

High Level Group on Commonwealth Governance Terms of Reference

1.0 CHOGM Communiqué

1. The Commonwealth Heads of Government Meeting (CHOGM) 2015 Communiqué states: *“Heads noted that, in this the 50th anniversary year of the Commonwealth Secretariat, the governance arrangements of the organisation had not been reviewed in over a decade. They mandated the Secretary-General to convene a high-level group to review the full governance arrangements of the Commonwealth Secretariat to ensure that its governance is streamlined and integrated in order to improve oversight, efficiency and transparency.”* (CHOGM 2015 Communiqué, paragraph 40)

2.0 Introduction

2. The mandate of the HLG is not restricted to the governance issues of Commonwealth Secretariat alone. Leaders, during the 2015 CHOGM Retreat session, spoke about various matters that are relevant to the Commonwealth at large, and require consideration and political direction. Key among these are CHOGM processes and the selection of the Secretary-General.

3.0 Mandate

3. Specific issues for consideration by the HLG include:
 - a) *Review London-based governance arrangements of the Commonwealth Secretariat*
4. Governance of the Secretariat needs to be streamlined and integrated in order to improve oversight, efficiency and transparency without compromising the accountabilities of the Secretary-General as the Chief Executive. A lack of clarity in the existing governance arrangements has caused confusion. There is also currently no clear reporting hierarchy between CHOGM, Ministerial Meetings and the Board.
 - b) *Develop protocols to guide the selection of the Secretary-General*
5. During the 2015 selection of the new Secretary-General, there appeared to be a lack of understanding of the process among some governments due to the lack of clear, written procedures. At a minimum, Heads should have the opportunity to meet formally with candidates at CHOGM. The time lapse between appointing a new Secretary-General and them taking up office has also been identified as an issue.
 - c) *Consider the Commonwealth Secretariat's Funding Arrangements*
6. The Secretariat's funding has significantly declined over recent years. The HLG could consider the efficacy of maintaining the current three fund structure of the Secretariat, the Abuja Guidelines, the liability for and consequences of unanticipated budget impacts, Zero Real Growth (ZRG) and Zero Nominal Group (ZNG) budget impacts, and staff remuneration levels.

d) *Consider CHOGM Processes*

7. CHOGM processes have been designed to support an inclusive meeting. They have been adapted on a number of occasions to reduce the length of CHOGM and to maximise the time that Leaders can spend informally together, especially at the Retreat. It was suggested at the last CHOGM that processes could be changed around the meetings of Foreign Ministers on behalf of the Leaders; and Heads could spend more formal meeting time with various interest groups. There were also concerns expressed about the processes for developing and finalising CHOGM outcome documents, in particular achieving a balance between inclusive intergovernmental processes and scope for Heads to innovate, including short statements on collectively held views emerging from the Retreat.

4.0 Composition and Meetings

8. The HLG will be led by a Chair appointed by the Secretary-General. Membership of the group will comprise eminent persons from Commonwealth member countries. HLG members will participate in their individual capacities and will not represent the views of any member government or group of governments.
9. The HLG will be constituted in line with the established Commonwealth practice of giving representation to all Commonwealth regions; keeping in view the diversity of the Commonwealth; and giving adequate representation to small states and vulnerable states.
10. The HLG will be supported and advised by a working group of Commonwealth High Commissioners from member states other than those already represented on the HLG. This preparatory team will prepare draft recommendations for the consideration of the HLG.
11. The meeting schedule will be determined following the constitution of the HLG. Both HLG and Preparatory Team meetings are expected to take place at Marlborough House in London. A proposed timeline is as follows:

Task	Timeline for completion
First Preparatory Team meeting	May 2017
Second Preparatory Team meeting	June 2017
First HLG meeting	Early September 2017
Chair's Update presented to Foreign Ministers at CFAMM	Late September 2017
Third Preparatory Team meeting	October 2017
Preparatory Team's Draft Recommendations completed and circulated to HLG members for comment	November 2017
Final HLG meeting	December 2017
Report presented to Heads at CHOGM 2018	April 2018

5.0 Consultation

12. The HLG is expected to be open, collaborative and seek the views of the whole membership as well as other relevant stakeholders throughout its work. Member states, as well as Commonwealth Organisations, expect to be consulted. The Secretariat's Board of Governors also expects to be regularly updated.

6.0 Support

13. Secretariat support for the HLG will be provided by the Commonwealth Secretariat.

7.0 Reporting

14. The Chair of the HLG will provide an update to Foreign Ministers at the Commonwealth Foreign Affairs Ministers Meeting in the margins of the United Nations General Assembly (UNGA) in September 2017.

15. The HLG will deliver a report containing its recommendations at CHOGM in April 2018. The Chair will present the report on behalf of the HLG.