

## Summary

ATTENDEES:	
<b>Narelle Montgomery</b>	Australian Government, Chair, Management Committee
<b>Mark Carey</b>	Australian Government
<b>Bruce McKinlay</b>	New Zealand Government
<b>Doug Watkins</b>	Australasian Wader Studies Group
<b>Phil Straw</b>	Australasian Wader Studies Group
<b>Martin Spray</b>	Chair, Finance Sub-Committee
<b>Seiji Hayama</b>	Wild Bird Society of Japan
<b>Jennifer George</b>	EAAFP Secretariat, Chief Executive
<b>Kyle Esperanza Zuleta</b>	EAAFP Secretariat, Programme Officer
<b>Sabine Leykam</b>	EAAFP Secretariat, Programme Coordinator
<b>Jiyyun Ha</b>	EAAFP Secretariat, External Relations & Foundation Assistant

### Overview

The second webinar on the EAAFP governance harmonisation project covered the review of the proposed amendments to the Terms of Reference of the Management Committee, Technical Sub-Committee (TsC), and Finance Sub-Committee (FsC). The project aims to harmonise the language, as well as relevant provisions and functions across different documents to ensure Partnership governance documents remain fit-for-purpose and contemporary to maximise their usefulness. The Chair outlined the process, timeline, and the progress to date of the harmonisation project, emphasizing that there will further opportunities for input and comments on any proposed amendments to be submitted to MOP 12 for Partners' consideration. The Chair summarised the extent of amendments for each Terms of Reference and sought input from the Partners present at the webinar.

### Terms of Reference of the Management Committee

The Chair shared the proposed amendments to the Terms of Reference of the Management Committee which include adjustments to better align the provisions and terminology, inclusion of the Host City as a permanent member of the Management Committee to facilitate the implementation of the MOU on Hosting the Secretariat, restructuring to improve text, introducing a regular review process, and minor editorial amendments.

Bruce McKinlay (New Zealand) commented that the Management Committee's Terms of Reference currently do not reflect the relationship between the Management Committee and the

Meeting of Partners, with the latter being the central process for the Partners to come together, set direction, and set the work programme for the Management Committee. Adding that there should be a statement to clarify whether the Management Committee is a delegated authority to act on behalf of the Partners intersessionally or if it's sort of ownership only of the Meeting of Partners' decisions.

The Chair highlighted that the Meeting of Partners is the main decision-making body of the Partnership, and a statement to explicitly describe this relationship is useful. The Chair suggested that this can be added in paragraph 2 in the section on General Functions of the Management Committee as it references that the Management Committee facilitates the effective operation of the Partnership during the Meeting of Partners or in paragraph 6b where it notes that the Management Committee carries out activities on behalf of the Meeting of Partners as necessary. The Chair requested for actual text to be suggested if available.

Bruce McKinlay (New Zealand) further shared that he submitted some texts on the Partnership document regarding different functions and responsibilities and asked what the appropriate reflection of those within the set of Terms of Reference. He also emphasized the need for clarity in the interaction and reporting structures among the key bodies of the Partnership: Meeting of the Partners, the Management Committee, the Secretariat, and the Sub-Committees. He proposed a shift from the current structure, centred around the Flyway Site Network, to one centred around the Meeting of Partners. This approach, which is a total inversion to the current structure, drives accountability and a clear relationship and reporting lines. The Chair commented that this is a discussion that needs to take place in MOP12 and agreed that the outcomes of it will influence how other documents flow.

### **Terms of Reference of the Finance Sub-Committee**

The Chair presented proposed revisions to the Terms of Reference for the Finance Sub-committee (FsC), which included a new membership structure and term limits, a clearer outline of functions and reporting structure, provisions for meeting arrangements, and a mandate for regular reviews of the Terms of Reference.

Martin Spray, Chair of the FsC, expressed concerns about the length of the proposed document which does not reflect the nature of a voluntary Partnership and highlighted that the FsC and TsC report to and are observers of the Management Committee, but have no authority. Noting paragraph 6a under *Functions* which states that the FsC should focus on keeping the Partnership fiscally solvent while providing for essential support services for the efficient and effective functioning of the Partnership, Martin Spray (FsC Chair) commented that this is not a role for an observer group but a role of the Management Committee. He shared that FsC's written comments will be submitted by 31 July.

The Chair acknowledged that the Management Committee values comments from the FsC, with particular interest in any proposed amendments to FsC's functions in order to ensure alignment

between the Management Committee's vision and the FsC members' views on what their roles and functions are.

Bruce McKinlay (New Zealand) raised the possibility of making FsC a standing committee of the Management Committee to establish clear accountability and strengthen the relationship. This change would better align FsC's work programme with the Management Committee's oversight, thus supporting the Partnership more effectively. The Chair clarified that the proposed amendments aimed to emphasize FsC's advisory role to the Management Committee, highlighting paragraphs 2, 5, and 6 in the document outline the FsC's responsibility to formulate and provide advice and recommendations on budgetary and finance matters, thereby defining its functions and relationship with the Management Committee.

Bruce McKinlay (New Zealand) also raised the matter of co-option, noting that quite similar to TsC, the FsC should have a clear power to co-opt individuals with specialist financial skills to assist in their work. He proposed that co-opting specialists could be for a defined period, such as the end of an intersessional period or a specific project, further emphasizing that co-opting should focus on subject-matter expertise and potentially having an equal role in seeking consensus, unlike an observer who has a more limited role.

### **Terms of Reference of the Technical Sub-committee**

The Chair shared the proposed amendments which include updating the document to align with relevant provisions of other TORs, adding provisions to cover meetings and election of officers, and insertion of texts from Rules of Procedure. The Chair emphasized that while it appears there is a lot of additional content, much of it has been pulled from the Rules of Procedure into the Terms of Reference to align with provisions included in other TORs. The Chair clarified that subject to approval at MOP12, TsC is proposed to be upgraded to a full committee as the scientific and technical arm of the Partnership and would report to the Meeting of Partners in the same manner as the Management Committee.

Bruce McKinlay (New Zealand) inquired about accountability to identify who TsC is responsible for, signing off on reports or advice, or membership, as well as filling vacancies during the intersessional periods. The Chair explained that the Terms of Reference include provisions on the membership process including the reporting of the TsC Chair to the Meeting of Partners, as well as the procedure for filling vacancies during the intersessional period if one should arise. The Chair suggested reviewing the terms to ensure these aspects are explicitly captured in the document.

### **Summary of Comments and Suggestions**

The Chair underlined that there is a need to make the relationships and reporting lines between the main decision-making body of the Meeting of Partners, the Management Committee, the Sub-Committees, and the Secretariat explicit and clear across all three documents. The Chair recognised the importance of addressing the proposed amendments to the Partnership

document first, noting that decisions on this document will impact the rest of the documents under review for the governance harmonisation project. In the interim, the Chair encouraged Partners to explore various options in advance to be well-prepared for any contingencies at MOP12.

### **Next Steps**

The Management committee will review all the comments, revise the documents where relevant, and a full package, including a summary of all the comments received by deadlines and how they were dealt with, will be available to Partners ahead of MOP12.

For the tranche two review of governance documents, Partners are invited to provide written comments and suggestions on the revised Terms of References by **31 July 2024**. The next webinar, slated for early September, will cover the third tranche of governance documents which include the Rules of Procedure for MOPs, Guidelines for Establishing Single Species Task Forces, and Guidelines for the Development of Single Species Action Plans.