

Focus Group on the Rules of Procedure

13th January 2023

2nd meeting via ZOOM

REPORT

Chair: Ingemar Berglund (BSAC Honorary Chair)

Present: Wolfgang Albrecht, Lise Laustsen, Nils Höglund, Klavs Skovsholm, Christian Tsangarides, Jarek Zieliński, Guillaume Carruel, Ewa Milewska (rapporteur).

Apologies: Glenn Douglas.

The BSAC Honorary Chair welcomed all participants to the second meeting of the Focus Group on the Rules of Procedure. He chaired the meeting. He was happy to see the work had gone far and underlined the need to control the drafting process and deadlines for submitting the draft to the ExCom.

The Focus Group agreed to reconvene in February, after receiving comments to the draft Rules of Procedure at the ExCom in the end of January, to prepare the final draft. The ExCom will comment and approve the draft revised Rules of Procedure by 1st March and present the document to the General Assembly (GA) for adoption in May 2023.

The Focus Group (FG) considered the second draft prepared by the Secretariat, including comments submitted by two members of the Group (Wolfgang Albrecht and Christian Tsangarides). The FG discussed some comments in footnotes and revised the draft accordingly.

With reference to the Code of Conduct, the Secretariat proposed to include the issue of meeting conduct among the basic principles of the organisation and to repeal the Code of Conduct. In the view of some FG members the Code of Conduct contains useful elements and should not be repealed, but remain as an annex to the Rules of Procedure. They underlined that the Code of Conduct was adopted in 2021, as an outcome of the external evaluation report, to strengthen the transparency of the BSAC and serve as a guidance to new members, including observers.

The Focus Group decided to ask the ExCom to decide whether the Code of Conduct should be integrated in the Rules of Procedure or kept as an annex.

With reference to recording of all dissenting opinions expressed by members in the BSAC recommendations, some members were of the opinion that all BSAC members, not only ExCom members have the right to have their views recorded. They referred to the letter sent by DG Mare in July 2022, in reply to the BSAC recommendations, which recommends an inclusive approach¹. They had also noted that the BSAC has a good practice of being inclusive. After some discussion, **the Focus Group** tentatively agreed to have a short mentioning of dissenting opinions in the main text and details in a short annex.

¹ DG Mare said: A way to incorporate dissenting opinions from members of the General Assembly that do not belong to the ExCom would be to have these opinions supported by members of the ExCom.

The Focus Group decided to replace BALTFISH by Member States, as it is not a legal entity.

With reference to the proposal to limit the number of terms of office of WG chairs, some members of the FG were of the opinion that rotation of the chairs is a standard rule in international organisations and a driving force and therefore any chair should be elected for a limited number of years. Some other members of the FG referred to the limited human resources and the experience necessary for effective work. **The Focus Group** decided that the ExCom should take the final decision with regard to this issue.

The Focus Group discussed the proposal of one member of the FG to better reflect the increased role of small-scale fisheries² in the BSAC and reserve 5 seats of the 30 seats for small-scale representatives. The final decision on this point should be taken by the ExCom.

The Focus Group also discussed the deadlines for providing comments to the BSAC documents. The FG decided to keep the maximum of 20 working days to provide input in a written procedure following a discussion in ExCom. The need to keep the fast track procedure in exceptional cases was underlined and should stay in place.

The Focus Group decided to ask the Secretariat to send a new version of the draft Rules of Procedure to the ExCom, incorporating the minor editorial changes and preparing a progress report addressing to ExCom the main questions where input was needed. **The Focus Group** agreed to reconvene twice in February, after receiving comments to the draft Rules of Procedure at the ExCom in the end of January, to prepare the final draft. The ExCom will then be asked comment and approve the draft revised Rules of Procedure by 1st March and present the document to the General Assembly (GA) for adoption in May 2023. In order to facilitate the understanding of the Draft Rules of Procedures, an online presentation of the document will be organised in February.

The Chair thanked the members of the Focus Group for their active participation. FG to meet asap after Vilnius – Another meeting to produce final draft.

² Delegated Regulation 2022/204 new Art 4(7)