

# STATUTES OF GOVERNANCE INGO FORUM MYANMAR

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# INTRODUCTION

This Statutes of Governance sets out the form and function of the INGO Forum Myanmar, hereafter referred to as the 'INGO Forum' in the document. It remains a living document and subject to review and change as required by the INGO Forum Secretariat, Steering Committee and INGO Forum membership. Matters contained in this document span the range of structural, decision-making and accountabilities that shall govern the INGO Forum, to which all full and observer members are required to abide by and respect.

## 1.1 DESCRIPTION

The INGO Forum was established in response to the 2007 demonstrations and the increasing need to address the underlying causes of human suffering and socio-economic inequality in Myanmar. The INGO Forum was conceived as a loose association of international organisations and was created to ensure regular, facilitated dialogue and to generate strategic discussion and develop collective strategies between INGO Forum members and with local NGOs and civil society, UN agencies and donors on humanitarian and development issues in Myanmar.

In 2018, membership of the INGO forum expanded to one hundred and nine (109) members, including two (2) observers. At the time of endorsement, the INGO Forum has not extended membership to National NGOs (NNGO) but commits to strengthening relationships, linkages and collaborative efforts where appropriate with a range of existing NNGO platforms. This is in the spirit of recognising the critical voice of local and national partnerships and the centrality of ensuring local ownership and accountability and voices.

The INGO Forum Secretariat has full-time employees with the intention to expand the Secretariat to meet the demand of its members and strengthen its external coordination, advocacy and policy priorities.

It is, for the most part, funded through annual contributions from the INGO Forum Member Body and donor contributions.

## 1.2 PURPOSE AND OBJECTIVES

The INGO Forum aims to provide a joint platform to facilitate INGO members' interventions and to promote a collective approach to address key issues of common interest. The INGO Forum provides a coordinated approach through which INGOs, national NGOs, the UN, donors and Government of Myanmar can exchange information, share expertise, establish guidelines, and facilitate dialogue and constructive engagement for a more coordinated, efficient and effective use of resources in Myanmar. In doing so it supports an enabling environment for INGOs to better fulfil their mandates.



## 1. GENERAL OBJECTIVES

- Shared Platform to foster cooperation, coalition building and collaboration of INGOs within the Forum and outside to ensure the sharing of information, lessons learnt, and good practice in order to provide better quality programming and operations in Myanmar. The Forum derives its mandate from its members and responds to their needs.
- Coordination to promote effective interventions through consistent and high level representation of INGOs in strategic and operational decision making bodies and to provide a means through which INGOs, the UN, donors, and other external stakeholders can exchange information, share expertise and establish guidelines for coordinated humanitarian, development and peace building activities.
- Strategic platform to develop common or complementary strategies based on collective analysis and mutual learning and to produce advocacy and communication products based on members' interest and priorities.
- Mechanism to build links between the INGO community and national NGOs.

### 1.3 GUIDING VALUES AND PRINCIPLES

As a body that represents a collective voice, the INGO Forum promotes and is guided by the following:

- Respect for humanitarian principles of humanity, impartiality, and independence as outlined in the ICRC Code of Conduct.
- Integration of Do No Harm principle to all internal and external engagements.

Members of the INGO Forum share common values and principles based on mutual interest and commitment to promoting social equity, economic

progress, access to basic services, safety and security and a better standard of living for the people in Myanmar. This commitment is based on agencies' appreciation of their own ethical obligations and reflects the rights and duties enshrined in international law.

The INGO Forum's specific values and principles are as follows:

- Respect for humanitarian principles of humanity, impartiality, and independence as outlined in the ICRC Code of Conduct.
  - ❑ Humanity - Promotion and advocacy for the right to life with dignity and security and undertaking all possible steps to prevention or alleviation of human suffering.
  - ❑ Independence - Delivering aid independently from political, economic, or military objectives.
  - ❑ Impartiality and non-proselytizing - assistance provided is based on need alone, not based on nationality, race, religion, or political point of view. Non-proselytizing on religious or political grounds is understood as a commitment not to provide assistance on the expressed or implied condition that people must (i) adhere to or convert to a particular faith or political party or (ii) listen and respond to messaging designed to induce conversion to a particular faith or political point of view.
- Integration of do no harm principles.
- Non-profit - The purpose of existence is other than making profit.
- Mutual respect - Observance and respect towards each other's independence while recognizing the necessity of dialogue and the benefits of close coordination.
- Maintain high levels of integrity, accountability and professionalism across all spheres of conduct.

# CORE FUNCTION AND STRUCTURE

## 2.1 CORE FUNCTION

In fulfilment of its primary objectives, INGO Forum supports the following key functions, which also constitute the services provided to members:

1. *Information Sharing*: Facilitates predictable and efficient flow and ensures there is effective and transparent sharing of information relevant to both its members and external stakeholders.
2. *Coordination*: Develops, strengthens and maintains productive relationships and mutual understanding among its members, as well as with relevant authorities, civil society organisations, International organisations and donors. Ensures that INGOs are effectively coordinating and sharing lessons learnt, best practice, and identifying common interests and priorities.
3. *Representation*: Represents the interests of its members in external coordination mechanisms, with key stakeholders including donors, UN, government and others, and ensures INGO participation in critical decision-making platforms to guide effective and principled responses.
4. *Capacity Development*: Commits to the development and capacity building of NGOs (international and national) to be able to operate in a principled and effective manner in Myanmar through dedicated support on commonly identified needs and gaps.
5. *Influence Advocacy and Policy Engagement*: Facilitates the development of Collective INGGOO positions around relevant policy developments and practice and participates in relevant national and international policy dialogue. Conveys INGO positions and good practice examples. Develops private and public messaging on critical issues relevant to INGOs and affected populations.



Photo Credit : Mercy Corps Myanmar

## 2.2 STRUCTURE

The INGO Forum is under the overall guidance of the Steering Committee. The INGO Forum is structured around an INGO Forum Director and an elected Steering Committee Chair who is responsible for leading the overall facilitation of member interests.

The structure is further explained below:

**Secretariat:** Full term staff administers and facilitates INGO Forum affairs, led by the INGO Forum Director who is accountable to the elected Steering Committee and liaises on leadership issues with the Chair and Vice Chair.

**Steering Committee:** An elected body of a minimum of seven representatives at the Country Director level to guide the secretariat and develop work plans according to agreed upon priorities. Based on time and commitments the steering committee can provide representation for the INGO Forum at high level external engagements which includes

donors, national authorities, UN, domestic civil society and the private sector. The Steering Committee's key tasks include the recruitment of the Secretariat staff, approval and reporting on finances and activities of the Secretariat, reviewing INGO Forum strategy; reviewing statutes and member applications. It aims to meet on a quarterly basis. Ad hoc meetings may be called as required.

**INGO Forum Members Platform:** The platform advises the Secretariat and Steering Committee on issues and priorities and serves as the key decision-making body within INGO Forum structure; elects the Steering Committee; elects or selects Representatives to different meetings; approves the Statutes of Governance, INGO Forum strategy, INGO Forum Advocacy Strategy and updates those documents.

**Working Groups:** Ad hoc groups will support technical requirements and coordination of INGOs on key priorities and issues.



# MEMBERSHIP CRITERIA, RIGHTS AND OBLIGATIONS

## 3.1 MANDATORY CRITERIA FOR MEMBERSHIP

All INGO's meeting the following requirements are eligible to apply for membership to the INGO Forum:

- (a) The organization is a non-governmental, not-for-profit, non-partisan, non-political and non-proselytising organisation providing humanitarian assistance, development and peace building in line with the guiding values and principles of the INGO Forum.
- (b) The organization is legally eligible to work in Myanmar or in the process of applying for registration and becoming legally established;
- (c) Demonstrates a commitment to abide by the INGO Forum Statutes of Governance.
- (d) INGOs that are implementing programmes but that have no permanent office or official representative or representation in the country will not be eligible for membership.
- (e) The organization is formally approved by a majority vote within the Steering Committee.

The INGO Forum is composed of full members and observers and will continue to remain open to new members throughout the INGO Forum's lifetime.

## 3.2 MEMBER APPLICATION

Prospective members must submit a written application in the most recent version of the standard INGO Forum registration form, which can be Obtained from the Secretariat or download from INGO Forum website. The application will be vetted by the Secretariat to ensure that it is properly and fully completed and that INGO Forum membership criteria are met. See Annex 6.

Qualifying applications will be brought forward to the Steering Committee for review. New membership will require to be approved by a unanimous vote of the Steering Committee.

### 3.3 GROUNDS FOR DISCONTINUATION OF MEMBERSHIP

INGO Forum membership will be discontinued if any of the following are relevant to the concerned organisation:

- (a) A member organisation ceases operations for the foreseeable future beyond one year.
- (b) A member organisation formally notifies the Secretariat Director of its intention to withdraw. The Forum acknowledges ceasing membership.
- (c) A member organisation is excluded (by a majority vote) from the Forum for the following reasons: member's activities are not in line with the present Statutes of Governance or are detrimental to the overall efforts of the INGO Forum, or the organisation no longer meets membership criteria.

INGO Forum members may appeal this decision by contacting the INGO Forum Director who shall present the matter again to the Steering Committee to deliberate upon and make a final decision.

### 3.4 RIGHTS OF MEMBERS

Each member organisation has the following rights that shall be respected:

- (a) To be represented at all INGO Forum General Meetings.
- (b) To have one vote in each in General meeting and other technical groups; except for Observer Members who are not permitted to vote.
- (c) To elect and to be elected in the Steering Committee of the INGO Forum and other co-ordination groups. Observers do not have voting rights and are not able to participate in the election process.
- (d) To participate in discussions and decision-making processes of the INGO Forum.
- (e) To take part in INGO Forum activities.
- (f) To benefit from the core functions and services of the INGO Forum.

### 3.5 OBLIGATIONS AND RESPONSIBILITY OF MEMBERS

Each member organisation has the following obligations:

- (a) It has paid its membership fee in full.
- (b) To participate in the Forum's activities and to contribute to achieving its objectives.
- (c) To ensure consistent representation at both internal and external INGO Forum engagements to assure continuity.
- (d) To respect the INGO Forum's Statutes, Values and Principles and decisions.
- (e) To share relevant, regular and timely information with the INGO Forum upon request, that supports and promotes collective advocacy and engagement.
- (f) To involve the INGO Forum, as a collective entity, in any strategic decision that can affect or impact the other Members.
- (g) To not bring any harm to the INGO Forum's image, by action or inaction.
- (h) To punctually respond to requests from INGO Forum staff, including but limited to: contact updates, information requests, survey requests, for example.
- (i) To actively participate in information sharing to support the INGO Forum's work and attend Forum meetings.



Photo Credit : Helvetas Myanmar

### 3.6 OBSERVER STATUS

The INGO Forum is committed to creating a transparent and strong platform for engagement with key stakeholders and provides for some entities (international humanitarian organizations and international research institutes) to have observer status to attend open INGO Forum meetings and engage in other ad hoc meetings as appropriate. This is intended to ensure the diversity of views and perspectives and respect the independence of, or, allow non-traditional humanitarian actors to engage in the INGO Forum.

All “Observers” will be required to submit a short profile to the NGO Forum Secretariat to be shared with the INGO Forum Steering Committee upon initially engaging with the NGO Forum. The INGO Forum Secretariat should also be informed of any changes to representation for delegates.

“Observers” are required to respect all aspects of this Statute of Governance and Operations and required to respect the independence of the INGO Forum and its members.

“Observers” will receive general communication products from the INGO Forum.

Observers may not run for the Steering Committee, nor vote at the General Meeting.

“Observers” are not afforded voting rights but may change membership from “Observer” to full membership at any time.

The INGO Forum reserves the right to remove “Observer” status for any organisation and will do so in writing providing clear explanation as to why such a decision might be made.

### 3.7 DATA PROTECTION AND USE OF MEMBERSHIP INFORMATION

All individual member information shared with the INGO Forum will be treated with sensitivity and confidentiality and used in aggregate where ever possible to support the agreed to collective aims of the INGO. Where individual agency information needs to be shared with external stakeholders the INGO Forum Secretariat will communicate this to the concerned organisations or organisations. The INGO Forum shall seek information to support its advocacy, representation and coordination objectives.

This includes, but is not limited to, the following:

- Updating the MIMU 3 W Website.
- Contact details of Country Directors, and other key staff on INGO Forum mailing lists. These lists shall be limited and at the discretion of the INGO Forum Secretariat. Country Directors and other managers are responsible for ensuring relevant staff has access to INGO Forum materials and correspondence.



Photo Credit : BRAC

- Sharing of assessments, reports and analysis to support advocacy and representation.

This does exclude ad hoc or specific requests for information that the INGO Forum Secretariat needs to initiate. Member will be required to participate in these efforts. The Secretariat shall exercise due diligence in ensuring that information requests are strategic and directly related to INGO Forum objectives.

Members of the INGO Forum recognise the value of increased transparency and mutual accountability through one coordinating body as one of the benefits of this Forum.

### 3.8 DECISION MAKING

#### *Member Body:*

Decisions of the Member Body are based on consensus or voting. This takes place at General INGO Forum monthly meetings or through survey.

#### *Steering Committee:*

Decisions of the Steering Committee are based on consensus or voting. A majority of Steering Committee Members (four out of seven) must be present at a meeting in order to make decisions. A consensus of at least four of the seven members is required for the decision to be passed. Pending decisions can be taken to the Member Body for consultation if one-third of the Steering Committee finds it necessary.

#### *INGO Forum Secretariat:*

The Secretariat, with INGO Forum Director approval, is eligible to make operational decisions based on agreed priorities and issues.

### 3.9 MEMBERSHIP FEES AND FINANCES

The INGO Forum receives a combination of membership fees and donor funding.

Members shall pay a standard membership fee as determined by the INGO Secretariat and its Steering Committee, and endorsed by the INGO Forum Member Body.

New joining members pay a pro-rated fee from the month of their joining. The membership fee for

each Member depends on the size of their previous year's budget for operations in Myanmar. See Annex 6 for annually tiered membership information.

If a joining or INGO former member is unable to pay the membership fee but wishes to be part of the INGO Forum, a written request of exemption ("waiver") needs to be issued to the INGO Forum Steering Committee. Waiver requests should be considered according to: the budget of the organisation, size of the project in Myanmar, number of staff, existence of core funding.

The maximum amount waived temporarily is 50% of the overall pro rata membership fee. Because it is a temporary waiver, it is understood that this amount shall be reimbursed when the funding situation of the requesting agency improves. The INGO Forum Steering Committee decides to grant the waiver. The decision on the waiver can be appealed to the Steering Committee.

It is the INGO Forum Coordinator's obligation to meet budget requirements and cash accounting with proof of documentation. The INGO Forum Secretariat follows INGO Forum Threshold document for approval of expenses.

The INGO Forum Director shall ensure the following:

- Mid-year and Annual reporting on budgetary spend and activities to the Steering Committee.
- Ensure that the membership fees are prioritised to needs identified by INGO Forum membership.

### 3.10 MEMBERSHIP AND AUTHORITY OF THE INGO FORUM MEMBER BODY

The General meeting is comprised of all INGO Forum members and is the decision-making body of the INGO Forum. The Primary Representative should ideally hold the title of 'Country Director' as the most senior decision maker in the organisation. One alternate representative can be put forward to attend. At the time of membership, the INGO Forum requests relevant information to determine who the key representatives will be for any new INGO entering for the Forum and questions around suitability.

# INGO FORUM GENERAL MEETING

- Meetings are held on the first Monday of each month and are open to all INGOs who are members or observers of the INGO Forum.
- Any member may request, through the INGO Forum Director, special meetings of the INGO Forum members. See Annex 5.
- Each member organization will sign in on arrival.
- Meetings of the INGO Forum General Meeting will be facilitated by the Secretariat Director with the Steering Committee Chair as alternate in the Director's absence. If both are absent, a member of the Steering Committee will be asked to chair. Meeting note will be prepared by the secretariat.

## 4.1 FUNCTION OF THE INGO FORUM GENERAL MEETING

*The meeting has the following functions:*

- To develop, discuss and decide upon strategic direction and operational matters of the INGO Forum.
- To update and adopt decisions on relevant issues within the INGO Forum mandate.
- To identify action points, designate responsible party, and set delivery date.
- To identify and mobilize existing expertise, human resources and support within member organizations to address priorities and issues as needs arise.
- To adapt the Statutes of Governance, structure and functioning of the Forum as required.
- To elect the Steering Committee and elect representatives on various external groups.
- To oversee the work of the Steering Committee and the Secretariat Director.

Country Directors(or equivalents (eg.) Country Representatives, Heads of Mission, Heads of Agencies) are invited to participate in monthly INGO Forum meetings. Participation at the meetings should be generally limited to one person per Member organisation with exceptions made for NGOs, during handovers or Head Office visits, or if requested. Deputies and other senior staff may attend if agreed by the relevant Country Director, however this may be reviewed on an ongoing basis.

The INGO Forum organizes additional topic related meetings for which it invites other staff from the Member Body, besides senior level leadership. The INGO Forum Secretariat will routinely invite a guest speaker to present on certain issues at monthly meetings and welcomes suggestions from Members. See Annex 2.



### *Guests*

Certain agencies and individuals may attend INGO Forum meetings as guests/observers, via an invitation from the INGO Forum Secretariat, Steering Committee or a Member. Guests must be approved by the INGO Forum Secretariat and must not be permitted to use the meeting for solicitation of products, services or requests for funding.

The INGO Forum may choose to hold closed sessions of its meetings as appropriate.

### *INGO Forum Working Groups*

The INGO Forum Secretariat supports the establishment of INGO Forum Working Groups, which focus on different topics, and are led by different Member organizations. The Working Groups can be informal discussion groups, or more formalized with its own ToR, and strategies approved by the Member Body. WGs are led by one or more INGO Forum members, and the lead agencies are responsible for feeding back to the wider membership and for moving action points forward. The composition of each WG is decided by the respective WG participants. See Annex 4.



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# ELECTIONS WITHIN THE INGO FORUM

There are a number of decision-making and advisory bodies in Myanmar onto which INGOs are invited to serve. This includes the INGO Forum's own Steering Committee, as well as a number of external coordination fora that provide a mechanism for coordination within and between humanitarian, development and peace actors, including national and international NGOs, donors and diplomatic missions, and government.

The INGO Forum is formally recognised by the Cooperation Partners Group (CPG)<sup>1</sup> and by the Myanmar Government<sup>2</sup> as having a convening role; and is therefore frequently required to provide a democratic and transparent process for identifying INGOs to serve on such groups in a capacity representative of the INGO community in Myanmar.

The INGO Forum secretariat works to maintain an overview of all relevant bodies where there are seats available for INGO representatives, including keeping up-to-date copies of terms of reference that clarify the role of the group and the number of INGO seats available.

*The secretariat operates a two-stage process for identifying INGO representatives:*

Call for expressions of interest. This is done using a standard nomination form in which nominees must set out relevant personal suitability, as well as their organisation's operational relevance to the group.

In most cases, more INGOs will express an interest than there are seats available, and so an election will be called. Due to the need to drive the highest turnout possible for elections, voting is done online through a survey tool. Nomination forms and terms of reference for the groups will be shared by email, and/or links provided, and members are invited to vote on the base of this information.

*The following principles shall guide the Forum members and the secretariat in managing this two-stage process:*

- Wherever possible, elections to multiple groups will be conducted simultaneously. As a rule, nominations/elections to all groups will take place at the beginning of the calendar year, alongside the Forum Steering Committee nominations/elections.
- At the initiation of the nominations/elections process, the secretariat will set out a clear timetable for receiving expressions of interest and conducting elections. In exceptional circumstances, it may be necessary to extend the timescales during the process, such as if interest or voter turnout is particularly low. Any decisions to extend the process will be made in consultation with the Steering Committee.

<sup>1</sup> The CPG is the coordinating body for the 70 or so UN agencies, multilateral and bilateral donors and diplomatic missions operating in Myanmar, and has a secretariat currently hosted by UNDP.

<sup>2</sup> In the Government's Development Assistance Policy (DAP) published in February 2018, it states that: "The DACU will engage with the INGO Forum, taking advantage of its convening power and in its representative capacity, ensuring a mechanism through which to channel input from a broad range of INGOs on matters pertaining to Myanmar's development challenges and opportunities is maintained, in a spirit of transparency, collaboration and trust."

- Online voting will be conducted strictly on a 'one INGO - one vote' basis, although each vote may include voting for several candidates e.g. if voting for seven members of the Steering Committee from fifteen applicants. Only the Country Director or their nominated deputy is permitted to vote.
- Results of voting will be announced at the INGO Forum Monthly Meeting that immediately follows the voting deadline. Ahead of this meeting, successful candidates will be informed of the result and invited to accept the position on the group concerned. At the meeting, the result will be ratified and formally entered in to the minutes by the secretariat.
- Nominations and elections are conducted in a spirit of trust, fairness and accountability. In nominating themselves to groups or voting for candidates, INGOs are expected to uphold the values and principles of the Forum.
- Whilst individual external groups all have their own terms of reference, all INGO representatives nominated through the Forum to serve in a representative capacity must adhere to the standard Terms of Reference for INGOs on Multi-Agency Groups, attached as in Annex 1.
- In the case of a tied vote the selection criteria for the position will be reviewed and the steering committee will decide on majority vote.
- However, in some instances, such as where an individual group's ToRs do not allow for flexibility over timing, where an incumbent INGO representative is departing their position, or where an INGO representative can no longer fulfil their elected role, an 'upward cascade' system operates whereby, for example, an alternate rep will take the place of a full rep, and the unsuccessful candidate with the next highest number of votes in the last election will be invited to take the place of an alternate position – provided individuals still wish to serve on that group. In exceptional cases, if several places are

vacant at the same time, it might be necessary to conduct 'in year' nominations/elections. The Steering Committee will decide the process for in-year nominations/elections. Wherever possible the secretariat will endeavour to combine elections for multiple groups.

- Any interim 'in-year' nominations/elections processes will only take place before 31st July. After this date, vacancies will be held open and included in the following year's annual election.

In 2017-18, nomination and election process were undertaken for:

- INGO Forum Steering Committee
- Humanitarian Country Team
- Myanmar Humanitarian Fund advisory board
- South East Working Group
- Sector Coordination Groups

See Annex 3A/3B/3C/3D.

## 5.1 COMPOSITION AND AUTHORITY OF THE STEERING COMMITTEE

The Steering Committee is a member elected strategic body comprised of a minimum of seven (7) full term representatives. The Steering Committee is primarily responsible for the overall guidance of the Forum, leading and championing common priorities of the membership, and as agreed with the membership representing the Forum in external engagements especially with GoN, UN, Donors, Diplomatic Community and external high-level delegations.

The Steering Committee representatives must be the most senior decision maker in their organisation, such as a Country Director.

The Steering Committee meetings will take place on a quarterly basis and before the INGO Forum General Meeting. The agenda will be developed by the Secretariat and the meeting chaired by the Steering Committee Chair.

## 5.2 CORE DUTIES AND RESPONSIBILITIES

The Steering Committee has vested authority from the INGO Forum Members Group by means of an annual election. During the election process, nominations will be proactively encouraged from INGO Forum Members, with a view to ensuring the Steering Committee represents the diversity of our Member Body. Gender Equity, national representation, diversity in size of portfolio and a mix of humanitarian, development and peace building candidates will be encouraged. To ensure a level of continuity and consistency elections to the SC will be staggered, based on electing half the members annually for a 2-year term rather than on an annual basis. A two-term limit (4 years) is set for serving on the Steering Committee.

*Elections:* There was some discussion about the election process and the recent issue at the general meeting where one member raised questions about fairness/honesty of the process. However, the SC supported the process. It was agreed however that there should be a pre-agreed minimum turnout (quorum) for electing people to groups, to give the secretariat a clear reason for extending the election period.

The following areas constitute core responsibilities, authority and accountability of the elected representations.

- Elected representatives attend quarterly Steering Committee meetings must be willing and able to commit time and expertise to INGO Forum affairs, including a regular and consistent presence at Steering Committee and INGO Forum Monthly Member meetings. At a minimum, Steering Committee Members must attend:
  - At least 3 out of 4 quarterly Steering Committee meetings
  - At least 5 out of 12 INGO Forum monthly meetings
  - Representatives are also required to attend ad hoc planning and strategic meetings such as Steering Committee retreats, which will be counted as part of overall attendance
- Maintain the view of the INGO Forum, to ensure that advocacy and other issues are consultative, and that information regularly flows to members and key stakeholders.
- Review progress and support delivery against the INGO Forum's Strategy and work plans.
- Review strategic products produced by the Secretariat in consultation with external groups.
- When attending external meetings Steering Committee members are required to attend and advocate as representatives of the INGO Forum and not as individual agencies.
- Ensure information and analysis from working groups, ad hoc meetings, and other strategic meetings are fed back to the Secretariat Director, Steering Committee, and membership.

- Guiding and supporting coordination and representation at various meetings.
- Working with the Secretariat to ensure participation amongst members.
- Review new membership applications and requests to the Forum.
- Commit to not receiving personal or organisational benefit from information shared or received by the Steering Committee member without ensuring that the same information benefits the Forum membership.
- Elected Steering Committee representatives are permitted to represent the views of the Forum to external stakeholders and make statements on its behalf provided it accords with common positioning and has been checked with the Secretariat Director and chair in advance. No other entity outside of this statute can speak on behalf of the Forum without expressed consent of the above governing structures.

### 5.3 CHAIR AND VICE CHAIR AND TREASURER OF THE STEERING COMMITTEE

The Steering Committee shall be led by a Chair who shall be elected from amongst the Steering Committee representatives for a 12-month period. The Chair will be selected through a simple nomination request and majority vote of the existing Steering Committee. The incumbent may run for two (2) consecutive elections.

Striving to act as a collective Steering Committee, the Chair shall ultimately be responsible for:

- Leadership: Strive to be present at all meetings of the Steering Committee and at least half of the INGO Forum General meetings and chair the Steering Committee meetings.
- Representation: Serve as primary representative of the Forum and assure attendance at relevant external engagements deemed valuable in the Forum objectives.
- Secretariat Supervision: Serve as single supervisor and provide advice to the Secretariat Director; conduct the Director's performance

evaluation process; maintain an overview of Secretariat processes and seek member feedback and input on maintaining an effective and responsive Secretariat; oversee recruitment processes of a new Director, when necessary. The Chair and the Director shall meet regularly to ensure regular communications, problem solving and work load management.

- The Steering Committee shall be co-led by the Vice Chair who shall be elected from amongst the Steering Committee representatives for a 12-month period. The Vice Chair will be selected through a simple nomination request and majority vote of the existing Steering Committee. The incumbent may run for two (2) consecutive elections. The Vice Chair to support on pre-meeting preparations for steering committee and serve as acting CHAIR during their absence.
- The steering committee will also have a Treasurer responsible for overseeing the funds of the INGO Forum in close cooperation with the INGO Forum Director. The same procedure as election for Vice Chair is applied for the treasurer position.

### 5.4 ELECTION OF STEERING COMMITTEE MEMBERS

Membership of the Steering Committee is by voting and candidacy is based on self-nomination by interested INGO Forum members. To ensure a level of continuity and consistency elections to the SC will be staggered, based on electing half the members annually for a 2-year term rather than on an annual basis. A two-term limit (4 years) is set for serving on the Steering Committee. However, it is recognised that there will be, from time to time, issues faced in filling the seats in which case where it is determined that there is no potential other nominee that the representative can re-run. The Secretariat will communicate such matters to the Country Directors to ensure transparency in the process.

Elections for the Steering Committee will take place through an online survey held annually in January.



The host agency will have an automatic seat to ensure continuity in decision-making and ensuring accountability for donor funding and general INGO Forum administration. The host agency has the same rights as any other Steering Committee representative and is bound by the same code of conduct, expectations and responsibilities. This arrangement can be amended through an amendment vote to the Statutes that will need to be brought forward to the Country Directors Group, utilising the voting procedures outlined in Section 7.

In the event that the nomination process does not bring about the minimum number of nominees for the Steering Committee in the first round, the INGO Forum Secretariat will consider initiating the following processes:

- Extending the deadline for nominations to accommodate Country Directors timeframes and availability. However, this must be in line with the overall framework of ensuring timely identification of representatives for the Steering Committee tenure.
- Conduct a re-vote in the event that turnout is below acceptable thresholds. Again, this would not be initiated more than once.

Where there is the same number of nominees to seats available, a vote of “no objection” will be held instead. Again, in line with voting procedures outlined in Section 7.

## 5.5 DISCONTINUATION OF SEAT

A Steering Committee member may be discontinued in their seat which would trigger either a) the full membership of the nominee who secured the highest number of votes in the election, or b) a by-election to fill the vacant seat.

The conditions under which discontinuation are to be considered:

- Failure to participate in more than 5 out of 12 INGO Forum General meetings and 3 out of 4 INGO Steering Committee meetings during the period of tenure.
- Country Director/Senior delegate departs post or is unable to continue as Steering Committee member.
- Steering Committee member consistently fails to represent collective views and advances own organisational interests. This should trigger an emergency review of membership by the Chair, remaining Steering Committee and Secretariat Director.

The matter shall be brought to the attention by the Secretariat to the Steering Committee and a simple majority vote shall be taken. The decision shall be communicated by the Secretariat to the member organisation providing sufficient explanation as to the decision. A member may be restated by making a new application for the INGO Forum and thereby undergoing the same vetting process and procedures outlined in this document.



# INGO FORUM DECISION-MAKING

The INGO Forum will operate on a multi-tier decision-making system with final decision-making authority, in the case of dispute, indecision, or in urgent cases rests with the elected Chair and the Secretariat Director. The areas of decision-making are indicative and will be reviewed on a periodic basis.

## 6.1 DECISIONS MAKING TYPE AND PROCESS

The table below sets out the types of decision-making that will be common to the INGO Forum and processes that shall be used. Further details are also provided for arbitrating disputes below. Further details of sign off for advocacy materials will be developed in the Advocacy Strategy Sign off Procedures document.

Types of Decisions	Entity	Process
1. Matters related to administration and management of INGO Forum  Specific decisions include: <ul style="list-style-type: none"><li>• Internal staffing and recruitment of Secretariat</li><li>• Donor / fund raising and fee management</li><li>• Minor changes to structure</li><li>• Representation and engagement issues</li><li>• Host Agency issues <sup>3</sup></li></ul>	Secretariat Director	Normal Turnaround (a) Steering Committee decisions taken by majority vote of all representatives by email, phone or in person. These are communicated by the Secretariat to the INGO Forum General Meeting.  Rapid Turnaround 24- 48 hours (a) Steering Committee majority approval via email, phone and in person by Secretariat.

<sup>3</sup> The Secretariat Director is responsible for overall management of the INGO Forum. A host agency agreement will cover details of how financial and narrative reporting and donor accountability is shared between the Director and the host agency. The Steering Committee must hold overall accountability.



<p>2. INGO Forum overall positions/ communications for external engagements. For branded INGO Forum products and non-branded products guidance is found in Advocacy Strategy.</p> <p>Specific products:</p> <ul style="list-style-type: none"> <li>• Talking points and messages for INGO Forum (developed by various multi groups)</li> </ul>	<p>INGO Forum Working Groups</p>	<p>Normal Turnaround</p> <p>(a) Member or Secretariat initiates a process to support identification of issues and drafting of products.</p> <p>Rapid Turnaround 24- 48 hours</p> <p>(a) Multi group majority approval via email, phone and in person by secretariat. There would be limited to no reason for immediate turnaround.</p>
<p>3. General Positioning on Humanitarian Issues to support regular coordination and specifically O/HCT and HCT</p> <p>Specific products:</p> <ul style="list-style-type: none"> <li>• Positions to support engagement in into operational documents, and endorsing humanitarian positions.</li> </ul>	<p>Humanitarian Platform Members</p>	<p>Normal Turnaround</p> <p>(a) Positions developed by the Secretariat are shared with Humanitarian Platforms for comments and review and endorsement takes place at Humanitarian Platforms or by email.</p> <p>Rapid Turnaround 24- 48 hours</p> <p>(a) Humanitarian Platform asked to provide rapid “no objection” vote. A majority of 50% of respondents with any veto’s handled case by case by the Secretariat.</p> <p>(b) In the event there is limited to no time to consult the Humanitarian Platform the Director and HCT representatives making it clear where there is consensus/no consensus.</p>

## 6.2 ARBITRATION OF DISPUTES

The INGO Forum shall endeavor at all times to ensure that consensus is reached in decision-making. However, it is recognized that fluctuation in interest, participation and engagement of members on any particular topic or issue could lead to less than half of the overall membership responding. With that in mind, this section sets out some of the dilemmas and processes for resolution.

### *Understanding the 51%*

- All efforts shall be made to ensure that more than 51% of the overall membership approves decision-making. Votes can be taken at Country

Director meetings, or through email or phone consultations, depending on the type of decision that needs to be taken.

- For serious matters, any phone conversation is to be followed by emails to avoid later dispute.
- Recognizing that this is seldom the reality, the INGO Forum will apply the rule to the total membership that responds to the decision-making requests.

Understanding that full consensus cannot always be reached and recognising that there will be members that wish to be more active than others in the development of various products.

# HOST AGENCY



Photo Credit : Progetto Continenti

The INGO Forum is legally and administratively hosted in Myanmar by one of the member organisations based on a transparent process of application and selection. The host agency must be able to understand the nature of such a secondment and be willing to consider exceptions to internal policies if viewed collectively to be in the interest of furthering INGO FORUM objectives. Specific and detailed responsibilities of the host agency are developed in the Host Agency Agreement that is signed between the Secretariat, Chair and Host Agency. In general, the host agency is responsible for:

- Ensuring the INGO FORUM and Secretariat staff are able to legally function.
- Acts as a pass-through fund for the INGO FORUM and in close collaboration with the Secretariat Director who manages the budget and ensures full donor compliance and accountability.
- Enabling the INGO Forum to maintain its independence from the host agency in that the Secretariat must represent all its members equally.

The host agency is accountable to donors and to the INGO Forum members.



# SECRETARIAT

The Secretariat provides logistical, technical and strategic support to the INGO Forum coordination and advocacy work and helps to ensure efficient and effective mobilization of resources and expertise within member agencies to further the INGO Forum's influence on humanitarian and development practice and policy.

Full term staff administers and facilitates INGO Forum affairs, led by the INGO Forum Director who is accountable to the Elected Steering Committee and liaises on leadership issues with the Chair and Vice Chair of the Steering Committee.

The INGO Forum may also, from time to time, hire consultants and technical experts to further INGO Forum objectives. The Secretariat facilitates the overall work of the INGO Forum and ensures members are well coordinated and where possible interacting on common priorities. The Secretariat acts autonomously of the host agency as is stipulated in the host agency agreement.

The activities of Secretariat staff shall be governed by job descriptions and work plans/performance plans monitored by the Director. For recruitment of staff members, the Steering Committee will be requested to participate on the interview panels, or they may request to delegate to other members.



Photo Credit : NRC

# REPRESENTATION AND EXTERNAL WORKING GROUPS

The INGO Forum is represented by elected and transparently selected members to ensure collective and coherent engagement by the INGO community in critical decision-making, policy and response bodies. Outlined below are general principles, expectations and accountabilities followed by specific function, processes for selection and tenure of the different groups and representatives in them.

## 9.1 GENERAL PRINCIPLES AND EXPECTATIONS

INGO Forum representatives form a key pillar of accountability, outreach and voice for the INGO Forum membership and therefore are expected to abide by the general principles without distinction to the body they are engaged in and with.

1. Representatives are expected to represent the collective view of the INGO Forum members and/or collective operational voice on a particular issue.
2. Coordinate with the Secretariat about any matters that impact attendance, participation, engagement on issues, and matters that arise in the decision-making bodies/ working groups.
3. Representatives must be willing and able to commit to representation that includes: attendance and participation in meetings and attending obligatory pre-meetings.
4. Commit to not receiving personal or organisational benefit from information shared or received by the representative without ensuring that the same information benefits the INGO Forum membership. Where sensitive information is provided the representatives should consult with the Forum Secretariat on ways forward.
5. In the event of a representative pre-planned absence at meetings they are not permitted to delegate without the knowledge of the Secretariat Director and should follow the agreed process for that particular representative body e.g. designated alternate.
6. Representatives should at no time contradict the mandate of the INGO Forum or collective perspective of the INGO Forum and ensure their voice is in line with the INGO Forum Values and Principles.

The INGO Forum Director and other staff may likely also be provided with an independent seat as part of the INGO allocations in many of these bodies, or be elected to seats by the INGO Forum members. Outside of this, the Secretariat will be responsible in ensuring the different representatives across the INGO Forum are well coordinated, informed, and aligned to common priorities and common positioning.

## 9.2 GENERAL PROCESS FOR SELECTION OF REPRESENTATIVES AND ALTERNATIVES

- The INGO Forum Secretariat will be responsible for initiating and managing the election process for all representative bodies where INGO Forum representation is required.
- The INGO Forum Secretariat commits to a transparent and fair process that enables all members to put forward their candidacy. In most cases, this will entail an election or documented agreement on how to manage the process.
- The INGO Forum will ensure these critical bodies have a pre-agreed alternate system established to support INGO Forum representation and will be included in the election processes outlined below.
- Each representative body will have separate ToRs establishing form and function to which the INGO Forum representatives will be required to respect and adhere to.
- All INGO Forum representatives will be elected through a closed ballot process unless otherwise agreed or specified in line with individual body/ group ToRs. The process is outlined below:

## 9.3 ALTERNATES

Representatives are elected on the basis of their ability to perform the tasks under the mandate or Terms of Reference of the decision making or operational entity and as deemed fit through an election process by the INGO Forum membership. Alternates, therefore, will also undergo a fair and transparent process of selection to avoid alternates being drawn from within organisations to ensure continuity of collective messaging.

## 9.4 DISQUALIFICATION OF REPRESENTATIVES

Disqualification of representatives will arise in the following cases:

- Resignation of representative regardless of reason.
- Noncompliance with the criteria for membership overall, ToR of the representative body and especially if there is evidence of non-respect for the views of other members, and/or actions undermine the core values of the INGO Forum.
- Absence and non-participation in more than 50% of meetings without explanation.
- Representative organization ceases operations that are within the remit of representation for the INGO Forum.

In the event of non-compliance of a particular INGO Forum Representative on any representative body the following process will be followed to determine disqualification or suspension from seat.

- Representatives on the same body file concerns about behaviour, performance and participation.
- Complaints received by members of the INGO Forum that is deemed to impact INGO activity, the mandate of the INGO Forum or broader humanitarian / development operations in country.

Complaints and requests for removal are to be presented to the Director of the INGO Forum and thereafter to the Steering Committee for deliberation and decision. The Steering Committee holds the right to determine this and should take into consideration sensitivities and perceptions within the overall Forum.

# LINKAGES WITH OTHER NGO COORDINATION BODIES

The INGO Forum Secretariat maintains relations with and strives to work closely with NGO coordination bodies globally and nationally. Globally, the INGO Forum coordinates with InterAction and ICVA as well as partnerships forged, based on priorities and needs. These partnerships and relations with other NGO coordination bodies shall continue to be facilitated by the INGO Forum Secretariat in the interest of the INGO Forum and its members.

## DISSOLUTION OF THE INGO FORUM

In order to dissolve the Forum as an entity, the Plenary Meeting shall have a two-thirds majority vote at two consecutive Meetings, of which the second will be extraordinary and must take place not later than two weeks from the first meeting. Official notification of the INGO Forum's dissolution shall be made to the main stakeholders, in order to avoid the use of the Forum's name by illegitimate persons or entities. If the INGO Forum is dissolved, or liquidated for any reason whatsoever, the host organisation of the Director will determine how the funds of the INGO Forum project will be liquidated. Membership fees would be returned to members - pro-rata - based on timing within the financial year.





# ADOPTION AND EFFECTIVE DATE OF STATUTES

This Statutes of Governance replaces and take precedence over all previous Terms of References produced for the INGO Forum as an 'observer'. Review will take place on an annual basis. It becomes effective following consent from the Steering Committee and 2/3rds consent from the INGO Forum General Meeting.

INGO Forum Director

NGO Forum Steering Committee Chair

Name:

Name:

Signature:

Signature:

Date:

Date:



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## ANNEX 1:

### INGO REPRESENTATION ON MULTI-AGENCY GROUPS

#### Background

1. INGOs in Myanmar are represented on a number of multi-agency fora, committees and groups, spanning the full range of humanitarian assistance, development aid and peace-building activities. For example, the Humanitarian Country Team (HCT), or the Sector Coordination Groups (SCGs).
2. For many of these groups, the INGO Forum manages the process for selecting INGOs to who will represent the interests of the INGO constituency. Through a nominations and election process (where required), the Forum seeks to identify candidates who are:
  - Sufficiently knowledgeable and experienced to fulfil that particular role
  - Able to commit the necessary time to engage effectively with that particular group
  - Committed to upholding the values and principles of the INGO Forum
  - Comply with additional selection criteria outlined in specific TOR's (HCT, MHFA )
3. In order to identify INGO representatives to sit on the multi-agency groups, nominations are sought from Members. Wherever there are a limited number of places on a particular group, elections will be held to select representatives.
4. In general, and wherever possible, nominations will be sought and elections held at the beginning of the calendar year, and processes for different groups streamlined as far as possible.

#### General responsibilities & accountabilities

As members of the INGO Forum, INGO representatives are committed to acting in accordance with the General Objectives, Principles and Values of the Forum as set out in Strategic Objectives 2016-18 <sup>1</sup>, including:

- **information sharing and facilitated dialogue** between INGO decision-makers on operational matters, and on opportunities to strengthen policy and best practice through **constructive engagement and collaboration** with national and international decision-makers in Myanmar
  - **stakeholders can exchange information, share expertise and establish guidelines for coordinated, efficient and effective relief and development activities**
  - **opportunities for strategic discussions through which common or complementary strategies will be developed based on collective analysis and mutual learning**
1. Representatives are expected to represent the collective view of the INGO Forum members and/or collective operational voice on a particular issue.
  2. Coordinate with the Secretariat about any matters that impact attendance, participation, engagement on issues, and matters that arise in the decision-making bodies/ working groups.

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<sup>1</sup> INGO Forum Myanmar: Strategic Objectives July 2016 – June 2018

3. Representatives must be willing and able to commit to representation that includes: attendance and participation in meetings and attending obligatory pre-meetings.
4. Commit to not receiving personal or organisational benefit from information shared or received by the representative without ensuring that the same information benefits the INGO Forum membership. Where sensitive information is provided the representatives should consult with the Forum Secretariat on ways forward.
5. Representatives should at no times contradict the mandate of the INGO Forum or collective perspective of the INGO Forum and ensure their voice is in line with the INGO Forum Values and Principles.

### Specific Requirements

5. Drawing on the Strategic Objectives of the INGO Forum, INGO representatives on multi-agency groups will play a proactive role, including:
  - Sharing agendas and other material relevant to upcoming topics of discussion with interested INGO forum members, and proactivity canvassing views ahead of meetings
  - Ensuring that views presented at meetings on behalf of INGOs are genuinely representative of the wider INGO community
  - Feeding back on issues and discussions raised at meetings, to INGO Forum members
  - Providing routine updates to relevant INGO Forum meetings, for example at Monthly General Meetings, through the newsletter and through INGO working groups
6. There should be a **presumption in favour of sharing** timely information and documentation, unless expressly forbidden to do so by the Chair or Secretariat of that group, for example for reasons of confidentiality on the ground of safety/security
7. Should INGO representatives require support from the INGO Forum secretariat with any of the above requirements, for example with circulating information through established channels, this can be discussed with the Forum Secretariat.
8. Should an INGO representative be unable to attend a meeting, they should inform the INGO secretariat and notify an alternate (where one has been agreed) to ensure alternative arrangements can be made for INGO representation at the meeting.
9. In instances of repeat non-attendance, where a representative does not attend two or more consecutive meetings, the INGO Forum will initiate a new nomination/election process.

## ANNEX 2:

### HUMANITARIAN BREAKFAST

#### Humanitarian Breakfast INGO Forum Members representation

##### Background:

The Humanitarian Breakfast is a monthly, informal meeting to discuss humanitarian operational issues. It is a “closed door” meeting with Chatham House Rules and where no minutes are taken. It is attended by agencies who have extensive humanitarian operations on the ground and include INGOs, ICRC, IFRC, OCHA (Humanitarian Coordinating Body) and Bilateral Donors with a separate Humanitarian Unit in Myanmar. The meetings have a rotating host and facilitator. The INGO Forum secretariat assists in the facilitation of this informal platform.

The Humanitarian Breakfast was initiated to be able to discuss the important operational and strategic humanitarian issues occurring in Rakhine, Kachin and Northern Shan states in a more open and candid manner than at the Humanitarian Country Team meetings. It provides a setting for not only updates on the current humanitarian situation but to more easily develop common positions/ approaches on critical issues. Often a speaker is invited to provide a granular analysis on current topical issues. This allows the humanitarian community to more easily develop common positions/approaches on topical critical issues. It's also an opportunity for INGOs to advocate on or raise key issues with donors, and for donors to share information on diplomatic engagement or policy issues with INGOs.

The recent breakfast survey findings suggested to limit the group size to 25 - 30 members to allow for open and frank debates. The breakfasts continue to be well attended with 25 – 30 participants attending every month. Given the limitations established for the UN and donors, participation by INGOs in the meeting also have certain criteria:

- **Operational Relevance:** INGOs participating in the meeting should be running humanitarian operations in Rakhine, Kachin or Northern Shan States for at least a year. This will ensure that participants are sufficiently knowledgeable and experienced on humanitarian issues in Myanmar
- **Maintain an office or staff** working in the conflict affected areas
- At least 30% budget size is allocated to emergencies to the size of one's overall programme in Myanmar
- **Participation in other Coordination Structures:** INGOs should have staff or partner agencies attending cluster coordination structures at State and Yangon levels. This ensures that participants can provide input to the meetings according to discussions in other coordination fora
- **Willingness to Chair:** As the chair of the meeting regularly rotates, INGO participants must be willing to chair and host the event
- **Proactively contribute to discussions**



## ANNEX 3-A:

### INGO FORUM INGO REPRESENTATION AT HUMANITARIAN COUNTRY TEAM (HCT)

#### Humanitarian Country Team (HCT)

The HCT is a strategic decision-making body for humanitarian operations in Myanmar and is guided by the principles of the Inter Agency Standing Committee (IASC) and under the leadership of the Humanitarian Coordinator (HC). The Humanitarian Country Team (HCT) provides strategic direction for the overall humanitarian operation in Myanmar. It is comprised of the heads of UN agencies, non-governmental and international organizations and donors, with self-selected humanitarian organizations participating as observers (ICRC, IFRC and MSF). These entities all commit to coordinated efforts in ensuring principled humanitarian action in country in a principled, timely, effective and efficient, and contributes to longer-term recovery. The HCT is ultimately accountable to the populations in need.<sup>2</sup>

The INGO community in Myanmar is allocated six (6) seats and (6) alternates of which all are elected from the INGO Forum, in addition the INGO Forum Director is provided a seat. There are eight (7) UN Agency Heads, five (5) standing invitees, (6) observer organisations, (6) national NGOs. The HCT is chaired by the Humanitarian Coordinator and co-chaired by INGO HCT representative and supported by the United National Office for Humanitarian Coordination (OCHA).

The role of the HCT is to provide guidance on major strategic issues related to humanitarian action in-country, including by developing a strategic vision, setting strategic objectives and priorities and developing a comprehensive strategic response plan. The HCT makes decisions on key issues related to humanitarian action in the country carried out by its members and its standing invitees. It ensures that humanitarian principles, international human rights and international humanitarian law, the Principles of Partnership, IASC guidelines and policies and strategies adopted by the HCT are promoted and adhered to by its members and standing invitees.

Agreeing on common strategic issues related to humanitarian action in-country. This includes setting common objectives and priorities, developing strategic plans, agreeing on the establishment of clusters and the designation of cluster lead agencies, providing guidance to cluster lead agencies, activating resource mobilization mechanisms, and advising the HC on allocation of resources from in-country humanitarian pooled funds, where they exist.

The HCT is responsible for fostering better relations between humanitarian actors and government entities and enhancing system-wide coherence in the delivery of humanitarian response.

Source: Inter-Agency Standing Committee: Guidance for Humanitarian Country Teams <https://interagencystandingcommittee.org/emergency-directors-group/content/iasc-standard-terms-reference-humanitarian-country-teams-february>

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2 IASC Guidance for Humanitarian Country Teams, March 2009

## HCT FUNCTION:

Agreeing on common strategic issues related to humanitarian action in-country. This includes setting common objectives and priorities, developing strategic plans, agreeing on the establishment of clusters and the designation of cluster lead agencies, providing guidance to cluster lead agencies, activating resource mobilization mechanisms, and advising the HC on allocation of resources from in-country humanitarian pooled funds, where they exist.

Source: Inter-Agency Standing Committee: Guidance for Humanitarian Country Teams  
<https://interagencystandingcommittee.org/emergency-directors-group/content/iasc-standard-terms-reference-humanitarian-country-teams-february>

## FREQUENCY OF HCT MEETINGS

The HCT holds a minimum of four quarterly review meetings each year (usually to take place in February, May, August and November). The four quarterly meetings are held in Yangon, Area HCT meetings are held in different geographic locations. In addition, as of February, 2018 HCT meetings are scheduled on a monthly basis, with the composition and location of the meetings decided on the humanitarian situation in the country and operational requirements. Since Rakhine Crisis August, 2017, ad-hoc Rakhine HCT meeting have been held on a frequent basis, these meetings have taken place in Yangon and one ad-hoc Kachin and N Shan was held.

## HCT ELECTION PROCESS:

For the HCT representatives, the INGO Forum secretariat manages the process for selecting INGOs who will represent the interests of the INGO constituency. The INGO Forum secretariat has one place on the HCT

INGO Forum members elect six (6) members and six (6) alternates, all at head of organisation level

Elections for full members and alternates are held once a year. The one year term starts in the beginning of February and ends in January.

The HCT representative is elected as an individual not as an organisation, which means that if the INGO Forum Full Representative leaves the position, then the alternate who secured the highest number of votes at the last forum elections will take their place. Where alternate seats are vacated (which might be as a result of alternates stepping up to fill vacated full member seats, the candidate in the last Forum elections with the next highest number of votes will take the place. If more than 2 seats become vacant, in-year elections will be held.

- If full Representatives can't attend the meeting, alternates are invited to fill the vacant seats
- In Myanmar, the HCT has a Co-Chair position nominated among the INGOs and NGO Representatives elected to the HCT. The agreed candidate will hold the position of a Full Representative and a Co-Chair at the same time; as agreed at a meeting held on 10th June, 2016
- The Position of NGO co-chair is discussed and agreed amongst INGO and NGO representatives (full and alternate) elected onto the HCT and with the HC in country
- The duration of a Co-Chair position is two-years in consultation with the HC/OCHA and NGO HCT representatives

## INGO FORUM HCT REPRESENTATION:

- Drawing on the Strategic Objectives of the INGO Forum, INGO representatives will play a proactive role
- Sufficiently knowledgeable and experienced to fulfil that particular role
- Humanitarian Operational Relevance is main criteria -that is Country Directors of INGOs with a humanitarian focus; whereby the organization should be actively implementing humanitarian assistance in Myanmar for a minimum of one year and be attending coordination structures at State and Regional level as well as Yangon
- Able to commit the necessary time to review documents, solicit feedback from NGO humanitarian partners and engage effectively and strategically within the HCT
- Committed to upholding the values and principles of the INGO Forum
- Ensure that views presented at meetings on behalf of INGOs are genuinely representative of the wider INGO community
- Feedback on issues and discussions raised at meetings, to relevant INGO Forum members and providing routine updates to relevant INGO Forum meetings, for example at Monthly General Meetings and through other INGO coordination/working groups
- There should be a presumption in favour of sharing information, unless expressly forbidden to do so by the Chair or Secretariat of that group, for example for reasons of confidentiality on the ground of safety/security, or sensitivity

## RESPONSIBILITIES OF INGO FORUM DIRECTOR

- Attend on request preparatory INGO Forum meetings with HC, Co-Chair, OCHA and other HCT representatives and contribute with crucial, pending, urgent topics
- Share proposed agenda with HCT representatives and alternatives and where possible proactively canvass views ahead of meetings
- Support coordination of INGO pre-meetings to agree priorities talking points
- Ensure views presented at meetings on behalf of INGOs are genuinely representative of the wider INGO community
- Sharing documentation as a matter of course with INGO Forum members active in that group's particular area of interest
- Support preparations and attend ad-hoc Special meetings that relate to humanitarian issues

## ANNEX 3-B:

### MYANMAR HUMANITARIAN COUNTRY TEAM – TOR OCTOBER 2018

#### MYANMAR HUMANITARIAN COUNTRY TEAM

Terms of Reference – October 2018

#### INTRODUCTION

The Terms of Reference define the roles and responsibilities for participation and functioning of Humanitarian Country Team (HCT). They also reinforce the reciprocal and mutual accountabilities of the Humanitarian Coordinator (HC) and HCT members.

The ToR build on the IASC Guidance for Humanitarian Country Teams and the IASC Terms of Reference for the Humanitarian Coordinator endorsed in 2009. They are also consistent with the commitments of the World Humanitarian Summit and Grand Bargain.

#### PURPOSE

The Humanitarian Country Team (HCT) is led by the Humanitarian Coordinator (HC). Meetings of the HCT are co-chaired by the HC and the NGO Co-Chair. The HCT's overall goal is to ensure that inter-agency humanitarian action alleviates human suffering and protects the lives, the livelihoods and dignity of people in need. As the top inter-agency humanitarian leadership body in a country, the HCT's primary purpose is to provide strategic direction for collective inter-agency humanitarian response.

The HCT makes decisions to ensure that country-level humanitarian action is well-coordinated, principled, timely, effective and efficient. It also ensures that adequate prevention, preparedness, risk and security management measures are in place and functioning.

The HCT is ultimately accountable to the people in need. The affected State retains the primary role in the initiation, organization, coordination, and implementation of humanitarian assistance within its territory. Whenever possible, the HCT operates in support of and in coordination with national and local authorities.

#### ESTABLISHMENT AND DISESTABLISHMENT

The HCT may be disestablished in the transition phase, if and when other coordination mechanisms are considered more effective and appropriate. The decision to disestablish the HCT is taken by the HC in consultation with the HCT and the ERC.

#### COMPOSITION

The HCT is composed of organizations that undertake humanitarian action in-country and that commit to participate in coordination arrangements.

The size of the HCT is limited, to allow for effective decision-making.

Members are represented at the highest level (Country Representative or equivalent). In addition to their own organization, members may represent one or more organizations that are not members of the HCT, at their request.



The composition of the HCT should be regularly reviewed. In all cases, an appropriate balance should be sought between representation from the UN and NGOs. Representation from national NGOs should be particularly encouraged and supported.

Representatives of Cluster/Sector Lead Agencies represent their cluster(s)/sector(s) in addition to their organization.

The HCT is composed of members and standing invitees, all of whom are invited to contribute to HCT discussions and decision-making. The latest list of HCT members and standing invitees is attached (Annex 1). The HCT Co-Chairs may also invite additional resource persons to HCT meetings at their discretion. The ICCG Chair and one representative from each of the main field locations have standing invitations to all HCT meetings.

In addition to HCT members and standing invitees, four donor representatives will also be invited to HCT meetings. They will have the status of "observers". Donors may contribute to discussions but are not be considered to be part of the HCT decision-making body.

Unless otherwise specified, regular HCT meetings are open to HCT members and standing invitees, plus the four donor representatives, while the HCT Quarterly Review Meetings are expanded to include all ICCG members and all interested humanitarian donors.

In the case of the INGOs, the INGO Forum elects six members and six alternates, all at head of organization level. NNGO members may also designate alternates, based on an established procedure of selection.

When appropriate, other institutions and agencies may be invited to participate in HCT meetings.

## ROLE AND RESPONSIBILITIES

The HCT function is guided by international humanitarian and human rights law, the humanitarian principles of humanity, neutrality, impartiality and independence, and the Principles of Partnership. Working in support of the HC, the HCT has the following responsibilities:

- a) **Provide a shared strategic vision for collective humanitarian action in-country which is set out in a common strategic plan (the Humanitarian Response Plan or equivalent).** The plan should be based on documented needs and integrate cross-cutting issues (for example age, gender, diversity, human rights, HIV/AIDS and the environment) as well as activities in support of preparedness and early recovery. The HCT should:
  - Agree on the most effective division of labor to support implementation of the strategic plan, including through an appropriate cluster and cluster leadership arrangements.
  - Ensure the principled, timely, effective and efficient implementation of the strategic plan, including through strategic oversight of needs assessment and monitoring and evaluation.
  - Lead efforts to ensure that the strategic plan is sufficiently funded in a timely manner, with the HC and HCT members promoting and contributing to inclusive resource mobilization.
  - Provide clear direction on key in-country humanitarian concerns that require common positions in the HCT.
  - Monitor implementation of the strategic objectives and ensure corrective action is taken when required.

- b) **Oversee the Inter-Cluster Coordination Group (ICCG), sub-national coordination bodies and other groups that are part of the inter-agency coordination architecture in-country.** This responsibility includes oversight of the implementation of the strategic plan, encouraging joint analysis and inter-sectorial outcome-based programming, ensuring implementation of the response, endorsing in-country positions and responding to requests from these bodies. As appropriate, the HCT will encourage and support decentralization to the sub-national level, including by facilitating two-way information exchange and communication.
- c) **Support efforts led by the HC to obtain free, timely, safe and unimpeded access by humanitarian organizations to populations in need.** The HCT should:
  - Engage in coordinated negotiations with relevant parties, including non-state actors where appropriate.
  - Promote respect for international humanitarian and human rights laws by all parties, including contributing to private and/or public advocacy as appropriate.
  - Support the efforts of the HC to influence Member States, regional organizations, UN entities, civil society, the private sector, the media and other relevant actors.
- d) **Ensure that preparedness and response efforts are inclusive and coordinated.** The HCT should strengthen early warning and preparedness capacity, and enhance synergies and relationships with national and local authorities. These efforts should build on the interface between the HCT and UNCT. Clearly defined commitments and support for engagement of local and national NGOs as strategic and equal partners should also be a priority.
- e) **Ensure that the international humanitarian response is coordinated with national, sub- national and local level authorities,** including crisis management agencies, as appropriate.
- f) **Support and contribute to efforts to address the humanitarian-development nexus.** The HCT should endeavor to coordinate with development platforms to develop a shared understanding of sustainability, risk and vulnerability, achieve a shared vision for outcomes and facilitate shared analysis and multi-year planning and financing as appropriate.
- g) **Oversee the development of a rolling humanitarian advocacy and communications strategy** by the Humanitarian Advocacy and Communications Group (HACG), and oversee the work of this group.

## HCT COMPACT AND ACCOUNTABILITY

The HC and the HCT are ultimately accountable to the people in need. The HC (with support from the HCT Co-Chair) leads the HCT and reports directly to the ERC, forming an annual Compact. HCT membership is conditional on a commitment to mutual accountability among the members. Individual HCT Members and their respective organizations, make a commitment to contribute to the HCT as a collective, and to pursue collective outcomes. This contribution should be considered a key component of the responsibilities and performance of country-level operational leadership of each member agency.

Members of the HCT outline specific mutual responsibilities, in an annual HCT Compact, that is developed in country and provides the basis for periodic review of the performance of the HCT. The Compact should set out the important actions required to collectively achieve the “role and responsibilities” mentioned above, as prioritized by the HCT, as well as four mandatory responsibilities:

- A collective approach for ensuring that **protection** is central to humanitarian action, including developing and implementing a common HCT strategy on protection.
- A collective approach to **Accountability to Affected People (AAP)** for engaging with, ensuring feedback to and adjusting the response based on the views of affected people.
- A collective mechanism and approach to **Protection from Sexual Exploitation and Abuse (PSEA) by humanitarian workers**, including a Code of Conduct, aligned with any other mechanisms in place to deal with this issue.
- A collective approach to addressing **Sexual and Gender based Violence**.

## MODUS OPERANDI

The modus operandi of the HCT is governed by the Principles of Partnership.

The HCT should be chaired in a consensual and facilitative manner. Meetings are strategic in purpose, focused on clear objectives, action-oriented and produce realistic decisions with clear and agreed follow up.

OCHA will serve as Secretariat and, among other tasks, will be responsible for supporting the Co-Chairs by maintaining a calendar of meetings, preparation of meeting agendas, timely dissemination of working documents, the issuance of meeting minutes and other documentation, and maintaining records of attendance at meetings. OCHA will consult closely with the Co-Chairs in carrying out its Secretariat functions. OCHA will maintain an HCT Action Points matrix which will be reviewed and updated at each meeting of the HCT.

The HCT will periodically carry out performance reviews to ensure it is achieving its goals and objectives.

## INTERFACE WITH MEMBER STATES, REGIONAL BODIES AND IN-COUNTRY COORDINATION MECHANISMS

While representatives of member States and regional bodies, including donors, are not members of HCTs, the HC/HCT will ensure regular, consistent engagement with these representatives. It is especially important to ensure proactive engagement in planning, information exchange and strategic discussions with Member States and regional body representatives who do or could provide financial and strategic support for the inter-agency response. In this regard, separate meetings with all humanitarian donors will be convened periodically.

The RC/HC is responsible for ensuring complementarity between the HCT and UNCT. Building on complementarities is particularly important in the areas of preparedness, early recovery and strengthening the humanitarian-development nexus.

Where possible, the HCT complements government-led coordination structures and response.

The HCT interfaces with the UN Security Management Team (SMT) as appropriate, with the Chief Security Adviser having a standing invitation to participate in the HCT as an observer.

If a decision is taken to phase out the HCT, the RC/HC will be responsible for ensuring transition of responsibilities to other coordination mechanisms in the country.

## ANNEX I:

### LIST OF HCT MEMBERS AND STANDING INVITEES

HCT Decision-making body	Coordination	1	RC/HC	
		2	OCHA	
		3	INGO Forum	
	UN	4	UNHCR	
		5	UNICEF	
		6	WFP	
		7	WHO	
		8	UNDP	
		9	UNFPA	
		10	FAO	
		11	IOM	
		12	OHCHR	
		13	UN Women	
	INGO	14	TROCAIRE (Co-Chair)	<u>INGO Forum</u>
		15	SCI	<u>Alternates:</u> DRC
		16	Plan International	Christian Aid
		17	IRC	RI
		18	NRC	People In Need
		19	LWF	DCA-NCA
		20	MSF	World Concern
	NNGO	21	KMSS	
		22	LRC	
		23	METTA	
		24	MRCS	
		25	Gender and Development Institute	
	International Orgs.	26	IFRC	
		27	ICRC	
Observers/Support		4 x Donor representatives		
		RCO		
		MIMU		
		UNDSS		
		HACG		



## ANNEX 3-C:

### MYANMAR HUMANITARIAN FUND ADVISORY BOARD: TERMS OF REFERENCE

#### Background and Purpose

The Advisory Board (AB) is an in-country governance body that supports the Humanitarian Coordinator (HC) in developing an overall strategy and overseeing the performance of the Myanmar Humanitarian Fund (MHF). The AB is consulted on key aspects of the management and strategic direction of the MHF, including allocation strategies, resource mobilization and any other major decision taken by the HC related to the Fund. The AB supports the HC on strategic and policy issues and ensures the views of donors, UN agencies and the NGO community are represented. The AB also provides a forum for representatives and the HC to discuss funding priorities in line with the Humanitarian Response Plan (HRP) and the evolving humanitarian context.

#### Main functions and Focus

The MHF AB plays a consultative role and has responsibilities in four key areas:

i. Strategic focus:

- The AB should support the HC in ensuring that the main objectives of the Fund are met.
- The AB should review and advise the HC on strategic elements of the Fund such as the allocation strategies, the operational manual<sup>1</sup> and project selection. The scope and objectives of the MHF, outlined in the operational manual, will be reviewed at least once a year. The AB shall be consulted in the development of allocation strategy papers and shall serve as a forum to share information on funding coverage to strengthen donor coordination. Within the preparation of the allocation processes, the AB will advise on indicative funding envelopes to address acute unmet needs; fill highest priority gaps in protracted crisis response in line with the HRP and looking at preventing an increase of needs and reducing vulnerability.
- The AB shall advise the HC in setting funding targets and support resource mobilization efforts. The AB shall support the advocacy and resource mobilization role of the HC through effective communication with the public and relevant constituencies, conducive to a broader understanding of the country-based pooled fund (CBPF) mandate and achievements. The AB also reviews direct costs of the Fund<sup>2</sup> prior to HC approval.

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<sup>1</sup> The scope and objectives of the MHF, outlined in the operational manual, will be reviewed at least once a year.

<sup>2</sup> E.g.: annual budget of the Humanitarian Financing Unit (HFU); monitoring costs; capacity assessments (where relevant); etc.

ii. Risk management:

- The AB supports the HC and the OCHA Country Office in undertaking periodic risk analyses and reviewing a risk management plan of the Fund in accordance with the Risk Management Framework contained in the MHF Operational Manual.

iii. Transparency of overall process:

- The AB should monitor Fund processes with the objective of ensuring that all stakeholders are treated fairly and that the management of the Fund abides by established policies.

iv. Review of operational activities:

- The AB monitors the operational performance of the Fund providing advice to the HC.

## Membership

The composition of the AB is determined by the HC in consultation with the HCT, contributing donors and NGOs. The AB should include an equal number of stakeholder representatives (donors, UN agencies, NGOs and OCHA)<sup>3</sup>. Adding AB members with observer status, including non-contributing donors, is encouraged to improve transparency of the AB decision-making process and overall coordination of humanitarian response and aid flows. AB membership should be limited to 12 representatives (excluding the HC, OCHA and observers) to ensure efficient decision-making.

The AB is chaired and convened by the HC. The OCHA Head of Office (HoO) is part of the AB and represents OCHA. The OCHA Humanitarian Financing Unit (HFU) will ensure the AB secretariat. As mentioned above, the rest of the membership is limited to a maximum of 12 members<sup>4</sup>, equally representing the contributing donors to the MHF, the UN System and the NGOs community (national and international), is as follows:

- **Donors:** A maximum of four (4) donors contributing to the MHF.
- **UN Agencies:** A maximum of four (4) UN agencies with humanitarian mandate.
- **NGOs:** A maximum of four (4) NGO distributed as follows: two (2) national NGOs as nominated by Local Resource Centre (LRC) / Myanmar NGO Network (MNN), and the Joint Strategic Team (JST); and two (2) international NGOs, as nominated by the INGO Forum.

A maximum of two (2) observers, including non-contributing donors and the Red Cross / Red Crescent Movement, could be proposed by the AB members.

Membership of the Board is for a one-year period. The membership of the Board will be revised after this period or at any time as requested by members.<sup>5</sup> The HC and the OCHA HoO are the only permanent members. AB members must be at the senior leadership level (head of agency, etc.). Alternate representatives can be also identified for each member.

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3 Government representation on the AB may be considered, depending on the context

4 A limited number of members is established by category, according to the revised Global CBPF guidelines, to ensure equal representation all other members' group.

5 For example, after the incorporation of a new contributing donor to the MHF.

To ensure continuity, the replacement of AB members is staggered. Board members serve as technical or strategic experts from their constituencies or stakeholder groups and do not represent the interests of their organizations or broader constituencies. Board members make a commitment to attend all meetings and to be fully engaged in all tasks required by the AB.

If the full membership of the AB is not present during a meeting of the AB, a quorum shall be considered reached with six members in attendance, including at a minimum, the HC or OCHA, and at least one donor, one UN agency, one national NGO and one international NGO.

### Frequency of Meetings

The AB should meet at least twice a year, and preferably four times a year. These meetings cover a range of the above tasks, including but not limited to endorsing budgets for the HFU, reviewing the Operational Manual, sitting to review allocation decisions, or to discuss changes to the humanitarian context. A higher frequency and/or ad hoc meetings may be requested, as deemed necessary, by the HC, to review the strategic direction of the Fund, to support or review complex allocation decisions, or to meet as the Advisory Board with visiting officials and missions and to evaluate the Fund's effectiveness.

Myanmar Humanitarian Fund  
8 December 2017

## ANNEX 3-D:

### TERMS OF REFERENCE SOUTH-EASTERN MYANMAR WORKING

Background and objectives of the South-Eastern Myanmar Working group (SEWG) Myanmar has embarked upon a series of political and economic reforms since 2012, including a transition to quasi-civilian government, a series of ceasefires with nonstate actors (NSAs), a general election in 2015 resulting in a National League for Democracy (NLD) led government and a strengthening of State and Region government structures, departments and services. The country has opened up considerably, not only for foreign investment but also for international organizations working in development, peace-building, human rights, early recovery and humanitarian response.

In recognition of the evolving context and need for greater coordination to transcend individual sectors and bring together development and humanitarian responses so as to better address and support the larger objectives, the international community working in South-Eastern Myanmar, initiated a South-East Working Group that became operational in 2015. The first SEWG meeting highlighted core elements for an enabling environment for durable solutions, human development and peace in South-Eastern Myanmar that include (i) Multi-Stakeholder Dialogue and Coordination Platforms, (ii) Durable Solutions, (iii) Social Services and Protection, (iv) Community Development and Livelihoods, (v) Rule of Law and Local Governance and (vi) Peacebuilding. Focus on these issues will continue to be pivotal to the work of the SEWG.

As input into this framework, the working group takes as a point of departure, consultations and discussions, the UN Framework for Engagement in South-Eastern Myanmar. This framework was developed through an inter-UN task force and endorsed by the UN Resident Coordinator / Humanitarian Coordinator (RC/HC) and UN Country Team in 2015 and laid the foundation for establishing the South East Working Group. Other key strategic documents for consideration in the work of the SEWG include Myanmar Sustainable Development Plan, the National Ceasefire Agreement (including chapter six on interim arrangements) and the Roadmap for Voluntary Return. The SEWG developed a situational analysis, a conflict sensitivity paper and a humanitarian development peace-building paper.

#### SEWG objectives:

- Encourage collaboration and coordination of assistance delivery at different levels between UN Agencies, INGOs, local NGOs, bilateral donors, wider civil society networks as well as authorities in government and non-government controlled areas.
- Encourage members' work plans to take into consideration the evolving context and ensure that all activities are conflict-sensitive, do no harm and are designed and implemented in accordance with a human-rights-based approach.
- Encourage UN/INGO/Government/NSAs/Donors engagement to better inform mutual

understanding of the ongoing situation, needs of the population, and solving operational challenges.

- Create opportunities for constructive dialogue between international and local actors and find ways to ensure that international actors take local voices and priorities into account.
- Inform wider international advocacy and policy-development

#### Membership and frequency of meetings:

The South-Eastern Myanmar is defined as covering Kayin, Kayah and Mon States, and East Bago and Tanintharyi Regions. Participation is comprised of INGOs and UN Agencies and Development Cooperation Partners engaged in programming in South Eastern Myanmar.

Members of SEWG are nominated annually by each of the three stakeholder groups, UN Agencies, International Donor Government representatives and the International NGO (INGO) Forum. To ensure the SEWG is inclusive and representative, members will be nominated by each of the stakeholders group ensuring they include: (i) actors operational in two or more states/regions in South-Eastern Myanmar, (ii) humanitarian, development and peace actors, (iii) actors with significant financial and policy engagement/support to south-east Myanmar. SEWG is co-chaired by UNDP and UNHCR.

#### SEWG Members are:

- 6 international NGOs, nominated by the INGO Forum Stakeholder Group
- 6 international donor representatives
- 6 United Nations organizations with strategic interest and operations in South East region, including the co-chairs.

MIMU is part of the SEWG as an additional resource providing important information to the members.

#### Responsibilities of Members:

Each member agency is responsible for nominating one representative to attend SEWG meetings and one or two backups/proxy members for the distribution list.

Each Member is responsible for proposing and preparing meeting content and presenting issues, themes and analysis gathered from pre and post meeting discussions and wider consultations. Members may also be asked to prepare background information on agenda items, themes, conduct research or follow-up, analysis and strategies for consideration of the group.



### Responsibilities of SEWG co-chairs:

Responsibilities of SEWG Co-chairs is to:

- (i) facilitate regular SEWG meetings including: the preparation of agendas, circulation of meeting minutes, follow-up on drafting of documentation and action points),
- (ii) coordinating the development of SEWG work plans, information products, tools, and facilitating their final endorsement and distribution,
- (iii) support SEWG members' advocacy at national and state/region level and in other UN and other forums and
- (iv) identifying emerging issues and opportunities.

### Linkages with other forums:

UNHCR and UNDP, co-chairs of the SEWG will represent the SEWG at the Cooperation Partners Group (CPG) and other meetings and forums, reporting back to the group key directions, issues and findings. The Development, Humanitarian, Peace (DHP) nexus working group may periodically prioritize issues specifically relevant to the South East region through reporting of the SEWG co-chairs as well SEWG members as needed. The INGO representatives coordinate their input to the SEWG through the South East Focus Group, and report back to South East Focus group as well as to the monthly INGO forum meeting on issues discussed. The South-East Working Group will continue to interface with the Humanitarian Country Team (HCT) at common meetings on critical points for consultation including proposed draft frameworks and operational strategies—which go beyond the scope of donor support and humanitarian support alone. The coordination will ensure that issues, recommendations and advocacy points raised by the SEWG are escalated to the attention of a wider range of decision-makers and stakeholders.

Country Representatives of UNHCR and UNDP will chair the annual, South East Consultation meetings that aim to bring together a wider audience of humanitarian, development and national and international government actors to present the work of SEWG members and highlight key issues and findings and build consensus on wider issues.

### Frequency of meetings:

SEWG will be convened by the co-chairs. It will ordinarily meet at least quarterly and the meetings will be held on a rotational basis in the States/Regions defined above as South-East Myanmar to further strengthen its connection to implementation of programmes/projects in the field.

SEWG meetings held in the State/Regions will coincide with coordination meetings in the field to further widening the input to SEWG. A regular SEWG meeting for its members will follow directly after the state/region coordination meeting.

As the working group seeks first and foremost to support, enhance and coordinate and promulgate best practices for the activities already underway in South-Eastern Myanmar, its

priority activities will focus on the following areas:

- Review and analysis of advances, achievements and continued gaps in reaching the above benchmarks can provide additional guidance on strategic and operational priorities as well as advocacy strategies as well as guide the overall work plan of the SEWG;
- Mapping and analysis of South-Eastern Myanmar, coordination structures and analysis of gaps and overlap and recommendations for improving coordination mechanisms;
- Identify and map at region/state and local level, existing and emerging stakeholders, strategic and operational partners, local community-based organizations, innovation and business leaders, non-state actors, communities and other interlocutors with a view towards identifying possible Affiliate Working Group members;
- Analysis of connectors and dividers, triggers and conflict sensitivities in the current peace processes and the roles and responsibilities of local, national and international actors;
- Analysis of 2018-2020 displacement, return and reintegration opportunities and challenges, advocacy and program/ funding directions in each State in SE Myanmar;
- Review the SEWG Terms of Reference on a yearly basis.

## ANNEX 4:

### INGO FORUM REPRESENTATION ON SECTOR COORDINATION GROUPS (SCGS)

In July 2017 the NLD-led civilian government published a list of new ‘Sector Coordination Groups’ (SCGs) to replace the previous 17 Sector Working Groups. Alongside this list of 10 SCGs and 3 non-SCGs was published a guidance note explaining the role and function of these groups (see below).

SCGs exist for 1) Agriculture & Rural Development, 2) Education, 3) Energy & Electric Power, 4) Environmental Conservation, 5) Health, 6) Job Creation, 7) Nutrition, 8) Macroeconomic Management, 9) Social Welfare & Disaster Management, 10) Transport & ICT. Non-SCGs exist for 1) Gender Equality & Women’s Empowerment, 2) Statistical Quality and 3) Yangon Urban Development.

The government’s guidance states that “private sector, civil society, INGO and philanthropic organisations can nominate respective representatives to participate in the SCG as members” and the INGO Forum manages this process on behalf of INGOs, in accordance with the Development Assistance Policy (DAP), the nominations/elections process described in this document (see section 10), and the terms of reference of each individual SCG.

Each group is Chaired by Minister, and is usually ‘co-facilitated’ by a ‘cooperation partner’<sup>5</sup>. Each SCG has a number of subgroups, often referred to as ‘Sub-Sector Working Groups’, and membership of these tends to be less exclusive and their operations far less formalised than the SCG itself – many INGOs engage at this level. Meetings of the groups can be held sporadically and with very little notice, hence the INGO Forum relies on information sharing between members in order to try and support effective engagement with these groups. The secretariat routinely shares an update document including the latest information we have about membership and meetings of the SCGs.

Responsibilities of an INGO representative on the SCGs is in accordance with the Terms of Reference for INGO Membership of Multi-Agency Groups provided.

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5 UN agencies, multilateral and bilateral donors and diplomatic missions operating in Myanmar.

## ANNEX 5:

### GUIDELINES FOR GUESTS PRESENTING AT INGO FORUM MEETINGS AND STEERING COMMITTEE MEETINGS

Local organizations, partners, UN institutions, and others can be invited to present at INGO Forum meetings. The below guidelines should be followed.

- No guests will be allowed to present if they are conducting private or individual solicitations and/or selling a product.
- Invited guests should brief the membership on an issue of importance and relevance to INGO Forum.
- Chatham House Rules will apply.
- Suggestions for a guest presentation to the membership should be made by a Steering Committee Member or any Member of INGO Forum at least ten days before the next INGO Forum meeting, by emailing a one paragraph description of the guest presentation to the INGO Forum Secretariat.
- The INGO Forum Secretariat will review the suggestion from the Guest Speaker and if uncertain will put it forward to the Steering Committee for approval. The Steering Committee decides by consensus or majority vote if the issue is important enough to present at the INGO Forum meeting.

## ANNEX 6:

### INGO FORUM MEMBERSHIP APPLICATION

The INGO Forum Myanmar is a body of over 100 INGOs (as of January 2018) working in the humanitarian, peace-building and development spheres.

#### Values and principles

Members of the INGO Forum share common values and principles based on mutual interest and commitment to promoting social equity, economic progress, access to basic services, safety and security and a better standard of living for the people in Myanmar. This commitment is based on agencies' appreciation of their own ethical obligations and reflects the rights and duties enshrined in international law. The INGO Forum's specific values and principles are as follows:

- **Respect** for humanitarian principles of humanity, impartiality and independence as outlined in the ICRC Code of Conduct
  - **Humanity** - Promotion and advocacy for the right to life with dignity and security and undertaking all possible steps to prevention or alleviation of human suffering.
  - **Independence** - Delivering aid independently from political, economic, or military objectives.
  - **Impartiality and non-proselytizing** - Providing assistance based on need alone, not based on nationality, race, religion, or political point of view. Non-proselytizing on religious or political grounds.
- **Do No Harm** – integration of do no harm principle into all efforts
- **Non-profit** - Not making profit, the purpose of existence is other than making profit.
- **Mutual respect** - Observance and respect towards each other's independence while recognizing the necessity of dialogue and the benefits of close coordination.
- **Code of Conduct** - Organization's staff will be expected to uphold and promote the highest standards of ethical and professional conduct in their work.

All INGO's meeting the following requirements are eligible to apply for membership to the INGO Forum:

- a) The organization is a non-governmental, not-for-profit, non-partisan, non-political and non-proselytizing organization providing humanitarian assistance, development and peace-building in line with the guiding values and principles of the INGO forum;
- b) The organization is legally eligible to work in Myanmar or considering the process of applying for registration and becoming legally established;
- c) Demonstrates a commitment to abide by the INGO Forum Statutes of Governance;
- d) INGOs that are implementing programs but that have no permanent office or official representative or representation in the country, will not be eligible for membership.
- e) The organization is formally approved by a majority vote within the Steering Committee.



The INGO Forum is composed of full members and observers and will continue to remain open to new members throughout the INGO Forum's lifetime.

Non-members in the INGO Forum can be invited on an ad hoc basis for contributing to discussions and acting on humanitarian and development issues as and when necessary.

The introductory session for interested and new members is organized once a month.

## Membership types

### 1) Full Member

An organization is eligible to become a Full Member if it meets all the following criteria:

- The organization is a non-profit making INGO with its headquarters based overseas;
- The status of the organization in Myanmar is in line with being a non-profit making INGO;
- It subscribes to the values and principles of the INGO Forum;
- It has paid its membership fee in full.

### 2) Observer

Organizations may apply for Observer status. Observer status members will not have voting rights or the right to stand for election on internal INGO Forum matters laid out in these Statutes. However, Observers will have all other rights which include standing for elections for working groups. The process for applying to be an Observer to the INGO Forum is the same as that described for Full Members, membership fees apply as for Full Members.

## Membership fees:

Accepted members shall pay a membership contribution. The joining fee for the year is dependent on the member annual budget amount, as per the following tiered membership system.

Members shall pay a standard membership fee as determined by the INGO Secretariat and endorsed by the INGO Forum. If the Member's annual budget is unknown at the time of application, the membership contribution will be based on the size of the annual budget from previous year, as per the following tiered membership system:

- Annual budget of more than 5 Million: USD 2,600
- Annual budget between 3 to 5 Million: USD 1,750
- Annual budget between 1 to 3 Million: USD 1,300
- Annual budget of Less than 1 Million: USD 800

New joining members pay a pro-rated fee from the month of their joining.

### Application process:

Interested organization should contact the INGO Forum Secretariat. If they believe that they meet the criteria for membership and adhere to its values and principles, they should submit a signed and scanned application form provided below to the following email address: [nationallo.ingoforum@gmail.com](mailto:nationallo.ingoforum@gmail.com).

See Membership Application Form provided below:

### Membership Application Form:

Official name of agency																						
Full name of agency in English																						
Applying for membership of the INGO Forum as:	Full Member <input type="checkbox"/> Observer Member <input type="checkbox"/> Tick the relevant box																					
Adherence of your organization to the INGO Forum Guiding Values and Principles	Tick the relevant box <table><tr><td>1. Humanity</td><td>Yes <input type="checkbox"/></td><td>No <input type="checkbox"/></td></tr><tr><td>2. Non-profit</td><td>Yes <input type="checkbox"/></td><td>No <input type="checkbox"/></td></tr><tr><td>3. Independence</td><td>Yes <input type="checkbox"/></td><td>No <input type="checkbox"/></td></tr><tr><td>4. Impartiality and non-proselytizing</td><td>Yes <input type="checkbox"/></td><td>No <input type="checkbox"/></td></tr><tr><td>5. Do No Harm</td><td>Yes <input type="checkbox"/></td><td>No <input type="checkbox"/></td></tr><tr><td>6. Mutual respect</td><td>Yes <input type="checkbox"/></td><td>No <input type="checkbox"/></td></tr><tr><td>7. Code of Conduct</td><td>Yes <input type="checkbox"/></td><td>No <input type="checkbox"/></td></tr></table>	1. Humanity	Yes <input type="checkbox"/>	No <input type="checkbox"/>	2. Non-profit	Yes <input type="checkbox"/>	No <input type="checkbox"/>	3. Independence	Yes <input type="checkbox"/>	No <input type="checkbox"/>	4. Impartiality and non-proselytizing	Yes <input type="checkbox"/>	No <input type="checkbox"/>	5. Do No Harm	Yes <input type="checkbox"/>	No <input type="checkbox"/>	6. Mutual respect	Yes <input type="checkbox"/>	No <input type="checkbox"/>	7. Code of Conduct	Yes <input type="checkbox"/>	No <input type="checkbox"/>
1. Humanity	Yes <input type="checkbox"/>	No <input type="checkbox"/>																				
2. Non-profit	Yes <input type="checkbox"/>	No <input type="checkbox"/>																				
3. Independence	Yes <input type="checkbox"/>	No <input type="checkbox"/>																				
4. Impartiality and non-proselytizing	Yes <input type="checkbox"/>	No <input type="checkbox"/>																				
5. Do No Harm	Yes <input type="checkbox"/>	No <input type="checkbox"/>																				
6. Mutual respect	Yes <input type="checkbox"/>	No <input type="checkbox"/>																				
7. Code of Conduct	Yes <input type="checkbox"/>	No <input type="checkbox"/>																				
INGO's meeting the additional following requirements are eligible to apply for membership to the INGO Forum:	The organization is legally eligible to work in Myanmar or considering the process of applying for registration and becoming legally established Yes <input type="checkbox"/> No <input type="checkbox"/> Demonstrates a commitment to abide by the INGO Forum Statutes of Governance Yes <input type="checkbox"/> No <input type="checkbox"/>																					
INGOs that are implementing programs but that have no permanent office or official representative or representation in the country, will not be eligible for membership.																						
Name and position of Senior Representative																						
Contact details of Senior Representative	Email: Telephone:																					
Address of main office in Myanmar																						
Address of main international office																						

International Profile of the INGO applicant  
(incl. a description of organizational values, mandate and sectors)

Profile of INGO applicant in Myanmar  
(incl. a description of activities and sectors)

Signature of senior representative in country:

Date:

Organizational Stamp: