeholders and the emphasis on small-scale fleet at the next meeting of the FG due to the fact that not all FG members regard this issue closed.

² Any decisions to be made by the Team shall be reached by consensus. If that is not possible, ~~the chair takes the final decision.~~ the majority decides. Only in the event of a tie among the team members, the chair shall decide.



The FG decided to ask the Secretariat to update the draft to reflect the decisions taken at the meeting and thanked the Secretariat for the work done so far. **The FG** agreed to reconvene in the end of February (**date to be decided**) to agree on the final draft.