



United Nations Environment Programme

برنامج الأمم المتحدة للبيئة · 联合国环境规划署
PROGRAMME DES NATIONS UNIES POUR L'ENVIRONNEMENT · PROGRAMA DE LAS NACIONES UNIDAS PARA EL MEDIO AMBIENTE
ПРОГРАММА ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ ПО ОКРУЖАЮЩЕЙ СРЕДЕ



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Conference of the Parties to the Framework Convention on the Protection and Sustainable Development of the Carpathians

First meeting

Kyiv, Ukraine, 11-13 December 2006

Item 5 of the provisional agenda

Secretariat note on the draft financial rules for the Carpathian Convention

Introduction

1. Paragraph 2 (f) of Article 14 of the Carpathian Convention stipulates that the Conference shall approve a work programme, financial rules and budget for its activities, including those of subsidiary bodies and the Secretariat, and undertake necessary arrangements for their financing pursuant to Article 17 (Financial contributions).
2. The First and Second Preparatory Meetings for the First Meeting of the Conference of the Parties to the Carpathian Convention considered and agreed to submit the Draft Financial Rules for the Carpathian Convention to the COP1, in the understanding that Annex I can only be filled once the arrangements and location of the Permanent Secretariat have been decided and that Annex II will be discussed in conjunction with the work programme and budget of the Carpathian Convention.
3. The Second Preparatory Meeting for the First Meeting of the Conference of the Parties to the Carpathian Convention agreed with the principle that all Carpathian countries will contribute an equal share of the secretariat budget, in the understanding that some flexibility can be introduced to support those countries which are not in position to pay their full share.
4. After the Second Preparatory Meeting, the following proposal for amendments has been received from Poland and circulated by the interim Secretariat to the Carpathian Convention Focal Points:
 - (a) Rule 5: To change the second sentence: contributions based on the scale shall be due...
 - (b) Rule 8 should be consistent with the Rules of Procedure (number of the days). What does it mean: "alternative ordinary meeting"? The word "alternative" should be deleted.

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- (c) Rule 12: Such a transfer can be only made when the President agrees with it. It is not clear, what “budget line” means – it should be clarify in definitions (Rule 2).
- (d) Rule 15:
The financial rules can’t establish rules for the trustee.
Proposal: “COP shall decide (with the agreement of the trustee) on administrative support charge to be paid to the trustee”.
- (e) Rule 16:
The trustee shall submit accounts to the Executive Secretary each year, because COP doesn’t take place every year.

5. For the convenience and swift decision-making by the COP, the draft financial rules provided in the Annex to the present note do contain the text proposed by Poland enclosed in square brackets.

Proposed action by the Conference of the Parties

1. The Conference of the Parties may consider the proposed amendments and decide to adopt the Financial Rules for the Administration of the Trust Fund for the Framework Convention on the Protection and Sustainable Development of the Carpathians as attached to the present note, in the understanding that Annex I can only be filled once the arrangements and location of the Permanent Secretariat have been decided and that Annex II will be discussed in conjunction with the work programme and budget of the Carpathian Convention.

Attachment

Draft Financial Rules for the Administration of the Trust Fund For the Framework Convention on the Protection and Sustainable Development of the Carpathians

Rule 1

The Conference of the Parties shall designate an organization, body or entity (hereinafter referred to as the Trustee), which shall establish and manage the Trust Fund for the Framework Convention on the Protection and Sustainable Development of the Carpathians (hereinafter referred to as the Carpathian Trust Fund) in accordance with these rules.

Rule 2

For the purposes of these rules:

- (a) "Convention" means the Framework Convention on the Protection and Sustainable Development of the Carpathians, adopted in Kyiv, Ukraine, on 22 May 2003;
- (b) "Parties" means Parties to the Convention;
- (c) "Conference of the Parties" means the Conference of the Parties established in accordance with Article 14 of the Convention;
- (d) "Trustee" means an organization, body or entity, which shall establish and manage the Trust Fund for the Framework Convention on the Protection and Sustainable Development of the Carpathians;
- (e) "Trust Fund" means the Trust Fund for the Framework Convention on the Protection and Sustainable Development of the Carpathians;
- (f) "Executive Secretary" means the head of the Secretariat of the Framework Convention on the Protection and Sustainable Development of the Carpathians;
- (g) "Secretariat" means the Secretariat of the Framework Convention on the Protection and Sustainable Development of the Carpathians.

Rule 3

The Trust Fund shall be used for funding the administration of the Convention, including the functioning of the Secretariat.

Rule 4

The Trust Fund shall be financed from:

- (a) Contributions made by Parties based on the scale set forth in the Appendix to the budget;
- (b) Additional contributions made by Parties;
- (c) Contributions from sources available through other programmes and undertakings;
- (d) Contributions from States not Parties, as well as governmental, intergovernmental and non-governmental organizations, and other sources.

Rule 5

The Conference of the Parties shall determine the scale of contributions referred to in paragraph 3 (a) of Rule 4. Such contributions *[based on the scale]* shall be due on 1 January of each calendar year.

Rule 6

All contributions shall be paid in Euro or its equivalent in a convertible currency and into a bank account to be specified by the Trustee. In conversion of currencies into Euro, the United Nations operational rate of exchange shall be used.

Rule 7

Accounting records shall be kept in such currency or currencies as the Trustee deems necessary.

Rule 8

Budget proposals expressed in Euro covering the expenditure and income from contributions referred to in paragraph 3 (a) of Rule 4 shall be prepared by the Executive Secretary for periods of three calendar years. At least 90 days before the date of the opening of each alternative *[Proposal of the Polish Ministry of Environment: to delete the word "alternative"]* ordinary meeting of the Conference of the Parties, these budget proposals shall be dispatched by the Executive Secretary to all Parties.

Rule 9

The budget shall, in accordance with Rule 16, be approved by the Conference of the Parties and, if necessary, be revised at an ordinary or extraordinary meeting of the Conference of the Parties.

Rule 10

Contributions referred to in paragraphs 3 (b),(c) and (d) of Rule 4 shall be used in accordance with any terms and conditions agreed between the Executive Secretary and the respective contributor. At each ordinary meeting of the Conference of the Parties, the Executive Secretary shall present a report on contributions received and expected as well as their sources, amounts, purposes and conditions.

Rule 11

The Executive Secretary may commit resources against the Trust Fund only if such commitments are covered by contributions already received. In the event that the Trustee anticipates that there might be a shortfall in resources over the financial period as a whole, it shall notify the Executive Secretary, who shall adjust the budget so that expenditures are at all times fully covered by contributions received.

Rule 12

The Trustee, on the advice of the Executive Secretary [*Proposal of the Polish Ministry of Environment on amending this paragraph by “and by agreement of the President”*], may make transfers from one budget line to another within the budget.

Rule 13

Contributions referred to in paragraph 3 (a) above from States that become Parties after the beginning of a financial period shall be made pro rata temporis for the balance of that financial period. Consequent adjustments shall be made at the end of each financial period for other Parties.

Rule 14

Contributions not immediately required for the purposes of the Trust Fund shall be invested and any interest so earned shall be credited to the Trust Fund.

Rule 15

It is for the Conference of the Parties and the Trustee to agree on an administrative support charge to be paid to the Trustee. [*Proposal of the Polish Ministry of Environment on changing this paragraph as following: The Conference of the Parties shall decide (with the agreement of the Trustee) on administrative support charge to be paid to the Trustee*]

Rule 16

At the end of each calendar year, the Trustee shall transfer any balance to the following calendar year and submit to the Conference of the Parties, through the Executive Secretary, the certified and audited accounts for that year as soon as practicable. The Trust Fund shall be subjected to the internal and external auditing procedure, as decided by the Conference of the Parties. [*Proposal of the Polish Ministry of Environment on amending this paragraph by “The Trustee shall submit accounts to the Executive Secretary every year.”*]

Rule 17

In the event that the Conference of the Parties decides to terminate the Trust Fund, a notification to that effect shall be presented to the Trustee at least six months before the date of termination selected by the Conference of the Parties. The Conference of the Parties shall decide, in consultation with the Trustee, on the distribution of any unspent balance after all liquidation expenses have been met.

Rule 18

The Parties shall reach agreement on all matters by consensus.

Rule 19

Any amendments to these rules shall be adopted by the Conference of the Parties by consensus.

**PROPOSED BUDGET FOR 200... , 200... AND 200...FOR THE
FRAMEWORK CONVENTION ON THE PROTECTION AND
SUSTAINABLE DEVELOPMENT OF THE CARPATHIANS**

(THOUSANDS OF EURO)

DESCRIPTION OF FUNCTIONS	Year 200...	Costs in Euro	Year 200...	Costs in Euro	Year 200...	Cost in Euro
<p>1. EXECUTIVE DIRECTION AND MANAGEMENT</p> <ul style="list-style-type: none"> • <i>Executive Secretary</i> • <i>Assistant to the Executive Secretary</i> • <i>Secretary</i> <p align="right"><i>Subtotal 1</i></p>						

<p>2. ADMINISTRATION AND FINANCE</p> <ul style="list-style-type: none"> • <i>Administrative Officer</i> • <i>Administrative Assistant</i> • <i>Secretary</i> <p>Subtotal 2</p> <p>3. INTERGOVERNMENTAL PROCESSES</p> <ul style="list-style-type: none"> • <i>Servicing of COP meetings (1 languages, 3 working days)</i> • <i>Travel of staff to COP</i> <p><u>Subtotal 3</u></p>					
<p>4. TECHNICAL ASSISTANCE</p> <ul style="list-style-type: none"> • <i>Technical Assistance Officer / Biodiversity Officer</i> • <i>Secretary</i> • <i>Consultants</i> <p><u>Subtotal 4</u></p>					

<p>5. INFORMATION AND COMMUNICATION</p> <ul style="list-style-type: none"> • <i>Information and Communication Officer</i> • <i>Data Base Operator</i> • <i>Secretary</i> <p><u>Subtotal 5</u></p>					
<p>6. EQUIPMENT</p> <p><u>Subtotal 6</u></p> <p>7. PREMISES</p> <ul style="list-style-type: none"> • <i>Rent</i> • <i>Security services</i> • <i>Building maintenance</i> • <i>Utilities (gas, electricity, etc)</i> • <i>Insurance</i> <p><u>Subtotal 7</u></p>					

<p>8. MISCELLANEOUS</p> <ul style="list-style-type: none"> • <i>Temporary assistance and overtime</i> • <i>Communications (phone, fax, e-mail, etc)</i> • <i>Recruitment costs/travel on Interviews</i> • <i>Relocation of staff and removal</i> • <i>Expenses</i> • <i>Hospitality</i> • <i>Other</i> <p><u>Subtotal 8</u></p>						
<p><u>Subtotal 1-8</u></p>						
<p>CONTINGENCIES (...% subtotal 1 to 8)</p>						
<p>GRAND TOTAL</p>						

**SCALE OF CONTRIBUTIONS BY STATE PARTIES TO THE TRUST FUND
FOR THE THREE YEARS 200... - 200...200 FOR
THE FRAMEWORK CONVENTION ON THE PROTECTION AND
SUSTAINABLE DEVELOPMENT OF THE CARPATHIANS**

(THOUSANDS OF EURO)

State Party	Year 200...	Year 200...	Year 200.....
The Czech Republic			
The Republic of Hungary			
The Republic of Poland			
Romania			
Serbia and Montenegro			
The Slovak Republic			
Ukraine			