

Regular Process for the Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects

Mechanism for the establishment of the Pool of Experts for the second cycle of the Regular Process

Pursuant to paragraph 311 of General Assembly resolution 71/257 on “Oceans and the law of the sea”, the Bureau of the Ad Hoc Working Group of the Whole on the Regular Process has been requested to develop a mechanism to establish a Pool of Experts for the second cycle of the Regular Process, including by inviting individuals who served in the Pool of Experts during the first cycle of the Regular Process to indicate to the secretariat of the Regular Process whether they would be interested in serving in the Pool of Experts for the second cycle.

Further to this, in the same resolution, the General Assembly invited States to designate, by 31 May 2017, national focal points to facilitate the implementation of the programme of work for the period 2017–2020 for the second cycle of the Regular Process, in particular with respect to the nomination process for additional experts to the Pool of Experts, swift communication between the scientific community, the Group of Experts, the Pool of Experts, the Bureau and the secretariat of the Regular Process and awareness raising (paragraph 312).

Additionally, the Intergovernmental Oceanographic Commission of the United Nations Educational, Scientific and Cultural Organization (IOC-UNESCO), the United Nations Environment Programme (UNEP), the International Maritime Organization (IMO), the Food and Agriculture Organization of the United Nations (FAO), the World Meteorological Organization (WMO) and relevant United Nations system organizations, bodies, funds and programmes, were invited to, as appropriate, assist in the implementation of the second cycle of the Regular Process with regard to, inter alia, the identification of experts for the Pool of Experts (paragraph 313). Relevant intergovernmental organizations were also invited to contribute, as appropriate, to the activities of the second cycle (paragraph 314).

It is noted that the relevant paragraphs of General Assembly resolution 71/257 referred to above use the term “nomination” and “identification”. In principle, as per past practice during the first cycle of the Regular Process, it is understood that the nominations effectively constitute an appointment which is confirmed by the secretariat through a notification letter to the experts informing them of their appointment to the Pool of Experts.

In this regard, the appointment process for the Pool of Experts is outlined in a two-phased sequence as follows:

Step A: Experts drawn from the Pool of Experts for the first cycle (paragraph 311, resolution 71/257)

- 1.) Verification of contact information for members of the Pool of Experts for the first cycle

The secretariat communicates with members of the Pool of Experts from the first cycle of the Regular Process to confirm their contact information, including with assistance from the Joint Coordinators of the Group of Experts and Permanent Missions to the United Nations, as required.

- 2.) Invitation to individuals who served in the Pool of Experts during the first cycle of the Regular Process to indicate to the secretariat of the Regular Process whether they would be interested in serving in the Pool of Experts for the second cycle (paragraph 311, resolution 71/257).

The secretariat communicates with members of the Pool of Experts from the first cycle of the Regular Process inviting them to confirm their interest in serving in the Pool of Experts for the second cycle, and compiles this list for subsequent inclusion in a database together with up-to-date information regarding the experts, the database on the Pool of Experts. As these members have already been appointed by Member States, they can be added to the Pool of Experts for the second cycle upon their confirmation of interest.

Step B: Appointments of additional experts to the Pool of Experts for the second cycle (paragraphs 311, 312, 313 and 314, resolution 71/257)

3.) Designation of National Focal Points by 31 May 2017 (paragraph 312, resolution 71/257)

The Bureau of the Ad Hoc Working Group of the Whole finalizes and approves the Terms of Reference for the National Focal Points. The secretariat sends invitations to Member States to designate National Focal Points. The secretariat compiles a list of the nominated National Focal Points for subsequent inclusion in a database, separate from the database on the Pool of Experts. A list of National Focal Points will also be made available to the Bureau.

4.) Invitations for appointments of additional experts to the Pool of Experts for the second cycle (paragraphs 312, 313 and 314, resolution 71/257)

There will be three methods to appoint new experts to the Pool of Experts for the second cycle.

1. States will be invited to appoint and/or nominate experts.

1. (a) Nomination by the State of nationality of the expert

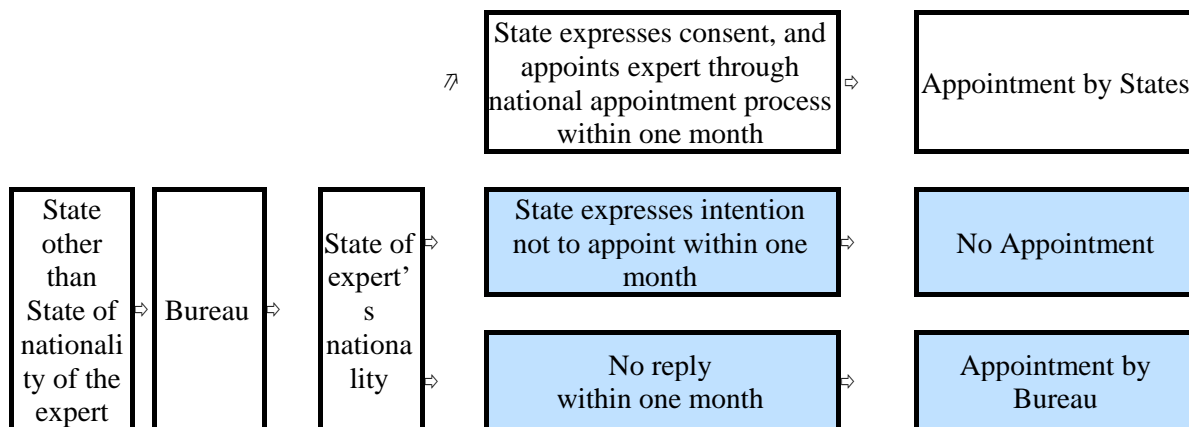
It is anticipated that the majority of new appointments will come directly from the State of nationality of the expert(s). By State, it is understood that appointments could come from, for example, the National Focal Point or Permanent Mission to the United Nations in New York. After the secretariat sends invitations to States to appoint experts to the Pool of Experts, the State of nationality of the expert will send such appointments, via note verbale, to the secretariat, which will add the individuals to the database on the Pool of Experts. Appointments must include contact information of the expert(s), and should also include curriculum vitae.

(b) Nomination by a State other than the State of nationality of the expert

Where an expert is nominated by a State other than that of her/his State of nationality, the Bureau will transmit the name of the expert nominated by that State through the secretariat, to the respective State of the expert's nationality for appointment. The proposed procedure will be based on the express or implied consent from the State of the expert's nationality, and will operate as follows:

- a) Should the respective State agree, the expert can be appointed by the State following receipt by the secretariat within one month of a written communication indicating the consent of the State of nationality to the nomination of the expert and the expert will be added to the Pool of Experts (express consent).*
- b) Should the State remain silent, after a one-month period of time from the date of the Bureau's initial transmittal of the recommended expert, the Bureau appoints the expert to the Pool of Experts on behalf of the State.*
- c) Should the respective State object within one month to the appointment, the expert will not be added to the Pool of Experts (express objection).*

The chart below is included for illustrative purposes.



2) Recommendation by an intergovernmental organization

In addition to the above-mentioned procedure, a complementary procedure will be available, pursuant to paragraph 313 and 314 of resolution 71/257, in which the General Assembly invites the IOC-UNESCO, UNEP, IMO, FAO and WMO and relevant United Nations system organizations, bodies, funds and programmes, to, as appropriate, assist in the implementation of the second cycle of the Regular Process with regard to, inter alia, the identification of experts for the Pool of Experts and also invites relevant intergovernmental organizations to contribute, as appropriate, to the activities of the second cycle.

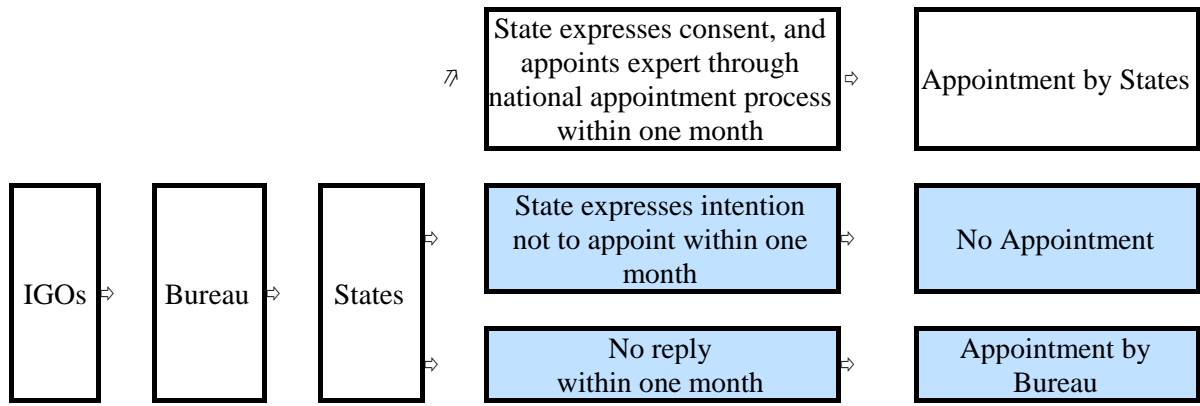
The complementary procedure aims to allow for the appointment of relevant experts who may not have occasion to be appointed by States, for example those experts who may be professionally active outside of their State of nationality.

In this regard, relevant intergovernmental organizations will be invited to provide recommendations on experts with relevant professional expertise to the Bureau through the secretariat. The Bureau will transmit the names of the experts recommended by relevant intergovernmental organizations through the secretariat, to the respective States of the experts' nationalities for appointment. The proposed procedure will operate on a system of express or implied consent, or, as the case may be, express objection as follows:

- a) *Should the respective State agree, the expert can be appointed by the State following the receipt by the secretariat within one month of a written communication and will be added to the Pool of Experts (express consent).*
- b) *Should the State remain silent, after a one-month period of time from the date of the Bureau's initial transmittal of the recommended expert, the Bureau appoints the expert to the Pool of Experts on behalf of the State.*
- c) *Should the respective State object to the appointment within one month, the expert will not be added to the Pool of Experts (express objection).*

It should be noted that the Bureau is acting only under the respective Member States' explicit or implicit intention to appoint recommended experts.

The chart below is included for illustrative purposes.



The scope of the relevant intergovernmental organizations to be invited to contribute to the appointment process of the additional experts to the Pool of Experts for the second cycle will be determined by the Bureau.