

**DRAFT RESOLUTION 8.3 SUBMITTED BY ITALY ON 22 NOVEMBER 2022
SCIENTIFIC COMMITTEE**

Note of the Secretariat

On Thursday 22nd November 2022, the ACCOBAMS Secretariat received a proposed amendment to draft Resolution 8.3 on the Scientific Committee.

The proposed changes and Italy's comments are reflected in this document.

“Dear Executive Secretary,

as anticipated in our email of 18 November on draft Resolution 8.3 - Scientific Committee and with a view to facilitate discussions at the MOP next week, please find attached a revised version of the said Resolution in track changes for consideration of the Contracting Parties. Amendments are mainly aimed to strengthen the role of the Parties within the Scientific Committee.

In order to enable you to circulate the revised Resolution among the Parties prior to MOP8, we have prepared both a French and an English version of the document as well as an explanatory note which highlights the rationale behind the amendments made by Italy.

Thank you in advance for your cooperation.

Yours sincerely,

Oliviero Montanaro”



Ministry of the Environment and Energy Security

Dott. Oliviero Montanaro

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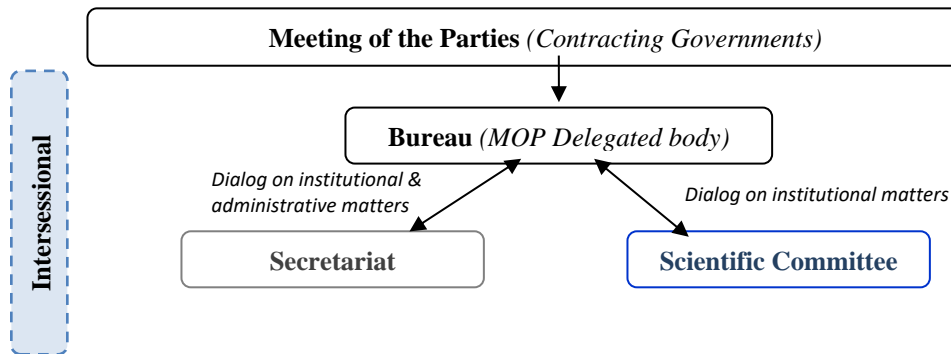
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EXPLANATORY NOTE BY ITALY

The following proposed amendments to the Scientific Committee of ACCOBAMS aim to:

1. Ensure a **wider participation** of Contracting Governments in the governance of this **key ACCOBAMS subsidiary body**, by enhancing their stewardship role and ensuring a healthy degree of **independence between subsidiary bodies** (Scientific Committee and Secretariat).



2. **Align the Scientific Committee Rules** of Procedures **to international standards**, keeping in mind the previous point and other fundamental principles, for example:
 - The discretion on the interpretation of the ACCOBAMS “laws” stays with those that signed the Agreement: the Contracting Parties (represented intersessionally by their delegated body: the Bureau).
 - The institutional nature of this subsidiary body (and advisory body to a multilateral agreement on cetacean conservation that works in an institutional context, and it is not meant to be an abstract scientific body).
 - The need to introduce weights and counterweights to guarantee a balance between several factors including:
 - The quality of the scientific and technical advice.
 - The experience in working within institutional bodies.
 - The transparency of the work.
 - The institutional memory of the organisation.
 - The generational change.
 - The geographical representation (not only north/south, but also east/west and Mediterranean Sea/Black Sea).
 - The gender representation.

DRAFT RESOLUTION 8.3
SCIENTIFIC COMMITTEE

The Meeting of the Parties to the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area:

Recalling Article VII of the Agreement on the composition and functions of the Scientific Committee,

Considering that it is appropriate to amend the Annex to Resolution 7.7 (Rules of the Scientific Committee), in particular to align the Scientific Committee Rules of Procedures to international standards, as regards the Chair and Vice-Chair of the Scientific Committee,

~~Considering the recommendations of the Scientific Committee and the Bureau,~~

[Italy: we could not find any information, discussion nor recommendations on changing SC RoPs in MOP8.Doc09 and MOP8.Doc11 or other documents].

Commending the participation in the Scientific Committee of the Regional representatives and experts from CIESM, IUCN, the European Cetacean Society (ECS), the Scientific Committee of the International Whaling Commission (IWC) and the Scientific Council of the Convention on the Conservation of Migratory Species of Wild Animals (CMS),

[Italy: why not thanking regional representatives for their participation?].

Taking into account the ACCOBAMS Strategy (period 2014-2025), as adopted by Resolutions 5.1 and 7.4, and the Work Programme 2023-2025, as adopted by [Resolution 8.2],

~~Stressing-Recognising~~ the need for establishing a closer link between the Scientific Committee of ACCOBAMS and the rest of the scientific community working on cetaceans in the Agreement Area,

[Italy: This implies a greater human investment in the governance of this fundamental body of the Agreement. The changes proposed did not seem to go in that direction. On the other hand, greater involvement of the Parties would go in that direction. See the next several proposed amendments.].

~~Stressing-Recognising~~ the need for strengthening the representation of the Parties' scientific community in the Scientific Committee of ACCOBAMS, by increasing the number of Regional Representatives allowing Parties to designate, on a voluntary basis, national experts to participate to the work of the Scientific Committee,

[Italy: The voluntary participation of National experts is not a new rule. It already existed. With the proposed amendment, instead, a wider participation would be guaranteed.].

~~Considering that the "Task Managers" and the regional representatives should have an active role in supporting the Chair during the meetings of the Scientific Committee and other works,~~

[Italy: The equivalence between Task Managers (a role/title for any member of Scientific Committee and "Regional Representatives" (a synonym for "member of the Scientific Committee") suggests the existence of two categories of members, which should not exist. Regional representatives should be considered full members of the SC. If this was not the case in the past, it must be fixed. However, this paragraph is not necessary, as the role of Task Managers is well explained in the old and new Rules of Procedure, and it is unclear why this was specified in this preambular section.].

~~Stressing-Recognising~~ the need to ensure the diversity of experiences and competences and the equitable geographical distribution and gender balance of membership within the Scientific Committee,

~~1. Decides to amend the Rules of the Scientific Committee, as annexed to this Resolution,~~

[Italy: This should come (and it comes now) as penultimate point.]

~~2.1. Entrusts both to CIESM and to IUCN the leadership of the Scientific Committee during the next triennium, according to the modalities described in the Rules of the Scientific Committee, annexed to this Resolution;~~

[Italy: As per revised Rules of Procedure, this is no longer necessary.]

~~3.2. Takes note~~ **Appoints** of the experts ~~designated~~ **nominated** by CIESM and IUCN for the period 2023-2025, as follows:

[Italy: the proposed change, from “taking note” to “appoint” or and from “designate” to “nominated” depending on who does this action, is based on the concept that the MOP should show its stewardship regarding the Scientific Committee by taking the power back in terms of designations. It is a formality, because nobody believes that proposed experts will be challenged in future, but it is a formality that means substance.]

- **CIESM:**

- Loriane MENDEZ,
- Ayaka Amaha OZTÜRK,
- Simone PANIGADA;

- **IUCN:**

- Rimmel BEN MESSAOUD,
- Léa DAVID,
- Cristina FOSSI,
- ~~Simone PANIGADA;~~

[Italy: these lists pose two issues: (1) Article 7 paragraph 1 states that “Parties will entrust the functions of the Scientific Committee to an existing organization in the Agreement area that assures geographically-balanced representation”. However, this list does not guarantee any geographical balance, with four experts from the north Mediterranean, one from the south Mediterranean and one for the Black Sea. (2) the fact that one expert is proposed by both organisations is not a good practice, for the above reason (i.e.: proposing twice an expert does not guarantee a geographical balance) and because it might signal an unsolicited indication to the members of the Scientific Committee.]

~~4.3. Asks the Scientific Committee to appoint, at its first Meeting of the triennium, a Chair and a Vice-Chair amongst experts designated by CIESM and IUCN, as well as “Task Managers”;~~

~~5.4. Decides~~ **Recommends** that the **new** Chair and Vice-Chair ~~to be appointed by~~ of the Scientific Committee ~~shall be~~ not ~~be~~ experts ~~designated~~ **nominated** by the same Organization **and that gender and geographical balance are also considered;**

~~6.5. Invites, each Organization listed in paragraph the outgoing Chair and Vice-Chair to appoint one of their experts to assist the Secretariat in the preparation of the first 15th Meeting of the Scientific Committee of the triennium;~~

~~7.6. Appoints~~ regional representatives, as follows:

- [to be appointed by MOP8], [to be appointed by MOP8] and; [to be appointed by MOP8] representing the Western Mediterranean and contiguous Atlantic area,
- [to be appointed by MOP8], [to be appointed by MOP8] and [to be appointed by MOP8] representing the Central Mediterranean,

- [to be appointed by MOP8], ~~[to be appointed by MOP8]~~ and ~~[to be appointed by MOP8]~~ representing the Eastern Mediterranean,
- [to be appointed by MOP8], ~~[to be appointed by MOP8]~~ and ~~[to be appointed by MOP8]~~ representing the Black Sea;

[Italy: these amendments reflect the proposal to extend the participation of experts proposed by Contracting Parties and designated by the MOP up to three per region. This is in line with the original intent of the Resolution that in its preambular paragraphs called for more participation of Contracting Parties to the life of the Scientific Committee.]

~~8.7.~~ **Appoints** ~~Takes note of~~ the representatives ~~designated~~ **nominated** by CMS, ECS and IWC for the period 2023-2025, as follows:

- Mark SIMMONDS, representing the Scientific Council of the CMS,
- Joan GONZALVO, representing the ECS,
- Greg DONOVAN, representing the Scientific Committee of the IWC;

~~9.8.~~ **Thanks** CIESM, CMS, IUCN and IWC for bearing the **financial** responsibility for their experts' participation-
expenses;

[Italy: Does this paragraph imply that the expenses from the representative of the ECS are covered by ACCOBAMS? If yes, this should be reconsidered.]

~~10.~~ **Invites the Sub-Regional Coordination Units to fully participate in the work and the Meetings of the Scientific Committee;**

[Italy: This paragraph is not applicable if it is not translated into a Rule in the Annexed RoPs. Currently Regional Coordination Units are "only" asked to support the Secretariat at SC meeting to draft the report. If we would like them to take on other tasks we should write an additional rule, which must be concerted with them.]

~~11.~~ **Invites the Secretariat, if resources allow, to ensure, where necessary, the participation in the Meetings and/or work of the Scientific Committee of experts in disciplines that are not covered by the members of the Scientific Committee, including legal and socio-economic aspects, after consultation with the Chair and the Vice-Chair of the Scientific Committee as for the selection and the definition of tasks of these experts;**

[Italy: This paragraph is no longer necessary as it is covered in the new Rules of Procedure. Concerning costs of Regional representatives, if these are usually covered by the ACCOBAMS budget, we propose that funding is ensured for two RRs per region and that the third will follow the work of the SC remotely during meetings and will be fully involved intersessionally via email or will cover her/his own costs. If additional funds are available, also the costs for the third regional representative will be covered. Initially, the priority will be given to experts from countries with limited means.]

9. Decides to amend the Rules of the Scientific Committee, as annexed to this Resolution.

~~12.10.~~ **Decides** ~~Agrees~~ that the present Resolution replaces Resolution 7.7.

ANNEX
RULES OF PROCEDURE OF THE SCIENTIFIC
COMMITTEE

GENERAL FUNCTIONS

Article 1

1. The Scientific Committee, established in accordance with Article VII of the Agreement, provides scientific advice and information to the Meeting of the Parties or to the Parties through the Secretariat.
2. The functions of the Scientific Committee are defined in Article VII, paragraph 3, of the Agreement.
3. **The functions of the ~~scientific~~ Scientific Committee are entrusted, on a triennial basis, to the experts nominated by the Parties and by the Expert Organisations (CIESM, IUCN), and designated by the Meeting of the Parties.**

[Italy: the insertion of the sentence “experts designated by the Meeting of the Parties” is proposed to introduce equality among all designated experts by the MOP. It is not an appropriate standard for an Advisory body of this kind to have designated experts by the Parties with a lesser role compared to those nominated by external bodies.

Alternatively, although sufficiently in line with the second sentence of Article 7, paragraph 1 of the Agreement, this third paragraph could be completely removed as it creates a disparity that is not in line with international standards.]

COMPOSITION

Article 2

1. The Scientific Committee shall consist in principle of the following members, namely:
 - **Three experts ~~appointed~~ proposed by CIESM;**
 - **Three experts ~~appointed~~ proposed by IUCN;**
 - **Up to three ~~Four~~ representatives for of the each Regions defined in the Appendix, appointed by the Meeting of the Parties ~~from a list of experts submitted by the Parties together with their curriculum vitae;~~**
 - **One representative from each accredited IGO, MEA, and NGO, including the European Cetacean Society (ECS), ~~one representative of~~ the Scientific Committee of the International Whaling Commission (IWC) and ~~one representative of~~ the Scientific Council of the Convention on the Conservation of Migratory Species of Wild Animals (CMS);**

[Italy: Article VII does not specify any organisation; however, it seems obvious that it is referring to a fully scientific organisation. The discretion used to interpret this Article over time is obvious: ACCOBAMS went from identifying only one fully scientific organisation (CIESM), supported by additional three ‘mixed purpose’ organisations with less ‘power’ (i.e.: a scientific NGO and a technical and policy NGO, such as ECS and IUCN, respectively; one scientific body of global convention, such as the IWC); later two more powerful organisations (CIESM and IUCN) and again three other organisations with less ‘power’ (ECS, IWC and CMS). The ‘power’ here is measured by the number of appointed experts.

Although these organisations are all relevant to the work of the Scientific Committee, usually, members designated from such organisations would be indicated as “Observers” rather than full members and all their travel and accommodation costs would be naturally covered by their own organisations. So, the whole setup is rather peculiar.

In any case, without reconsidering the whole setup, we propose the above insertion to make this rule a bit more transparent and leaves it open for other relevant actors to be fully involved, e.g., the Pelagos Agreement Technical and Scientific Committee.]

2. **The above organisations may propose to support more than three experts. In this case, such offer will be examined**

by the Bureau, which will notify it to the Parties 120 days before the Meeting of the Parties, with its recommendation. If no objections to the Bureau recommendation arise in the following 30 days, the offer will be considered accepted, pending the final designation of all experts by the Meeting of the Parties.

[Italy: while recognising that the wording “in principle” provides some flexibility, we would like to point out that the flexibility lies with the Parties, not with CIESM, IUCN, ECS, IWC, CMS or the Secretariat. The SC is a subsidiary body of ACCOBAMS, which is a multilateral agreement among Contracting Parties. If an organisation offers to support more scientists, their proposal should be submitted to the Bureau or the MOP. It is highly likely that ACCOBAMS Parties would never decline such offer; however, without an agreed process on this matter, ACCOBAMS would leave the possibility for external organisations to nominate as many experts as they like with no control from the Parties.]

- 3. The Chair and the Vice-Chair of the Scientific Committee are elected by the members of the Scientific Committee, at the first Meeting of the triennium, among ~~the all designated~~ experts ~~designated by CIESM and IUCN.~~**

[Italy: The original wording of this rule caused inequality among members of the Scientific Committee, with members selected and appointed by Contracting Parties not being considered for the top managing roles of the Committee (i.e.: Chair and Vice-Chair). The proposed amendment is to fix that.]

- 4. The Chair and Vice-Chair of the Scientific Committee ~~to be appointed~~ shall not be experts ~~designated-nominated~~ by the same Organization. Gender, geographical balance, and alternation in all roles of the Scientific Committee should be considered.**

- 5. Additional members of the Scientific Committee may be designated by the Parties on a voluntary basis. The cost of their participation to the meetings of the Scientific Committee shall not be covered by the Agreement’s funds.**

SELECTION OF THE MEMBERS AND TERMS OF OFFICE

Article 3

- 1. The selection of the Scientific Committee members must take into consideration the following criteria, finalized by the Extended Bureau in accordance with the Work Programme proposed to the Parties:**
- a) To be ~~an~~ experts in one or more fields relevant to cetacean conservation science;
 - b) To possess an appropriate level of quality, relevance, productivity and originality in activities related to cetacean conservation and research, as demonstrated through scientific publications and technical reports, communications to conferences, participation in working groups or committees at national or international levels.;
 - c) To be available to participate in the work of the Scientific Committee, attend its meetings and contribute to the working groups, with the required continuity.;
 - d) To be proficient in one of the Agreement’s two working languages (English and French) and have a sufficient knowledge of the other~~preferably in both.~~

[Italy: The current wording makes the bar on language knowledge even higher than for jobs at the UN. The universal scientific language is English. A fair understanding of written and spoken French would seem sufficient. However, the proposed amendments could also be

acceptable.]

2. All above criteria will be ascertained through the evaluation of their Curricula. An evaluation from the Scientific Committee Chair and Vice-Chair will also be submitted to the Meeting of the Parties.

[Italy: The Chair and Vice-Chair of the Scientific Committee could provide a pre-evaluation of all curricula based on an evaluation grid, which would assess: 1) scientific experience, 2) experience in multilateral institutional processes and 3) experience in collaborative work (i.e.: international working groups). This document would assist Contracting Parties to carry out their assessment.]

3. The qualified experts ~~designated~~ *proposed* by the CIESM and IUCN are ~~nominated~~ *designated* in close consultation with the ~~Bureau~~ *Executive Secretary*, who reports on the outcome of these consultations to the Meeting of the Parties.

[Italy: The supervision of the Scientific Committee by the Secretariat is not consistent with Article VII, which indicates the Bureau as the correct body with which the Scientific Committee should consult on organisational aspects. The Secretariat and the Scientific Committee are two mutually independent (but cooperating) bodies that work under the MOP (and the Bureau as delegated body for the intersessional period).]

2.4. The priorities set in the Work Programme for each triennium, as well as the need to ensure a balanced geographical representation, shall be taken into account in selecting the members of the Scientific Committee by the Meeting of the Parties.

3.5. At its first Meeting, four "~~Task~~ *Managers*" are designated by the Scientific Committee among ~~the~~ *its member* ~~experts referred to in Article 2.1~~. As far as necessary, these appointments can be modified during the triennium upon decision of the Chair of the Scientific Committee in consultation with the Vice-Chair and the Bureau ~~and in concertation with the Executive Secretary~~.

[Italy: The proposed amendment is in accordance with Article 7, paragraph 4 of the Agreement. See previous comment.]

Article 4

1. The terms of office of the members shall expire at the closure of the ordinary Meeting of the Parties following the one at which they were appointed.

2. *[Starting from 2025] all leading roles (i.e.: Chair, Vice-Chair and Task Managers) will have a maximum of [one] two consecutive terms.*

[Italy: Rotation in leading roles is good practice in general and particularly in institutional international bodies. Rotation allows more participation and the expression of new perspectives also linked to cultural differences. Italy does not want to push for this change immediately, but we believe that it is time to align the ACCOBAMS Scientific Committee to international best practice in this regard.]

MEETINGS

Article 5

~~1. The quorum for an ordinary meeting shall consist of the two thirds of the members of the Committee, without considering the additional members referred to in Article 2, paragraph 3. The quorum shall be reduced to half of the members in extraordinary meetings.~~

[Italy: why only experts proposed by external bodies should be considered as full members of the Scientific Committee? Also, the Scientific Committee is not a decision body, but an advisory body. Hence, this whole paragraph is not necessary for a Scientific Committee.]

2.1. The Chair shall preside over the meetings of the Scientific Committee, prepare the provisional agenda in consultation with the Secretariat, and liaise with members between meetings of the Committee. The Chair may represent the Committee as required and carry out other functions as may be delegated to him/her by the Committee, within the limits of the Committee functions.

3.2. The Vice-Chair shall assist the Chair. He/She shall preside at meetings of the Scientific Committee in the absence or in the event of the Chair being unable to act. He/she shall on those occasions exercise the powers and duties prescribed for the Chair.

[Italy: This amendment clarifies and codifies the standard role of a Vice-Chair.]

~~4.~~ At its first meeting after the Meeting of Parties, the Scientific Committee shall assign specific topics for each ~~Task~~ Manager taking into account the priorities set in the Work Programme for the triennium.

~~5.~~

~~6.~~ Each ~~Task~~ Manager, in addition to his/her role as member of the Scientific Committee, shall coordinate the works of the Scientific Committee concerning the topics that he/she has been assigned by the Scientific Committee.

~~7.~~

8.3. Each ~~Task~~ Manager shall provide a report to the meetings of the Scientific Committee on the topics he/she is in charge of.

[Italy: This is an editorial amendment, as three separate paragraphs for Task Managers seem inconsistent with editorial approach for other roles.]

9.4. ~~Each~~ Regional representatives of each region shall work together to provide a report to the meetings of the Scientific Committee on the conservation status of cetaceans and relevant activities in the region he/she has the responsibility of.

[Italy: This amendment would allow the facilitation of the work of Regional representatives and the creation of Regional teams.]

Article 6

1. The Scientific Committee, in consultation with the Bureau, may establish *ad hoc* working groups as needed to deal with specific tasks. It shall define the terms of reference and composition of each working group.

[Italy: This amendment is in accordance with Article 7, paragraph 4 of the Agreement.]

2. The meetings of the working groups shall be held, where possible, in conjunction with other events or intersessionally via remote tools.

3. The Scientific Committee may consider reports from other relevant meetings and working groups established under

the Agreement, when necessary.

4. These Rules shall apply, *mutatis mutandis*, to the meetings of working groups.

Article 7

1. The Chair, in consultation with the Vice-Chair and the Chair of the Bureau ~~Executive Secretary~~, may decide to invite other experts, including experts in legal and socio-economic matters, to attend meeting (in person or remotely), as observers, ~~other experts as deemed necessary~~. If their participation requires funding from ACCOBAMS, the Bureau will decide on their attendance, in consultation with the Permanent Secretariat.

- ~~1. The Chair, in consultation with the Executive Secretary, may decide to invite, as observers, experts in disciplines that are not covered by the members of the Scientific Committee, including legal and socio-economic matters.~~

[Italy: These two amendments are to simplify this article and, as it was done previously, re-establish the correct balance among subsidiary bodies of the Agreement.]

- ~~3.2.~~ ACCOBAMS Partners may participate as observers to the Meeting of the Scientific Committee.

Article 8

1. Notices of meetings, including date and venue, shall be sent to all Parties, to the members of the Scientific Committee and to the ACCOBAMS Partners, by the Secretariat at least 45 days in advance and, in the case of extraordinary meetings, at least 14 days in advance.
2. The Secretariat of the Agreement, with the support of the Sub-Regional Coordination Units, shall undertake secretarial tasks during the meetings of the Scientific Committee and of its working groups and shall provide administrative and logistical support.
3. A report of each Meeting shall be prepared by the Secretariat as soon as possible and shall be communicated to all members and observers of the Scientific Committee, to all Parties and ACCOBAMS Partners.
4. The report shall be posted on the ACCOBAMS website.

Article 9

1. ~~Decisions~~ Recommendations ~~by~~ the Scientific Committee shall be ~~taken~~ adopted by consensus.
[Italy: The Scientific Committee is not a decisional body; it is an advisory one. It can only make recommendations. Decisions are taken by the Meeting of the Parties]
2. If consensus cannot be reached regarding an issue, all the positions expressed about it during the meeting shall be included in the meeting report.

Article 10

1. The Meeting of the Scientific Committee shall be convened once a year during the first two years of the triennium by the Secretariat of the Agreement in consultation with the Chair.

2. Extraordinary meetings may be convened if the Bureau agrees.

COMMUNICATION PROCEDURE

Article 11

1. In application of Article II, paragraph 2, of the Agreement, when a Party asks for advice on exceptions to the prohibition on deliberate taking of cetaceans, the Secretariat shall immediately communicate the request to the Chair and to the members of the Scientific Committee for advice.
2. Within 30 days, the Chair takes a decision on the request also on the basis of the advice received from the other members of the Scientific Committee and communicates it to the Secretariat for immediate communication to the requesting Party.

Article 12

1. Between sessions, any member of the Scientific Committee or the Sub-Regional Coordination Units, through the Secretariat, or the Secretariat directly may submit a written proposal to the Chair for a decision within the limits of the functions of the Scientific Committee.
2. The Chair shall ~~communicate forward~~ the proposal to members of the Scientific Committee. for eComments shall be submitted within ~~630~~ days from the date of that communication to all members of the Scientific Committee and to the Secretariat.
- ~~2.—Any comments received within the 60-day period shall be communicated to members of the Scientific Committee and to the Secretariat.~~
- ~~3.—If, by the date on which no~~ comments nor objections on a proposal ~~were due to be communicated, the Secretariat has not~~are received any objection from a member of the Scientific Committee, the proposal shall be considered as adopted. Its adoption shall be notified to ~~all members and to~~ those who have made the proposal.
- ~~4.—~~
- ~~5.3.~~ If any member of the Scientific Committee objects to a proposal within the ~~60-daytime limit~~deadline, the proposal shall be referred to the next meeting of the Scientific Committee.

[Italy: 30 days seems a sufficient timeframe to agree on a proposal. All amendments are made so simplify the wording of a very simple procedure.]

Article 13

When in the opinion of the Scientific Committee an emergency arises, requiring the adoption of immediate measures to avoid deterioration of the conservation status of one or more cetacean species, the Chair may ask the Secretariat to contact the relevant Parties urgently.

WORKING LANGUAGES**Article 14**

1. The working languages of the Scientific Committee shall be English and French.
2. Simultaneous translation in English and French may be provided for the plenary sessions of the meetings of the Scientific Committee if funding is available.
3. Working documents shall be made available in English or in French and may be translated if funding is available.

REPORT**Article 15**

The Chair of the Scientific Committee shall submit to each ordinary Meeting of the Parties and to each meeting of the Bureau a written report on the Scientific Committee's work since the previous ordinary Meeting of the Parties.

FINAL PROVISIONS**Article 16**

These Rules shall apply immediately upon their adoption by the Parties.

Article 17

These Rules may be amended as required by a decision of the Meeting of the Parties.

Appendix**Article 1**

In order to ensure balanced geographical representation in the Scientific Committee, the geographical scope of the Agreement is divided into four regions.

Article 2

For the purpose of facilitating Scientific Committee members' nomination, the regional distribution of Parties is as follows:

Region	Parties
Western Mediterranean and contiguous Atlantic area	Algeria, France, Italy , Monaco, Morocco, Portugal, Spain, Tunisia

Central Mediterranean	Albania, Croatia, {Greece} , {Italy} , Libya, Malta, Montenegro, Slovenia, {Tunisia}
Eastern Mediterranean	Cyprus, Egypt, {Greece} , Lebanon, Syria, {Türkiye}
Black Sea	Bulgaria, Georgia, Romania, {Türkiye} , Ukraine

Article 3

~~At the moment of the designation of representatives of the Regions, because of their geographical situation, Greece, Italy, Tunisia and Türkiye can select their attachment to a region:~~

- ~~— ‘Western Mediterranean’ or ‘Central Mediterranean’ for Italy and Tunisia;~~
- ~~— ‘Central Mediterranean’ or ‘Eastern Mediterranean’ for Greece;~~
- ~~— ‘Black Sea’ or ‘Eastern Mediterranean’ for Türkiye;~~

Article 4

~~Article 3 applies to any other Party that wishes to be associated with another region, unless one Party in that region disagrees.~~

[Italy: the scientific committee is an advisory body. There is not decision making. Forcing countries to choose one region does not bring any value to the system, on the contrary, it depauperate it. Because of their geographical position, some countries cover two sub-regions; hence, they have a bigger responsibility in terms of conservation of cetaceans and they face the reality of acting in regions with very different context. These countries should be allowed to nominate experts for all relevant sub-regions, as they objectively bring knowledge on these regions that often host different species that face different issues.]