

Guidelines for Observers in the Advisory Process

The provision of advice

In October 2007 the Council established ACOM and implemented an advisory structure that employs:

- Benchmark and Data Compilation Workshops to assemble data and lay down a reviewed or new assessment methodology,
- Expert Groups (EGs)
- Review Groups (RGs) to provide an independent review of the technical text, and
- Advice Drafting Groups (ADGs) to draft the advice for consideration by the ACOM and communication to the client.

ICES has adopted a policy on transparency of the advisory process to meet its clients wishes. These clients require that the analytical basis for, and the development of, the advice be transparent to clients and stakeholders. Stakeholders are allowed to join Review and Advice Drafting Group as well as ACOM meetings as observers on the basis of the following rules.

ICES Policy on Observers of Advisory Services¹⁾

1. Governmental organizations, intergovernmental organizations, non-governmental organizations and individuals are eligible to observe ICES Advisory Services.
2. The ICES public website shall contain an invitation to apply to observe Advisory Services with a link to this policy, a description of the application procedure and other relevant information.
3. Organizations that want to observe Advisory Services should support the general objectives of ICES and have competence in the area of ICES work.
4. Individuals that want to observe Advisory Services should as a personal matter endorse the objectives of ICES and they should have an expressed interest in the work of ICES.
5. Organizations and individuals may apply to be observers or they may be nominated by ICES member countries.
6. Applications to observe Advisory Services shall include:
 - 6.1. name, address, telephone, e-mail address of the organization or individual seeking observer status;
 - 6.2. a description of organizations including aims and purposes, description of activities, history, current membership, and membership eligibility;
 - 6.3. the reasons an individual wishes to observe Advisory Services and a description of the activities or accomplishments of the individual that might make observer status beneficial;

¹⁾ As laid down in ICES Council October 2009, document CM 2009 Del-2.3

- 6.4. statement on the specific meetings or events, or the category (e.g., Advice Drafting Groups) or the subject matter (Baltic Sea fisheries) of meetings or events, or a time period an organization or individual wishes to observe.
- 6.5. documents or other resources produced that are relevant to ICES;
- 6.6. information (if any) the organization or individual wishes to present to a meeting or event.
7. All applications to observe Advisory Services will be circulated to ACOM and the Council for comment. The application will be deemed accepted 10 business days after it is circulated unless an ACOM member or Council member objects.
8. If an ACOM member or Council member objects to an application to observe Advisory Services, the ACOM Chair will conduct an ACOM web conference to resolve the matter. Any Council member that objected will be invited to participate in the web conference. However, ACOM will be empowered to resolve the matter.
9. Under unusual circumstances, the ACOM chair may authorize an organization or individual to observe a specific Advisory Services event. In such cases, ACOM and the Council will be notified at the time the authorization is granted, and if there is an objection, the authorization will be revoked immediately, until the matter can be addressed according to paragraph 8.
10. Any observer admitted to a meeting may:
 - 10.1. attend meetings (in person or by electronic connection), but may not vote;
 - 10.2. make oral statements during the meeting upon the invitation of the Chair;
 - 10.3. distribute documents at meetings through the Chair;
 - 10.4. engage in other activities as appropriate and as approved by the Chair.
11. The General Secretary will determine the maximum number of observers to be admitted to any meeting based on conference room capacity or limits on electronic connectivity, and the need for a balanced participation preserving the scientific nature and integrity of the work. The General Secretary will transmit any such determinations in the conditions of participation.
12. All observers admitted to a meeting shall be sent or otherwise receive the same documentation generally available to Member States and their delegations, except those documents deemed confidential by a Member State, the Chair of meeting or event or the General Secretary.
13. All observers admitted to a meeting shall comply with all rules and procedures applicable to other participants in the meeting. Failure to conform to these rules or any other rules that ICES may adopt for the conduct of observers may result in removal from the meeting by the presiding officer and revocation of observer status. Closed meetings, as decided by the presiding officer in case of deliberations of *inter alia* financial and personnel matters, are not open to observers.
14. These rules shall be subject to review and revision, as appropriate. If any Member State so requests, the adequacy of these rules shall be reviewed and assessed and, if necessary amendments shall be adopted in the light of the need of ICES to function effectively when conducting its business.
15. Organizations with whom ICES has signed an agreement specifying delivery of advice, including costs, as well as Member States, shall be invited to observe all ICES meetings considered in this rule.

Guidelines for Observers at the ICES Advisory Committee (ACOM)

Observers at ICES Advisory Committees are subject to 'rules of procedure' which help with the smooth running of the meeting. The rules of procedure developed for stakeholder observers at ACOM are given below.

(1) The invitees are present as **stakeholder observers** and are not members of the Committee. **Stakeholder observers** have no voting rights and cannot change the agenda.

(2) **Stakeholder observers** have access to the plenary meetings and to the subgroups. Their location in the meeting room will be at a separate table from the Committee members. This also applies to the subgroup meetings.

(3) **Stakeholder observers** can be invited to address ACOM on specific tasks at the discretion of the ACOM Chair or the chair of the subgroup. Stakeholders are allowed to ask for the floor but the chair of the meeting decides whether that is opportune.

(4) Committee members and **stakeholder observers** shall observe the *Chatham House Rule*, in particular that when addressing parties outside the meeting there is only to viewpoints expressed at the discussions and no references to specific members or observers.

(5) **Stakeholder observers** shall abstain from trying to influence, persuade or dissuade Committee members from certain points of view, both during, before and after the meeting.

(6) Committee members and **stakeholder observers** shall comply with existing policies regarding the release of the ACOM report.

(7) **Stakeholder observers**, may, at the discretion of the Chair, be asked to leave the meeting.

(8) During the meeting, the **stakeholder observers** shall have access to Working Documents prepared for the meeting and to the draft advice documents. The **stakeholder observers** shall not have access to basic data or use the documents outside the meeting without prior consent by the ACOM chair.

The participation of **Client Observers** in the ACOM meeting is governed by rules of procedures incorporated into the Memorandum of Understanding between the Client and ICES.

When observers take the role of **Invited experts**, they shall be subject to the same restrictions as other invited experts under the present arrangement (invited by the Chair with the approval of the General Secretary). These experts have restricted access to meetings, no voting rights and can only speak when invited to do so by the Chair. Typically such experts participate only for the agenda points for which they have been invited.