



CCSBT-EC/1010/18

GOVERNANCE ARRANGEMENTS– ROLE OF CHAIR

Purpose

To consider appointing Chairs and Vice Chairs for a period of two years with the opportunity for reappointment for a further two year period.

Background

At CCSBT 15 (2008), the Extended Commission agreed to consider appointing Chairs and Vice Chairs for a period of two years with the opportunity for reappointment for a further two year period after the end of the current rotation. CCSBT 16 considered this matter and decided to defer the decision until CCSBT 17. The Draft CCSBT Strategic Plan also identifies that this issue should be discussed in 2010 and notes that rotation of the meeting venue would continue even though the Chair remains the same.

Indonesia will be hosting the meetings in 2011 and would like to Chair them as well. Therefore, if the Extended Commission agrees to a two year appointment for a Chair, the appointment would ideally commence in November 2011 (after CCSBT 18). A decision on the new arrangements at CCSBT 17 would allow intercessional consideration of possible candidates by Members during 2011 so that selection of the future Chair could be made at CCSBT 18.

A summary of the CCSBT's current rules and practises, the arrangements in other RFMOs and a brief list of advantages and disadvantages of two year appointments are provided below.

The CCSBT's current Rules of Procedure provide for:

- Annual rotation of meetings among Members¹; and
- Selection of a Chair and Vice Chair for an annual meeting (by the delegates attending the previous meeting) who remain in office until the election of the Chair and Vice Chair for the subsequent meeting. The Chair and Vice Chair must come from different Members².

The current practises of the CCSBT are that:

- The Extended Commission combines the two above provisions selecting the Chair from the country in which the subsequent meeting will be held and the Vice Chair from the country of the next rotation;
- An individual has not always been nominated at the time. Instead, the Extended Commission has frequently noted that the Chair and the Vice Chair will come from nominated Members. As a result the CCSBT has frequently not had a Chair or Vice Chair for extended periods of time; and
- Fluency in English has been an issue in the nomination process for the Chair and Vice Chair. In the past, English fluency has played a significant part in Members'

¹ Rule 2, paragraph 2(b).

² Rule 4, paragraph 1.

decisions on the individual to be nominated leading to last minute nominations prior to annual meetings.

These practises effectively imply that the Chair and Vice Chair's main functions are to Chair the annual meetings, leaving it to the Executive Secretary to manage the Extended Commission's business between annual meetings.

The arrangement in other RFMOs are:

- **CCAMLR:** The Chair is elected for two years on an alphabetical rotation principle. There have been some attempts to change this to a non-rotational merit selection, but such a change may have limited prospect of occurring before there has been a full rotation.
- **IATTC:** Up to 2005 the Chair was appointed at the meeting and stayed in the role up to the next meeting. After 2005, IATTC agreed to change its rules of procedure to allow the appointment of the Chair for a two year period with the intention of strengthening the Chair's role. However, this was not formalised and there have been a series of one year appointments since the decision in 2005. The Antigua Convention, which comes into force after 27 August 2010, specifies that Members will elect the Chair from the Parties to the Convention and that the Chair will be elected for a period of one year and will remain in office until a successor is elected. While the election is for one year, it does not preclude the option of consecutive re-election.
- **ICCAT:** The Chair is elected for two years with the option of a second two year term. In practice, ICCAT has not had elections. Instead, the selection of the Chair is negotiated informally between delegations and once there is agreement, the final proposal is discussed at the Head Delegates meeting and adopted by a consensus at the plenary.
- **IOTC:** The Chair is elected every second year and cannot be appointed for a third year.
- **WCPFC:** The Chair is elected for a period of two years from among the Contracting Parties and is eligible for re-election.

The common feature of the above RFMO arrangements (including IATTC's decision, not practice) is that they all provide for the chair to be appointed for two years largely for reasons of continuity and strengthening of the role. However, the effectiveness of the arrangement has still relied on the commitment of the nominated individual and the commitment from the nominating member.

Advantages and Disadvantages

Advantages of appointing Chairs for two years and giving them more responsibility for CCSBT activities include:

- The role of the Chair would be strengthened and an increased level of commitment to the position would result;
- It would enable more CCSBT business to be conducted between annual meetings;
- The greater continuity should increase the efficiency of the annual meetings themselves; and
- Chairs are more likely to be selected for expertise related to the functions of the CCSBT.

Disadvantages include:

- The inclusiveness of the current rotational arrangement would be lost;
- It requires a lengthy two year (or more) commitment from the individual who is to be nominated (and their employer);
- “Political” considerations might be introduced into the selection process;
- Some Members might be disadvantaged in nominating individuals; and
- The budget for the Extended Commission may need to include funds for travel and accommodation of the Chair. It is assumed that cost of the Chair’s time at CCSBT meetings would be covered by the Chair’s home State/Fishing Entity.