



CONVENTION ON WETLANDS
CONVENTION SUR LES ZONES HUMIDES
CONVENCIÓN SOBRE LOS HUMEDALES
(Ramsar, Iran, 1971)

From the Secretary General

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Gland, 29 November 2010

Dear Co-Chairs,

Ramsar Secretariat's comments on UNEP's "Response to the letter from the Co-Chairs of the Ramsar Ad Hoc Working Group on Administrative Reform dated 22 July 2010"

Thank you for sharing with the Secretariat the above-mentioned report from UNEP. The Ramsar Secretariat congratulates UNEP upon its report, which has been diligently investigated and clearly presented.

The Ramsar Secretariat is well aware that any decision regarding institutional hosting rests solely with the Contracting Parties. However, in view of the body of information now available, and the frequent requests by representatives of Contracting Parties to my staff for the Secretariat's position on this matter, I consider that it is an appropriate time for me to share the position of the Secretariat. This is based upon information available to you and us up to and including the UNEP report of 7 October 2010.

The process of exploring the possible benefits and the feasibility of a change of host has now been ongoing for several years and the purpose of this exercise has been to assess the degree to which a change in institutional host would bring benefits to the operation of the Secretariat and to the Contracting Parties. The basic premise of this process has been that any change should at the very minimum maintain the capacity of the Secretariat and delivery of services to Contracting Parties, and that it ideally should increase that capacity.



We hear clearly that Contracting Parties want the strength of the Secretariat to be at least maintained, along with operational flexibility and the effective decision-making capacity of the Secretary General that have characterised the last 40 years' success of the Convention.

From our analysis of the information presented to date, the benefits of a change in hosting arrangements are potential, but it appears there is no guarantee that they will materialize, especially when coupled with options for unchanged or reduced Secretariat capacity.

To illustrate this, let me briefly mention two key areas of Secretariat activity: The Ramsar Secretariat is already participating in the work of, and contributing to, several UN-led processes, some of them under the umbrella of the Environmental Management Group (EMG) chaired by UNEP's Executive Director; another of those is UN-Water. The level of our contribution is at present variable and depends entirely on our constrained capacity. Within the UN, it would be challenging for the Ramsar Secretariat to respond to requests made of UN agencies with the capacity it has now. The other opportunities within the UN context require additional capacity to provide actual benefits. In short, the Secretariat will need additional human resources to fully take advantage of the opportunities.

Regarding the opportunities for fundraising, the potential may possibly be higher with UNEP as a host organization, but the success will continue to depend mainly on the capacity of the Secretariat to mobilize resources from existing sources of funding, through successful working relationships with multi and bilateral institutions, and with relevant ministries within Ramsar Contracting Parties.

Specific matters relating to the report are elaborated further in the attached annex. In summary though, Scenario 1, based upon thorough UN classifications of jobs which were completed in October 2009 by UNEP, reflecting the TORs of existing staff, is the only scenario which comes close to equating to the current capacity and functioning of the Secretariat. Other staffing scenarios exist, and two are presented in the report. UNEP has discussed these with the Secretary General. It is UNEP's assessment that these are feasible. It is the Secretary General and the Secretariat's assessment that these are capacity reducing scenarios. They are cost-neutral and reduced budget scenarios, but they contradict the fundamental premise on which this exercise is based. We do not advise Parties to adopt any approach that does not at least maintain the capacity of the Secretariat.

The Secretariat has not seen definite evidence of enhanced operational or financial mechanisms that a change of host would present to the Convention, the Secretariat or the Parties. This is of course a matter for the Contracting Parties to evaluate and conclude upon, but on the basis of the information provided, the Secretariat remains very unconvinced about the feasibility of taking advantage of the benefits of the change, taking into account the Secretariat's capacity needs.

I would also like to advise you that loss of operational efficiency whilst this process is ongoing will be substantial. We believe that the main transition period would last significantly longer than the one and a half year transition period outlined in the UNEP report.

Finally, Ramsar Secretariat staff would like to notify the Ad Hoc Working Group that for it to continue to efficiently support this process it will very soon need legal and HR support and representation. The staff welcomes the efforts to date to consider their individual and collective issues, but believe substantive independent advice and support will soon be required.

Detail of the Secretariat's analysis of the UNEP report, together with some requests for clarification, is annexed to this letter. I thank you for giving the Secretariat the opportunity to follow the process of the Ad Hoc Working Group, and for your attention to this letter.

Yours sincerely,



Anada Tiéga

Enc.

CC: Mr Achim Steiner, Executive Director, UNEP
Administrative Authorities of the Ramsar Contracting Parties
Ms Julia Marton-Lefèvre, Director General, IUCN

Annex 1

Detailed Ramsar Secretariat Response and Comments to the 7 October 2010 UNEP report (Revised Version) to the Ad Hoc Working Group on Administrative Reform.

The Ramsar Secretariat congratulates UNEP upon its report, with the following comments:

A. Section A/B

1. **Scenario 1** is based upon UN classifications of jobs which were completed by UNEP based upon the current TORs of existing staff. This is the only scenario which comes close to equating to the current capacity and functioning of the Secretariat¹. There are other staffing scenarios, including the 2 proposed in the report, and whilst UNEP has discussed these with the Secretary General, it is **UNEP's** assessment that these are feasible. On page 7 UNEP asserts that the SRA positions **should** be classified at P4. The Secretariat would like to suggest that this might be worded as **could**, and asserts that this would be a capacity reducing scenario (possibly partly offset by the upgraded Assistants/Interns, but not at the upper technical and strategic end of the role of the SRA)². The 50% Admin Officer position reduction is also considered capacity reduction. This position does many important tasks in the Secretariat of which the management of the Internship programme is only a small part. The SG does not concur with UNEP's conclusions in D.2.a.3. He would also like to point out that the Partnership Officer position is currently under recruitment. This position has not been fully classified by UNEP, but is included in Scenarios 1 and 2 at P4, and under scenario 3 at P3. The position has been offered to a current UN employee at the experienced P5 level. This highlights significant differences in perceived role of this and other posts.
2. **Documentation Officer** - The 50% documentation officer is not a COP approved position, but it is CORE funded out of the staff costs budget. It is paid for out of the 1100 budget line in A.1.f, but NOT included in the UNEP scenarios. The result is that each of the UNEP scenarios omits this cost and function and reduces the existing capacity of the Secretariat.
3. **Interns** - Footnote 1 on page 5 should read "Ramsar estimates that the cost per intern may increase by CHF2,000 per month with effect from 1 January 2013, possibly earlier". This situation is still under review with the Swiss authorities. (We note that the estimates assume the increase from 2011, and project this to increase the total 2011 Core budget. This has some illustrative value, but parties should note that the Secretariat is not currently planning to ask parties to increase the 2011 budget or their contributions.)
4. **Depreciation charges/other** - Each of the UNEP scenarios appears to omit the depreciation cost of IT equipment. This currently costs Ramsar USD 12,000 per annum and is included in its budget. It is not clear if this is intentional or not. In B.1.c it is stated that IUCN owns the computers. This is not the case for the 21 lap and desk tops currently utilised by Ramsar.

¹ See point G 1) below. It appears that there may have been an error in grading of one position.

² See point G 2) below for Secretariat views in relation to this

Neither is any depreciation or charge included for the acquisition or renewal of furnitures, IT hardware, applications, office equipment etc. The cost of these is included in B.1.d, but no subsequent renewal is budgeted for. Assuming an average life of 5 years, charges of CHF 26,000 should be included in all scenarios (unless covered by the PSC).

As stated in A.1.a.1, UNEP has assumed zero charges for bad debts and exchange losses. How can UNEP shelter Ramsar and the Parties from these actualities? We do not understand assumption c in A.1.a.1 either. It is unclear the extent to which these assumptions may or may not have a significant implication on the scenarios presented.

5. **PSC** - In Scenarios 2 and 3, the Finance Officer and Admin Assistant would be financed out of the 13% PSC. In A.1.c.2 it is stated that this “would largely utilise the amount of PSC available to the Secretariat”. The Secretariat assumes this would affect its access to vital HR, IT and other support services it currently gets from IUCN (and assumes in Scenario 1 would come from the PSC). Scenarios 2 and 3 would likely reduce the HR, IT and other support it currently receives. This might lead Parties to believe that the PSC is a bottomless pot of money, and Contracting Parties may have expectations of greater support than UNEP anticipates here. It would be helpful if UNEP could explain the functioning of the PSC and help ensure that false expectations do not arise.

Note: It is suggested in B.2.b that the oft-promised “legal-support” from UNEP would not be part of the PSC and would come as part of a “supplementary support” that would not increase Ramsar’s budget. This is another point for clarification, both in terms of financial implications and the nature of the support.

6. **Transition costs** - There is no provision in UNEP’s transition costs for staff counselling and negotiations that will be required by UNEP and IUCN on staff transition arrangements, nor for any legal support covering the technicalities of the major change in Convention texts, etc.

B. Other comments on the financial scenarios/transition:

1. Parties should be aware that a number of assumptions, particularly those in financial scenarios 2 and 3, would need to be strongly negotiated with UNEP/Switzerland upon entry (such as the financing of the Finance Officer and Admin assistant out of the 13%PSC.) Also the assumptions in all scenarios in that accommodation, and maintenance subsidy, would be provided free of cost (by Switzerland).
2. Staff costs – page 8 footnote 5 – link does not work. Parties may need this to understand this maximum assertion better.

C. Section C

In C.1.b the Secretariat would like to suggest that the possibility may exist for part of the process to be dealt with by Special Meetings or an Extraordinary Meeting of the Conference of the Parties pre or post COP11, and that it is unclear as to whether UNEP envisage a one or two year transition (especially in light of the 2 year scenario for staff contract changeover).

It is not clear to the Secretariat whether the change in hosting would require an amendment of the Convention and deposit of an Instrument of Acceptance by all Parties. Should this be the case, it would likely prolong significantly the transition period.

D. Section D

1. Many of the suggestions in here are interesting and reflect UNEPs desire to suggest solutions that would respond to the current staffing arrangements and profile and UNEPs unique operating environment. Further detailed discussion will be required, and clarification on terminology, before the Secretariat can comment in more detail.
2. Are the staffing tables referred to in D.2.a.2 available for Parties to review?
3. D1.a.1 – In Switzerland current retirement age for men is 65, 64 for women.

E. Section E - Benefits

1. **B.2.6 and throughout the document** - there are numerous statements to the effect that UNEP's four MEA Biodiversity Focal Points for Africa, Asia, Neotropics and West Asia will be able to help promote the implementation of the Convention if it the Secretariat were to be administered by UNEP. From Secretariat staff experience of working with these officers, this may sound like an over expectation, as they have a very heavy workload and although well-intentioned, they can only provide limited support to the Ramsar Convention. Furthermore, Ramsar Secretariat staff are already working with these MEA-BFP so there would be limited difference if the Secretariat were to be administered by UNEP or not in order for us to continue to work with them.
2. **E.1.a** - The Secretariat already has good links with many UN and other environmental processes and so despite the statements in this and other sections of the report, it is still not clear how being administered by UNEP will add to the cooperation that the Secretariat/Convention has achieved already.
3. **E.2.e.3 (para. 2, line 1)** - Institutional hosting by UNEP would not necessarily 'assist in the development and maintenance of quality staff' in the Secretariat. We can see from this report that under Scenario 2 and 3, there would be a decrease in the number of staff and that the position of the SRAs would be changed from a P5 to a P4 position. There would thus be a lower level of quality staff in the middle-level of the Secretariat if Scenario 2 or 3 were to be followed.
4. **E.6.c** - The Secretariat already has direct links to the staff in the network of UNEP regional offices, e.g. West Asia in Bahrain and Asia in Bangkok.
5. **E.7** - The whole issue of the Secretariat being administered by UNEP or remaining under IUCN was started by looking at how the legal status of the Secretariat could be improved. As we can see from line 1, para. 4, there will be no change in the legal status of the Secretariat if Ramsar were to become a UNEP administered convention. If so, then we need to ask what are the other benefits of joining UNEP.
6. **E.8 (para. 2)** - Para. 2 on staff recruitment is very interesting because UN staff themselves are saying that a "litany of human resources problems points to a need to overhaul the entire human resources management framework in order to attune the aspirations of staff members with the Organization's goals and the demands placed upon it" (14 Oct 2010 in para. 12 of <http://reformdesa.blogspot.com/2010/10/ban-ki-moon-refuses-to-submit-views-of.html>). The rest of this link also makes interesting reading about the HR problems within the UN, where staff this year even threatened a vote of no confidence in the SG because of staffing issues. See <http://www.innerecitypress.com/unsu1ban0810.jpg> and http://www.u-see.org/43rdDocs/LatestNews/20101011_A_C.5_65_XX_ViewsOfStaff_English.pdf for further information.

7. **Appendix 1** - In the 'Recommendation' on page 8 (para. 1) of the 'Report of the Ad Hoc Working Group on Administrative Reform to the 41st meeting of the Standing Committee', it is clearly stated that the Working Group on Administrative Reform 'could not reach consensus on whether the Ramsar Secretariat should be provided by UNEP or continue to be hosted by IUCN'. As a result, the statement in para. 2 of this Appendix that the Working Group 'recommended to the Ramsar Standing Committee that the Secretariat be hosted by UNEP' was misleading.
8. **E.5** - There appears to be a misunderstanding of decision SC41-37 c) of Standing Committee, which should be read and interpreted in the context of the Standing Committee debate in question:
"c) requested the Secretary General to develop and implement a strategy to maximize synergies within the Secretariat, and to report the outcome assessed by the Executive Team to the 42nd meeting of the Standing Committee".

F. Other comments

1. More clarification is requested with regard to the Role of Executive Director versus the role of the Standing Committee (e.g. in appointment of the Secretary General).
2. Terminology in the report is confused when referring to the legal status of the Secretariat versus the legal status of the Convention. And in UNEP administering the Convention versus administering the Secretariat.

G. Specific comments on understanding of current functions within the Secretariat:

1. **Executive Assistant to the SG** – The Ramsar post #6 (UNEP 18) is assessed in all scenarios as G5. This is significantly below its current IUCN P1 grading and salary, and is inconsistent with other #IUCN P1 positions graded G7 and P2/P3. On detailed review of all gradings, and or the functions and roles of the Executive Assistant, it does appear that the Executive Assistant to the SG may have been misgraded in all scenarios on the assumption that the level of responsibilities and functioning would remain unchanged. Consideration should be given to this, as it does have a financial and operational implication.
2. **Senior Regional Advisors - In D.2.a.3** UNEP asserts that the SRAs have "limited interaction with key actors at the ministerial and senior government level" and that "the senior interaction is mainly being performed by the SG or DSG", as a basis for suggesting the positions they previously classified as P5 could be classified as P4, and this would make them comparable to similar positions in other MEAs. Senior staff of the Secretariat refute the first assertion and have requested evidence to support the suggestion that other MEA's perform with P4s. They are of the strong opinion that a P4 classification would likely reduce the capacity of the Secretariat to service Contracting Parties in the manner to which they have become accustomed.
3. **Intern Programme** – There are benefits of changing the current intern programme and providing resource with permanent P2 positions. A JPO funded position however may introduce insecure funding and reduce the possibility of using these positions to build capacity in developing environments. The reinforcement of the technical capacity for the regions would be welcome.

4. There is an apparent general shift away from providing administrative capacity in the Secretariat – with the scaling up of the interns and the reduction of administrative posts, the scenarios contemplated in the report do seem to change the emphasis of the Secretariat’s current resourcing and potentially leave gaps in the important administrative functioning of the Secretariat. A lot of the work done is administrative in nature.