NPFC-2020-SC05-WP03

**Revision of the Scientific Committee Terms of Reference**

**Abstract:** The intent of this paper is to revise the Scientific Committee Terms of Reference based on the recommendations from the SC and the decision made by the Commission at its 5th meeting in July 2019. The SC recognized the specialized nature of the subjects and tasks that its subsidiary bodies deal with, and noted that allowing Chairs to serve more than two consecutive terms would provide greater consistency and continuity of expertise to its subsidiary bodies. The SC therefore recommended that the Commission allow multiple extensions of the terms of the Chairs of the SC’s subsidiary bodies, if necessary. In addition, it is suggested that the SC Chair would be eligible to serve for up to three successive terms of two years.

**NORTH PACIFIC FISHERIES COMMISSION**

**SCIENTIFIC COMMITTEE**

**TERMS OF REFERENCE**

**Context**

Article 7(3b) of the Convention states that the Commission shall “adopt a plan of work and terms of reference for the Scientific Committee, for the Technical and Compliance Committee and, as necessary, for other subsidiary bodies.”

Article 10(1) of the Convention states that “the Scientific Committee shall provide scientific advice and recommendations in accordance with the terms of reference for the Committee to be adopted at the first regular meeting of the Commission and as may be amended from time to time.”

**Purpose**

The Scientific Committee should provide a forum for consultation and cooperation among Contracting Parties and Fishing Entities (Members) with respect to the evaluation and exchange of scientific information relating to the fisheries of the Convention Area, and to encourage and promote cooperation among the members in scientific research designed to fill gaps in knowledge pertaining to these matters.

**Functions**

In accordance with Article 10(4) of the Convention, the functions of the Scientific Committee shall be to:

1. Develop and maintain a research plan that would be presented to the Commission, including specific issues and items to be addressed by the scientific experts or by other organizations or individuals, as appropriate, and identify data needs and coordinate activities that meet those needs;
2. regularly plan, conduct and review the scientific assessments of the status of fisheries resources in the Convention Area, identify actions required for their conservation and management, and provide advice and recommendations to the Commission;
3. collect, analyze and disseminate relevant information;
4. assess the impacts of fishing activities on fisheries resources and species belonging to the same ecosystem or dependent upon or associated with the target stocks;
5. develop a process to identify vulnerable marine ecosystems, including relevant criteria for doing so, and identify, based on the best scientific information available, areas or features where these ecosystems are known to occur, or are likely to occur, and the location of bottom fisheries in relation to these areas or features, taking due account of the need to protect confidential information;
6. identify and advise the Commission on additional indicator species for vulnerable marine ecosystems for which directed fishing shall be prohibited;
7. establish science-based standards and criteria to determine if bottom fishing activities are likely to produce significant adverse impacts on vulnerable marine ecosystems or marine species in a given area based on international standards such as the FAO International Guidelines and make recommendation for measures to avoid such impacts;
8. review any assessments, determinations and management measures and make any necessary recommendation in order to attain the objective of this Convention;
9. develop rules and standards, for adoption by the Commission, for the collection, verification, reporting, and the security of, exchange of, access to and dissemination of data on fisheries resources, species belonging to the same ecosystem, or dependent upon or associated with the target stocks and fishing activities in the Convention Area;
10. to the extent practicable, provide analysis to the Commission of alternative conservation and management measures that estimates the extent to which each alternative would achieve the objectives of any management strategy adopted or under consideration by the Commission; and
11. provide such other scientific advice to the Commission as it considers appropriate or as may be required by the Commission.

Consistent with Article 7(3c), the Commission shall refer to the Scientific Committee any question pertaining to the scientific basis for the decisions the Commission may need to take concerning conserving and managing fisheries resources and species belonging to the same ecosystem or dependent upon or associated with the target stocks and assessing and addressing the impacts of fishing activities on vulnerable marine ecosystems.

In accordance with Article 10(6), the Scientific Committee “shall not duplicate the activities of other scientific organizations and arrangements that cover the Convention Area.” Further, consistent with Article 21, the Committee shall seek, with the approval of the Commission, to develop cooperative working relationships with other intergovernmental organizations that can contribute to its work.

**Structure**

*1. Membership*

The Scientific Committee shall be composed of Members of the Commission. Members are encouraged to identify a focal point to facilitate the operations of the Committee. Scientific Committee participants would have a science background. Invitation and participation of non- members in the meetings and other activities of the Committee are subject to relevant provisions in Rule 9 of the Commission’s Rules of Procedure.

*2. Chair and Vice-Chair*

*i. Selection and Term*

The Chair and Vice-Chair of the SC will be selected by consensus in accordance with relevant provisions of the Convention and the Rules of Procedure of the Commission, unless the Commission decides otherwise.

The SC Chair shall be elected for a period of two years and shall be eligible for reelection for two additional terms of two years. In the case that the Chair is unable or unwilling to serve a full term, the Vice-Chair will assume the Chair’s position for a two-year term. The Vice-Chair would succeed the Chair after the Chair’s term expires and a new Vice- Chair would be identified.

The Chairs of the SC subsidiary bodies may serve more than two consecutive terms, recognizing the specialized nature of the subjects and tasks that its subsidiary bodies deal with, and noting the need to provide greater consistency and continuity of expertise to its subsidiary bodies.

ii. *Duties of the Chair*

* Coordinate the meeting schedule and agenda preparation;
* Chair Committee meetings as well as prepare reports of the meetings;
* Foster constructive and active dialogue at Committee meetings;
* Coordinate the development of specific deliverables identified in the Committee’s functions, as per Article 10 in the Convention;
* Liaise with the Commission Chair, TCC Chair, and other relevant international organizations as appropriate to enhance the quality of activities;
* Represent or designate a competent person to represent the Committee to participate, as appropriate, in various regional and international meetings and fora; and,
* Invite, as appropriate, non-members to contribute to the Committee’s meeting agendas and activities.

*3. Meetings*

Consistent with Article 10 in the Convention, the Scientific Committee shall meet, unless the Commission otherwise decides, at least once every two years, and prior to the regular meeting of the Commission.

*4. Sub-Committees or Working Groups*

Consistent with Article 6 in the Convention, the Committee may establish working groups and may seek external advice in accordance with any guidance provided by the Commission.

**Agendas and Meeting Conduct**

The Scientific Committee will endeavor to develop agendas and conduct its meetings in a manner that is consistent with Rule 5 in the Commission’s Rules of Procedure.

**Decisions**

Decisions will be adopted in a manner that is consistent with Article 8 of the Convention and Rule 2 in the NPFC Rules of Procedure. Consistent with Article 8, as a general rule, the Committee shall strive to make its decisions by consensus.

**Language**

In accordance with Rule 7 in the Rules of Procedure, English shall be the working language of the Committee. Any other language may be used on condition that persons doing so will provide interpreters.

**Records and Reports**

In accordance with Article 6(2) in the Convention, after each meeting, the Committee will provide a report on its work to the Commission that includes, where appropriate, advice and recommendations to the Commission.

As per Article 10(3) in the Convention, the Committee shall make every effort to adopt its reports by consensus. If every effort to achieve consensus has failed, the report shall indicate the majority and minority views and may include the differing views of the representatives of the members on all or any part of the report.

These Terms of Reference are subject to approval by the Commission. They may be revised by the Committee based on consensus and subsequent approval by the Commission.