



Global Environment Facility

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Agenda Item 13

CONSTITUENCIES AND ASSISTANCE FOR COUNTRY LEVEL COORDINATION

Recommended Council Decision

The Council, having reviewed the document GEF/C.13/13, *Constituencies and Assistance for Country Level Coordination*, approves the proposal to amend the rules of procedure for the Council together with the proposed activities to strengthen country level coordination, subject to the comments made by the Council. Specifically, the Council:

- (i) agrees to amend the *Rules of Procedure for the GEF Council* by approving the annex proposed in the document to clarify matters related to the appointment/reappointment of Council Members and Alternates by a constituency and changes in constituency groupings; and
- (ii) approves the proposed activities and associated financial resources to strengthen country level coordination and requests the GEF Secretariat to reach agreement as early as possible with the Implementing Agencies on the modalities for providing support to the national focal points and the Council Members as described in the document. The GEF Secretariat and the Implementing Agencies are requested to report annually to the Council on the use of the resources provided for this purpose.

INTRODUCTION

1. At its meeting in October 1998, the Council discussed a number of matters related to country level coordination, communication within countries, and communications within constituencies. In this paper, the Secretariat, in consultation with the Implementing Agencies, has made a number of proposals to strengthen the operation of, and communication within, constituencies together with the capacity of national focal points to better participate in the GEF.

2. Section I of this paper proposes additional rules to be included in the Rules of Procedure of the Council to help clarify the provisions of Annex E of the Instrument concerning the formulation of constituencies and the appointment of Members and Alternates. Section II summarizes proposals put forth by Council Members to improve communications within constituencies. Section III proposes modalities for providing assistance to focal points to strengthen their communication and outreach both within their own countries and among countries of their constituency.

SECTION I

CONSTITUENCIES - ADDITIONAL RULES OF PROCEDURE TO CLARIFY THE PROVISIONS OF ANNEX E OF THE INSTRUMENT

Background

3. The *Instrument for the Establishment of the Restructured Global Environment Facility* ("The Instrument") provides that the Council shall consist of 32 Members, representing constituency groupings. The Instrument further provides that there shall be 16 Members from developing countries, 14 Members from developed countries and 2 Members from countries of central and Eastern Europe and the former Soviet Union¹.

Recipient Countries Constituencies

4. In accordance with paragraph 16 of the Instrument and its Annex E, *Constituencies of the GEF Council*, 18 recipient countries constituencies are to be established, and distributed among the following geographic regions, bearing in mind the possibility of establishing mixed constituencies:

Africa	6
Asia and Pacific	6
Latin America and Caribbean	4
Central, Eastern Europe and Former Soviet Union	2

Non-recipient Countries Constituencies

¹ See *Instrument for the Establishment of the Restructured GEF*, paragraph 16 and its Annex E.

5. The 14 non-recipient constituencies are to be formed through a consultation process among interested Participants, primarily guided by their total contributions to the facility.

Appointment of Member and Alternate

6. The Participant or Participants in each constituency are to appoint a Member and Alternate to represent them in the Council. Unless the constituency decides otherwise, each Member and each Alternate is to serve for three years or until the constituency appoints a new Member or Alternate, whichever comes first. Paragraph 16 of the Instrument also provides that a constituency may reappoint its Member or Alternate for another term.

First Council

7. On this basis, 32 constituency groupings were established in 1994, after the Instrument was approved. The first group of Council Members and Alternates were appointed by the constituencies prior to the first Council meeting in July 1994.

8. In 1997, the three year term of many Council Members was nearing completion. In considering the appointment/reappointment of Members and Alternates, a number of logistical issues were raised for which there was no clear guidance. In addition, in the four years since the first Council meeting, a few questions concerning communication and decision making on constituency matters have arisen which could more easily have been resolved if some clear procedures had been established. In order to facilitate resolution of such issues in the future, it is proposed that the Council adopt a number of additional rules of procedure to clarify the provisions of Annex E of the Instrument.²

9. The issues that have been raised are primarily concerned with:

- a. rules for the appointment/reappointment of Members and Alternates; and
- b. changing constituency groupings.

Rules for the appointment/re-appointment of Members and Alternates

10. The Instrument provides that a Council Member or Alternate is to represent the Participant or Participants in the constituency which appointed that Member or Alternate. Unless the Constituency decides otherwise, each Member and Alternate is to serve for three years or until the constituency appoints a new Member or Alternate, whichever comes first. The Constituency may reappoint a Member or Alternate for an additional term³.

11. The Instrument is silent on a specific decision making mechanism or procedure to be used by a Constituency for the appointment of a Member or Alternate. It only states that this is a responsibility of the constituency.

² Paragraph 11 of Annex E provides, "In accordance with paragraph 25(a) of the Instrument, the Council may adopt procedures to give effect to the provisions of this Annex."

³ See *Instrument for the Establishment of the Restructured GEF*, paragraph 16.

12. In practice, some constituencies have agreed to rotate the Member or Alternate more frequently than every three years in order to allow each Participant to have an opportunity for one of its nationals to serve as the Member or Alternate. Other constituencies have agreed to retain three year periods, but have agreed in advance on a nationality-based rotation. Other constituencies have no agreed arrangements for the appointment of the Member or Alternate.

13. The Instrument also does not provide clear authority or procedures for the communication of a constituency's agreement on the appointment of a Member or Alternate.

14. Experience has shown that the introduction of procedures would facilitate the process by making it more transparent. The Secretariat has proposed in annex A to this document some draft rules which the Council might wish to consider in order to clarify these matters. These rules address:

- a. procedures for communicating to the GEF Secretariat a decision on the appointment/reappointment of a Member/Alternate;
- b. procedures to be followed when a consensus is not reached within a constituency;
- c. guiding principles for decision making on this matter within a constituency, recognizing fully that it is the prerogative of a constituency to decide upon its own internal decision making mechanism.

15. The Council will note that two possible options are presented in proposed rules 4 and 5 as to what should occur when a consensus on the appointment/reappointment of a Member or Alternate cannot be reached by the time of the expiration of the term. Each of these options has been followed in other international bodies. The first option under which the position would remain vacant is applied in the UN functional commissions, such as the CSD. The second option, to leave the incumbent in place until a final decision is reached, is the model followed by the World Bank.

Changing constituency groupings

16. While paragraph 8 of Annex E of the Instrument describes the procedure to be followed by any State that becomes a Participant of the GEF after the initial formation of constituency groupings, the Instrument is silent as to the procedure to be followed if a Participant cannot find a constituency grouping or if a Participant wishes to change its grouping.

17. Although the vast majority of GEF Participant have joined a constituency, there are some cases in which a Participant has not yet identified its constituency grouping⁴. In some

⁴ The constituencies for the following Participants are yet to be determined: Azerbaijan, Cambodia, Ghana, Israel, Kyrgyz (Rep.), Libya, Malta, Syria, Turkmenistan and Uzbekistan.

other instances a preliminary grouping has been agreed but it is still subject to final agreement between the country and other Participants in the constituency⁵.

18. The inclusion of these Participants in a constituency grouping is essential to the work of the Council. Two rules (paragraphs 7 and 8 of annex A) have been proposed to address this situation.

19. Furthermore, it is proposed that the Secretariat might have a role in facilitating the identification of a constituency grouping. In particular, the Council may agree that, consistent with the intent of paragraph 8 of Annex E, whenever a country becomes a new Participant in the GEF, it may request the Secretariat to assist that country to identify an appropriate constituency grouping by undertaking consultations with the Council Members concerned, who in turn should consult with the Participants grouped in his/her constituency.

20. If the GEF Secretariat is unable to find an appropriate grouping for a Participant it should draw this matter to the attention of the Council.

SECTION II: CONSTITUENCIES – PROPOSALS TO STRENGTHEN CONSULTATIONS WITHIN CONSTITUENCIES

21. The last Council meeting had invited Council Members “to propose to the CEO what approaches may usefully be considered to help improve coordination and consultations within Constituencies”⁶. Proposals have been received from two Council Members .

22. With regard to Constituency coordination, one Council Member has suggested consultations through periodic workshops/ meetings, assistance to the Council Member to communicate with members of the Constituency, and ensuring that all focal points receive GEF Council papers. Another Council Member has emphasized the importance of support for meetings among stakeholders, dissemination of documents and facilitation of electronic communication. All these suggestions have been very helpful in drawing up the matrix of support proposed in section III of this paper.

SECTION III: STRENGTHENING COUNTRY LEVEL COORDINATION

23. In its October 1998 decision on Agenda Item 9, ‘Country Ownership of GEF Projects,’ the Council requested the Secretariat to prepare and, where possible, to implement activities necessary to achieve the elements for an action plan to strengthen country-level coordination and greater outreach and communication as outlined in document GEF/C.12/8. It also invited the Secretariat to include administrative resources necessary to carry out the activities foreseen under the elements of the action plan in the corporate budget to be proposed for FY 00.

24. Since the last meeting, the Secretariat has consulted with the Implementing Agencies and a number of recipient countries to develop further the elements proposed for the strengthening of country-level coordination and greater outreach. Activities to promote outreach, together with their financing requirements, are elaborated upon in the corporate budget for FY00 (see

document GEF/C.13/10). This document describes activities to strengthen country level coordination.

25. Though more consultation is clearly required with a larger cross-section of recipient countries, the process so far has yielded some insights into modalities for GEF assistance that might most efficiently and cost-effectively promote country-level coordination. This paper proposes modalities for initiating first steps.

Best practices

26. A survey was carried out between July and September 1998 on the functioning of political and operational focal points in recipient countries. It yielded a high rate of response and some very interesting examples of how the coordination issue has been addressed in countries. Preliminary results of the survey were before the Council at its last meeting (GEF/ C.12/ Inf. 17). Subsequently, the responses have been scrutinized in more depth, and a number of coordination mechanisms in countries (e.g., Belize, Brazil, China, Laos, Latvia, Poland and the Syrian Arab Republic) have been identified as potential best practices. There will doubtless be other examples worth emulating. To fully understand these best practices and pick out elements for dissemination, the Secretariat proposes to organize a workshop in FY 00⁵. Opportunities presented by the 'Country Dialogue Workshops' will also be fully utilized both to gather further information on best practices, and to disseminate information about them as it becomes available.

27. With regard to the responsibilities and functions of GEF's focal points, it is clear from Council discussions during October, 1998⁶ and from the feedback received from the focal point survey that recipient countries would like to make up their own minds regarding the efficiency and effectiveness of distinct political and operational focal points compared with integrated focal points. Experiences in countries where the focal point system is operating smoothly and effectively will be documented and disseminated for emulation by other countries if they so wish.

Support to strengthen the country focal points

28. At its meeting in October, the Council also requested the Secretariat to elaborate upon practical measures that might be undertaken to strengthen the nation focal points, especially through the field offices of the Implementing Agencies.

29. The focal point survey conducted in 1998 provided considerable information, at a general level, on the felt needs of GEF focal points in their efforts towards fulfilling their assigned roles⁷. Further insights have been gained also through informal consultations with recipient country representatives whenever the opportunity arose for GEF Secretariat and Implementing Agency staff (Convention related meetings, interaction during the GEF project cycle, on-going monitoring and evaluation activities and reports). Broadly, focal point and Constituency coordination needs can be grouped in the following categories :

⁵ [reference to Corporate/ admn. Budget]

⁶ See, for instance, paragraph 37 of the Joint Summary of the Chairs of the October, 1998 meeting.

⁷ Please see paragraphs 32 to 38 of GEF/ C.12/ Inf.17.

- a. Communication, information and documentation;
- b. Training/ awareness;
- c. Feedback on proposals;
- d. Country-level coordination (of the focal system); and
- e. Constituency related coordination.

30. On careful examination of the various activities under these categories, it was observed that a number of them can be supported through sharpening the focus, as appropriate, of ongoing/ future GEF programs and projects, such as the Country Dialogue Workshops, and GEF's regular outreach efforts. These *indirect* support activities, especially the Country Dialogue Workshops, should contribute to promoting country level coordination. They would, however, be one-time events in most cases and would not cover all recipient countries. More *direct* support of a kind not within the scope of regular GEF and Implementing Agency projects and programs would therefore be required to fulfill the identified needs of focal points and Council Members for more regular consultations, meetings, and networking. As recommended by the Council, these services could most efficiently be provided through the field offices of the Implementing Agencies.

31. The following matrix attempts to distinguish between the two kinds of support to respond to the needs of focal points :

NEEDS IDENTIFIED FOR GEF SUPPORT	PROVISION OF GEF SUPPORT	
	INDIRECT	DIRECT
<p><i>I Communication, information and documentation</i></p> <p>1. Internet access and e-mail capability for focal points and (recipient country) Council Members.</p> <p>2. Regular access to GEF documents, translated as appropriate.</p>	<p>1. Use UNDP's 'Sustainable Development Networking Program' (SDNP), and SIDSnet (for AOSIS), and UNEP's INFOTERRA, where possible</p> <p>2. Making documents available on internet.</p>	<p>1. Non-recurrent costs for internet access and training on internet, use of SDNP/ SIDSnet, INFOTERRA for focal points and Council Members</p> <p>2. Translation and dissemination of GEF documents. Establishing reference centers/ libraries in IA field offices.</p>
<p><i>II Training/Awareness</i></p> <p>3. Training on GEF structure, objectives, role in countries, project approval process</p> <p>4. Training on stakeholder participation</p>	<p>3 and 4. Country Dialogue Workshops, other outreach efforts, activities within GEF projects</p>	
<p><i>III Feedback on proposals</i></p> <p>5. Greater and faster information on the progress of project proposals</p> <p>6. Periodical reports on ongoing projects</p> <p>7. GEF assistance in review process and project implementation</p>	<p>5 and 6. Information pipeline information on internet</p> <p>5, 6, and 7. Greater liaison between IA offices and focal points</p>	
<p><i>IV Country-level coordination</i></p> <p>8. Local-level coordination meetings, networking, sharing of experiences, case studies</p>		<p>8. Logistical support for focal points through the Implementing Agencies field offices</p>
<p><i>V Constituency Coordination</i></p> <p>9. Coordination by (recipient country) Council Members among Constituency Members on GEF Council and policy issues.</p>		<p>9. Logistical support for Council Members through the Implementing Agencies field offices</p>

32. Based on the experience of the Implementing Agencies and informal consultations with recipient country representatives, the following range has been suggested as the costs of providing direct support to GEF's focal points through the field offices in order to support the focal points to carry out their duties more effectively :

	Identified need (para 31 above)	COST (US \$)	Average cost
Access to the internet, where possible, and training in its use	1	500 (per country, one-time)	500 (one-time)
Dissemination of GEF documents, duly translated. ⁸ Reference library in IA field offices. Use of SDNP, SIDSnet and INFOTERRA	2	1000 – 3000 (per country, annual)	
Organization of meetings for country-level coordination purposes	8	1000 – 5000 (per country, annual)	
		----- Total 2000 – 8000 (per country, annual)	5000 (annual)
Coordination/ communication among Constituencies by Council Members, on GEF Council and policy matters.	9	0 - 2000 (per Council Member, annual)	1500 (annual)

33. Using the average costs computed above, and spreading these over a working average of 100 countries, the total cost implication for the first year would be :

	(US \$)
Internet access/ training (100 x 500)	50,000
Focal point support (100 x 5000)	500,000
Support for Council Members (14 x 1500, since 2 recipient constituencies have one member country only)	70,000

	620,000
IA admn. costs (3 %)	19,000
Total	639,000

34. In the second and subsequent years, the cost would not include the \$ 50,000 for internet access and related training, and would thus be reduced to approximately \$ 588,000.

⁸ Translations will be done as cost-effectively as possible (e.g. centralized translation in regions with a common language)

Duration of Support

35. It is proposed that the support for focal points be extended for 3 years, beginning in FY 00. At the end of this period, there can be a reasonable expectation that GEF matters would have been internalized into the functioning of focal points and the agencies they represent in their Governments. Most, if not all, recipient countries will by then have accumulated adequate experience in the preparation and implementation of GEF projects to be able to assume full responsibility for undertaking further work. In exceptional cases, Council could consider providing support beyond the initial period of three years.

Delivery of support

36. At the last Council meeting, it was proposed that the most feasible means to provide direct support to GEF focal points and Council Members would be through the Implementing Agency field offices. The cost of these services (see paragraph 33 above) will need to be provided by the GEF.

37. UNDP and the World Bank will be requested to agree on designating one of their field offices for each interested recipient country to undertake the support function in the individual country, including countries not served by a resident office of either Agency. In order to ensure country-drivenness and responsiveness to local needs, the Implementing Agency field office so designated will be provided full flexibility in the provision of support to focal points, within the broad range of activities and costs identified above. This flexibility would also allow them to explore synergies with other efforts of a similar nature, whether funded by the GEF or other sources.

38. All GEF Participant countries that are eligible for funding would be eligible to receive this support for strengthening the operations of their focal points. Countries with more than one focal point will need to designate one particular focal point for routing requests for support from the field office. The Implementing Agencies would be requested to report to the Council annually on the services they have provided to each focal point and the expenses for those services.

DRAFT ANNEX TO THE RULES OF PROCEDURE FOR THE GEF COUNCIL

Appointment/Reappointment of Council Member/Alternate by a constituency

1. When a Council Member/Alternate is to be appointed/reappointed, if the Member has not informed the CEO/Chairman of the name and address of the new/reappointed Member/Alternate 180 days before the end of the term of the outgoing Council Member/Alternate, the CEO/Chairman shall notify the Participants in the constituency of the expiration of the term and invite the Participants in the constituency to appoint/reappoint a new Council Member/Alternate.
2. The outgoing Council Member, after consultation with the Participant or Participants in his/her constituency, shall communicate in writing to the CEO/Chairman of the GEF no later than 45 days prior to the expiration of the term the name and address of the newly appointed/reappointed Member/Alternate for the constituency. The CEO/Chairman of the GEF shall acknowledge this communication. Such acknowledgement shall be copied to all Participants in the constituency as well as to the Council Members and Alternates.
3. When informing the CEO/Chairman of the appointment/reappointment of a Member/Alternate, the Council Member shall explicitly confirm that such appointment is being made with the agreement of the constituency after consultations with all Participants in the constituency.
4. The appointment/reappointment of a Council Member/Alternate shall be deemed confirmed, unless one or more Participants in the constituency communicates a written objection to the CEO/Chairman within two weeks of the CEO's acknowledgement. If any objection is raised, the CEO/Chairman shall inform the Participants in the constituency of such objection and invite the Participants to reach a consensus agreement on the appointment/reappointment of the Council Member/Alternate. The consensus agreement shall be communicated to the CEO/GEF as early as possible. The CEO will acknowledge this agreement in accordance with the procedure provided for in paragraph 2 above.
5. If a consensus agreement cannot be reached within a timely manner, [the Council Member/Alternate seat will remain vacant until the appointment/reappointment of the Council Member/Alternate has been confirmed.] [Council Members/Alternates shall continue in office until their successors are appointed.] The CEO/Chairman shall draw to the Council's attention a lack of consensus that has not been resolved at the time of the expiration of the term of the outgoing Member/Alternate, and he/she may recommend to the Council modalities for

providing assistance to facilitate consultations among the Participants. The Council shall advise the CEO/Chairman on such recommendations.

6. If the positions of both Member and Alternate of a constituency are vacant, the focal point of any Participant in the constituency may inform the CEO/Chairman of the appointment/reappointment of a Member and Alternate, provided the Participant shall explicitly confirm that such appointment is being made with the agreement of the constituency after consultations with all Participants in the constituency.

7. Unless otherwise decided by the Participants in a constituency, the principles of decision making by the Council provided for in paragraph 25 of the Instrument for the Restructured Global Environment Facility shall apply *mutatis mutandis* to the constituency's decision making concerning the appointment/reappointment of the Member/Alternate.

Change in constituency grouping

8. If in accordance with the provisions of Annex E of the Instrument, a Participant cannot identify a constituency within which to be grouped, it may request the CEO/Chairman to assist it in identifying an appropriate constituency grouping. The CEO/Chairman shall undertake consultations with the Council Members concerned, who in turn shall consult with the Participants in their constituency. The CEO shall inform the Council if he/she is unable to identify a constituency grouping for the Participant.

9. If a Participant wishes to change the constituency in which it is grouped, the procedures provided for in paragraph 8 of Annex E of the Instrument shall apply. That is, after consultation with the Participants in the constituency in which it wishes to be grouped, the Participant shall notify the Secretariat of its interest in changing its constituency grouping. The Participant shall be grouped in the new constituency subject to agreement by the Participants in that constituency and subsequent confirmation by the Council at its next meeting. The Council Member for the constituency shall confirm the constituency's agreement, and the Council shall confirm the new constituency grouping at its next meeting.