



2016 Review of the Council of Regional Organisations in the Pacific (CROP) Charter

Terms of Reference

Review Purpose and Objectives

1. The purpose of a review of the Council of Regional Organisations in the Pacific (CROP) Charter is to revisit the role of the Council, and its membership arrangements, in relation to a prioritized regional agenda set by Pacific Islands Leaders through the *Framework for Pacific Regionalism* processes.
2. The overall objectives of the review are:
 - (a) To identify the most effective arrangements for, including membership of, the CROP mechanism in delivering the Pacific Islands Forum Leaders' vision for the region, as articulated by the *Framework for Pacific Regionalism*;
 - (b) To identify opportunities for greater alignment of regional resources to the regional policy agenda as set by Pacific Islands Leaders, in particular through the respective governing boards of the CROP membership; and,
 - (c) To identify opportunities to improve cooperation, coordination and collaboration among the various regional inter-governmental organisations to deepen regionalism in relation to the *Framework for Pacific Regionalism*, the Sustainable Development Goals, the SAMOA Pathway and other relevant regional-global policy instruments.

Background

3. Pacific Islands Forum Leaders established the Council of Regional Organisations of the Pacific (CROP, formerly the South Pacific Organisations Coordinating Committee, SPOCC) in 1988 with the mandate to improve cooperation, coordination, and collaboration among the various intergovernmental regional organisations in order to work toward achieving the common goal of sustainable development in the Pacific region.
4. In 1995, Forum Leaders mandated the Secretary General of the Forum Secretariat to be the Permanent Chair of CROP, a decision reaffirmed at the Special Leaders Retreat in April 2004. Leaders also mandated the 'coordination role' of CROP to the Secretary General. The Secretary General reports to Leaders on CROP matters. The CROP Charter has been reviewed twice previously, in 2004 and 2012.
5. The 2012 review of the CROP Charter focused on membership criteria, and resulted in a minor rationalisation from 10 to 9 members. The 2012 CROP Charter was endorsed by the Forum Officials Committee and Forum Leaders but, to date, has not yet been formally adopted by the respective governing boards of its membership, although it has been tabled and noted.

6. The 2015 review of CROP working groups recommended revisions to the CROP Charter in terms of arrangements and realigning the objectives of working groups to the *Framework for Pacific Regionalism*, which CROP Executives agreed to address at their 38th Meeting in November 2015¹. In addition, the review proposed specific amendments to paragraph 13 of the CROP Charter, relating to working groups, which CROP Executives agreed to consider in the context of a broader review of the CROP Charter. A review of the Charter will contribute to the regional governance and financing analysis directed by Forum Leaders in September 2015, and underway in 2016.

Key issues

An increasingly dynamic, and complex, regional landscape

7. **While a Leaders' mandated coordination mechanism, the CROP network's current membership only represents a portion of the plethora of actors in the region.** There are an increasing number of multilateral actors in the Pacific region's development – whether sub-regionally, regionally, as inter-governmental or non-state bodies – with which the Forum membership engages. While this presents tremendous opportunity and valued diversity in advice and resources available to countries, the potential for duplication and dilution of regional effort present real risks to the effectiveness of delivery of results to Members. Members have regularly reported coordination challenges at the national level, which is further compounded by the regional complexity and places additional burden on national systems². CROP currently engages with a wide range of actors (INGOs, UN agencies and other development partners) through the CROP working group mechanism.

A more inclusive regional agenda-setting

8. **The *Framework for Pacific Regionalism* introduces a more inclusive agenda-setting process for the region's policy priorities, within which CROP agencies' collective role is unclear.** Through an annual region-wide call for policy ideas and initiatives overseen by a Specialist Sub-Committee on Regionalism (SSCR), supported by the Forum Secretariat, any of the region's many individual, organizational and networked stakeholders may participate. However, CROP's role as a collective entity in this process requires further clarification. Should it provide expert advice on submissions to the SSCR, submit its own ideas, and/or lead the implementation of initiatives endorsed by Forum Leaders through this process? Unlike the former Pacific Plan Action Committee, CROP no longer uniquely dominates the regional agenda-setting process, and is now one of many actors. At the same time, while the former PPAC enabled CROP organisations to individually contribute to regional agenda-setting, the *Framework* underscores the importance of engagement by CROP as a collective entity in regional prioritisation. What is the most effective role for CROP in delivering advice and results to Forum Members?

Engagement of CROP Governing Council Members

¹ Commissioned by CROP Executives in April 2015 and conducted by Dr Jimmie Rodgers, the review of CROP working groups recommended that Executives, “agree to review and present an ‘updated’ CROP Charter (when it is ready) to all CROP governing bodies for their consideration and endorsement” (Recommendation 1(a)).

² Annual *Tracking the Effectiveness of Development Efforts in the Pacific Reports (2010-2015)* and Country Peer Review Progress Reports (2012-2015).

9. **There is scope for member countries to play a more active and direct role in guiding the strategic focus of the CROP mechanism to deliver regional priorities.** While there is an acknowledged role for a technical focus for CROP in providing coordinated specialist advice to Member states on the region's development issues, many of the coordination/cooperation and resourcing challenges are linked to the mandates set and decisions made by the respective CROP agencies' governing bodies. Despite CROP's expressed mandate from Forum Leaders to "*to improve cooperation, coordination, and collaboration among the various intergovernmental regional organisations*" the tendency has been to focus on cooperation at an operational/technical level rather than at a governance level. This is implicit in the lack of endorsement of the CROP Charter by the various governing bodies to date, and the level of attention to Forum decisions in governing bodies' meetings, despite the same Members having endorsed these decisions at the highest level.

Alignment of regional resources to policy priorities

10. **There is still competition for, and fragmentation of, limited regional financial resources and inconsistency in the application of regional policy decisions,** despite strong coordination amongst CROP agencies in providing technical advice to Forum Member states and collaboration in addressing region-wide issues. This challenge lies, in part, in the linking of Forum Leaders' decisions to the resource decisions of the respective governing bodies of the region's inter-governmental organisations in which Forum members and associate members³ comprise the majority – whether such leadership should come from Member states through their representation on governing councils or CROP Executives in this regard is an ongoing moot issue⁴.

Scope

11. The review will consider the collective governance and membership arrangements of CROP in the context of a new Pacific regionalism endorsed by Forum Leaders through the *Framework for Pacific Regionalism* and the current efforts to reinvigorate Member states' self-determination in the practice of regionalism. It will seek to revise and update the 2012 CROP Charter.

12. The following key review questions are proposed:

- a. How relevant is the 2012 CROP Charter in addressing the issues outlined above?
- b. What are the most effective arrangements for CROP, including membership, in engaging with the *Framework for Pacific Regionalism* processes and priorities?
- c. Noting that there are a range of intergovernmental bodies where the Forum members form the majority, what is the role of these organisations in supporting Forum Leaders' regional policy agenda?
- d. What are the opportunities for greater alignment of regional resources to the Forum Leaders' regional policy agenda, in particular through the respective governing boards of the CROP membership?
- e. Consider the existing modalities for engaging non-CROP partners in the process of regional coordination under the *Framework*, the Sustainable Development Goals, the

³ The Forum includes the 16 independent and self-governing country members as well as the Associate Members, French Polynesia, New Caledonia and Tokelau.

⁴ As part of the 2013 Pacific Plan Review, Anthony Beattie wrote extensively about governance in the region, and highlighted the "principal-agent" issue between CROP Executives and Member states of both the Forum and the respective governing bodies of the CROP agencies. The review considered CROP Executives to be dominating the region's agenda setting and CROP member states to be insufficiently engaged in driving a regional agenda. http://www.forumsec.org/resources/uploads/embeds/file/AnthonyBeattie_GovernanceFINAL%281%29.pdf

SAMOA Pathway, Paris COP21 Agreements, development financing and other relevant regional-global policy instruments and propose ways to strengthen this through the CROP Charter;

- f. Consider and propose any amendments that might be made to the current terms of the CROP Charter in light of above findings.

Methodology

13. The review methodology consists of three steps:

- *Stage 1 – Review Planning (2 days)*
- *Stage 2 – Stakeholder interviews (4 weeks)*
- *Stage 3 - Developing options for the future of CROP (4 weeks):* This will entail facilitated discussions with Members, as represented by the country Chairs of CROP governing councils, CROP CEOs and relevant non-CROP stakeholders in developing and agreeing options for future CROP arrangements. Agreed outcomes will be incorporated into the broader analysis of regional governance and finance currently being led by the Forum Secretariat.

Review Management, Team and Budget Required

14. Strategic oversight and direction of the review (particularly during stage 3) is provided by the joint CROP governing council Chairs established as a Steering Committee for the broader analysis of governance and financing of regionalism requested by Forum Leaders to commence in 2016. A CROP CEO Reference Group will work closely with this Steering Committee to provide direction, and would also guide the review of the CROP Charter.

15. The review team comprises PIFS (under its function as Permanent Chair of CROP), and nominated representatives of FFA, SPC, SPREP and USP. An independent facilitator, Mr Garry Wiseman, is also engaged to facilitate a series of regional consultations amongst CROP governing council chairs, CEOs, their respective agencies, as well as non-CROP stakeholders, to address the key review questions.

Timeframe and Outputs

16. The review commenced in October 2016, with anticipated completion by the end of 2016.

ANNEX A

A Short History of the Forum's Mandate for CROP

1988 Pacific Islands Forum
<p>Regional institutional Arrangements</p> <p>The Forum strongly supported the proposed new institutional arrangements drawn up by the Committee on Regional Institutional Arrangements (CRIA) after extensive consultations with interested non-Forum governments and organisations. In order to improve cooperation and coordination among institutions of the region it was agreed to establish the South Pacific Organisations Coordinating Committee (SPOCC). The Forum also agreed to strengthen the political and economic capacities of SPEC. SPEC is henceforth to be known as the Forum Secretariat. The Forum agreed to invite selected countries and organisations which had an active and constructive involvement in the region to participate at an appropriate level in a dialogue with the Forum after each session, beginning with the 20th Forum. SPEC was directed to monitor the implementation of the new regional institutional arrangements and to report as necessary to the Forum. (Leaders' Communique, paragraph 20).</p>
1995 Pacific Islands Forum
The Forum's Secretary General is made Permanent Chair of CROP.
2004 Special Leaders Retreat (Auckland)
<p>The Council of Regional Organisations in the Pacific</p> <p>Task the Secretary General, in consultation with CROP heads, with ascertaining whether a redrafting of the CROP Charter would help to define more clearly the relationships between CROP agencies, the Forum Secretariat and the Secretary General. The aim of any change would be to ensure that the most effective use is made of the scarce resources of the region (Leaders Communique, paragraph 26).</p>
2012 Pacific Islands Forum
Leaders endorse a revised CROP Charter (2012)

ANNEX 3

THE CROP CHARTER (2012)

Leaders' Vision for the Region

'Leaders believe the Pacific region can, should and will be a region of peace, harmony, security and economic prosperity, so that all its people can lead free and worthwhile lives. We treasure the diversity of the Pacific and seek a future in which its cultures, traditions and religious beliefs are valued, honoured and developed. We seek a Pacific region that is respected for the quality of its governance, the sustainable management of its resources, the full observance of democratic values, and for its defence and promotion of human rights. We seek partnerships with our neighbours and beyond to develop our knowledge, to improve our communications and to ensure a sustainable economic existence for all.'

Auckland Declaration 2004

CROP Mandate

Pacific Island Forum Leaders established the Council of Regional Organisations of the Pacific (CROP) in 1988. The CROP mandate is to improve cooperation, coordination and collaboration between Pacific inter-governmental regional organisations to work toward achieving the common goal of promoting sustainable development and alleviating poverty for the people of the Pacific.

2. CROP comprises the Executives of the inter-governmental regional organisations of the Pacific that include:

- Pacific Aviation Safety Office (PASO)
- Pacific Islands Development Programme (PIDP)
- Pacific Islands Forum Fisheries Agency (PIFFA)
- Pacific Islands Forum Secretariat (PIFS)
- Pacific Power Association (PPA)
- Secretariat of the Pacific Community (SPC)
- Secretariat of the Pacific Regional Environment Programmed (SPREP)

- South Pacific Tourism Organisation (SPTO)
- University of the South Pacific (USP)

3. The Secretary General of the Pacific Islands Forum Secretariat is the permanent Chair of CROP, as mandated by Leaders in 1995 and reaffirmed in 2004. The Secretary General is responsible for the coordination role of CROP, the effective use of regional resources, and full and effective reporting to Leaders on CROP matters.

Role of CROP

4. CROP provides: (i) high-level policy advice to Leaders and Members to facilitate policy formulation at national, regional and international levels; and (ii) a mechanism between the Executives of Pacific regional organisations to coordinate action and review progress of their agencies' implementation of the Pacific Plan (the overarching regional framework for achieving the Forum Leaders' vision) and other regional frameworks.

5. CROP is a partnership of professional, transparent, accountable and dynamic organisations working together and with other key regional partners (including international and regional bodies, non-state actors and donor partners) to collectively support the national aspirations of their Member countries and territories.

6. CROP will coordinate its policy and technical expertise and resources to support Members: at international conferences and negotiations; in reporting on international commitments; in crisis situations in the region; and in implementing the Pacific Plan and other regional frameworks for national outcomes, through regional coordination and integration of priority issues identified by Leaders.

Guiding Principles

7. CROP is a partnership of equals with the Chair assuming the key coordination role. It is neither a legal entity nor a separate organisation. Its success in strengthening regional coordination and integration ultimately relies on the collective commitment of individuals at all levels. The guiding principles of CROP are to:

(a) *Promote sustainable development and alleviate poverty for the people of the Pacific.* CROP commits to the principles of poverty alleviation and sustainable development in the Pacific with a focus on providing policy and technical advice and enhancing human resource capacity. To this end, CROP is committed to integrating gender equality, youth, climate change and risk reduction, the environment, and respect for cultural and linguistic diversity in the work programmes of its organisations.

(b) *Focus on the priorities and needs of members.* CROP will deliver services and advice to Member countries and territories in line with national priorities and processes, with particular emphasis on Small Island States. CROP emphasises effectiveness and efficiency and optimising opportunities to maximise benefits to Members.

(c) *Maximise opportunities for effective and efficient cooperation and coordination between organisations.* CROP will effectively collaborate, cooperate and coordinate its work programmes under the Pacific Plan and other agreed regional frameworks and through pooling resources and expertise and joint programming where appropriate. This will include: (i) development and delivery of Joint CROP Country Strategies with Members as jointly-owned and implemented programmes of action to help strengthen national planning and avoid fragmentation of resources; and (ii) ongoing strengthening of CROP technical coordination mechanisms, comprising representatives of relevant CROP organisations and other key regional partners (see below).

(d) *Listen, understand, anticipate and respond to global and regional trends, opportunities and threats.* CROP will coordinate research and analyse key emerging issues to provide strategic policy advice to Member countries and territories. Assistance will include, inter alia, advice on or formulation of regional strategies, models, standards, policies, guidelines and information. CROP will advocate for and promote the interests of PICTs and the Pacific region at international and regional fora.

(e) *Ensure best practice.* CROP will adopt the principles of good governance and work to the highest professional and ethical standards. It will recruit the best and the brightest and will implement effective quality assurance and review systems. CROP will adopt an outcomes-based approach to regional programming and management along principles of national ownership, alignment, managing for results, and mutual accountability with Members.

CROP Membership

8. As agreed by Forum Leaders in 2002, to be eligible for membership in CROP, organisations will have:

(a) Governing bodies which determine the organisation's policies and work programmes and on which the Forum Member governments have a majority, and which between them provide a region-wide representation; and

(b) Activities that include provision of advice to Member governments and implementation of region-wide programmes aimed at assisting in the sustainable development of Member countries and territories and the region.

9. Membership of CROP may be retired where:

(a) the governance structure of a CROP agency changes significantly;

(b) a CROP agency ceases to exist; and/or

(c) a CROP agency does not participate in more than three consecutive annual CROP Executive meetings.

10. Regional agencies that wish to join CROP and who meet the membership criteria outlined above will undertake the following application process:

(a) submit an expression of interest to the CROP Chair;

(b) if deemed appropriate, submit a formal application outlining how the organisation meets the Charter's membership criteria for potential endorsement by CROP Executives; and

(c) the endorsed application will be forwarded by the CROP Chair to the Forum's Officials Committee (FOC) for decision and advice to Leaders.

11. CROP Executives may invite observers to their annual meeting depending on the nature of business involved. Invited observers, at appropriate level of representation, will be from a key regional partner organisation working with CROP organisations to implement regional programmes under the Pacific Plan and other regional frameworks. Specifically, the significant value of regional service delivery by FSMed will be retained within CROP through observership at relevant CROP meetings.

CROP engagement with key regional partners

12. To ensure high-level engagement with key regional partners and to address emerging regional priorities:

(a) Separate structured meetings will be convened prior to the annual CROP Executives meeting - one with the UN and one with those accredited regional non-state actors (NSAs) - to consider their contributions to CROP discussions on high-level strategic regional issues (noting separate opportunities for other key regional partners).⁵

(b) A high-level mechanism for potential strategic sectoral focus may be established, as appropriate (such as the High-Level Sub-Committee on Climate Change).

13. To ensure technical/operational engagement between CROP agencies and key regional partners, the operations of CROP Working Groups will be rationalised and expanded (on a case-by-case basis where deemed appropriate by CROP Executives), adequately resourced and based on results-oriented Terms of Reference (TORs) targeted to regional priorities identified by Leaders. To support rationalisation and broadened membership:

(a) The CROP profile will be expanded to guarantee inclusiveness and ownership of key regional partners by re-naming those rationalised and broadened CROP Working Groups as *Pacific Partnerships*.

(b) CROP agencies will either Chair or Co-Chair CROP Working Groups and Pacific Partnerships to guarantee reporting of outcomes to respective CROP agencies.

(c) The CROP Executive of the agency designated as the Chair or Co-Chair of each CROP Working Group and Pacific Partnership will report to annual CROP Executives meetings on the work of respective technical coordination mechanisms.

(d) The focus of CROP Working Groups and Pacific Partnerships will be aligned to implementation of initiatives under the Pacific Plan and other regional frameworks.

(e) Consistent, clear, results-oriented and time-bound Terms of Reference (TORs) will be developed for each CROP Working Group and Pacific Partnership to: reflect shared approaches between CROP agencies and key regional partners; target regional priorities to support delivery of national outcomes; and ensure that CROP Working Groups and Pacific Partnerships will be dissolved when objectives are achieved or when they are not operating in a manner to achieve objectives.

⁵ This includes: specific agreements with a range of development partners within some agencies (under MOUs); observership at regular meetings of some governing bodies and the Pacific Plan Action Committee (PPAC) with scope to contribute to discussions; annual PIC Partners meetings (and associated reporting); and Post-Forum Dialogue.

(f) Resourcing of CROP Working Groups and Pacific Partnerships will be based on cost estimates of annual work-plans coordinated and supported by all members for approval by CROP Chairs or Co-Chairs (as well as through key regional partners' own management systems).

(g) Representation on CROP Working Groups and Pacific Partnerships will be limited to no more than two officers from each organisation, and focal points will be identified for each CROP Working Group and Pacific Partnership within all organisations.

(h) The CROP Chair or Co-Chair of each CROP Working Group and Pacific Partnership will take primary responsibility for maintaining its records, with a repository of TORs, reporting and membership details provided to and maintained by PIFS.

(i) The ICT CROP Working Group will advise all Working Groups on the use of innovative and cost-effective means to communicate outside regular face-to-face meetings.

Governance and Accountabilities

14. The Pacific Islands Forum Secretariat (PIFS) will provide the Secretariat for CROP.

15. A PIFS Deputy Secretary-General (DSG) will be responsible for representing the Forum Secretariat at annual CROP Executive meetings.

16. CROP Executives will be accountable and report to their governing bodies on their membership and participation in CROP and on the performance of CROP. Where CROP recommendations and conclusions have major policy implications or require the approval of respective governing bodies, CROP Executives will present such matters to their respective governing bodies for their endorsement and/or approval.

17. Where appropriate, CROP will build on existing and more formal mechanisms of cooperation between CROP organisations through specific partnership agreements or Memorandums of Understanding (MOUs) that clearly define the roles and responsibilities of organisations in providing advice and technical support to Members and implementing regional programmes for national outcomes.

Sequencing and resourcing the CROP Charter

18. Timing of key annual meetings (e.g. CROP governing bodies and PIC Partners) will be examined, and the reporting of CROP Working Group and Pacific Partnerships scheduled - to allow for considered and appropriate reporting to CROP Executives prior to the annual Pacific Plan Action Committee (PPAC) and Forum Leaders meetings.

Review

19. To ensure relevance in a changing global and regional environment, the CROP Charter will be reviewed every five years (or within this period if agreed by CROP Executives) with recommended amendments submitted to the Forum Officials Committee (FOC), other governing bodies and/or the Pacific Plan Action Committee (PPAC), as appropriate, for consideration and approval.