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Governing Council of the United Nations Environment Programme

Twenty-sixth session of the Governing Council/ Global Ministerial Environment Forum
Nairobi, 21–24 February 2011
Item 6 of the provisional agenda*

Budget and programme of work for the biennium 2012–2013 and the Environment Fund and other budgetary matters

Evolution of the relationship between the United Nations Environment Programme and the multilateral environmental agreements that it administers

Note by the Executive Director

Corrigendum

1. Page 1

For the existing text *substitute*

Summary

The annex to the present note explains the distribution and evolution of managerial and administrative authority in respect of multilateral environmental agreements administered by the United Nations Environment Programme (UNEP). It excludes the Multilateral Fund for the Implementation of the Montreal Protocol, an entity with which UNEP has a distinctly different relationship. It describes recent findings of the Board of Auditors and the Office of Legal Affairs pertaining to the expanded authority and autonomy of multilateral environmental agreements and their implications for UNEP. It also makes recommendations aimed at clarifying and strengthening accountability that have the potential to alter the relationship between UNEP and the agreements that it administers. The report is intended to initiate a wider discussion, including with the Governing Council and the conferences of the parties to these multilateral environmental agreements. It has been prepared in the light of consultations with the Committee of Permanent Representatives, the Office of Legal Affairs, the Department of Management and the United Nations Office at Nairobi. It is presented without formal editing.

* UNEP/GC.26/1.

2. Paragraph 5, eighth bullet point

For the existing text, *substitute*

The regional seas conventions and action plans, including the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (the “Cartagena Convention”), the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (the “Barcelona Convention”), Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Western Indian Ocean (the "Nairobi Convention"), Northwest Pacific Action Plan (NOWPAP), Coordinating Body on the Seas of East Asia (COBSEA), and the Convention for Co-operation in the Protection and Development of the Marine and Coastal Environment of the West and Central African Region (the “Abidjan Convention”).

3. Page 9, footnote 10

Delete the footnote

4. Annex 1

Replace annex 1 with the annex below

Annex 1

The allocation of Programme Support Costs (PSC) Resources between UNEP / UNON and MEA Secretariats

(in thousands of US dollars)

	2008-2009							Estimate 2010					
MEA	Trust Fund Expenditure	PSC Income	PSC Expenditure in MEA	% of Total PSC	PSC Retained by UNEP / UNON	% of Total PSC		Trust Fund Expenditure	PSC Income	PSC Expenditure in MEA	% of Total PSC	PSC Retained by UNEP / UNON	% of Total PSC
SBC	9,007	1,162	834	72%	328	28%		6,622	789	436	55%	353	45%
CBD	35,118	4,388	2,727	62%	1,661	38%		26,186	2,965	1,814	61%	1,151	39%
CITES	14,199	1,495	1,072	72%	423	28%		8,366	800	455	57%	345	43%
CMS	13,253	1,655	1,157	70%	498	30%		7,084	906	657	73%	249	27%
Rotterdam/Stockholm	21,278	2,765	1,250	45%	1,515	55%		13,093	1,630	526	32%	1,104	68%
Vienna Convention	11,027	1,307	430	33%	877	67%		5,341	666	218	33%	448	67%
Regional seas conventions*	29,988	3,546	1,893	53%	1,653	47%		12,449	1,452	1,985	137%	(533)	-37%
Total	133,870	16,318	9,363	58%	6,955	42%		79,141	9,208	6,091	66%	3,117	34%

Preliminary figures for December 2010 as at 2 February 2011

* In 2010 the trust fund balance of one of the regional seas conventions was adjusted by US$ 1.013 million from PSC to offset prior year's over-expenditures.

Note: this annex shows income for 2010 as at 2 February 2011 and reflects an increase in 4th quarter performance that will be taken into account in the allocations for 2011.

5. Annex 2, page 14, introductory paragraph

For the existing text, *substitute*

Examples of decisions by conferences of parties to MEAs that have qualified the authority of the Executive Director, enhanced the authority and autonomy of the 'executive' head of the immediate MEA secretariat, renamed and/or established a distinct legal identity for the immediate MEA secretariat and/or even established requirements that redefine and/or directly contradict the policies and procedures set forth in UN and UNEP regulations, rules and related administrative instructions.

6. Annex 2, paragraph 7

For the existing text, *substitute*

7. In decision XXII/21 the Parties to the Montreal Protocol on Substances That Deplete the Ozone layer stated that:

In the light of the unparalleled effectiveness of the Montreal Protocol, the parties express their strong desire to ensure continued leadership and consistency in the Ozone Secretariat during the period leading up to 2015, which is a critical period for the implementation of the most recent adjustment to that treaty. There is a pressing need to retain the current Executive Secretary of the Ozone Secretariat through 2015 to provide this leadership and consistency during this critical period.

The Parties therefore request the President of the Bureau of the Twenty-First Meeting of the Parties to work with the Executive Director of the United Nations Environment Programme to explore any means to retain the current Executive Secretary through 2015 and to convey to the Secretary-General of the United Nations the parties' request to find means to extend the tenure of the current Executive Secretary of the Ozone Secretariat through 2015.

The Parties authorize the use of budget line transfers of funds with increasing the size of the budget if such transfers are necessary to facilitate the extension. Regardless of any changes in the post of Executive Secretary that may be used to achieve the extension through 2015, the position will revert to that of a non-extended D-2 position at the end of 2015 or, if the incumbent leaves earlier, at that earlier date.