



North Pacific Fisheries Commission

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Abstract:

This paper presents a process agreed at COM 07 for observer access to meetings of TCC, including informal sessions and Small Working Group meetings. It also outlines a process for public access to all meeting documents. These interim rules will remain in place until COM 08, at which time TCC and its subsidiary bodies will operate consistently with the Commission's Rules of Procedures, unless these rules are modified or extended.

INTERIM NPFC RULES OF TRANSPARENCY FOR TCC

- 1) Observer access to all TCC meetings including informal sessions and meetings of small working groups (SWG)

In the case of accredited observers (as listed in Rule of Procedure 9.1), attendance and participation in intersessional meetings, such as TCC Small Working Group meetings, will be in accordance with the following procedures:

- a) A Member may invite an observer to attend a SWG meeting, should the Member believe the meeting would benefit from the observer's attendance and participation. If a Member wishes to invite an observer, that Member should submit a proposal to the Secretariat at least 15 days prior to the meeting with information on how the participation of the observer may be beneficial to the particular meeting. The Secretariat will immediately notify all Members of this invitation. The observer may attend and participate in the meeting, unless a simple majority of the Members objects to the request within 7 days of the notification. If the Secretariat provides fewer than 15 days' prior notice of the meeting, the Member should submit its proposal as soon as possible, still allowing Members at least 7 days to review.
- b) An observer may request to be invited to attend a SWG meeting, either through a Member or directly to the Secretariat. That observer should submit a proposal to the Secretariat at least 15 days prior to the meeting with a statement on how the participation of the observer may be beneficial to the particular meeting. The Secretariat will immediately notify all Members of this proposal. The observer may attend and participate in the meeting, unless a simple majority of the Members objects to the request within 7 days of the notification. If the Secretariat provides fewer than 15 days' prior notice of the meeting, the observer should submit its proposal as soon as possible, still allowing Members at least 7 days to review.
- c) Meetings, or portions of meetings, may be closed to observers if the meeting or portion of the meeting:

- i) would disclose commercial, financial or other operational information deemed privileged or confidential under NPFC's data security policy to be developed by the Commission;
- ii) would disclose information on monitoring, control and surveillance, particularly on HSBI enforcement and fishery related activities data, including CMS and transshipment data, deemed privileged or confidential under NPFC's data security policy to be developed by the Commission;
- iii) would result in premature disclosure of drafts that are customarily kept confidential until published by the NPFC, including the IUU vessel list and the compliance reports, or;
- iv) relates solely to the internal rules and practices of the NPFC, such as personnel matters, that are required to be kept confidential by NPFC policy or applicable law.

2) Public access to all meeting documents

All meeting documents, such as Working Papers, Meeting Info Papers, Reference Documents/Papers, draft CMMs, and Observer Papers, but excluding draft and interim compliance reports, edits or comments from Members made on working documents, or other draft documents customarily kept confidential, will be made available to accredited observers. These meeting documents will be made available to observers in advance of the meeting as per the Rules of Procedure, and where not specified, on or around the same time as Commission Members. Materials developed during the meeting, as well as meeting minutes, will be made available to accredited observers upon completion of the meeting in a time consistent with Member access to the materials. The access of these meeting documents is subject to confidentiality rules adopted by the Commission, such as data security-related provisions in CMMs, or a general data sharing and security policy to be adopted.

These interim rules will remain in place until COM09, at which point the TCC SWGs will operate consistently with the Commission's Rules of Procedure, unless these interim rules are modified or extended.