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Administrative, financial and institutional matters
Institutional linkage of the secretariat to the United Nations

Continuation of the institutional linkage of the secretariat to the United Nations

Note by the Executive Secretary

Summary

The United Nations General Assembly, by its resolution 56/199, endorsed decision 6/CP.6 of the Conference of the Parties (COP) approving the continuation of the institutional linkage of the secretariat to the United Nations until 31 December 2006. This note has been prepared by the secretariat following consultations with the relevant officials of the United Nations to facilitate review by the Parties of the institutional linkage. The Subsidiary Body for Implementation is invited to recommend, for adoption by the COP at its eleventh session, a draft decision proposing the continuation of the current arrangements and inviting the Secretary-General of the United Nations to seek the endorsement of this continuation by the General Assembly until a review is deemed necessary by either the Parties or the General Assembly.

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I. Introduction

A. Mandate

1. The Conference of the Parties (COP), by its decision 6/CP.6, approved the arrangements on institutional linkage of the secretariat to the United Nations. The United Nations General Assembly, by its resolution 56/199, paragraphs 7 and 8, approved the continuation of the institutional linkage of the secretariat to the United Nations and related administrative arrangements and requested the Secretary-General to review the functioning of the institutional linkage not later than 31 December 2006 in consultation with the COP, with a view to making such modifications as may be considered desirable by both parties and to report thereon to the General Assembly.

B. Scope of the note

2. This note provides an update and report on the institutional linkage of the secretariat to the United Nations to facilitate the review requested by decision 6/CP.6 and by United Nations General Assembly resolution 56/199.

C. Possible action by the Subsidiary Body for Implementation

3. The COP may wish to refer this matter to the Subsidiary Body for Implementation (SBI) for consideration and request that the SBI recommend a draft decision on the continuation of the institutional linkage of the secretariat to the United Nations for adoption by the COP at its eleventh session. The draft decision should include a recommendation to the General Assembly to approve, at its sixty-first session, the continuation of the institutional linkage of the secretariat to the United Nations. Such a decision will be communicated to the General Assembly at its sixty-first session to facilitate its review on the subject.

II. The institutional linkage in practice

4. The institutional linkage of the secretariat to the United Nations was initially approved by decision 14/CP.1. In that decision the COP also took note of, and provisionally accepted, the arrangements proposed by the Secretary-General of the United Nations for administrative support to the secretariat. The General Assembly, by its resolution 50/115, endorsed the arrangements on institutional linkage proposed by the Secretary-General. The COP and the General Assembly successively in 1999 and 2001 adopted decisions and resolutions providing for the continuation of the arrangement. The institutional linkage has enabled the secretariat to draw upon the support and cooperation of various departments, programmes and agencies in the United Nations system and to benefit from close working relations with related intergovernmental processes.

5. Relevant COP decisions and corresponding United Nations General Assembly resolutions on institutional linkage are as follows:

- COP decision 14/CP.1, Institutional linkage of the Convention secretariat to the United Nations (7 April 1995): United Nations General Assembly resolution 50/115, Protection of global climate for present and future generations of mankind (20 December 1995)
- COP decision 22/CP.5, Institutional linkage of the Convention secretariat to the United Nations (25 October 1999): United Nations General Assembly resolution 54/222, Protection of global climate for present and future generations of mankind (22 December 1999)
- COP decision 6/CP.6, Institutional linkage of the Convention secretariat to the United Nations (27 July 2001): United Nations General Assembly resolution 56/199, Protection of global climate for present and future generations of mankind (21 December 2001)

6. The Executive Secretary is appointed by the Secretary-General of the United Nations after consultation with the COP through its Bureau. The Executive Secretary is accountable to the COP and enjoys a considerable degree of delegated authority. The Executive Secretary reports to the Secretary-General on administrative and financial matters through the Under-Secretary-General for Management and on substantive matters through the Under-Secretary-General for Economic and Social Affairs.
7. On substantive matters, the linkage enables the secretariat, as part of the United Nations system, to cooperate with the Department of Economic and Social Affairs, the Office of Legal Affairs and other departments, programmes and agencies involved in contributing to work on climate change and sustainable development within the international community. In this way, the efforts to protect the global climate are conducted under the umbrella of the United Nations.
8. The administrative aspects of the linkage provide for the secretariat to be administered according to United Nations regulations and rules with regard to personnel and financial matters, thereby avoiding the need for the Parties to the Convention to develop a separate set of rules on these issues. Moreover, the United Nations Office at Geneva (UNOG) continues to provide the secretariat with administrative support services relating to treasury and payroll on a cost reimbursement basis. This cost-effective arrangement extends to such matters as staff entitlements, post classification standards and supervision by the internal and external auditors of the United Nations. The Executive Secretary has functioned within the scope of a broad delegation of authority which, over the years, has adapted to changing circumstances, resulting in the secretariat assuming greater responsibility for administrative matters. The Executive Secretary, in agreement with the Department of Management, has taken over most of the responsibility for financial, procurement and personnel management of the secretariat. In this connection the Executive Secretary continues to benefit from the advice and support of the Department of Management on personnel and financial matters and the Department of Economic and Social Affairs on substantive matters.
9. Under the current arrangement on institutional linkage, provision is made in the United Nations regular budget for conference services for meetings of Convention and Protocol bodies. The actual service is provided by UNOG. This arrangement is referred to in the draft decision on the programme budget for 2006–2007 recommended by the SBI at its twenty-second session for adoption by the COP at its eleventh session (see FCCC/SBI/2005/10 and FCCC/SBI/2005/10/Add.1, page 7). It is subject to approval by the United Nations General Assembly.
10. Another tangible benefit provided by the institutional linkage is the application, *mutatis mutandis*, of the Convention on the Privileges and Immunities of the United Nations to representatives of Parties and observers, and officials of the secretariat and other staff of the United Nations performing functions for the secretariat during meetings of the UNFCCC hosted by governments outside the Headquarters of the secretariat. In addition, staff of the secretariat travel on official business under the authority of a United Nations *laissez-passer*.

III. Recommendation

11. The Executive Secretary is of the view that the institutional linkage of the secretariat to the United Nations has worked effectively and thereby resulted in several benefits to the secretariat and the Parties. The SBI may wish to recommend a decision inviting the United Nations General Assembly at its sixty-first session to approve the continuation of the institutional linkage of the secretariat to the United Nations until such time as a review is deemed necessary by either the COP or the General Assembly, for adoption by the COP at its eleventh session.
