Draft decision on updating the nomination and operational processes of the Technology and Economic Assessment Panel and its subsidiary bodies

Submission by Contact Group

*The Twenty-Third Meeting of the Parties decides*:

*~~Recognising the need to encourage participation and the representative of the geographic balance of the composition of TEAP, its TOCs, TSBs and taskforces, while continuing to build and mainatin public trust,~~*

*~~Recalling decision VII/34 on the organisation and functioning of TEAP and specifically on efforts to increase participation of A5 experts and to improve geographical expertise and balance;~~* retain this

*PP1 Recalling* the terms of reference for the Technology and Economic Assessment Panel set forth in decision VIII/19 and amended by decision XVIII/19,

PP2 Recalling in particular section 2.1 of those terms of reference on the size and balance of the Panel, and~~, in particular~~, ~~as regards~~ the need to promote a membership that balances geography and expertise, [including the overall goal to achieve a representation of about 50 per cent for experts from Article 5(1) Parties in the TEAP and TOCs,]

PP3 Recognising ~~further~~ ~~that~~ the need for the process and criteria for appointment to the Panel should ~~make the process and criteria for selecting the membership~~ be transparent and equitable,

*PP4 Recalling also* sections 2.2 and 2.3 of those terms of reference, on nominations to the Panel and appointment of members to the Panel, and, specifically, the provision that any nominations made by the Panel are to be communicated to the relevant party for consultation before recommendations for appointment are made,

PP5 *Recognising* the need for Parties to receive from the Panel advice of the highest quality and to ensure that [changes to the nomination process do not have an adverse effect on the expertise of the Panel or the quality of its advice]; ~~the experts giving such advice are retained for a period commensurate with the needs of the Panel in order to avoid a [sudden] loss of collective knowledge~~;

~~Without prejudice, to the Terms of Reference for the Panel for Scientific Assessment and the Panel for Environmental Assessment that are unaffected by this decision~~;

*PP6 Taking note* of the information provided by the Panel in its 2011 progress report in particular in response to decision XXII/22,

1. To request the Panel to compose its TOCS and TSBs ~~and taskforces~~ to ~~strive for composition that~~ reflect a balance of appropriate expertise ~~and perspectives such~~ so that their ~~products~~ reports and information are comprehensive, objective, and policy neutral, ~~with respect to policy~~; and to provide a description in reports by TSBs on how the TSB composition was determined;

* [new para on size]
* To request the Panel to update its matrix of needed capabilities calling for expertise on the Panel, its technical options committees and its temporary subsidiary bodies twice a year ~~which should reflect balanced geographical representation between A5 and non-A5 countries;~~and to publish the matrix on the Ozone Secretariat website and in the Panel’s annual progress reports;this matrix should include the need for geographic and expertise balance;
* Also to request the Panel to ensure that the information in the matrix is clear and sufficient to allow a full understanding of needed expertise and that information on the nomination process, the selection process, the Panel’s terms of reference and the operation of the Panel and its subsidiary bodies is published on the Ozone Secretariat website in an easily accessible format;
* Further to request the Panel to standardize the information required from potential experts for all nominations to the Panel, ~~[~~its technical options committees and its temporary subsidiary bodies~~]~~ in line with section 9.5.4 of the 2011 progress report, and to prepare a draft nomination form for consideration by the Open-ended Working group at its thirty-second meeting;
* To request the Panel to ensure that all nominations for appointments to the Panel, its technical options committees and its temporary subsidiary bodies, including co-chairs, are received from the national focal points of the parties of the nominated experts whose national focal point is consistent with the passport they hold so that potential conflicts of interest and sources and conditions of funding for participation are identified in, but limited to the nomination process; ~~and~~
* ~~To request the Panel to ensure that nominees are cognizant of and~~ **~~agree~~** ~~to abide by the “code of conduct by members of the TEAP” as contained in section 5 of the ToR of the TEAP so that potential conflicts of interest [and sources of funding for participation] are identified in the nomination process~~;
* That all appointments to the Panel, and its technical options committees, including of co‑chairs, should be for a period of no more than four years;
* That members of the Panel or of the technical options committee may be re‑nominated for additional periods of up to four years each;
* That the terms of all Panel members and the TOCs members shall otherwise expire at the end of 2013 and 2014, respectively, in the absence of reappointment by the parties prior to that time, except for those experts that have been nominated for four-year periods ;
* ~~That the terms of paragraph (h) are only applicable if Parties are satisfied that the future membership [for 2021 and subsequent years] of the Panel reflect on adequate balance of geography and expertise for its proper functioning; ALT: that if the Parties decide they are not satisfied that the future membership of the panel reflects an adequate balance of geography and expertise for its proper functioning, the terms of Paragraph (h) would not apply;~~ That Parties may revisit the status of Panel and technical options committee membership at the Twenty fifth and twenty sixth Meetings of Parties respectively if more time is needed by the Parties to submit nominations;
* To invite parties with existing Panel and technical options committee co-chairs and members to submit re-nominations for those experts in line with paragraph [(g), (h) and (i) note to the Sec: to be sorted out as appropriate] of the present decision respectively for consideration at Twenty-Fifth and twenty sixth Meetings of the Parties;
* That a decision of the parties is required to confirm any nomination to the Panel;
* That a decision of the parties is required to confirm any temporary subsidiary body that exists for a period of more than one year;
* That the parties should confirm, every four years, beginning in 2012, the list of technical options committees needed to meet the parties’ requirements;
* That the Executive Secretary of the Ozone Secretariat shall ~~[~~henceforth ~~be an ex-officio member of the Panel][provide appropriate support as necessary and when requested to the Panel]~~ be a permanent affiliate to the Panel to provide UNEP and Ozone Secretariat institutional support and expertise as necessary ;
* To request the Panel to ensure that all new technical options committee members are properly informed of the Panel’s terms of reference, its code of conduct (contained in the Terms of Reference) relevant decisions of the parties, and Panel operational procedures~~, including those pertaining to consensus and [managing conflicts of interest][the code of conduct by members of the TEAP];~~ and are requested to abide by this guidance;
* To request the Panel to ~~finalise~~ revise its draft guidelines on recusal, taking into account similar guidelines in other multilateral fora, and provide them to OEWG32 for consideration of Parties;
* ~~To request the Panel (TOCs, TSBs) [to apply][to immediately develop clear and comprehensive guidelines taking into account similar guidelines in other multilateral fora] the recusal guidelines contained on page 226-228 of its 2011 Progress Report on a trial basis [until the final guidelines are approved][for 2012 only];]~~

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