THE VARIETY, IMPLEMENTATION AND COORDINATION OF INTERNATIONAL INSTRUMENTS

Report by focal points

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Working Group 1 on the variety of international instruments

What do we talk about when we talk about love?

Our ambition

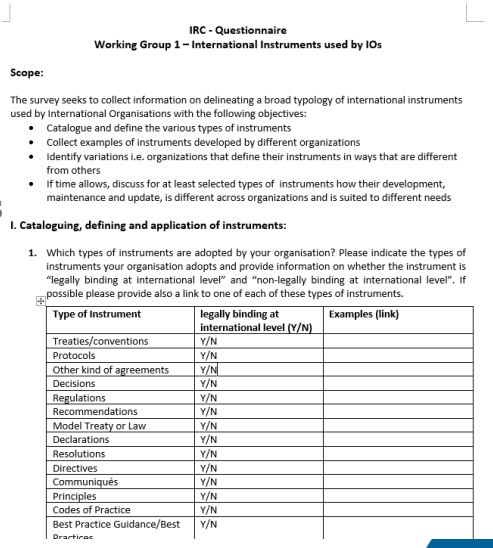
- Increased understanding of terms related to toolbox of international instruments developed by IOs
- Not try to "harmonize" or impose a common terminology
- Delineate a broad typology of international instruments

Two key issues for discussion

- What do we do:
  - Collecting examples of instruments (binding/non binding)
  - Comparing definitions
  - Understand our differences (i.e. role of non-members and of different stakeholders)
- How do we do it:
  - Do we develop i.e. a convention in the same way as a i.e. a standard?
  - Which tools are better adapted to which needs? Why (timing, inclusiveness, etc) ?
  - How was the development process of the different tools agreed to?
  - How is coherence between the different tools upheld?

Work plan

- Finalization of the questionnaire
- Collect different definitions of international instruments – inputs from Member States and Academics are welcome
- Compilation and discussion of the replies and findings of the questionnaire



IRC - Questionnaire
Working Group 1 – International Instruments used by IOs

Scope:

The survey seeks to collect information on delineating a broad typology of international instruments used by International Organisations with the following objectives:

- Catalogue and define the various types of instruments
- Collect examples of instruments developed by different organizations
- Identify variations i.e. organizations that define their instruments in ways that are different from others
- If time allows, discuss for at least selected types of instruments how their development, maintenance and update, is different across organizations and is suited to different needs

I. Cataloguing, defining and application of instruments:

1. Which types of instruments are adopted by your organisation? Please indicate the types of instruments your organisation adopts and provide information on whether the instrument is "legally binding at international level" and "non-legally binding at international level". If possible please provide also a link to one of each of these types of instruments.

Type of Instrument	legally binding at international level (Y/N)	Examples (link)
Treaties/conventions	Y/N	
Protocols	Y/N	
Other kind of agreements	Y/N	
Decisions	Y/N	
Regulations	Y/N	
Recommendations	Y/N	
Model Treaty or Law	Y/N	
Declarations	Y/N	
Resolutions	Y/N	
Directives	Y/N	
Communiqués	Y/N	
Principles	Y/N	
Codes of Practice	Y/N	
Best Practice Guidance/Best Practices	Y/N	

Working Group 2 on strengthening the implementation of IO instruments

Key issues	Objectives
Collect and define the various mechanisms used by IOs to facilitate the implementation of IO instruments	**1 Preparation of a survey** ⇨ Build **typology** of mechanisms ⇨ Identify **operational modalities and actors** involved in each mechanism
Assess each mechanism, depending on the nature of IO instruments	**2 Analysis of the survey** ⇨ Evaluate **frequency and challenges** associated with the various mechanisms

Working typology of implementation mechanisms

Assistance mechanisms
- *Providing support to members in the implementation of IO instruments*
  - Technical assistance
  - Financial assistance

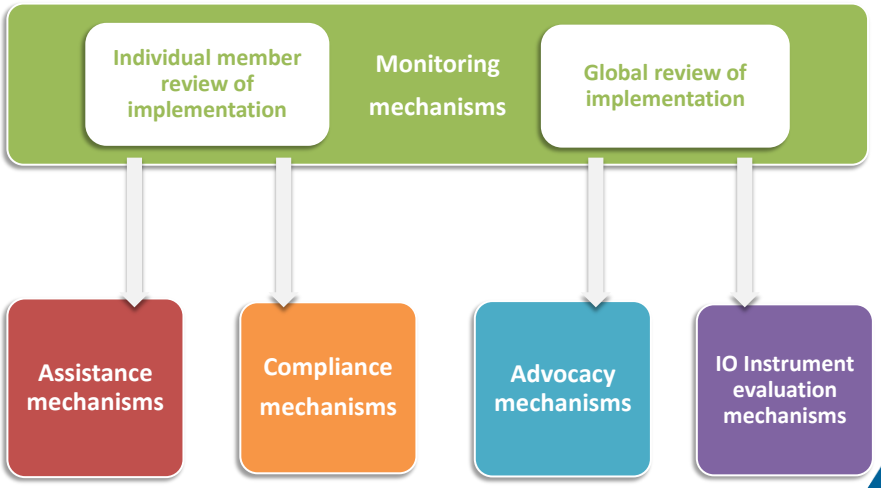
Compliance mechanisms
- *Verification of implementation of IO instruments*
  - Multilateral recognition of conformity
  - Multilateral procedure in case of non-compliance

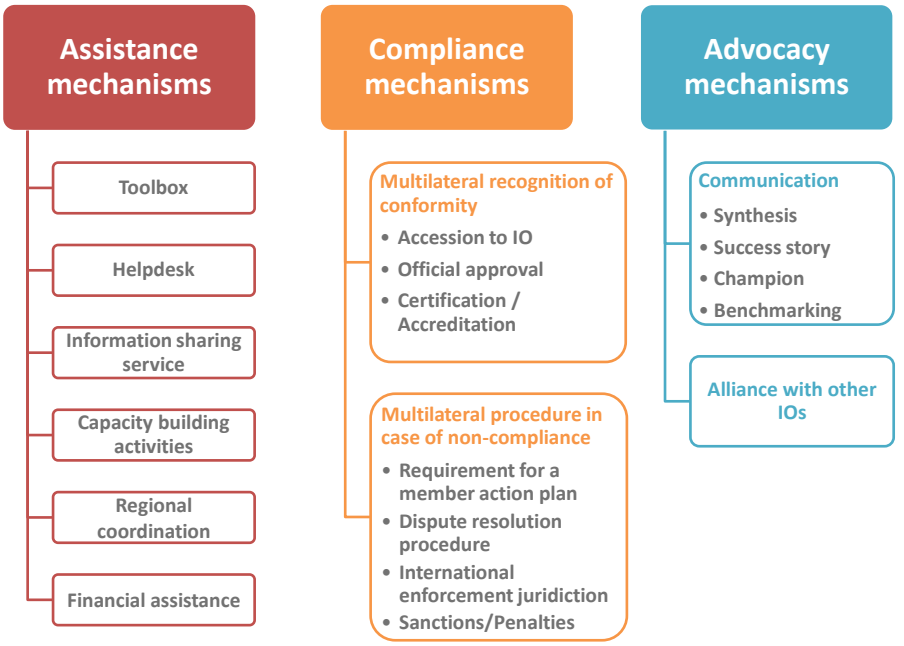
Advocacy mechanisms
- *Enhancing the visibility of IO instruments, their relevance in a broader context and ultimately foster ownership by members*
  - Communication
  - Alliance with other IOs

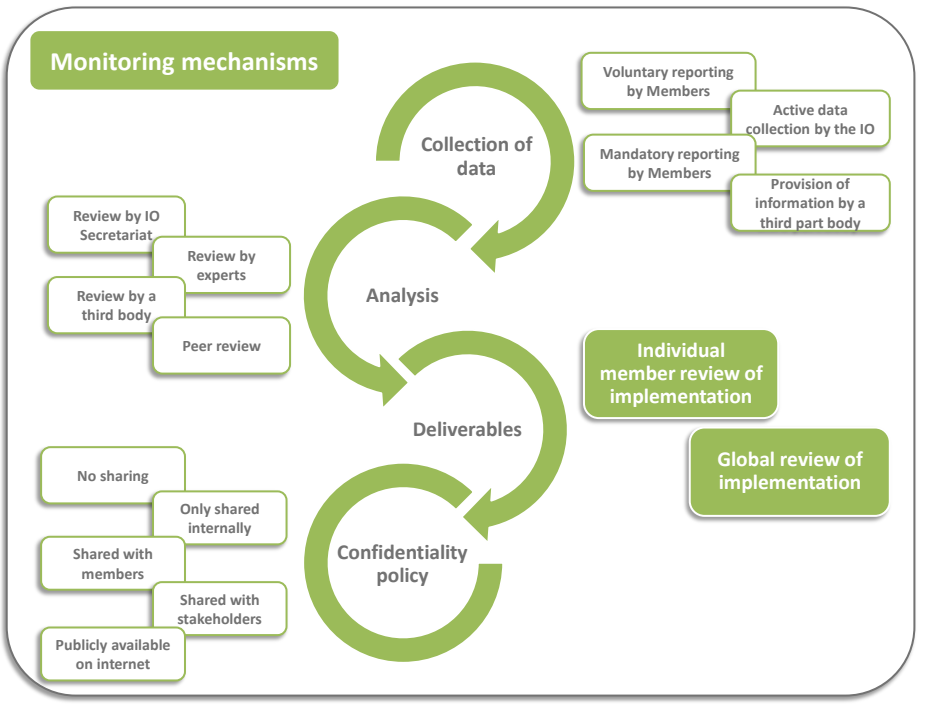
IO instrument Evaluation mechanisms
- *Evaluate the impacts and relevance of IO instruments (See WG 4)*

Monitoring mechanisms
- *Tracking and measuring the use of IO instruments by members :*
  - Individual member review of implementation
  - Global review of implementation

Interaction between mechanisms




Assistance mechanisms
Toolbox
Helpdesk
Information sharing service
Capacity building activities
Regional coordination
Financial assistance
Compliance mechanisms
Multilateral recognition of conformity
• Accession to IO
• Official approval
• Certification / Accreditation
Multilateral procedure in case of non-compliance
• Requirement for a member action plan
• Dispute resolution procedure
• International enforcement juridiction
• Sanctions/Penalties
Advocacy mechanisms
Communication
• Synthesis
• Success story
• Champion
• Benchmarking
Alliance with other IOs


Monitoring mechanisms
Collection of data
Voluntary reporting by Members
Active data collection by the IO
Mandatory reporting by Members
Provision of information by a third part body
Analysis
Review by IO Secretariat
Review by experts
Review by a third body
Peer review
Deliverables
Individual member review of implementation
Global review of implementation
Confidentiality policy
No sharing
Only shared internally
Shared with members
Shared with stakeholders
Publicly available on internet

Working Group 5 on coordination among IOs

- **Focus**: review and assess the best practices on coordination among International Organisations
- **Context**: comprehensive policies involve the coordinated efforts of IOs.
- **Objective**: WG5 aims to exchange information and practices on how IOs currently foster coordination and cooperation to address specific challenges.
- Both soft and hard instruments for coordination will be explored.

Key issues for discussion under WG5

- **Identifying** instruments, practices and experiences of IOs in support of coordination
- **Identifying** the main challenges IOs face in their coordination efforts.
- **Evaluating** the advantages or disadvantages of different coordination mechanisms and the impact on international rule making
- **Determining** the factors of success in cooperation among IOs

The questionnaire

- **Part I**: Identifying the reasons behind co-ordination efforts
- **Part II**: Analysing the formal instruments for coordination
  - Problems in implementation
  - Adaptability of instruments
- **Part III**: Analysing practices for coordination
  - Difference between formal and practice
  - Applicability
  - Problems in implementation
  - Adaptability of practice
- **Part IV**: Monitoring, typology and success stories

Session 1 – Key issues for discussion

- What is the **state of play** of international norms and standards and remaining gaps?
- How to **enhance the implementation** of IO norms and standards?
- When is **stronger coordination among international organisations** needed and how to make it happen?