



# Global Environment Facility

GEF/C.25/10  
April 29, 2005

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GEF Council  
June 3-8, 2005

Agenda Item 16

## CLARIFICATION OF PROCEDURES FOR COUNCIL REVIEW AND APPROVAL OF THE WORK PROGRAM

### **Recommended Council Decision**

The Council, having reviewed GEF/C.25/10, *Clarification of Procedures for Council Review and Approval of the Work Program*, agrees to the following clarifications:

- (a) During the four week review period, Council Members may submit questions of clarification or requests for additional information to the relevant Implementing/Executing Agency on any project proposal in the proposed work program that will assist them in reaching a decision as to whether to approve it;
- (b) Implementing/Executing Agencies will make their best efforts to respond to all questions or requests in a timely manner ;
- (c) All requests and responses will be copied to the Secretariat, and the Secretariat will post them on the website to ensure transparency and assist other Council Members in their decision making process; and
- (d) Notwithstanding any questions of clarification posed during the review period, Council Members will submit technical comments for the Agencies to take into consideration in the further development of the project proposals to the Secretariat within the specified time available for such comments. The Secretariat will collate all technical comments, share them with the Implementing and Executing Agencies, and post them on the GEF website.

## **Executive Summary**

In recent months, questions have been raised by Council Members about procedures for work program review and approval, with particular reference to approval by mail of Intersessional Work Programs. In particular, clarification has been sought regarding the interaction among Council Members, the Secretariat and the Implementing/Executing Agencies during the four week period of review between the distribution of a proposed work program and Council discussion/decision.

This document, prepared for Council discussion on this topic, highlights existing work program review and approval procedures and confirms arrangements for Council Members to request clarifications on project proposals during the four week period in which a proposed work program is under review as follows:

- (a) During the four week review period, Council Members may submit questions of clarification or requests for additional information to the relevant Implementing/Executing Agency on any project proposal in the proposed work program that will assist them in reaching a decision as to whether to approve it;
- (b) Implementing/Executing Agencies will make their best efforts to respond to all questions or requests in a timely manner ;
- (c) All requests and responses will be copied to the Secretariat, and the Secretariat will post them on the website to ensure transparency and assist other Council Members in their decision making process; and
- (d) Notwithstanding any questions of clarification posed during the review period, Council Members will submit technical comments for the Agencies to take into consideration in the further development of the project proposals to the Secretariat within the specified time available for such comments. The Secretariat will collate all technical comments, share them with the Implementing and Executing Agencies, and post them on the GEF website.

## **INTRODUCTION**

1. In recent months, questions have been raised by Council Members about procedures for work program review and approval, with particular reference to approval by mail of Intersessional Work Programs. In particular, clarification has been sought regarding the interaction among Council Members, the Secretariat and the Implementing/Executing Agencies during the four week period of review between the distribution of a proposed work program and Council discussion/decision. This document, prepared for Council discussion on this topic, highlights existing work program review and approval procedures and confirms arrangements for Council Members to request clarifications on project proposals during the period in which a proposed work program is under review.

## **COUNCIL APPROVAL OF WORK PROGRAMS**

2. The GEF Council approves four work programs every year: (i) two work programs are approved at the Council meetings; and (ii) two work programs are approved between the Council meetings (intersessional work programs) by mail. There are several common procedures for the four work programs for Council approval.

### **Work Program Approval at Council Meetings**

3. In accordance with the rules of procedure for the GEF Council, a proposed work programs is disseminated to Council Members, Alternates, and focal points by posting on the GEF website four weeks prior to the Council meeting at which the work program is to be reviewed and approved. At the meeting, the Council is invited to discuss and approve the work program, subject to comments made at the meeting, and any additional comments submitted in writing to the Secretariat within two weeks of the meeting. In approving the work program, the Council has the authority to delete, defer, or suggest modifications to individual projects in the work program.

4. A Council Member, in approving the work program, may request that a particular project proposal be circulated to the Council prior to CEO endorsement. Council Members are to be provided with four weeks to review such projects and to submit any concerns they may have to the CEO prior to endorsement. The final project document may be reviewed at a subsequent Council meeting if four Council Members so request in the four week period.

5. Comments made by Council Members at the meeting or submitted subsequently in writing within the two week period are to be taken into account by the relevant Implementing or Executing Agency in the further development of the project.

### **Work Program Approval by Mail**

6. In October 1995, the GEF Council approved a process for approval of intersessional work programs by mail. These agreed procedures are annexed to this paper together with the relevant Council decisions. In accordance with these procedures, two proposed work programs may be circulated for approval by mail each year. The proposed work programs are

disseminated to Council Members, Alternates and focal points by posting on the GEF website. Council Members are provided four weeks in which to approve the work program.

7. In accordance with the procedures, proposals in the intersessional work program should not raise new or significant policy issues that should be discussed by the Council.

8. In responding to the proposed decision to approve the proposed work program, Council Members may choose to approve the work program, to object to the work program, or to object to a project proposal or proposals in the work program, within the specified deadline established for such responses. If one or more Council Members object to the work program, the work program will not be approved. Instead, it will be submitted to the Council for review at its next regular meeting. If one or more Council Members object to a project proposal or proposals within the work program, such project proposals will be deferred for consideration at the next regular meeting of the Council. The rest of the work program will be approved. A Council Member may also request that a project proposal be reviewed by the Council prior to the endorsement by the CEO for final approval by the Implementing or Executing Agency.

9. The Council in its decision approving the procedures for approval of work program by mail recognized that objections are to be made only on policy grounds. A Council Member may choose to withdraw its objections to a project. If all objections to a project are withdrawn, the project may go forward.

10. Council Members are also invited to submit any policy and technical comments that they may have on the work program within the four week period provided for review.

11. Comments submitted by Council Members within the four week period are to be taken into account by the relevant Implementing or Executing Agency in the further development of the project.

### **Technical Comments**

12. Current procedures provide for the Secretariat to forward all written technical comments on proposed work programs to the Implementing/Executing Agency concerned and to provide a summary of technical comments received on the work program for circulation to Council Members. Implementing and Executing Agencies are requested to take into consideration Members' technical comments and those of the STAP review in the final project design and to confirm that they have done so when submitting the final draft project document to the CEO for endorsement.

**PROCEDURES CONCERNING INTERACTION BETWEEN THE COUNCIL MEMBERS, THE SECRETARIAT AND THE IMPLEMENTING/EXECUTING AGENCIES DURING THE PROJECT REVIEW PERIOD**

13. The current procedures are silent as to whether a Council Member may enter into a dialogue with the Secretariat and/or the Implementing Agencies during the review process. In the past, requests for more information and clarification on the project proposals have been limited, and the Secretariat and the Agencies have made every effort to respond to them in a timely manner. Recently, however, these requests have grown in both frequency and detail, and they have required increasing time and effort on the part of the Secretariat and Implementing Agencies to respond to them.

14. The interest of Council Members in requesting additional information and clarifications during the four week period that a work program is under review to assist them in making a decision on proposed projects in a work program is fully understandable and clearly within the authority of the Council Members. This interest, however, needs to be balanced against principles of transparency and information sharing with all Council Members, as well as the practical ability of the Implementing/Executing Agencies to respond to such inquiries.

15. The following clarification is therefore proposed to the current review process to facilitate requests for additional information in a timely manner.

**CLARIFICATION OF REVIEW PROCESS**

16. The Secretariat proposes that the review process for proposed work programs be clarified as follows:

- (a) During the four week review period, Council Members may submit questions of clarification or requests for additional information to the relevant Implementing/Executing Agency on any project proposal in the proposed work program that will assist them in reaching a decision as to whether to approve it;
- (b) Implementing/Executing Agencies will make their best efforts to respond to all questions or requests in a timely manner ;
- (c) All requests and responses will be copied to the Secretariat, and the Secretariat will post them on the website to ensure transparency and to provide such additional information to other Council Members so as to assist them in their decision making process; and
- (d) Notwithstanding any questions of clarification posed during the review period, Council Members will submit technical comments that they request that the Agencies take into consideration in the further development of the project proposals to the Secretariat within the specified time available for such comments. The Secretariat will collate all technical comments, share them with the Implementing and Executing Agencies, and post them on the GEF website.

**ANNEX. AGREED PROCEDURES FOR COUNCIL APPROVAL OF INTERSESSIONAL WORK  
PROGRAM AND RELEVANT COUNCIL DECISIONS**

GEF/C.7/7  
March 7, 1996

**PROPOSAL FOR APPROVAL  
OF GEF WORK PROGRAM**

**INTRODUCTION**

- i. At the Council meeting in October 1995, a Member circulated a proposal on ways to facilitate work program review. The Council requested the CEO to review the proposal, analyze its implications for the GEF and circulate a written proposal for consideration by the Members.
- ii. The following is a draft proposal prepared by the Secretariat on ways to facilitate work program review and approval. This proposal is based on an options paper that was circulated to the Council Members and Alternates for review and comment. The proposal takes into account the comments received on the options paper.

**PROPOSAL FOR APPROVAL OF GEF WORK PROGRAMS**

1. Paragraph 20 of the Instrument provides that the Council is responsible for the review and approval of GEF work programs. Cognizant of the fact that the Council meets in regular session twice a year, it is recognized that there is a need to provide a means through which work programs may be reviewed and approved in the period between regular Council meetings so as to expedite the operations of the GEF.

**I THE COUNCIL AGREES THAT WORK PROGRAMS MAY BE REVIEWED AND APPROVED BY MAIL AS NECESSARY IN ACCORDANCE WITH THE FOLLOWING STEPS:**

**(1) Preparation of proposed work program**

2. Proposed projects will be developed in accordance with the GEF Instrument and the project cycle.
3. As provided in the Instrument, the CEO determines the content of the joint work program to be reviewed and approved by the Council. In the period between regular Council meetings, the CEO may compile a proposed work program which would merit review and approval by the Council prior to the next meeting. Given past experience in preparing work programs, it is likely that there will be one to two proposed work programs prepared in the period between Council meetings. A pragmatic approach will be adopted that will place emphasis on the number and quality of project proposals as opposed to any fixed time schedule. The CEO will not include in a work program to be approved by mail any project proposal that raises new or significant policy

issues that he considers should be discussed by the Council. Such proposals will be included in a work program presented for review and approval at a Council meeting.

4. For each proposed work program, the Secretariat will prepare an analytical cover note addressing the policy and programmatic issues illustrated by the proposed work program, its relation to GEF policies, including the operational strategy, and its cost effectiveness. In the cover note, the Secretariat will draw to the Council's attention any matter which might require the Council's special attention and/or guidance.

## **(2) Distribution by mail of the proposed work program**

5. The CEO will distribute the proposed work program to Council Members, Alternates, and all those invited to GEF Council meetings in accordance with paragraphs 8 to 13 of the Rules of Procedure for the GEF Council (1). Consistent with current practice, the proposed work program will also be made available electronically (i.e., through the Econet and Worldwide WEB).

## **(3) Review, comment and approval**

6. The CEO will invite the Council to review and approve the proposed work program. The CEO will also invite the Members to submit to the Secretariat any policy and technical comments that they may have on the work program within the same time period provided for approval.

### ***Approval***

7. Approval of the work program will occur in accordance with paragraphs 34 to 36 of the Council's rules of procedure for decisions without meeting, subject to the waiver and understandings described in paragraphs 8 and 9. These rules provide that:

- (a) the CEO will transmit to each Member a proposed decision with an invitation to approve the decision on a no-objection basis;
- (b) the Member will have a specified time period (a minimum of two weeks) to respond;
- (c) at the end of the period the decision is approved unless there is an objection from a Member;
- (d) if there is an objection received, the proposed decision will be referred to the next Council meeting.

8. The rules of procedure also provide that at least two-thirds of the Members must have replied to the CEO for a decision to be approved. Experience has shown that the requirement that a written response be received from at least two-thirds of the Members can be quite onerous for both the Council Members and the Secretariat. Therefore, it is agreed that for purposes of work program approval, this requirement will be waived and that no response from a Council Member will indicate that that Member has no objection.

9. Recognizing that under the Council's normal procedures for consideration of work programs at Council meetings Members are to have four weeks to review a work program prior to the meeting, it is agreed that the review period for approving work programs by mail will be four weeks.

10. In responding to the proposed decision, a Council Member may approve the work program, may object to the work program, or may object to a project proposal or proposals in the work program. If one or more Council Members object to a work program, the work program will not be approved, and it will be submitted to the Council for review at its next regular meeting. If one or more Council Members object to a project proposal or proposals within the work program, such project proposals will be deferred for consideration at the next regular meeting of the Council. The rest of the work program will be approved.

11. In responding to the proposed decision, it is important that Council Members be clear when they are formally objecting to a project proposal or the work program and when they are raising technical or policy issues for further consideration in the development of the project proposal (see paragraphs 12 and 13) but are not objecting to the project proposal or work program being further developed.

### ***Comments***

12. In commenting upon the proposed work program, a Council Member may inform the CEO that he/she has reservations about a policy matter raised by a project proposal or proposals in the work program, and he/she may request that those concerns be addressed in the further development of the proposal or proposals. The Member may also request that the Secretariat include in the programmatic note to be prepared by the Secretariat for the Council meeting (see paragraph 15) specific mention of the Member's policy concerns for discussion at the Council meeting.

13. On any project proposal included in the proposed work program, a Council Member may submit written technical comments to be considered by the Implementing Agency in the further development of the project proposal. The Secretariat will forward all written technical comments to the Implementing Agency concerned. The Secretariat will prepare a summary of technical comments received on the work program and circulate the summary to Council Members within three weeks of the deadline for comments. When sending a final draft project document to the CEO for endorsement prior to its approval by the Implementing Agency, the Implementing Agency will indicate in writing how, if at all, the Members' technical comments have been incorporated into the project's design. This information will highlight any significant changes that may have been made since the Council approved the project proposal within the work program. The CEO will include this information with the final draft project document when it is circulated to the Council.

## **II. COUNCIL CONSIDERATION OF WORK PROGRAM AT COUNCIL MEETINGS**

14. As is present practice, the Council will consider a proposed work program and cover note at its regular Council meetings. As noted in paragraph 3, the CEO will include in the work programs to be considered at the Council meetings any project proposals that raise new or significant policy issues. An outline of the cover note to be prepared for work programs to be considered at Council meetings is attached as an annex to this document. A cover note will also be prepared for work programs that are to be approved by mail, but such cover notes will not need to address operational policy issues requiring special attention of the Council or to identify issues raised by the work program that might call for a review or elaboration of GEF policy,

since project proposals that trigger such issues will not be included in work programs presented for approval by mail (see paragraphs 3 and 4). Technical comments on the work program may be submitted in accordance with the procedures described in paragraph 13.

15. In addition to the work program and its cover note, the Secretariat will prepare for Council's consideration at each Council meeting a separate note reviewing the programmatic evolution of GEF operations. This note will provide a basis for Council discussion of policy and strategic issues concerning GEF operations. The note will address trends, planning assumptions and policy issues arising from the continuing evolution of the work programs and their relationship to the operational strategy. It will discuss policy issues related to the work programs circulated over the preceding six months, including any policy issues raised by Council Members on the work programs circulated for approval by mail. The note will contain information on projects that have been endorsed by the CEO in the preceding six months as well as financial information on commitments and disbursements. The note will also contain a forward looking section that will highlight plans and expectations for development of the work program in the period leading to the next Council meeting.

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## **ANNEX**

### **OUTLINE OF COVER NOTE TO WORK PROGRAMS**

1. Describe how work program fits within programmatic framework of operational strategy.
2. Identify how specific projects demonstrate implementation of, or respond to, specific principles, policies and decisions of the Council, such as:
  - (a) application of incremental costs;
  - (b) environmental, social and financial sustainability;
  - (c) cost-effectiveness of activities;
  - (d) leveraging of additional resources;
  - (e) country-driven projects reflecting national priorities designed to support sustainable development;
  - (f) public involvement; and
  - (g) monitoring and evaluation.
3. Identify operational policy issues requiring special attention of the Council.
4. Identify any issues raised by the work program that might trigger the need for a review or elaboration of GEF policy, including the operational strategy.
5. Overview of financial commitments.

***Endnotes:***

1. This includes the GEF focal points in all States participating in the GEF, the Implementing Agencies, the Trustee, STAP, the secretariats of the Convention on Biological Diversity, the UN Framework Convention on Climate Change, the Montreal Protocol on Substances that Deplete the Ozone Layer and its Multilateral Fund, the United Nations Convention to Combat Desertification in those Countries Experiencing Drought and/or Desertification, and the UN Commission on Sustainable Development, and the designated GEF focal points for the NGOs.

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## RELEVANT COUNCIL DECISIONS

### APPENDIX TO CHAIRS' JOINT SUMMARY, GEF COUNCIL MEETING, APRIL 2-4, 1996

#### DECISION ON AGENDA ITEM 5 (d) *Proposal for approval of GEF work programs*

12. The Council reviewed document GEF/C.7/7, *Proposal for Approval of GEF Work Programs*, and approves the proposal presented therein on a one year pilot basis subject to the following revisions and understandings:

(a) One proposed work program may be transmitted for approval by mail in the period between Council meetings;

(b) Proposed work programs transmitted by mail should be approved in accordance with paragraphs 34 to 36 of the Council's rules of procedure for decisions without meeting. Council Members should have four weeks in which to consider the proposed work programs; and

(c) A Council Member may choose to withdraw its objections to a project. It is recognized that objections are to be made on policy grounds. If all objections to a project are withdrawn, the project may go forward.

13. The Council will review these procedures at its meeting in May 1997.

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### JOINT SUMMARY OF THE CHAIRS, GEF COUNCIL MEETING, MARCH 30-31, 1998

14. The Council reviewed provisions of the *Rules of Procedure for the GEF Council* concerning Council decisions without meeting. With regard to paragraph 36 of the rules, the Council agrees that work programs transmitted to Council Members for approval by mail may be approved on a no-objection basis. Furthermore, the Council agrees that reports on estimated mid-year expenditures may be approved in accordance with the present text of paragraph 36. All other budgetary or financial decisions should be addressed during the course of Council meetings.

### JOINT SUMMARY OF THE CHAIRS, GEF COUNCIL MEETING, NOVEMBER 1-3, 2000

32. The Council, in reviewing a proposed amendment to the rules concerning decision by mail, confirms that intersessional work programs may be approved by mail on a no objections basis. The Council also confirms that policy decisions should not be approved by mail.

33. The Council agrees to amend rule 45 of its Rules of Procedure to read as follows:

“45. At the expiration of the period prescribed for comments, the decision shall be approved unless there is an objection. If a proposed decision has financial implications, approval of the decision will require replies from at least two-thirds of the Members. If there is an objection raised by any Member to any proposed decision, the CEO shall include consideration of the proposed decision as an item on the agenda for the next meeting of the Council. The CEO shall notify all those that received the communication referred to in paragraph 43 of the action he/she takes pursuant to this paragraph.”