



Distr. LIMITED

UNEP(DEPI)/CAR IG.45/INF.3
22 June 2021

Original: ENGLISH

Nineteenth Intergovernmental Meeting on the Action Plan for the Caribbean Environment Programme and Sixteenth Meeting of the Contracting Parties to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region

Virtual 26 to 30 July 2021

STRATEGIC AND FUNCTIONAL REVIEW OF THE CARTAGENA CONVENTION SECRETARIAT

For reasons of public health and safety associated with the COVID-19 pandemic, this meeting is being convened virtually. Delegates are kindly requested to access all meeting documents electronically.

Strategic and Functional Review of the Cartagena Convention Secretariat

8 June 2021

Vijay Samnotra

Abbreviations and Acronyms

AMEP	Assessment and Management of Environmental Pollution
CBD	Convention on Biological Diversity
CEP	Caribbean Environment Plan
CETA	Communication, Education, Training and Awareness
COP	Conference of the Parties
CAR/RCU	Caribbean Regional Coordinating Unit – Cartagena Convention Secretariat
CTF	Caribbean Trust Fund
GEF	Global Environment Facility
ICZM	Integrated Coastal Zone Management
IGM	Intergovernmental Group of Ministers
IWEco Project	Integrating Water, Land and Ecosystems Management in Caribbean Small Island Developing States
JPO	Junior Professional Officers
LBS	Land-Based Sources of Marine Pollution
MAP	Mediterranean Action Plan
MEA	Multilateral Environmental Agreements
NFP	National Focal Points
OIOS	Office of Internal Oversight Services
OTA	Overhead Trust Fund
PROCARIBE	Protecting and Restoring the Ocean’s natural Capital, building Resilience and supporting region-wide Investments for sustainable Blue socio-Economic development
RAC	Regional Activity Centre
RAC/REMPEITC	Regional Marine Pollution Emergency, Information and Training Centre for the Wider Caribbean Region Regional Activity Centre, Curacao
RAC/CIMAB	Centre of Research and Environmental Management of Transport in Cuba Regional Activity Centre
RAC/IMA	Institute of Marine Affairs, Trinidad and Tobago
RAC/SPAW	Regional Activity Centre for Specially Protected Areas and Wildlife, Guadeloupe
ROLAC	UNEP Regional Office for Latin America and the Caribbean
RSC	Regional Seas Convention
RSCAP	Regional Seas Conventions and Action Plan
RSP	Regional Seas Programme
SPAW	Specially Protected Areas and Wildlife
STAC	Scientific and Technical Advisory
UNDP	United Nations Development Programme
UNCLOS	United Nations Convention on the Law of the Sea
UNEP	United Nations Environment Programme
WCR	Wider Caribbean Region

Strategic and Functional Review of the Cartagena Convention Secretariat

Executive summary and overview of recommendations

Strategic and functional reviews of organizations are generally carried out in response to long-term systemic issues: addressing fiscal and budgetary pressures, increasing programmatic and policy responsiveness, strengthening organizational structure and systems in view of emerging challenges and responding to suggestions by stakeholders for more cost-effective and efficient services.

This strategic and functional review of the Cartagena Convention Secretariat, initiated by the Ecosystems Division of the United Nations Environment Programme (UNEP), emerged as a direct response to some of these endemic challenges. The review broadly analyses the financial trends of the Convention Secretariat and outlines a resource mobilization strategy to augment its financial resources. It proposes a new organizational structure, suggests actions to improve linkage between the Cartagena Convention Secretariat and its governing bodies and takes a more general look at the functioning of its Regional Activity Centres (RACs).

This strategic and functional review has taken a holistic overview of the structure, processes and linkages of the Regional Coordinating Unit (RCU) of the Cartagena Convention Secretariat and devised a set of key strategic actions to streamline its structure, work processes and resource mobilization strategy to meet the strategic priorities approved by the contracting parties. A snapshot of the recommendations that emerged from the review is provided below:

Resource mobilization

Strategic action 1: Flagging Clause 24 on Administration of Amendment 1 dated 13 December 2014 to the “Financial Rules for the Convention” for the attention of the parties

Strategic action 2: Increasing coordination and communication with countries that have outstanding contributions

Strategic action 3: Cost-saving measures for financial sustainability

Strategic action 4: Sustained engagement with major donors

Strategic action 5: Closer engagement with the Global Environment Facility (GEF) to ensure involvement of Cartagena Convention Secretariat in more marine projects

Strategic action 6: UNEP to have high-level engagement with United Nations Development Programme (UNDP) for the Caribbean Regional Coordinating Unit (CAR/RCU) to act as Secretariat for the PROCARIBE project (Protecting and Restoring the Ocean’s natural Capital, building Resilience and supporting region-wide Investments for sustainable Blue socio-Economic development)

Strategic action 7: Linking UNEP’s successful Greening the Insurance and Banking Industry with the work of the Cartagena Convention Secretariat that serves the most hurricane-prone area in the world

Strategic action 8: CAR/RCU to invest in building strong relationships with the global multilateral environmental agreements (MEAs) and other Regional Seas Programmes (RSPs)

Strategic action 9: Voluntary contributions of member states in the form of secondment of Junior Professional Officers/Associate Experts

Strategic action 10: Transparency and accountability

Strategic action 11: Cartagena Convention Secretariat cannot respond to every request that is not endorsed by its Conference of the Parties (COP). It must be prepared for strategic trade-offs.

Organizational structure

Strategic action 1: Reclassification and restructuring of posts

Strategic action 2: Definition of responsibilities, authority, reporting lines and accountability of each position on the organization chart

Strategic action 3: Quick implementation of the new organization chart within stipulated timelines

Strategic action 4: Competencies and skill sets in job descriptions to be updated

Strategic action 5: Training needs of staff to be identified and rationalized

Strategic action 6: Imperative need for political support from UNEP headquarters

Strategic action 7: Clear demarcation of functions and responsibilities of UNEP's Regional Office of Latin America and the Caribbean (ROLAC) and CAR/RCU regional and subregional offices

Strategic action 8: Increased operational efficiency: all urgent and time-sensitive demands for information to be coordinated through UNEP's Ecosystem Integration Branch

Governing bodies of the Cartagena Convention Secretariat

Strategic action 1: Convention Secretariat needs to clarify roles of Bureau and Conference of the Parties (COP)

Strategic action 2: Participation of Programme Managers to assist Coordinator in Bureau meetings

Review of the role of RACs

Strategic action 1: Ecosystem Integration Branch must fully evaluate proceedings of last Scientific and Technical Advisory Committee (STAC) meeting, where several contracting parties faced significant difficulties

Strategic action 2: A working group should be established to evaluate current architecture – organizational and technical – of RACs

Strategic action 3: Work done in working groups and decisions taken during STAC and COP meetings should accurately reflect government opinions. The Secretariat's role should be to ensure that balanced debates take place and that the parties' decisions are implemented

Strategic action 4: Engage RAC in the Centre of Research and Environmental Management of Transport (CIMAB), Cuba and resolve long-standing issues

Table of contents

	Page
Abbreviations and acronyms	2
Executive summary and overview of recommendations	3
1. Purpose and scope	6
2. Methodology	7
3. Pattern of responses	8
4. Big picture	9
5. Financial review	10
6. Resource- mobilization strategy	14
7. Organizational structure	17
8. Role of the Cartagena Convention governing bodies	22
9. Review of the role of Regional Activity Centres	23
10. The way forward	25
<u>Annexes</u>	
I: Terms of Reference for the Strategic and Functional Review of the Cartagena Convention Secretariat	26
II: List of documents consulted	29
III: Questionnaires	30

1. Purpose and scope

This strategic and functional review of the Cartagena Convention Secretariat as provider of Secretariat functions to the Cartagena Convention was initiated by the Ecosystems Division of the United Nations Environment Programme (UNEP). It is necessitated by the continuing financial instability and other governance issues faced by this Regional Seas Convention (RSC) – issues that affect the effective and efficient implementation of its mandate and its long-term viability.

Thus, the primary purpose of this strategic and functional review (in line with its Terms of Reference) is to **"assess the adequacy and effectiveness of the Secretariat in terms of organizational structure and function and the adequacy and sustainability of the financing of Secretariat operations to meet the needs of Contracting Parties to the Cartagena Convention"**. The overall assumption is that the review will contribute to strengthening implementation of the Convention by providing an independent assessment of the **"adequacy and effectiveness of the Cartagena Convention Secretariat's governance, management and control processes (including financial) in relation to the provision of efficient and effective services to the Convention, highlighting areas of concern and those in need of improvement and the challenges faced"**. In addition, the strategic review will also seek to assess the adequacy of the **"administrative, management and technical support provided by UNEP headquarters to the Convention"**.

It is hoped that the recommendations and insights stemming from this review will provide both accountability and learning, reinforcing the mutual accountability and responsibility of managers within the Regional Coordinating Unit (RCU), UNEP managers at the regional and Headquarter levels member states signatories to the Convention and donors.

These findings will be presented to the Conference of the Parties (COP) of the Cartagena Convention in July 2021 so the parties can make informed decisions about the level of contributions, budget and the approved programme of work of the Convention.

A close perusal of the Terms of Reference guiding the review reveals four distinct but interlinked thematic clusters. It is clear that the efficacy of one cluster will impact the implementation of the others:

- **Thematic cluster A: Organizational structure**
Current reporting lines, efficiency of hierarchical structure, accountability mechanisms, links with headquarters and deficiency of Convention's institutional governance mechanisms.
- **Thematic cluster B: Work processes**
Use of current levels of delegation of authority, adherence to United Nations Financial Rules.
- **Thematic cluster C: Policy and programme coherence**
Implementation of projects, outreach to member states, coordination with regional and corporate headquarters.
- **Thematic cluster D: Financial sustainability**
Gap between resources required and currently allocated for effective implementation of the convention's programmes; identification of areas reviewed for cost-saving measures.

2. Methodology

The strategic and functional review was guided throughout by its Terms of Reference (**Annex I**). It focused on reviewing the scope of activities carried out and whether they still supported the desired objectives and outcomes while assessing key competencies required to implement the Convention's mandate. The review considered how the activities could be delivered in a more efficient and effective manner. The existing organizational structure was a prime area of focus. The review also analysed the amended financial rules and the extent to which they had been successful in ensuring the Convention's financial sustainability.

A major part of this work was done at the desk study phase by reviewing relevant information available at UNEP headquarters and the Caribbean Regional Coordinating Unit (CAR/RCU), covering policies, strategies, work processes and projects. **A list of documents consulted is provided in Annex II.**

Interviews/meetings with the member states, CAR/RCU staff and senior managers at the UNEP Regional Office for Latin America and the Caribbean (ROLAC) and corporate headquarters in Nairobi constituted an important part of the methodology. A number of meetings were held initially on an ad hoc basis to pursue specific lines of inquiry about policies and strategies and followed up subsequently with detailed and focused interviews. By allowing every level of the organization to comment on an issue or raise new concerns the consultant was able to view the problems from multiple angles.

Questionnaires were developed covering topics such as human resource management, efficiency of work processes, strategy and mandate, financial sustainability and partnerships and project implementation. These were then communicated to the National Focal Points (NFP) and other stakeholders. The questionnaire designed for CAR/RCU staff covered issues such as level of motivation, strategic focus, performance measurements, etc. Confidentiality of the proceedings was maintained throughout. **The questionnaires are given in Annex III.**

Coordinators of two UNEP-administered Regional Seas Programmes (RSP), the Barcelona Convention and Nairobi Convention, were also interviewed to flag issues of common concern and best practice. The Director of the UNEP ROLAC in Panama and the Chief of the Sub-Regional Office in Kingston, Jamaica were also consulted to identify synergies. Global Environment Facility (GEF) Project Managers in Washington and former heads of Programme and Project Planning in Nairobi were also consulted. The Director of the Ecosystems Division and Head of Ecosystem Integration Branch were consulted with regard to UNEP support – administrative, financial and human – for the Cartagena Convention.

The scope of this review was expanded to cover the issue of Regional Activity Centres (RACs) at a much later date. This issue, which opened further areas for exploration, has taken a lot of time and consultations and still requires further work/analysis.

It should be noted that this strategic and functional review suffers from two major limitations. First, all interviews were conducted remotely because of the travel restrictions imposed by the Covid-19 pandemic. Secondly, responses received from NFPs were unusually poor, despite several reminders from the Coordinator's office. While not speculating on the reasons for this poor response, it can be said with some regret that the conclusions reached in this review may seem to some to be the result of an exclusively top-down process. It is hoped that there will be more substantive input from NFPs when this strategic and functional review is discussed in detail at the pre-COP and the COP itself.

It is important to underline the fact that although findings and feedback from focus interviews are a significant part of the review, they can rarely be used as the sole proof of a problem. They can, however, be used to convey urgency and indicate areas that require further examination. Anecdotal evidence presented with hard data can build a compelling argument. Feedback from focus interviews is also a powerful way to reflect and challenge the organization's leadership. It is credible and can be difficult to

challenge as it cannot be classed as the consultant's analysis or opinion. Even if the feedback is dismissed as merely “opinion”, enough negative opinion implies an unhappy workforce and significant divergence from the organization's mandate.

3. Pattern of responses

There was a pattern to staff responses to the questionnaires and interviews: a demonstrable lack of trust in the Secretariat's top leadership, particularly its lack of forward-looking strategic vision and absence of accountability. This, in turn, resulted in low staff morale and motivation, feelings of disempowerment, cynicism, stress and poor teamwork leading to unproductive intra-organizational conflicts. The recent financial crisis that had threatened job security was a stressful event and could have affected interviewees' judgment. For some, there was the sense that the overarching values – the foundation of the work of the United Nations – had somehow been compromised.

Some members of the donor community referred to the need for a coherent organizational and financial strategy to turn around the organization's fortunes. At the same time there was appreciation of the indispensable nature of this RSP, the only legally binding instrument on marine resources covering the Wider Caribbean Region. Donors also expressed admiration that the CAR/RCU, with its limited human and financial resources, had stretched itself to its limits to implement important projects.

The overwhelming impression was that a once proud and globally recognized UNEP flagship programme had somehow lost its way.

One other aspect of the responses should be highlighted: more than 90 per cent of suggestions pertained to the need for improving operational effectiveness and less than 5 per cent focused on altering the strategy for the implementation of the Convention's mandate. The distinction is an important one. Operational effectiveness incorporates management tools focusing on productivity, efficiency, outsourcing, partnering, cost-saving, change management, etc. and implies no trade-offs. Strategy on the other hand, is more about defining and communicating the organization's unique position, making trade-offs (focusing on activities it can do within limits defined by availability of human and financial resources and discarding others) and ensuring a fit between its activities and the strategy. For the purpose of the review, equal importance will be given to both operational efficiency and strategy.

4. Big picture

Since its establishment in 1974 by UNEP, the RSP has adapted itself to address the changing needs of its participating states. Initially addressing pollution, monitoring and capacity-building, its priorities have shifted towards integrated ecosystem management. The RSP now covers a wider range of issues related to the sustainable development of marine and coastal areas.

The framework documents, i.e. the action plan and/or the framework convention, were mostly amended in the 1990s to integrate new principles of international law that emerged with the adoption of the Convention on Biological Diversity in 1992 and the entry into force of the United Nations Convention on the Law of the Sea (UNCLOS) in 1994. Topics of regional protocols have expanded since the 1970s. In the first phase, legal instruments organizing regional cooperation to combat pollution by oil and other harmful substances from ships and reduce pollution from land-based sources and activities were adopted. This dynamic gradually expanded to encompass biodiversity conservation, particularly through the creation of Marine Protected Areas (Caribbean, 1990). Through the Mediterranean Protocol on Integrated Coastal Zone Management (ICZM), the Barcelona Convention has expanded its remit to include goals relating to socioeconomic development.

The Global Strategic Review: Regional Seas Programme (Ehler 2006) states that:

“The RSP, its conventions and protocols, and action plans have provided a forum for equitable participation by Member States in management processes of major seas of the world. It has promoted the idea of a “shared sea,” and has helped place marine and coastal management issues on the political agenda and supported the adoption of environmental laws and regulations. For some Member States in some regions, the RSP is the only entry point for environmental concerns. It has encouraged and provided assistance for capacity-building for marine and coastal management”.

The review further remarks, “substantial progress has been made over the past 30 years in addressing the problems of the world’s oceans through the Regional Seas Programme and other global agreements and activities. There is convincing evidence that better management in some areas has cleaned up beaches and bathing waters and made seafood safer to eat”. It is, however, difficult to precisely attribute observed progress in environmental conditions to a particular endeavour such as the RSP.

On the weaknesses and failures of the RSP, the review states that, “many of the problems identified decades ago have not been resolved, and some are worsening (...). Although many Regional Seas programmes have made a positive difference, many have failed to solve the problems they were designed to solve” (Ehler 2006).

It is difficult to comprehend that in its more than 40 years of existence, "despite the adoption of several action plans and legal agreements, many Regional Seas programmes still have the same institutional framework template as when they were created, with limited financial and human resources. Consequently, [several] secretariats are almost completely occupied by administrative issues and are unable to provide the necessary coordination, assistance and support to states (Ehler 2006). This hampers crucial, higher level strategic and political work as well as the provision of technical and legal assistance (Rochette and Billé 2013)".

Also regardless of the level of support provided by the regional frameworks, implementation is largely in the hands of states. In many cases countries do not have the capacity or means to design and implement strong environmental policies, hampering the effectiveness of regional governance. Where states and administrations are relatively stronger, lack of coordination and even conflicting policies between sectoral policies are common obstacles to implementation. Lastly, national capacities have not always been fully utilized by regional bodies. Lack of adequate funding to the RSPs often holds up the implementation of agreements and activities.

UNEP-administered Regional Seas Programmes

In the case of the UNEP-administered RSPs, there is a programmatic and administrative link with UNEP. In its relationship with the Regional Seas Conventions and Action Plans (RSCAP), UNEP promotes coherence of policies, enhanced cooperation and coordination as well as increased efficiency. The integration of UNEP work with the RSCAP in turn increases the overall effectiveness of the global environmental policy while at the same time supports an efficient delivery at the regional level.

The RSP is embedded in the UNEP structure and programme of work that provides a global dimension to these programmes. The global framework furnishes the coherence needed for the regions to be part of the larger global seas and oceans agenda, and thus better respond to the global ocean mandates while maintaining their regional specificities. Accordingly, different RSCAP continue to be shaped with the needs and priorities of specific regions – as decided by the participating governments – while being part of a global UNEP programme, whose global strategy is ultimately defined by the United Nations Environment Assembly.

Some RSPs also count on other institutional structures, which aim at providing states with assistance and support for the implementation of regional legal instruments, mainly the protocols to the framework conventions. In this regard, RACs play a major role by carrying out three main tasks (Rochette and Billé 2012a):

1. Providing states with relevant data, through publications, white papers and reports, so that they can adopt science-based decisions.
2. Strengthening regional cooperation in a specific field, by organizing conferences and workshops.
3. Providing legal and technical assistance for the implementation of conventions, protocols and action plans.

Other institutional arrangements include the establishment of Working Advisory Groups, or Specialized Committees aimed at supporting the work of the Secretariat and assist governments in the implementation of the relevant regional instruments.

5. Financial review

5.1 Caribbean Trust Fund

A close reading of the relevant documents related to the financial situation of the Cartagena Trust Fund indicates that it reached a precarious situation towards the mid-half of 2020, although the trends leading to this were apparent much before this point. There was a clear and present danger of the RCU staff contracts not being extended and its operations defunded but for the timely intervention of some donors. The Trust Fund and the buffer that had sustained its core operations for some time had dried up. Some observations on the financial aspect are highlighted below:

- Proper management of project support costs was not provided by financial procedures. Reduced contributions, subsequently leading to reduced Overhead Trust Fund (OTA) from less expenditure, led to the dwindling of the financial reserve. The Secretariat was obviously dipping into the reserve without realizing that it had reached a critical tipping point.
- The reason was twofold: a declining contribution by member states which the leadership failed to foresee until it became an emergency and its inability to raise financial resources from the countries whose contributions were in arrears. Caribbean Trust Fund Contribution status as at 29 March 2021 shows outstanding contributions amounting to USD 4.65 million. One country has not paid its assessed contribution for over two decades and another, one of the countries with higher annual contributions, has nearly USD 1.7 million in outstanding contributions. The declining trend of contributions vis-à-vis expenditure can be seen in Tables 1 and 2 below. In 2014, during the celebrations of the thirtieth anniversary of the Cartagena Convention and within the margins of the Intergovernmental Group of Ministers (IGM) and COP of the Cartagena Convention, back-to-back with COP of the Land-Based Sources of Marine Pollution (LBS) and Specially Protected Areas and Wildlife (SPAW) protocols, the financial rules were amended to enhance payment of contributions to the Trust Fund, among others.

Table 1 and Table 2

Year	2014	2015	2016	2017	2018	2019	2020
Contributions Received	982,109	1,053,575	964,388	947,928	1,090,040	630,682	1,267,098
Expenditure	1,564,758	1,046,336	1,062,604	997,228	1,032,393	1,328,590	929,647
<i>Notes:</i>							
2019 USA Contribution paid in early 2020 US govt contribution delayed across UNEP							
2019 Expenditure includes travel for COP/IGM against extraordinary contribution from The Netherlands							
2020 Expenditure reduced due to partial off-set of P-4 LBS PMO position against project funds							

Year	Contributions	Expenditure	%age		Year	Contributions	Expenditure	%age
2014	982,109	1,564,758	159%					
2015	1,053,575	1,046,336	99%		2015	1,053,575	1,046,336	99%
2016	964,388	1,062,604	110%		2016	964,388	1,062,604	110%
2017	947,928	997,228	105%		2017	947,928	997,228	105%
2018	1,090,040	1,032,393	95%		2018	1,090,040	1,032,393	95%
2019	630,682	1,328,590	211%		2019	630,682	1,328,590	211%
2020	1,267,098	929,647	73%		2020	1,267,098	929,647	73%
Total	6,935,820	7,961,556	115%		Total	5,953,711	6,396,798	107%
Average	1,387,164	1,592,311	115%		Average	1,190,742	1,279,360	107%

- In reviewing the analysis, the average expenditure from 2014 to 2020 is higher than the contributions received over the same years, reflecting an average expenditure of 115 per cent. Considering that 2014 had higher expenditures as a result of the events during that year, a further review of the trend from 2015 to 2020 likewise reflects an average expenditure that is still higher than the contributions at 107 per cent. This depicts the critical need to analyse the most sustainable way for the Secretariat to deliver its functions within the current level of contributions to the Trust Fund.

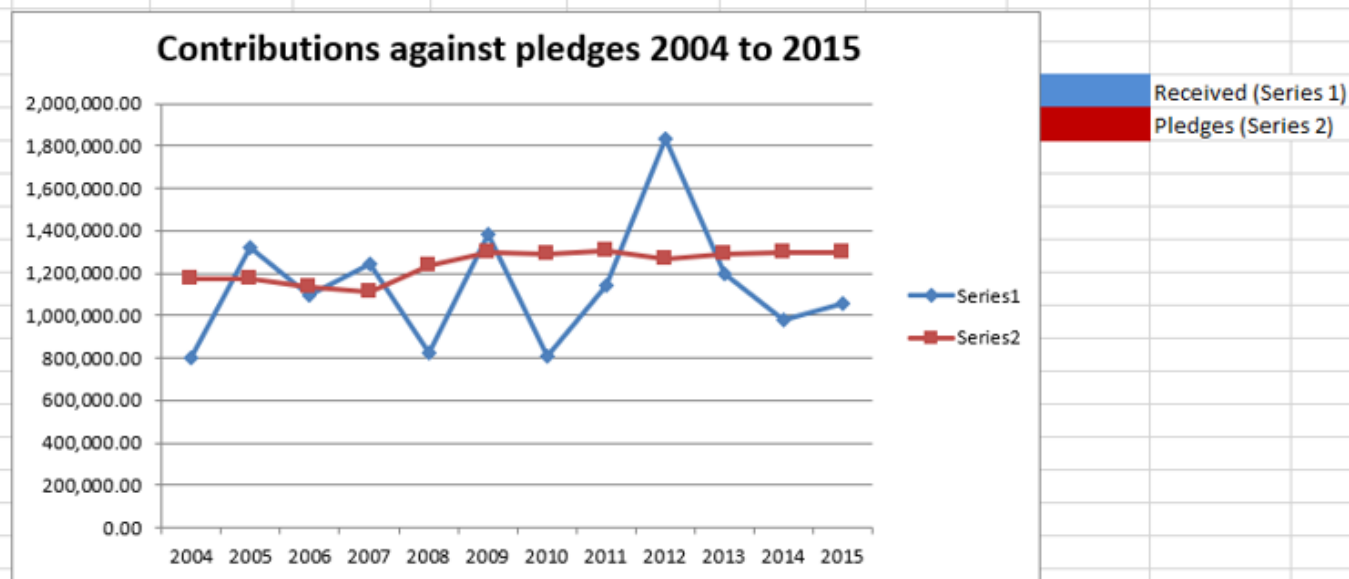
According to Anthony Rivera in his paper "International Environmental Regimes: Cooperation or Free-Riding?" presented at the Annual Meeting of the New England Political Science Association (NEPSA), Worcester, Massachusetts, May 1-2, the Cartagena Convention has a serious problem of free-riding, which he defines as "a situation in which participants derive benefits from their membership in a regime without fully complying with their voluntary financial commitments. In other words, free-riding is defined as participants being in arrears".

- The trend of contributions vis-à-vis pledges from 2004 to 2015 can be seen in Table 3 below. The trend follows a wave-like pattern of contributions against pledges, where higher contributions against set pledges are made in alternate years. In 2012 there was an exceptional increase in payments of outstanding contributions, with payments rising to USD 1.8 million at 145 per cent against the annual pledge. Subsequent years saw some efforts to try and meet the set pledges with the highest at 93 per cent and lowest at 76 per cent. It is important to sustain the contributions at 100 per cent and above in meeting annual and outstanding contributions. At the same time, it is critical to review the most feasible way of sustaining Secretariat functions within the current trend of contributions.

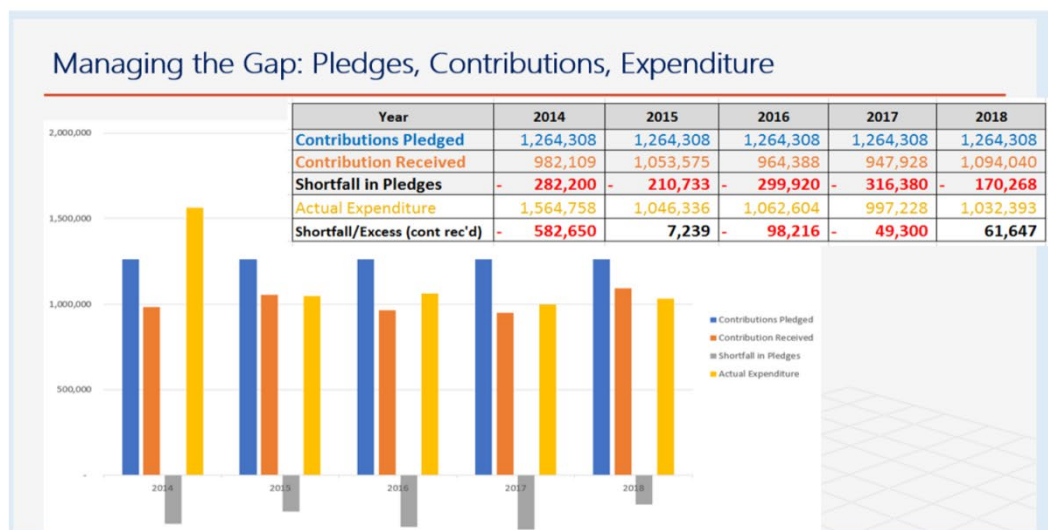
Table 3

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
	68%	113%	97%	112%	66%	106%	63%	87%	145%	93%	76%	81%
Received	800,634.34	1,323,203.90	1,099,025.77	1,243,432.77	820,267.96	1,384,215.63	810,822.00	1,144,102.89	1,836,188.82	1,196,255.21	982,109.00	1,053,575.00
Pledges	1,176,227.62	1,170,338.14	1,136,374.00	1,113,002.00	1,234,066.00	1,300,807.00	1,290,587.67	1,308,943.00	1,267,126.00	1,291,064.00	1,295,333.00	1,295,333.00

*Note some of the contributions received include payments for outstanding contributions in prior years.



40CRL Trust Fund Budget Information



ANNEX VI: Expenditures for the Overall Coordination of Common Costs and Sub-programmes

i) Overall Coordination & Common Costs

Budget Component	2016 Actual Budget US\$	2016 Exp.	% spent 2016	2017 Actual Budget US\$	2017 Exp.	% spent 2017	2018 Actual Budget US\$	2018 Exp.	% spent 2018
Travel	33,000	32,706	99	35,000	9,207.01	26.3	23,000	19,288.93	83.6
Staff Personnel	910,500	823,208	90	927,000	802,206.48	86.5	954,810	789,948.43	82.7
Contractual Services	13,000	12,648	97	14,000	19,301.24	137.8	14,000	28,435.14	203.1
Supplies Commodities & Material	2,000	1,892	95	2,500	4,415.47	176.6	1,500	1,287.13	85.8
Operational & Other Costs	80,000	68,764	86	82,000	68,407.11	83.4	80,000	78,115.81	97.6
Equipment Vehicle & Furniture	3,000	1,145	38	5,000	60.24	1.2	3,500	164.81	4.7
Sub-Total	1,041,500	940,362	90	1,065,500	903,597.55	84.8	1,076,810	917,240.25	85.2
PSC (13%)	135,395	122,242		138,515	93,630.87		139,985	115,152.91	
Grand Total	1,176,895	1,062,604	90	1,204,015	997,228.42	82.8	1,216,795	1,032,393.16	84.8

- According to the RCU, the minimum level of contributions required from donors to maintain and implement the Convention's core activities and processes (excluding one-time cost related to United Nations House, automobile purchase) is estimated at USD 1.4 million per annum for staffing, routine overheads and biennial meetings. This does not include the cost of any additional staff positions. However, average contributions from 2015 to 2020 at USD 1.19 million reflect an annual shortfall of USD 200,000. The Secretariat is therefore obliged to make cost-saving measures to maintain the functions within the contributions.
- From actual expenditures availed by the Secretariat, the RCU between 2016 to 2018, an average of 87 per cent of the expenditure was on staff costs. This leaves only 13 per cent for activities and operational costs.
- The level of programme support costs generated by Trust Fund expenditure (and other projects) would not be sufficient to support the position of the Administration & Funds Management

Officer (P4). This was highlighted in internal memorandums from the Executive Director and the Corporate Services Director to the Secretariat earlier this year (2021).

- No realistic assessment has been made by the Secretariat of the resources – both human and financial – required to fulfil the mandate of the Convention and the priorities of the participating governments. Proposals for cost-saving measures have been made in this review towards a realistic budget within the available resources.

5.2 Other Contributions and Projects

- In addition to securing parties' contributions to cover Secretariat staff costs and Secretariat core functions, additional funding sources continue to be explored to sustain activities and help generate more programme support costs, especially among so-called "innovative financial mechanisms" such as levies, payments for ecosystem services, user fees. The current intense international activity on such topics should be a source of inspiration.
- In this context, there was a marked hesitation by CAR/RCU leadership with regard to securing GEF-funded projects. This was based on the belief that there was no financial benefit to the Secretariat but only the added burden of reporting requirements and additional staff time. It was felt that there was need to diversify from GEF and approach bilateral donors. There is however great value for parties benefiting from GEF projects, a trend seen in other RSPs implementing projects beyond the GEF International Waters focal area, to other GEF focal areas on Biodiversity and Climate Change. The role of the Secretariat is becoming overly focused on project implementation as a result of the shortfall in contributions and less on strategic transboundary issues. As a result of the financial challenges, there is an increased effort to attract projects which sometimes focuses only on the project's administrative and reporting needs rather than on programme responsibilities – coordination, technical review and execution.

6. Resource mobilization strategy

The start of the 2020s is an uncertain time for the world's political and economic order, and many global development experts and commentators warn of significant immediate consequences on financing for the environment. The effects of the Covid-19 pandemic, migration, and a multitude of other global issues have moved to the forefront of the international environmental and development agenda.

6.1 Caribbean Trust Fund

The dual objectives of retaining core donor support while also mobilizing new donors and sources of funds will in turn necessitate continued strong leadership by COP: evolving governance structure to accommodate new donors; developing new strategies and policies for resource mobilization; new thinking on incentives and measures for attracting new donors; creating a framework conducive to new and innovative instruments and sources of funds; and increased investment by the Cartagena Convention in appropriate people, processes, systems and partnerships linked to resource mobilization. Given that resource mobilization is an institutional responsibility, the draft strategy also outlines the roles of stakeholders in its implementation. Needless to add, RCU should ensure strict adherence to United Nations Rules and Regulations in all spheres of action in its effort to raise additional financial resources.

Strategic action 1: Flagging Clause 24 on Administration of Amendment 1 dated 13 December 2014 to the "Financial Rules for the Convention" for the attention of the Parties which states:

The Coordinator shall propose to any Party whose contributions are outstanding for two years, a payment schedule to enable such a Party to clear these within a maximum of four years, depending on the outstanding amount and on the financial circumstances of the Party, and to pay

future contributions by their due dates. In efforts not to undermine the Trust Fund, countries that have more than two years outstanding contributions would not be financially supported to participate in meetings and projects (where applicable) of the Cartagena Convention and its Protocols unless a commitment is agreed in writing by the Party and an initial payment made.

There is no need to further amend these rules at the present time but the provisions of this clause should be proactively followed up by the Secretariat. It may be noted in passing that one multilateral environmental agreement is proposing to take away the voting rights of countries that have had long-outstanding contributions. This drastic course of action is not recommended for the Cartagena Convention. The Fund Management Office should ensure that invoices for contributions should be sent to the countries in a timely fashion (in line with the Financial Rules for the Convention) and they should be followed up regularly. In addition, it is important that the approved budget is aligned with contributions.

Strategic action 2: Increase coordination and communication with the countries that have outstanding contributions. The Coordinator of the Cartagena Convention should head this effort. As an important feature of resource mobilization, communications to the contracting parties should include well drafted messages on the importance and benefits of the Cartagena Convention. The Convention Secretariat must build and nurture stronger relations with these governments through more frequent interactions at the diplomatic and technical levels.

Strategic action 3: Cost-saving measures for financial sustainability. It is not sustainable for staffing costs to continue to exceed the current level of Trust Fund contributions received. Staffing costs consume over 80 per cent of the Trust Fund, as can be seen from Table 3 (the CRL Trust Fund table on expenditure between 2016 and 2018) and this is especially the case for professional positions. The most effective approach to reducing costs and retaining the functions of the Secretariat would be to downgrade the level of the most expensive positions funded by the Caribbean Trust Fund. This aspect relates to the rationalization of the organization chart which will be discussed in the following section on organizational structure.

6.2 Other Contributions

Clearly, a redoubling of efforts will be required to retain and expand the current level of support from traditional donors to the Cartagena Convention, including a shift in messaging to generate a positive momentum around shared responsibility and collective action towards the achievement of its mandate. It is important to note here that the Caribbean Trust Fund will continue to be the main source of funding for the Secretariat's core functions, including its staffing.

Strategic action 4: Sustain engagement with major donors. Sustaining strong relations with governments of major donor countries requires continued monitoring and intensified engagement at the political and technical levels. Having increased projects through continued resource mobilization by the Secretariat while ensuring concepts highly sensitizing the theory of change will help to fill the gap of supporting activities, that cannot be effectively supported by the Caribbean Trust Fund.

Strategic action 5: Closer engagement with the Global Environment Facility to ensure Cartagena Convention involvement in more marine projects. Currently, the Cartagena Convention Secretariat is implementing four GEF projects in the Wider Caribbean Region (WCR). One GEF PIF has been submitted and one more is in the pipeline. The management must recognize that GEF projects build the Cartagena Convention's political profile among its stakeholders in the region. Human resources recruited for one GEF project can be pooled to coordinate/manage other GEF projects. Lately, GEF has authorized CAR/RCU to charge 3 per cent fees for reporting purposes, etc.

Strategic action 6: UNEP to have high-level engagement with UNDP for the CAR/RCU to act as Secretariat for the PROCARIBE project (Protecting and Restoring the Ocean's natural Capital, building

Resilience and supporting region-wide Investments for sustainable Blue socio-Economic development).

The project objectives are aligned with the work of the Cartagena Convention: strengthening blue economy opportunities through sustainable, healthy, coastal and marine ecosystems, strengthening blue economy opportunities through catalysing sustainable fisheries management and strengthening blue economy opportunities by addressing pollution reduction in the marine environment. Duplicating the functions of CAR/RCU by establishing another coordinating unit in the same region is wasteful. In addition, all eligible countries are also contracting parties to the Cartagena Convention with the same NFP as the Convention and its Protocols. Moreover its major components are aligned with Caribbean Environment Plan (CEP) strategy. All Cartagena Convention partners are part of the project.

Strategic action 7: Linking UNEP's successful Greening the Insurance Industry and Banking System with the work of the Cartagena Convention that serves the most hurricane-prone area in the world. The consultant is of the view that UNEP has been unable to connect the dots of one of its most successful initiatives – Greening the Insurance sector – with the work being done by the Cartagena Convention in a high disaster-risk area. This linkage will draw financing from the insurance industry specifically to projects of interest relating to climate resilience in the WCR. The Coordinator should contact UNEP Economics Division to explore and advance the possibility of this partnership. In addition, RCU must engage with the Green Climate Fund and Global Coral Fund to explore additional project funding.

6.3 Additional strategic actions

Strategic action 8: CAR/RCU to invest in building strong relationship with the global multilateral environmental agreements (MEAs) and other Regional Seas Programmes (RSPs) to build on best practices – both programmatic and financial.

Strategic action 9: Voluntary contributions of member states in the form of secondment of Junior Professional Officers/Associate Experts should be strategically explored with headquarters and donors. The Secretariat should explore the major sponsors of Junior Professional Officers (JPOs) and their interests and then submit robust proposals when the call for JPOs is announced to ensure their submission is attractive to sponsoring governments.

Strategic action 10: Transparency and accountability. A principal donor mentioned to the consultant that they were not aware of the Convention's precarious financial situation until very late. They also mentioned that the Bureau's minutes and decisions were not being communicated to them. CAR/RCU should ensure transparency on the funding and projects on its website. It must ensure regular reporting to its donors and contracting parties on the receipt and expenditure of financial resources to sustain their trust and support for its work. CAR/RCU should also disseminate the results of evaluations, audits and recommendations to facilitate evidence-based decision-making on resources by its contracting parties.

Strategic action 11: Cartagena Convention cannot respond to every request that is not endorsed by its Conference of the Parties (COP). There have to be major trade-offs. A major strategic decision needs to be taken by the management in consultation with the contracting parties to focus only on the areas where it has the human and financial resources to implement activities. Activities for which the Convention Secretariat has no capacity should be politely declined.

Key roles and responsibilities for the Secretariat's financial sustainability

COP/Bureau

- Creating an enabling environment
- Providing political direction
- Ensuring intergovernmental oversight

Coordinator

- Taking the lead in the governance of the Secretariat and relations with the Parties
- Ensuring implementation of COP decisions
- Leading the resource mobilization process and pursuing outstanding contributions to the Trust Fund
- Reaching out to decision makers in donor countries and donor organizations
- Ensuring internal oversight of management of financial resources and realistic budget of the Caribbean Trust Fund, within the Parties' contributions
- Providing guidance and advice on the management of resources in line with United Nations Financial Rules and Regulations
- Ensuring compliance of donor agreements with United Nations Financial Rules and Regulations
- Monitoring and reporting to member states and donors on extrabudgetary resources

Administrative and Funds Management Officer

- Management of the Caribbean Trust Fund and other resources, providing guidance and advice on preparation of budgets and proposals for other contributions
- Providing quality assurance on all Secretariat resources and funding proposals
- Assisting the Coordinator in mobilizing outstanding contributions to the Trust Fund
- Oversight of all the Secretariat's financial resources and closely monitoring the expenditure against approved budgets

Professional Secretarial Staff (CTF-funded)

- In addition to managing substantive programmes on pollution and biodiversity, advocating for sustainable financial commitment by the Parties to the Trust Fund
- Integrating resource mobilization in e-Performance
- Developing proposals for additional funding
- Preparing and negotiating donor agreements

Ensuring effective management (planning, monitoring, reporting and evaluation) of extrabudgetary funding

7. Organizational structure

"Organisational structure is defined as the formal descriptive design of tasks and responsibilities, how they are linked together and how they are grouped in functional units in order to achieve an organisation's strategic intention or purpose. It is not the subject for the HR department alone, but a strategic imperative for the whole business." (Buchanan and Huczynski, 2004, p. 461)

Model options

Literature on strategy seems to assume that organizational design is a matter of selecting pre-existing organizational form that fits certain external or internal contingencies. Studies of actual design processes show that new designs are developed in response to a set of requirements unique to each organization.

Decentralized Delivery Model	Corporate Strategic Delivery Model	Mixed Model	Centralized Distributed Model	Centralized Delivery Model
Each programme/ sector/ region carries out policy advisory and transactional activities. A corporate group provides functional directions, establishes organization-wide policies and standards and advises senior management	Corporate group delivers organization-wide strategic management and provides functional direction. Each programme/ sector/ region delivers policy/advisory and transactional activities	Centralized corporate group delivers transactional activities and provides functional direction. Each programme/ region has its own policy advisory team	Centralized corporate group delivers policy advisory and transactional activities on behalf of programme /sector /region. Local advisers reporting to corporate group are dedicated to branches /sectors /regions	A centralized corporate group delivers all policy /advisory and transactional activities

UNEP-administered RSP follow a uniform template where they have close umbilical ties with the parent organization, UNEP. As stated previously, there is a programmatic and administrative link with UNEP and through this relationship UNEP promotes coherence of policies, enhanced cooperation and coordination as well as increased efficiency. The integration of UNEP work with RSCAP in turn increases the overall effectiveness of global environmental policy while at the same time supporting efficient delivery at the regional level. A UNEP-administered RSP is embedded in the UNEP structure and programme of work that provides a global dimension to these programmes. In this sense, CAR/RCU, like other UNEP-administered RSPs, follows a mixed model of governance.

The effectiveness of the present model and the key characteristics of the delivery model for the RSP in the future could be the subject of a comprehensive analytic study involving the stakeholders: COP, UNEP and other intergovernmental organizations. Suffice to say that 40 years on from their establishment, it is time to review the template that has so far guided the work of RSP, especially when it comes to their financing.

The best solution, generally speaking, is a decentralized structure, since this provides decision-making authority close to the stakeholder. A decentralized structure will as a rule be more focused on achieving effectiveness and efficiency, because the decision makers are closer to where actual work is happening.

However, there is no organization that is 100 per cent decentralized or 100 per cent centralized. Even in a decentralized entity there must be certain central control. As a rule, this should include decisions on values, corporate strategy and top-level appointments. Financial decisions and those regarding the control of human resources should be centralized. Human resources and financial resources 'belong' to the collective interest of the parent organization, not only to its component units.

Establishing the context for a new organization chart

The current regional strategy for the implementation of the CEP which the present organizational structure of the Convention Secretariat is designed to deliver was adopted more than three decades ago in 1991. Report 2015/083 dated 27 August 2015 of the United Nations Office of Internal Oversight

Services (OIOS) had recommended that its draft version should be submitted to COP during the November 2016 session and finalized by mid-2017. We can only speculate on the reasons for this inaction, but the fact remains that for a long time, CEP was implemented through three subprogrammes:

1. Assessment and Management of Environmental Pollution (AMEP)
2. Specially Protected Areas and Wildlife (SPAW)
3. Communication, Education, Training and Awareness (CETA)

The organizational structure of the Convention Secretariat has remained unchanged since then except for some ad hoc alterations to reflect the ongoing GEF or projects funded through other sources

In the continuum that spans the adoption of the first CEP in 1991 to its updating in 2021, several far-reaching changes at the global and regional levels have occurred institutionally as well in relation to the priorities and direction of marine protection and conservation efforts. To cite a few examples: adoption of the Sustainable Development Goals, the post-2020 global biodiversity framework and the Small Island Developing States Accelerated Modalities of Action (SAMOA) pathway. In addition, according to the draft strategy, several thematic and management strategies are being developed where CEP will provide the framework for fulfilment of the objectives of the Cartagena Convention and its protocols.

These strategic requirements impact the quest for the design of the new organization chart.

7.1 Caribbean Trust Fund

The options for the design of a new organization chart were limited. In all, the Secretariat has 12 posts funded by CTF. The Secretariat currently has four professionals: one at the D-1 level (Coordinator), two at the P4 level funded by the CTF and one professional (Administrative and Fund Management Officer) funded by OTA. The P5 post of Deputy has been frozen. The Secretariat has nine General Support (GS) Staff – (two GS-level posts are vacant).

The GEF-funded IWeco project has a complement of four professionals and two GS staff. The current organizational structure of CAR/RCU incorporates the posts shown in Table 4 below – differentiated by their source of funding:

Table 4

Level	D 1	P 5	P 4	P 3	P 2	GS
CTF-funded posts	1	frozen	2	0	0	9
Non-CTF-funded posts (project posts)	0	1	1	1	1	2

As stated earlier, the current organization chart organizes the staff into four distinct units:

- two units responsible for its core functions: Assessment and Management of Environmental Pollution (AMEP) and SPAW
- one unit that performs the cross-cutting aspect of CETA
- one support/service unit (Administrative and Fund Management Unit).

Proposed organizational structure

The analysis of the CTF reflects that staffing costs comprise on average over 87 per cent of overall contributions to the Trust Fund. In order to align the Secretariat's staffing costs with current Trust Fund levels and the Secretariat financial portfolio, while still maintaining the Secretariat's essential functions, it is necessary to downgrade the most expensive positions, thus enabling the Secretariat to maintain the existing number of professional positions and achieve the greatest cost savings. This would also bring the staffing structure into line with the organizational hierarchy and staffing levels of similar UNEP-administered RSPs.

Strategic action 1: Reclassification and restructuring of posts.

1.1 Caribbean Trust Fund

Overall, for financial reasons and to bring the staffing structure into line with most RSC, it is proposed that two positions should be reclassified and one eliminated at the professional level. In addition, for operational efficiency, it is proposed that three positions should be reclassified at the General Service level. One GS-level position could be transferred to alternative funding sources.

- The most effective way to bring staffing cost into line with available Trust Fund resources would be to reclassify the post of Coordinator to the P5 level instead of the current D-1 level. This would be in line with four other UNEP-administered RSP (two conventions and two action plans) led by Coordinators at P5 level. The only current exception to this structure is the Barcelona Convention where the Coordinator is currently at the D1 level due to the larger Trust Fund and financial resources' portfolio, which also warrants higher and broader functions. It should be noted that the Barcelona Convention also saw reclassification of the post of Coordinator from D-2 to D-1 level as the result of a functional review of the Convention and in order to align the level to Trust Fund functions and resources. Reclassification of the Coordinator position would provide the Trust Fund with substantial cost savings of approximately USD 43,600 per year as reflected in Table 5 below, while maintaining the functionality of the Secretariat's services to the Convention.
- The Deputy Coordinator position should be eliminated based on the structure of other similar RSC.
- The G6 Financial and Budget Assistant position should be reclassified to a Senior Administrative Assistant position (G6) in order to support oversight in certification and provide administrative support for human resources, operations and activities.
- The Driver position is not required full-time and therefore could be reclassified to a G3 or G4 to provide additional functions to the Secretariat including serving as the Assets Focal Point to ensure global oversight of the Secretariat's inventory and equipment. This is an area that requires continuous close attention.
- The Secretariat should consider removing the G4 Team Assistant from the Caribbean Trust Fund. This position could be retained with alternative funding under the projects to match the support to the Administration team depending on the Secretariat project portfolio.
- To sustain the Trust Fund, the number of GS posts should be reviewed in detail, outlining the function of each position and exploring opportunities to increase efficiency without undermining the overall support delivered by the Secretariat. However, reclassifying a GS position to a lower level does not have a significant financial impact on standard costs. It may have an impact on actual costs which would be minimal as compared to the differences in level between the

professional positions. To make substantive savings at the GS level, it would be necessary to freeze or fully eliminate a GS position.

Table 5

Current			Proposed *		
Caribbean Trust Fund	Level	Standard UN Costs**	Caribbean Trust Fund	Level	Standard UN Costs
Coordinator	D1	247,900	Coordinator*	P5	204,300
Pollution (AMEP)	P4	184,900	Pollution (AMEP)	P4	184,900
Biodiversity (SPAW)	P4	184,900	Biodiversity (SPAW)	P4	184,900
Sub-Total Professional Posts		617,700	Sub-Total Professional Posts		574,100
Senior Personal Assistant	G6	45,800	Senior Personal Assistant	G6	45,800
Finance and Budget Assistant	G6	45,800	Senior/Administrative Assistant (Alternate Certifying Officer)***	G6/G7	45,800
Information Systems Assistant	G6	45,800	Information Systems Assistant	G6	45,800
Programme Assistant - AMEP	G5	45,800	Programme Assistant - AMEP	G5	45,800
Programme Assistant - SPAW	G5	45,800	Programme Assistant - SPAW	G5	45,800
Finance Assistant	G5	45,800	Finance and Budget Assistant	G5	45,800
Team Assistant - Communication	G5	45,800	Team Assistant - Communication	G5	45,800
Team Assistant - Administration	G4	45,800	Team Assistant - Administration	G4	45,800
Driver	G2	45,800	Driver/Admin Assistant - Assets Focal Point	G3	45,800
Sub-Total General Service Posts		412,200	Sub-Total General Service Posts		412,200
Total Costs		1,029,900	Total Costs		986,300

* Annual reduction of costs to the Trust Fund would be **USD 43,600** per year. This would also align the P5 Coordinator position at a level equivalent to most other RSPs

** Standard United Nations Costs - Actual staff costs by level varies depending on personal situation (single or with dependents), entitlements and level on the United Nations salary scale. For General Service staff, the cost is much cheaper for the lower levels, i.e. while the cost for a G6 may reach USD 45,000, for a G3 it could be USD 30,000 or less.

*** This position previously provided alternate certifying roles and should be reinstated as such. This would ensure oversight in certification as well as in the absence of the Deputy Coordinator and the AFMO positions, serve as hybrid administrative support including in human resources, ensuring alignment in the oversight of staff, operations and activities.

1.2 Overhead Trust Fund (OTA)

Table 6

Overhead Trust Fund (OTA) - PSC	Level	Standard UN Costs	Overhead Trust Fund (OTA) - PSC	Level	Standard UN Costs
Administrative & Funds Management Officer*	P4	184,900	Administrative & Funds Management Officer	P3	151,000

*In line with the level of the Caribbean Trust Fund and given the financial portfolio of CAR/RCU in comparison with other Regional and Global MEA Secretariats' Administrative and Funds Management Officer functions, the P4 position should be reclassified to P3 level, reducing cost by **USD 33,900**. UNEP headquarters issued memorandums on the over-expenditure of the OTA allocation in 2020 by over USD 60,000 in CAR/RCU, compared to the authorized budget. The OTA relates to the programme support costs generated by the Secretariat. This proposal would meet the shortfall halfway, while anticipating more PSC from forthcoming projects and subsequent increased expenditure should there be enhanced contributions to the Trust Fund in the future.

Strategic action 2: Post-approval of the proposed organization chart at COP, senior management of RAC/RCU and UNEP headquarters should define the responsibilities, authority, reporting lines and accountability of each position.

Strategic action 3: The new organization chart with detailed listing of responsibilities, reporting lines and accountabilities should be implemented quickly within stipulated timelines.

Strategic action 4: Competencies and skill sets in the job descriptions need to be updated for both levels P and G keeping in view the growing need for technical expertise and project management experience in the Cartagena Convention Secretariat. This process should include an inventory of existing competencies and skill sets as well as those required for all positions in the Secretariat.

Strategic action 5: Staff training needs should be identified and rationalized to meet the Convention's emerging needs. Currently, training is focused on mandatory training requirements and UMOJA (the United Nations reform initiative) and not necessarily on training to improve the delivery of the Cartagena Convention's mandate and workplans.

Strategic action 6: In the interviews with RSP Coordinators, there was the feeling that their existence was of a peripheral concern to UNEP headquarters in Nairobi. This sense of isolation and alienation should not be allowed to fester. A strong message of support from UNEP leadership would help improve this perception. Staff noted that the recent creation of the new Ecosystem Integration Branch has been beneficial for the continuous monitoring and support of RSP work and is already making an impact.

Strategic action 7: Clear demarcation of the functions and responsibilities of the UNEP Regional Office for Latin America and the Caribbean (ROLAC) (and the Caribbean Sub-Regional Office and the CAR/RCU) to enhance synergies between the work of the two. Currently, the relationship between ROLAC and the Cartagena Convention Secretariat requires closer attention particularly in the marine environment area. There needs to be a closer review of complementarity, clarity and trust in the roles that they play in the region. There have been meetings to present programmes of work and complementary projects, but higher-level meetings or even joint technical meetings are not happening regularly. This aspect needs to be rectified urgently.

Strategic action 8: Increased operational efficiency: time-sensitive demands should be managed in close collaboration with the Coordinator, the Ecosystems Integration Branch and related UNEP or United Nations Office at Nairobi (UNON) office which needs to help see a request to fruition. As one UNEP, there are a lot of comparative advantage to be gained from experiences of different UNEP-administered RSP and thus it is critical to ensure requests are channelled through the Ecosystems Integration Branch.

8. Role of the Cartagena Convention governing bodies

Some observers have pointed to the need to highlight the role of the governing bodies of the Cartagena Convention, namely the COP and the Bureau. Generally speaking, the COP is the supreme decision-making body of the Convention. All States that are Parties to the Convention are represented at the COP, at which they review the implementation of the Convention and any other legal instruments that the COP adopts and take decisions necessary to promote the effective implementation of the Convention, including institutional and administrative arrangements.

Traditionally, the Bureau is responsible for advising the President and taking decisions with regard to the overall management of the intergovernmental process. The Bureau has overall responsibility for questions of process. The Bureau is not a forum for political negotiations. It assists the President in the performance of his or her duties by providing advice and by helping with various tasks (e.g. members undertake consultations on behalf of the President). The Bureau is responsible for examining the credentials of parties, reviewing the list of intergovernmental organizations (IGOs) and non-governmental organizations (NGOs) seeking accreditation, and submitting reports on these matters to the Conference. The Secretariat will often seek advice and guidance from the Bureau on relevant matters.

Strategic action 1: There is a need to clarify the roles of the Bureau and COP. Clearly, the Bureau cannot supplant the role of COP and take major decisions without referring them to COP for approval. A principal donor to the Convention stated that they had never received minutes of the meetings of the Bureau detailing the discussions and decisions taken. This apparent lack of transparency needs to be rectified with regular channels with the NFP established in the Secretariat. This will, in all probability, resolve the feeling of disengagement that some Parties have with the work of the Convention.

Strategic action 2: With only one or two exceptions, participation of the Secretariat in the meetings of the Bureau is limited to the Coordinator alone. Programme Managers are neither invited nor engaged in these meetings. It is suggested that all Programme Managers should be invited to support the Coordinator in these meetings to provide substantive inputs, as appropriate, and ensure issues are collectively and comprehensively addressed.

Strategic action 3: There must be strict adherence to United Nations Rules regarding notice for meetings of COP and the Bureau (at least two weeks in advance) accompanied by the agenda of the meeting and transmission of all documents to be discussed. Translation of the documents should be done in time. Any deviation from this norm reflects on the professionalism of the Secretariat and carries a reputational risk for UNEP as a whole.

9. Review of the role of Regional Activity Centres

The request for an urgent review of the role of RAC and clarification of their relationship with CAR/RCU was received at a late stage in this functional review process.

RAC coordinate and implement activities related to the Cartagena Convention and its Protocols. There are currently four RACs:

- Oil Spills Protocol: The Regional Marine Pollution Emergency, Information and Training Centre for the Wider Caribbean (RAC REMPEITC-Caribe) in Curacao which works in close collaboration with the International Maritime Organization.
- LBS Protocol: The Centre of Research and Environmental Management of Transport in Cuba (RAC CIMAB); and the Institute of Marine Affairs in Trinidad and Tobago (RAC IMA).
- SPAW Protocol: The Regional Activity Centre for Specially Protected Areas and Wildlife (SPAW RAC), which is hosted in Guadeloupe.

RAC CIMAB, RAC REMPEITC-Caribe and the Institute of Marine Affairs work closely with the AMEP subprogramme while the SPAW RAC supports the SPAW subprogramme.

It should be noted that the negotiation of new regional conventions and extension through protocols continues to be a highly active area:

- April 2010 marked the entry into force of the Carpathian Convention Protocol on Conservation and Sustainable Use of Biological and Landscape Diversity.
- In March 2011, the Parties to the Convention for Cooperation in the Protection, Management and Development of the Marine and Coastal Environment of the Atlantic coast of the West, Central and Southern African Region (Abidjan Convention) agreed to create an Oil Spill Contingency Plan, establish a regional centre for cooperation in case of oil spills and other emergencies, and develop a Marine Protected Areas Protocol.
- Another relevant example is the entry into force in March 2011 of two protocols of the 1976 Convention for the Protection of the Mediterranean Sea against Pollution (Barcelona Convention): the

2008 Protocol on Integrated Coastal Zone Management in the Mediterranean, and the 1994 Offshore Protocol.

The high importance of RACs for the implementation of the Cartagena Convention cannot be exaggerated. As RACs operate alongside COP, RCU and other kinds of political, scientific, and technical groups, they provide services for the implementation of protocols for which there are clearly stated regional- and national-level needs. The RAC in the Cartagena Convention operate as semi-independent entities, but possess limited authority because they are mandated to address Convention-specific regional issues and needs.

This strategic and functional review recognizes that the structure of RAC requires further attention and systematic research. This research should also compare and evaluate the manner in which they have been established under various RSP and their linkages to the RSC Secretariats and whether they have been successful in providing specialized support to national governments and stakeholder groups. Unfortunately, due to time constraints, this review has been unable to go into the details of such an evaluation.

In this regard and particularly in light of the recent difficulties faced by SPAW/RAC at the latest meeting of its Scientific and Technical Advisory Committee (STAC), the following recommendations are being made:

Strategic action 1: Ecosystem Integration Branch must closely evaluate the proceedings of the last STAC meeting where several contracting parties complained of facing significant difficulties and ensure that these glitches are not repeated. Conclusions and recommendations of such meetings must be shared with all parties and RAC after approval by the Bureau within one month of the meeting.

Strategic action 2: A working group should be established to evaluate current architecture – organizational and technical – of RACs under various RSP and make recommendations for its improvement while taking into account the Guidelines for Establishment of Regional Activity Centres and Regional Activity Networks for the Cartagena Convention, 17 November 2006, and also look into their financing by the RCU.

Strategic action 3: Work done in working groups and decisions taken during STAC and COP meetings should accurately reflect government opinions. The Secretariat's role should be to ensure that balanced debates take place and the parties' decisions are implemented.

Strategic action 4: Engage RAC in the Centre of Research and Environmental Management of Transport (CIMAB), Cuba, which has been providing strong support to the Cartagena convention by:

- assisting the Secretariat at intergovernmental meetings
- supporting execution of GEF and non-GEF projects particularly in terms of capacity-building
- being a member of Technical Working Groups
- hosting technical meetings and workshops, providing technical input and in some cases leading the publication of technical reports relating to pollution.

Their support has been in kind through their technical staff and capacity. Further progress has been held up by:

- formal ratification of the LBS Protocol
- addressing outstanding payments to the Trust Fund. The Cuban Ministry has indicated that as a result of the USA embargo, they have not been able to make payments
- completion of a Host Agreement between UNEP and the Government of Cuba in order to formally host and recognize CIMAB as an LBS RAC.

For these issues to be rectified, the Coordinator will need to engage in a high-level dialogue with the Cuban authorities with the support of ROLAC and UNEP headquarters.

10. The way forward

- As stated earlier, the effectiveness of the present model and the key characteristics of the delivery model for the Regional Seas Programme in the future could be the subject of a comprehensive analytic study involving the stakeholders: COP, UNEP and other intergovernmental organizations of all RSP. Forty years on from their establishment, it is time to review the current template that has so far guided the work of the RSPs.
- A functional review of RAC also needs to be considered on a priority basis. In the opinion of this consultant they form a very important part of the implementation mechanisms of the various RSP. Their linkages with the strategies and workplans need to be strengthened further.

Annex I

Terms of reference for the Strategic and Functional Review of the Cartagena Convention Secretariat

Duties and Responsibilities

Background

The Convention for the Protection and Development of the Marine Environment in the Wider Caribbean Region (WCR) or Cartagena Convention is a regional legal agreement for the protection of the Caribbean Sea. The Convention was adopted in Cartagena, Colombia on 24 March 1983 and entered into force on 11 October 1986. It has been ratified by 26 United Nations Member States in the Wider Caribbean Region.

The Convention is supported by three technical agreements or Protocols on Oil Spills, Specially Protected Areas and Wildlife (SPAW) and Land-Based Sources of Marine Pollution (LBS).

1. The Protocol Concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region was adopted in 1983 and entered into force on 11 October 1986.
2. The Protocol Concerning Specially Protected Areas and Wildlife (SPAW) in the Wider Caribbean Region was adopted on 18 January 1990 and entered into force on 18 June 2000.
3. The Protocol Concerning Pollution from Land-Based Sources and Activities was adopted on 6 October 1999 and entered into force on 13 August 2010.

The Regional Coordinating Unit (UNEP-CAR/RCU) was established in 1986 in Kingston, Jamaica and is the Secretariat to the Cartagena Convention and its Protocols.

Article 15 (Institutional Arrangements) of the Cartagena Convention assigns the secretariat functions for the Convention to UNEP. The Coordinator of the Cartagena Convention is at D1 level. There are 12 staff paid from the Cartagena Convention Trust Fund (CTF) and five staff paid from project funds. Two positions are paid from the Overhead Trust Fund (OTA); one P4 position and one General Support (GS) level post which has been frozen.

According to the Financial Rules of the Cartagena Convention, Contracting Parties agree to pay voluntary contributions to support the Trust Fund. These contributions are to be paid on an annual basis at levels agreed to at each ordinary Meeting. All ordinary contributions are due to be paid in the year for which they were pledged. Assessed levels of the pledges have remained the same since 2009.

To ensure financial sustainability, during COP 13 (16th IGM) of the Cartagena Convention in December 2014, the Contracting Parties took a decision to approve an Amendment 1 to the Financial Rules, adding three clauses on: the working capital reserve, the administration of the payment of outstanding contributions, and the termination of the Trust Fund which entered into effect on 1 February 2015. The clause on outstanding contributions states, "The Coordinator shall propose to any Party whose contributions are outstanding for two years, a payment schedule to enable such a Party to clear these within a maximum of four years, depending on the outstanding amount and on the financial circumstances of the Party, and to pay future contributions by their due dates. In efforts not to undermine the Trust Fund, countries that have more than two years outstanding contributions would not be financially supported to participate in meetings and projects (where applicable) of the Cartagena Convention and its Protocols unless a commitment is agreed in writing by the Party and an initial payment made".

Purpose

The Strategic and Functional Review of the Secretariat of the Cartagena Convention for the Protection and Development of the Marine Environment in the Wider Caribbean Region (WCR) will be carried out to assess the adequacy and effectiveness of the Secretariat in terms of the Secretariat in terms of organizational

structure and function and the adequacy and sustainability of the financing of Secretariat operations to meet the needs of Contracting Parties to the Cartagena Convention.

The findings of the review will be presented to the COP of the Cartagena Convention in June 2021 in order for the Parties to make informed decisions about level of contributions, budget and the approved programme of work of the convention.

The overall goal of the review is to contribute to strengthening the implementation of the Convention at the national, regional and global levels, promoting coherent policy guidance and enhancing efficiency in the provision of support to parties, reducing administrative burden and maximizing the effective and efficient use of human and financial resources at all levels.

In particular the review will provide an independent assessment of the adequacy and effectiveness of the Cartagena Convention Secretariat's governance, management and control processes in relation to the provision of efficient and effective services to the Convention, highlighting areas of concern and those in need of improvement and the challenges faced, with a view to enhancing the efficiency and effectiveness of the Secretariat of the Convention .

The processes to be assessed encompass the Secretariat's Rules of Procedure and Financial Rules as well as regulatory frameworks and related practices concerning organization, structure and functions as well as financial management and administration of the Cartagena Convention. The methodology will also include review of relevant documentation including audit reports, status reports, work plans and budgets and analytical review of data.

The review will also assess the administrative, management and technical support provided by UNEP headquarters to the Cartagena Convention Secretariat and highlight areas for improvement. UNEP will engage an expert/experts to carry out the review work. The expert/experts will use various methods for that purpose such as questionnaires and interviews with parties where feasible, taking into account regional and gender balance, as well as with members of the Convention Bureau, subsidiary bodies, Secretariat staff, Regional Activity Centres, UNEP Headquarters staff and relevant stakeholders.

The Ecosystems Integration Branch has allocated funding for this review from its budget.

Responsibilities

1. Under direct supervision of Ms. Kerstin Stendahl, Head of the Ecosystems Integration Branch, the Consultant will undertake the following functions and document the findings in a report accordingly: review governance of the Cartagena Convention Secretariat including organizational structure, functions, positions and workflow processes of the Secretariat.
2. Assess the political visibility and policy coherence of the Convention
3. Assess effectiveness of financing and technical assistance (programme management, implementation and monitoring) for the implementation of the Convention
4. Assess possible measures for cost-efficiency in the provision of services to Parties
5. Assess the effectiveness of established procedures and workflows beyond the existing UN rules, regulations and administrative instructions. financial management and administration of the Cartagena Convention including the effective and efficient use of resources at all levels.
6. Analyze the financial trend and situation of the Caribbean Trust Fund considering current levels of contribution, outstanding contributions, and requirements for core operations
7. Review project funding and implementation and recommend actions for a possible resource-mobilization strategy.
8. Provide recommendations regarding financial stability and sustainability of the Trust Fund and ownership by the Member States based on the outcome of interviews and analysis.

Ultimate result of service

The key product expected from the review is a comprehensive analytical report that should, at least, include the following contents:

- Executive summary
- Introduction
- Description of the review methodology
- An analysis of the current situation and projected trends
- Key findings (including gaps, strengths, weaknesses, best and worst practices, lessons learned, opportunities)
- Conclusions and recommendations, including suggestions for the future
- Annexes: ToR, documents reviewed, etc.

The report will be focused and succinct and its executive summary will be made available in English, French and Spanish – the official languages of the Cartagena Convention.

UNEP Headquarters will submit the report and recommendations to the Conference of the parties of the Cartagena Convention for consideration at its meeting in 2021.

Annex II: List of documents consulted

Summary of Documents for Desk Review

Functional Review Topic	Documents
<u>Policies and Strategies:</u>	<ol style="list-style-type: none"> 1. Paper entitled “International Environmental Governance: Multilateral Environmental Agreements (MEAs)” presented at the Meeting of the Open-ended Intergovernmental Group of Ministers or Their Representatives on International Environmental New York, 18 April 2001 2. State of the Cartagena Convention Area Report: An Assessment of Marine Pollution from Land-based Sources and Activities in the Wider Caribbean Region (May 2019) 3. Financing the Implementation of Regional Seas Conventions and Action Plans (UNEP Regional Seas Reports and Studies No 180 – 2006) 4. Outcome Evaluation of Barcelona Convention/ United Nations Environment Programme - Mediterranean Action Plan (UNEP - MAP) Five Year Programme of Work 2010-2014 5. BARCELONA CONVENTION FUNCTIONAL REVIEW – presented at the Extended Meeting of the Bureau of the Contracting Parties to the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean and its Protocols, Athens, Greece, 3-5 October 2011 6. “Regional Seas Programme: The Role Played by UNEP in its Development and Governance” by Elizabeth Maruma Mrema, 23 July 2016 7. Draft White Paper on “Regional Seas Governance” presented by UNEP at the Regional Seas Visioning Workshop, Geneva, 3-4 July 2014. 8. Summary of the proceedings of the last three Conferences of the Parties of CAR 9. Summary of the proceedings of the last three Global Meetings of the Regional Seas Programmes 10. Relevant documents/extracts of the decisions of the Senior Management Group of DEPI and UNEP relating to the Regional Seas Programmes 11. UNEP Evaluation Unit to provide a list of assessments of various Regional Seas Programmes that it carried out. Will be helpful if it relates to CAR. 12. UNEP Resolution setting up the RCU
Administrative Rules and Regulations	<ol style="list-style-type: none"> 1. Latest version of the Financial Rules of CAR 2. Delegation of administrative and financial authority to the Coordinator 3. Latest Job Descriptions of the staff at the RCU 4. Organizational chart of RCU 5. Any approved document detailing the work processes in RCU 6. Budgetary documents differentiating staff costs and programme delivery 7. Any other relevant document suggested by DEPI/ROLAC/RCU
Projects	<ol style="list-style-type: none"> 1. A list of projects being implemented by the Convention 2. Evaluation of GEF projects – will need to access this database. <p>(Access to the project database (if possible) would be required)</p>

