

Regional Coordination Group for the Mediterranean and Black Sea 2018

Annex II: Amended Rules of Procedures

Rules of Procedures for RCG MED&BS

Rules of Procedure for the Mediterranean and Black Sea Regional Coordination Group

1. Scope

1.1. These Rules of Procedure are valid for the Regional Coordination Group (RCG) for the **Mediterranean and Black Sea (RCG Med&BS)** 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. The RCG Med&BS and these Rules of Procedure are established by the following EU Member States coordinating their data collection activities in the **RCG Med&BS**: Bulgaria, Croatia, Cyprus, France, Greece, Italy, Malta, Romania, Slovenia and Spain.

1.4. Within the framework of Regulation (EU) 2017/1004 the mandate of the RCG Med&BS is to:

- To coordinate data collection activities with other Member States in the Med&BS marine region, and with other RCGs and the Commission where issues affect several marine regions;
- To aim at developing and implementing procedures, methods, quality assurance and quality control for collecting and processing data with a view to enabling the reliability of scientific advice to be further improved;
- To aim to develop and implement a regional database for the Med&BS;
- To prepare draft regional work plans, when necessary;
- To develop procedures, methods, quality assurance and quality control for collecting and processing data, regionally coordinated sampling strategies and conditions for delivery of data in the regional database;
- To agree on cost-sharing arrangements for participation in research surveys at sea, when necessary and
- To provide the Commission with any regional specificities and regional agreements concluded in regards to delegated and implementing acts referred to in Article 4(1) of Regulation (EU) 2017/1004.

1.5. In accordance with Article 9(5) of Regulation (EU) 2017/1004 the RCG Med&BS applies these Rules of Procedure in order to coordinate the above mentioned activities.

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 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 two 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. European Commission and the National correspondents (NC) of each Member State coordinating the data collection activities in the same marine region 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. Nominated participants should be communicated to the RCG chair.

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

3.7. Nominated person(s) intending to participate in a RCG meeting shall inform the contact point of the hosting country indicated by that hosting country within the set deadline for that meeting.

3.8. The RCG shall be responsible for providing a necessary platform for documents and other information related to the meeting and to its term of reference. The RCG may be assisted in this task by ICES, GFCM, European Commission or an institution or body with e.g. the necessary resources and technical capabilities.

3.9. Only nominated persons may represent the relevant MS, or the EC in the RCG meetings.

3.10. In case the national correspondent is not able to participate for the meeting, he or she may send his or her vote directly by email to the RCG chair. If no vote has been received from one of the national correspondents, the vote will take place in a written procedure up to 1 month from end of meeting.

4. RCG groups

4.1. To carry out its duties as set out in the Article 9 of the Regulation (EU) 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 accordance with the Article 9 of Regulation (EU) 2017/1004, relevant Member States shall appoint expert(s) with the necessary expertise related to that draft regional work plan to participate in the group's work. NCs and the European Commission may participate the group's work at all stages. ICCAT, GFCM and STECF may be invited to participate at any stage.

4.4. The ICCAT, GFCM and the STECF should be empowered to actively participate during meetings and discussions pertaining to the RCG and any of its subgroups, proposing new terms of reference and additional items on the agenda, with the only restriction being not able to cast a vote when decisions are to be taken.

5. RCG recommendations for further activities, national work plans or other relevant activities, listed in section 1, and preparation of a draft regional

work plan in accordance with the Article 9(8) of the Regulation (EU) 2017/1004

5.1. The RCG may give recommendations for further activities to be carried out by the Member States on all issues related to the developing and implementing procedures, methods, quality assurance and quality control for collecting and processing data based on the scope of the Regulation (EU) 2017/1004. The recommendations should provide, but are not limited to, clear and understandable stand-alone guidance on the recommended activities to be carried out, its justification, a foreseen time frame for fulfilment and to the extent possible, person(s) or institution(s) responsible for the follow up of such recommendation.

5.2. RCG Med&BS can produce agreements, proposals, suggestions and other forms of addressing the members of the RCG Med&BS. For addressing other subjects outside the RCG Med&BS it can produce recommendations. Recommendations shall be decided unanimously by consensus of participating members of the RCG Med&BS or by written procedure. The chairperson shall report on recommendations to the relevant subjects.

5.3. RCG may agree internal work plans or any other type of plans to orientate its internal work.

5.4. When a RCG 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 informed of the progress of such work at intervals agreed by the RCG.

5.5. The chairperson of the group may request a draft regional work plan to be put on the agenda of a RCG meeting for a discussion and/or for a decision making.

5.6. 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 may indicate in the group's report its concerns.

6. Decision making on a regional work plan or other relevant activities, listed in section 1.

6.1. NC of the Member States referred to in para 1.3. shall unanimously agree on adopting a regional work plan or other relevant activities listed in section 1 by consensus.

6.2. Where unanimity is not achieved the draft regional work plan shall contain clear statements indicating the different view of the participants (Member States or other relevant participants) and justification for the deviation from the agreed draft regional work plan.

6.3. A decision on a draft regional work plan may be taken at exceptional situations by written procedure. This exceptional situation may be, amongst others, when there is no consensus at the meeting or the NC is not able to be present at the RCG meeting. The chairperson(s) 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(s) at the RCG annual meeting by the NC or their representatives present at the RCG meeting. In this case 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.

6.4. The chairperson of the RCG may request, if necessary, observers at the annual meeting to be absent during the discussions related to the adoption of the draft regional work plan.

If a regional sampling plan has been agreed upon it becomes an obligation of all involved member states in the region.

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

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

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

8.1. In accordance with the Article 9(7) of the Regulation (EU) 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 The RCG shall evaluate the necessity to invite observers based on the justification send by the potential observers and with due regard to the items on the agenda of the RCG meeting.

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 regional fisheries management point of view;
- Indicate their interest in scientific data relevant to the RCG as accurately as possible;
- Indicate the scientific bodies/groups in their relevant institution or country conducting the scientific analyses based on the relevant data;
- 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;
- Indicate how, to whom and where the results of the scientific analysis referred above are intended to be made available;
- Organizational details and details of the representative to be nominated to participate and
- Commitment to comply with the rules and conditions set by the RCG and any other information considered relevant by the potential observer

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

8.3. The RCG shall decide by written consensus of the Member States that are part of the RCG which observers shall be invited to the RCG meeting.

8.4 With the exception to what is said above, the representatives of the STECF, General Fisheries Commission for the Mediterranean (GFCM) and International Commission for the Conservation of Atlantic Tunas (ICCAT) have a permanent possibility to participate at all RCG meetings. They should be empowered to actively participate during meetings and discussions pertaining to the RCG and any of its subgroups, proposing new terms of reference and additional items on the agenda, with the only restriction being not able to cast a vote when decisions are to be taken.

8.5. 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, name of the person(s) and organizations.

8.6. 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 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.

8.7. If considered useful by the RCG, observers may be asked by the RCG chairperson to provide written contributions or presentations directly linked to the agenda points of the specified RCG meeting they are entitled to participate with the view to facilitate the discussions and contribute to the fulfilment of the RCG tasks.

9. Terms of Reference for the RCG

9.1. The RCG may agree and amend 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.

9.2. In addition to the Terms of Reference, the RCG may develop other internal documents to organize its work, taking into account requirements in Article 9(3) of Regulation (EU) 2017/1004 as well as other relevant requirements, contributions and information.

9.3. The Terms of Reference and other internal working documents may be agreed in the annual RCG meeting or by written procedure.

10. Agenda and submission of documents

10.1. A draft agenda for the annual RCG meeting shall be drafted in accordance with the agreed annual Terms of Reference and made available no later than two months in advance to the meeting. A draft agenda shall be approved at the beginning of the meeting. The approved agenda may be supplemented during the meeting.

10.2. The draft agenda must ensure that all the voting decisions take place in one day. The exact date of voting decisions should be indicated in the draft agenda.

10.3. A draft regional work plan or the documentation for the other relevant activities, listed in section 1, 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 NC one month in advance of 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 NC.

10.4. The draft agenda should indicate on which day during the meeting the decision on the draft regional work plan is to be taken.

11. Election of the RCG chairperson(s)

11.1. The Chairperson may be appointed by the RCG on the basis of the agreed rotation by the RCG.

11.2. One term for a chairperson covers the period of two years. A chairperson may serve no more than two consecutive terms. The role will rotate between Member States coordinating their data collection activities in the same marine region unless otherwise agreed by the RCG.

11.3. RCG may decide to have co-chairperson(s).

12. The chairperson(s) responsibilities and agenda

12.1. The chairperson(s) of the RCG shall promote effective and productive work and working methods 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 meetings after consulting the national correspondents of that RCG and other institutions/bodies, as appropriate.

13. Reporting from the RCG meeting

13.1. The chairperson of the RCG or a person appointed by the chairperson shall be responsible for drawing up a report from a RCG annual meeting. The report shall contain, but is not limited to, agreements, proposals, suggestions and other forms of addressing the members of the RCG Med&BS, recommendations of the RCG, the decisions taken by vote and the voting results, a summary of the RCG intersessional

progress and of the RCG discussions, future work directions, ToRs, 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 subgroups 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 by consensus of the national correspondents.