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Meeting of the Parties to the
Convention on Access to Information,
Public Participation in Decision-making and
Access to Justice in Environmental Matters

Working Group of the Parties to the Convention
(First meeting, Geneva, 23-24 October 2003)
(Item 11 of the provisional agenda)

**ASSESSMENT AND PRIORITIZATION OF EXTRABUDGETARY ACTIVITIES
IN THE 2004-2005 WORK PROGRAMME**

Prepared by the secretariat in consultation with the Bureau

1. At their first meeting, the Parties to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters adopted four decisions related to the programme of work and operation of the Convention in the intersessional period and their costs (decisions I/11, I/12, I/13, I/14).
2. In decision I/11 on the procedures for the preparation, adoption and monitoring of work programmes for the Convention, the Meeting of the Parties requested the secretariat “to provide a more detailed assessment of the activities in the work programme for the period 2004 to 2005, including a breakdown of the cost estimates of each activity, and to report to the Working Group of the Parties”. At the same time, the Working Group of the Parties was requested “to consider further the prioritization of the activities in the work programme for the period 2004 to 2005, and to report and make appropriate recommendations to the Parties at their second ordinary meeting” (ECE/MP.PP/2, para. 61). This document has been prepared by the secretariat in response to these two requests.

I. ASSESSMENT AND BREAKDOWN OF ESTIMATED COSTS

3. The table below shows the current financial situation in relation to the work programme (all figures in US dollars):

| Overall requirement as estimated at the first meeting of the Parties (MoP-1) | Core requirement as estimated at MoP-1 | Contributions pledged at MoP-1 (ECE/MP.PP/2, para. 72) | Contributions received by mid-August 2003 |
|--|--|--|---|
| 1,170,000 | 855,000 | 490,000 - 610,000 | 403,500 |

Some of the funds received have been earmarked by donors for the capacity-building service and the clearing-house mechanism, for activities on pollutant release and transfer registers (PRTR) or for the compliance mechanism. The funds received to date have fallen short of the estimated requirements.

4. Two factors have mitigated the negative impact of this shortfall on the implementation of the work programme. First, the compliance mechanism, which is one of the more expensive items in the work programme, will not start to deal with communications from the public until October 2003, and thus during the first year, the Compliance Committee has focused on designing the procedures rather than undertaking the more time-consuming task of processing communications. Second, approximately US\$ 100,000 from contributions made in previous years was used to cover part of the shortfall.

5. One significant cost factor in implementing the work programme for 2004-05 is that related to hiring of extrabudgetary staff in addition to the staff provided under the regular budget of UNECE. At present, the regular budget for the Aarhus Convention covers two full-time Professional staff members and one full-time secretarial staff member. The estimated staff time in the work programme is that relating to extrabudgetary staff.

6. All costs associated with hiring additional extrabudgetary staff must be covered by contributions through the trust fund. This includes all entitlements of the staff member, which are similar to those of regular-budget staff, travel costs, all equipment necessary for the staff member to perform his or her duties such as computers, as well as secretarial support staff. The total amount needed to hire extrabudgetary staff for the entire contract period has to be available in the trust fund at the time of hiring the staff in order to ensure that the United Nations can fulfil its obligations towards that staff member. Therefore, this total amount needs to be reserved at the time of hiring extrabudgetary staff.

7. In this context it should also be mentioned that the division of extrabudgetary staff time among the activities in the work programme must be flexible to match the different qualifications of the regular and extrabudgetary staff in the secretariat. For 2004-2005, the overall estimated requirement for extrabudgetary staff is for three full-time Professionals: one for the compliance mechanism, one for the Protocol on PRTRs and one assisting with capacity building, awareness raising and other activities, as well as one secretarial staff member. The core requirement is estimated to be two full-time Professionals and 0.5 secretarial staff to cover all activities.

8. The detailed breakdown of the revised cost estimates for 2004-2005 is included in the annexed table. It is based on an annual average and includes overall and core requirements and a summary of the estimated costs under each budget line. For each activity, the following budget lines are included where and as appropriate:

(a) Staff time (including secretarial support and overhead). This figure is based on the standard costs for Professional and General Service Staff in UNECE and would have to be adjusted according to the specific qualifications and entitlements of an engaged staff member;

(b) Travel and daily subsistence allowance (DSA) for participants in meetings. This is based on estimates of the number of supported participants, using the criteria established by the Committee on Environmental Policy and in accordance with the United Nations rules on travel and DSA;

(c) Staff travel. Travel and DSA based on the United Nations rules on travel and DSA;

(d) Equipment for additional extrabudgetary staff (e.g. computer, printer and phone);

(e) Consultants and subcontracts. This covers any study, analysis, report or other intellectual service needed inter alia to respond to requests of working groups or task forces, where the secretariat lacks the time or the necessary expertise or where an external view is sought. Subcontracts with partners to undertake the local organization of workshops and meetings outside Geneva is also covered under this budget line.

9. One area of activity was omitted from decision I/12, namely the Task Force on Financial Arrangements, which was set up by decision I/13. This has now been added as a new activity Va in the annex, which also includes other activities arising from or since the first meeting of the Parties. The Working Group will need to take into account the possible financial implications of any further activities on public participation in international forums or public participation in strategic decision-making.

10. The following adjustments to the cost estimates contained in decision I/12 are proposed in the annex.

11. **Compliance Committee.** The estimated overall requirements are reduced to US\$ 220,000 and the estimated core requirements are reduced to US\$ 133,000, mainly because the estimated costs of extrabudgetary staff have been revised. The estimated overall requirement for extrabudgetary staff costs are US\$ 125,000 (one full-time Professional (P3) and one part-time secretary). The core requirement is US\$ 53,000 (40% of a full-time Professional and some secretarial support). The travel and DSA for the Committee's members is estimated at US\$ 40,000, based on the expenditure so far in 2003 and on an average of three meetings per year.

12. **Pollutant release and transfer registers.** The estimated overall requirements have been reduced to US\$ 235,000 and the core requirements to US\$ 103,000, again mainly because the estimated costs of extrabudgetary staff have been revised. It is estimated that the overall requirement would be one full-time Professional and one part-time secretary. The core requirement would be 30% of a full-time Professional and some secretarial support. Equipment for extrabudgetary staff is

estimated at US\$ 10,000 for the overall requirement and US\$ 5,000 for the core requirement, corresponding to the number of extrabudgetary staff members. The requirement under costs of travel and DSA of participants in the Working Group on PRTRs is estimated at US\$ 30,000 for the overall and core requirement, based on two meetings per year in 2004-05. For participation in expert meetings and task forces, the core requirement is estimated at US\$ 10,000, as the need for expert groups or task forces may be reduced if the virtual classroom functions effectively with the United Nations Institute for Training and Research (UNITAR) as the main coordinator. The same considerations could apply for the development of guidance material which might be less urgent if the virtual classroom works effectively and therefore the core requirement is also estimated at US\$ 10,000.

13. **Genetically modified organisms.** Under this activity, it is proposed to stick to the estimation of two meetings per year but to reduce the estimated expenses for consultancy to US\$ 5,000 per year under the core requirements. It is expected that the regular budget of the United Nations will cover the costs of the staff involved in this activity and that the involvement of extrabudgetary staff will be limited.

14. **Access to justice.** The requirements have been increased by US\$ 5,000 because the estimated staff requirements have been adjusted to US\$ 15,000. The costs of the first meeting of the Task Force, including the travel and DSA of participants as well as costs additional to those foreseen in the work programme, were entirely covered by the host country (Belgium) as a contribution in kind worth approximately €47,000. This should be kept in mind as an expenditure under the work programme to cover (inter alia) activities estimated at a cost of approximately US\$ 15,000.

15. **Electronic information tools.** No adjustments are suggested for the overall requirements. It might be necessary to look for other ways to continue the collection and examination of best practices which has been undertaken by the Task Force and which continues to be part of the mandate of its work, but for the time being the core requirement for this element is kept at US\$ 5,000, making the total core requirement US\$ 30,000. It is expected that the regular budget of the United Nations will cover the costs of the staff involved in this activity and that the involvement of extrabudgetary staff will be limited.

16. **Financial arrangements and other substantive activities arising from or since the first meeting of the Parties.** As mentioned before, this activity was left out of the work programme adopted by the Meeting of the Parties, although the Task Force was established by the Meeting. The estimation is based on one or two meetings of the Task Force per year in 2004-2005. It is expected that only a limited number of participants eligible for financial support would be interested in the work of the Task Force which is why the overall and core requirements are estimated at US\$ 10,000. The estimated costs of extrabudgetary staff for these activities have been estimated at US\$ 10,000.

17. **Coordination and oversight of intersessional activities.** The overall requirements have been increased to US\$ 45,000 to ensure that sufficient funds are available to cover the participation of all interested and eligible participants in meetings of the Working Group of the Parties and its Bureau. It is estimated that the Working Group would hold one or two meetings per year and that the Bureau would need to meet approximately three times per year, preferably back to back with other

meetings. It is expected that the regular budget of the United Nations will cover the costs of the staff involved in this activity and that the involvement of extrabudgetary staff will be limited.

18. **Capacity-building service.** The overall and core requirements for this activity have been increased, reflecting an increase of the estimated stafftime. Staff time is estimated at approximately two thirds of a full-time Professional and some secretarial support. Furthermore, the core requirement of activities is estimated at US\$ 20,000. This takes account of the fact that some funding has been earmarked for this activity. Finally, it is in line with the focus on implementation that has been expressed on various occasions, most recently at the Kiev Ministerial Conference. The service should also be able to start work on activities to promote the ratification and application of the Protocol on PRTRs.

19. **Clearing house.** Given that the Task Force on Electronic Information Tools has expressed support to the secretariat for the development of the clearing house and that this task seems more resource-demanding than first anticipated, the overall requirement for consultancy for this activity has been estimated at US\$ 40,000 and the core requirement at US\$ 15,000, making the total requirements US\$ 50,000 and US\$ 20,000, respectively.

20. **Awareness raising and promotion.** The estimated overall requirement has been reduced to US\$ 55,000, in particular to focus more resources (stafftime) on capacity-building activities. However, activities under this item are important, especially to promote the Convention worldwide, e.g. by supporting the work of other regional organizations and the United Nations Environment Programme (UNEP). With the increased awareness of the Convention, the secretariat regularly receives invitations to international events and meetings, and not all of these cover the costs of participation.

21. **Interlinkages with other conventions/governance.** Work on issues covered by the Convention such as public participation or PRTRs is going on under the auspices of several multilateral environmental agreements, e.g. the United Nations Framework Convention on Climate Change, the UNECE/WHO Protocol on Water and Health, the Protocol on Biosafety or the Basel Convention, and the secretariat is frequently invited to their meetings or workshops to share the experience of the Aarhus Convention. This is usually a good opportunity to reach people who are not very familiar with the Convention and give them a clear idea about its main objectives and principles. It is therefore proposed to increase the core requirements to US\$ 15,000.

22. **Second ordinary meeting of the Parties.** Travel of eligible participants to Kazakhstan, which has been nominated as the next host country, is in many cases cheaper than to a Western country. The core requirements for participants have therefore been reduced to an average of US\$ 14,000 per year, which in fact would be US\$ 28,000 spent in 2005. This would include the travel and DSA for eligible participants (one per country and NGOs). In addition, the travel and DSA for the secretariat staff and interpreters and some provision for organizational support and communication matters are included in the estimated total core requirement of US\$ 32,000.

23. The assessment suggested by the secretariat gives a total reduction of US\$ 7,000 in the overall requirements and a total reduction of US\$ 162,000 in the core requirements.

II. PRIORITIZATION OF ACTIVITIES FUNDED THROUGH THE 'SHARES' SYSTEM

24. In a situation where the contributions made amount to significantly less than the core requirements or significantly more than the overall requirements, the question of further prioritization among the activities arises.

25. Based inter alia on the statement made by the European Union and supported by several delegations at the first meeting of the Parties (ECE/MP.PP/2, paras. 64-66), the secretariat suggests the following criteria for the prioritization:

(a) First group of activities to be given top priority: costs related to the compliance mechanism, all working groups, the Bureau and the second ordinary meeting of the Parties;

(b) Second group of activities to be given normal priority: costs related to task forces, capacity-building service and clearing-house mechanism;

(c) Third group to be given lowest priority: awareness raising and interlinkages.

26. This yields the following prioritisation in the use of funds (other than earmarked funds) contributed under the scheme of voluntary contributions adopted by the Meeting of the Parties:

(a) First group of activities:

- (i) Compliance mechanism
- (ii) Pollutant release and transfer registers
- (iii) Genetically modified organisms
- (iv) Coordination and oversight of intersessional activities
- (v) Second meeting of the Parties

(b) Second group of activities:

- (i) Access to justice
- (ii) Electronic information tools
- (iii) Financial arrangements
- (iv) Capacity-building service
- (v) Development and maintenance of the Convention's clearing house

(c) Third group of activities:

- (i) Awareness raising and promotion of the Convention
- (ii) Interlinkages with other conventions

27. The prioritization of activities proposed here relates to the use of funds contributed under the scheme of financial arrangements and the related activities of the secretariat. Activities to support capacity-building and the effective implementation of the Convention are clearly of the utmost importance. However, the responsibility for them does not fall exclusively on the shoulders of the secretariat but is rather shared among many organizations and programmes. Nor do such activities depend solely on the resources of the trust fund.

28. It should be noted that the designation of activities as “high priority” need not carry any implication about the quantity of work requiring to be done. Some high-priority activities might involve a smaller amount of work than other activities having lower priority. Thus the prioritization has more to do with the order in which funds are cleared for spending when there is a shortfall, rather than with the amounts spent.

29. It should furthermore be taken into account that some donors earmark their contributions for specific activities, which must be respected in the allocation of resources.

30. It is proposed that whatever prioritization is agreed upon by the Working Group should be applied with some degree of flexibility. If additional prioritization is necessary, it is suggested that this would be done within the allocated amount for each activity in order to keep all activities in the work programme.

Annex

**ASSESSMENT OF ACTIVITIES
AND ESTIMATED RELATED COSTS
2004-2005**

| Activity | | App. time frame | Estimated costs in thousands of US\$ per year (average) | | | |
|----------|--|-----------------------|---|------------------|---------------|--------------------|
| | | | Item | MoP-1 overall | MoP-1 core | Revised overall |
| I | Compliance mechanism | Ongoing | | | | |
| | Prepare and service meetings, correspondence, information gathering | | Staff time, incl. secretarial support; overheads | | 125 | 53 |
| | Equipment | | PC, printer | | 5 | 5 |
| | 3 meetings per year | | Travel, DSA (committee members, other participants) | | 40 | 40 |
| | Expert missions | | Staff travel | | 10 | 5 |
| | Translation outside UN, expert advice | | Consultants, subcontracts | | 40 | 30 |
| | Subtotal | | | 300 | 300 | 220 |
| II | Pollutant release and transfer registers | Ongoing | | | | |
| | Prepare and service meetings, correspondence, information gathering. | | Staff time, incl. secretarial support; overheads | | 125 | 43 |
| | Equipment | | pc, printer | | 10 | 5 |
| | 2 meetings of Working Group per year | | Travel, DSA (eligible participants) | | 30 | 30 |
| | 3 task forces/expert group meetings per year | | Travel, DSA (eligible participants) | | 30 | 10 |
| | Preparation of guidance material | | Consultants, subcontracts | | 30 | 10 |
| | Awareness raising of the Protocol and participation in relevant events | | Staff travel | | 10 | 5 |
| | Subtotal | | 250 | 180 | 235 | 103 |

| Activity | | App. time frame | Estimated costs in thousands of US\$ per year (average) | | | |
|----------|---|-----------------------|---|------------------|---------------|--------------------|
| | | | Item | MoP-1 overall | MoP-1 core | Revised overall |
| III | Genetically modified organisms* | Up to MoP-2 | | | | |
| | 2 Working Group meetings per year | | Travel, DSA (eligible participants) | | 30 | 30 |
| | Expert studies | | Consultants, subcontracts | | 10 | 5 |
| | Subtotal | | 40 | 40 | 40 | 35 |
| IV | Access to justice | Up to MoP-2 | | | | |
| | Prepare and service meetings, correspondence, information gathering | | Staff time, incl. secretarial support; overheads | | 15 | 15 |
| | 2 Task Force meetings per year | | Travel, DSA (eligible participants) | | 25 | 25 |
| | Collection and examination of case studies | | Consultants, subcontracts | | 10 | 0 |
| | Subtotal | | 45 | 35 | 50 | 40 |
| V | Electronic information tools* | Up to MoP-2 | | | | |
| | 2 Task Force meetings per year | | Travel, DSA (eligible participants) | | 30 | 25 |
| | Collection and examination of case studies | | Consultants, subcontracts | | 15 | 5 |
| | Subtotal | | 45 | 35 | 45 | 30 |
| Va | Financial arrangements and other substantive activities arising from or since MOP-1 | Up to MoP-2 | | | | |
| | Prepare and service meetings, correspondence, information gathering. | | Staff time, incl. secretarial support; overheads | | 10 | 10 |
| | 1-2 meetings per year (on financial arrangements) | | Travel, DSA (eligible participants) | | 10 | 10 |
| | Subtotal | | | 20 | 20 | |

| Activity | | App. time frame | Estimated costs in thousands of US\$ per year (average) | | | |
|----------|--|-----------------------|---|------------------|---------------|--------------------|
| | | | Item | MoP-1 overall | MoP-1 core | Revised overall |
| VI | Coordination and oversight of intersessional activities* | | | | | |
| | 2 Working Group meetings per year | Up to MoP-2 | Travel, DSA (eligible participants) | | 40 | 30 |
| | Meetings of the Bureau as necessary (est. 3 per year) | | Travel, DSA (eligible participants) | | 5 | 5 |
| | Subtotal | | 35 | 35 | 45 | 35 |
| VII | Capacity-building service | Ongoing | | | | |
| | Operation of the service and implementation of activities | | Staff time, incl. secretarial support; overheads | | 65 | 65 |
| | Cap. building activities according to work plan of the service | | Various | | 100 | 20 |
| | Materials on the service | | Consultants, subcontracts | | 10 | 10 |
| | Subtotal | | | 130 | 30 | 175 |
| VIII | Clearing house | | | | | |
| | Establishment, updating and information gathering for clearing house | Ongoing | Staff time, incl. secretarial support; overheads | | 10 | 5 |
| | Technical assistance for establishment and maintenance | | Consultants, subcontracts | | 40 | 15 |
| | Subtotal | | 25 | 10 | 50 | 20 |
| IX | Awareness raising and promotion of the Convention | Ongoing | | | | |
| | Preparation of various material, presentations at relevant events | | Staff time, incl. secretarial support; overheads | | 40 | 35 |
| | Participation at relevant events where no other funding is available | | Travel, DSA (staff) | | 15 | 10 |
| | Subtotal | | 80 | 50 | 55 | 45 |

| Activity | | App. time frame | Estimated costs in thousands of US\$ per year (average) | | | |
|----------|---|-----------------|---|---------------|------------|-----------------|
| | | | Item | MoP-1 overall | MoP-1 core | Revised overall |
| X | Interlinkages with other conventions (governance) | Ongoing | | | | |
| | Presentations at events organized under other conventions, joint activities | | Staff time (incl. overheads) | | 20 | 5 |
| | Participation at relevant events where no other funding is available | | Travel, DSA (staff) | | 10 | 10 |
| | Subtotal | | | 30 | 0 | 30 |
| XI | Second ordinary meeting of the Parties | May-05 | | | | |
| | Logistical preparations, press and publicity | | Staff time, incl. secretarial support; overheads | | 7 | 7 |
| | MoP-2 | | Travel, DSA (eligible participants) | | 28 | 14 |
| | Participation in MOP-2 | | Travel, DSA (staff) | | 7 | 7 |
| | Technical assistance, information material, etc. | | Consultants, subcontracts | | 5 | 4 |
| | Subtotal | | | 40 | 30 | 47 |
| | Total | | 1020 | 745 | 1012 | 603 |
| | Programme support costs 13% | | 150 | 110 | 151 | 90 |
| | GRAND Total | | 1170 | 855 | 1163 | 693 |

Budget lines

| | | |
|------------------------------------|-------------|------------|
| Staff time | 417 | 238 |
| Travel, DSA (participants) | 268 | 219 |
| Travel, DSA (staff) | 52 | 37 |
| Equipment | 15 | 10 |
| Consultancy, subcontract | 160 | 79 |
| Other capacity-building activities | 100 | 20 |
| Subtotal | 1012 | 603 |

Note: It is envisaged that activities marked with an asterisk (*) would primarily be serviced by regular budget staff.