

GLOBAL REFUGEE FORUM LEGAL COMMUNITY PLEDGE CORE GROUP

TERMS OF REFERENCE

May 2021

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GENERAL

1. At the inaugural Global Refugee Forum (“GRF”) in 2019, the legal community came together to Pledge to work collectively to address the unmet legal needs of refugees, asylum-seekers, stateless persons, and other forcibly displaced persons (“refugees and others forcibly displaced”). Law firms, bar associations, and corporations joined the Pledge - together with legal and community empowerment organizations - to support efforts to protect and find solutions for refugees and others forcibly displaced in solidarity with each other and other stakeholders as part of a multi-stakeholder and partnership approach. The Pledge entitled ‘Mobilizing the Global Legal Community to Protect and Find Solutions for Refugees and Others Forcibly Displaced’ is also known as the Global Refugee Forum Legal Community Pledge.
2. This document defines the Terms of Reference (TOR) for the Core Group established to provide strategic guidance to support implementation of this pledge. It also defines the relationship with other related entities, including working groups and the ‘Backbone Team’, which is currently hosted by PILnet. The TOR has been developed and agreed by the Core Group members in a consultative manner.
3. The Core Group have drafted these TORs, on an interim measure, on the understanding that sustained efforts will be made by the Core Group to develop a more formalized structure for governance, strategy development, coordination and back bone support for the Pledge. This TOR will remain in place until such a structure is established.

STRUCTURE

4. Support for implementation of the Pledge is coordinated by the following entities:
 - a. The Core Group
 - b. The Working Groups
 - c. The Backbone Team (PILnet staff, including the Global Project Coordinator)
5. A table at Annex 2 provides a comparative overview of the different areas of responsibility across these three groups.

ROLES AND RESPONSIBILITIES OF THE CORE GROUP

6. Implementation of the Pledge is primarily the responsibility of the civil-society organizations, firms, and other signatories that joined the Pledge. The role of the Core Group is to provide overall strategic guidance to support implementation of the pledge, in a manner that engages with and is driven by the stakeholders who have signed on to the joint Pledge (the “pledgers”).
7. As such, **the Core Group** envisions undertaking overall support and coordination activities, including, but limited to, the following:
 - a. Developing and approving the overall strategic vision of the Core Group’s work to support implementation of the Pledge;
 - b. Providing input into the development of a collective Core Group Work Plan and its implementation, and related technical products;

- c. Developing and guiding subsidiary strategies for stakeholder engagement, advocacy, fundraising, communications, and other key aspects of the initiative;
- d. Supporting stakeholder engagement and communications through members' activities and staff capacity;
- e. Establishing and providing oversight and strategic guidance to Working Groups and potentially other formal or ad hoc bodies developed to advance work on certain issues or in geographic areas;
- f. Advancing and supporting the initiative through collective action, with individual members carrying out assigned tasks; and,
- g. Co-developing a monitoring, evaluation and learning (MEL) plan and reviewing MEL information collated by the Backbone Team.

8. The responsibilities of the **Core Group members** are:

- a. Actively support and participate in the work of the Core Group and fulfillment of the agreed strategies;
- b. Understand and adhere to this TOR;
- c. Lead, participate in, and/or designate colleague(s) from the member's organization to participate in activities to support implementation of the GRF Legal Community pledge, for instance through involvement in a Working Group, regional engagement process, or specific sub-tasks within these;
- d. Conduct 'inreach' within the member's organization or stakeholder group to create awareness of, foster constructive discussions about, and ultimately build support for the GRF Legal Community Pledge and related initiatives as they progressively develop over time, including through sharing key documents/resources developed;
- e. Offer timely and constructive input on ideas and draft documents being considered by the Core Group to help accelerate the consensus-building process, including by recommending that task teams be created to address certain topics;
- f. Regularly participate in Core Group virtual meetings, as well as one annual Core Group convening to progress collective work and contribute to decision-making; and,
- g. Follow-up in a timely manner to requests and tasks allocated (including providing feedback on key documents, emails, etc).

ROLES AND RESPONSIBILITIES OF THE CORE GROUP'S WORKING GROUPS

- 9. The Core Group can establish Working Groups to lead on certain areas of geographic or thematic focus or strategic priorities or activities aligned with the agreed Common Agenda. It can also identify focal points from within the Core Group, if it deems it necessary, to provide input on certain areas and/or to take forward discrete pieces of work.
- 10. The coordination and implementation of the Core Group's work and fulfillment of the agreed strategies will generally be undertaken through Working Groups. Working Groups can include non-Core Group members and non-Pledgers relevant to the workstream or activity (e.g. UNHCR, law firms, NGOs/CBOs).
- 11. The responsibilities of the Core Group's **Working Groups** include:

- a. Lead on the development and implementation of strategies and work plans in relation to the area(s) of agreed responsibility.
 - b. Where relevant, engage pledgers and local legal communities, and support existing good practices, in order to facilitate the ability of local/national/regional organizations to design effective approaches to forced displacement, including by assisting with mobilizing resources for these organizations;
 - c. Report to the Core Group on Work Plan progress with respect to respective geographic/thematic areas;
 - d. With support from the Backbone Team, lead stakeholder engagement related to the work in that geographic or thematic area;
 - e. In coordination with the Backbone Team, undertake communications related to the Core Group's work in that geographic or thematic area; and,
 - f. Contribute to the development, review and data collection related to the monitoring, evaluation and learning (MEL) plan, in the geographic or thematic area.
12. Cognizant that the Pledge is in a growth stage and governance should be flexible and able to respond to relevant legal needs and other developments, the Core Group envisages that Working Groups can be established and disbanded upon agreement of the Core Group .
 13. Working Groups should document decisions made in meeting minutes and should be added to the decision log and e be clearly communicated to the Backbone Team (where they are not involved in note-taking).

ROLES AND RESPONSIBILITIES OF THE BACKBONE TEAM

14. The Backbone Team will liaise closely with the Core Group and its associated Working Groups to ensure timely and well-coordinated progress. The Backbone Team is currently hosted by PILnet and led by the Global Project Coordinator.
15. The roles and responsibilities of the Backbone Team are as follows:
 - a. Support the development of Core Group and Working Group strategies;
 - b. Coordinate the implementation and delivery of the annual Work Plan agreed upon by Core Group members and engage Working Groups on the delivery of identified tasks;
 - c. Coordinate the development of any agreed collaborative activities, such as tools, trainings, guidance materials, policy and advocacy papers (unless otherwise agreed with identified focal points and/or Working Groups);
 - d. Act as the focal point for all engagement with UNHCR;
 - e. Manage, coordinate, and act as the public face of the initiative; coordinate and support all stakeholder engagement;
 - f. Lead on internal and external communications, including by supporting development of a communications strategy, coordinating all communications work, and leading the execution of key elements of the communications program, including website, media, and branding;
 - g. Engage proactively with stakeholders who have signed on to the joint Pledge (the "pledgers") and conduct outreach to other actors with the overall aim of bringing in more pledgers,

- especially in the Global South, and expanding the type of actors involved in the pledge, including local legal aid providers, and refugee-led organizations and leaders;
- h. Host the Global Project Coordinator and other staff, including by providing contractual support, office space and equipment, distribution of salary, benefits and implement program management roles consistent with overall strategy; take operational decisions about budget, personnel and coordination;
 - i. Utilize its networks and resources in furtherance of the pledge, as agreed (e.g. to utilize the PILnet website, newsletters and events to publicize the pledge);
 - j. Organize regular virtual and annual in-person meetings of the Core Group and keep Core Group members abreast of any significant developments in the interim;
 - k. Coordinate fundraising initiative-wide, including engaging with existing donors and leading on fundraising efforts;
 - l. Co-develop Monitoring, Evaluation and Learning Plan (MEL), communicate MEL information to Core Group and Working Groups, wider Pledge community funders and others. Coordinate data collection and analysis from Working Group activities and act as the central repository for information pertaining to the implementation of the pledge; and,
 - m. In the absence of the Core Group having legal standing, sign contracts on behalf of, or otherwise represent the Core Group, where necessary.

CORE GROUP MEMBERSHIP

- 16. The Core Group was born out of a number of organizations and individuals that came together to lead on the development of the GRF Legal Community Pledge in December 2019. Core Group members are individuals, who in most cases serve with the intent of representing the interests and perspectives of an organization or group of stakeholders of which they are part. Current membership is listed in Annex 1 - Current Core Group Membership (December 2021).
- 17. The existing Core Group members are committed to growing the Core Group to include a progressively more diverse range of members, reflective of the global scope of the Pledge and the diverse range of stakeholders involved in its implementation. In particular, the Core Group commits to ensuring progressively greater representation from initiatives led by people with experience of being forcibly displaced and, in the interim, to work with such individuals to achieve this aim.
- 18. Members may be added as follows:
 - Step 1: Core Group members identify an organization, group of stakeholders, or individual that they believe would be important to include in the Core Group, generally based on the overall strategy of the Core Group and geographic or other areas of focus. Backbone Team staff or a Core Group member approaches the organization or engages the group or stakeholder to invite them to nominate a representative to serve on the Core Group.
 - Step 2: The organization or stakeholder group nominates a candidate representative to serve on the Core Group.
 - Step 3: The Core Group decides whether to approve the addition of the candidate member, at its quarterly meetings, in accordance with the decision making process outlined at paras 22-28. A new member is considered formally added once the Core Group approves the addition and once the

member acknowledges and agrees to these Terms of Reference, either in writing or via verbal affirmation during a Core Group meeting, with such affirmation being recorded in the meeting summary.

19. If stakeholders self-identify as being interested in joining the Core Group, PILnet or a Core Group Member will raise this with the Core Group and a decision regarding membership will be made as outlined at para 18. The Core Group shall review its membership on a quarterly basis and may add new members as per the process outlined in para 18.
20. If an organization or stakeholder group no longer wishes to be represented on the Core Group, the corresponding member may resign at any time, either by writing to the Project Coordinator and/or upon discussion with the Project Coordinator.
21. The Core Group may ask a member to resign, or may expel a member, under any of the following scenarios of breach of member responsibility:
 - a. If the member behaves in a way that actively undermines the objectives, strategy, or integrity of the Core Group; or
 - b. If the member consistently fails to fulfill the set of member responsibilities as described at para 8, including frequent absences from meetings; or
 - c. If the member engages in conduct unbecoming of a member - e.g., misleading, deceptive, bullying, harassment, threatening.

In any of the above scenarios, if appropriate, before proceeding with a request to resign or an expulsion, the Core Group or Backbone Team will attempt to work with the member to amicably and effectively remedy the matter of concern. In relation to any decision-making in regards to expulsion, any member will be afforded natural justice.

19. Stakeholders who want to remain apprised of the activities of the Core Group but do not want to join the Core Group can sign up for the mailing list to receive regular news updates on activities of the Core Group, invitations to engage in particular opportunities and any new relevant resources.

METHODS OF WORKING AND COOPERATION

20. The work of the Core Group is coordinated by the Global Project Coordinator, hosted by PILnet. Other PILnet staff members are involved in the implementation of the programme (e.g. by providing financial management or communication support). Collectively these staff members represent the 'Backbone Team'.
21. The Core Group may establish Working Groups on an ad hoc basis, and/or focal points for particular initiatives, if deemed appropriate and necessary. Working Groups may be established during regular meetings and/or via email. Each Working Group will establish its own method of working and will agree with PILnet as to the degree of backbone support required; coordination need not be led by PILnet.

CORE GROUP MEETINGS AND DECISION-MAKING

22. The Core Group may make decisions either during a meeting or through email. Where possible, decisions will be made during meetings to allow for discussion. However, when a decision needs to be made in the interim, it can be put to the Core Group via email.
23. *Quarterly Meetings:* The Core Group will meet quarterly, at a time agreed by members. All Members are expected to join every Core Group Meeting where possible. An agreed agenda will be prepared and shared in advance of every quarterly meeting, with any requested decisions highlighted. Any member can propose agenda items for discussion at the meeting. A final agenda will be approved at the beginning of each quarterly meeting. Minutes highlighting all decisions made will be circulated within 1 week of each quarterly meeting.
24. *Other Meetings:* Regular or special meetings of the Core Group may be held at any time agreed by members
25. All meetings are generally virtual, however, the Core Group will strive to hold in-person meetings on occasion when an opportunity may arise. Given the different locations and time zones of members, efforts will be made to accommodate schedules, but members are asked to be flexible to participate in potentially inconveniently timed quarterly meetings. In the event that a meeting time cannot be found which is suitable to all Core Group members [e.g. anything that starts before 6am or ends after 12am is deemed unreasonable] the Backbone Team will ensure that the Core Group members unable to attend have a list of the decisions to be made and will seek their input, in advance of the meeting. Any input received will be shared with all Core Group Members participating in the Meeting for their consideration.
26. For **decisions made at a meeting:**
- *Quorum:* 50% or more of the entire Core Group shall constitute a quorum. Decisions can be made and considered final at any meeting when there is quorum.
 - *Consensus-based decision-making at a Meeting:* The Core Group will strive to make decisions by consensus. Consensus means that all members present (if quorum is met) are either supportive of a proposed decision or are not fully supportive but choose not to block the group from taking a unanimous decision.
 - *Recorded dissent:* In the event that one or more members are not fully supportive of a decision but choose not to block it, such member(s) may choose to have their dissent and the reason for it recorded.
 - *Abstaining:* Members may also abstain from a pending decision, which also shall not prevent a decision from being considered to have been taken by consensus.
 - *Voting at a Meeting:* In the event that a consensus cannot be reached at a Core Group meeting, a Core Group Member may request that a decision be put to a vote.
 - The decision shall be affirmed if 50% or more of the Core Group members attending the meeting, if quorum is met, agree with the proposed decision.

- Each organization (or individual if only a single individual member) will have one vote.
- *Presumption of Assent:* The lack of input on a proposed decision when such input is specifically invited during a Core Group meeting shall be construed as support for the proposed decision.
- All decisions will be kept in a decision log and clearly outlined in meeting minutes. Decisions can be actioned immediately. In the event that any members are absent from a meeting where a decision is taken, should they disagree with the decision, they have two weeks to raise an objection to that decision once it has been communicated to them. In the event that there is an objection to the decision made, the BackBone Team will discuss this further with the objecting member and suggest a way forward. As Core Group members are expected to be present at all meetings, repeated absences and objections to decisions made are not permissible.

27. For **decisions made by email:**

- Any action which could be taken at a meeting may be taken without a meeting through virtual correspondence over email.
- *Consensus-based decision-making over Email:* The Core Group will strive to make decisions by consensus. Consensus means that all members are either supportive of a proposed decision or are not fully supportive but choose not to block the group from taking a unanimous decision.
 - *Recorded dissent:* In the event that one or more members are not fully supportive of a decision but choose not to block it, such member(s) may choose to have their dissent and the reason for it recorded.
 - *Abstaining:* Members may also abstain from a pending decision, which also shall not prevent a decision from being considered to have been taken by consensus.
- *Voting over Email:* In the event that a consensus cannot be reached for decisions sought over email, a Core Group Member may request that a Meeting be called, or that the decision be put to the vote.
 - The decision shall be affirmed if 50% or more of the Core Group members agree with the proposed decision.
 - Each organization (or individual if only a single individual member) will have one vote.
- *Presumption of Assent:* The lack of input on a proposed decision when such input is specifically invited over email by a specific deadline (a standard of 5 days for response will be provided, but in situations of urgency, a shorter deadline can be provided and explicitly highlighted to the members) shall be construed as support for the proposed decision. Opposition must be explicitly expressed.

WORKING GROUP DECISION-MAKING

28. Working Groups can be established and disbanded and delegated authority to make decisions within the mandate of that Working Group.
- Working Groups will generally adhere to the same decision-making requirements outlined for the Core Group, but limited to the membership of that Working Group. If an alternative

decision-making process is adopted, this should be communicated to the Core Group at the next Core Group meeting.

- No consultation or approvals are needed with the whole Core Group before a decision is made regarding matters within the mandate of the Working Group. As a general principle, however, if the Working Group has reason to believe that the decision being discussed will have a significant effect on the work of others or is beyond the scope of the working group, the Working Group should draw it to the attention of the Core Group and seek its input and advice.

COMMUNICATION, LOGOS AND BRANDS

29. Communication to and among the Core Group as a whole shall take place primarily via e-mail as well as during meetings. For the sake of efficiency, and given limited time available for in-person and virtual meetings, e-mail will sometimes be used to collect member input on pending matters, or to take formal Core Group decisions. Members are asked to review such materials and respond promptly to requests for input so that decisions taken and guidance provided over email reflect the consensus of the members.

30. Presently, there is no unique identity, logo or associated branding elements related to the Pledge or Core Group that are distinct from those of any of the Core Group member organizations. As the coordinating body and Backbone Team for the pledge, PILnet will utilize its name, logos, or other branding elements in relation to communication associated with the pledge, where appropriate. However, PILnet or the Core Group may propose to use the names, logos, or other branding elements of Core Group member organizations in communications related to the Pledge in order to jointly publish certain communication materials. Such use will occur only if the Backbone Team has received approval from each respective Core Group member. Core Group members are encouraged to inform the Backbone Team proactively of any specifications or limitations regarding use of names or logos of their respective organization so that communications materials may be designed with these considerations in mind.

ANNEX 1

Core Group Membership (as of May 2021)

- [Act for Peace](#)
- [Asia Pacific Refugee Rights Network](#) -
Legal Aid and Advocacy Working Group
- [Center for the Protection of Refugees and
International Migrants \(CEPREMI\)](#)
- [Danish Refugee Council](#)
- [HIAS](#)
- [Justice Centre Hong Kong](#)
- [PILnet](#)
- [Refugee Legal](#)
- [Refugee Solidarity Network](#)
- [Stacy Topouzova \(Individual\)](#)
- [Saint Andrews Refugee Service](#)
- [KIND](#)
- [FJSS Group](#)

ANNEX 2

Responsibilities Table

The following table defines the complementary roles of the Core Group, its Working Groups and the Backbone Team with regard to technical work, decision-making, and other activities to advance the initiative.

Function	Role of the Core Group	Role of Working Groups	Role of Backbone Team
Setting strategy for the initiative	Develop and approve the initiative's overall strategic vision.	Develop strategies related to the relevant work-streams and contribute to the development of the overall strategic vision.	Support the development of Core Group (and where appropriate, working group) strategies.

<p>Developing work plans and related technical products</p>	<p>Provide input into work plan development and implementation and related technical products.</p>	<p>Develop and implement work plans; report on progress to the Core Group.</p> <p>Lead the development of any agreed collaborative activities, such as tools, trainings, guidance materials, policy and advocacy papers.</p>	<p>Lead on the implementation and coordination around the delivery of the annual work plan agreed by the Core Group and engage Core Group members on the delivery of identified tasks.</p> <p>Support with the development of any agreed collaborative activities, such as tools, trainings, guidance materials, policy and advocacy papers .</p>
<p>Stakeholder engagement</p>	<p>Co-develop and approve stakeholder engagement strategy; contribute substantially to stakeholder engagement through members’ activities, networks and events.</p>	<p>With support from the backbone team as agreed, lead stakeholder engagement related to the relevant geographic area or area of focus.</p>	<p>Manage, coordinate and act as the public face of the initiative, coordinate and support all stakeholder engagement.</p> <p>Act as the focal point for all engagement with UNHCR.</p> <p>Engage proactively with stakeholders who have signed on to the joint pledge (the “pledgers”) and conduct outreach to other actors with the overall aim to bring in more pledgers;</p>
<p>Communications</p>	<p>Co-develop and approve communications strategy; support communications through members’</p>	<p>In coordination with the Backbone Team, undertake communications related to the area of responsibility.</p>	<p>Support development of a communications strategy; coordinate all communications work; lead the execution of key elements of the communications program,</p>

	activities and staff capacity.		including website, media, and branding.
Program management, including budget and personnel management	Establish and provide oversight and strategic guidance to geographic subgroups and potentially other formal or ad hoc bodies developed to take forward work on certain issues or in geographic areas; including through development and approval of strategies (as noted above) .	Provide programmatic input upon request.	Implement program management roles consistent with strategies approved and guidance provided by the Core Group; take operational decisions about budget, personnel & coordination.
Fundraising	Support fundraising efforts related to the established work plans and more broadly to support implementation of the pledge; each member leads fundraising for efforts where that member is best positioned to lead.	Support fundraising efforts related to working group tasks.	Coordinate fundraising initiative-wide; lead fundraising efforts where backbone team is best positioned to lead.
Monitoring, evaluation and learning (MEL)	Co-develop MEL plan with the backbone team. Review MEL information and incorporate when reviewing strategy.	Participate in and support MEL activities for working group activities, including contribute to development, review and data collection related to the MEL plan in their geographic areas of interest.	Co-develop MEL plan with Core Group. Coordinate data collection and analysis from working group activities. Communicate MEL information to Core Group, working groups, pledgers, funders and others.

It's turned out to be a beautiful afternoon. For those that want to enjoy the lakeside, I can recommend:

- UN Beach Club (Open to NGOs / 5 CHF entry) - <https://goo.gl/maps/JzUCieVe26UYAcJN6>
- Barge Science - <https://goo.gl/maps/VSiJWuf8uyn9CrkZ7>
- Bains de Paquis - <https://goo.gl/maps/8H8QS24zfnK6wqB6>

You can start with a swim at the UN Beach Club and then walk all the way to Bains de Paquis along the lake path, with a stop at Barge Science for a drink/icecream. That's my idea of a good sunny Sunday.

For those that don't have plans - especially for those facilitating tomorrow so we can get things a bit tighter - we could meet up for dinner at Bains de Paquis?