

**REGULAR PROCESS FOR THE GLOBAL REPORTING AND ASSESSMENT OF THE
STATE OF THE MARINE ENVIRONMENT, INCLUDING SOCIO-ECONOMIC ISSUES**

**Review of the Terms of Reference and Working Methods
of the Group of Experts of the Regular Process**

Note by the Joint Coordinators

1. In paragraph 310 of its resolution 71/257 of 23 December 2016, the United Nations General Assembly requested the Group of Experts to “review, for their applicability to the second cycle of the Regular Process, the terms of reference and working methods of the Group of Experts of the first cycle of the Regular Process ... and to modify them, as appropriate, so as to ensure, among other things, continuous full membership and engagement by the members of the Group of Experts” and to inform the Bureau for subsequent endorsement by the Ad Hoc Working Group of the Whole.
2. This note sets out the conclusions of the Group of Experts on that review. The Joint Coordinators carried out an initial review of the Terms of Reference and Working Methods for the first cycle, consulted the Secretariat, and circulated the resulting draft to the Group of Experts for review. The attached re-draft of the Terms of Reference and Working Methods represents the proposal of the Group of Experts as a result of this process. Marginal notes have been added to explain the reasons for the proposed amendments.
3. The Bureau is invited to consider this draft for submission to the Ad Hoc Working Group of the Whole at its meeting on 17 and 18 April 2017.

Terms of reference and working methods for the Group of Experts of the Regular Process for Global Reporting and Assessment of the State of the Marine Environment, including Socioeconomic Aspects

I. Introduction

1. The General Assembly, in paragraph 287 of its resolution 70/235 of 23 December 2015 on “Oceans and the law of the sea”, requested the Secretary-General to invite the Chairs of the Regional Groups to constitute a Group of Experts ensuring adequate expertise and geographical distribution, comprising a maximum of 25 experts, with no more than five experts per regional group, for the duration of the second cycle of the Regular Process, taking into account the desirability of some degree of continuity, and in accordance with the terms of reference of the Group of Experts of the Regular Process.
2. The General Assembly, in paragraph 306 of its resolution 71/257 of 23 December 2016 on “Oceans and the law of the sea”, welcomed the constitution of the Group of Experts of the Regular Process as an integral part of the second cycle of the Regular Process and requested the members of the Group of Experts who have been appointed by Member States pursuant to paragraph 287 of resolution 70/235 to serve on the Group of Experts for the duration of the second cycle in an independent and personal capacity.
3. The General Assembly also, in paragraph 310 of that resolution, requested the Group of Experts to review, for their applicability to the second cycle of the Regular Process, the terms of reference and working methods of the Group of Experts of the first cycle of the Regular Process ... and to modify them, as appropriate, so as to ensure, among other things, continuous full membership and engagement by the members of the Group of Experts and inform the Bureau for subsequent endorsement by the Ad Hoc Working Group of the Whole.
4. The present document contains terms of reference and working methods revised, in the light of that request, by the Group of Experts with the help of the secretariat of the Regular Process, considered by the Bureau [and endorsed by the Ad Hoc Working Group of the Whole].

II. Terms of reference

5. The general task of the Group of Experts shall be to carry out any assessments within the framework of the Regular Process at the request of the General Assembly¹ under the supervision of the Ad Hoc Working Group of the Whole and its Bureau. In particular, the tasks of the Group of Experts shall be:
 - (a) To draft an outline of questions to be considered in the main assessment or assessments to be undertaken in each cycle of the Regular Process, for approval by the Ad Hoc Working Group of the Whole;
 - (b) To prepare such further outputs relating to assessments under the Regular Process as the Ad Hoc Working Group of the Whole may include in the programme of work of the Regular Process, for consideration by the Ad Hoc Working Group of the Whole;
 - (c) To provide specifications of the types of additional expertise that the Group of Experts will need to carry out any assessment, as a basis for appointments, through the regional groups, of members of the pool of experts;
 - (d) To designate from among its members a lead member and, as appropriate, other members to take responsibility, under the overall responsibility of the Group of Experts, for each part, section or chapter of any assessment or other output, subject to the approval of the Ad Hoc Working Group of the Whole or its Bureau;
 - (e) To propose assignments for approval by the Ad Hoc Working Group of the Whole or its Bureau of members of the pool of experts:

¹ It is understood that to carry out any assessment the approval of the General Assembly is required.

- (i) To work with the designated lead member of the Group of Experts in drafting working papers and/or draft chapters of any assessment and/or other output;
- (ii) To review and comment on material produced for any assignment;
- (f) To draft an implementation plan and timetable for every assessment or other output, for approval by the Ad Hoc Working Group of the Whole or its Bureau, and, if necessary, to propose amendments to that plan and timetable for approval in the same way;
- (g) To propose general guidance to all those involved in producing any assessment or other output, based on the principles and documents approved by the General Assembly, for approval by the Ad Hoc Working Group of the Whole or its Bureau;
- (h) To carry out implementation plans in accordance with their timetables and any such general guidance;
- (i) To review all material produced for any assessment or other output, to take such steps as it considers necessary to assure the quality of data and information used in such material, and to take any further steps necessary to bring the assessment or other output to a satisfactory conclusion, subject to the approval of the Bureau if any such action would require expenditure from the trust fund for the Regular Process;
- (j) To propose arrangements for approval by the Bureau for the peer review of the draft of any assessment or other output;
- (k) In the light of the comments from the peer review, to agree on a final text of any assessment or other output for submission through its Bureau to the Ad Hoc Working Group of the Whole, and to present that text to the Ad Hoc Working Group of the Whole;
- (l) To promote engagement among bodies which can contribute to marine assessment, including United Nations agencies, bodies, funds and programmes, other intergovernmental organizations, relevant non-governmental organizations, academic institutions, the scientific community, private-sector bodies and philanthropic organizations, as appropriate;
- (m) To perform any other tasks assigned to it by the Ad Hoc Working Group of the Whole.

Composition

6. The Group of Experts shall be composed as follows:

- (a) The Group of Experts shall be composed of a maximum of 25 experts and no more than 5 experts per regional group. Its composition shall reflect geographic and gender balance;
- (b) The composition shall ensure a mix of disciplinary expertise and involve participants from all regions in order to take into account different regional circumstances and experience. All of the main disciplines in the social, economic and environmental sciences should be considered for inclusion;
- (c) The experts may be drawn from any type of affiliation (e.g., Government, non-governmental organization, intergovernmental organization, private sector, academic and research institutions, holders of traditional knowledge²);
- (d) The experts shall have experience and expertise in one or several of the categories described in the collective profile of the Group of Experts;
- (e) The experts shall have internationally recognized excellence in their field or fields of expertise;
- (f) The experts shall have demonstrated high-level participation in international processes relevant to the marine environment;
- (g) The experts shall have the ability to serve in an independent, personal capacity.

² See resolutions 66/231, 65/37 A and 64/71.

Appointments

7. Members of the Group of Experts shall be appointed in accordance with paragraph 287 of resolution 70/235 as follows:

- (a) Members shall be nominated by the States Members of the United Nations through the five regional groups (African States, Asia-Pacific States, Eastern European States, Latin American and Caribbean States and Western European and other States), with each regional group nominating up to five experts;
- (b) Nominations shall take account of the criteria for the appointment of experts;
- (c) Members shall be in a position to devote substantial amounts of time to the work of the Regular Process;
- (d) Members shall participate in the Group of Experts in their personal capacity and not as a representative of a Government or of any authority external to the United Nations;
- (e) The chair of a regional group shall inform the secretariat of the Regular Process that the regional group has made an appointment to the Group of Experts. The secretariat of the Regular Process shall issue a letter of confirmation of the appointment to the expert and (when they have been designated) inform the coordinators of the Group of Experts accordingly;
- (f) If a member of the Group of Experts for any cause can no longer perform his or her duties (including where this is due to pressure of other commitments) or wishes to resign, he or she shall immediately inform the Joint Coordinators and, through them, the secretariat of this situation. In such a case, and where a member dies, another member appointed from the same regional group shall serve for the remainder of the predecessor's term;
- (g) An appointment to fill a vacancy occurring during a cycle may be made at any time, but the appointment shall come to an end at the end of the cycle during which it is made;
- (h) Membership shall be renewed at the start of each cycle of the Regular Process. Existing members of the Group of Experts may be reappointed.

Proprietary rights

8. The United Nations shall be entitled to all proprietary rights, including but not limited to patents, copyrights and trademarks, with regard to material which bears a direct relation to, or is made in consequence of, the services provided to the Organization.

Compensation

9. Members of the Group of Experts shall not receive any honorarium, fee or other remuneration from the United Nations for their participation in the Group of Experts. Members from developing countries, in particular least developed countries, small island developing States and landlocked developing States, will, subject to the availability of resources, receive travel assistance to participate in the meetings to be convened by the United Nations in conjunction with the work of the Group of Experts.

Working methods

10. The working methods of the Group of Experts shall be as follows:

- (a) The Group of Experts may operate even if there are vacancies in its composition;
- (b) The Group of Experts shall designate two coordinators from among its members, one from a developed country and one from a developing country. The task of the coordinators shall be to take such actions as they jointly consider will facilitate the discharge by the Group of Experts of the tasks which it has been given. The Group of Experts may change the designation of the coordinators at any time;

- (c) Communications between the Group of Experts, the secretariat of the Regular Process and States shall be made through a secure website or (if need be) other means, as appropriate;
- (d) The Group of Experts shall communicate with the Ad Hoc Working Group of the Whole and its Bureau through the secretariat of the Regular Process and through meetings convened by the secretariat of the Regular Process, within available resources;
- (e) When needed, and within available resources, the Group of Experts may meet to discuss areas of work which cannot be dealt with through electronic meetings or other forms of electronic communication;
- (f) The Group of Experts shall aim to work by consensus. Where consensus cannot be achieved, the Group of Experts shall ensure that all divergent opinions are appropriately reported in any draft, any proposal or any final text of any assessment or other output.

Secretariat

11. The Division for Ocean Affairs and the Law of the Sea, as part of its functions as secretariat of the Regular Process, shall serve as the secretariat of the Group of Experts, and provide advice to the Group of Experts when appropriate.