

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

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

Note by the Joint Coordinators

1. In paragraph 315 of its resolution 75/239 of 31 December 2021, the United Nations General Assembly 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 third cycle of the Regular Process, taking into account the desirability of some degree of continuity.

2. In light of the above-mentioned request, the Group of Experts for the third cycle of the Regular Process is established, currently consisting of 14 members:

BEBIANNNO, Maria João da Anunciação Franco (Portugal)
CAMPBELL, Donovan (Jamaica)
DEIDUN, Alan (Malta)
DE PINHO, Roberto (Brazil)
EVANS, Karen (Australia)
FAN, Jingfeng (China)
GÁLVEZ Larach, Mauricio (Chile)
GARCIA-SOTO, Carlos (Spain)
GHODRATI SHOJAEI, Mehdi (Iran, Islamic Republic of)
MALIKI, Slimane (Morocco)
MARSCHOFF, Enrique (Argentina)
MICHIDA, Yutaka (Japan)
MOHAMMED, Yassin, Essam (Eritrea)
RODRÍGUEZ Chaves, Maria Amalia (Costa Rica)
RUWA, Kahindi, Renison (Kenya)
SCHMIDT, Jörn (Germany)
SMOLYANITSKY, Vasily (Russian Federation)
TUN, Karenne (Singapore)
VIHK, Katarina (Estonia)
ZHANG, Chang-Ik (Republic of Korea)

3. Considering that the third cycle of the Regular Process started in January 2021, with a view to avoiding further delays in implementing the Programme of Work for the third cycle, the Bureau of the Ad Hoc Working Group of the Whole decided, under a silence procedure ending on 28 April 2021, that the Group of Experts would start its work, in accordance with the programme of work for the third cycle of the Regular Process, with its partial composition on a provisional basis. Meanwhile, it was also decided that members of the Bureau would continue their efforts aimed at ensuring the full nomination of candidates (5) from their respective regional groups as soon as possible, bearing in mind the importance of ensuring adequate expertise and geographical distribution in the composition of the Group of Experts.

4. The Group of Experts for the third cycle held meetings virtually on 11 and 14 May 2021. Following consultations, the Group of Experts approved by consensus, under a silence procedure ending on 17 May 2021, the appointment of Carlos Garcia-Soto (Spain) and Enrique Marschoff (Argentina) as Joint Coordinators and Jörn Schmidt (Germany) as Deputy Coordinator. It was noted that at least one

or two additional members of the Group of Experts could consider servicing as Deputy Coordinators, taking into consideration gender balance and geographical distribution.

5. In accordance with the Programme of Work for the period 2021–2025 for the third cycle of the Regular Process,¹ the Group of Experts, once established, will develop its terms of reference and working methods. The attached draft Terms of Reference and Working Methods are developed by the Group of Experts, with the assistance of the secretariat, following a review of the Terms of Reference and Working Methods of the Group of Experts for the first and second cycles, and taking into account the programme of work for the third cycle, the resources requirement for the third cycle and lessons learned from the second cycle.

6. The Bureau is invited to consider this draft for submission to the Ad Hoc Working Group of the Whole at its 15th meeting.

¹ A/75/362, Annex.

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

General tasks

1. The general task of the Group of Experts shall be to carry out or coordinate any outputs, including assessment(s), within the framework of the Regular Process at the request of the General Assembly² 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 implementation plan and timetable for the implementation of the third cycle of the Regular Process, 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;
- (b) To carry out implementation plans in accordance with their timetables and any such general guidance;
- (c) To develop a series brief documents outlining specific policy-relevant information from the Second World Ocean Assessment as they may relate to and support other ocean-related intergovernmental processes.
- (d) To oversee the preparation of assessment(s) of the state of the marine environment, including socioeconomic aspects, as outlined in the programme of work for the third cycle of the Regular Process, with the final goal of strengthening the decision-making at all levels.
- (e) To provide specifications of the types of additional expertise that the Group of Experts will need to carry out any assessment(s), as a basis for appointments, through the regional groups, of members of the pool of experts;
- (f) 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(s) or other output, subject to the approval of the Ad Hoc Working Group of the Whole or its Bureau;
- (g) To propose assignments for approval by the Ad Hoc Working Group of the Whole or its Bureau of members of the pool of experts:
 - (i) To work with the designated lead member of the Group of Experts in drafting working papers and/or draft chapters of any assessment(s) and/or other output;
 - (ii) To review and comment on material produced for any assignment;
- (h) To propose general guidance to all those involved in producing any assessment(s) or other outputs, 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, and taking into account lessons learned from the first and second cycles;
- (i) To review all material produced for any assessment(s) 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(s) or other output;

² It is understood that to carry out any assessment the approval of the General Assembly is required.

- (k) In the light of the comments from the peer review, to agree on a final text of any assessment(s) 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 provide input with regard to other activities taking place during the third cycle of the Regular Process, including the development and implementation of the capacity-building programme and the outreach and engagement strategy, as appropriate;
- (m) 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;
- (n) To perform any other tasks assigned to it by the Ad Hoc Working Group of the Whole.

Composition and appointment

2. 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 geographical distribution 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, nongovernmental organization, intergovernmental organization, private sector, academic and research institutions, holders of traditional knowledge³);
- (d) The experts shall have recognized excellence in their field or fields of expertise;
- (e) The experts shall have demonstrated high-level participation in processes relevant to the marine environment;

3. Members shall be in a position to devote substantial amounts of time to the work of the Regular Process;

4. 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;

5. If a member of the Group of Experts for any cause can no longer perform their duties (including where this is due to pressure of other commitments) or wishes to resign, they shall immediately inform the Joint Coordinators and, through them, the secretariat of this situation. In that case or if it becomes obvious that the member cannot deliver the assigned tasks within the timetable set out under the approved work plan, the Joint Coordinators can propose to the Group of Experts to reassign the tasks to other members of the Group of Experts to ensure delivery within the approved timetable.

6. Membership shall be renewed at the start of each cycle of the Regular Process. Existing members of the Group of Experts may be reappointed, taking into account the desirability of some degree of continuity.

³ See resolutions 66/231, 65/37 A and 64/71.

Rules and regulations

7. Pursuant to United Nations regulations and rules, members shall participate in the Group of Experts as a participant in advisory meetings with the legal status of “experts on mission” in the sense of section 22 of the Convention on the Privileges and Immunities of the United Nations of 13 February 1946.

8. Members shall serve in their personal capacity and not as representative of a Government or of any authority external to the United Nations. In addition, members shall neither seek nor accept instructions regarding their service for the United Nations from any Government or from any authority external to the United Nations. Members cannot represent the Group of Experts at any meetings or conferences for which they are acting as representatives of a government or any authority external to the United Nations.

9. Members, during the period of their service with the United Nations, may not engage in any activity that is incompatible with the discharge of their duties with the United Nations. Members are required to exercise the utmost discretion in all matters of official business of the United Nations. Members may not communicate at any time to any other person, Government or authority external to the United Nations any information known to them by reason of their association with the United Nations which has not been made public, except in the course of their duties or by authorization of the Secretary-General or his/her designate, nor shall they at any time use such information to private advantage. These obligations do not lapse upon cessation of their service with the United Nations.

10. Rules and regulations of the United Nations applicable to "Experts on mission" apply to members of the Group of Experts, including such rules and regulations provided in the following documents:

(a) Secretary-General's Bulletins ST/SGB/2002/9 (“Regulations Governing the Status, Basic Rights and Duties of Officials other than Secretariat Officials, and Experts on Mission”)

(b) ST/SGB/103/Rev.1 (“Rules Governing Compensation to Members of Commissions, Committees or Similar Bodies in the Event of Death, Injury or Illness Attributable to Service with the United Nations”), and

(c) the Administrative Instruction ST/AI/2013/5 (“Participants in advisory meetings”)

Proprietary rights

11. 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 by members of the Group of Experts.

Compensation

12. 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.

13. 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.

14. A limited amount of funds will be made available to cover the travel-related cost of members from developed countries to participate in the meetings to be convened by the United Nations in conjunction with the work of the Group of Experts.

Working methods

15. 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) The Group of Experts shall also designate deputy coordinators to support the work of the coordinators, taking into account gender balance and geographical distribution among the coordinators and deputy coordinators. The task of the deputy coordinators shall be to assist the coordinators in performing their coordinating functions, including the assistance to coordinating meetings, as well as, in the absence of the coordinators, perform the functions of the coordinators including for regional workshops and meetings of the Group of Experts. The Group of Experts may change the designation of the deputy coordinators at any time.
- (d) Communications between the Group of Experts, the secretariat of the Regular Process and States shall be made preferably through a secure website or (if need be) other means, as appropriate;
- (e) 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;
- (f) 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;
- (g) 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 document produced by the Group of Experts or the secretariat.

Secretariat

16. 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.