



The Handbook

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Introduction

The International Conference of Information Commissioners (The “International Conference”) was formally established in March 2019 following the adoption of its founding Charter at the 11th meeting in Johannesburg.

Prior to the adoption of the Charter, information commissioners had come together on an annual or biannual basis to engage on issues of high relevance to the development of access to public information and to improve the information rights more generally. While it had a clear purpose, the International Conference was however lacking the tangible structure to help facilitate the conversation and the ongoing and systematic review of how Freedom of Information and related rights were implemented in jurisdictions.

The Charter creates the “elements” of the International Conference, i.e. the Executive Committee, the annual meeting, the host, the members, the Secretariat, etc., and underpins how these elements ought to interact.

This handbook is designed to present a compilation of the policies, procedures and expectations that aim to guide parties’ interactions in their involvement in the International Conference. This handbook is also designed to bring clarity, coherence and practical information on the mechanics of the International Conference. However, as with any mechanics, these procedures and processes may be subject to review from time to time. Amendments to the handbook will be made in accordance with the rules provided within this document.

1. The International Conference of Information Commissioners

1.1. The Status of the International Conference

The International Conference of Information Commissioners (the “International Conference”) is an entity in its own right, representing the collective of accredited members. For the purposes of this document, the terms “International Conference” refer to the collective of accredited members.

At the moment, the International Conference does not have any legal status. This might be revisited in line with funding proposals or other developments which confer a compelling need to review the status of the International Conference.

1.2. The purposes of the International Conference

The goals of the International Conference are to:

- a. Protect and promote access to public information;
- b. Promote and support dialogue and mutual cooperation;
- c. Encourage the development and sharing of information and best practices, including peer-learning;
- d. Undertake and support research on issues integral to access to public information;
- e. Develop the capacity of the International Conference;
- f. Help to develop the capacity of its registered members and increase membership;
- g. Facilitate reflection and learning from case work on systemic issues;
- h. Act as a collective voice in the international community to raise awareness of issues that impact upon access to public information; and
- i. Promote the development and adoption of international standards in access to public information in all regions across the world, including the establishment of independent oversight bodies.

1.3. Elements of the International Conference

The International Conference consists of:

- The Membership
- The Executive Committee
- The Secretariat
- The Host
- The Annual meeting
- Working Groups
- Observers

We detail in the rest of the Handbook how these elements are organised and articulated.

2. The Annual Meeting and Closed Session

The annual meeting of the International Conference is an important event of the Conference lifecycle as it serves as a catalyst for Commissioners to advance discussions on the right to access public information in their jurisdictions and globally. The meeting seeks to advance the Vision, the Mission and the Goals of the International Conference as adopted in the *Charter*. It also consolidates the International Conference as a network that fosters collaboration among member Commissioners.

The annual meeting will be organised by one of the Members of the International Conference (hereinafter, the *Host*), with the advice and support of the Executive Committee. The Host and the Executive Committee share a commitment and responsibility to represent the International Conference and to jointly develop a programme for the annual meeting that delivers on the goals of the International Conference.

Members may choose to co-host with other members. If this is the case, the applicants will need to specify during the application process how their organising responsibilities will be shared and what arrangements will be made in relation to their participation in the Executive Committee.

Insofar as possible, the Host should alternate between countries representing different cultural, geographic and legal backgrounds.

The annual meeting consists of a closed session attended by members only. The decision whether to hold an open meeting in conjunction with the closed session, with participation from other stakeholder (including governments, industry, academia and civil society) is left to the Host. The Host is encouraged to request advice and assistance from the Executive Committee and the Secretariat to make arrangements for the open session.

There are no specific requirements about the timing of the annual meeting. The host will however be attentive to other important international events which may engage the membership.

2.1 Roles and responsibilities of the Host

The Host of the Closed Session is expected to take a leading role in organising an event which can best advance the Vision, Mission, and Goals of the International Conference.

In particular, the Host will:

- Chair the annual meeting;
- Develop the programme for the annual meeting in collaboration with the Secretariat and the Executive Committee, and, to the extent possible, after consultation with the members;
- Ensure the adoption of the agenda of the meeting and adoption of the minutes of the previous meeting;

- Table any reports from the Executive Committee, the Secretariat or working groups;
- Table any resolutions for consideration and vote by members;
- Table any requests for amendment to the Charter;
- Chair and manage the voting process;
- Chair and manage the election of the Executive Committee;
- Participate in the Executive Committee;
- Secure funding of the annual meeting;
- Manage the logistics of the annual meeting; and
- Collaborate fully with and assist the subsequent host of the International Conference.

The Host is also responsible for presenting brief periodic progress reports to the Executive Committee on the preparations for the annual meeting.

2.2 Selection of the Host

Selection of a Host is done on a two years' cycle. By this, we mean that the selection of the Host of the Closed Session is made at the Closed Session two years in advance of that annual meeting.

The process starts with a call for expressions of interest to host the annual meeting. The call is issued well in advance of the annual meeting to allow enough time for the entire process to be completed ahead of the vote by the membership.

The information below provides a step-by-step process for the Host selection.

Step 1 Call for proposals and selection of an Assessment Panel

The Secretariat launches a call for expressions of interest to host the annual meeting two years to the meeting itself.

The call for expressions of interest is launched well in advance of the annual meeting to allow sufficient time for the initial selection process to take place.

At the same time than the call for proposals, the Chair also sets up an Assessment Panel who will assist with the evaluation of the Host applications. The Assessment Panel is comprised of three members from the Executive Committee. Members of the Panel are invited by the Chair of the Executive Committee. The Chair will be attentive that the members of the Panel come from different cultural, linguistic and legal backgrounds.

If a member of the Executive Committee submits an application to host the Closed Session, they cannot take part in the assessment process.

Step 2 Starting an application

To apply, members must complete the online application form. Online applications are sent electronically to the Secretariat, who will acknowledge receipt as soon as practically feasible.

The online application form requests information on the following matters:

- Host overview, host conference and organising team
- Conference planning
- Location and venue
- Finances
- Other key matters

Given that the call for proposals is issued more than two years in advance of the annual meeting, the Executive Committee recognises that some information may not be known or available to applicants. For such information, Host applicants are invited to provide as much detail as possible to assist the Executive Committee in assessing the application.

Successful candidates will also be invited to consult with the Executive Committee if their arrangements for the Closed Session have significantly changed from their original proposal.

Step 3 Review process

- a. As a first step, the Secretariat checks the application to ensure that it contains all relevant information. It also prepares a score sheet to assist the Assessment Panel in evaluating the application.
- b. The applications and score sheets are sent to the members of the Assessment Panel. Members of the Panel score each proposal individually in accordance with a grading scale. To ensure that the assessments are carried out impartially, members of the panel can only score one application at a time and are encouraged not to share their comments with other panellists at that stage.

Members of the Panel are provided with a reasonable time to complete their evaluation and send their comments back to the Secretariat.

During their assessment, panel members may request the Secretariat to seek further information from the candidate Hosts.
- c. At the end of the initial review, the Secretariat reviews and combines the scores for each Host application. Should large discrepancies or inconsistencies be noticed among panellists, the Secretariat may request members of the Panel to provide clarifications for their approach to scoring.
- d. The Secretariat then prepares a brief report detailing the evaluations of each application by the Assessment Panel for review by the Executive Committee.

The report must be submitted to the Executive Committee well in advance of the next annual meeting.

- e. The Executive Committee examines the evaluation reports at its next meeting and decides by consensus on a recommendation to be presented to the membership at the closed session.

In absence of consensus, the Chair can seek a vote decision by the Executive Committee. A decision is reached by a simple majority. In cases where there is a tie vote, the Chair will hold the deciding vote.

- f. The Secretariat sends the recommendation and evaluation reports to the Host of the Closed Session for these to be added to the 'List of votes'.

Step 4 Decision by the members at the Closed Session

- a. The Executive Committee's recommendation is presented to the members for a vote at the Closed Session.

The vote is conducted in accordance with section 15 of the Charter.

Should the recommendation by the Executive Committee not receive a simple majority of the votes, the Executive Committee will advise on alternate hosting candidatures, if any, and request that members select one suitable Host among them.

The decision of the members is final.

Should no suitable Host be found or elected, the Host of the annual meeting will open the urgency procedure.

Step 5 Announcement

The Secretariat will announce the host of the annual meeting on the International Conference website.

2.3 Urgency procedure

In exceptional cases, an urgency procedure may be launched by the Chair of the Executive Committee, in consultation with the Executive Committee, or by the Host of the annual meeting, to ensure suitable host candidates can be found sufficiently in advance of the following meetings.

The Urgency procedure can be launched to repeat or shorten the application process to respond to the circumstances at hand. In such cases, the Secretariat will detail the process and, in doing so, will consider appropriate timings to ensure that members can cast their votes.

2.4 Transparency

The evaluation sheets and other documentation demonstrating how the Assessment Panel and the Executive Committee have made their assessment and recommendation may be provided to applicants and the membership on request.

3. Governance structure

3.1 The Executive Committee

The International Conference is managed and represented by an Executive Committee. The Executive Committee consists of up to 10 members. Up to seven members are elected by the membership. The three remaining members are the immediate past Hosting Authority, the current Hosting Authority and the next Hosting Authority.

The Executive Committee's positions are as follows:

1. Chair
2. Vice Chair (if one is appointed)
3. Previous Hosting Authority
4. Current Hosting Authority
5. Next Hosting Authority
6. Five Executive members

To the extent possible and to encourage diversity in the cultural, geographic and legal background of the Executive Committee, at least one member – and no more than three members – will be elected from each of the following four regions: Africa/Middle East, the Americas, Asia/Oceania, and Europe.

In addition, at least one member of the Executive Committee should represent a sub-national jurisdiction.

3.1.1 Role of the Executive Committee

The role and responsibilities of the Executive Committee (Charter, s.30) are to:

- Review membership registration and observer applications ;
- Lead on the implementation of the strategic priorities ;
- Lead on the progress and the implementation of the adopted resolutions;
- Support the development of the agenda of the annual meeting ;
- Encourage members to promote and participate in relevant international events ;
- Review host applications ;
- Review and analyse requests for amendments to the charter and present such requests at the annual meeting for approval ;
- Review and approve processes ; and
- Review and mediate any dispute brought forward by members.

The Executive Committee meets at least six times a year – in person or by other means such as videoconference or teleconference. Five members are required to constitute a quorum.

Elected members of the Executive Committee serve for a maximum of three years (Charter, s. 21). Hosting Authorities serve one year in each of their capacity (next, current and previous Hosting Authority), for a total of three years.

3.1.2 Role of the Chair and Vice-Chair

One of the elected members of the Committee is elected by the membership to serve as the Chair of the Committee. The Chair can serve for the duration of their Executive Committee term.

The Chair and the Vice Chair of the Executive Committee administer the International Conference with the support of a Secretariat.

More specifically (Charter, s. 28), the Chair hosts the secretariat of the International Conference, convenes and chairs the meetings of the Executive Committee and acts as a representative of and as a spokesperson for the International Conference, as required.

The Vice Chair assumes the role and responsibilities of the Chair if the Chair is absent or becomes unavailable (Charter, s.29).

3.1.3 Election of the Executive Committee

The Executive Committee is elected by the membership in accordance with the voting process described in section 5 of the Handbook.

Any accredited member to the International Conference may present their candidacy to be elected as a member of the Executive Committee.

Step 1 - Call for expressions of interest

The Secretariat initiates the Executive Committee's election process by issuing a call for expressions of interest for members to sit on the Executive Committee.

The call takes place approximately four months before the annual meeting. Information available to members will describe the list of the positions which are up for election, the timeline of the election as well as any other practical details.

Stage 2 – Candidates applications, including for the roles of chair and vice-chair

Members interested in presenting their candidacy must submit their application using the appropriate channels as described in the call for expressions.

Members who are presenting their candidacy for the position of Chair or Vice Chair of the International Conference must complete the additional section on their application to detail how they intend to host the Secretariat and advance the Vision, Mission, and Goals of the International Conference.

Stage 3 - Preparation and publication of the list of candidates

Once the call for expressions has closed, the Secretariat makes the information about all candidates available to the membership in advance of the vote.

The Secretariat also confirms the practical details of the vote of the Executive Committee.

Stage 4 – Election

Members cast their vote to elect the candidates to the vacant positions on the Executive Committee in accordance with the voting process and any further instructions provided by the Secretariat.

In exceptional circumstances, the Executive Committee may, by unanimous decision, request members to cast their vote to elect one or more members to the Executive Committee outside the time of the annual meeting.

Stage 5 – Announcement

The results of the election of the Executive Committee are announced at the closed session of the annual meeting.

3.1.4 Resignation of a member of the Executive Committee

A member of the Executive Committee may decide to step down from their role at any given time by written notice to the Chair of the International Conference. The Chair will inform the Executive Committee at their earliest convenience and bring the matter for consideration at the next meeting of the Executive Committee. The minutes of the meeting will serve as confirmation of the effective date of resignation.

The member of the Committee does not need to provide any reasons for their resignation but if they do so in writing, they must indicate if they wish to have the reasons for their resignation reported to the membership.

After a member of the Executive Committee has resigned, their seat remains vacant until the next election of the Executive Committee.

If the Chair decides to step down from their role, they must inform the members of the Executive Committee immediately and request that the matter is considered at the following Executive Committee meeting.

In accordance with section 29 of the Charter, the Vice Chair assumes the role and responsibilities of the Chair after the Chair's resignation has been confirmed.

If the Vice-chair decides to step down from their role, a member of the Executive Committee is appointed as Vice-Chair after the resignation has been confirmed.

3.2 Role of the Secretariat

The Executive Committee is supported by a Secretariat.

Until such time as a Permanent Secretariat is created, the Chair will provide a Secretariat function.

The Secretariat function includes the management of different processes, assisting the Executive Committee as well as the Host of the Closed Session and the management and preservation of the documents and files of the International Conference.

3.3 Working Groups

Working Groups are composed of members of the International Conference.

Observers can be invited to participate in Working Groups on an ad hoc basis. Participation is voluntary.

Working Groups are to be chaired by one or more member authority and can come from the same or different regions.

Working Group Chairs shall take steps to encourage participation from all regions.

Working groups are established to support the work and to further the objectives of the International Conference. A working group can be formed upon the interest of a few members or can derive their mandate and direction from a resolution or a decision by the membership.

Working Groups report on their progress to the membership at the annual meeting and provide regular updates to the Executive Committee as required.

Working Groups may be temporary or permanent, as stated at the time of their establishment.

The Executive Committee has agreed some guiding principles to assist with the creation of a working group. They can be found in Annex 1.

3.4 Resolutions

Only Accredited Members of the International Conference may bring forward a resolution to be voted upon by Members.

To be tabled, a resolution must have at least two other co-sponsors representing different jurisdictions.

Proposed resolutions should be anchored in the *Charter*. They should seek to support its *Guiding Principles*, to respect its *Values*, to advance its *Vision* and its *Mission*, and to make progress towards achieving its *Goals*.

They may offer guidance or contribute to public debate on matters related to access to public information.

3.4.2 Content of Resolutions

The resolution will consist of the following parts:

1. Title
2. Proposing member or members – sponsor(s)
3. Members supporting the resolution - co-sponsors
4. Body of the resolution, including rationale
5. Suggestions for implementation, including a work plan or an implementation timeline

3.4.3 The process

In accordance with section 33(i) of the Charter, the Secretariat establishes and manages the resolution process.

Proposed resolutions be submitted at least 15 weeks before the next Closed Session to enable the text to be circulated to all Members of the International Conference and for members to propose amendments. Where the resolution concerns complex policy issues or relates to a topic that otherwise may require a longer review and comment period prior to the Closed Session, sponsors of resolutions are encouraged to provide such longer time to facilitate consensus resolutions.

The Executive Committee may, in light of exceptional circumstances, approve that resolutions are put to adoption outside the timeline set out below or be submitted less than 15 weeks before the Closed Session.

Step 1 – Call for resolutions

The Secretariat issues a call to Members to propose topics for resolutions. The call issued well in advance of the annual meeting.

The call informs members of the deadline for submitting their proposed topics or draft resolution to the Secretariat.

Step 2 – Initial submission

Interested members (the ‘sponsors’) submit a topic for a resolution or the text of a draft resolution to the Secretariat. If only a proposal, the submission must include a description of the resolution and its rationale.

Initial submissions must be sent to the Secretariat no later than 15 weeks before the Closed Session.

Step 3 – Consultation

The Secretariat circulates the proposed topics and draft resolutions to all members and invites members to express their interest to co-sponsor any of the resolutions. The consultation period should close 11 weeks before the Closed Session.

At the end of the consultation period, sponsors submit the full text of their draft resolution to the Secretariat. The submission should include the list of known co-sponsors.

Step 4 – Co-sponsoring

The Secretariat circulates the draft resolutions to the membership, and invites members to co-sponsor the resolutions.

Step 5 – Final submissions

Final versions of the resolutions are submitted to the Secretariat for tabling and adoption at the Closed Session of the annual meeting. The submission must include the full list of co-sponsors.

The Secretariat informs the Host of the annual meeting and the Executive Committee of the final version of the resolutions.

Step 6 – Tabling of resolutions and vote

Six weeks before the Closed Session, the Host officially tables the proposed resolutions for decision by members.

At the Closed Session, resolutions are presented for adoption by members by way of a vote.

3.4.4 Resolutions tabled outside the annual meeting

Exceptional circumstances, including the inability to arrange an annual meeting in a particular year, may dictate that resolutions are tabled outside of the time of the Closed Session.

Members who wish to table a resolution for adoption outside the annual meeting must submit their proposal to the Executive Committee who will review the resolution and make its decision. If the Executive Committee agrees to the proposal, it requests the Secretariat to set out an ad hoc process.

3.4.5 Implementation of resolutions

Sponsors and co-sponsors assist the Executive Committee with the implementation of the resolution, while the Secretariat monitors and publishes progress reports on the implementation of adopted resolutions.

Members can co-author or co-sponsor any resolutions before or after they are tabled. By signing up to sponsor or co-sponsor a resolution, members agree to actively assist with the implementation of the resolution.

Sponsors of resolutions which are adopted shall provide a point of contact for the year following its adoption so that members who have questions, seek clarifications or wish to have more information on how to implement the resolution can do so.

Members are encouraged to share with the Secretariat any domestic or regional actions taken as a result of or in reference to the adoption of a resolution by the International Conference.

3.5 Amending the Charter

Only Accredited Members of the International Conference may present a request for amendment to the Charter. This includes any member of the Executive Committee.

Several members may also jointly present a request to amend the Charter.

The requesting member(s) must submit a written request for amendment of the Charter to the Executive Committee, via the Secretariat, no later than 14 weeks before the Closed Session.

The requesting member(s) will assist the Secretariat and the Executive Committee at any time before the annual meeting to develop the review, analysis and recommendation in relation to the requested amendment.

3.5.1 Content of Request to Amend the Charter

Requests for amendment must include the following information, as detailed in the template in Annex 5:

1. The name and jurisdiction of the authority requesting the changes
2. Name of any co-authoring or co-sponsoring authorities
3. The nature of the amendment sought
4. The rationale for the amendment
5. Suggested replacement text for the specific section(s) of the Charter that are sought to be amended
6. Considerations on consequential amendments to the Charter that may be required to effect the requested changes (if any).

3.5.2 The Process

Step 1.

The requesting member(s) present a written request to amend the Charter to the Executive Committee. The request must be submitted no later than 14 weeks before the Closed Session of the annual meeting. It must include the information as detailed in Annex 5.

Members are invited to contact the Secretariat in advance of the deadline to ensure that all the necessary information is provided.

Step 2

The Executive Committee reviews the proposed amendments and develops its recommendation for review and decision by members at the Closed Session.

The recommendation is passed on to the requesting member(s) for comments and consideration no later than 10 weeks before the annual meeting.

Step 4.

Upon receipt of the Executive Committee's recommendation, the requesting member(s) have one week to inform the Secretariat if they wish to withdraw, amend or confirm the request for amendment.

Should the request for amendment be modified in light of the recommendation of the Executive Office, the Executive Committee also amend its own recommendation, which is passed on the requesting member(s) for a final review no later than 7 weeks before the Closed Session.

Step 5

The Secretariat informs the Host of the Closed Session that the request for amendment to the Charter must be added to the "List of Votes" and publishes the request for amendment together with any other voting matters on the website seven weeks before the annual meeting.

3.5.3 Urgency procedure

In exceptional cases, and after decision by the Executive Committee, a request for amendment to the Charter may be considered outside of the above timing. In such exceptional cases, the process will be launched as promptly as feasible after the decision by the Executive Committee.

The Secretariat will detail the process and, in doing so, will consider appropriate timing to ensure appropriate consultation with the Executive Committee, the requesting member and the membership.

3.6 Amending the Handbook

Only Accredited Members may present a request for amendment to the Handbook. This includes any member of the Executive Committee.

Several members may also jointly present a request to amend the Handbook.

3.6.1 Content of the Request to Amend Handbook

Amendments to the Handbook may address procedural requirements, adjustments or shortcomings that have come to light as experience of the governance processes and mechanisms increases.

Requests should include the following parts:

1. The name, title and jurisdiction of the requesting member(s)
2. The section(s) in the Handbook that are to be amended
3. The rationale for the amendment
4. Text suggestions for the specific section(s) of the Handbook that should be amended
5. Considerations of any other amendments to the Handbook that may be required to effect the requested change

Members are invited to fill out the template in Annex 6 to start the procedure to amend the Handbook.

3.6.2 The Process

Step 1

Requests for amendments to the Handbook are sent to the Secretariat who reviews the requests and issues an initial recommendation to the Executive Committee.

Step 2 – review and consultation

- If the amendment is simple and non-substantive,
 - o the Secretariat informs the Executive Committee of the request and invites the Executive Committee to make a decision at its following meeting. The Executive Committee adopts a decision by consensus or, if a consensus cannot be reached, by a simple majority vote ;
 - o Following the decision by the Executive Committee, the Secretariat informs the requesting authority as well as all the members of the proposed amendment and invites any members to send their reservations about the amendments within a period of two weeks.

- If the amendment amounts to a substantive change,
 - o the Secretariat informs the Executive Committee of the proposed changes and that it will engage the membership in a wider consultation;
 - o the Secretariat launches a two weeks' consultation with members;
 - o Following the consultation period, the Secretariat works with the requesting member to present a final draft text for adoption by the Executive Committee;
 - o the Executive Committee reviews the requested amendment and additional comments and adopts its decision on the requested amendment. Decision is reached by consensus or, in absence of consensus, by a simple majority of members of the Executive Committee;
 - o The Secretariat informs the members of the decision of the Executive Committee and invites any members to send their reservations with the amendments within a period of two weeks

Step 3 - comments and adoption

- In absence of any reservations by members, the amendment to the Handbook is considered as definitely adopted. The Secretariat then publishes the amended text of the Handbook on the website, as soon as feasible after the Executive Committee's decision.
- If any reservations are formulated by members, the Executive Committee consider the comments and make a decision as to how best move forward. This may include a further consultation with the members, a discussion on the requested amendment at the Closed Session or any alternative arrangements.

Once approved, the amended text is added in the Handbook and the revised Handbook is published on the website.

4. Accreditation rules and procedures

4.1 Membership

Only accredited members and observers are eligible to attend the closed session of the annual meeting of the International Conference.

Sections 1 and 2 of the Charter describe who is eligible for membership to the International Conference.

Members are encouraged to contribute to the development and future of the International Conference.

Namely, members can:

- attend the annual meeting of the International Conference.
- participate in the work of and decide on the strategic priorities of the International Conference.
- elect the members of the Executive Committee.
- vote on any matter requiring a decision by members.
- host the annual meeting.
- elect the hosts of the annual meeting.
- participate in working groups.
- promote the work of the International Conference in relevant international, regional and national fora.

In addition to the above, members have a responsibility to keep their details up to date on the website and to inform the Secretariat of any change of personnel or of legislation in their jurisdiction.

Members are also invited to actively contribute to the case law repository which is available on the website.

4.2 Membership accreditation

Article 3 informs how candidates may apply to become members to the International Conference. In this section, we detail how bodies overseeing legislation on Access to Public Information in a specific jurisdiction may request to become a member of the International Conference and how their application will be processed under the governance mechanisms of the International Conference, as documented in the Charter.

This procedure derives directly from the Charter adopted in Johannesburg in March 2019¹ and should therefore be read in conjunction with it.

4.2.1 Eligibility criteria

Bodies interesting in joining the International Conference are invited to apply using the online registration available on the International Conference's website.

The online accreditation form requests the candidate to provide the following information:

- Name of the authority and the jurisdiction in which it is officiates, and its status as a public authority;
- Evidence demonstrating that the applicant is responsible for protecting, promoting and ensuring the respect of access to public information legislation within its jurisdiction and that it has autonomous or independent decision-making authority to carry out its mandate, including the legal base for its functions and powers, its roles and responsibilities;
- Confirmation of its endorsement of the Charter;
- Designation of an appropriate point of contact.

4.2.2 Accreditation Process

Step 1 – Starting an application

As advised above, the application process starts when a candidate authority has completed the online application available on the International Conference website and submitted electronically to the Secretariat of the International Conference.

A downloadable Word version of the application form is also available on the International Conference website. The application must be sent to the Secretariat using the email address provided on the form.

The Secretariat then confirms its safe receipt, usually within 48 hours of being sent.

¹ <https://www.informationcommissioners.org/the-icic-johannesburg-charter>

Step 2 – Review and assessment process

The application is initially reviewed by the Secretariat of the International Conference, who will issue a recommendation that is passed on to the Executive Committee for review and decision.

Initial review by the Secretariat

- a. As a first step, the Secretariat checks that the application contains all the necessary information. The Secretariat may contact the applicant to request clarification or additional information which may assist with the assessment process.
- b. Once it is satisfied that it has all the necessary information, the Secretariat completes a “Review and Recommendation form” (RR form).

The RR form is formed of two parts: a review of the applicant’s response and a recommendation as to the applicant’s eligibility to become a member of the International Conference.

- c. Once completed, the RR form is sent to the Executive Committee for their comments and review of recommendation.

Review by the Executive Committee

- d. All applications are reviewed and decided upon by the Executive Committee. The Executive Committee examines membership applications at its regular meetings. Information permitting members of the Executive Committee to review the applications is sent by the Secretariat well in advance of the meeting.
- e. Members of the Executive Committee share their comments on the application and the Secretariat’s recommendation with other members.
- f. The Secretariat collates the comments and, where necessary, revises its Recommendation:
 - **If no comments and reservations** are raised by members of the Executive Committee, the Chair invites the Executive Committee to adopt the Secretariat’s recommendation at its next meeting.

Once adopted, the decision is communicated to the candidate by the Secretariat.

- **If minor comments** are raised by members of the Executive Committee but these do not amount to reservations to the proposed recommendation, the initial recommendation is revised in advance of the next meeting of the Executive Committee and presented at its next meeting for review and adoption. The Secretariat takes note of the Executive Committee's decision and informs the applicant accordingly.
 - **If reservations** are expressed by members of the Executive Committee on the Secretariat's recommendation, the Chair may either 1/ consult with individual members of the Executive Committee who have expressed comments ; 2/ seek further information from the applicant or ; 3/ ask members to reach an outcome either by consensus or a vote decision.
 - *Consultation with members of the Executive Committee:* the Secretariat will seek to gain a better understanding of members' concerns. It will report back to the Chair as to whether a consensus can be reasonably achieved or if further steps are necessary.
 - *Requesting further information from the candidate:* on basis of comments made by members of the Executive Committee, the Secretariat can request the candidate member to provide complementary information to substantiate their application. A clear deadline for a response will be indicated, although that period can be extended at the request of the applicant.

The 'review and recommendation form' is revised by the Secretariat in light of the new information provided by the applicant and resubmitted to the Executive Committee for review prior to its next meeting.

Vote: in cases where members' reservations are not resolved and no consensus can be reached among members of the Executive Committee, the Chair may put the decision to a simple majority vote of the Executive Committee. If the vote ends with a tie, the Chair has the deciding vote.

The minutes of the meeting will serve as record of the decision by the Executive Committee.

Step 4 – Assessment outcome

Following a review of the information provided, **the Executive Committee will issue one of the following decisions:**

- **Successful (or Accredited)**
If the applicant successfully demonstrates that they meet all the criteria, they will be awarded accredited status.
- **Accreditation with observations**
The Executive Committee decides that the applicant is awarded “accredited” status but invites the applicant to consider certain “observations” made in the decision letter and to respond to these within a defined timeframe.
- **Deferred accreditation with set conditions**
The Executive Committee considers that certain conditions must be met before the candidate is accredited. The requirements, and possible associated timeframe, will be specified in the Executive Committee’s decision.

The applicant will be requested to submit new information before their application is further reviewed.

- **Unsuccessful**
If the Executive Committee concludes that an applicant does not meet the eligibility criteria as set out in the Charter, their application is considered unsuccessful. A decision letter is issued, which encourages the applicant to reapply should circumstances in their jurisdiction affect their membership eligibility.

Step 5 – Announcement

After the Executive Committee has reached its decision, the Chair requests the Secretariat to issue a decision letter to the candidate member.

Step 6 – Appeal

The applicant may appeal the decision made by the Executive Committee if they believe that:

- The procedure was not followed correctly, or ;
- The Executive Committee incorrectly considered certain elements of the application.

In order to appeal the decision, the candidate member must write directly to the Chair of the International Conference within 14 days of the date of the decision letter. The appeal letter should make clear under which grounds the applicant believes the decision by the Executive Committee should be rescinded or reviewed.

Upon receiving the appeal letter, the Chair will request the Secretariat to add an item on the agenda of the following meeting of the Executive Committee to examine the grounds for appeal.

The Executive Committee will review the information provided and issue a new decision. The appeal decision by the Executive Committee is considered as final.

4.3 Voluntary withdrawal

While losing any member is always an unfortunate event, the International Conference recognises that circumstances may sometimes dictate that a member have no alternative than to withdraw from the Conference.

In such cases, a member may withdraw their membership by simply writing to the Chair of the International Conference. Upon receipt, the withdrawal request is sent to the Executive Committee for consideration at their next meeting.

The member does not have to provide reasons for their withdrawal. If however the member wants the reasons for their withdrawal to be officially recorded, they should expressly state so in their correspondence to the Chair.

4.4 Observer status

National and international public entities and government organisations involved or interested in the development, research, protection and promotion of the right of access to public information, which do not meet the membership's accreditation criteria, are encouraged to apply to become Observers.

Observers must commit to respecting the Vision, the Mission, the Values and the Goals of the International Conference as enshrined in the Charter.

Observers can attend the annual meeting, although attendance will be determined by the Host in consultation with the Executive Committee, in light of the agenda.

Observers are encouraged to participate in the activities and working groups of the International Conference.

Observer status is granted for a period of three years, renewable.

Observers to the Conference have no voting rights.

Observers agree to have information about their organisation published on the website. They are responsible for ensuring that their information remains up to date. They must inform the Secretariat if any of their details are no longer up to date.

4.5 Observer Application Process

Only accredited members and observers are eligible to attend the Closed Session of the annual meeting of the International Conference.

Organisations interested in joining the International Conference may submit their application to become an Observer at any time. Should they wish to attend the annual meeting of the International Conference, their application should be submitted no later than 9 weeks prior to the Closed Session of the annual meeting. This is to allow sufficient time for their application to be processed and to account for any registration deadline specified by the Host of the annual meeting.

Step 1 Starting an application

To apply to become an observer, organisations must complete the online application form which can be found on the website.

The online application form requests the following information:

1. The identity of the organisation
2. The identity of its official representative
3. The description of the applicant
4. The description of the organisation's involvement or interest in the development, research, protection, promotion and respect of access to public information
5. The entity's commitment to the Vision, Mission, Values and Goals of the International Conference
6. Relevant contact details

7. Additional information supporting the application, including the organisation's expectations from joining the International Conference, such as bilateral cooperation, specific project collaboration, exchange of knowledge, networking, training, etc.

Step 2 Assessment Process

Upon its receipt, the application is reviewed by the Secretariat, which issues a draft recommendation for review and decision by the Executive Committee.

Initial review by the Secretariat

- a. As a first step, the Secretariat checks the application to ensure the applicant has completed the application correctly.

- b. Once it is satisfied that the application contains all the necessary information, the Secretariat completes an initial “Review and Recommendation form” (RR Form) to be reviewed by the Executive Committee in advance of its next meeting.

Review by the Executive Committee

All applications are reviewed and decided upon by the Executive Committee at its regular meetings.

Ahead of its meeting, the Secretariat invites members of the Executive Committee to provide comments on the initial review and recommendation and collates these ahead of its next meeting.

Decision

- **If no observations and no reservations** are received from members of the Executive Committee on the Recommendation, the Committee adopts it as decision and invites the Secretariat to inform the applicant of the decision.
- **If observations (but no reservations)** are received from members of the Executive Committee on the initial Recommendation, the recommendation is amended in line with the comments ahead of the Executive Committee’s meeting. At the meeting, the Chair asks the Executive Committee to adopt the revised recommendation.
In the absence of further comments, the revised recommendation is adopted as decision.
- **If reservations** are expressed by members of the Executive Committee on the initial recommendation, the Chair asks the Secretariat to review its recommendation and take appropriate action in line with the Executive Committee’s comments:
 - The Secretariat advises the applicant if further information is required. It also set a deadline for the information to be provided.
 - The Secretariat revises the “Review and Recommendation form” on the basis of the new information provided and resubmit the revised recommendation for review by the Executive Committee at its next meeting.

In the absence of further comments, the revised recommendation is adopted as decision.

If further comments are expressed or received, the Chair may choose to discuss the application at the meeting of the Executive Committee to allow opposing views and reservations to be expressed.

During that meeting, the Chair will seek to reach a decision by consensus. In the absence of consensus, the Chair can put the decision to a simple majority vote of the members present at the meeting. If the vote ends in a tie, the Chair will have the deciding vote.

- The minutes of the meeting will be serve as the record of decision by the Executive Committee.

Step 4 Assessment outcome

- **Successful**

If the application is successful, the candidate organisation is awarded Observer status to the International Conference.

- **Unsuccessful**

If the Executive Committee is of the opinion that the applicant does not meet the conditions for Observer status, the application will be considered unsuccessful.

Step 5 Announcement

After reaching a decision, the Chair will request the Secretariat to issue a decision letter to the applicant. If the application is successful, the Chair will instruct the Secretariat to inform the membership and to add a news entry on the website.

Step 6 Appeal

If the applicant is dissatisfied with the decision made by the Executive Committee, they can apply directly to the Chair **within two weeks** of the date on the decision letter to have their application reviewed.

The appellant should provide a statement as to why they believe the decision of the Executive Committee should be rescinded or reviewed.

Upon receiving the appeal letter and statement, the Chair will request that a point is added on the agenda of the Executive Committee's meeting to examine the grounds for appeal and issue a final decision.

The decision of the Executive Committee is final.

4.5.1 Urgency Procedure

Where the Secretariat or the Chair considers that there is a need to move quickly with an application, it may request, by way of a derogation to the above procedure, that the Executive Committee reviews the application immediately. The Secretariat will confer with the Executive Committee on an appropriate period of consultation.

5 Voting

Only accredited members of the International Conference can vote.

As a general rule, each member has one vote. Members also have the right to cast their vote electronically.

In addition, unless otherwise specified in the Charter, decisions of members require a simple majority.

5.1 Special Voting Rules

The Charter recognises the diversity of the membership of the International Conference, ranging from members representing national, sub-national, supra-national bodies to institutional jurisdictions, and as such, that a country may be represented in the International Conference by more than one member.

For certain matters requiring a vote from the membership which may result in an imbalance between the various members under the “*one member, one vote*” rule, the Charter has specified that the matters would be put to a vote under the Special Voting Rules.

There are three situations which will call for the Special Voting Rules:

1. The election of the members of the Executive Committee
2. The selection of the Host of the International Conference
3. Amendments to the Charter

5.1.1 General comments: how will the two votes be divided and counted

Under the above circumstances, each country will have two votes:

- A. A member representing a country with no decentralised institutions will cast two votes.
- B. For countries where oversight of access to information is a shared responsibility between a central institution and regional, territorial or institutional bodies, the two country votes will be allocated as one vote for the member representing the central institution and one vote for the collective of the members representing the regional or institutional bodies from the same country.
 - a. The vote for the collective of regional or institutional bodies will be decided by a simple majority of the votes of the regional or institutional members. In the event that the votes of the regional members of the same country result in a tie, the collective vote of these regional

members won't be counted and marked as an abstention.

- b. If the central institution of a federal country is not an accredited member of the International Conference, the country votes will be allocated to the collective of regional or institutional bodies accredited to the International Conference.

5.1.3 Situations for which the Special Voting Rules will be used

Type of vote	General voting rules		Special voting rules	
Relevant sections in the Charter	Sections 7, 8 and 14		Section 15	
Matters put to vote	<ul style="list-style-type: none"> All general matters Conflict resolution Motion to seek member's withdrawal 		<ul style="list-style-type: none"> election of the members of the Executive Committee selection of the Host of the International Conference Amendments to the Charter 	
Counting	Each member has one vote		Each country has two votes	
			Country with only one national entity The member has two votes	Country with several entities: <ol style="list-style-type: none"> One vote for the national entity One vote for the collective of the states or jurisdictions from the same country Collective vote decided by simply majority of the collective of Members. In case of a tie, the vote is not counted If the national entity is not an accredited member, the collective vote counts as two votes
Voting requirement	Simple majority <ul style="list-style-type: none"> All matters Conflict resolution 	2/3 majority <ul style="list-style-type: none"> Motion seeking membership's withdrawal 	Simple majority: <ul style="list-style-type: none"> Election of the members of the Executive Committee Selection of the Host of the International Conference 	2/3 majority <ul style="list-style-type: none"> Amendments to the Charter

5.2 The voting process

The annual meetings are crucial to ensure that members have the opportunity to reflect and vote on matters of importance to the International Conference. As such, the Host of the annual meeting and the Secretariat of the International Conference will work in concert to table all relevant documents and facilitate the voting of members at the meeting.

There are however circumstances for which the voting will take place outside the time of the annual meeting. These circumstances, and the process, are described in the subsections below.

Step 1 Preparing the “list of members”

When proceeding to a vote by the membership, the Secretariat prepares a list of current members and groups them by country. This list is to allow the Host and the Secretariat to collate the votes in accordance with the voting rules of the Charter.

Step 2 Preparing the “list of votes” in advance of the annual meeting

In advance of the annual meeting, the Secretariat prepares the “List of votes” which lists the matters that will require a vote by members, the type of vote and the voting requirements for each vote, as per the above table.

The “list of votes” and the “list of members” are completed and reviewed with the Host no later than 7 weeks prior to the annual meeting.

Step 3 Publication of the “List of votes” and details about the electronic voting

The Secretariat sends all relevant documents relating to all voting matters to all the members six weeks before the Closed Session. The notice includes links to all relevant documents and provides members who are unable to attend the annual meeting in person with the details on how they can cast their vote electronically.

The Secretariat also publishes the list of votes on the website at the same time.

Step 4 Collating electronic votes

With exception of matters relating to mediation and conflict resolution, the electronic vote closes 24 hours before the beginning of the annual meeting.

The Secretariat collates the electronic votes and keeps the tally of these votes secret until the voting of members present at the annual meeting occurs.

Step 5 Voting at the Annual Meeting

The Host of the annual meeting manages the voting matters with the help of the Secretariat.

In most instances, the votes will be easily counted by show of hands and the tally of electronic votes. In situations where the voting results are not readily apparent, the votes will be counted by the Secretariat, taking into account the Special Voting Rules as required. The Secretariat will tally all votes and share the information with the Host who will announce the result to the members.

5.3 Voting procedure outside the Annual Meeting

Where special circumstances dictate that voting by the membership is required outside the specific arrangements of the annual meeting, the Executive Committee will set up a separate process which takes due consideration of the process described in the above section.

5.3.1 Special Circumstances

The Charter provides that in the rare events where a conflict arises among members, the matter is first brought to the attention of the Executive Committee for their consideration, mediation and resolution. In the unlikely event where the conflict among members cannot be resolved by the Executive Committee, the matter will be referred to the membership for a resolution by way of a vote at the annual meeting.

As the *Mediation and Conflict resolution* process allows for members involved in the conflict to make representations (usually at the annual meeting), special provisions have been made to allow members not present at the annual meeting to cast their vote electronically after the annual meeting. To avoid any undue delay, the electronic vote should be launched as soon as feasible and no later than six weeks after the Closed Session. The consultation period should be relatively short.

At the end of the consultation period, the Secretariat informs the Executive Committee of the members' votes. The Executive Committee issues a decision based on the vote, which is sent to the parties involved.

The decision by the Executive Committee is final.

Conflict Resolution

Sections 42 to 47 of the Charter provide for a process where a conflict arises in the interpretation of the Charter or its processes.

Sections 14 and 46 of the Charter provide that in such a case each member will have one vote and that the vote will be decided by a simple majority.

Withdrawal of Membership

Sections 39 to 41 of the Charter provide for the possibility of members to vote to exclude a member temporarily or permanently from the International Conference where the member has demonstrated a pattern of behaviour which is inconsistent with the values of the International Conference.

Sections 14 and 40 of the Charter provide that in matters relating to the exclusion of a member, each member will have one vote and that the vote will be decided by a two-third majority.

Votes on the withdrawal of membership are cast by secret ballot.

6 Mediation and Conflict resolution Process

6.1 How the International Conference resolves conflicts between members

The International Conference strives to be an inclusive network underpinned by the values of respect, integrity and collaboration, to allow each and every member to express their opinion freely while also being attentive to the positions of others.

6.1.1 On the interpretation of the Charter and the Handbook

The Charter prescribes certain roles and responsibilities to parties engaged in the International Conference. While the different processes described in the Handbook endeavour to provide clarity and avoid any ambiguity as to how members can effectively engage in their roles, there may be situations which present new challenges to the governance of the International Conference and which may give rise to different interpretations among members.

- When these situations occur, members are strongly encouraged to engage in discussions and resolve any differences of opinion or interpretation, as well as any misunderstanding **amicably**.
- In cases where the point(s) in discussion cannot be resolved immediately, members can proceed to clarify the issue through **mediation**.
- If the mediation process does not settle the issue, members can trigger the **Conflict Resolution process**.
- Finally, if the interpretation on the point(s) engages the membership more generally, the Executive Committee may request a vote from the membership on the point by way of **motion**.

6.1.2 Members' behaviour

Separately, in cases where there is a concern that a member has demonstrated a pattern of behaviour which is inconsistent with the values of the International Conference, one or more members can present a **motion to seek the withdrawal of membership** of another member. The motion can only be presented if the above steps have been exhausted.

6.2 Four stage process

6.2.1 Amicable resolution

While members have a mutual desire to develop mutual and beneficial collaboration, they might, from time to time, have a disagreement with other members or have conversations which lead to misunderstandings with other members.

By signing the Charter, members acknowledge that the International Conference is founded on the values of Respect and Integrity, Collaboration and Inclusiveness and as such, they will always strive to resolve their issues in an amicable manner.

6.2.2 Mediation

There might be issues however that members, despite their respectful engagement, are unable to resolve straightforward. As such, the Charter provides for a mediation process led by the Executive Committee.

In accordance with the Charter, the Executive Committee can review and mediate any issues brought forward by members which have not been resolved amicably.

Mediation is an informal dispute settlement process run by a neutral third party, called a mediator. As part of the mediation process, a mediator will be designated among the members of the Executive Committee.

To start the mediation process, a member must write to the Executive Committee and provide details of the issue at hand and why they request the Executive Committee to mediate between parties.

Upon receipt of the request, the Executive Committee will write to the members involved in the discussion to confirm that the mediation process can be initiated.

In doing so, it will review and, if necessary, hear the members' representations. It will also review and consider any other representations or information of relevance.

As part of the mediation process, the Chair will appoint one member of the Executive Committee to act as Mediator. Insofar as it is possible, the mediator will be from a different geographical area than the parties involved.

Once it has been designated, the Mediator initiates the mediation process and invites parties to a meeting.

Following the meeting, the Mediator writes a draft agreement to parties.

- If parties agree to the proposed solution, the mediation case is closed.
- Should the parties disagree with the resolution, the mediator may suggest that the dispute is moved to the next stage of 'conflict resolution' ;
- Should the mediator be of the opinion that the issue has wider implications, they may suggest that the dispute is move to motion to be voted by the membership.

There is no timeline in relation to the Mediation process.

6.2.3 Conflict resolution

Conflict Resolution is a more formal process. It will be triggered when the matter of dispute has not been resolved amicably or through mediation.

In contrast with the Mediation process, the conflict resolution will engage all members of the Executive Committee and the decision by the Executive Committee will be recorded in the minutes of the meetings and therefore form part of the International Conference records.

6.2.4 Votes on motions (including motion to seek the withdrawal of a member from the International Conference)

When a dispute has not been resolved by the Executive Committee, or has wider implications for the membership, the matter will be referred to the membership for resolution by way of a vote.

Similarly, where a member has demonstrated a pattern of behaviour which is inconsistent with the values of the International Conference, and when the issue has not been resolved through mediation or the more formal conflict resolution process, a motion can be presented to temporarily or permanently exclude the involved member from the International Conference.

Noting the seriousness of the matter, the motion which seeks the withdrawal of a member will require that :

- parties demonstrate that they have exhausted all stages of the conflict resolution process without reaching a consensus;
- A qualified majority of two-third of members present at the meeting is reached for that motion to pass. As members are allowed to make representations at the annual

meeting, members not present at the meeting will be given the opportunity to vote on the motion after the annual meeting.

6.3 Content of the Mediation/Conflict Resolution Request/ Motion

A Mediation/conflict resolution request may be brought forward in writing to the Executive Committee via the Secretariat. Motions are presented by members and tabled by the Host of the annual meeting.

The mediation/conflict resolution request, as well as the motion, must be clearly and concisely expressed. It must include the following information:

1. The name, title and jurisdiction of the parties involved (A. the ‘requesting’ member/members; and B. the ‘addressing’ members) ;
2. The name, title and jurisdiction of the supporting member(s), if any ;
3. The names, titles and jurisdictions of the ‘defending’ member(s) who the member/members in 1. are seeking to resolve the conflict with ;
4. The nature of the difference of interpretation, or conflict ;
5. Steps undertaken to resolve the issue.

6.4 Conflict Resolution Process

Should the mediation fail, the issue is moved, with agreement from parties, to a ‘conflict resolution process’.

If parties disagree to have their case reviewed by the Executive Committee under the “conflict resolution process”, the mediator informs the Executive Committee of the parties’ decision and the case is moved to Motions”.

Step 1

At the end of the mediation process, the mediator provides all necessary information to the Secretariat who issues a recommendation to the Executive Committee for review and decision.

The issue is added to the agenda of the next Executive Committee meeting. The Executive Committee may request any additional information from parties in advance of the meeting.

Step 2

At its meeting, the Executive Committee examines the Secretariat’s recommendation and makes a decision in relation to the conflict at hand. The decision is communicated to parties.

- If the decision resolves the matter to the satisfaction of the interested parties, the matter is considered closed.

The Secretariat then prepares a report in consultation with the Executive Committee. The report is incorporated in the Minutes of the Executive Committee meetings in a manner that respects and protects personal information.

- If the decision does not resolve the matter to the satisfaction of the interested parties,
 - o the Secretariat prepares a report in consultation with the Executive Committee. The report is shared with the interested parties and included in the minutes of the Executive Committee in a manner that respects and protects personal information;
 - o the Secretariat invites the requesting member to table a motion to be voted upon by members.

6.5 Motions

Motions may be presented for a vote by the membership if, and only if:

- the matters in dispute are recognised to have wider implications for the governance of the International Conference ; or
- the matter has remained unresolved through mediation and conflict resolution.

Members may present motions to be tabled for a vote, usually at the annual meeting. The motion must include all relevant documentation to assist the membership in casting their vote.

To be added to the list of votes, the motions must be sent to the Secretariat no later than seven weeks before the annual meeting.

6.5.1 Process

As part of the resolution process, parties are allowed to make oral representations to the membership present at the meeting. Members present at the meeting then vote on the motion by secret ballot. The Host, in consultation with the Executive Committee, may also opt to delay the vote until after the Closed Session.

Step 1 - report

After the annual meeting, the Secretariat prepares a report including all representations made by parties and share the report with the members involved in the dispute for review and comments.

The final report is sent to all members ahead of a vote.

Step 2 - vote

The Secretariat launches the electronic vote no later than two weeks after the annual meeting.

After the end of the electronic vote, the Secretariat informs all parties and the Executive Committee of the results of the vote.

Step 3 - decision

No later than six weeks after the annual meeting, the Executive Committee issues a decision based on the result of the vote by members.

The decision is final.

The decision is published on the website.

Annex 1 - Working Groups - Guiding Principles

Working groups are established to support the work and to further the objectives of the International Conference of Information Commissioners.

This document lays down the guiding principles to drafting Terms of References (ToRs) for working groups, outlining their roles and responsibilities and other requirements. A template ToR is provided in Annex 1.

Function

Pursuant to section 36 of the Charter, “working Groups (...) may be formed from time to time to advance the work of the International Conference on its strategic priorities”. Section 37 states that working groups will be comprised of volunteer members of the International Conference.

A working group can be formed upon the interest of members or be mandated by the Executive Committee following a resolution or a vote by the membership.

Purpose

The objectives and deliverables of working groups can be varied and can include (but are not limited to):

- Drafting a resolution to be presented at the closed session;
- Implementing, or monitoring the implementation of, a resolution adopted by the membership;
- Developing common standards on access to information
- Developing the strategic priorities of the International Conference;
- Encouraging the participation of members and observers in the functioning and development of the International Conference
- Drafting and publishing a research report on a theme relevant to the International Conference;
- Establishing relevant mechanisms to further the mission of the International Conference, including sourcing sustainable funding for the network.

Principle of collaboration

Pursuant to the values of the International Conference, working group members recognize the role and value that each participant can bring to delivering projects. Each working group will be set up as a forum where participants will develop a shared vision of collaborative participation, based on clear goals and planning, trust, commitment and ownership.

Further to the above, the principle of collaboration is underpinned by the understanding that members will operate with transparency and openness in dealing with one another.

Scope of activities and deliverables



The scope of activities and deliverables of each working group will depend on their mandate or purpose. They are likely to include (but are not limited to):

- Meeting on a regular basis to identify, discuss and recommend to the Executive Committee or the membership, processes, operational frameworks and initiatives to further the general objectives, mission and vision of the International Conference;
- Drafting recommendations or reports on themes of strategic interest to the membership
- Assisting the host with the planning and programme of the annual conference
- Developing and maintaining the Communications Strategy, including the development of the website
- Coordinating members' activities on the International Access to Information Day
- Developing ATI common criteria regarding working cases.
- Drafting guiding principles or standards for oversight bodies.
- Developing measurement processes on transparency and access to information.

Participants

Working group participation is open to any member or observer. There is no restriction on working group participants.

A list of participants will be maintained by the Secretariat in collaboration with the working group chairs.

Chair

Each working group is led by a chairperson. The chairperson will be designated among participants in the working group itself. Once designated, the chairperson will inform the Secretariat and the Executive Committee of their role in the working group.

The chair of each working group will convene meetings. Other roles and responsibilities in the working group will be decided by the working group in accordance with its work and deliverables.

Rules of participation

Participation in a working group is voluntary. By participating in a working group, members agree to commit adequate resources to assist in the work and deliverables of that working group. This may include assisting the chair of the working group with preparatory documents for meetings.

Each working group will adopt their own working arrangements to ensure that:

- Meetings are convened at a time that allows the largest participation of members of the working group;
- Documents pertaining to the working group are distributed in advance of the meetings and copies are provided to the Secretariat;

In carrying out their tasks, working groups can request the assistance of external parties and consultants. The assistance of external parties or consultants is done on a voluntary basis. Nothing prevents a member of a working group from hiring external parties or consultants. This contractual arrangement does not engage the working group, nor the rest of the membership.

Documentation

Within the first two months, the working group will adopt its terms of reference. The terms will include the objectives of the working group, details of any specific roles and responsibilities as well as practical issues such as time frames, activities and deliverables. An example can be found in Appendix A.

An electronic copy of the terms will be transmitted to the Secretariat for record keeping.

An electronic copy of any final documents adopted by the working groups (agenda, minutes, resolutions, reports, etc.) will be published on the website. A dedicated section is to be created on the website to incorporate adopted documents

Communications

Each working group will endeavour to meet on a regular basis, via telephone conference or by other means when opportunities arise.

If a working group requires the input from the membership (as part of a consultation or in response to questionnaire), it will request the Secretariat to send a message to members on its behalf.

Support from the Secretariat

The Secretariat will provide the secretariat for each working group. A review will be undertaken after 12 months to determine the efficiency of that working arrangement.

The role of the secretariat is limited to:

- Keeping a record of documents published or distributed by the working group
- Keeping a list of participants in the each working group

The secretariat is not responsible for reporting to the Executive Committee. It can however assist the chair of each working group in developing their reports.

Reporting requirements

In accordance with section 38 of the Charter, the working group will report on its progress to the members at the annual meeting and provide updates to the Executive Committee as required.

It is recommended that the progress report will be submitted to the Executive Committee and the Secretariat four to six weeks in advance of the annual meeting.

Within the first two months, the working group will also provide a description of its scope and proposed deliverables to be posted on the website. The Executive Committee may also request that a working group reports on its progress via a blog entry on the website.

Appendix A

Template

XX Working Group

Terms of Reference

Function and purpose

This Working Group has received mandate of *[describe how it was set up – by mandate of the Executive Committee or the conference, etc.]*. Its aim is to *[specify its main purpose]*.

Scope of activities and deliverables

The key activities and deliverables of the working group include, but are not limited to:

- *[describe the working group's likely activities and deliverables]*

Timing and reporting requirements

The working group was formed on *[state the date]* and has been mandated to *[state its main objective]* for a duration of *[state the duration]*. In accordance with the Charter, it will report back on its activities at the *[xx]* Conference in *[state the year]*.

An interim progress report will be provided to the *[xx]* Conference in *[state the year]*.

Rules of participation

Participants in the working group are committed to provide resources to assist in the work and deliverables of the working group.

Pursuant to the values of the International Conference, participants recognize the role and value that each stakeholder can bring to progress activities and deliverables. As such, the working Group is set up as a collaborative forum for participants to develop a shared vision based on clear goals and planning.

Working Group Process and Decision Making

The working group will meet at the discretion of the Chair or at the request of members. The chair will endeavour to all agendas and meeting papers are distributed in advance of the meetings

All documents adopted by the working group are shared with the secretariat for record-keeping.

Membership

The working group is comprised of the following Information Commissioners and invited observers:

[List current members here]

Any interested Information Commissioners can apply to join the working group by contacting the chair of the working group or the Secretariat. The working group may however decide to participation to a fixed number of participants.

Members of the Working Group may request to be removed from the group at any time by writing to the Chair of the Working Group or the Secretariat.

Chair

The working group is chaired by the *[name the body]*. Meetings are convened by the Chair.

Resources

The roles and responsibilities of the members of the working group are set out in a supplementary document

In carrying out its tasks, the working group may request support from external parties and consultants. Should decision be made to hire a consultant or engage with external parties, the chair of the working party will inform the Executive Committee in due time.

Any consultancy work undertaken at the discretion of one of the members of the working group does not engage any other participants in the working group or the membership. As such, Information Commissioners are not expected to make any financial contributions to assist with the deliverables under the scope of the consultancy work agreement.

Revision of these Terms of Reference

These Terms of Reference can be revised from time to time. A copy of the revised Terms of Reference must be sent to the Secretariat for record keeping.

Annex 2 - Host Application Form

Accredited members of the International Conference are encouraged to apply to host the Annual Meeting.

To apply, interested members must complete a detailed proposal addressing the various sections of the Host Application Form below.

Interested parties are encouraged to complete all sections of the Application Form even if the information requested is partially available or not yet available. In such circumstances please indicate in the relevant sections of the Application Form that the information is not yet available or incomplete and when further details will be forthcoming.

The Host Application Process is explained in detail, but all questions regarding the applications can be sent to the Secretariat at ICIC-secretariat@inai.org.mx.

Content

The Host Application Form includes details of the information sought and the scoring grid.

Each section is scored on a scale of 0 to 4.

- No information = 0
- Basic proposal = 1
- Satisfactory proposal = 2
- Good/Strong proposal = 3
- Excellent proposal = 4.

In addition, there is a list of key matters that the Assessment Panel and the Executive Committee will take into account in assessing the proposal.

Identification	
<u>Name of the proposed host/co-hosts</u>	
<u>Jurisdiction(s)</u>	
<u>Proposed location</u>	
<u>Proposed time</u>	

Section 1: Host Overview, Host Conference Experience and Organising Team (12 points)

Host Authority Details (4 points)
*Provide details of the applicant authority. Include details of when the authority was established, its size, its powers and resources and where it is based. Provide information regarding the authority’s experience with the International Conference.
Please note whether a joint or co-hosting arrangement is planned. If so, provide details of who will be the co-host and who will be the lead host participating in the Executive Committee.*

Host Authority Experience (4 points)
Provide details, if possible, on experience running conferences, hosting international meetings and other major events.

Organising Team (4 points)
Describe who will be principally responsible for organising the conference. Provide details of resources allocated to the planning of the conference, including whether capacity will be sought from within the host authority or externally. Mention whether partnerships will be sought organising the conference, including whether a panel will be convened to develop the program.

Section 2: Conference Planning (16 points)

Conference Planning (4 points)
*What is the proposed timing of the conference. Can the conference be hosted between April and June which is the preferred timing of the Closed Session to avoid conflicts with other major events in the Fall.
Describe the proposed approach to programme planning, partnerships, sponsorships, intended social events, building a website and proposed support for side events.
Provide a high-level project plan including milestones.*

Closed Session (4 points)

The host will be supported by the Secretariat in planning the Closed Session. A minimum of one day should be accounted for.

Include a summary of the proposed closed session. Provide details of what is planned for translation.

Open Session (4 points)

Holding an Open session is at the discretion of the host. If an Open session is proposed it is not necessary that the application name particular themes, topics or speakers. However, it will be helpful to outline details of the planned duration, the number of panels, the speakers, the sessions and whether the event will be a single or multi stream conference.

This is optional and will only be scored if all applications include arrangements for an open session.

Side Events (4 points)

Explain any plans to host, promote or facilitate side events (e.g. by academic or civil society).

There is usually interest from other organisations and groups (e.g. civil society and other networks) in holding small side events, so, while it is not the host's responsibility to organise such events, the proposal should contain elements about how the authority envisages facilitating these events.

Section 3: Location and Venue (16 points)

City (4 points)

Indicate in which city the conference is proposed to be held and why this location is chosen. If this has not been confirmed, provide details of possible options. Explain how the chosen venue suitable for the closed session and related events.

Venue (4 points)

Provide details of the proposed venue for the conference. What characteristics of the venue make it suitable for the conference.

Accessibility (4 points)

Provide details in accessibility for international travellers and persons with disabilities.

Accommodation (4 points)

Describe the general availability of hotels at a convenient distance to the conference venue.

Finances (8 points)

Budgeting (4 points)

Explain your plan for financing the conference and your high-level budgeting assumptions.

Indicate the estimated number of anticipated attendees. Explain what allowances can be provided to support conference speakers, civil society and academic participation, such as support for travel and accommodation.

Indicate whether a registration fee will be charged for commissioners and the range of the fee.

Sponsorship (4 points)

Indicate whether sponsorship will be sought and whether other sources of funding will be accepted. If so, explain your approach to funding. If sources of funding will be sought, provide assurances that such funding will not cause issues of conflict of interest with the membership.

Key matters

The Executive Committee will seek to satisfy itself on various matters before recommending a proposal to the Conference. In addition to the details provided above in the proposal, the Executive Committee will assess the issues listed below.

- *Advantage of the proposal*

Does the proposal provide clear advantages for the Conference of selecting the proposed host and venue?

The Applicant should provide an overview of their plans to highlight strengths of the hosting authority and experience of the organisers, benefits of the location and any special opportunities offered by holding the event at that time and in that place.

Indicate how the proposal supports the Conference's vision, mission and goals.

Explain how aspects beyond the closed session, including the open session, contribute to a good attendance, delegate involvement and a useful conference.

- *Personal safety*

Provide information on the general situation in the country in terms of political stability and general assurances regarding the personal safety of delegates in the proposed venue city and country.

- *Human Rights*

As a global network of independent authorities regulating laws providing access to public information, there is a need to consider the general situation in the country in terms of respect for human rights.

Hosting the Conference in a country with a poor human rights record may affect the Conference's reputation and the willingness of its members and individual delegates to attend. Assurances are sought in relation to the freedom for presenters to speak critically during the Conference without repercussions.

Commitment

The applicant undertakes to deliver an event that broadly conforms with the written proposal submitted and to consult the Executive Committee if a significant departure from the proposal is required.

Contact details

- *Contact name*
- *Contact email*
- *Job title/Role in the authority*
- *Contact telephone number*

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Annex 3 - Host application – Evaluation form

The table below should help members of the assessment panel to evaluate host applications submitted to the Executive Committee. It is recommended that the evaluation is conducted while reading the application form and the template in parallel as the latter details the information required under each item.

A maximum of 4 points can be attributed under each category.

Members of the Assessment Panel are asked to provide additional comments wherever possible.

The Evaluation form should be sent back to the Secretariat as early as possible and, in any event, no later than ***[to be completed by secretariat]***

Name of the applicant(s)	
Name of the panel member	
Assessor's contact details	
Date of the assessment	

<u>Category</u>	<u>Maximum points</u>	<u>Comments</u>
Section 1: Host Overview, Host Conference Experience and Organising Team		
<u>Host Authority Details</u>	<i>4 points</i>	
<u>Host Authority Experience</u>	<i>4 points</i>	
<u>Organising Team</u>	<i>4 points</i>	
Section 2: Conference Planning		
<u>Conference Planning</u>	<i>4 points</i>	
<u>Closed Session</u>	<i>4 points</i>	
<u>Open Session</u>	<i>4 points</i>	
<u>Side Events</u>	<i>4 points</i>	
Section 3: Location and Venue		
<u>City</u>	<i>4 points</i>	
<u>Venue</u>	<i>4 points</i>	
<u>Accessibility</u>	<i>4 points</i>	
<u>Accommodation</u>	<i>4 points</i>	

Section 4: Finances		
<u>Budgeting</u>	<i>4 points</i>	
<u>Sponsorship</u>	<i>4 points</i>	
Undertaking		
<u>Has the applicant committed to deliver the event alongside the terms defined in the written proposal ?</u>		<i>Yes/no</i>

Annex 4 – Resolution template

Title of the resolution	<i>Title</i>
Author(s)	<i>Name of the member authority/ies who is/are tabling the resolution</i>
Co-sponsors	<i>List of member authorities supporting the resolution</i>
Anchor to the Charter	<i>How does the resolution meet the Vision, Mission, Values or Goals of the international Conference</i>
Body of the Resolution (including rationale)	<i>Explanation as to what the resolution aims to achieve, the mandate that is sought through this resolution as well as how the objectives of the resolution will be achieved</i>
Suggestions for implementation	<p><i>Please include</i></p> <ul style="list-style-type: none"> - <i>a workplan; as well as</i> - <i>an implementation timeline</i>

Annex 5 – Request for amendment to the Charter

Name of the requesting member(s)	
Jurisdiction(s)	
Name of any co-sponsoring members	
Nature of the amendment sought	<ul style="list-style-type: none"> - <i>Substantial issue (vision, mission, goals, roles of Executive committee and other governance mechanisms, etc.)</i> - <i>For consistency purposes</i>
Reasons for the amendment	
Suggestions for the specific section of the Charter that should be amended	<i>Suggested text to replace the current version in the Charter</i>
Consideration of consequential amendments to the Charter that may be required to effect the requested change	

Annex 6 – Request for amendment to the Handbook

Name of the requesting member(s)	
Jurisdiction(s)	
Name of any co-sponsoring members	
Section(s) of the Handbook for revision	
Reasons for the amendment	
Text suggestions for the specific section of the Handbook that should be amended	<i>Suggested text to replace the current version in the relevant section of the Handbook</i>
Consideration of consequential amendments to processes that may be required to effect the requested change	

Annex 7 – Mediation and Conflict resolution form

1	Resolution process sought	<input type="checkbox"/> Mediation <input type="checkbox"/> Conflict Resolution <input type="checkbox"/> Motion <input type="checkbox"/> Motion seeking withdrawal of membership
2	The name, title and jurisdiction of the member/members seeking resolution	
3	The name, title and jurisdiction of supporting member(s), if any	
4	The names, titles and jurisdictions of the member(s) who the above parties are seeking to resolve the conflict with	
5	The nature of the conflict	
6	Any background information relevant to the matter at hand	
7	Any steps taken to resolve the issue	