

DRAFT 3.0

Secretariats for ECE multilateral environmental agreements — the way forward

Enhancing secretariat functions of the ECE MEAs to better address
environmental challenges in the pan-European region

Executive summary

The Economic Commission for Europe (ECE) serves as the secretariat for several multilateral environmental agreements (MEAs), which have grown in number, visibility and effectiveness over the years. Indeed, the success of these instruments — which have seen the number of their meetings, subsidiary bodies and activities multiply — has been such that the requirements for servicing them have put the ECE resources under considerable strain. Added to this are yet new pressures as, owing to the transboundary nature of many of the issues involved, there has been a growing trend among the ECE MEAs to provide outreach to other regions and to open their membership (where not already open) to United Nations Member States outside the ECE region.

The present information paper, a living guidance document, gives an overview of the key challenges to and opportunities for ensuring the sustainability and quality of the support provided by the ECE MEA secretariats in the mid- to longer term (5–10 years), and recommends a set of proposed actions to address them. These actions seek to define the MEA secretariats' core activities including those essential for functioning, development and implementation of the treaties, as well as the secretariats non-core activities, such as capacity-building and assistance activities. This information paper also seeks to improve funding; to achieve a better balanced workload; and to adapt resources and staffing to meet the challenges identified.

Background

During the time when the Conventions were conceived, there was an understanding that ECE regular budget resources would be available and sufficient to provide the secretariat functions for the multilateral environmental agreements (MEAs). These legal texts do not provide any financial mechanisms. Today, ECE provides the secretariats for several MEAs related to water, air pollution, industrial accidents, public participation and environmental impact assessment.¹ Since the 1990s, the complexity and the overall workload related to those functions have increased due to the following reasons:

- Increased number of MEAs
- Expansion of the number and workload of the MEA mechanisms and bodies
- Increased number of Parties to the MEAs, and involvement of States outside the region in the activities within their framework, also connected with the process of opening the regional conventions to accession by all United Nations Member States. The operational and financial impact of such opening needs to be carefully assessed and taken into account in decision-making
- Increased number and expanding scope of statutory meetings of MEA bodies (including financial and visa support, and travel arrangements for delegates from eligible countries)
- Increased number of decisions and recommendations to be implemented by the MEA secretariats

¹ Convention on Long-range Transboundary Air Pollution (Air Convention); Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention); Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention); Convention on the Transboundary Effects of Industrial Accidents (Industrial Accidents Convention); and Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention).

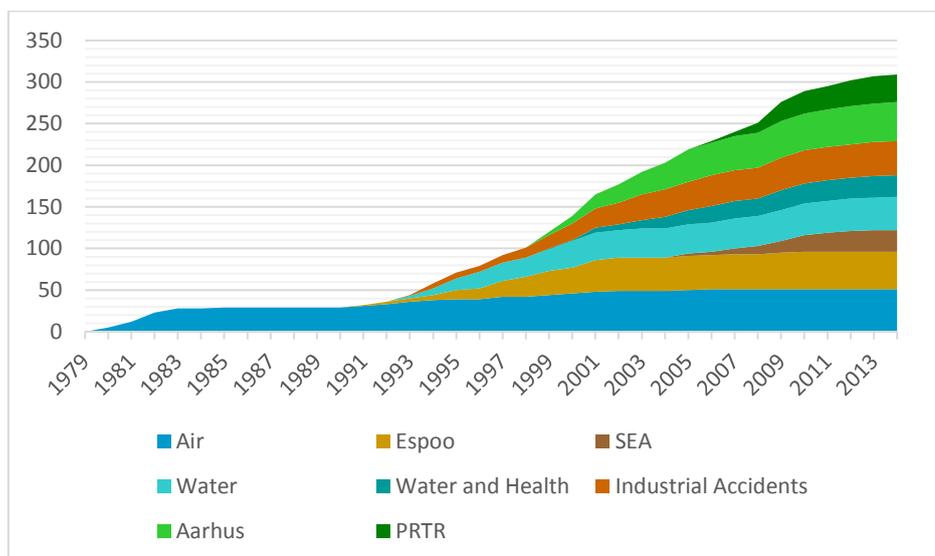
- Increased number of requests from Parties for capacity-building and technical assistance in the implementation of the MEAs at the country level
- Increased number of requests for legal advice related to accession to the MEAs and national legislation
- Increased demands for the production, management and distribution of information materials and guidelines
- Increased need for the design and implementation of resource mobilization campaigns and communication strategies
- Increased demands related to the ECE secretariat administration, obligations related to planning, monitoring and reporting on implementation of work (to the MEAs, donors, United Nations) as well as evaluations.

This increase is a direct result of the success of the MEAs, as their application widens and the use of their mechanisms intensifies rapidly. Moreover, both the relevance and the value added of the MEAs are increasing as well.

Five Convention governing bodies (COP/MOP/EB),² three Protocol governing bodies and thirty-nine subsidiary bodies already create an increased workload. Moreover, the Aarhus, Water, Air and Espoo Conventions have started outreach activities beyond the ECE region. The Aarhus Convention, its Protocol on PRTRs and the Espoo Convention's Protocol on SEA are open to accession by non-ECE States, and the Water and Espoo Convention governing bodies have decided to similarly open their instruments.

The number of Parties, protocols and amendments to the ECE MEAs has been continuously increasing, and consequently they have been creating supplementary subsidiary bodies (see figure 1). These bodies are being used increasingly, in particular the implementation and compliance bodies. Related to this, the number of assessments and reports regarding the implementation of the treaties is growing and will further add to the workload of the secretariats.

Figure 1
Cumulative number of ratifications of the ECE MEAs by year
(as at 31 December 2014)

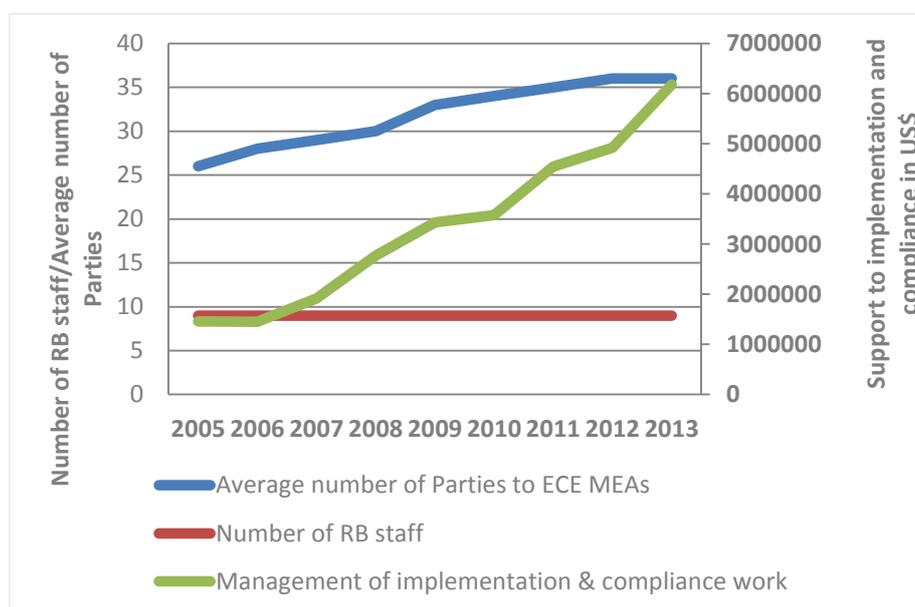


² Conference of the Parties/Meeting of the Parties/Executive Body.

At the same time, the broader use of MEA instruments and the more complex tasks and increased workload are posing challenges to secretariat staff resources, including Professional (P) and General Service (G) levels, and their distribution per source of funding (regular budget (RB) and extrabudgetary (XB) including Junior Professional Officers):

- RB staff resources dedicated to MEAs have not increased for two decades (see figure 2).
- XB staff resources do not allow for a proportional share of P and G staff because donors often prefer to fund P posts and are less interested in paying for administrative support, leading to a mismatch in the XB G/P staff relation, with related challenges.
- The workload is unevenly distributed throughout the year as the MEA workplans³ are based on decisions adopted by their governing bodies at their annual, biennial or triennial meetings.

Figure 2
Average number of Parties to ECE MEAs vs. number of RB staff and management of implementation and compliance work (in United States dollars)



The way forward

With this in mind, the ECE management started an initiative to assess present trends and long-term dynamics in the working methods, functions and processes of the ECE MEA secretariats and to elaborate a set of actions based on recommendations provided by managers, staff and an external expert involved in the consultation process. The actions proposed below address potential challenges to and opportunities for the sustainability and quality of the secretariats' performance in fulfilling their functions in the mid- to longer term (5–10 years). The overall aim of this initiative is to achieve sustainable and predictable financing and a more transparent allocation of resources.

³ Some MEAs have programmes of work, others have workplans.

In particular, the proposed actions in this report seek to:

- Define the MEA secretariats' core activities including those essential for functioning, development and implementation of the treaties, as well as the secretariats' non-core activities, such as capacity-building and assistance activities
- Improve the funding of the MEA secretariats
- Achieve a better balance of the workload
- Adapt resources and staffing accordingly.

Drawing from lessons learned and good practice, such actions also include measures to improve the efficiency and effectiveness of the work of ECE MEA secretariats (e.g. more extensive use of electronic and online tools), as well as measures to enhance the synergies among them.

The proposed actions are grouped according to five key thematic areas:

1. MEA secretariat services
2. Funding of MEAs
3. Resource mobilization
4. Staffing of MEA secretariats
5. Efficiency of MEA secretariats

For each thematic area, key issues for consideration are discussed and corresponding actions are proposed along with responsible implementers and implementation status.

1. MEA secretariat services

1.1 Issues to consider

MEA secretariat tasks: The texts of the MEAs and the rules of procedure for their governing bodies do not define in detail the tasks of their secretariats and, where definitions exist, they are not harmonized among the ECE MEAs. Therefore, a common understanding between ECE and the MEA governing bodies are needed, clarifying:

- (a) the **core activities** to be funded with both RB and XB resources;
- (b) the **non-core activities** offered by ECE (including the United Nations Office at Geneva) to the MEAs to be funded with XB resources;
- (c) the related **costs for core and non-core activities**; and
- (d) **sources of funding** (see section 2).

The compilation of such a list will provide the opportunity to confirm current real needs for the tasks performed (e.g., the number of meetings to be organized by MEA secretariats). The costs of core activities would be covered by a combination of the ECE regular budget resources and sustained and predictable extrabudgetary contributions ("core budget"). They differ from non-core activities, which are other tasks — e.g. technical assistance and capacity building; participants' support — to be implemented once resources are available. Although the latter funds would be based on voluntary contributions, they should still be predictable because of the planning and recruitment procedures. The ECE MEA core and non-core activities and corresponding budgets will need to be discussed with the COP/MOP/EB bureaux, and submitted to the Parties for endorsement.

Such a list already exists for the Espoo Convention and its SEA Protocol. Decision VI/4-II/4 on budget stipulates that workplan activities, which are not covered by the regular budget, should be covered by contributions of 1,100 shares of US\$ 1,000 each, of which 565 shares would cover the core (priority 1) requirements and 535 shares would cover the remaining non-core (priority 2) requirements. In practice that means that the only core funding in the budget is for one P3 XB post and the reviews of implementation, which account for half of the adopted budget. All the rest is non-core. That was done with the understanding that if there would be no staffing of the secretariat, the other activities would be hampered anyway.

The Meeting of the Parties to the PRTR Protocol adopted in 2014 the work programme for 2015-2017 which distinguishes between core and additional requirements.⁴ The work programme defines separate budgets for core and additional requirements, as well as the costs for the staff needed to carry out the requirements. The Meeting of the Parties to the Aarhus Convention mandated its Bureau to prepare a proposal on operational costs needed for the effective functioning of the Convention.⁵

The role of ECE with regard to MEAs open to all UN member States: While maintaining its central coordinating role and providing the secretariat for a given MEA, the tasks related to supporting the implementation of the MEAs and their workplan activities in countries outside the ECE region could be outsourced to other regional commissions or other international organizations (for example, the United Nations Environment Programme (UNEP)). The outcomes of these activities could be reported through ECE to the governing bodies. This would strengthen the role of ECE in its own region and enhance cooperation with other regions and global instruments without expanding ECE responsibility beyond the pan-European region. Nonetheless, ECE is identified as providing the secretariat functions in the treaty text, which means that ECE will retain responsibility for the core activities, including the servicing of governing and principal subsidiary bodies. Opening of the MEAs beyond the ECE region entails additional costs and requires additional resources. It is possible that "new" Parties from outside the region will not effectively cover such costs. This would make the present situation less sustainable.

1.2 Proposed actions

Action	Status
1.1 Define its generic core and non-core activities.	Ongoing
1.2 Present the list of generic core and non-core activities to the MEA bureaux for further discussion in order to reach common understanding and possible subsequent follow-up by the governing bodies	Ongoing ⁶

⁴ See page 13 of: http://www.unece.org/fileadmin/DAM/env/pp/prtr/MOPP2/Post-session_documents/ECE.MP.PRTR.2014.4.Add.1_e.pdf

⁵ See ECE/MP.PP/WG.1/2015/7: <http://www.unece.org/environmental-policy/conventions/public-participation/meetings-and-events/public-participation/public-participation/2015/nineteenth-meeting-of-the-working-group-of-the-parties-to-the-aarhus-convention/envppaarhuswgp19.html#/>

⁶ The MOP of PRTR Protocol already adopted a new work programme which distinguishes core and additional requirements; see page 13 of: http://www.unece.org/fileadmin/DAM/env/pp/prtr/MOPP2/Post-session_documents/ECE.MP.PRTR.2014.4.Add.1_e.pdf.

1.3	Establish a full cost calculation for core and non-core activities as included in the workplans	Ongoing for some MEAs
1.4	Define financial and human resources needed to implement core activities and non-core activities as defined in MEA workplan.	Ongoing for some MEAs
1.5	Consider the role of ECE in MEAs open to Parties from outside the region by taking into account possible support from other United Nations regional commissions and international organizations.	Ongoing for some MEAs

2. Funding of MEAs

2.1 Issues to consider

System of funding of MEAs: Sustainable, adequate and predictable financing is crucial for the future of the ECE MEAs. This is a prerequisite for the effective facilitation of the implementation of the Conventions and the decisions of the Parties, the continuity of Convention activities and the efficient planning of processes, as well as for keeping and attracting qualified staff in the secretariat. Key issues to be addressed in this regard pertain to what costs should be covered, what are the corresponding required contributions, and the financial rules for managing the funding system.

MEA RB and XB resources: RB resources are not sufficient to provide adequate services to the MEAs. It is very unlikely that the United Nations General Assembly will increase the RB for servicing United Nations regional treaties. It is therefore necessary that additional work related to MEAs, such as outreach or related to accession of countries outside the ECE region, be funded by XB resources. An increase in XB resources to an adequate level would help guarantee the continued high quality of delivery, the effective servicing of subsidiary bodies and cover the travel costs of meeting participants from eligible countries, as well as strengthen the backstopping and support team (operational and technical assistance). Covering the travelling costs of representatives from Parties is not a core cost of the MEAs. This is the responsibility of each Party. Financial support may be offered by donors subject to the availability of funds for this purpose, and separate from the costs to be covered in the core budget.

The solution is not necessarily to increase budgets. The issue is, first of all, to identify core resources of the MEAs which are needed to implement core activities. . Thus, the solution is more about budgetary discipline and agreed priority activities, focusing the mandate of each MEA, than about increasing the budgets.

Funding schemes: There are different methods and rules for financing MEA secretariats that have been established by the Parties to MEAs, such as those for the UNEP Basel-Rotterdam-Stockholm Conventions and the Convention on Biological Diversity (CBD). For example, the CBD secretariat is financed from contributions made by Parties and non-Parties to three trust funds established by its Conference of the Parties:

1. A General Trust Fund (the major source of funding for the secretariat, also called Regular Budget, but not to be confused with the United Nations Regular Budget), funded

from assessed contributions of Parties to CBD, based on the United Nations scale of assessments.⁷

2. A Special Voluntary Trust Fund for additional voluntary contributions in support of approved activities of CBD not covered by the General Trust Fund⁸
3. A Special Voluntary Trust Fund for financing the participation of Parties in meetings and conferences convened by the secretariat.⁹

In 2002 the UNEP Governing Council approved a financial scheme for the Environment Fund — the Voluntary Indicative Scale of Contributions (VISC) — based on the United Nations scale of assessments, which sets the minimum amount that countries are expected to pay (some countries contribute more than the assessed amount). The VISC also establishes a minimum and maximum percentage rate at which countries are expected to contribute to the budget: the minimum rate per country is 0.001%, with a least developed country paying a maximum of 0.01% and no single country paying more than 22% of the of the Environment Fund budget. The VISC offers a relevant example of indicative (i.e. not mandatory) contributions which have improved the financial situation. It is revised every two years.

At present, with the exception of the Protocol to the Convention on Long-range Transboundary Air Pollution on the Financing of the Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP), all ECE MEAs rely on voluntary contributions by only some of their Parties. Pledges usually do not cover all the costs of the implementation of the adopted workplans.

The Bureaux of the ECE Aarhus Convention and its Protocol on PRTRs have been working to incorporate a scale of assessment (based on the United Nations scale) for financial contributions by Parties to the Convention and its Protocol on PRTRs. In July 2014 proposals for such a scheme were submitted to both the Aarhus Convention and the PRTR Protocol MOPs.¹⁰ However, the PRTR Protocol MOP decided to maintain the interim voluntary scheme of contributions, but mandated the Bureau and the Working Group of the Parties to explore options for more predictable, stable and equitably shared funding in the next intersessional period. It was also agreed that the MOP would revisit the question of the funding scheme again at its third session.

⁷ The General Trust Fund is for the Office of the Executive Secretary; scientific, technical and technological matters; social, economic and legal matters; outreach and major groups; implementation and technical support; and resource management and conference services. Expenditure items are: staff costs (including temporary assistance/overtime training and insurance); consultants/sub-contracts; travel on official business; conference-servicing costs; bureau meetings; reporting costs; general operating expenses; and programme support costs.

⁸ The Special Voluntary Trust Fund for additional approved activities receives approximately half of the amount defined in the approved budget (see, e.g. UNEP/CBD/COP/12/7); this reduced amount is similar to the budget for the General Trust Fund. Expenditure items are: staff costs; consultants/sub-contracts; staff travel; public awareness/information materials; and meetings and workshops.

⁹ The Special Voluntary Trust Funds for facilitating participation cover only participation costs (no staff costs). The amounts are far smaller than for the other Trust Funds.

¹⁰ See ECE/MP.PP/2014/L.7 and ECE/MP.PRTR/2014/L.5.

Similarly, a system of indicative voluntary contributions was suggested by the Espoo Bureau.¹¹ At the MOP session in 2014, reference to the UN scale was deleted. The purpose would have been to achieve a more even distribution of the financial burden among Parties to cover the cost of activities under the work programme that were not covered by RB resources. According to the proposals, the burden of covering the costs of the activities would be distributed among Parties in proportion to the United Nations scale of assessments. Other interested States, public entities as well as the private sector would also be called upon to contribute in accordance with relevant United Nations policy and guidelines. These proposed improvements to the MEA financing could have helped significantly to find consensus on long-term solutions to enhance the predictability and sustainability of resources.

The Air Convention has a dual system of contributions: The Protocol to the Convention on Long-range Transboundary Air Pollution on the Financing of the Co-operative Programme for Monitoring and Evaluation of the Long-range Transmission of Air Pollutants in Europe (EMEP), entered into force in 1988, is an instrument for international cost-sharing of a monitoring programme which forms the backbone for review and assessment of relevant air pollution in the ECE region in the light of agreements on emission reduction. Contributions to this end are mandatory (Art. 3 of the Protocol) and based on the United Nations scale of assessment, adapted to the forty-six Parties to the Protocol. Every year, at the session of the Executive Body, the received contributions in-cash and in-kind per country are shown, as well as the arrears. In addition, for each year, the expected contributions are compared with the received contributions in a transparent manner.¹²

For activities to implement the workplan of the Air Convention not covered by EMEP, recommended contributions per year are calculated according to a recommended scale of contributions, which is based on the United Nations scale of assessment. This was decided by the Executive Body to the Air Convention in 1997 (ECE/EB.AIR/53). From the secretariat's point of view, this arrangement has brought in significant in-cash (e.g. between US\$ 432,000–664,000 annually in 2010-2014) and in-kind contributions from Parties.

The opportunity for treaties open to accession by States beyond the ECE region to access funding from ministries of foreign affairs and development cooperation, the Global Environment Facility (GEF) and the European Commission (DG ENV; DG DEV-CO) is an added value of opening the ECE MEAs, as the experience of the Water Convention shows. However, this also requires the dedication of staff time and the introduction of fundraising strategies and mechanisms (see section 3).

¹¹ See draft decision on budget at http://www.unece.org/fileadmin/DAM/env/documents/2014/EIA/MOP/ECE.MP.EIA.2014L.2%20E%88%92ECE.MP.EIA.SEA.2014L.2_E.pdf

¹² See ECE/EB.AIR/2014/1

2.2 Proposed actions

Action	Status
2.1 Design for each MEA a more equitable and predictable funding scheme, for example a scale of assessment , for Parties' financial contributions to funding the core activities of the MEA ¹³ for discussion with the MEA bureaux	Ongoing
2.2 Design a funding scheme for MEA secretariats to finance non-core activities for discussion with the MEA bureaux	Ongoing
2.3 Draft financial modalities for the above funding schemes for discussion with the MEA bureaux	To be started

3. Resource mobilization

3.1 Issues to consider

Funds mobilization: Strategies for funds mobilization (including voluntary contributions, earmarked XB contributions and donations) need to be elaborated specifically by and for each MEA. ECE MEA secretariats will send reminders to Parties and donors regarding the timely payment of pledged contributions. They will also target institutions for funds mobilization (GEF and other foundations and donors).

Communication of contributions: The ECE MEA secretariats will post the status of contributions online demonstrating who has contributed, who has pledged, and who is in arrears (from those that pledged) to further encourage payment within established deadlines. This is already done for the Aarhus Convention, its PRTR Protocol and the Espoo Convention – two times per year all contributions and expenditures are made available online. Such deadlines, applied to the other ECE MEAs, could encourage payment early during the year (or previously the biennium). At the same time, this would have to be carefully managed not to create an additional reporting burden on the ECE MEA secretariats which already report regularly to the governing bodies on financing. Such a practice would furthermore fulfil the United Nations principles on transparency and accountability and would give high visibility to donors on the use of their funds. Fund mobilization activities will be directly linked to communication and promotion activities.

3.2 Proposed actions

Action	Status
3.1 Devise funds mobilization strategies for XB non-core activities (in connection with proposed actions in section 2)	Ongoing
3.2 Identify target institutions for funds mobilization in collaboration with MEA bureaux	Ongoing

¹³ See draft decision V/7 on financial arrangements under the Convention (ECE/MP.PP/2014/CRP.8).

3.3 Present status of **financial contributions online**Ongoing for 3
MEAs¹⁴

4. Staffing of MEA secretariats

4.1 Issues to consider

Professional staffing: The ECE secretariat professional staff (P) resources provided through the United Nations RB have remained unchanged since the 1990s. Chairs of the governing bodies of MEAs and the Committee on Environmental Policy (CEP) requested that the MEA secretariats be strengthened. The increasing number of Parties (figure 1), but also the outreach and activities of MEAs in other regions, means that secretariat staff can no longer handle the added workload. At the same time, XB staff resources are not always proportional to funds to be administered. In addition, XB funding tends to neglect the need for general administrative support (see table 4.1). This results in a mismatch in the XB G/P ratio, with related challenges (see table 4.1). The ECE management will elaborate different scenarios for how to adapt the number of staff to needs.

General Service staffing: Over the years, the number of RB G staff resources has been slightly reduced, while XB G staff in the ECE MEAs has not been able to increase to meet the needs.

¹⁴ The Aarhus Convention, its PRTR Protocol and the Espoo Convention.

Table 4.1
Staffing of ECE MEA secretariat teams¹⁵

ECE MEA staff	Industrial Accidents Convention	Water Convention	Aarhus Convention	Air Convention	Espoo Convention
P staff: RB	1	2	2	3	1
P staff: XB	3	5.5	4	2	2
G staff: RB	0.6	1.2	0.5	1.7	0.5
G staff: XB	—	2	1	—	0.5
Ratio G/P RB	0.6	0.6	0.25	0.57	0.5
Ratio G/P XB	—	0.36	0.25	—	0.25
Ratio G/P	0.15	0.43	0.25	0.34	0.33

4.2 Proposed actions

Action	Status
4.1 Assess staffing needs for delivery of core activities and non-core activities (in connection with proposed action 1.1)	Ongoing
4.2 Asses cost of staff for delivery of core activities and non-core activities (in conjunction with proposed action 1.3)	Not yet started
4.3 Elaborate a proposal for new P and G posts to be covered with XB funds	Not yet started

5. Efficiency of MEA secretariats

5.1 Issues to consider

Appreciation of the efficiency of ECE MEA secretariats: In implementing the workplans, MEA secretariats made serious efforts to avoid duplication of work and inefficient use of resources through pursuing synergies with activities under other MEAs, United Nations agencies and other partners. In the 2014 Joint Inspection Unit (JIU) report, “Post-Rio+20 review of environmental governance within the United Nations system”, the Inspectors appreciated the amount of work achieved by the staff of the ECE Environment Division, “under a leadership vision of their manager, who combines the scarce resources in the most efficient way to exploit synergies among the different secretariats of the Conventions.”¹⁶

Priority setting for MEA workplans: ECE MEA secretariats will need to follow a policy of “less is more” in the future. This can begin by defining clear priorities within the MEA workplans for both core activities and non-core activities, with the goal of reducing the administrative workload and increasing strategic and implementation work. As appropriate, each MEA should consider how to best allocate the scarce resources (change focus from secretariat serviced administrative meetings (in terms of number and duration) to “on the ground” implementation

¹⁵ The secretariat teams are supported by other staff, in particular, the Division director, two heads of section and an editor.

¹⁶ JIU/REP/2014/4, para. 181.

activities (with less secretariat involvement); reduce the number and length of official documents (translation of other documentation should be handled through XB resources in order to ensure full benefits for countries of Eastern Europe, the Caucasus, and Central Asia); or to harmonize and simplify the approach to support eligible participants to MEA meetings and or events)

Support measures: ECE MEA secretariats promote use of electronic and online tools (video conferences, email consultations, clearinghouse mechanisms, e-cloud databases, and webinars) for MEA meetings to increase effectiveness and cost efficiency. New forms of communication (e.g., Twitter, Facebook) will be promoted and used.

5.2 Proposed actions

Action	Status
5.1 Define clear priorities within the MEA workplans for both core activities and non-core activities (number of meetings, documents, publications, etc.)	Ongoing
5.2 Continue to explore more effective use of and introduce new electronic and online tools (video conferences, e-cloud databases, webinars) for MEA meetings	Ongoing
5.3 Define an internal and external communication strategy giving due consideration to new communication tools	Ongoing