



Functional Operations Document of the Asia Pacific Regional CSO Engagement Mechanism As per January 2022

The idea to establish an Asia-Pacific Regional Civil Society Engagement Mechanism (AP-RCEM) derives from engagement experiences in processes leading up to the 2012 Rio+20 conference on sustainable development. A group of Asia-Pacific regional CSOs, who had been cooperating in this context, got together to share good and bad experiences from their engagement in the processes leading up to the global conference.

The wish to have a better and more effective way of engaging ‘upwards’ with governments and international organizations as well as ‘downwards’ with national and subnational civil society and grassroots movements turned into a process of learning-by-doing and experimenting with more systematic engagement. Today, the AP-RCEM fully exists and has drawn considerable attention from the global level and from other regions, where CSOs equally aspire to improve their engagement. This is especially important in light of the post 2030 agenda and post SDGs which can only be implemented with full and fair participation from society at large, including the AP-RCEM.

BACKGROUND AND CONTEXT

In terms of chronology, the idea to establish the RCEM made its first appearances in regional and subregional CSO meetings in the aftermath of the Rio+20 conference, where CSOs evaluated their engagement and found strengths and weaknesses in the preexisting modalities of engagement, as they had been established more than 20 years ago by the original Rio Earth Summit in 1992. A small core group got together during sub-regional and regional meetings, including the Civil Society Regional Consultation Meeting in November 2012, Kathmandu, Nepal and took the first stabs at defining functions, terms of reference, and composition of the RCEM (Asia-Pacific CSOs, 2012).

Operating from this interim structure, the CSOs experimented with it first during the Third Session of the Committee on Environment and Development UN Economic and Social Commission for Asia and the Pacific (ESCAP), in Bangkok, Thailand in October 2013 and issued a Conference Room Paper to inform regional governments about their

intentions (Civil Society Observers at the CED, 2013). This was highly welcomed, and activities of the RCEM to date include engagement at the Regional Consultation on Accountability of SDGs/Post2015 Development Agenda; the 12th and 13th Sessions of the Open Working Group (OWG); Stocktaking exercises of SDGs and the Post 2015 Development Agenda; and also the ESCAP 70th Commission Session, all in 2014. Knowing fully well that the AP-RCEM's first activities were done experimentally, the CSOs decided that the first phase of its existence should be transitional, and that through engagements, a more lasting core-structure would be defined. In this light, its working bodies were made 'transitional' while the involved CSOs drafted a concrete Terms of Reference (TOR), established a Transition Committee and an Advisory Group to help strengthen AP-RCEM operations and structure and find a way forward. Since then, the engagement has grown, and the operating modalities, including nominations, selection, representation mechanisms as defined by the AP-RCEM have been used for regional CSOs to engage regionally and also at the global level in the negotiations on the future SDGs. The actual ToR for its more permanent working structure is now being defined bearing in mind the ultimate purposes of enhanced CSO participation.

At the Asia Pacific CSO Forum in May 2015, the Transition Committee shared lessons learnt and their experiences on the operation of AP-RCEM for the period 2014-2015. The CSO Forum, attended by more than 120 Asia Pacific CSOs, then decided to formalise a Regional Coordinating Committee in the AP-RCEM structure, to work on engagement with intergovernmental processes in the UN and to maximise the number of constituencies mobilizing for Development Justice.

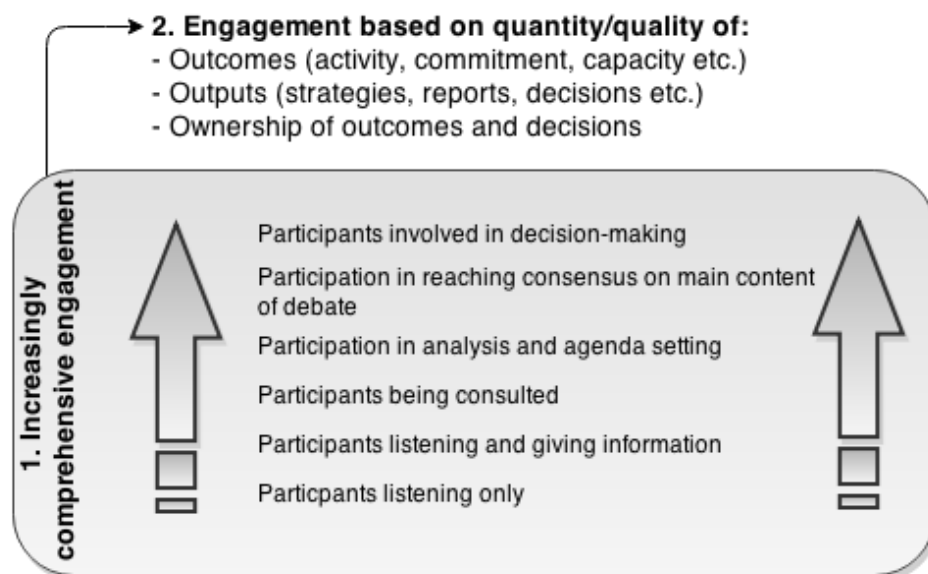
THE DUAL OBJECTIVES OF PARTICIPATION

Since its initiation, the regional members of the AP-RCEM have collected experiences with the internal governance structure of the mechanism. Since the AP-RCEM was started up by a number of willing individuals it has been the intention all along to ensure that those people initially involved in its emergence gradually create workable, transparent and functional governance mechanisms so that the work of the AP-RCEM is transparent, accountable to the constituencies it represents and can create legitimacy over time. This is an important precursor to make participation count towards effective development outcomes that are co-designed and owned by civil society in a broad partnership as necessary for implementing the future SDGs.

The overall aim with the AP-RCEM is to develop better and more effective forms of engagement and participation. As was the intention with the mechanism all along, broader public engagement in sustainable development governance is an important primary objective, because it can lend necessary legitimacy and ownership of decisions and policies that governments make. Participation is in this sense an important democratic right and an intrinsic part of development justice.

Beyond participation as an ‘end’ in itself, the purpose with the AP-RCEM is also to work towards better outcomes and better results of sustainable development processes, i.e. the intention that participation leads to better development results. There are thus two interconnected objectives of participation as envisioned with the AP-RCEM. A typology that can illustrate these two objectives being (i) participation as end and (ii) participation as means to better development outcomes has been discussed in existing literature on participation. A useful example can be extracted from Bass, Dalal-clayton, & Pretty (1995), who undertook extensive reviews of plans and strategies formulated with varying degree of involvement of other stakeholders in the 1990s and early 2000s.

In combination, a recent study by Norwegian Agency for Development Cooperation (NORAD) analyses different typologies of participation and makes helpful additions to the discussion on the use of participation in creating ownership, buy in and alignment of development objectives (Norad, 2013). Such typology can also illustrate the expected outcomes i.e. either capacity, empowerment, or substantive development results. We combine the dual objectives as shown below to clarify that the intention with the AP-RCEM is twofold: to ensure that participation is legitimate, transparent and accountable, but also that it over the longer term can help produce better development outcomes.



At current, the activities of AP-RCEM are somewhere in the middle of the box, where participation is increasing. We believe that the types of participation under the first objective are necessary to bring about participation towards outcomes and increased ownership of decisions, in particular the broad-based ownership necessary to mobilize action around the future SDGs. To be sure, the wish is that the AP-RCEM over the longer term can become one of the mechanisms governments can use at several levels to engage with CSOs (and vice-versa), as a transparent forum to define appropriate priorities of the global SDGs as they will be re-interpreted to fit this region.

STRUCTURE

At the most recently held meeting collecting views from this region's CSOs, key decisions were made about Constituency group membership rules; election processes; composition and the role of Thematic Working Groups; the role of the Advisory Group; selection of people to represent AP-RCEM or speak at conferences/meetings; Regional Coordinating Committee and AP-RCEM decision making guidelines; co-chairs and host organisation; funding and structures for supporting funding; as well as communication strategies.

The following diagram illustrates the key structural elements of the AP-RCEM



AP-RCEM Constituents

AP-RCEM Constituents refer to civil society organizations (CSOs) affiliated with the AP-RCEM. This means CSOs that:

- agree to the Bangkok declaration on Development Justice, and AP-RCEM's Functional Operations Document,

- submit a profile to the secretariat and self-define the Sub-regional and Thematic AP-RCEM Constituencies they should be placed in. Constituents may participate in multiple themes and sub-regions (in the case of region-wide groups). But for voting purposes, each constituent can belong to only 1 primary Sectoral Constituency and/or 1 Geographic (sub-regional) Constituency.
- Provide a copy of registration of the organization. In the absence of such, endorsement by at least one existing member of that Constituency will be necessary.
- Must be an organisation based in the Asia Pacific region or be a regional office of an international non-governmental organisation

The list of constituents and their basic information should be available on the AP-RCEM website and readily accessible to anyone interested.

AP-RCEM Constituents would be asked to regularly renew their affiliation to the AP-RCEM by submitting an updated profile to the Secretariat every 2 years.

AP-RCEM is open to cooperating with Partners or Allies from civil society, which may include organizations or individuals/experts who are not part of the mechanism. These individuals can be involved in discussions with the RCEM constituency, join the list-serve and make contributions to RCEM statements. However they will not be able to participate in RCEM decision-making processes such as voting in RCEM elections.

Focal Points

To strengthen accountability, ownership and self-organisation, each sectoral and sub-regional constituency will propose, elect (or select by consensus as may be decided by the constituency) their own Focal Point. The Focal Point position is organisational instead of individual, but each organisation should assign one main contact person, and one alternate. If the elected Focal Point organization requests for an alternate from another organization, then the constituency can also elect an alternate. But the main responsibility rests with the main Focal Point organization. They should be willing to serve for a term of three years.

Focal Point organizations cannot serve for more than two consecutive terms.

Outgoing Focal Point organisations will work with incoming Focal Points and provide assistance in the transition process. Outgoing Focal Points will provide handover notes that will reflect the responsibilities, continuing work, coordination, communication and exchange between the Focal Point and constituency. The timeline for the handover period is six months.

Criteria for Focal Points:

- 1) Preferably regional and national organisation with working scope in Asia and Pacific, or international organisation with regional (Asia Pacific) office with most of the board coming from Asia and Pacific.
- 2) For sectoral constituency focal points, priority will be given to member-based

organisations, the majority of whose members belong to that particular sectoral constituency.

3) Organisations should have interest, capacity and experiences in coordinating the CSOs in Asia Pacific in general, and within their constituencies, particularly in building common positions and facilitating collective decision-making processes.

4) Organisations should have the capacity and commitment to fulfill the responsibilities and task as constituency and sub-regional focal points as mentioned below, each organisation should assign 2 contact people (1 main, and 1 alternate) to coordinate the constituency.

5) The organisation should have an established office or address (called e.g. headquarters/secretariat) with an executive officer. It should have statutes which are transparent and accessible and if a network preferably a democratically adopted constitution.

In addition to the general criteria, constituencies can propose additional criteria, given they are arrived at by consensus within the constituency.

The Regional Coordination Committee (RCC)

All focal points will constitute the Regional Coordination Committee which will be collectively responsible for facilitating and coordinating the work of the entire RCEM.

The responsibilities of the RCC collectively and the focal points individually are:

1. **Information:** Sharing information on the post-Rio+20, Post-2015 and related processes and the AP-RCEM to CSOs in the region and feeding back information from constituencies to the AP-RCEM as a whole.
2. **Outreach:** Inviting CSOs from the various constituencies to engage the post-Rio+20 , Post-2015 and related processes through the AP-RCEM.
3. **Policy development:** Facilitating process of coming up with common regional, sub-regional and/or constituency positions and recommendations through thematic working groups related to sustainable development/Post-2015 agenda whenever possible.
4. **Engagement:** Facilitating the participation of CSOs in regional, sub-regional and international processes in order to bring regional positions and perspectives related to sustainable development, while ensuring that such engagement is relevant to advocacy, education, organizing, mobilization and/or other related work of members at the national level.
5. **Capacity-building:** Facilitating and supporting CSO initiatives such as research, education, advocacy, campaigning and skills-sharing for more effective engagement on sustainable development processes/Post-2015
6. **Test and enrich structures and processes for the AP-RCEM:** facilitating the collection and systematization of recommendations from the participants on how to improve the functioning of the AP-RCEM.
7. **Resource mobilization:** Raising funds for all of the above and ensuring transparency and accountability to our constituencies.
8. **External Relations:** Ensuring the facilitation of other groups representing

constituencies within RCEM (external affairs or relationship management), include co chairs in group

Advisory Group

An Advisory Group (AG) consisting of individuals that have extensive knowledge on sustainable development and civil society engagement supports the work of the RCC. The AG is crucial for maintaining and sustaining RCEM as a mechanism, operations, protocols and procedures of civil society engagement.

Individuals are recommended on the basis of their expertise by the Co-Chairs and/or RCC and subject to confirmation by a consensus of the RCC. The AG has the same term as the RCC (two years). The number of AGs shall not exceed 25% of the number of the RCC.

The AG's role is to contribute to the full realization of the aims and vision of the AP-RCEM. They shall provide timely advice and assistance to the RCC as requested by the Co-Chairs. They may be invited to deliberations but are not part of decision making of the RCC.

Thematic Working Groups

Thematic Working Groups (TWG) are ad hoc cross-cutting groups of Constituents that come together temporarily to work on a specific issue or prepare for a meeting or specific engagements. They are initiated by posting a thematic concept on the RCEM website and they need to select/elect one coordinator, who reports to the RCC and makes it available online in the same fashion as regular reporting. The role of the TWGs is to develop common positions or messages for sustainable development processes in the region where possible on specific themes. They are additionally required to send six monthly reports to the RCC. All TWG statements should be circulated and reviewed by the AP RCEM list-serve and RCC before being publicized.

TWGs are composed of volunteers from the various sub-regions, constituency groups and experts. Organisations, individuals and experts outside of the RCEM may join a TWG however this is a temporary agreement and will be subject to review at the next RCC/AG meeting. Membership in TWGs is voluntary and based on expertise or interest, rather than representation.

A working group may be formed around a theme proposed by any member of the AP-RCEM if:

- (1) the topic is related to sustainable development; and
- (2) at least 5 member-organizations from at least 5 sectoral constituencies commit to work together on this theme

Currently there are five thematic working groups in the RCEM:

1. SRHR and Gender Equality
2. Trade and Investment
3. Financing for Development
4. Environment
5. Land and
6. Energy

Functional Working Groups

Functional working groups can also be formed to perform particular tasks necessary for the effective and efficient operations of the RCEM such as communications, etc. Membership to FWGs will not only be confined to RCC members but at least 1 person from the RCC takes responsibility for the group.

Co-Chairs of the RCEM

Three (3) Co-Chairs will provide leadership for RCEM. The RCC members will nominate from amongst themselves (self-nominations allowed) and consensus must be reached within the RCC.

The Co-Chairs shall convene the meetings of the RCC, prepare reports of the RCC to the AP-RCEM membership, and represent the AP-RCEM in liaison with external agencies.

The Co-Chairs may decide to have a division of labor amongst themselves (e.g. one can focus on sub-regions; another on sectoral constituencies; another on thematic working groups).

Secretariat

The discussion of establishing an AP-RCEM Secretariat that would be legally registered in one country remained unresolved. Establishing a Secretariat has benefits of making fundraising and bookkeeping not the responsibility of one host organization; and it would take logistics work off the Co-chairs. However, it makes RCEM much less flexible and much more funding dependent, bureaucratic and institutionalized.

OPERATIONS OF THE RCEM

Election of Focal Points

1. Before the start of an elections process an election committee will be created to oversee the process and deal with possible problems. This committee will be composed of three members of the AG who are not nominated for any position, did not nominate anyone, and waives his/her right to vote in the election.

2. This elections committee will draw up the official list of all Constituents based on the online database. Only those included in this list may nominate and/or be nominated as Focal Point and can vote.
3. One can only nominate or self-nominate and eventually vote within his/her main sector and sub-region listed in the database. i.e if you are listed as farmers, you can only nominate farmer constituency focal point, and NOT women focal points.
4. Nominees would have to confirm their acceptance of the nomination before elections. Organizations that are nominated to more than one Constituency would have to choose only one, either sectoral or sub-regional constituency. Self-nominees need endorsement by at least one other organization from the same constituency.
5. The elections committee will review the eligibility of each nominee based on the stated criteria for Focal Points above.
6. The elections committee shall circulate the official list of eligible nominees to all AP-RCEM constituents and solicit nominations and self-nominations from AP-RCEM Constituents for Focal Point and Alternate (if so decided by the Constituency) based on the Criteria above.
7. Elections will be done online to give a chance to all members of AP-RCEM to vote.
8. A RCC member should ideally take a break before being nominated again, although this can be flexible for smaller Constituencies.
9. Nominees must win at least 20% of cast votes from his/her sectoral or sub-regional constituency in order to win and be confirmed as Focal Point. If no nominee gathers more than this threshold, then nominations will be extended for that sector or sub-region as the case may be.
10. In case an elected Focal Point decides to step down from this post, he or she is requested to give 1 month's notice of resignation so that there is sufficient time to elect a replacement and a handover can be properly arranged.

Outreach. Outreach is the responsibility of all AP-RCEM constituents. Thematic and sub-regional RCC Focal Points should complement and add to each other's lists in the mapping tool to ensure full coverage. More should be done to ensure outreach to underrepresented geographical and thematic areas, particularly Northeast Asia, Fisherfolk, Urban Poor, Disabilities, Aging, Human Rights, Science and Technology. Outreach lists will be shared via Google Drive and a shared database.

Meetings. The AP-RCEM will aim to have regular conferences back-to-back with the APFSD. The RCC shall aim to meet face-to-face at least twice yearly and electronically at least once bi-monthly. The AG will be invited to join these meetings of the RCC. The sectoral groups and sub-regional groups shall also strive to meet face-to-face at least once before the next AP-RCEM and as often as necessary by teleconference.

Decision Making. Decisions of the AP-RCEM will be made through systematic consultation of the focal points with their sectors/ sub-regions. Consensus by quorum is the preferred method of decision-making within AP-RCEM as well as internally to the RCC. Divergent positions will be duly noted and reported.

Process for Decision-Making:

1. In meetings, a 50%+1 Quorum is needed in the RCC for discussions. By email a 2/3 Quorum is needed.
2. The Quorum will first try to reach consensus. A time limit will be set.
3. If consensus is not reached, a vote will take place. A time limit will be set.
4. Those who do not answer within the time limit, agree to not participate. (NOTE: After May when there are Alternate Focal Points, each Constituency only gets 1 vote. If the Focal Point does not or cannot vote, the Alternate can be contacted.)
5. Once decisions are cleared by the RCC, they will be sent to the broader RCEM Constituents, where Focal Points are responsible for encouraging Constituents to respond.
6. For significant decisions, groups must be encouraged to participate (NOTE: The process for significant decisions needs to be further developed). For statements, Constituents should be clear that their silence equals agreement.

Sign-off. The RCC will approve sign-offs to statements and other documents that will be released in the name of the AP-RCEM after consultation with their constituencies/sub-regions. Statements and other documents may be released in the name of the constituencies/sub-regions under the concerned group's consensus and with due notice to the AP-RCEM members.

External Liaison. The Co-Chairs of the AP-RCEM, will be responsible for coordinating with ESCAP, the UN Regional Coordination Mechanism (RCM), its member agencies, and other agencies external to the AP-RCEM.

Representation. AP-RCEM needs to appoint people to represent the mechanism at various events and forums, either as speakers or simply as attendees. RCEM representatives at different events will be included in the RCEM annual report and on the RCEM website. Representatives will be required to report back using the report back template which will include issues discussed, contentious issues, AP RCEM's role in the meetings and what needs to be done. At times there may also be a need for people to represent AP-RCEM to the media or in other external relations.

The selection process is as follows:

1. AP-RCEM Constituents will be emailed and asked for nominations or self-nominations.
2. Criteria will be given, depending on the event (NOTE: 'expertise' includes grassroots experience not just technical, professional or academic credentials; should take gender into account; and should ensure that representatives are able to speak about a broad range of issues)
3. The RCC will make a decision based on the criteria. (NOTE: This selection system must be tested in the next 6 months and reviewed.) If the representation needed is clearly Constituency-based, then Constituencies will make a decision.

Further

- Non-English speakers will be considered.
- Representatives may be external to AP-RCEM under special circumstances.
- Representatives chosen need to clearly state that they are representing AP-RCEM.
- When slots for participation/attendance at meetings are being considered (vs. speaking opportunities), the criteria will be less strict.
- Individuals selected to participate in international activities to represent the AP-RCEM will be required to report back to the AP-RCEM how the regional positions and perspectives were delivered and the results of her/his participation after the event.

Finance.

The AP-RCEM shall operate primarily on the basis of self-reliance to avoid undue dependence on external donors or ESCAP support. Nevertheless, the AP-RCEM shall do its best to access funding and other forms of material and political support for the operations of the mechanism. Funds may be sought for assemblies, forums, constituency meetings, translations, national level work, grassroots mobilizations, giving money to grassroots movements, etc. A Working Group on Fundraising may be formed for this purpose. Individual or joint fundraising initiatives can also be undertaken by any member of the RCC to support the work of their own constituency/sub-region. But there should be oversight over the entire process of fundraising according to guidelines to be developed by the RCC.

In the absence of an AP-RCEM Secretariat, MOUs need to be developed between AP-RCEM and the organization(s) through which donors fund AP-RCEM ('host organization'). AP-RCEM can also form a structure for accounting and bookkeeping while the host organization would lend legal structures and registration in a country.

Accountability.

The RCC will be accountable to all constituents of the AP-RCEM and Individual Focal Points are accountable to their respective sectoral and sub-regional constituencies. Each Focal Point will be required to write reports every six months on how they are facilitating the outreach and participation of their constituencies /sub-region. On this basis the RCC will release a report every year (before the annual conference) that will detail the AP-RCEM activities and recommendations for ways forward. The general membership will be able to give feedback on the performance of individual focal points and the RCC. The AP-RCEM email list serve and website will be used to facilitate communications.

In case of disputes that cannot be settled within the RCC, an ad-hoc committee will be formed to solve them amicably. In the case of a Focal Point that is deemed inactive for more than 2 months without adequate explanation steps will be taken to ensure that the problem is solved. Inactive is defined as no participation in emails, no communication, no substantive contribution to RCEM discussions and failure to carry out RCC

responsibilities including six monthly reports.

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