

**Commission Chair's non-paper on possible procedural improvements**

*(Prepared by the ICCAT Chair)*

1. The Virtual Working Group on Review of Rules of Procedure (VWG-RRP) met virtually on 28 March 2022, primarily to advance the discussion on two topics: the election of Officers and the presentation of proposal for recommendations and resolutions by the Commission.
2. Contracting Parties agreed that consensus constitutes the best way to decide on the above matters. It was recognized that this consensus had, as a fundamental requirement, the need to ensure that all delegations be consulted on issues and given sufficient time to evaluate the written proposals. This is of particular importance for Contracting Parties with small delegations and/or low linguistic diversity. For that purpose, enough time should be provided to allow for sufficient review of presented proposals. For that purpose, last-minute new proposals must be avoided as much as possible. It was also agreed that any change to current practice should not imply any increase in bureaucracy and, if possible, should not require formal changes in the Rules of Procedure.
3. With the above in mind, the following principles and processes are suggested:

3.1 For the election of Officers:

Principles:

- a) The election of ICCAT Officers should be done through a transparent process and decisions taken by consensus; voting should only be considered as a last resort.
- b) While personal merit remains decisive, to the extent possible there should be a fair and balanced representation of all interests: large and small delegations, developed and developing States, geographical balance and gender balance. No CPC should hold multiple officer positions; ideally no CPC should be represented in more than one position.

Process and procedures:

- c) The Commission Chair, with the assistance of the Secretariat, will solicit nominations from Contracting Parties at least 6 months in advance to the annual meeting where an election will take place, setting a deadline for submission of nominees of at least 2 months before the annual meeting takes place. In soliciting nominations, the Secretariat will advise the Commission on which current ICCAT Officers are eligible for re-appointment, and, of those, which would be available to serve if re-elected.
- d) Only Contracting Parties can make nominations, and, for first-time candidates, nominations will be accompanied by a brief CV to assess their suitability for the job. The initial list of candidates will be circulated to the Commission for information.
- e) If the initial list of candidates does not provide the balance as above, the ICCAT Chair, with the assistance of the Secretariat, shall seek additional suitable candidates from the under-represented groups. Any changes to the initial list of candidates resulting from this part of the process will be circulated to the Commission for information.
- f) On the basis of the list developed pursuant to the above process, the Commission Chair will work with the Contracting Parties in advance to the annual meeting, including to resolve situations where more than one nomination is received for a position, with a view to developing a proposed slate of Officers that can be agreed at the annual ICCAT meeting. On the basis of the list developed pursuant to the above process, the Chair may seek the assistance of the Vice Chairs to carry out these consultations. Contracting Parties should also consult with one another as needed during this period to try to resolve any differences of view.

- g) In light of these consultations, the Chair will present a proposed slate of Officers to the Commission as soon as possible and at least 1 week before the annual meeting for consideration.
- h) No new nominations for officer positions can be made during the ICCAT annual meeting itself unless circumstances exist that require otherwise, such as a lack of nominees for a particular position.
- i) Notwithstanding the effort to implement a transparent process to reach consensus on a slate of Officers in advance of an ICCAT annual meeting, each ICCAT subsidiary body and the Commission will, consistent with ICCAT's terms of reference, go through the process of formally electing their Chairs during their respective meetings.

### 3.2 For the presentation of proposals:

#### Principle:

CPCs shall endeavor not to submit new proposals during the annual meeting and should work toward finding consensus on the original proposals already tabled.

#### Process and procedures:

- a) Proposals which do not require scientific advice from SCRS should be submitted to the Secretariat at least one month prior to the annual meeting and circulated to all Contracting Parties in the three languages.
- b) Proposals requiring current year scientific advice from the SCRS will be submitted to the Secretariat no later than 10 calendar days in advance to the annual meeting and will be circulated to all CPCs by the Secretariat in the three languages of the Commission.
- c) The Chair may make exceptions to the rules in *a* and *b* above, if urgently required on the best interest of the Commission and admit new proposals while providing full transparency for the reasons and after consulting the Chairs of relevant subsidiary bodies and concerned CPCs.
- d) The modified proposals during the annual meeting will be made available in the three languages of the Commission.
- e) If consensus cannot be reached on a proposal because of the opposition of a very small minority of the Parties, these Parties will provide sufficient explanation of the reason for the opposition, so possible compromise solutions can be identified.
- f) In both cases, CPCs tabling proposals for Commission consideration should make every effort to develop them as early as possible so they can be shared with all CPCs. CPCs that provide input on the proposals of others should strive to offer constructive comments and provide them in a timely manner. If Parties are consulted well in advance of decision making, they shall also provide their views on time and shall not present last-minute difficulties. Sponsors of proposals should give appropriate consideration to the input received on their draft proposals in a timely manner and shall not present last-minute difficulties.

#### 4. Rapporteurs

The VWG-RRP also discussed the problem of finding rapporteurs to cover ICCAT's needs both for intersessional meetings and during the annual meeting. It was agreed that the Commission should seek to enlarge the pool of possible rapporteurs, to avoid the need to mobilize the human resources of the Secretariat for that purpose. In light of this the following process and procedures are:

- a) In order to facilitate planning, Contracting Parties will be requested to identify, early in each year, those intersessional meetings or annual meeting sessions for which they could offer a rapporteur. All Parties will be invited to present candidates to ensure sufficient diversity of candidates and fairness and equity across Contracting Parties. The request will be repeated in advance of any meeting where a rapporteur has not already been identified, and the Chairs of any such meetings should consult with CPCs to find a rapporteur, as needed.
  - b) With a view to enlarging the pool of rapporteurs in ICCAT, the Commission and its subsidiary bodies may appoint during their respective meetings, as necessary and where feasible, assistant rapporteurs to work with the lead rapporteur for that meeting with a view toward helping the assistant rapporteur develop the skills for the position through hands-on experience.
  - c) While it is ideal to identify a rapporteur who can work in the same language as the Chair of the respective body, rapporteurs will be welcome to work in any of the three languages of the Commission. The Secretariat will provide them with the necessary assistance and will give priority to translation when written in a language other than the language of the Chair of the respective body.
  - d) As a last resort, the Secretariat will explore the market for professional rapporteurs from outside the Commission [only for meetings of the SCRS] and inform the Parties prior to the meeting in case the number of candidates is far too small for the needs of the Commission meeting. This may need further discussion in the Standing Committee on Finance and Administration (STACFAD) and the Commission to ensure the availability of funds.
5. The question of the interpretation of the meetings in the three ICCAT official languages was also raised:
- a) Currently, not all meetings have interpretation in the three official ICCAT languages. The Commission discussed this question in its last Annual meeting; although some scenarios presenting priorities of interpretation with budget costs were dealt with, the Commission did not take any new decision on this issue. [A way out is to be found].