

ipcc

INTERGOVERNMENTAL PANEL ON climate change

THIRTY-FIFTH SESSION OF THE IPCC
Geneva, 6-9 June 2012

IPCC-XXXV/Doc. 23
(7.VI.2012)
Agenda Item: 7.1
ENGLISH ONLY

REVIEW OF THE IPCC PROCESSES AND PROCEDURES
Remaining issues related to Governance and Management

Comments by the UNEP secretariat and WMO on the draft terms of reference of the IPCC Secretariat and the IPCC Technical Support Units contained in document IPCC-XXXV/Doc.12

(Submitted by the IPCC Secretariat)

IPCC Secretariat

c/o WMO • 7bis, Avenue de la Paix • C.P. 2300 • 1211 Geneva 2 • Switzerland
telephone : +41 (0) 22 730 8208 / 54 / 84 • fax : +41 (0) 22 730 8025 / 13 • email : IPCC-Sec@wmo.int • www.ipcc.ch



Comments by the UNEP secretariat and WMO on the draft terms of reference of the IPCC Secretariat and the IPCC Technical Support Units contained in document IPCC-XXXV/Doc.12

1. Terms of Reference for the IPCC Secretariat

A. Process regarding amendment to the terms of reference of the Secretariat

Background

1. IPCC was established jointly by the Secretary-General of WMO and the Executive Director of UNEP as an intergovernmental mechanism, on the basis of the mandate given by the governing bodies of the respective organizations (Resolution 9 of the Tenth World Meteorological Congress, UNEP Governing Council decision 14/20 of 18 June 1987). The UN General Assembly endorsed the action of UNEP and WMO to establish IPCC in its resolution 43/53 of 6 December 1988.

2. From an institutional perspective, IPCC is a joint panel of UNEP and WMO, as stipulated in decision SS.II/3 B of 3 August 1990 of the UNEP Governing Council and Resolution 4 (EC-XL) of the WMO Executive Council. The IPCC is integral part of the institutional arrangements of these two organizations.

3. As for UNEP, its Governing Council, in its decision 15/36 of 25 May 1989, requested the Executive Director of UNEP, in full collaboration with the Secretary-General of WMO, to consult with IPCC with respect to the determination of its internal organization and procedure, its budget and means for financing such budget. Thereafter, the UNEP Governing Council repeatedly requested the Executive Director of UNEP, jointly with the Secretary-General of WMO, to continue arrangements to support IPCC (e.g. GC decision 18/20 of 25 May 1995, GC decision 21/9 B of 9 February 2001).

4. With the above background, UNEP and WMO established the joint IPCC secretariat, located at WMO in Geneva, as part of the arrangements to support IPCC under the Memorandum of Understanding on IPCC (MOU, paragraph 4). The MOU entered into force on 8 May 1989 and remains in effect as long as the activities of IPCC continue, pursuant to paragraph 6 of the MOU. The terms of reference of the IPCC Secretariat are set out in the annex to the Memorandum of Agreement attached to the MOU.

Question as to the authority to amend the terms of reference of the IPCC Secretariat

5. Any amendment to the terms of reference of the IPCC Secretariat is governed by paragraph 7 of the MOU. In accordance with that paragraph, mutual consent of UNEP and WMO is required to amend the terms of reference of the IPCC Secretariat. Neither the members of the IPCC nor the Panel has the authority to amend the terms of reference of the IPCC Secretariat.

6. The draft terms of reference of the IPCC Secretariat contained in document IPCC-XXXV/Doc.12 are substantively different from the current terms of reference of the IPCC Secretariat contained in the annex to the Memorandum of Agreement of the MOU. If such amendment is required, it has to be effected by UNEP and WMO.

7. While the IPCC Secretariat was established by the Executive Director of UNEP and the Secretary-General of WMO through the MOU, the institutional arrangements to support IPCC have been subject to the review of the governing bodies of the two organizations from time to time, and on that basis, the executive heads have been requested to continue providing the necessary arrangements to support IPCC. Bearing in mind this background an appropriate process to amend the terms of

reference of the IPCC Secretariat requires the mutual consent of the two organizations, UNEP and WMO, as prescribed by paragraph 7 of the Memorandum of Understanding of 1989.

Based on the above, the following steps are recommended to formally amend the terms of reference of IPCC:

- (a) Consultations take place between representatives of UNEP and WMO. These consultations duly take into account the recommendations received from the Panel;
- (b) An amendment to the MoU is drafted by UNEP and WMO
- (c) The amended MoU is submitted for signature to the Executive Heads of UNEP and WMO it being understood that where an amendment is subject to approval by the governing bodies of UNEP or WMO, the amendment becomes effective after the approval has been obtained.

B. Role of the IPCC secretariat

8. Under the current MOU, the IPCC Secretariat coordinates the production of reports on comprehensive assessment of scientific information on climate change, on the impacts resulting from climate change on the environment and a wide range of human activities and socio-economic systems, and on possible policy options and strategies, as well as other reports to the governing bodies of UNEP and WMO. Together with the list of activities specified in the MOU, the role of the IPCC Secretariat was defined in terms of the expected outputs, and therefore the indicator of measurement of its performance was built in the terms of reference. The draft terms of reference as contained in document IPCC-XXXV/Doc.12, on the other hand, put more generic term of the role of the IPCC Secretariat, stating that it would provide “strategic, functional and administrative support to the development and implementation of the work programme of the IPCC and provide cohesion and continuity to the organization”. The role of the IPCC Secretariat in the latter draft appears to be wider than the current role of the IPCC Secretariat, but further clarification might be needed in defining its role.

C. Accountability of the IPCC Secretariat

9. Since UNEP and WMO established the IPCC Secretariat as a joint arrangement to support IPCC, the IPCC Secretariat remains integral part of UNEP and WMO. Hence, the IPCC Secretariat and its staff remain subject to the mandate and governance frameworks of UNEP and WMO, as well as the rules, regulations and administrative arrangements of UNEP and WMO as applied to them. For administrative matters, to the extent WMO rules and regulation apply, they are accountable to WMO in that context. The accountability of the IPCC Secretariat needs to be considered in this context.

10. Within a given organizational structure, the accountability is normally defined in the relationships between senior officials responsible for specific functions. In this regard, the IPCC Secretary, as the head of the IPCC Secretariat, is accountable to the executive heads of UNEP and WMO. Within the institutional arrangements made by the two executive heads, through the term of reference of the IPCC Secretariat defined by them in the MOU, the IPCC Secretary is responsible for carrying out the tasks to support the IPCC which are expected of her/him and for which she/he exercises full oversight and controls the related processes. Within the IPCC Secretariat, there are lines of accountability between the IPCC Secretary and the rest of the IPCC Secretariat staff.

11. The draft terms of reference for the IPCC Secretariat contained in document IPCC-XXXV/Doc.12 appear to introduce a fundamental change to the institutional arrangements with respect to the relationships between IPCC and UNEP and WMO. The draft states that “[t]he Secretariat is accountable to the Panel”, and “[i]t is accountable to WMO and UNEP for resource management issues which they undertake in support of the IPCC”. As it is drafted, the Panel asserts exclusive oversight of the IPCC Secretariat except for certain administrative matters left for WMO and UNEP. It reads as if the IPCC were an intergovernmental body independent from UNEP and WMO (such as an international treaty body), and WMO and UNEP were to provide only the administrative services as required of them. This goes beyond the current institutional arrangements for IPCC as a joint panel of UNEP and WMO. The intent of the drafters of the draft terms of reference may need to be clarified in this respect.

D. Responsibilities of the IPCC Secretariat

12. In general, while section 3 entitled “Responsibilities” seems to list the specific tasks that the Task Group considered it necessary for the IPCC Secretariat to carry out in the current circumstances, the draft seems to be rather vague in a number of provisions and require more precision in articulating the expected functions of the IPCC Secretariat.

13. With regard to administrative issues, such as fund management as contained in the draft, the role of the two organizations, in particular WMO’s functions to administer IPCC related funds should be duly noted. In general, it should be noted that relevant rules and regulations of WMO, are applicable in the provision of arrangements for the IPCC Secretariat, which are applicable in consideration of human resource management related issues or other administrative matters. UNEP’s contributions are governed also by the relevant UN regulations and rules as applied to UNEP.

14. The relationships between the IPCC Secretariat and the IPCC Technical Support Units, which did not exist at the time of establishment of IPCC and evolved as informal structures over the past years, should be clearly defined. The draft addresses it in a general manner, such as provision of guidance and coordination from the IPCC Secretariat to the Technical Support Units, but it seems helpful to further elaborate it.

2. Terms of reference for the IPCC Technical Support Unit

15. The draft terms of reference of the IPCC Technical Support Units identify their role and responsibilities similar to the functions of the IPCC Secretariat as originally expected under the MOU between UNEP and WMO. While those Units are part of the arrangements made by member Governments themselves in support for the operation of IPCC, and therefore do not have institutional linkage with UNEP or WMO, it seems that there might have been some overlaps between the functions of the IPCC Secretariat and those of the Technical Support Units. The terms of reference for the TSUs contained in IPCC-XXXV/Doc.12 create an institutional linkage which requires the approval of WMO and UNEP. Therefore, it seems important that further clarification is given to the relationships between the two, in particular as to how the IPCC Secretariat provide guidance and coordinate activities of those Units though a more defined manner, for instance by exercising oversight of the observance of IPCC principles and procedure in the work of those Units, with a view to upholding the integrity of the work of IPCC under the guidance of the Panel.