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CONFERENCE OF THE PARTIES TO THE CONVENTION
ON BIOLOGICAL DIVERSITY SERVING AS THE
MEETING OF THE PARTIES TO THE CARTAGENA
PROTOCOL ON BIOSAFETY

Seventh meeting

Pyeongchang, Republic of Korea, 29 September-3 October 2014

Item 8 of the provisional agenda*

REPORT OF THE EXECUTIVE SECRETARY ON THE ADMINISTRATION OF THE PROTOCOL AND ON BUDGETARY MATTERS: FUNCTIONAL REVIEW

Note by the Executive Secretary

I. INTRODUCTION

1. The Conference of the Parties (COP), in its decision COP-XI/31, paragraph 25, requested the Executive Secretary, to undertake an in-depth functional review of the Secretariat, in consultation with the Executive Director of the United Nations Environment Programme (UNEP), with a view to updating its structure and the grading of posts to the Strategic Plan's focus on implementation by Parties and report to the Parties at their twelfth meeting. In paragraph 29 of decision XI/31, the Parties invited the Executive Secretary to bear in mind the need for periodic review of classification of staff positions, subject to the United Nations Staff Rules and Regulations and within the limits of available positions including upgrading and downgrading, taking into account the functional review in paragraph 25 giving priority in undertaking the review to the post of national reporting and doing so in a timely manner.

2. In response, the Secretariat initiated a comprehensive exercise in April 2013 with the terms of reference developed and finalized jointly with UNEP. Subsequently, a firm of management consultants possessing extensive experience with the United Nations system was selected to undertake the functional review. The final report of the consultants on the functional review of the Secretariat, in which a two-phase process was recommended for the transformation of the Secretariat, is available to the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol (COP-MOP), in information document UNEP/CBD/BS/COP-MOP/7/INF/13. As indicated in the report, the first phase was the completion of the report itself in August 2014, and the proposed transitional phase for implementation of the recommendations, subject to the decision of the Parties at their twelfth meeting, is expected to be concluded in the biennium 2015-2016.

3. In the context of the above, the Executive Secretary prepared a note (UNEP/CBD/COP/12/28) for the consideration of the Conference of the Parties at its twelfth meeting which is being made available to the Parties to the Cartagena Protocol on Biosafety at their seventh meeting (see annex). Section II below contains, on the basis of the information contained in the report of the consultants (UNEP/CBD/BS/COP-

* UNEP/CBD/COP-MOP/7/1.

MOP/7/INF/13) and proposals contained in UNEP/CBD/COP/12/28, suggested elements for a draft decision for the consideration of the seventh meeting of the Parties to the Cartagena Protocol.

II. SUGGESTED ELEMENTS FOR A DRAFT DECISION

4. In the light of the above and the relevant documentation, the COP-MOP may wish to:
 - (a) Take note of the ongoing functional review of the Secretariat;
 - (b) Also take note of the recommendations by the consultant and the proposed plan of action by the Executive Secretary in this regard;
 - (c) Request the Executive Secretary to implement, as appropriate, measures that improve the efficiency and effectiveness of the Secretariat.

*Annex***REPORT OF THE EXECUTIVE SECRETARY ON THE ADMINISTRATION OF THE
CONVENTION: FUNCTIONAL REVIEW****INTRODUCTION**

1. The Conference of the Parties (COP), in its decision COP-XI/31, paragraph 25, requested the Executive Secretary, to undertake an in-depth functional review of the Secretariat, in consultation with the Executive Director of United Nations Environment Programme (UNEP), with a view to updating its structure and the grading of posts to the Strategic Plan's focus on implementation by Parties and report to the Parties at its twelfth meeting of the Conference of Parties. In paragraph 29 of decision XI/31, the Parties invited the Executive Secretary to bear in mind the need for periodic review of classification of staff positions, subject to the United Nations Staff Rules and Regulations and within the limits of available positions including upgrading and downgrading, taking into account the functional review in paragraph 25 giving priority in undertaking the review to the post of national reporting and doing so in a timely manner.
2. In response, the Secretariat initiated a comprehensive exercise in April 2013 with terms of reference developed and finalized jointly with UNEP. The process also involved sourcing for voluntary funding which received pledges from both the Government of Switzerland and UNEP. Following the receipt of pledges, advertisements for the consultancy for the functional review were launched on the *websites* of the Secretariat, UNEP, the United Nations Office Nairobi, (UNON), the International Civil Aviation Organization (ICAO) and the United Nations Multilateral Fund Secretariat (UNMFS).
3. After a competitive and transparent selection process, the Universal Management Group, a firm of management consultants possessing extensive experience with the United Nations system, was selected to undertake the functional review. The work of the Universal Management Group effectively commenced on 15 December 2013. An interim report was produced on 9 May 2014, followed by a progress report on 5 June 2014. The progress report was submitted to the Working Group on Review of Implementation of the Convention at its fifth meeting (UNEP/CBD/WGRI/5/INF/16/Rev.1). The final report of the consultants on the functional review of the Secretariat, in which a two-phase process was recommended for the transformation of the Secretariat, is available to the Conference of the Parties in information document UNEP/CBD/COP/12/INF/26. As indicated in the report, the first phase is the completion of the report itself in August 2014, and the proposed transitional phase for implementation of the recommendations, subject to the decision of the Parties at their twelfth meeting, is expected to conclude in the biennium 2015-2016.
4. The present note provides the background, overview and the status of the functional review process. Section II summarizes the background to the current structure of the Secretariat including its evolution. Section III outlines the details of the functional review process, including the overall approach, expanding areas of responsibilities of the Secretariat, implications of the Strategic Plan for Biodiversity 2011-2020 and the Aichi targets, strengths and priorities, structural adequacy, resource realities, internal planning and management considerations, conclusions, recommendations of the first phase of the functional review and suggestions on the comparative advantages of the Secretariat. Section IV puts forward a process for transition, change and an implementation plan for the recommended actions. The last section suggests some elements of a draft decision for consideration by the Conference of Parties at its twelfth meeting.

II. BACKGROUND

5. The Secretariat was set up, in accordance with Article 24 of the Convention, to undertake the following main functions: (a) to arrange for and service meetings of the Conference of the Parties provided for in Article 23; (b) to perform the functions assigned to it by any protocol; (c) to prepare reports on the execution of its functions under this Convention and present them to the Conference of the Parties; (d) to coordinate with other relevant international bodies and, in particular to enter into such

administrative and contractual arrangements as may be required for the effective discharge of its functions; and (e) to perform such other functions as may be determined by the Conference of the Parties. These basic tasks have been complemented by the many requests directed to the Secretariat in the decisions of the various meetings of the Conference of the Parties and its subsidiary bodies. As a result, since 1994 to date, the Secretariat has evolved to perform programme and subject functions in support of Parties as dictated by the priorities of the Parties. With the increasing programme activities and the hiring of the required staff to service these programmes, the Secretariat has developed a programme-based structure which needs to be updated to respond to current requirements of the Parties.

6. In an earlier decision, the COP, in paragraph 33 of its decision COP-VIII/31, authorized the Executive Secretary to review the terms of reference of posts in the Secretariat with a view to adjusting the staffing to meet the new challenges facing the Convention and to ensure the effective functioning of the Secretariat. This decision was taken to ensure the Secretariat's ability to deliver under the new stage of enhanced implementation of the Convention.

7. Further to the earlier decision, the COP, in its decision COP-XI/31, paragraph 25, requested the Executive Secretary, to undertake an in-depth functional review of the Secretariat, in consultation with the Executive Director of UNEP, with a view to updating its structure and the grading of posts to the Strategic Plan's focus on implementation by Parties and report to the Parties at its twelfth meeting of the Conference of Parties.

8. The Secretariat, in responding to the decision developed the following terms of reference in collaboration with UNEP for the functional review; to:

(a) Collate priority activities for the Secretariat based on the Strategic Plans of both the Convention on Biological Diversity and the Cartagena Protocol on Biosafety, their programmes of work, and the decisions of the Parties;

(b) Consider the linkages between the Convention and its Protocols from an administrative as well as substantive perspective;

(c) Identify functions required for providing support to Parties in the implementation of their priorities as well as providing the core function of the Secretariat as envisaged in Article 24 of the Convention; Keeping in view the needs envisaged for the near future, in particular the need for strategic partnerships that provide the needed synergistic support to Parties; and determine the skill sets and experience of staff required to perform these functions;

(d) Identify duplications or overlaps and potential synergies between different activities or programmes: either within or between core activities;

(e) Assess achievements against planned results or best practice for activities since the last five meetings of the Parties, including relevant examples from other convention secretariats and organizations as appropriate;

(f) Assess the financial and administrative processes undertaken to date and suggest additional changes, as need be, with a view to streamline and strengthen decision making and accountability with the aim of delivering high-quality support to Parties;

(g) Assist the Convention and its Protocols in the preparation of an organizational structure based on the functional groupings and priorities and best practices;

(h) Assess the financial sustainability of the costs and the appropriate allocation of the available resources to ensure the full and timely support that the Secretariat can provide to Parties in the implementation of both the Convention and its Protocols;

(i) Recognize the fact that expectation from the secretariat has grown over the years in the scope and quantity of functions to be performed enabling the need to expand and manage partnerships to deliver the support required by Parties.

III. THE FUNCTIONAL REVIEW PROCESS

A. Overall approach

9. The management consultants, after an initial overview session with the Secretariat, noted that the Secretariat required a more dynamic and strategic exercise to position it to meet new challenges inherent in the adoption of the Strategic Plan on Biodiversity and its accompanying Aichi Targets. The consultants therefore adopted an amalgam of cutting-edge programme evaluation and organizational development methodologies with a diagnostic process highly participatory in nature. These methodologies involved a combination of self-assessment techniques, along with participative analysis that resulted in a review where “buy-in” and participation in the process became central.

10. In addressing the future of the Secretariat in terms of its functions and design, the management consultants stressed the importance of “form” (organizational structure) follows “function” (the unique comparative advantages of the Secretariat and its roles and responsibilities). The approach allowed staff and managers to work together to identify the strengths and challenges of the Secretariat. The following techniques were employed in gathering data on comparative advantages and the challenges facing the Secretariat: among others, outcome mapping-based managerial and gap analysis-based staff workshops; institutional and organizational assessment-based review, employee survey, focal point surveys and external stakeholder interviews.

B. Findings

11. From the data drawn in applying all the above techniques, the following findings emerged:

(a) There is general agreement that, over the past decade, COP has effectively broadened the mandate of the Secretariat through a process of increasing the number of individual decisions which require Secretariat support;

(b) The Strategic Plan and its Aichi Targets are seen as a significant paradigm shift in the way the overall Convention and accompanying Protocols are conceptualized globally, opening new opportunities for the Secretariat to strengthen its supporting role for implementation;

(c) There is clear recognition that the adoption of the Strategic Plan requires the establishment of new forms of partnerships;

(d) The absence of a Secretariat-wide medium-term planning framework limits its ability to capitalize on the opportunities inherent in the Strategic Plan and its Aichi Targets;

(e) The internal staff survey shows the degree to which staff as a whole support the need of the Secretariat to better articulate a vision for itself;

(f) The Secretariat could benefit from a more contemporary approach to reporting its results in order to better demonstrate the importance of the roles that it plays in support of the Convention as a whole and in the implementation of the Strategic Plan and its Aichi Targets;

(g) The current structure of the Secretariat does not maximize the use of professional level resources specifically due to a tendency to disaggregate resources across various units;

(h) The current approach to the organizational housing of information technology and knowledge management services, albeit an ad hoc one, has proven to be less than optimal;

(i) The current organizational structure of the Secretariat does not possess a corporate planning centre, thus limiting the Secretariat’s ability to plan collectively;

(j) Although the organizational structure is well-designed, the level of administrative, financial and human resource management services available at this time is probably inadequate to meet growing demand;

(k) The increased level of demand being placed on the Secretariat has resulted in the perception of resource shortfalls, thus endangering the effectiveness of the Secretariat as a whole;

(l) The skill set of the current staff of the Secretariat is likely adequate to meet new challenges but is not optimally deployed due to a degree of fragmentation;

(m) It is not currently possible to determine the nature of new posts that may be involved in a structural reorientation of the Secretariat;

(n) The Secretariat does not possess a standardized approach to internal planning;

(o) Current approaches to internal communications and information sharing across the Secretariat tend to limit effectiveness and opportunities for synergies.

C. Conclusions

12. In the view of the management consultants, there is generally capacity at the Secretariat to meet the challenges that are inherent with the adoption of the Strategic Plan on Biodiversity and its Aichi Targets. The recognition by staff and management of the transformational nature of the Strategic Plan and its Aichi Targets indicates the degree to which the Secretariat as a whole had adopted a forward-looking and positive approach to articulating the nature of its work throughout the remainder of the duration of the Strategic Plan. The management consultants noted that, without impinging on the fundamental authority of the Parties through their COP, as clearly indicated by focal points to the Convention, the Secretariat has a professional responsibility to inform the COP of its areas of comparative advantage so that the COP can better focus and prioritize its work.

13. The management consultants made the following general conclusions:

(a) There is general agreement across external stakeholders, both focal points and key stakeholders, that while the work of the Secretariat is valuable and well-appreciated, it would benefit from a more strategic orientation;

(b) The Secretariat, by articulating its comparative advantages, would be better positioned to support Parties in their implementation of the strategic plan and its Aichi Targets;

(c) The Secretariat would benefit from the articulation of a results framework tool to enable it to link the elements of a medium-term operational plan to the practical realities of the management of the Secretariat;

(d) The Secretariat would benefit from a renewed organizational design whose architecture is based on its areas of comparative advantage.

14. In its overarching conclusion, the management consultants noted that the Secretariat is a generally well-functioning organization that faces a multidimensional set of challenges with respect to its ability to perform its work during the second half of the United Nations Decade on Biodiversity. Some of these challenges are existential in nature such as the articulation of a vision to respond to the rapidly evolving roles and responsibilities of the Secretariat; while others relate to how to best utilize existing resources to meet new challenges.

D. Recommendations

15. The management consultants and the management team of the Secretariat, through the workshops organized by the consultants, recognized that the functional review provides the Secretariat with a unique opportunity to take stock of its relevance, its sustainability and the nature of its contributions and support to the Parties to the Convention and its Protocols.

16. Among the specific recommendations which largely address strategic considerations and are envisaged to transform the Secretariat to meet its responsibilities during the remainder of the Decade on Biodiversity are as follows:

(a) To identify the comparative advantages and programmatic niches of the Secretariat that would place it in a better position to assist Parties in their implementation of the Strategic Plan and its Aichi Targets;

(b) To develop a medium-term operational results framework with an evaluation and monitoring mechanism to better articulate and measure the support of the Secretariat to Parties;

(c) To develop a new organizational design that would base its architecture on the Secretariat's areas of comparative advantage;

(d) To implement internal managerial improvements to enhance overall effectiveness.

E. Comparative advantage

17. The general conclusions are that the main challenges facing the Secretariat during the remaining part of the Decade on Biodiversity are directly related to the adaptation of its work to provide effective support in general for the implementation of the Convention and its Protocols and, in particular, the Strategic Plan for Biosafety and the Strategic Plan on Biodiversity and its Aichi Targets. The analyses of the planning formats of the Secretariat, its work processes, the nature of its workload, and its organizational structure show that the Secretariat is not fully "fit for purpose" given the demands of the Strategic Plans. The list of the comparative advantages provides Parties with an insight into the Secretariat's areas of strength so that it can play a significant and catalytic role in support of the overall implementation of the Convention and its Protocols.

18. The survey regarding areas of comparative advantage for the Secretariat is supported by other data sources: interviews of 34 senior stakeholders; in-depth sessions with the management team of the Secretariat; individually and collectively, confidential workshops and a comparative analysis conducted by the consultants.

19. On the basis of this wide range of information sources, the following were identified by the consultants as the main indicative areas of comparative advantage or professional niche of the secretariat:

- (a) Providing a convening authority for Parties and others;
- (b) Promoting mainstreaming;
- (c) Supporting implementation by Parties and others;
- (d) Conducting monitoring.

20. The management consultants also recognized the role of the Secretariat in outsourcing for a range of scientific and technical information to which the Secretariat provides added value by contextualizing the information with respect to biodiversity and biosafety considerations. Further, the consultants recognized the crucial role of knowledge management and information services as a major function within the Secretariat, given contemporary trends.

IV. PROCESS FOR TRANSITION, CHANGE AND THE IMPLEMENTATION PLAN

A. Implementation of the findings of the functional review

21. In their recommendation for change, the management consultants emphasized that the upcoming 2014-2016 biennium needs to be viewed as transitional in relation to the nature of the work of the Secretariat and its organizational design. It was noted that the timing of the functional review — January to August 2014 — and the participatory nature of the process which ran until August 2014, created timing challenges for its presentation to meetings of the Parties in October 2014.

22. It was also noted that, as a result of the diagnosis and analysis of the work of the Secretariat through the functional review, it emerged that prioritization and focus of work are central in both the external electronic survey and the series of key stakeholder interviews. There was also a consensus among all the groups that the role of the Secretariat is that of intermediation, supporting Parties, catalysing Parties and other stakeholders, or providing forums for Parties and others, in their individual and collective efforts to respond to the Strategic Plan to meet the Aichi Targets.

23. It was recommended that the Secretariat develops the medium-term results framework to highlight areas where the Secretariat has a comparative advantage and where, given its capacities, it can

best support the Parties and facilitate their work in their long-term strategic mission to achieving the goals of the Strategic Plan on Biodiversity, the Strategic Plan for Biosafety and the attainment of the Aichi Targets. The medium-term results framework should not only be designed to strengthen the management and delivery capacity of the Secretariat but also to advise the Parties of the comparative strengths of the Secretariat so that Parties themselves may come to recognize how to best harness these strengths. An **indicative** framework which includes a vision for the Secretariat and a mission statement for the balance of the Decade on Biodiversity is presented in the final report of the management consultants (UNEP/CBD/COP/12/INF/26).

B. Actions by the Executive Secretary

24. The Executive Secretary has since 2012 initiated **provisional** organizational changes in the Secretariat to highlight its supporting role to Parties in their pursuit to the implementation of the Convention and its Protocols. The Secretariat as an agent to support implementation by Parties and not as an implementing agent itself has always been underscored.

25. In the proposed basic architecture for the Secretariat, the design links **form to function** to reflect the areas of comparative advantage and a proposed Medium Term Results Framework within a Medium Term Operational Plan. A new organizational design for the Secretariat will integrate, as far as feasible, all the specific individual functions and tasks that relate to its main functions.

26. Based on the findings contained in the report of the consultants, the Executive Secretary has decided to undertake the following further actions:

- (a) Implement internal managerial improvements so as to enhance overall effectiveness;
- (b) Develop and implement a medium-term operational plan for the Secretariat as well as a results-based management framework to monitor its implementation;
- (c) Complete the update of the structure of the Secretariat in line with the medium-term operational plan.

27. To complete the requests contained in paragraphs 25 and 29 of decision XI/31, the Executive Secretary will also update the grading of posts, in consultation with the Executive Director of UNEP and subject to the United Nations Staff Rules and Regulations, and in the light of the updated structure of the Secretariat.

28. A timeline for the implementation of these actions is contained in the annex to the present document.

V. SUGGESTED ELEMENTS FOR A DRAFT DECISION

The Conference of the Parties,

1. *Takes note* of the report of the Executive Secretary on the administration of the Convention, and in particular the functional review, as contained in document UNEP/CBD/COP/12/28.

2. *Requests* the Executive Secretary, with a view to completing the requests contained in paragraphs 25 and 29 of decision XI/31, to implement the actions referred to in paragraphs 26 and 27 of document UNEP/CBD/COP/12/28 in accordance with the timetable contained in the annex to this document, and to report to the Ad Hoc Open-ended Working Group on the Review of Implementation of the Convention¹ at a meeting prior to the thirteenth meeting of the Conference of the Parties.

¹ To the Subsidiary Body on Implementation, if established.

Annex

**DRAFT TIMETABLE FOR THE IMPLEMENTATION OF ACTIONS
BY THE EXECUTIVE SECRETARY**

Transitional phase 2014 - 2016:**Aim:**

- To put in place new managerial tools and an updated organizational structure through an iterative process
- To sharpen its results focus to ensure the optimization of the human and financial resources allocated by the Parties

Step 1: Planning of the biennial work of the Secretariat based on the Strategic Plan of the Convention and its Aichi targets, the Strategic Plan of the Biosafety Protocol and decisions from COP12, COP-MOP7 and COP-MOP1

Nov – Dec 2014: Designation of lead manager to oversee and manage the change (overall coordination of the transformation process)

Management workshop for design of Medium Term Operational Plan for the Secretariat as well as results-based management framework to monitor its implementation based on the Strategic Plan of Convention, the Strategic Plan of the Biosafety Protocol and decisions from COP 12/COP-MOP7/COP-MOP1

First series of staff-management workshops on the paradigm shift in the planning of the work of the Secretariat

Management capacity needs assessments

Step 2: Organizational design

Jan – March 2015 Organizational design based on the Medium-term Operational Plan and Article 24 of the Convention

Design of work plans (results-based framework)

Development of internal operating policies

April – June 2015 Operationalization of the result-based frameworks and policies

July – Sept 2015 New Secretariat-wide approaches in place

Step 3: Reorientation and/or design of functions

Oct – Dec 2015	Reorientation and/or design of functions (posts) to address new approaches Post descriptions for all positions
Jan – June 2016	Regularization of functions according to United Nations rules and regulations in collaboration with UNEP/UNON
July – Sept 2016	Preparation of report on lessons learned on progressive evolution and post-by-post organizational design based a proactive design targeted toward strengthening the capacity of the Secretariat for the balance of the Decade Presentation of budget based on the renewed Secretariat and report to COP and COP-MOPs

Step 4: Decision by COP and COP-MOPs

October 2016	Consideration of report and budget; and decision on new Secretariat structure by COP and COP-MOPs
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