

## Bureau Proposal to Establish Affiliate National Members

### 1. Current Situation

1.1 Article 2 of the ICES Convention states “the Council shall be concerned with the Atlantic Ocean and its adjacent seas and primarily with the North Atlantic.” The Bureau Working Group on Strategic Planning and for Scientific Cooperation and Advice (CM 1993/Gen:6) reaffirmed this geographic focus for ICES research and coordination..

1.2 While ICES is not proposing to broaden its geographic focus for research and coordination, it is widely accepted that the societal issues and research needs that motivate ICES are global in scope. Thus, ICES benefits from interactions with scientists and scientific institutions from around the world. As one of the world’s leading marine science organizations, ICES also recognizes a responsibility to help build scientific capacity. The importance of ICES taking on a global perspective is highlighted in the ICES Strategic Plan.

1.3 In accordance with Article 16(4) of the ICES Convention, governments may apply to accede to the Convention by written application to the Government of Denmark. There is no provision for non-governmental organizations to accede to the Convention. Even for government institutions, such as government research institutions, the process of becoming a member of ICES is daunting, as it requires action by governmental Departments or Ministries authorized to enter into international agreements on behalf of the country.

1.4 ICES has already made significant progress toward achieving a global perspective as indicated by the fact that scientific institutions of six countries have been granted Observer status. The countries are Australia, New Zealand, South Africa, Chile, Peru, and Greece.

1.5 The rules governing Observer status for scientific institutions representing their countries are given in CM 1995/Del:11 (Revised), **which is attached as Annex 1**. It indicates procedures for application, privileges, and obligations. In essence, Annex 1 indicates that:

- (a) Scientific organizations that share ICES’ goals and commitment to sound and objective scientific endeavours may apply to represent their country as an Observer.
- (b) Scientists from the country represented by a scientific organization which has been granted Observer status may participate in ICES’ scientific activities, except for Study or Working Groups of ACFM, and /or groups of named experts established by the Council. Inherently, no mention is made of eligibility for participation in Study or Working Groups of other Advisory Committees (e.g., ACME, and ACE which did not exist when CM1995/Del:11 (Revised) was prepared).
- (c) Observer institutions will be provided with copies of ICES documents and publications.
- (d) Scientific organizations which have been granted Observer status will act as “national correspondents” for ICES within their countries.
- (e) Observer institutions have no governance rights within ICES (e.g., they are not represented on the Council).
- (f) Observer institutions pay ICES an annual fee.

For a more precise statement of the rules governing Observer status, see Annex 1.

## **2. Rationale for Establishing Affiliate Member Status**

2.1 It is clear that ICES has benefited by having Observer members representing six countries from around the world. Participation in the Annual Science Conference is broader than ever before. It is now common for ICES to seek invited speakers from outside its North Atlantic focus. It has also co-sponsored symposia in Observer countries. In general, ICES scientists think more globally as a result of more interaction with colleagues from other regions of the world.. Another minor benefit to ICES is the fees it collects from Observers.

2.2 Presumably, Observer organizations, and the countries they represent, consider their new relationship with ICES to be beneficial. Otherwise, they would not apply for Observer status nor would scientists from Observer countries participate.

2.3 While establishing the status of “Observer” has been beneficial, the terminology needs to be updated to fit the current reality of ICES. In particular,

(a) There is no longer a need for Observer status since most scientific activities of ICES are open to all scientists (this was not the case when Observer status was established).

(b) Scientists from Observer countries are active participants (not observers) in ICES, which is mutually beneficial to ICES and the Observer countries.

(c) Since ICES wishes to encourage even more global participation in the future (as agreed to in the Strategic Plan), it should use terminology to refer to new colleagues by a name that is more “attractive” than by identifying them as “observers.”

2.4 Being a member of an organization conveys a sense of responsibility for the organization, and it allows the member to take pride in the organization’s accomplishments. ICES should want its new colleagues to feel a sense of responsibility and pride. However, there is clearly a need to distinguish between (a) countries that acceded to the Convention, and accepted resulting obligations under international law, and (b) institutions that are acting in good faith on behalf of their countries, but that lack legal authority. Also, members that have acceded to the Convention make considerably larger financial contributions to ICES than current Observers.

2.5 The term “Affiliate Member” more accurately describes the role current Observers play within the ICES community, while distinguishing them from member nations that have acceded to the Convention. It should be more appealing to scientific institutions of countries that are not yet associated with ICES, but might be interested in participating in ICES scientific activity in the future. Changing the terminology from “Observer” to “Affiliate Member” may prevent some of the current Observers from reconsidering their status since it is no longer necessary for them to be Observers for their scientists to participate in ICES scientific activities. As an Affiliate Member, they will be contributing to the general good of an organization in which they can take pride in, rather than paying an access fee.

2.6 The current rules governing Observers restrict them from participating in Study Groups or Working Groups of ACFM (according to Annex 1), but they do not mention other Advisory Committees. This inconsistency should be addressed. Clearly, additional scientific experts from scientific institutions which ICES deems qualified to represent their countries can benefit ICES in performing its advisory function. Therefore, the rules governing participation in scientific activities that support the advisory function might be liberalized and made more consistent.

## **3. Recommendations**

3.1 It is recommended that the terminology for country “Observers” be changed to “Affiliate Members.” The terminology of non-governmental organisation Observers should not be changed.

3.2 It is recommended that rules governing status as an Affiliate Member remain as stated in Annex 1, except for the change in terminology indicated in 3.1 above, and as indicated in (a)-(e) below.

(a) In Section 3 of Annex 1, delete the first three bulleted points. They refer to privileges that are now freely available to all registered participants in the Annual Science Conference, following a Council decision in 1996.

(b) *Option 1, to be consistent for all advisory functions*- In section 3 of Annex 1, replace “ACFM” in the fourth and fifth indented “bulleted” statements with “Advisory Committees.”

(c) *Option 2, to make more liberal*- In section 3 of Annex 1, delete the fourth indented “bulleted” statement and replace the fifth indented “bulleted” statement with:

- “Participation in Study and Working Group meetings, except for subsidiary groups of Advisory Committees, whenever the Management Committee on the Advisory Process (MCAP) determines that the quality and/or credibility of ICES advice will not be well served by participation of scientists from Affiliate Member countries.”

(d) In Section 4, replace the third indented “bulleted” statement with

- “to make an Affiliate Member’s financial contribution, in advance of the ICES Annual Scientific Conference, in an amount to be determined annually by the Council through approval of its budget.”

(e) In Section 4 of Annex 1, add a fifth bullet point:

“to ensure that the expertise of their participants in ICES Study/Working Group meetings is appropriate to the terms of reference of such Study/Working Groups

3.3 The attention of Delegates is drawn to **Annex 2**, which is an amended version of Annex 1. Annex 2 incorporates the above proposals, together with other editorial amendments necessary to update the 1995 policy statement.

3.4 It is recommended that the Secretariat inform current ICES country Observers of the rationale for ICES replacing the terminology of “Observer” with “Affiliate Member,” and ask them for their concurrence with the change. Current Observers that object to the change would no longer have status with ICES.

3.5 It is recommended that the Secretariat make known to potential future Affiliate Members the opportunity, benefits, and obligations of becoming formally associated with ICES. For example, Affiliate Membership status may be described in the ICES Newsletter and publicized at international meetings (e.g. World Fisheries Congress, IOC Assembly, and FAO Committee on Fisheries).

**CRITERIA GOVERNING ACCEPTANCE FOR COUNCIL  
MEMBERSHIP  
AND SCIENTIFIC OBSERVER STATUS**  
**ENDORSED BY THE COUNCIL AT THE 1995 ANNUAL SCIENCE CONFERENCE  
(83RD STATUTORY MEETING)**

## CRITERIA GOVERNING ACCEPTANCE FOR COUNCIL MEMBERSHIP AND SCIENTIFIC OBSERVER STATUS

### 1. Background

1.1 In accordance with Article 16(4) of the ICES convention only “Governments may apply to accede to the convention by addressing a written application to the Government of Denmark”. Thus any other method of application for membership is formally excluded.

1.2 Over the last few years, ICES has received several applications from organisations/institutions wishing to obtain observer status in ICES, primarily in order to attend the scientific sessions of the Annual Science Conference and to participate in the meetings of Study/Working Groups. It is important to acknowledge that such organisations or institutions are above all interested in gaining access to one of the major scientific forums involved in marine research, particularly those fields related to the study of living marine resources, including their utilisation and conservation, the environment, and oceanography.

1.3 Non-Governmental Organisations (NGOs) will not be considered for the purposes of the present document because guidelines and criteria governing their observership have been discussed at great length and formalised in the 1991 *ICES Annual Report*. This *Annual Report* provides (Annex 1, pp. 41-42) the rules and procedures which must be applied when an NGO applies for observer status in ICES.

1.4 In terms of geographical scope, and in accordance with the conclusions of the Bureau Working Group on Strategic Planning for Scientific Cooperation and Advice (C.M. 1993/Gen:6), it has been considered inappropriate, at least in the immediate future, to expand the geographical area in which ICES is involved in scientific research co-ordination and provision of fisheries and environmental information and advice. As stated in Article 2 of the ICES Convention, “*the Council shall be concerned with the Atlantic Ocean and its adjacent seas and primarily with the North Atlantic*”. However, the geographical scope of ICES is a feature which in the case of applications for scientific observer status is less restrictive than in the case of applications for full membership in ICES. This has been acknowledged, and indeed constitutes a precedent, in the case of the Council’s current scientific observers (CSIRO, Australia, and Sea Fisheries Research Institute, South Africa).

1.5 With respect to the matter of participation in Study/Working Groups (including those dealing with fish stock assessments) and the Annual Science Conference, the unwritten practice of long standing regarding the possible inclusion of **experts from non-Member Countries within a Member Country delegation** should be made more explicit. This is intended to formalise an outcome from the “Extra Session” of the Delegates Meeting at the 1994 Annual Science Conference regarding “ICES role in Third World Development” (*ICES Annual Report* for 1994, pp. 29-32). It is assumed that, although the discussion referred only to Third World countries, organisations and experts, the same spirit should apply equally well to “developed” countries which are currently not members of ICES, but which fall within the limitations mentioned above. This participation of experts from non-Member Countries within a Member Country delegation has various objectives which are mutually beneficial; in some cases there are obvious training objectives for new/young scientists who can acquire appreciable expertise by taking part in Study/Working Groups. Additionally, ICES is likely to benefit from new or supplementary expertise in scientific fields where there may be less experience among the institutes traditionally involved in ICES. This may extend to entrusting such “external” experts with the chairmanships of crucial Study/Working Groups. In all cases involving “external” experts as members of Study/Working Groups, the national Delegates will inform the General Secretary of the status of such experts.

Thus, on this basis, the condition for attendance of scientific observers at ICES meetings remains relevant and requires no change.

## **2. Application for scientific observer status**

**2.1** In order to meet the requirements of **national research institutes** of countries outside the current geographical scope of ICES, or of countries within the stated region, whose Governments have not applied to accede the ICES convention, the Council may grant these institutes scientific observer status in ICES.

**2.2** The granting of scientific observer status for a research organisation/institution shall be considered in the light of Article 1(a) of the ICES Convention which indicates that the Council has the duty “to promote and encourage research and investigations for the study of the sea, particularly related to the living resources thereof.” The organisations/institutions considered are national or international scientific institutes engaged in research activities which fall within the range of the ICES convention. These basic criteria shall be essential prerequisites for the status of scientific observership, they do not convey however, any right to claim that status.

**2.3** In order to avoid multiple representation from one and the same country in ICES, observership will normally be granted to one national organisation/institute per country only. Scientific observer status will normally, but not necessarily, be granted to the first research institute which applies from a specific country, on condition that it meets the specific criteria defined and that it adheres to the rules governing the activities of such observers.

**2.4** The Council reserves the right to select, from a number of applicants, the most appropriate one to be granted observer status. The Council may, as it sees fit, consult with the competent authorities in the country concerned. Such consultations may be held at any time.

**2.5** The status of scientific observership of an applicant shall be approved by the Council, in accordance with Article 8(2) of the convention (by vote with a simple majority). After the approval of the scientific observership of a national organisation/institute no other application for scientific observership of this country will be considered, unless the first organisation/institution ceases to be a scientific observer, or its observer status is revoked (see below).

**2.6** The Council reserves the right to introduce a given limitation on the total number of scientific observers.

**2.7** Scientific observership will end automatically, if the country to which the scientific observer belongs becomes an ICES member.

An organisation/institution may withdraw from the status of a scientific observer by informing the Council in writing. The observer status may be revoked by the Council at any time.

A withdrawal will come into force by the end of the ICES year in which the withdrawal has been declared.

## **3. Privileges conferred with scientific observer status**

The granting of scientific observer status to a non-Member Country research organisation/institution shall confer on it the following privilege:

- attendance at the ICES Annual Science Conference, including the General Assembly and all other plenary sessions but excluding sessions restricted to members only according to the Rules of Procedure;
- access to all scientific papers submitted to the ICES Annual Science Conference, and permission to submit scientific papers for presentation at the ICES Annual Science Conference under the same rules as applied to the experts of Member Countries;
- participation in discussions at the scientific sessions of the ICES Annual Science Conference at the discretion of Chairmen or Convenors without the right to vote on matters requiring such action;
- attendance at Study/Working Group meetings other than those related to fish stock assessments established by ACFM, or those having named experts appointed by the Council;
- attendance at Study/Working Group meetings established by ACFM, through an application presented by a Delegate of an ICES Member Country who is willing to assume responsibility for such participation. The attendance is dependent upon confirmation by the General Secretary after consultation with the Chairman concerned.
- receipt of one copy of all new issues of the following ICES publications: the *ICES Annual Report*, the *ICES Cooperative Research Report* series (including ACFM and ACME Reports), all Study/Working Group Reports, and ICES/CIEM Information.

#### **4. Obligations imposed with the granting of scientific observer status**

The granting of scientific observer status to a non-Member Country research organisation/institution shall impose the following obligations:

- to recognise the basic aims and objectives of the Council and to support its work;
- to respect the scientific nature of discussions at all Council meetings attended by its experts;
- to make annual payment, in advance of the ICES Annual Science Conference, of an observer's fee currently amounting to DKK 20,000;
- to serve as the national correspondent for ICES, making all necessary arrangements or agreements between different interested organisations/institutions at a national level, while allowing access to ICES activity and information by the entire scientific community relevant to ICES;
- to address to the General Secretary at the beginning of each ICES calendar year a list of all nominated experts, including where appropriate those from other pertinent national organisations/institutions or authorities, which desire to take part in suitable meetings or activities of the Council.

#### **5. Procedure for submitting applications for scientific observer status**

A research organisation/institution from a non-Member Country seeking scientific observer status in ICES for the purposes of participating in the Council's activities shall:

- submit a written application to the General Secretary at least six (6) months in advance of an ICES Annual Science Conference, containing the following information:
  - name of the organisation/institution with (tele)communication addresses of its headquarters;
  - national/international affiliation of the institute and its main mandate;
  - research fields and disciplines covered by the organisation/institution or its subsidiaries;
  - structure and membership of the organisation/institution.



**CRITERIA GOVERNING ACCEPTANCE OF AN  
AFFILIATE OF THE INTERNATIONAL COUNCIL FOR  
THE EXPLORATION OF THE SEA**

Adopted by Council on 28 October 2002

## **CRITERIA GOVERNING ACCEPTANCE OF AN AFFILIATE OF THE INTERNATIONAL COUNCIL FOR EXPLORATION OF THE SEA**

### **1 Background**

**1.1** In accordance with Article 16(4) of the ICES Convention only “the Government of any State may apply to accede to this Convention by addressing a written application to the Government of Denmark”. Thus any other method of application for membership is formally excluded.

**1.2** Article 2 of the ICES Convention states “the Council shall be concerned with the Atlantic Ocean and its adjacent seas and primarily concerned with the North Atlantic”. In endorsing the conclusions of the Bureau Working Group on Strategic Planning and for Scientific Cooperation and Advice (CM 1993/Gen:6), the Council reaffirmed this geographic focus for ICES research and coordination.

**1.3** While ICES does not propose to broaden its geographic focus for research and coordination, it is widely accepted that the societal issues and research needs that motivate ICES are global in scope. Thus, ICES benefits from interactions with scientists and scientific institutions from around the world. As one of the world’s leading marine science organisations, ICES also recognises a responsibility to help build scientific capacity. The importance of taking on a global perspective is highlighted in the ICES Strategic Plan.

**1.4** Over the last ten years or so, ICES has received several applications from scientific organisations/ institutions wishing to be affiliated with ICES, primarily in order to attend the scientific sessions of the Annual Science Conference and to participate in the meetings of Study/Working Groups. It is also important to recognise that such organisations or institutions are interested in gaining access to one of the major scientific forums involved in marine research.

**1.5** At the 2002 Statutory Meeting, Council created the category of “Affiliate” of the International Council for Exploration of the Sea, or “ICES Affiliate”, to refer to research organisations/institutions in non-member countries that qualify for this status according to the terms described in this document.

**1.6** The term “Affiliate” replaces the term “Observer” (which had been created in 1995; *ICES Annual Report* 1995, page 28) when referring to research organisations/institutions that represent scientists in non-member countries, in accordance with the conditions described in this document. Non-Governmental Organisations (NGOs) are not covered in this document. ICES policy concerning NGOs can be found in the 1991 *ICES Annual Report* (pages 41-42).

### **2 Acquiring ICES Affiliate status**

**2.1** In order to further the interests of ICES and to support the needs of scientists of countries outside the current geographical scope of ICES, or of countries within the stated region whose Governments have not acceded to the ICES Convention, the Council may grant, to a research organisation/institution that represents scientists in a non-member country, status as an ICES Affiliate.

**2.2** The granting of Affiliate status for a research organisation/institution shall be considered in the light of Article 1(a) of the ICES Convention, which indicates that the Council has the duty “to promote and encourage research and investigations for the study of the sea, particularly those related to the living resources thereof.” The organisations/institutions considered are nationally or internationally respected scientific establishments engaged in research activities which fall within the range of the ICES Convention. These basic criteria shall be essential prerequisites for the status of Affiliate; they do not convey, however, any right to claim that status.

**2.3** In order to avoid multiple representation from one and the same country in ICES, Affiliate status will normally be granted to only one research organisation/institute per country. Affiliate status will normally, but not necessarily, be granted to the first research organisation/institution which applies from a specific country, on condition that it meets the specific criteria defined and that it adheres to the rules governing the activities of an Affiliate.

**2.4** The Council reserves the right to select, from a number of applicants, the most appropriate one to be granted Affiliate status. The Council may, as it sees fit, consult with the competent authorities in the country concerned. Such consultations may be held at any time.

**2.5** The status of Affiliate for an applicant shall be approved by the Council, in accordance with Article 8(2) of the Convention (by vote with a simple majority). After approving a research organisation/institute as an Affiliate, no other application for Affiliate status from the same country will be considered, unless the first organisation/institution ceases to be an Affiliate, or its Affiliate status is revoked (see below).

**2.6** The Council reserves the right to introduce a given limitation on the total number of Affiliates.

**2.7** Affiliate status will end automatically if the country where the Affiliate is located accedes to the ICES Convention.

**2.8** An organisation/institution may withdraw from the status of Affiliate by informing the Council in writing. The Affiliate status may be revoked by the Council at any time.

**2.9** A withdrawal will come into force by the end of the ICES year in which the withdrawal has been declared.

### **3 Obligations imposed with the granting of Affiliate status**

The granting of Affiliate status to a non-member country research organisation/institution shall impose the following obligations:

- (i) to recognise the basic aims and objectives of the Council and to support its work;
- (ii) to respect the scientific nature of discussions at all Council meetings attended by its experts;
- (iii) to make the Affiliate's financial contribution in advance of the ICES Annual Science Conference, in an amount to be determined annually by the Council through approval of its budget.
- (iv) to serve as the national correspondent for ICES, making all necessary arrangements or agreements between different interested organisations/institutions at a national level, while allowing access to ICES activity and information by the entire scientific community relevant to ICES;
- (v) to ensure that the expertise of their participants in ICES Study/Working Group meetings is appropriate to the terms of reference of such Study/Working Groups.

### **4 Privileges conferred by acceptance of Affiliate status**

**4.1** Participation by scientists representing Affiliates in the Annual Science Conference, symposia and publications of ICES shall be in accordance with the same conditions as those applying to scientists from member countries.

**4.2** Scientists representing Affiliates may participate in Study and Working Group meetings, except for subsidiary groups of Advisory Committees when it has been determined that the quality and/or credibility of ICES advice would not be well served.

**4.3** With regard to 4.2, Council Resolutions establishing Study and Working Groups, or authorising Study or Working Groups to meet (either physically or by correspondence), may specify that participation is limited to scientists from member countries only. Under extraordinary circumstances when an intersessional decision is made to authorise a Group to meet, the Management Committee for the Advisory Process (MCAP) shall have the authority to restrict participation to scientists from member countries only.

**4.4** Subject to paragraphs 4.2 and 4.3, Scientists representing Affiliates shall be nominated to participate in Study or Working Groups by the research organization/institution that serves as the affiliated correspondent within the scientists' home country.

**4.5** ICES Affiliates shall receive one copy of the following ICES publications: the *ICES Annual Report*, the *ICES Cooperative Research Report* series (including Reports of Advisory Committees), all Study/Working Group Reports, and the ICES Newsletter.

## **5 Applying for Affiliate status**

A research organisation/institution from a non-member country seeking Affiliate status with ICES for the purposes of participating in the Council's activities shall submit a written application to the General Secretary in advance of an ICES Statutory Meeting (preferably at least six months in advance), containing the following information:

- (i) the name of the organisation/institution with (tele)communication addresses of its headquarters;
- (ii) the national/international affiliation of the institute and its main mandate;
- (iii) the research fields and disciplines covered by the organisation/institution or its subsidiaries;
- (iv) the structure and membership of the organisation/institution, including the number of full-time employees;
- (v) the size of its annual budget and source(s) of income.