



## **RULES OF PROCEDURE FOR THE SCIENTIFIC COMMITTEE**

*Adopted NAMMCO 2 – January 1993: Amended NAMMCO 15 – March 2006 (external experts at working groups), NAMMCO 17 – September 2008 (chair period increased from 2 to 3 years), NAMMCO 18 – September 2009 (inclusion of Guidelines and Rules for Working Groups and data input), NAMMCO 19 – September 2010 (number of members increased from 3 to 6), NAMMCO 20 – September 2011 (procedures for informing about invited experts), NAMMCO 23 – February 2015 (all SC members allowed to attend meetings), NAMMCO 24 – March 2016 (clarity and alignment to other RoPs), NAMMCO 25 – April 2017 (mainly confidentiality and publication of meeting documents and reports); NAMMCO 28 // Council-HoDs meeting – March 2020 (deadline for circulation of meeting documents); NAMMCO 31 – March 2024: (update to gender-neutral language).*

### **I. Terms of Reference**

1. The Scientific Committee shall provide scientific advice to the Council on such matters that are referred to it and ensure that this advice is based on the best available scientific findings at any given time. This includes review and evaluation of data on stock identity, biological parameters, stock size, catch history and other information necessary for conducting an assessment of the species or stock in question and for providing advice on catch limits and conservation.
2. The Committee may make proposals to the Council concerning any scientific tasks to be included in its future work.

### **II. Membership**

1. Each Member Country shall nominate up to six scientists as members of the Scientific Committee. The appointment is permanent or until the Member Country withdraw the nomination. Each Member Country shall have one vote when procedural or organizational matters are being dealt with.
2. The Scientific Committee shall elect by majority vote from amongst its members a Chair and a Vice-Chair. The Chair and Vice-Chair shall serve for three years, after which they may be re-elected. The terms of office of the Chair and Vice-Chair shall begin at the conclusion of the NAMMCO Council meeting for the year in which they are elected.
3. If for any reason the Chair is unable to complete their term of office, the Committee shall elect a new Chair at its next regular meeting. If needed, the Chair of the Council may call for postal elections of the Chair and Vice-Chair of the Scientific Committee.
4. The Secretary of NAMMCO and the Data Manager of the NAMMCO Secretariat shall be ex officio non-voting members of the Scientific Committee.
5. The Scientific Committee may, on an *ad hoc* basis, nominate experts to participate in meetings of the Committee as ex officio non-voting members. Any such nomination of experts must reach the Secretary of NAMMCO no later than 30 days before the start of the meeting in

question. The Secretary informs the Council of invited experts.

### **III. Observers**

1. Attendance of accredited observers shall not be permitted at the meetings of the Scientific Committee and subsidiary bodies unless otherwise decided by the majority of the Committee and approved by the Council.

### **IV. Organisation**

1. The Scientific Committee is responsible for collecting and compiling the necessary information for providing scientific advice. While avoiding duplication of work being carried out elsewhere, the Committee decides where and how this information is to be obtained. If the Committee considers it necessary to consult information not available in the published literature or in the possession of any of the Parties, any cooperation in this field with external authorities shall be undertaken by the Scientific Committee Chair through the Secretary of NAMMCO.

2. The Scientific Committee may establish designated Working Groups on clearly defined subjects related to the work needed to be carried out for dissemination of the required scientific advice.

3. The Scientific Committee decides the terms of reference of the Working Groups, their provisional agenda, membership, Chair and dates of meetings, and informs the Council on invitation of external experts. Attendance of invited external experts may be funded by NAMMCO.

4. For all meetings of the Committee and subsidiary bodies, the draft agenda, ToRs when relevant, list of participants and the meeting documents that will be published in the Annual Report should be made public and available on the NAMMCO website as soon as they are ready and circulated to the meeting participants.

5. a) The Working Groups report their findings in writing to the Scientific Committee according to their terms of reference and within two weeks after the conclusion of their deliberations. Working Group reports are also sent to the Council for information.

b) The Chair seeks to have all views expressed on substantive matters during the deliberations of the Working Group made clear in its report.

c) Working Group reports shall be considered confidential until four weeks (excluding July) after being circulated to the Scientific Committee and the Council. Thereafter they shall be made public and available on the NAMMCO website. Within a week of the report being circulated to the Scientific Committee and the Council, Parties and/or members of the Scientific Committee may ask for a review of the report by the Scientific Committee. In such cases, the Working Group report will remain confidential until it is published together with the report of the Scientific Committee.

6. The Scientific Committee reports its findings in writing to the Council within two weeks after the conclusion of its deliberations. The content of the report shall be considered strictly confidential prior to that. The Chair seeks to have all views expressed on substantive matters during the deliberations in the Committee made clear in its report and the wording approved by the Committee before the end of its meeting or by correspondence if agreed by the Committee. Approval of the report requires consensus among the Committee members.

## **V. Meetings**

1. The Scientific Committee shall meet at least annually, preferably prior to the regular meetings of the Council, unless otherwise decided by the Council. Intersessional meetings may be held when judged necessary by the majority of the Scientific Committee and the Council so decides.
2. A provisional agenda for all Scientific Committee meetings shall be developed by the Chair and distributed to the members of the Committee no later than 30 days prior to the meeting in question. Comments or suggestions for revision of the provisional agenda shall reach the Chair no less than 10 days prior to that meeting.
3. The Chair shall, in consultation with other members of the Committee and the Secretary of NAMMCO, seek to ensure that key documentation of relevance to the provisional agenda is available at the start of each meeting. This may involve compilation of published information and invitation to members, Parties, Working Group Chairs or external experts to submit and present scientific papers at the meetings. Any scientist may submit scientific paper(s) for consideration by the Committee and Working Groups, as appropriate.
4. Each Party having information on the biology of marine mammals relevant for NAMMCO management objectives, including research and statistical material on catches of relevant species or stocks, shall briefly report on such information at the relevant meetings of the Scientific Committee or its Working Groups.
5. The Scientific Committee, in consultation with the Secretary of NAMMCO, shall make proposals of Contract Studies to be conducted on specific agenda items to be dealt with at meetings of the Scientific Committee or its Working Groups.
6. The Secretary of NAMMCO may, with the concurrence of the Committee, set technical guidelines for the preparation, format and presentation of all meeting documents, including type and format of data on catches that each Party reports with respect to any relevant catch operation.
7. As a general rule, all meeting documents to be discussed at any meeting of NAMMCO (Council and subsidiary bodies including Working Groups and Expert Groups) shall be made available through the Secretariat at the latest 15 days before the meeting. Information documents shall preferably become available by the end of the first day of the meeting.
8. English shall be the official language of the Scientific Committee and all primary documents shall be written in English. The Chair can give exemptions from this general rule after consultation with other Committee members and the Secretary of NAMMCO.

## **VI. Data Availability**

1. The report of the Scientific Committee, the reports of the Committee's Working Groups and other scientific papers presented to the Scientific Committee shall be made available by the Secretariat to anyone that so wishes, according to guidelines set by the Scientific Committee and subject to approval by the Council. The Scientific Committee shall aim to have all key scientific papers relevant to its work published in a recognized international scientific journal.
2. The Secretary of NAMMCO may, with the concurrence of the Scientific Committee and the Council, request that statistical material and computing programs for use in evaluation of the

status of stocks or for calculations of catch limits, such as detailed catch and abundance data, be submitted in advance to the Secretariat in an electronic data storage medium, for validation and preparation prior to the meeting. Submitted statistical material or other raw data shall only be released from the Secretariat subject to approval of the scientist or Party submitting the data.

## **VII. Amendments of Rules**

1. Proposals for amendment of these Rules of Procedure shall reach the Chair of the Council not less than 60 days prior to the Council meeting at which the matter is to be discussed. The Chair of the Council shall transmit these proposals through the Secretariat to the Members of the Council not less than 30 days prior to that meeting.

## **RESPONSIBILITIES ASSOCIATED WITH WG MEETINGS AND GUIDELINES FOR DATA INPUT TO ASSESSMENT WORK**

### *I - Responsibilities associated with WG meetings*

At its annual meeting, the SC decides which working groups (WG) shall meet for helping answering active request from the council. It specifies the terms of references for the WG. The SC appoints a WG Chair, and may discuss experts to be invited. If the WG Chair is not a member of the SC, the SC Chair contacts the proposed WG Chair immediately after the meeting to get an acceptance or decline for the position. In all cases the SC Chair ensures that the WG Chair gets and agrees on the terms of references.

If new requests from the Council are addressed to the SC, after the Council meeting, then the SC chair in consultation with the Committee and the Secretariat decides how these requests will be best answered and whether it necessitates the formation of a non-standing WG.

#### *Prior to meeting*

The WG Chair in consultation with the SC Chair and the Secretariat decides upon a date and a place for the WG meeting. In consultation with the SC Chair and relevant members of the SC, the WG Chair comes up with a list of experts to be invited (after a consultation with the Secretariat on budget constraints, i.e. depending on the location of the meeting). The WG Chair emails the list to the SC and the Secretariat for a final discussion. Hereafter the Secretariat informs the Council on invitation of external experts.

The WG Chair contacts informally the potential invited participants and the Secretariat sends an official letter of invitation, including the terms of reference and draft agenda and list of participants, to those having answered positively. Invitation should be sent out no later than 3 months prior to the meeting, though remembering that some scientists have a deadline of up to 9 months for requesting permission for travelling abroad.

The Secretariat sets up the practical arrangements and sends meeting information to all WG participants and SC members as well as information on document submission (all documents go to the Secretariat that uploads the documents to the internet) not later than two months prior to the meeting. The WG Chair finalises the agenda from the terms of reference, and the Secretariat makes the final list of meeting participants and the list of documents.

Titles of meeting documents and documents shall, if possible, reach the Secretariat of NAMMCO no less than 10 days in advance of the meeting in question and be distributed to the members of the Working Group

prior to the meeting. All documents registered before the end of the first day of the meeting shall be considered Primary Documents for consideration at the meeting.

If contracting work is to be done for NAMMCO before the meeting, the WG Chair informs the Secretariat as soon as possible and formal arrangements are made by the Secretariat. The WG Chair ensures that it is clear to the Consultant what they are contracted to do (this can be mediated through another SC member of the WG).

#### *During meeting*

The rapporteurs of the WG are responsible for the reporting of the discussions, decisions and recommendations of the WG, while the WG members submit summary reports of their own presentations/papers.

A draft report has to be accepted by the WG before the end of the meeting. Only text improvement can be made later through correspondence.

The WG Chair is responsible for the final wording of the report, although it is often the rapporteurs that do the text editing. The Secretariat is responsible for the final language editing, formatting and setting of the report.

#### *Before the SC meeting*

The WG Chair makes a Chair's summary of the WG report and emails it to the Secretariat, at the latest 10 days prior to the SC meeting. The summary should have a wording that can go directly into the main part of the SC report, if accepted by the SC. The Secretariat is responsible for the final formatting and setting of the summary.

If the WG Chair cannot/do not present the WG summary at the SC meeting it is the WG Chair's responsibility, in consultation with the SC chair, to find a SC member that can present the summary at the meeting. If the WG Chair is not a member of the SC, the SC Chair finds a member that can present the report. This should be done well in advance of the meeting, so the presenter has time to prepare the presentation.

## ***II - Guidelines for data input to Assessment work***

These guidelines have been elaborated on the request of the Working Group on Large Whale Assessment, which met in Copenhagen in March 2009, and felt that NAMMCO should have Guidelines for data input in assessment work, in particular regarding deadlines for input and control quality of the data. A summary table is provided at the end of this Appendix.

#### *Explanations*

<sup>1</sup> Rules/Guidelines which are common to all NAMMCO WGs.

<sup>2</sup> The Agenda and WG composition are included as 'input data': there is a need for an agenda stipulating which new data will be considered/used for the assessment, so the WG Chair, together with the SC Chair and the SC, is able to decide on the right expertise which need to be assembled for the WG to be competent e.g. in endorsing new data.

<sup>3</sup> Updated catch series: The country requiring the assessment is responsible for ensuring that the data are provided in due time. It is not responsible for providing all the data but must ensure that the other tentative providers are contacted and provide the data in due time. The 'requiring' country has the duty of being the most active player, especially ensuring that things are running smoothly, and pace is kept.

<sup>4</sup> Data quality check: The SC does not have pre-defined group for endorsing changes/new data in Stock Structure, Biological Parameters or data on Ecological or Habitat Issue. Therefore, the Assessment WG, should as a first step, formally endorse the new data presented to be used in the assessment. It is, therefore, very important that the composition of the WG reflects the need for expert in the relevant fields. However, a major, complete "overhaul" on stock structure should really first go through the previous SC meeting for adoption before any consequential assessments are done – even with reviewer reports, it'll be the SC discussion that is crucial in getting to agreement. Changes in stock structure may involve reallocation of

historical catches in terms of changes area boundaries, then the Secretariat should do that prior to the meeting. A trickier issue is resultant changes in abundance estimates by (revised) area, where variance calculations in particular can be difficult. The WG on AE should develop a system under which this can be done faster than having to wait for the next SC meeting.

<sup>5</sup> Appropriateness of Deadlines: One month given to the ‘Run Group’ to perform the assessment is enough if what is involved is a near routine update of work done previously given new data. It should be extended to at least 3 months if substantial changes are made (e.g. radically different stock structure) - such situations should be picked up at the previous SC meeting and a schedule agreed there that is compatible with the extent of developmental work required.

<sup>6</sup> Catch series to be used in the assessment: The SC should agree on which kind of final series should be used in the assessment and give a precise definition of what they should include (e.g., best and high vs low and high). It would be useful to have a generic standard approach –also probably relevant to use “best” with the same meaning as IWC uses.

Input	To NAMMCO Secretariat			To NAMMCO SC	To 'Run' group	To WG participants
	Deadline	Form	Quality assessment	Deadline	Deadline <sup>5</sup>	Deadline
WG meeting draft agenda <sup>1,2</sup> By WG chair in agreement with SC delegates from the country demanding the new assessment <sup>1</sup>	4 months pre-meeting	Stipulating which new data will be used in the assessment		3.5 months pre-meeting  Then to Council		3 months pre-meeting
Tentative Working Group composition <sup>1,2</sup> By WG chair in agreement with SC delegates from the country demanding the new assessment	4 months pre-meeting			3.5 months pre-meeting  Then to Council		3 months pre-meeting
Invitation letter <sup>1</sup> By Secretariat						3 months pre meeting
Updated Catch Series <sup>3,6</sup>	2 months pre-meeting	Detailed yearly catch with no combination of categories: Direct catch, Struck and Lost and By-catches reported separately	The NAMMCO Secretariat maintains an updated register of all such catches. Revisions and new data should be confirmed and endorsed at each SC meeting under a standard item on the agenda. Only those data should be used in assessments.		1.5 month pre-meeting, if update of an existing assessment given new data; 3 months in the case of a new assessment or radical changes in input (e.g. radically different stock structure)	Same as for 'Run' group
New Abundance Estimates	2 months pre-meeting		Preferably endorsed by the SC, through the WG on AE.		As above	As above

			Or should be endorsed by the assessment group.			
Changes in Stock Structure <sup>4</sup>	2 months pre-meeting		Preferably reviewed by two referees with at least one from outside NAMMCO countries, before being presented to the Assessment WG		As above	As above
Changes in Biological Parameters <sup>4</sup>	2 months pre-meeting		Same as above		As above	As above
Changes in Ecology and Habitat issues <sup>4</sup>	2 months pre-meeting		Same as above		As above	As above
Analysis providing the initial assessment runs and population trajectories						Two weeks pre-meeting