

Annex Q

Appointment of Chair and Vice-Chair of the Scientific Committee

At this year's meeting, the Scientific Committee must appoint a new Chair and Vice-Chair. This document provides some background on how the process for appointing Chairs and Vice Chairs has been done in the past, and some thoughts/proposals to guide the procedure here in Shimonoseki and at future meetings, including the qualities needed for, responsibilities of, and the time commitment involved in these positions.

Past practice

Until the 51st Annual Meeting in Grenada in 1999, suitable candidates for Chair and Vice-Chair were 'sounded out' by the outgoing Chair and senior members of the Committee and checked for 'acceptability' with the main delegations. During the final plenary, the Chair would propose the candidates who would then be seconded from the floor and duly elected by consensus. This really only applied to the new Vice-Chair as the old Vice-Chair was always, as intended, elevated to Chair. It was a very informal process that worked satisfactorily for many years, although during the selection process at the meeting in 1996, comments were made to the then Chair that the procedure was not sufficiently transparent and democratic. As a result, a different procedure was followed for the appointments made at the meeting in Grenada when all heads of national delegations were consulted and a formal election was held in which votes were cast. The procedure used in Grenada was rather *ad hoc*, with heads of national delegations not being formerly identified or adequately briefed. It would therefore be appropriate to develop a clearer procedure agreed by the Committee that can be more formalised in Rules of Procedure.

Qualities, responsibilities and commitment required Chair

The Chair is primarily a facilitator.

The Chair:

- (1) must be able to chair difficult meetings effectively;
- (2) should understand the work of the Committee and the Commission at least in general terms;
- (3) must be able to present the Committee's work clearly to the Commission — what the Chair presents to the Commission comes straight from the SC report, but he/she must be able to answer questions from the Commissioners;
- (4) must have the trust and support of the Committee — this means he/she must not only be completely fair in chairing and reporting, but must be *perceived* to be fair

and able to be trusted not to favour a particular political position. This requires a person broadly acceptable to all 'shades' of opinion within the Committee.

At least one month each year is taken up by the Scientific Committee and Commission meetings, and the intersessional period involves a lot of e-mail correspondence dealing with the many administrative issues relating to IPs, agenda, etc. and possibly attendance at intersessional meetings. This might take an additional 1-2 months.

Vice-Chair

The Vice-Chair should have, or be expected to develop, the same qualities as the Chair. The time commitment each year is generally less than for the Chair, i.e. usually little intersessional time and only the two-week Scientific Committee meeting to attend, although he/she should attend at least one Commission meeting as an observer if he/she has not previously attended Commission meetings.

The general rule that the Vice-Chair becomes Chair after three years is a good one. It ensures that the new Chair has recent experience in the leadership of the Committee and makes it necessary to choose only one, instead of two new facilitators every three years. There is strong support in the Committee that this tradition should continue unless either the Committee or the Vice-Chair has good reasons to decide otherwise. It is all but essential to choose the Chair from the current or past Convenors group and desirable if the Vice-Chair is also, or has been, a Convenor. Alternatively, he/she should have equivalent experience in other international fora.

Other important considerations

In addition to meeting the qualities described above, it is important that there is balance in the appointment of the Chair and Vice-Chair. As the Committee moves into an era of increased openness in which heads of delegation play more of a role in the business of the Committee, including electing a Chair and Vice-Chair, heads of delegation should consult widely with members of their delegation and with others before nominating candidates. It should be borne in mind that the IWC is an international organisation, and although some may believe that only competence, not citizenship, is important in considering candidates, having a succession of Chairs from the same country (or small number of countries) is not good for the Committee.

The Chair and Vice-Chair should ideally be chosen, after due consultation, by consensus, not by voting.

Meetings of heads of national delegations

As indicated above, it is important that heads of delegations consult widely before nominating candidates for Chair and Vice-Chair. It has been suggested, as part of the move toward increased transparency, that the Chair of the Committee should meet with heads of delegations early in the Annual Meeting, perhaps more than once, to share ideas regarding such matters as Committee structure and workload in any year, and regarding the choice of Chair and Vice-Chair in an election year.

Proposed procedure and amendment to the Rules of Procedure for the Scientific Committee

Given the above, it is proposed that a second paragraph be added to Rule of Procedure C.5 as follows (proposed new text shown in bold italics):

C. Organisation

5. The Committee shall elect from among its members a Chair and Vice-Chair who will normally serve for a period of three years. They shall take office at the conclusion of the annual meeting at which they are elected. The Vice-Chair shall act for the Chair in his/her absence.

The election process shall be undertaken by the heads of national delegations who shall consult widely before nominating candidates. Under normal circumstances, the Vice-Chair will become Chair at the end of his/her term, and a new Vice-Chair will then be elected. If the election of the Chair or Vice-Chair is not by consensus, a vote shall be conducted by the Secretary and verified by the current Chair. A simple majority shall be decisive. In cases where a vote is tied, the Chair shall have the casting vote. If requested by a head of delegation, the vote

shall proceed by secret ballot¹. In these circumstances, the results shall only be reported in terms of which nominee received the most votes, and the vote counts shall not be reported or retained.

In years when elections are required, the Chair will indicate a provisional date for the election in the initial draft agenda circulated to the Scientific Committee.

As it is proposed that the election process be undertaken by the heads of national delegations, it is also proposed that Rule A.1 (Membership and Observers) be amended as follows (proposed new text shown in bold italics):

A. Membership and Observers

1. The Scientific Committee shall be composed of scientists nominated by the Commissioner of each Contracting Government which indicates that it wishes to be represented on that Committee. *Commissioners shall identify the head of delegation and any alternate(s) when making nominations to the Scientific Committee.* The Secretary of the Commission and relevant members of the Secretariat shall be ex officio non-voting members of the Scientific Committee.

Amendments to Rules of Procedure should be notified not less than 60 days in advance of the meeting at which the matter is to be discussed. Consequently, any amendments agreed by the Scientific Committee in Shimonoseki could not officially take effect until the 55th meeting next year.

¹ *Secretariat note: The relevant Commission Rule is E.3(d), with the second sentence shown here in bold being of particular note for comparison purposes: 'Votes shall be taken by show of hands, or by roll call, as in the opinion of the Chair, appears to be most suitable. The election of the Chair, Vice-Chair, the appointment of the Secretary of the Commission, and the selection of IWC Annual Meeting venues shall, upon request by a Commissioner, all proceed by secret ballot.'*