10. Taking account of articles 116-119 of the 1982 Convention, the Commission may draw the attention of any State or fishing entity which is a non-party to this Convention to any activity which in the opinion of the Commission affects implementation of the objective of this Convention.

11. The Commission shall draw the attention of all Contracting Parties to any activity which in the opinion of the Commission undermines:

(a) the implementation by a Contracting Party of the objective of this Convention; or

(b) the compliance of that Contracting Party with its obligations under this Convention.

12. The Commission shall take account of measures established by other organisations which affect living marine resources in the Convention Area, and, without prejudice to the objective of this Convention, shall seek to ensure consistency with such measures.

13. If the Commission determines that a Contracting Party has ceased to participate in the work of the Organisation, the Commission shall consult with the Contracting Party concerned and may take a decision to address the matter, as it deems appropriate.

Article 7. APPLICATION OF THE PRECAUTIONARY APPROACH

1. The Commission shall apply the precautionary approach widely to conservation and management and exploitation of fishery resources in order to protect those resources and preserve the marine environment.

2. The Commission shall be more cautious when information is uncertain, unreliable or inadequate. The absence of adequate scientific information shall not be used as a reason for postponing or failing to take conservation and management measures.

3. In implementing this article, the Commission shall take cognisance of best international practices regarding the application of the precautionary approach, including Annex II of the 1995 Agreement and the FAO Code of Conduct for Responsible Fisheries, 1995.

Article 8. MEETINGS OF THE COMMISSION

1. The Commission shall hold an annual meeting and any other meetings as deemed necessary.

2. The first meeting of the Commission shall be held within three months of the entry into force of this Convention, provided that among the Contracting Parties there are at least two States conducting fishing activities in the Convention Area. The first meeting shall, in any event, be held within six months of the entry into force of the Convention. The Government of Namibia shall consult with the Contracting Parties regarding the first Commission meeting. The provisional agenda shall be communicated to each signatory and Contracting Party not less than one month before the date of the meeting.

3. The first meeting of the Commission shall, *inter alia*, give priority consideration to the costs associated with implementation of the Annex by the Secretariat and measures to fulfil the functions of the Commission set out in article 6.3 (k) and (l).

4. The first meeting of the Commission shall be held at the headquarters of the Organisation. Thereafter, meetings of the Commission shall be held at the headquarters, unless the Commission decides otherwise.

5. The Commission shall elect from among the representatives of the Contracting Parties a chairperson and vice chairperson, each of whom shall serve for a term of two years and shall be eligible for re-election for one additional term of two years. The first chairperson shall be elected at the first meeting of the Commission for an initial term of three years. The chairperson and vice chairperson shall not be representatives of the same Contracting Party.

6. The Commission shall adopt rules of procedure to govern the participation of representatives from non-Parties to this Convention as observers.

7. The Commission shall adopt rules of procedure to govern the participation of representatives from inter-governmental organisations as observers.

8. Representatives from non-governmental organisations concerned with the stocks found in the Convention Area shall be given the opportunity to participate as observers in the meetings of the Organisation, subject to rules adopted by the Commission.

9. The Commission shall adopt rules to govern such participation and to provide for transparency in the activities of the Organisation. The rules shall not be unduly restrictive in this respect and shall provide for timely access to records and reports of the Organisation, subject to the procedural rules on access to them. The Commission shall adopt such rules of procedure as soon as possible.

10. The Contracting Parties may decide, by consensus, to invite representatives from non-parties to this Convention and from intergovernmental organisations to participate as observers until the rules regarding such participation are adopted by the Commission.

Article 9. THE COMPLIANCE COMMITTEE

1. Each Contracting Party shall be entitled to appoint one representative to the Compliance Committee who may be accompanied by alternate representatives and advisers.

2. Unless otherwise decided by the Commission, the functions of the Compliance Committee shall be to provide the Commission with information, advice and recommendations on the implementation of, and compliance with, conservation and management measures.

3. In performing its functions, the Compliance Committee shall conduct activities as the Commission may direct and shall:

(a) coordinate compliance activities undertaken by or on behalf of the Organisation;

(b) coordinate with the Scientific Committee on matters of common concern; and

(c) perform such other tasks as directed by the Commission.

4. The Compliance Committee shall meet as deemed necessary by the Commission.

5. The Compliance Committee shall adopt, and amend as necessary, rules of procedure for the conduct of its meetings and the exercise of its functions. The rules and any amendments thereto shall be approved by the Commission. The rules shall include procedures for the presentation of minority reports.