

Rules of Procedure for the Regional Coordination Group North Sea and East Arctic

1. Scope

1.1. These Rules of Procedure are valid for the Regional Coordination Group (RCG) for the North Sea and East Arctic 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, 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 on XX November 2017 by the Member States of the Regional Coordination Group coordinating their data collection activities in the North Sea and East Arctic: Belgium, Denmark, Estonia, Finland, France, Germany, Ireland, Latvia, Lithuania, the Netherlands, Poland, Portugal, Spain, Sweden and the United Kingdom.

2. Working language

2.1. The working language of the RCG is English.

3. Terms of Reference for the RCG

3.1. The RCG shall agree the Terms of Reference for the RCG taking into account necessary contributions and information.

4. Meetings of the RCG

4.1. To perform its duties, the RCG shall hold one meeting annually unless agreed otherwise by the RCG. An annual meeting shall consist of plenary sessions and may include work in subgroups.

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 by correspondence initiated by the RCG chairperson(s). The venue of the RCG annual meeting will rotate between Member States coordinating their data collection activities in the same marine region unless otherwise agreed by the RCG.

4.2. 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.

4.3. No later than two months before the annual or additional meeting, the Member State organizing the annual or additional meeting shall be responsible for providing details of accommodation, travel and other organizational information relevant for the meeting.

4.4. 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 chairperson(s) of the RCG.

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

4.6. Only nominated persons may participate in the RCG meetings.

5. The chairperson(s) responsibilities

5.1. 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(s) shall be responsible for making the documents and information available in time and shall take all necessary action to that effect.

5.2. The RCG chairperson(s) is responsible for preparing the agendas for the RCG meetings.

6. Agenda and submission of documents

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

The draft agenda will indicate on which day(s) during the meeting the discussion or decision on the draft regional plan is to be taken.

6.2. 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.

7. RCG subgroups

7.1. 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, task groups, subgroups or other arrangements (hereafter called *subgroups*). The RCG will appoint the lead(s) and any other

role(s) or working practices necessary and provide terms of reference. The RCG may give this mandate to the subgroup(s).

7.2. These subgroups will carry out their duties during and between the RCG meetings, as appropriate and as agreed by the RCG. The subgroup lead or a person nominated by the lead shall keep the RCG informed of the progress of such work and any issues arising at intervals agreed at the RCG.

7.3. When a subgroup 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 and European Commission may participate in the group's work at all stages.

8. Draft regional work plans and RCG endorsement

8.1. Member States coordinating their data collection activities in the region will endeavour to agree by consensus on a draft regional work plan under Article 9 of Regulation 2017/1004.

8.2. 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.

8.3. 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.

8.4. A decision on a draft regional work plan may be taken at exceptional situations by a written procedure. This exceptional situation may be, amongst others, when there is no consensus at the 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 national correspondents or their representatives present at the RCG meeting.

8.5. The chairperson(s) of the RCG shall notify the RCG of the decision within two weeks after the written procedure has ended.

9. RCG recommendations

9.1. The RCG may give non-binding recommendations only. The aim of the recommendation is to orientate further work to be carried out 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, guidelines or best practices on the recommended work to be carried out, its justification and objectives, a foreseen time frame for fulfilment and to the extent possible, person(s) or institution(s) responsible for the follow up of such recommendation.

10. Cooperation between RCGs and other institutions/bodies

10.1 RCG and subgroup chairperson(s) shall take into account the Terms of Reference of other relevant groups and subgroups from other marine regions and Expert Groups.

10.2. The chairperson(s) of the RCG and/or other person(s) mandated by the RCG may participate and represent the RCG in any coordination with other RCGs and the European Commission under Article 9(6) of Regulation 2017/1004 and shall keep the RCG informed within an agreed time frame.

10.3. The chairperson(s) of the RCG and/or other person(s) mandated by the RCG annual meeting may participate and represent the RCG in other relevant regional bodies, arrangements or meetings and shall keep the RCG informed within an agreed time frame.

11. Observers

11.1. In accordance with the Article 9(7) of the Regulation 2017/1004, the 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.

11.2 Observers referred to in article 9 of the Regulation 2017/1004 shall indicate interest to participate in the RCG by sending the following information to the chairperson(s) of the RCG at least one month in advance of the RCG meeting:

- The relevance of their participation from the Common Fisheries Policy and/or fisheries management point of view and
- Their data interest as accurately as possible relevant to that RCG and
- The scientific bodies/groups in their relevant institution or country conducting the scientific analyses based on the relevant data and
- 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
- How, to whom and where the results of the scientific analysis referred above are intended to be made available and

- 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.

11.3. The RCG Chairperson(s) shall consider the information provided and may request additional information.

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

11.5. After a written confirmation from the RCG chairperson(s), observers have the possibility to attend the RCG meetings. The conditions set for the attendance may include, but are not limited to, limitations on attendance of RCG meetings or subgroup 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.

11.6. 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 attend or the conditions for the attendance may be re-evaluated. The observer/organization shall be informed of this, including the results of the re-evaluation, by a letter from the RCG chairperson(s) after consulting and in consent with the national correspondents of the RCG responding to the chairperson's consultation.

11.7. The International Council for the Exploration of the Sea (*ICES*) has a standing invitation to participate in all RCG meetings and may be invited to participate in RCG subgroup work.

12. Election of the RCG chairperson(s)

12.1. The chairperson may be agreed by the Member States present or elected by a simple majority at the RCG annual meeting.

12.2. One term for a chairperson covers the period of two years. A chairperson may serve no more than two consecutive terms without limiting the total number of terms for the same person to act as a chairperson of the RCG.

The role will rotate between Member States coordinating their data collection activities in the same marine region unless otherwise agreed by the RCG.

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

13. Reporting from a RCG meeting

13.1. The chairperson(s) of the RCG shall be responsible for drawing up a report from a RCG annual meeting. The final report should contain, but is not limited to, decisions and

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

14. Amending the Rules of Procedure

14.1. These Rules of Procedure may be reviewed and amended at the RCG annual or additional meeting by consensus of all national correspondents or in a written procedure by all national correspondents replying within a set time limit of at least 1 month.

14.2. Any Member State of the RCG can request the review and amendment of the Rules of Procedure to be put on the agenda of the RCG meeting.

14.3. The list of Member States in point 1.3 may be amended in accordance with the paragraph 14.1. after a written request has been provided to the RCG chairperson(s) by a Member State not listed in the point 1.3.