

**Responses to comments
submitted on the proposal by the Executive Secretary
for the organization of the secretariat**

13 June 2012

The secretariat received comments from Armenia, Canada, the European Union, Mexico, Norway, Switzerland and the United States on the proposed organization of the secretariat. Those comments are posted on the web in their entirety, and were generally supportive of the proposal. However, many of the comments raised a number of important issues that should be responded to in order to further clarify the proposal and the next steps in its implementation.

Since many of the commenters raised similar issues, rather than attribute each individually, this response document will group them and describe them generally.

Comment: There is the potential for the secretariat to end up with a very high proportion of high-level (e.g., P-5 and above) posts. In implementing the restructuring this should be avoided, and not all of the vacant high level posts may need to be filled. This restructuring might best be considered “transitional” with the final proposal for the 2013 meetings of the Conferences of the Parties (COPs) describing the “final steady state”.

Response: Agreed. The appearance of top-heaviness results from the need to transition from the current structure to the new structure without prejudging the outcomes of individual personnel decisions. It is the intent to achieve a final steady state that is approximately neutral with respect to levels of posts compared to the levels agreed to at the 2011 meetings of the COPs. The two D1 Senior Advisor positions will be abolished as of August and October 2012. The secretariat also intends to maintain, approximately, staff cost neutrality through the course of the reorganization and hiring into the management positions. The proposal to the 2013 meetings of the COPs will describe the final steady state as well as how the secretariat maintained approximate staff cost neutrality. This will also be reflected in quarterly reports on synergies and efficiencies posted on the web.

Comment: If management posts are filled by existing staff, will back-filling those posts take place?

Response: The secretariat intends to take a two-step approach to filling posts. The first step, which is currently ongoing, is to fill the five newly-created management posts. As noted in the proposal, some of these may be filled by internal candidates, and all efforts are being put into meeting the hiring schedules in the proposal. Once the management positions are filled, the secretariat will evaluate whether there is a need to hire any additional staff on the basis of staff needs to successfully complete the programmes of work for the 2012-2013 biennium. This may include concluding one or more of the hiring actions frozen by the Executive Secretary on his arrival, or advertising to fill existing vacant posts. However, automatic backfilling is not being contemplated. In addition, it will be necessary to evaluate whether there are adequate resources to make any additional hires.

Comment: The costs of the Executive Secretary post should be accommodated in the operational budgets when the extra-budgetary voluntary funding for the post expires in April 2013.

Response: Agreed. Implicit in doing this is the need to identify and implement savings in the regular operational budgets of the three conventions in order to accommodate the additional cost. It is the intention that such savings come exclusively from synergies – especially where administrative savings or efficiencies can free up additional resources.

Comment: There may be simpler ways to allocate costs among the three budgets than through the use of timekeeping systems, and the secretariat may wish to consider approaches for cost allocation that have been used by other multi-instrument secretariats.

Response: Agreed. Prior to making the full proposal to the 2013 meetings of the COPs, the secretariat will look to whether lessons have been learned in other secretariats that could simplify the approaches under Basel, Rotterdam and Stockholm while maintaining sufficient accountability.

Comment: Noting that on page 11 of the proposal the Executive Secretary described accountability measures to be put into place to help ensure that the conventions were given equal attention, it was suggested that for a number of reasons a better approach might be to ensure that the conventions were given equitable attention, i.e. in accordance with the particular demands of each convention and activities requested by the conferences of the parties.

Response: In using the term “equal attention” the Executive Secretary intended a paraphrase of paragraph 7(c) of section II on Joint Managerial Functions of the omnibus decisions taken by the 2010 extraordinary meetings of the COPs which holds the Executive Secretary responsible for (among other things) “Providing equal commitment to the implementation of all three conventions...” In its implementation, this is intended by the secretariat to mean essentially the same thing as giving “equitable attention”.

Comment: Transition to a matrix structure should be facilitated through fairly intensive training, and should be supported by establishing an up-to-date secretariat contact list for parties, and strategies to ensure that things don’t get stuck (or fall through the cracks).

Response: Agreed. The secretariat has established a training task force to identify, among other things, training needs associated with the transition to a matrix structure. The task force results will be made available on the web. Fortunately, the Executive Secretary won the 2012 UNEP Baobab award, which comes with a cash award of \$8,000. These funds will be used for a one-day training session for all secretariat staff entitled “Leading and working in a matrix environment”. In addition, the secretariat has recently posted a list of staff contact points on the web, along with the work areas and functions those contact points are responsible for. In the near future, the secretariat also hopes to post a feature on the web that will allow parties to enter a topic, and find the secretariat staff members who can help with that topic. During the transition, the Executive Secretary and Branch Chiefs are meeting twice a week to discuss management during the transition, with a particular focus on ensuring that near term tasks

assigned by the COPs are completed on schedule and within budget. As noted in the proposal, in due course the secretariat hopes to be able to post its work plans, developed in response to the COP-approved programmes of work, on the web so that parties and all stakeholders can track performance. The secretariat is also developing standard operating procedures (SOPs) and is holding weekly seminars on convention-specific and cross-cutting issues, all of which is intended to help build secretariat capacity to better serve parties in the new structure.

Comment: It would be helpful if the secretariat could identify possible further efficiencies, savings and synergies in the near term, as well as for longer-term recommendations that could be considered by the 2013 meetings of the COPs.

Response: Agreed. The Executive Secretary's quarterly report, posted on the new synergies web page, notes the efficiencies, savings and synergies identified and implemented during each quarter. The secretariat will also provide a report to the 2013 COPs that would summarize progress in this area, and also identify further synergies for the consideration of parties.

Comment: It is important to understand the relationship of the FAO part of the Rotterdam secretariat to the new UNEP structure, and it may be appropriate to consider how to include the FAO part of the Rotterdam Secretariat in a fully integrated secretariat at a later stage.

Response: The Executive Secretary's proposal, as noted, was limited to the Basel, Stockholm and UNEP-part of the Rotterdam secretariat. Although the Rome-based Rotterdam Executive Secretary had the opportunity to review and comment on the proposal before it was transmitted to parties, it was noted that the focus of the COPs' decisions was on the Geneva-based operations. Implicit in the decision for the 2nd proposal, to go to the 2013 extraordinary meetings of the COPs from the UNEP Executive Director in consultation with the FAO Director General, is the opportunity to build upon the 2011 proposal, in particular with any input from the FAO side. This would allow for "learning by doing" during a transition period. It is too early in the transition to suggest any further changes, at this time, however.

Comment: The exercise will serve to streamline secretariat operations, and should not lead to an increase in posts. Rather, the overall effect of the restructuring should be to enhance investment in activities to support the implementation of the conventions.

Response: Agreed. Already during the transition, as seen in the Executive Secretary's quarterly report, there has been a decrease in encumbered posts. This is, in part, in anticipation of filling the new management posts in 2012. However, ad hoc and planned efficiencies in human resource utilization will free up resources that will also be made available to support implementation of the convention. This was clearly a major aspirational goal of parties in drafting and adopting the joint managerial functions decisions. Since many of the predominately administrative and efficiency savings currently being realized through the restructuring are in the general trust funds of the conventions, it will be important for the 2013 meetings of the COPs to consider and decide upon ways to use these savings to better support parties' efforts to implement the conventions.

Comment: The Executive Secretary should continue to highlight the necessity of preserving the legal autonomy of the three conventions during the transition period, and provide adequate reassurance that appropriate steps are being taken to do so. The Parties must be the final driving force behind change.

Response: Agreed. The Executive Secretary recognizes that the uppermost consideration – paragraph 7(a) of the section II on Joint Managerial Functions of the omnibus decisions taken by the 2010 extraordinary meetings of the COPs tasks the Executive Secretary with “Ensuring full respect for the legal autonomy of the three conventions.” While the Executive Secretary can, and does, provide his assurances that he will do his utmost to try to ensure this, he also believes that maintaining accountability is also critical. As such, he hopes that promoting greater transparency in secretariat activities will help parties to better monitor what the secretariat does and how it performs its work will be useful. This includes, but is not limited to, the quarterly reports posted on the new synergies website. In addition, the 2013 meetings of the COPs will be evaluating the synergies arrangements, among other things, on the basis of the reviews requested by paragraphs 28 and 29 of the 2011 COPs’ decisions on Review Arrangements. This should provide an excellent opportunity for parties to evaluate how the Executive Secretariat has done as far as maintaining legal autonomy, and provide feedback on possible improvements.

Comment: More quantitative details on the extent of cost savings by the restructuring would be welcome, as it becomes available.

Response: The Executive Secretary has begun posting quarterly reports on synergies, efficiencies and cost savings at:
<http://synergies.pops.int/SynergiesProcess/JointManagerialFunctions/ManagementOversightReports/tabid/2714/language/en-US/Default.aspx>

Comment: The secretariat should make use of external controls, including audits, to help parties monitor the progress of the secretariat during the transitional period.

Response: Agreed. It is hoped that the quarterly management reports referred to above will be helpful to parties. In addition, it is hoped that the synergies review that will be taken by the 2013 extraordinary meetings of the COPs, noted earlier in this document, will give parties a mechanism to review and evaluate the performance of the restructured secretariat. The secretariat always welcomes external audits, but notes that these must be accommodated within the approved budget.

Comment: There is a need to improve the regional and gender balance within the secretariat.

Response: Agreed. The Executive Secretary recognizes the serious demographic problems confronting the secretariat, and when filling the 5 new management posts, intends to give due consideration to improving the regional and gender balance of the secretariat. Indeed, one of the primary reasons for following an open internal/external recruitment process for these management positions was to use the opportunity of restructuring to see if demographic issues in management could simultaneously be addressed. Similarly, should the resource situation be such

that, during the course of the biennium, any of the now-frozen posts can be filled, careful attention would be given to improving secretariat demographics.

Comment: It would be helpful if the secretariat could develop indicators of achievement.

Response: The Executive Secretary agrees that it is important for parties to have the opportunity to be informed of progress and achievements on a regular basis, and to have the opportunity for input. For this reason, the secretariat is now putting quarterly reports on the synergies website. In due course, and with further experience in both the restructuring and in the implementation of the COPs' synergies decisions, establishing indicators of achievement may be a helpful mechanism for establishing and measuring goals and milestones for the synergies process.

Comment: The secretariat may wish to consider, when revising the draft vision statement, including reference to strengthening the secretariat's advocacy role, in particular with large UN organizations, international financial institutions and relevant parts of the private. It was also noted that the sixth bullet of the draft vision statement was phrased ambiguously, and that the assistance provided by the secretariat is in implementing the three conventions.

Response: Agreed. These comments will be addressed in formulating the next draft of the vision statement.