



Terms of Reference and Rules of Procedure

October 2017

Preamble

1. The Members of the Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development, (hereinafter “the IGF”).
2. Mindful of the priorities of the Plan of Implementation adopted in Johannesburg in September 2002 at the World Summit on Sustainable Development aimed at the implementation of Agenda 21, particularly as they relate to mining, minerals and metals, within the context of poverty alleviation, changing unsustainable patterns of consumption and production, protecting and managing the natural resource base of economic and social development, and regional sustainable development initiatives.
3. Reaffirming their pledge to encourage partnership initiatives for implementation by all relevant participants to support the achievement of the 2030 Agenda for Sustainable Development.
4. Aware that mining, minerals and metals are essential for modern living and of the need to achieve sustainable development, so that the benefits generated today by the activities of the mining, minerals and metals sectors are shared and secured for present and future generations, that positive social and economic benefits are maximized while adverse environmental and social impacts are minimized.
5. Acknowledging that national governments must play a leading role in creating a policy and regulatory environment to enhance the contribution of mining, minerals and metals to sustainable development and of the need for them to be full participants in global debates on issues affecting the sector.
6. Mindful of the relevant work carried out at all levels by governments, intergovernmental organizations, industry, labour, non-governmental organizations and others to promote the contribution of mining, minerals and metals to sustainable development.
7. Recognizing the need for enhanced capacity by governments to better manage the areas of sustainable development that are within their prerogative.
8. Recognizing the sovereign right of States to exploit their own resources.



9. Recognizing the special characteristics of developing countries and countries with economies in transition, and the important role that mining, minerals and metals play in poverty reduction and economic and social development, and being determined to promote globally the contribution of mining, minerals and metals to sustainable development.
10. Decide on the following Rules of Procedures.
11. Meetings and other activities under the IGF will be governed by these Rules of Procedure as of October 16, 2017.

Objective

12. The objective of the IGF is to enhance and promote the contribution of the mining, minerals and metals sector to sustainable development.

Functions

13. The functions of the IGF are consultative and advisory based on the principles of voluntary partnership. The IGF will provide governments with a framework in which to discuss the opportunities provided by mining, minerals and metals and to respond to the challenges they pose. The IGF will meet to share experiences and information, to consider and to provide advice and, where appropriate, make recommendations for consideration by governments, intergovernmental bodies and others. The IGF will meet at high level or officials level, as appropriate.

General Council

14. The highest authority of the IGF is the General Council of the IGF consisting of all Members.

Meeting Frequency

15. The General Council will normally be held annually at such a date and place as the Members decide.

Meeting Agendas

16. After consultation with the Executive Committee, the Secretariat will draft a provisional agenda for each General Council. The Head of the Secretariat, in consultation with the Executive Committee, will communicate notice of General Councils and provide the provisional agenda for the meeting to the Members at least 60 days in advance.
17. Members may propose items for the provisional agenda. The Chair of the Executive Committee will propose the agenda for approval by members at the beginning of the General Council.

Meeting Delegates

18. Each Member will endeavour to notify the Secretariat no later than 30 days before the commencement of the General Council of the names of the delegates, alternates and advisers designated to represent it at a session.



Quorum

19. The majority of the Members of the IGF will constitute a quorum for any meeting of the General Council.

Decision

20. All decisions related to the functions or work of the General Council will be approved by consensus of Members present. If consensus cannot be achieved, the Chair can call for a vote and a decision will be approved by a majority of three quarters of the Members present and voting.

Report and Record

21. The Secretariat may, in consultation with the Executive Committee, prepare reports for consideration by Members at the General Council.

22. The Secretariat will prepare a summary of the meetings of the General Council.

Executive Committee

23. The Chair, five Vice-Chairs and the Head of the Secretariat (as an ex officio member), constitute the Executive Committee, which is the executive body of the IGF. The Chair and Vice-Chairs sit as representatives of their Member States and will not receive remuneration from the IGF.

Roles of the Chair

24. The Chair will:

- Preside over the General Council and the Annual General Meeting;
- Preside over Executive Committee meetings;
- Present the Executive Committee's activities to the General Council;
- Represent the Executive Committee in external matters;
- Monitor the implementation of the decisions of the Executive Committee and General Council by the Secretariat;
- Foster collaborative relationships between Members, the Executive Committee, the Secretariat and external stakeholders.

Roles of the Executive Committee

25. The Executive Committee shall act in the best interests of the IGF at all times. With support from the Secretariat, the Executive Committee will:

- Report or make recommendations to the Members as it sees fit;
- Agree on the arrangements for the General Council and provide guidance on nominations for Executive Committee elections;
- Consider and advise Members on general and specific policy issues affecting the IGF;
- Carry out functions delegated by General Council, and report to Members on these functions as appropriate;



- Oversee the activities of the Secretariat;
- Consider any recommendations by Subsidiary Committees.

26. The Executive Committee should meet in person once per year at the General Council, and by telephone conference quarterly or as necessary.
27. An Executive Committee meeting will be convened by written notification from the Chair, through the Secretariat, with at least 14 days' notice.

Elections

28. The Members will elect a Chair and five Vice-Chairs for a period of two years at the General Council. The Chair and Vice-Chairs may each be re-elected for an additional term. The General Council will endeavor to take into account regional and membership representation during the election process.

Prolonged Vacancy or Premature Departure of Executive Committee Members

29. If an Executive Committee Member is absent from three consecutive meetings without providing justification to the Chair, the Executive Committee may, after consultation with the Member, instruct the Secretariat to arrange an election for the vacant position.
30. If a Member of the Executive Committee decides to depart before the end of their term, they must inform the Chair of this decision. The Executive Committee may then instruct the Secretariat to arrange an election for the vacant position.

Executive Committee Decision Making

31. The Executive Committee will make every effort to make decisions by consensus. If consensus cannot be reached, decisions will be taken by a vote of at least five of the elected Executive Committee members. Voting can be carried out verbally or in writing.
32. If the Chair is unable to preside over an Executive Committee meeting or General Council, the Executive Committee members present may agree to appoint another Executive Committee Member to chair the meeting in question.

Special Meetings

33. The Members may hold a Special Meeting of the General Council whenever so requested by a majority of the Members, the Executive Committee or the Head of the Secretariat with the consent of the Chair. Notice of the request accompanied by a statement of the reasons for calling the meeting will be given immediately to all Members.
34. Notice of special meetings will be communicated at least 45 days in advance and will state the nature of the issues to be discussed.



35. The rules of procedure during Special Meetings will be the same as the rules of procedure applicable for General Councils.

Subsidiary Committees

36. The General Council or the Executive Committee may establish Subsidiary Committees.

37. Subsidiary Committees may include but are not limited to task forces, working groups and committees. The membership of a Subsidiary Committee will be decided by Members or the Executive Committee at the time of its creation and revisited at each General Council. Geographic representation of Subsidiary Committee members will be considered where appropriate.

38. Non-members can be included in Subsidiary Committees, if deemed appropriate by the Members or the Executive Committee, in order to capture the benefits of broader multistakeholder participation.

39. Meetings may be held via teleconference. Minutes will be prepared and made available to Members.

40. Subsidiary Committees will report to the Executive Committee and to Members at the General Council.

41. Subsidiary Committees do not have decision-making powers.

Secretariat

Responsibility for the Secretariat

42. The International Institute for Sustainable Development is contracted to serve as the Secretariat of the IGF.

Roles and Functions of the Secretariat

43. The Secretariat will:

- Perform the administrative functions of the IGF;
- Prepare reports on the IGF's activities, funding arrangements and expenditures;
- Distribute reports and other documentation;
- Communicate on a regular basis, and on the website, on the activities of the IGF;
- Arrange meetings on the instructions of the Executive Committee;
- Perform other tasks as assigned by the General Council.



Membership

44. Any Member State of the United Nations may become a Member of the IGF. Formal written notification of acceptance of these Rules of Procedure by the national minister with primary responsibility for the development of the mining, minerals or metals sector, or the national minister with responsibility for the conduct of international affairs in the sector, must be provided to the Secretariat.
45. Each Member of the IGF will designate one focal point for the Secretariat.
46. A Member may withdraw at any time by providing written notice of withdrawal to the Secretariat. Written notice must be provided by the national minister with primary responsibility for the development of the mining, minerals or metals sector, or the national minister with responsibility for the conduct of international affairs in the sector.

Communications and External Relations

47. The Secretariat will be responsible for day-to-day communications and relations with the Executive Committee, Members and key stakeholders. The Secretariat will strive to promote the IGF and in consultation with the Executive Committee and Members, and build partnerships with external stakeholders, such as the United Nations and other international organizations, industry and civil society. The Secretariat will regularly update the IGF website and produce an annual report to document the activities and progress of the IGF.

Observers, Experts and Advisors

48. Members may decide to invite non-Members to participate as Observers in the General Council.

Observers

49. Observers may include:
- Relevant United Nations bodies and specialized agencies;
 - Member States of the United Nations that are not members of the IGF;
 - Other relevant intergovernmental and governmental organizations.
50. The Executive Committee may decide to invite non-Members to participate as Observers in meetings of the Executive Committee. The Chair of the Executive Committee may decide, where appropriate, that particular meetings, or parts of meetings, will be held without the attendance of Observers or that specific documents will not be made available to Observers.
51. The Secretariat will notify Observers of the meetings in which they may participate.
52. Observers will not have voting rights at General Council or the Executive Committee meetings. At the discretion of the Chair, Observers may be invited to present oral or written statements, submit relevant documents or provide views on issues under discussion.



Experts and Advisors

53. The Executive Committee, in consultation with the Secretariat, may invite other relevant groups or individuals to participate as Experts or Advisors in the activities of the IGF, as the agenda or work program may require. Experts and Advisors do not have the right to vote.
54. The Secretariat will notify Experts and Advisors of the meetings in which they may participate.
55. The Chair of the Executive Committee may decide, where appropriate, that particular meetings, or parts of meetings, will be held without the attendance of Experts or Advisors, or that specific documents will not be made available to Experts or Advisors.

Working Languages

56. English is the working language of the IGF for all meetings and all documents. To the extent possible, efforts will be made to provide documents in other languages.
57. Members may provide, at their own cost, interpretation and translation into and from languages other than English.

Financial Management

58. The IGF is an intergovernmental organization. The activities of the IGF will be supported through voluntary financial and in-kind contributions from Members, bilateral and multilateral donors, international financial institutions and other agencies, organizations and entities.
59. Funds held by the IGF may be used for any activity falling within the objectives and work plans of the IGF.

Review and Amendment of the Rules of Procedure

60. The Rules of Procedure can be reviewed or amended by consensus of Members at the General Council. If a consensus cannot be achieved, a Member can call for a vote and a decision will be approved by a majority of three quarters of the Members present and voting at the General Council. Proposed amendments must be circulated by the Secretariat to all Members at least 90 days in advance of a General Council.

Disputes Concerning the Rules of Procedure

61. The IGF does not create any legally binding obligations between or among its Members. None of the recommendations or decisions of the IGF are legally binding.
62. Disputes concerning the interpretation or application of these Rules will be referred to the Chair for decision by the Executive Committee.