

GOBIERNO DE CHILE
MINISTERIO DE RELACIONES EXTERIORES
Misión Permanente de Chile
ante las Organizaciones Internacionales
Ginebra

From the Co-Chairs of the
Ad Hoc Working Group on Administrative Reform

Mr. Achim Steiner
Executive Director
UNEP
PO Box 30552
Nairobi
Kenya.

Switzerland, 2 April, 2009

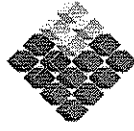
Dear Mr. Steiner,

Thank you very much for your time in attending the 10th Conference of Parties to the Ramsar Convention in Changwon City, Republic Korea in October 2008, and giving such an inspiring speech to all the participants at the meeting.

You may be aware that Resolution X.5 'Facilitating the work of the Ramsar Convention and its Secretariat', endorsed at the meeting, called for the establishment of an open-ended Ad Hoc Working Group to recommend to the Ramsar Standing Committee ways in which the operations of the Secretariat can be improved, to include consideration of whether the Secretariat should be institutionally hosted by UNEP. This Working Group held its first meeting on 19 January 2009 in Gland, Switzerland and the second meeting on 24 March 2009.

At the last meeting it was agreed that we should solicit from you further detailed and specific information upon the costs and benefits to the Convention of changing to be institutionally hosted by UNEP. This process was started last year when high level estimates were provided by Mr. Christian Marx as part of the legal study that Mr. Lal Kurukulasuriya completed for the Standing Committee. You will appreciate that because of the unique way in which the UN operates, it is difficult for us to get to a position of being able to make a recommendation to the Ramsar Standing Committee unless we have more detailed information, and in this regard we invite you to furnish us with a report based on the attached outline by 30 September 2009.

The Ramsar Secretariat has been mandated to work closely with you to provide the necessary base information for your report, including current staffing, salaries, and current service arrangements and related charges with IUCN in order for you to be



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able to make as full and accurate an assessment as possible. We would like to suggest that, in order to ensure the process is as thorough and efficient as possible, we, the Ramsar Secretariat and whoever in your organisation is charged with this task, meet at your earliest convenience to discuss the draft Terms of Reference and our joint approach and proposed timetable. We hope that you will also be able to meet with us when you are next in Geneva, which we understand will be in May if not earlier.

We are most grateful of your continued support in getting to a position of sufficient information for our Working Group to purposefully deliberate and advise our Contracting Parties on what could be a major change for Ramsar and assure you that providing this information would not commit Ramsar or UNEP to such a change, or specific terms thereof.

Thank you very much in advance for your help.

Yours sincerely,

Guy O'Brien (Australia)

Osvaldo P. Alvarez-Perez (Chile)



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Annex 1 Report Outline

The Co-Chairs of the Ad Hoc Working Group on Administrative Reform are requesting a report to supplement the October 2008 report on the Legal Status of the Ramsar Secretariat to clearly present to the Ramsar Standing Committee the operational implications of a possible change in institutional host, together with costs, both one-off and ongoing, to the Convention.

A. Deliverables and timetable:

1. Draft report, in English, and discussion with Working Group co-Chairs by 31 July 2009.

Contents will include:

- Key assumptions made
- Operational and legal considerations
- Staff position and cost comparison, with details of UN grading and rotation requirements, with detailed cost and benefit comparison of UNEP and current Ramsar structure
- Detailed comparison of administrative and financial support services and costs, comparing current Ramsar arrangements under IUCN and alternatives under UNEP
- Key transition issues such as employee transfer, benefits, costs, UNEP governing council processes and timings, in the event that a transition to UNEP were to take place.

2. Final report, in English, by 30 September 2009.

B. General

1. How, in the opinion of UNEP, might a change in institutional host change the image, visibility and recognition of the Convention and enhance the recognition of wetlands as important assets for conservation and sustainable development, including the role of wetlands in biodiversity conservation, climate change mitigation and adaptation, desertification control, food security, human health, tourism, poverty reduction and other economic and social activities.
2. How, in the opinion of UNEP, might a change in institutional host enhance the overall implementation of the Convention? How might it reinforce scientific and technical capability?



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C. Legal Personality

1. How, in the opinion of UNEP, might the international legal personality of the Ramsar Convention Secretariat change, if at all, particularly its status in relation to the other MEAs, and its ability to collaborate with MEAs, IOPs (BirdLife International, International Water Management Institute (IWMI), IUCN-The World Conservation Union, Wetlands International), other UN agencies, donor community and the business sector?
2. How, in the opinion of UNEP, would the ability of the Convention to be involved in and be represented at relevant international meetings be affected, if at all, as a result of the move to the UN system?
3. How might this affect the ability of the Secretariat to make binding contracts with third parties and make international agreements? How would this affect the ability of the Secretariat to enter into partnerships with the business sector, and the status and role of the existing Ramsar International Organization Partners (IOPs)? How else might institutional hosting by the UNEP affect the current decision-making processes of the Secretariat and Convention?
4. What liability for Ramsar activities would UNEP assume and how would this be managed?
5. Would, in the opinion of UNEP, the Secretariat and Contracting Parties to the Convention have greater access to funds, to funds that would otherwise not be available, or more difficult to access, if the Secretariat remained outside the UN system?

D. Staff

In October 2008 Mr. Christian Marx of UNEP prepared estimates of staff and other administrative costs that Ramsar would bear on an ongoing basis if it were institutionally hosted by UNEP. The report requested needs to further develop these estimates, with the benefit of additional information from Ramsar. Specifically, the following needs to be addressed:

1. Positions (including UN grading and cost) that would be required to continue the current level of service offered by the Secretariat to the Contracting Parties, with clear indication of which positions would be considered international professional positions and which could be local hires.
2. Positions that might be considered not necessary for continuation under UNEP because these services might be otherwise provided by UNEP, the cost of which would be covered by the 13% PSC.
3. Explanation of the implications of mandatory rotation of international professional positions. Consideration of normal periods for and restrictions



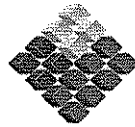
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on recruitment and filling of positions and the normal time that positions remain unfilled.

4. Explanation of the UN salary system, specifically addressing issues of salary escalation with longevity of service, for international professional staff and local hires, and the implications of the incremental step system for managing staff costs when experienced UN staff are selected for positions or local hires remain employed for many years.
5. Detailed comparison of UN and current other staff benefits including pension, medical, school fees etc.
6. Implications for international travel of designation of a position as an international professional one, covering visas and work permits in the host country, for employee and dependents, travel in the course of duty, access to UN security and support services when travelling (reference:http://www.ramsar.org/sc/37/key_sc37_doc02_add1.doc).
7. Immigration and administration status of international staff and their families, whether international professional staff or locally hired staff. Advantages, privileges and constraints of being UNEP staff depending on the staff nationality (reference:http://www.ramsar.org/sc/37/key_sc37_doc02_add1.doc).
8. Consideration of whether the Ramsar intern program (4 staff positions) could be maintained in a similar format and at a similar cost to currently. If not, an assessment of the financial and operational implication of a change.
9. How might institutional UNEP hosting assist in the development and maintenance of quality staff in Ramsar?
10. In relation to all points 1 to 9 above, to what extent might it be possible to agree departure from UN practice and procedures.

E. Administrative service and cost comparison

1. Detailed list and explanation of services that are typically provided by UNEP under the 13% PSC mechanism, assuming this is the mechanism UNEP would propose to host Ramsar.
2. Comparison of 13% PSC services and costs with those provided under current arrangements with IUCN for Accounting/Finance, HR, IT support and facilities management. Assessment of any additional staff resources that would automatically be included, such as a legal advisor, to support the work of the Secretariat. Thoughts on any additional staff resources that Ramsar might wish to request and could be negotiated, and at what cost.
3. How would the funds for the Secretariat be kept and administered? Are there any controls or conditions that would be applied to Core and non-Core funds (voluntarily funded projects and private sector funded projects) that we should be aware of?



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4. Assessment of the practical issues of using support services such as finance, legal, contract support, personnel, which are located somewhere other than the location of the Secretariat.

F. Location alternatives

1. Would UNEP be able to continue to host the Ramsar convention in Switzerland? Please indicate any possible alternative locations and the major practical and cost implications of these.
2. What office space would be made available to the Secretariat. (Note: The Ramsar Secretariat currently pays no rent and resides in a building donated by the Swiss Government for Ramsar use, alongside IUCN, free of charge.)

G. Transition issues

1. Possibility and assessment of the desirability of transferring current local and expat staff from IUCN to Ramsar under UNEP. Implications of transferring existing contracts and accrued benefits.
2. If it were to be mutually agreeable that the Secretariat be institutionally hosted by UNEP, how could the change be practically, legally and administratively implemented?
3. What additional costs should be considered, other than those already indicated in sections above.
4. What process/timings might be envisaged?

H. Sharing of information

1. The Ramsar Secretariat will provide financial and other information, including details of current arrangements with IUCN, to UNEP for the purpose of facilitating meaningful comparison. Your contact for this information would be Anada Tiega, Secretary General, and Anna Goodwin, Finance Officer.
2. Information shared regarding the current operations of Ramsar and the possible alternatives will be treated with the utmost confidentiality by both Ramsar and UNEP.
3. The report will be made available only to the members of the Ad Hoc Working Group in the first instance. Your permission will be sought to furnish the report to the Standing Committee or any other party.

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