

Paper for Consideration by CHRIS**Proposed Amendments to the Generic Terms of Reference of CHRIS Working Groups**

Submitted by:	IHB
Executive Summary:	Amended Generic Terms of Reference for Working groups of CHRIS are proposed to remove ambiguities regarding who is a member of a WG for the purposes of correspondence, decision-making and, where necessary, voting.
Related Documents:	CHRIS/19-03C – ToRs for CHRIS and CHRIS WGs
Related Projects:	None

Introduction / Background

The membership and methods for decision making of WGs of CHRIS are detailed in their respective Terms of Reference (ToRs). The existing ToRs have been harmonized and are all similar in form and content.

The IHB has observed that under the current RoPs of the WGs of CHRIS, it is not clear whether all MS and all NGIOs should be included in correspondence related to the work of a WG or in any decision-making that is undertaken via correspondence by that WG. This is because, in general, CHRIS WGs are open to all Member States (MS), accredited NGIOs and Expert Contributors.

The ToRs detail the eligibility of the Chair and Vice-Chair, but are less clear regarding whether the Secretary may be drawn from any member of the WG.

Analysis/Discussion

In the view of the IHB it is impracticable and inefficient to include all MS and NGIOs in the working correspondence of a WG. Furthermore, in the case of any decision making, it should be the active members of a WG who make such decisions. This should be made clear in the ToRs.

It has been common practice in CHRIS WGs to call for MS and NGIO participation whenever a WG is formed. A membership list has then been maintained on an informal basis. This membership list has been used as the distribution list for any ensuing correspondence required by the WG in order to conduct its business. This practice be formalised and reflected in the ToRs of all CHRIS WGs.

It has been common practice for the Secretary of WGs to be drawn from any of the members of a WG. This includes NGIOs and Expert contributors. In exceptional circumstances the Secretary may be provided from the IHB. This should be made clear in the ToRs.

Recommendations

A template of generic clauses for ToRs based on existing WG ToRs has been drawn up. New terms intended to address the specific issues identified in this paper have been highlighted.

It is recommended that WGs of CHRIS should include the following generic clauses, as appropriate:

- The WG shall comprise representatives of Member States, Expert Contributors and Accredited NGO Observers, all of whom have expressed their willingness to participate.
- Member States, Expert Contributors and Accredited NGO Observers may indicate their willingness to participate at any time. A membership list shall be maintained and confirmed annually.
- Expert Contributor membership is open to entities and organisations that can provide a relevant and constructive contribution to the work of the WG.
- The Chair and Vice-Chair shall be a representative of a Member State. The election of the Chair and Vice-Chair should normally be decided at the first meeting after each ordinary session of the Conference (Conference to be replaced by Assembly when the revised IHO Convention enters force) and, in such case, shall be determined by vote of the Member States present and voting.
- Decisions should generally be made by consensus. If votes are required on issues or to endorse proposals presented to the WG, only M/S may cast a vote. Votes shall be on the basis of one vote per M/S represented. In the event that votes are required between meetings or in the absence of meetings, including for elections of the Chair and Vice Chair, this shall be achieved through a postal ballot of those M/S on the current membership list.
- If a secretary is required it should normally be drawn from a member of the WG.
- If the Chair is unable to carry out the duties of the office, the Vice-Chair shall act as the Chair with the same powers and duties.
- Expert Contributors shall seek approval of membership from the Chairman.
- Expert Contributor membership may be withdrawn in the event that a majority of the M/S represented in the WG agrees that an Expert Contributor's continued participation is irrelevant or unconstructive to the work of the WG.
- All members shall inform the Chairman in advance of their intention to attend any meetings of the WG.
- In the event that a large number of Expert Contributor members seek to attend a meeting, the Chairman may restrict attendance by inviting Expert Contributors to act through one or more collective representatives.

Justification and Impacts

These clarifications to CHRIS WGs ToRs will enable working groups to operate efficiently and at the same time ensure that all participants who wish to provide an active contribution to WGs can do so. These additions do not prevent any MS or NGO from joining or contributing to a WG at any time.

Action Required of CHRIS

The CHRIS is invited to:

- a. **approve** the generic ToRs for WGs of CHRIS.
- b. **amend** the ToRs of existing WGs of CHRIS to include the generic ToRs as appropriate.