

# **RULES OF PROCEDURE OF THE FISHERIES COMMITTEE FOR WEST CENTRAL OF GULF GUINEA**

## **I - CONFERENCE OF MINISTERS**

### **1. MEETINGS**

#### ***Regular and extraordinary meetings***

##### **Rule 1**

1. Pursuant to Article 7.2 of the Convention<sup>1</sup>, the Conference of Ministers shall hold one regular annual meeting. Before the end of each regular meeting, the Conference of Ministers shall, if possible, decide on the date and venue of the next regular meeting.
  2. Regular meetings of the Conference of Ministers shall be held in rotation in the Contracting Parties in the alphabetical order of the countries starting with the country hosting the first meeting of the Conference of Ministers.
  3. The Secretariat shall notify the Contracting Parties of the date and place and provisional agenda of the meeting as early as possible but at least 60 days prior to the opening of a regular meeting.
  4. In exceptional circumstances, the Conference of Ministers may hold extraordinary meetings in accordance with this paragraph. An extraordinary meeting of the Conference of Ministers shall be held at any other time decided by the Conference of Ministers or at the written request of any Contracting Party.
  5. Any Contracting Party may request, in writing, the Secretariat to convene an extraordinary meeting of the Conference of Ministers. The Secretariat shall immediately inform the other Contracting Parties of the request and inquire whether they concur with it. If within 60 days of the date of communication by the Secretariat at least 3 other Contracting Parties support the request, an extraordinary meeting of the Conference of Ministers shall be convened by the Secretariat and it shall be held no earlier than 60 days and no later than 90 days after the receipt of such support. The Secretariat shall notify the Contracting Parties and the observers referred to in rule 21 of the date and place and provisional agenda for an extraordinary meeting as early as possible but at least 30 days prior to the opening of the extraordinary meeting.
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## **2. AGENDA**

### ***Regular meeting***

#### **Rule 2**

1. The provisional agenda for a regular meeting shall be drawn up by the Secretary-General, in consultation with the Chairperson of the meeting, and shall be sent to the Contracting Parties.

2. The provisional agenda of a regular meeting shall include:

- (a) the annual report of the Secretariat on the work of the Committee<sup>2</sup> pursuant to article 12(a) of the Convention;
- (b) items the inclusion of which has been requested by the Conference of Ministers at a previous meeting;
- (c) items proposed by any Contracting Party;
- (d) items pertaining to the budget for the next financial year, the report on the accounts for the last financial year and the auditor's report;
- (e) consideration of the proposed Work Program of the Committee;
- (f) recommendations by the Advisory Coordinating Committee pursuant to article 9 (8) of the Convention; and
- (g) any item which the Secretary-General deems necessary to put before the Conference of Ministers.

#### **Rule 3**

Any Contracting Party, the Chairperson of the Conference of Ministers or the Secretary-General may, at least 30 days before the date fixed for the opening of a regular meeting request the inclusion of supplementary items in the agenda. A request for the inclusion of a supplementary item on the provisional agenda shall be accompanied by a written explanation of the proposed supplementary item. Such items shall be placed on a supplementary list, which shall be communicated to the Contracting Parties and to observers referred to in rule 21 at least 20 days before the opening of the meeting.

#### **Rule 4**

The provisional agenda for an extraordinary meeting shall consist only of those items proposed for consideration in the request for holding the meeting.

#### **Rule 5**

At the beginning of each meeting, the Conference of Ministers shall adopt its agenda for the meeting on the basis of the provisional agenda. The Conference of Ministers may, however, in urgent circumstances, place additional items of an important or urgent character on the agenda at any time during a meeting.

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### **3. REPRESENTATION**

#### **Rule 6**

1. Each Contracting Party shall be represented by the Minister responsible for marine fisheries or his or her authorized representative and such alternate representatives and advisers as may be required by the delegation.
2. Observers referred to in rule 21 shall be represented by designated representatives and by such alternate representatives and advisers as may be required.
3. Each Contracting Party and any observer referred to in rule 21 shall notify the Secretariat as far as possible in advance of any meeting of the name of its representatives and before or at the beginning of any meeting of the names of its alternate representatives and advisers.

#### **Rule 7**

Each Contracting Party shall, as soon as possible after the adoption of these rules, notify the Secretariat of one or more Official Contacts who shall, for the purposes of official communications between the Committee and the Contracting Party concerned, including all notifications and communications made pursuant to these rules, be the official point of contact.

### **4. CHAIRPERSON AND VICE-CHAIRPERSON**

#### **Rule 8**

1. Pursuant to article 7.3 of the Convention, each meeting of the Conference of Ministers, including any extraordinary meeting, shall be chaired by the Minister responsible for marine fisheries of the Contracting Party holding the chairmanship of the Conference of Ministers at the time of the meeting.
2. The Vice-Chairperson shall be the Minister responsible for marine fisheries of the Contracting Party which will host the next meeting of the Conference of Ministers in accordance with the provisions of article 7.1 of the Convention.
3. The Chairperson shall exercise the functions conferred on him or her in the Convention or elsewhere in these rules and in particular shall:
  - (a) declare the opening and closing of each meeting of the Conference of Ministers;
  - (b) direct the discussions at such meetings and ensure observance of these rules;
  - (c) accord the right to speak;
  - (d) put questions to the vote and announce decisions;
  - (e) rule on points of order; and
  - (f) subject to these rules, have control over the proceedings of the meeting.
4. The Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

## **5. CONDUCT OF BUSINESS AT MEETINGS**

### **Rule 9**

The Chairperson may declare a meeting of the Conference of Ministers open and permit the debate to proceed when at least 4 Contracting Parties are present.

### **Rule 10**

1. The meetings of the Conference of Ministers shall be open unless the Conference of Ministers decides that exceptional circumstances require that meetings be held in closed session.

2. As a general rule, meetings of any subsidiary body established by the Conference of Ministers under the Convention shall be held in closed session.

3. The Conference of Ministers and its subsidiary bodies may invite individuals with expertise in matters related to the work of the Committee to participate in their meetings.

4. All decisions of the Conference of Ministers taken at a closed session shall be announced at an early open meeting of the Conference of Ministers. At the end of a closed meeting of a subsidiary body, the Chairperson may issue a communiqué through the Secretary-General.

### **Rule 11**

1. No representative may address the Conference of Ministers without having previously obtained the permission of the Chairperson. The Chairperson shall call upon speakers in the order in which they signify their desire to speak. The Chairperson may call a speaker to order if his or her remarks are not relevant to the subject under discussion.

2. The Chairperson may limit the time allotted to each speaker and the number of times he or she may speak.

### **Rule 12**

1. The Secretary-General of the Secretariat and the Chairperson of the Advisory Coordinating Committee, or a person designated by them as their representative, may attend any meeting of the Conference of Ministers.

2. The Secretary-General of the Secretariat or the Chairperson of the Advisory Coordinating Committee, or their representative, may, at any time with the permission of the Chairperson of the Conference of Ministers, make either oral or written statements to the Conference of Ministers concerning any question under consideration by it.

### **Rule 13**

A representative may at any time during the discussion make a point of order, and the point of order shall be immediately decided by the Chairperson in accordance with these rules of procedure. A representative may appeal against the ruling of the Chairperson. In such a case, the appeal shall be immediately put to a vote, and the Chairperson's ruling shall stand unless overruled by a majority of the representatives present and voting. A representative making a point of order shall not speak on the substance of the matter under discussion.

## **6. DECISION-MAKING**

### **Rule 14**

Each Contracting Party shall have one vote.

### **Rule 15**

1. As a general rule, decision-making in the Conference of Ministers shall be by consensus. For the purposes of these rules, "consensus" means the absence of any formal objection made at the time the decision was taken.

2. Decisions of the Conference of Ministers on matters of substance shall be taken by consensus. The question of whether a matter is one of substance shall be treated as a matter of substance. Subject to rule 16, if all efforts to reach a decision by consensus have been exhausted, decisions on questions of substance may, as a last resort, be taken by a majority of Contracting Parties present and voting.

3. Decisions other than those of material issues be taken at the majority of the Contracting Parties present and voting.

### **Rule 16**

Decisions on matters arising under provisions of article 8 (h) (rules of procedure and financial regulations), article 8 (i) (staff regulations), article 13 (financial contributions) and article 19 (amendment) of the Convention shall be taken by consensus.

### **Rule 17**

The Conference of Ministers shall vote by show of hands, but any Contracting Party may request a secret ballot vote.

### **Rule 18**

Contracting Parties may make brief statements consisting solely of explanations of their votes before the voting has commenced or after the voting has been completed. The Chairperson may limit the time to be allowed for such statements.

## **7. REPORTS OF MEETINGS**

### **Rule 19**

1. Summary reports of the meetings of the Conference of Ministers shall be drawn up by the Secretariat in such form as the Conference of Ministers shall decide. As a general rule, such reports shall be circulated as soon as possible to all representatives who shall inform the Secretariat within 30 working days after the circulation of the summary report of any changes they wish to make.

2. The Secretariat shall communicate the text of all decisions adopted by the Conference of Ministers to Contracting Parties and observers referred to in rule 21, within 10 working days following the adoption of such decisions.

## **8. SUSPENSION OF RIGHTS**

### **Rule 20**

A Contracting Party which is in arrears in the payment of its financial contributions to the budget of the Committee shall not participate in the taking of decisions by the Conference of Ministers if the amount of its arrears equals or exceeds the amount of the contributions due by such Contracting Party for the preceding two full years. The Conference of Ministers may, nevertheless, permit such a Contracting Party to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the contributor.

## **9. OBSERVERS**

### **Rule 21**

1. The following may participate as observers in meetings of the Conference of Ministers:

- (a) the Food and Agriculture Organization of the United Nations, relevant intergovernmental organizations as well as regional and sub-regional organizations invited by the Committee;
- (b) other States with an interest in the work of the Committee, invited by the Committee, which are not party to the Convention;
- (c) non-governmental organizations concerned with, and qualified in, matters relevant to the implementation of the Convention admitted by the Committee pursuant to paragraph 3 of this rule;
- (d) any other governmental body or agency qualified in fields relevant to the subject matter of the Convention admitted by the Committee pursuant to paragraph 3 of this rule.

2. Observers referred to in paragraph 1 (a) and (b) of this rule may participate in the deliberations of the Conference of Ministers upon the invitation of the Chairperson on questions within the scope of their competence, but shall not be entitled to participate in the taking of decisions. Written statements submitted by such observers shall be distributed by the Secretariat to the Contracting Parties.

3. A non-governmental organization or a governmental body or agency referred to in paragraphs 1 (c) and (d) of this rule desiring to participate in meetings of the Conference of Ministers as an observer shall notify the Secretary-General in writing of its desire to participate at least 50 days in advance of the meeting of the Conference of Ministers. The Secretary-General shall notify the Contracting Parties of such request at least 40 days prior to the opening of the meeting at which the request is to be considered.

4. Non-governmental organizations and governmental bodies or agencies that have made such notification to the Secretary-General shall be invited to participate in the meeting as observers unless at least 2 Contracting Parties object to the request in writing at least 20 days before the opening of the meeting. Such observer status shall remain in effect for future meetings unless the Conference of Ministers decides otherwise.

5. Observers referred to in paragraphs 1 (c) and (d) of this rule may sit at open meetings of the Conference of Ministers and, upon the invitation of the Chairperson and subject to the approval of the Conference of Ministers, may make oral statements on matters within the scope of their activities. Written statements submitted by observers referred to in paragraphs 1 (c) and (d) of

this rule within the scope of their activities which are relevant to the work of the Conference of Ministers may, subject to the approval of the Chairperson, be distributed at meetings of the Conference of Ministers.

## **II – SUBSIDIARY BODIES**

### **Rule 22**

1. Subject to the provisions of the Convention, the Advisory and Coordinating Committee and each subsidiary body established by the Conference of Ministers or the Advisory Coordinating Committee may formulate and submit to the Conference of Ministers for approval such rules of procedure as may be necessary for the efficient conduct of its functions.
2. In the absence of or pending the approval of such rules, and except as otherwise provided in the Convention, these rules of procedure apply, *mutatis mutandis*, to the proceedings of the Advisory Coordinating Committee and subsidiary bodies referred to in this rule.

## **III- ADVISORY AND COORDINATING COMMITTEE**

### **Rule 23**

1. The Advisory and Coordinating Committee shall carry out the duties and perform the functions set out in article 10 of the Convention.
2. Pursuant to article 9.5 of the Convention, the Advisory and Coordinating Committee shall hold regular meetings at least twice a year. The Advisory Committee shall hold regular meetings every year preferably at its headquarters in Tema, Ghana, and the second meeting shall be held in the country hosting the Conference of Ministers.
3. Pursuant to article 9.4 of the Convention, the position of Chairperson of the Advisory and Coordinating Committee shall be held by the representative of the Contracting Party holding the chairmanship of the Conference of Ministers at the time of the meeting.
4. The Secretariat shall notify the Contracting Parties of the date and provisional agenda of the meeting as early as possible but at least 60 days prior to the opening of a regular meeting.
5. Pursuant to article 7.4 of the Convention, an extraordinary meeting of the Advisory and Coordinating Committee shall be held at such other time upon request by at least 3 Contracting Parties and shall be convened by the Secretariat.
6. As a general rule, meetings of the Advisory Coordinating Committee and its subsidiary bodies shall be held in closed session. At the end of a closed meeting of the Advisory and Coordinating Committee or of a subsidiary body, the Chairperson may issue a communiqué through the Secretary-General.
7. The Advisory and Coordinating Committee and its subsidiary bodies may invite individuals with expertise in matters related to the work of the Committee to participate in their meetings.

## **IV – SECRETARIAT**

### **Rule 24**

1. The Secretary-General shall provide and direct, with due regard to principles of economy and efficiency, the staff required by the Secretariat.
2. The Secretary-General shall keep the Contracting Parties informed of any issues or matters which may be of interest to the Committee.

### **Rule 25**

The Secretariat shall carry out the duties and perform the functions set out in article 12 of the Convention. In particular, the Secretariat shall:

- (a) receive, reproduce and distribute documents, reports, decisions and recommendations of the Conference of Ministers, the Advisory Coordinating Committee and their subsidiary bodies;
- (b) prepare and circulate summary reports of the meetings of the Conference of Ministers and of the Advisory Coordinating Committee;
- (c) have the custody and proper preservation of the documents in the archives of the Committee;
- (d) provide technical assistance to any contracting party who ordered for, in writing,
- (e) distribute all documents of the Committee to the Contracting Parties and observers referred to in rule 21; and
- (f) generally, perform all other work which the Conference of Ministers or the Advisory Coordinating Committee may require.

### **Rule 26**

The Secretariat shall make an annual report on the work of the Committee, and such supplementary reports as are necessary, to the Conference of Ministers at its annual regular meetings. The Secretariat shall communicate the annual report to the Contracting Parties and to observers referred to in rule 21 at least 30 days prior to the opening of the regular meeting.

## **V - AMENDMENTS OF RULES OF PROCEDURE**

### **Rule 27**

These rules of procedure may be amended by a decision of the Conference of Ministers taken by consensus.

## **VI - OFFICIAL LANGUAGES**

### **Rule 28**

The official languages of the Committee shall be English and French.