

Economic Commission for Europe

Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context

Meeting of the Signatories to the Protocol on Strategic Environmental Assessment

Third session

Geneva, 22–23 November 2010

Item 5 of the provisional agenda

Budget and financial arrangements

Working Group on Environmental Impact Assessment

Fourteenth meeting

Geneva, 24–26 November 2010

Item 6 of the provisional agenda

Budget and financial arrangements

Secretariat staff resources

Note by the secretariat

Summary

The functions of the secretariat are increasing with the wider application of the Convention, the entry into force of the Protocol, the greater use of the compliance mechanism (Implementation Committee) and greater interest in the Convention. The current staff resources are insufficient to fulfil the functions now expected of the secretariat. At the same time, current voluntary financial contributions are insufficient to cover current expenditure, primarily on financial support to participants and on an extrabudgetary post.

Delegates will be invited to advise on possible solutions. With an increase in total contributions by approximately 30 per cent it should be possible both to provide the same financial support to participants in formal meetings and to continue to engage an extrabudgetary staff member. For a larger secretariat, to fulfil the functions expected, the total contributions would need to increase by at least 150 per cent. Without any increase in contributions, it will be necessary to limit financial support to participants in formal meetings, or to limit the contract of the extrabudgetary staff member.

Introduction

1. In the thirteenth meeting of the Working Group, the secretariat presented an informal paper on the need for additional staff resources in the secretariat. The Working Group took note of the paper and was aware of the need for additional staff resources in the secretariat to support: (a) the Implementation Committee because of the increased workload on the review of compliance; and (b) the impending entry into force of the Protocol (now in force).
2. The Working Group requested the secretariat to provide more information about the possibilities for financing its additional staff resources and the need for such resources,

taking into account the budgetary constraints, for consideration at its next meeting. (ECE/MP.EIA/WG.1/2010/2, para. 53). This paper responds to the Working Group's request.

I. Secretariat resources

3. The Espoo Convention does not have an independent secretariat but relies on the United Nations Economic Commission for Europe (UNECE), as provided for in article 13 of the Convention:

The Executive Secretary of the Economic Commission for Europe shall carry out the following secretariat functions:

- (a) The convening and preparing of meetings of the Parties;
- (b) The transmission of reports and other information received in accordance with the provisions of this Convention to the Parties; and
- (c) The performance of other functions as may be provided for in this Convention or as may be determined by the Parties.

4. The Convention's Protocol on Strategic Environmental Assessment refers to the same provision in its article 17:

The secretariat established by article 13 of the Convention shall serve as the secretariat of this Protocol and article 13, paragraphs (a) to (c), of the Convention on the functions of the secretariat shall apply *mutatis mutandis* to this Protocol.

5. Until 2002 the Convention was serviced by one UNECE professional staff member: the Secretary to the Espoo Convention. The Secretary is at the Professional grade P-4 and is financed from the United Nations regular budget.

6. In addition, the Espoo Convention secretariat shares with another programme a Programme Assistant at the General Services grade G-4.

7. Since December 2002, a second professional post has been financed from voluntary contributions to the Trust Fund of the Espoo Convention. This "extrabudgetary" post is at the Professional grade P-3 and reports to the Secretary to the Espoo Convention. The post is currently filled by a Project Officer, to be replaced through the on-going recruitment process by an Environmental Affairs Officer.

8. Thus, in the period from December 2002 to date, the secretariat functions have been supported by one regular budget P-4 staff (the Secretary), one extrabudgetary P-3 staff (Project Officer) and one half of a regular budget G-4 staff (Programme Assistant).

9. However, voluntary contributions to the Convention's Trust Fund in the current intersessional period (between the fourth and fifth sessions of the Meeting of the Parties, 2008–2011) are likely to total approximately US\$ 700,000,¹ which is insufficient to cover the costs of financial support to participants in formal meetings (budgeted at approximately US\$ 400,000 in the current intersessional period) and the costs of the extrabudgetary P-3 staff (approximately US\$ 150,000 per annum), as well as other core costs related to the implementation of the workplan (see Table 1).

¹ The total cash income in the previous intersessional period (between the third and fourth sessions of the Meeting of the Parties, 2004–2008) was approximately US\$ 850,000, supplemented by much larger in-kind contributions, including most costs associated with the holding of the Meeting of the Parties in Bucharest.

Table 1. Budget and expenditure for the workplan in the current intersessional period (between the fourth and fifth sessions of the Meeting of the Parties, 2008–2011)

<i>Workplan activities</i>	<i>Priority</i>	<i>Best guess at</i>	
		<i>Budget (US\$)</i>	<i>actual expenditure (US\$)</i>
Financial support to participants in formal meetings	1	385,000	220,000
Extrabudgetary staff	1	444,000	444,000
Secretariat travel, plus of Chair for outreach	2-3	145,000	60,000
Other secretariat organizational costs (consultants, translations, promotional materials)	2-3	230,000	0
Substantial activities: Compliance with and implementation of the Convention	1	120,000	65,000
Other substantial activities (including carried forward activities)	2	470,000	65,000
Total		1,794,000	854,000

The difference between budget and actual expenditure is the result of savings, except for “other substantial activities” where donor or in-kind funding is supporting implementation.

10. Due to savings arising primarily from the late entry into force of the Protocol (meaning that meetings of the Working Group on SEA were not held, and nor will a free-standing Meeting of the Parties to the Convention serving as a Meeting of the Parties to the Protocol), as well as a reduction in the number of States eligible for financial support (which led to several States not participating in meetings at all), actual expenditure on financial support to participants in recent meetings has been below the budgeted amount (see Table 2). Such savings are unlikely in the next intersessional cycle, with more frequent meetings of the Working Groups on EIA and SEA and of the Implementation Committee to be held, and with more countries likely to eligible to receive financial support.

Table 2. Expenditure (US\$) on financial support to participants, three-day (17–19 May) and five-day (22–26 November) meetings in 2010 (indicative)

<i>Type of participant</i>	<i>Number of participants of this type</i>	<i>Three-day meeting</i>		<i>Five-day meeting</i>	
		<i>Total cost per participant</i>	<i>Total cost for this type of participant</i>	<i>Total cost per participant</i>	<i>Total cost for this type of participant</i>
Country with economy in transition, receiving travel + DSA (7 eligible)	7	2,100	14,700	2,700	18,900
Country with economy in transition, receiving DSA only (3 eligible)	0	1,100	0	1,900	0
Non-UNECE State	2	3,500	7,000	3,700	7,400
Non-governmental organization	5	1,800	9,000	2,400	12,000
Speakers	2	1,600	3,200	900	1,800
Total	16		33,900		40,100

II. Functions and workload

11. The Secretary is responsible for implementing the “secretariat functions” on behalf of the Executive Secretary of UNECE. In practice the secretariat functions relate to:

(a) Servicing formal sessions of (including preparing documentation for) the Meetings of Parties, Working Groups, the Implementation Committee and Bureau, as well as any ad hoc groups;

(b) Implementation and compliance, including the review of compliance (through the Implementation Committee), the review of implementation based on national reports, assistance missions and country-specific reviews, and the inquiry procedure;

(c) Capacity development, including subregional and national workshops, pilot projects and training, and support to the development of bilateral and multilateral agreements and other arrangements;

(d) Other matters, including technical meetings and seminars, communication activities, outreach and publications, financial issues, management and reporting, website management and staff training and development.

12. The Project Officer has been important in supporting various activities decided upon by the Parties to the Convention, including:

(a) The adoption of the Convention’s Protocol and support for its implementation;

(b) The functioning of the Implementation Committee;

(c) The issue and receipt of questionnaires on implementation and the preparation of a subsequent review of implementation;

(d) Biannual detailed financial reporting;

(e) Support in the carrying out of subregional and national workshops under the workplan;

(f) Outreach to States beyond the UNECE region.

13. The Project Officer has also been instrumental in strengthening assistance to countries in their implementation of the Convention, revising the Convention’s website, expanding the range of information materials and publications, and accelerating the processing of documentation.

14. However, the workload of the secretariat has continued to grow because of:

(a) The increasing number of Parties to the Convention;

(b) The increasing frequency of application of the Convention (from approximately 10 notifications per year in 1999–2002 to over 80 per year in 2006–2009);

(c) The increasing number of Parties to the Protocol (19 at 1 September 2010) and its entry into force in July 2010;

(d) The increasing interest in the Convention and its Protocol from States outside the UNECE region;

(e) The increasing caseload of the Implementation Committee (see Table 3).

Table 3. Caseload of Implementation Committee, per session²

<i>Implementation Committee session no.</i>	<i>Session (including follow-up) year</i>	<i>Submissions (including follow-up)</i>	<i>Committee initiative (including follow-up)</i>	<i>Specific compliance issues³</i>	<i>Information from other sources</i>	<i>Total cases</i>
1	2001	-	-	-	-	0
2	2002	-	-	-	-	0
3	2003	-	-	-	-	0
4	2003	-	-	-	-	0
5	2003	-	-	-	-	0
6	2004	1	-	-	-	1
7	2005	-	-	3	-	3
8	2005	-	-	3	-	3
9	2006	-	-	3	-	3
10	2006	-	-	3	-	3
11	2007	1	1	1	-	3
12	2007	1	-	-	-	1
13	2007	1	1	-	-	2
14	2008	1	1	-	-	2
15	2008	1	1	10	1	12
16	2009	2	1	10	4	17
17	2009	2	1	5	5	13
18	2010	2	1	1	4	8
19	2010	1	2	-	3	6

15. These factors are expected to continue to increase, particularly with respect to support of the implementation of the Protocol. The number of meetings per year of the main bodies under the Convention has been quite steady over the past decade (see Table 4). However, the number of meetings per year will increase by two or three due to

(a) The establishment of a Working Group on SEA;

(b) A likely increase in the frequency of Implementation Committee sessions as the Committee deals with more compliance issues related to both legal instruments.

16. One or both amendments to the Convention may also enter into force in the next intersessional period (between the fifth and sixth sessions of the Meeting of the Parties). The first amendment will open the Convention to all Member States of the United Nations; the Protocol is already open.

17. The expected future workload for the various activities is presented in Table 5, though the actual workload will depend on decisions taken by the Meeting of the Parties (notably on the workplan) and by individual States (including in how they implement the Convention), as well as the available secretariat staff resources.

² Recent sessions have been longer, lasting up to five days, because of the workload.

³ Compliance issues identified in the review of implementation: the number of such issues peaks immediately following the Meeting of the Parties and declines as the Committee reviews them.

Table 4. Number of formal meetings of bodies under the Convention, 2001–2010

<i>Year</i>	<i>Meeting of Parties</i>	<i>Working Group on EIA preparatory body</i>	<i>Meeting of Signatories and Implementati on Committee</i>	<i>Total of main bodies</i>	<i>Ad hoc groups, task forces and inquiry commission</i>	<i>Bureau</i>
2001	1	1	-	1	3	?
2002	-	1	-	1	2	?
2003	1	2	1	3	7	?
2004	1	1	2	1	5	1
2005	-	1	1	2	4	1
2006	-	1	-	2	3	2
2007	-	2	-	3	5	3
2008	1	-	-	2	3	-
2009	-	1	-	2	4	2
2010	-	2	1	2	5	1

18. The presentation in Table 5 implies a need for larger secretariat.⁴ At present the secretariat comprises:

- (a) A regular budget P-4 (Secretary to the Convention);
- (b) An extrabudgetary P-3 (Environmental Affairs Officer);
- (c) A 50% regular budget G-4 (Programme Assistant).

19. The secretariat might be expanded as follows to support the workload:

- (a) An extrabudgetary P-3 (Legal Affairs Officer);
- (b) An extrabudgetary P-2/P-3 (Environmental Affairs Officer), or associate expert (see below);
- (c) A 50–100% extrabudgetary G-3/G-4 (Programme Assistant).

III. Differences between expected functions and available staff. Solutions

20. Without an increase in total contributions by approximately 30 per cent it will not be possible both to provide the same financial support to participants in formal meetings and to continue to engage a full-time extrabudgetary P-3 staff. Extrabudgetary staff cannot be recruited on a part-time basis. For a larger secretariat, as described above, the total contributions would need to increase by at least 150 per cent.

21. It should also be noted that the cost of extrabudgetary staff cannot be predicted precisely in advance of recruitment as the cost depends on various allowances and the

⁴ This staffing scenario differs from that presented at the thirteenth meeting of the Working Group on EIA, primarily because the possibility of further regular budget staff has since been discounted (see para. 22 below).

salary step, as determined by rules adopted by the General Assembly and so beyond the control of the Convention secretariat.

22. Without a mandate from the United Nations General Assembly it is not possible to propose that additional regular budget staff be assigned to the Espoo Convention secretariat. There is no such mandate.

Table 5. Expected future workload (professional staff), indicative, plus secretariat support in case of loss of current extrabudgetary P-3 post

Activity	Sub-activity	Expected future workload		With loss of extrabudgetary P-3 post	
		Frequency	Person months per year	Frequency	Person months per year
Servicing formal meetings (including documentation)	Meetings of Parties	Every 3 years	(average) 2	Every 3 years	(average) 2
	Working Groups	3 per year	6	2 per year	3
	Implementation Committee	4 per year	7	2 per year	3
	Bureau	2 per year	1	1 per year	0.5
Implementation and compliance	Review of Implementation	Every 3 years	(average) 2	*	-
	National missions	2 per year	2	*	-
	Country-specific reviews	2 per year	3	*	-
	Inquiry procedure	If invoked	(average) 2	If invoked	(average) 1.5
Capacity development	Subregional workshops, EIA	4 per year	2	*	-
	Pilot projects, EIA	2 per year	2	*	-
	SEA training	4 per year	3	*	-
	Pilot projects, SEA	2 per year	3	*	-
Other	Technical meetings & seminars	6 per year	3	*	-
	Outreach	On-going	1	*	-
	Financial issues	On-going	1	On-going	0.5
	Management & reporting	On-going	2	On-going	1
	Website management	On-going	1	On-going	0.25
	Staff training & development	On-going	1	On-going	0.25
Total			44 (=4 persons, at 11 working months per year)	*: without involvement of secretariat, unless by JPO	12, if inquiry procedure invoked

23. The shortfall between the available staff resources and the functions determined by the Meeting of the Parties can therefore only be met through sufficient additional voluntary contributions, or by reducing functions.

24. Finland is taking an important step by providing an associate expert (or junior professional officer, JPO), funded through a voluntary contribution under a bilateral agreement between Finland and the United Nations. However, it is the understanding of the secretariat that the JPO will be in post from spring 2011 for one year, extendable by one year. This is therefore a valuable contribution but not a long-term solution. It could be part of a long-term solution if other States were to provide a JPO subsequently.

25. The possible solutions, on which the Meeting of the Signatories and the Working Group on EIA are invited to advise the secretariat, are therefore: (a) to increase voluntary contributions, possibly including continued provision of a JPO; or (b) to reduce expenditure. Expenditure might be reduced by: (a) decreasing financial support to participants in formal meetings, either by reducing the number of eligible participants or by reducing the number of meetings; or (b) terminating the contract of the extrabudgetary P-3 staff member after one year, say. However, the loss of the extrabudgetary P-3 staff member would severely limit the secretariat functions and prevent secretariat support of various activities, as illustrated in Table 5.

26. Finally, to provide some context to magnitude of the financial contributions to the Espoo Convention, it may be useful to consider the incomes, **very approximately**, of the other UNECE environmental treaties:

(a) Under the Convention on Long-range Transboundary Air Pollution, a major programme of scientific centres is funded by mandatory contributions totalling over US\$ 2 million per annum (“EMEP”). In addition, voluntary cash contributions for a second scientific programme are of the order of US\$ 700,000 per annum and are supplemented by in-kind contributions of about 40% more. Further, voluntary cash contributions of the order of US\$ 400,000 support countries with economies in transition;

(b) Under the Convention on the Transboundary Effects of Industrial Accidents, cash income is about US\$ 350,000 per annum (similar to that under the Espoo Convention), but supplemented by in-kind contributions of about 50% more;

(c) Under the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, and its Protocol, cash income is about US\$ 700,000 per annum;

(d) Under the Convention on the Protection and Use of Transboundary Watercourses and International Lakes, cash income is about US\$ 800,000 per annum for the Convention, including national policy dialogues, and about US\$ 350,000 (similar to that for the Espoo Convention) for the Protocol on Water and Health, including for an extrabudgetary staff member. In addition, there are funds supporting projects on dam safety, subregional dialogue and cooperation in Central Asia and subregional information sharing in Central Asia;

(e) Under the Espoo Convention, voluntary cash contributions to the Espoo Convention are of the order of US\$ 300,000 per annum, supplemented by in-kind contributions of about 20% more.