



**Regional Coordination Group**  
Baltic Sea Region

## Rules of Procedure for the Baltic Sea Regional Coordination Group

Endorsed RCG Baltic September 2017

### **1. Scope**

1.1. These Rules of Procedure are valid for the Regional Coordination Group (*RCG*) for the Baltic Sea in the framework of the Regulation (EU) 2017/1004 of the European Parliament and of the Council on the establishment of a Union framework for the collection, a management and use of data in fisheries sector and support for scientific advice regarding the Common Fisheries Policy and repealing Council regulation (EC) No 199/2008 (recast).

1.2. These Rules of Procedure are established based on the Article 9(5) of the above mentioned Regulation.

1.3. These Rules of Procedure are established 6<sup>th</sup> September 2017 by the following EU Member States coordinating their data collection activities in the Baltic Sea: Denmark, Estonia, Finland, Germany, Latvia, Lithuania, Poland and Sweden.

### **2. Working language**

2.1. The working language of the RCG is English.

### **3. Meetings of the RCG**

3.1. To perform its duties, the RCG shall hold at least once a year an annual meeting unless agreed otherwise by the RCG. An annual meeting shall consist of plenary sessions and may include work in groups.

3.2. The RCG may hold additional meetings to the annual meeting. The duration, form, meeting venue, terms of reference and other relevant elements for such an additional meeting may be agreed at the RCG annual meeting or in a written procedure initiated by the RCG Chairperson. The venue of the RCG annual meeting rotates between Member States

coordinating their data collection activities in the same marine region. The order of the rotation is based on the alphabetical order in English language of the Member States unless otherwise agreed by the RCG.

3.3. Based on a written invitation from a third country, the RCG may agree to hold its annual or additional meeting in a venue provided by the third country.

3.4. No later than one month before the annual or additional meeting, the Member State or a third country organizing the annual or additional meeting shall be responsible for providing details of accommodation, travel and other organizational information relevant for the meeting.

3.5. Each Member State coordinating the data collection activities in the same marine region and the European Commission shall nominate their participants to a RCG meeting and may choose the number of their participants to a RCG meetings with due regard of the items on the agenda at the relevant RCG meeting. The information of the nominations should be communicated to the chair of the RCG.

3.6. Member States not listed in point 1.3., may nominate a national correspondent or an expert to participate a RCG meeting.

3.7. Only nominated persons may participate to the RCG meetings.

#### **4. RCG groups**

4.1. To carry out its duties as set out in the Article 9 of the Regulation 2017/1004, the RCG may agree to establish permanent or temporary bodies, groups, subgroups or other arrangements (hereafter called *groups*). The RCG may provide terms of references for these groups and appoint the chairperson(s), coordinator(s), rapporteur(s), secretary, or any other role(s) or working practices necessary for these groups. The RCG may mandate these group(s) to appoint the chairperson(s), coordinator(s), rapporteur(s), secretary, or any other necessary role(s) and the terms of reference for such group(s).

4.2. These groups may carry out their duties during and between the RCG meetings, as appropriate. The form, duration, participants, participating bodies and other relevant elements of such work may be agreed by the RCG. The chairperson or a person named by the chairperson of such group shall keep the RCG informed on the progress of such work at appropriate intervals.

4.3. When a group is mandated to prepare a draft regional work plan in the sense of Article 9 of Regulation 2017/1004, relevant Member States shall send expert(s) with the necessary

expertise related to that draft regional work plan to participate in the group's work. National correspondents, European Commission and ICES may participate in the group's work at all stages.

## **5. RCG recommendations for further work, work plans and preparation of a draft regional work plan in accordance with the Article 9 of the Regulation 2017/1004**

5.1. The RCG may give recommendations for further work to be carried out by the Member States on all issues related to the scope of the Regulation 2017/1004. The recommendations should provide, but are not limited to, clear and understandable stand-alone guidance on the recommended work to be carried out, its justification, a foreseen time frame for fulfillment and to the extent possible, person(s) or institution(s) responsible for the follow up of such recommendation.

5.2. When a group has been mandated to prepare a draft regional work plan, the chairperson of that group or a person mandated by that group, shall keep the RCG and may keep scientific institutions referred to Article 26 in Regulation 1380/2013 informed of the progress of such work at intervals agreed by the RCG. Such procedures may include e.g. requests or any other type of action, including timeframes for such action, to the national correspondents and/or scientific institutions referred above, relevant to the drafting of the draft work plan.

5.3. If the group mandated to prepare a draft regional work plan has not reached unanimity in preparing the draft regional work plan, Member States' experts or national correspondents participating in the group's work, may indicate their difference of opinions with appropriate justification in the group's report to the RCG meeting where the draft work plan is to be discussed and/or decided upon. European Commission and ICES may indicate in the group's report its concerns.

## **6. Decision making on a draft regional work plan**

6.1. Member States referred to in para 1.3. shall make a decision on a draft regional work plan by consensus at the RCG annual meeting. Member States shall take all necessary steps to ensure that they are represented with a person mandated to take a decision on the draft regional work plan.

6.2. A national correspondent may give a mandate to agree on its own behalf on a draft regional work plan to another national correspondent from a different Member State present at the annual meeting where the decision on the draft regional work plan is to be taken. This shall be done by the national correspondent giving a written confirmation outlining the details of the mandate transferred. The confirmation needs to be done in advance of the RCG annual meeting and it shall be provided to the chairperson(s) of the RCG.

6.3. The chairperson of the RCG may request, if necessary, observers at the annual meeting to be absent during the discussion intimately linked to the decision on a draft regional work plan.

6.4. A decision on a draft regional work plan may be taken at exceptional situations by a written procedure. The chairperson of the RCG may initiate such a written procedure after a mandate with the necessary details to organize and proceed with a written procedure has been given to the chairperson at the RCG annual meeting.

6.5 The chairperson of the RCG shall notify the RCG on the results of the written procedure within two weeks after the written procedure has ended.

6.6. The RCG shall make every effort to reach consensus on a draft regional work plan. If after serious and numerous attempts by the RCG, consensus cannot be reached and no decision on a draft regional work plan by the Member States can be taken, Member State(s) not in a position to support the draft regional work plan, shall provide a written justification to the RCG reasoning its divergent view within one month after the end of the RCG annual meeting where the divergent view was expressed. The written justification for a divergent view shall contain a detailed description of an alternative and comparable plan to the draft regional work plan, including science based justification for such an alternative action to be taken by that Member State(s) to achieve the same deliverables and effect as the draft regional work plan in question.

6.7. Member States, who were in a position to support the draft regional work plan, may take into account in their national work plans to content of the draft regional work plan as appropriate.

## **7. Cooperation between RCGs and the European Commission and other relevant bodies**

7.1. The chairperson of the RCG and/or other person(s) mandated by the RCG annual meeting may participate and represent the RCG in coordination referred to in Article 9(6) of Regulation 2017/1004.

7.2. The chairperson of the RCG and/or other person(s) mandated by the RCG annual meeting may participate and represent RCG in other relevant regional bodies, arrangements or meetings.

## **8. Observer participation to the RCG meetings in accordance with Article 9(7) of Regulation 2017/1004**

8.1. In accordance with the Article 9(7) of the Regulation 2017/1004, RCG shall invite as observers relevant end users of scientific data, including appropriate scientific bodies as referred to in Article 26 of Regulation (EU) No 1380/2013, regional fisheries management organizations, Advisory Councils and third countries, when necessary.

8.2 Observers referred to in article 9 of the Regulation 2017/1004 may indicate interest to participate in the RCG by sending the following information to the chair of the RCG.

The justification send by the potential observer shall contain the following information:

- Indicate the relevance of their participation from the Common Fisheries Policy and/or fisheries management point of view and
- Indicate their data interest as accurately as possible relevant to that RCG and
- Indicate the scientific bodies/groups in their relevant institution or country conducting the scientific analyses based on the relevant data and
- Indicate the management body with a legal mandate for fisheries management within the CFP for which the scientific analysis based on the RCG data is conducted for and
- Indicate how, to whom and where the results of the scientific analysis referred above are intended to made available and
- Organizational details and details of the representative to be nominated to participate
- Commitment to comply with the rules and conditions set by the RCG and any other information considered relevant by the potential observer.

8.3 The RCG annual meeting shall consider the information provided and may request additional information.

8.4 The RCG shall decide by consensus of the Member States present at the annual meeting which observers shall be invited to the RCG meetings.

8.5 With the exception to what is said above, the International Council for the Exploration of the Sea (*ICES*) has a permanent possibility to participate all RCG meetings.

8.6. After a written confirmation from the RCG chairperson, observers have the possibility to participate to the RCG meetings. The conditions set for the participation may include, but are not limited to, limitations on participation to RCG meetings or group work, limits on access to data or to be present when data is presented or available, possibility to provide written contributions or to give presentations.

8.7. Observers are bound with the conditions referred above. If there are justified reasons to consider , that one or more of the conditions set by the RCG in the written confirmation or otherwise, are violated repeatedly or seriously by the observer, the necessity of the observer to participate or the conditions for the participation may be re-evaluated. The

observer/organisation shall be informed of this, including the results of the re-evaluation, by a letter from the RCG chairperson after consulting and in consent with the national correspondents of the RCG responding to the chairperson's consultation.

## **9. Terms of Reference for the RCG**

9.1. The RCG may agree the Terms of Reference for the RCG taking into account necessary contributions and information deemed relevant by the RCG. This may include consultation with appropriate bodies or institutions prior or during the decision making to approve the Terms of Reference for the RCG.

## **10. Agenda and submission of documents**

10.1. A draft agenda for the annual RCG meeting shall be made available no later than one month in advance to the meeting.

10.2. A draft regional work plan, where a decision is expected to be taken in accordance with the draft agenda of the RCG annual meeting, shall be made available to the national correspondents one month in advance to the meeting where the decision is expected to be taken. A draft regional work plan for a decision in the RCG annual meeting made available later than one month before the RCG annual meeting, may be considered and decided upon at that meeting in case of consent of all the national correspondents present at the RCG meeting.

10.3. When it is evident from the draft agenda of the RCG annual meeting that the draft regional work plan is not to be decided upon at that RCG annual meeting, the draft regional work plan can be made available to the national correspondents no later than two weeks in advance to the RCG annual meeting. Draft regional work plans made available later than two weeks in advance to the meeting may be decided upon at that meeting in case of consent of all the national correspondents present at the RCG meeting.

10.4. Other documents than the draft regional work plans for the RCG meetings shall be made available no later than two weeks in advance to the RCG meetings. Documents made available later than two weeks in advance to the RCG meetings, may be dealt at the meeting in case of consent of all the national correspondents present at the RCG meeting.

## **11. Election of the RCG chairperson(s)**

11.1. The Chairperson may be elected or agreed upon without a vote by the RCG. A national correspondent, an expert from a Member State or European Commission may act as a chairperson of the RCG. National correspondents or European Commission may suggest nominees for a chairperson. Unless agreed without a vote by the RCG, the election of a

nominated chairperson(s) shall take place by voting in a form suggested by the resigning chairperson after consulting the national correspondents and European Commission present at the RCG annual meeting. National correspondents present and European Commission representative present has the right to vote and each has one vote. The vote is decided by a simple majority.

11.2. One term for a chairperson covers the period of two years. A chairperson may serve a two consecutive terms without limiting the total number of terms for the same person to act as a chairperson of the RCG.

11.3. RCG may decide to have co-chairperson(s). The same procedures and conditions as to the chairperson(s) elections apply.

## **12. The chairperson(s) responsibilities and agenda**

12.1. The chairperson(s) of the RCG shall facilitate effective and productive work of the RCG. The chairperson(s), an institution or a person indicated by the chairperson shall be responsible for making the documents and information available in time and shall take all necessary action to that effect.

12.2. The chairperson(s) is responsible for preparing agendas for the RCG annual or additional meetings after consulting the national correspondents of that RCG and other institutions/bodies, as appropriate.

## **13. Reporting from a RCG meeting**

13.1. The chairperson of the RCG shall be responsible for drawing up a report from a RCG annual meeting. The report may contain, but is not limited to, recommendations of the RCG, a summary of the RCG intersessional progress and of the RCG discussions, future work directions, the intended work to be carried out before the next meeting, the list of foreseeable RCG meetings and list of participants, their contact information, role and institution.

13.2. The report shall be made available to the participants of the meeting and publicly, as appropriate, within two months after the RCG annual meeting has ended. Reports from other RCG meetings shall be distributed within one month after the meeting has ended unless otherwise decided by the RCG.

## **14. Amending rules of procedure**

14.1. These Rules of procedure may be amended at the RCG annual or additional meetings by consensus of the national correspondents present at the annual or additional meetings.

