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Tenth Intergovernmental Meeting on the Action Plan  
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Convention for the Protection and Development of the  
marine Environment of the Wider Caribbean Region

Montego Bay, Jamaica, May 7-11 2002

**CONCEPT PAPER FOR ESTABLISHING AND IMPLEMENTING REGIONAL  
ACTIVITY CENTRES AND REGIONAL ACTIVITY NETWORKS FOR THE  
CARIBBEAN ENVIRONMENT PROGRAMME**



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## I. INTRODUCTION

1. The present document was drafted in response to recommendation 10 (d) of the Thirteenth Meeting of the Monitoring Committee and Special Bureau of the Contracting Parties, San Jose, 9-13 July 2001 (Thirteenth Mon Com), which requested the secretariat, with the assistance of interested parties, to revise the 1992 Concept Paper for Regional Activity Centres and Regional Activity Networks (document UNEP(OCA)/CAR WG. 10/3) for the Caribbean Environment Programme (CEP), based on *new developments in marine science and information technology; taking into account the experience of other RACs and RANs in other regions; and the need to establish clear relationships between the RACs and RANs and ISTACs and STACs*. Since the time of the adoption of the 1992 Concept Paper, two RACs have been established within CEP and at the same time certain trends have developed regarding the functioning and finance of the CEP and since it was established more than 20 years ago. As a result, these changes led to the recommendation of the Thirteenth Mon Com to revisit the concept of Regional Activity Centres (RACs) and Regional Activity Networks (RANs) taking into account the realities of the CEP in 2002 and to reach consensus on the establishment and implementation of RACs for the future and to inform the Tenth Intergovernmental Meeting (Tenth IGM) prior to taking decisions regarding new and existing RACs of the CEP. In developing the present document, the secretariat took into account:
  - Concept Paper for Regional Activity Centres and Regional Activity Networks, (UNEP(OCA)/CAR WG.10/3), 1992;
  - Draft Proposed Legal Framework for the Administrative, Technical and Financial Operations of RACs and RANs, (UNEP(OCA)/CAR IG.11/7) as amended and adopted by the Seventh Intergovernmental Meeting, Kingston, 12-14 December 1994;
  - The existing arrangements and implementation of the existing CEP RACs;
  - The discussions that took place during the First Meeting of the Interim Scientific, Technical and Advisory Committee (LBS/ISTAC) of the Protocol Concerning Pollution from Land-based Sources and Activities (LBS Protocol);
  - The discussions and recommendations of the Thirteenth Mon Com;
  - The discussions of the First Meeting of the Scientific and Technical Advisory Committee for the Protocol Concerning Specially Protected Areas and Wildlife (SPAW/STAC );
  - The discussions and decisions of the First Meeting of the Contracting Parties to the SPAW Protocol (SPAW/COP);
  - The views of Member Governments having expressed an interest in defining the concept of RACs and RANs since the Thirteenth Mon Com (including in particular the issues raised by the two currently proposed RACS for Land-based Sources of Pollution; and
  - A review of RAC structure and function in the Mediterranean Regional Seas Programme.

## II. BACKGROUND

2. The Caribbean Environment Programme, one of UNEP's Regional Seas Programmes, recognises the integrated nature of the coastal and marine resources as well as the interdependence of the countries of the Wider Caribbean Region. The ecological realities of the marine and coastal environment are such that the management issues to be addressed transcend national boundaries. Cooperation at the regional level, therefore, is critical to the successful implementation of the activities of the Action Plan for the Caribbean Environment Programme and for the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention). In light of this, a regional management framework was developed through the Caribbean Environment Programme in the form of a Regional Coordinating Unit for the Caribbean (CAR/RCU) established in 1986.
3. Since 1986, CAR/RCU, as secretariat to the CEP (including the Cartagena Convention and Protocols), has been developing workplans and budgets for the CEP and its subprogrammes as well as coordinating the implementation of the projects and activities in the workplan as approved by the CEP Member Governments. The Secretariat has been staffed and operated with the human and financial resources provided through the funds of the Caribbean Trust Fund (CTF), established in 1981. Nonetheless, with additional human and financial capital, additional projects could be coordinated, therefore expanding the capability of the CEP overall to produce results for the Member Governments.
4. Consistent with UNEP's catalytic role, and with a view towards expanding the human and financial capacity of the CEP, some of the technical responsibilities for project coordination or implementation can be delegated to institutions within the region, whose technical and managerial capabilities could be utilised for project development, fund-raising, and implementation. Given that the results of the Action Plan and Cartagena Convention are largely dependent upon strong co-ordinating mechanisms at the national and regional levels, such an alternative could prove desirable since it could result in a strengthening of the institutional capabilities, and co-ordinating mechanisms of both national and regional institutions.
5. Some regional institutions have already been involved in coordinating or implementing the activities of the CEP. The quality of work undertaken by regional institutions attests to their potential to assist with the implementation of activities of CEP. However, these efforts have been largely on a project-by-project basis, without the benefit of an integrated and continuous involvement in the strategic planning of the CEP. The overall impact of these efforts has therefore been less than may otherwise result from an integrated, regionally coordinated and strategic approach. Therefore, a RAC, when properly structured, financed and administered, can serve to augment the work of CAR/RCU and provide additional benefit to the CEP Member Governments through additional technical and financial assistance.
6. As there are already two existing RACs for CEP, these should be part of any review. At the Sixth IGM in 1992, the Government of France proposed to host the first RAC of the CEP for the SPAW Protocol on the island of Guadeloupe (SPAW/RAC). The Sixth IGM

accepted this proposal, pending an agreement with CEP that would detail the specific arrangements. Following several years of discussions and negotiation on an agreement with CAR/RCU, the SPAW/RAC was formally established in January 2000. The Government of France has funded the basic operating budget of the SPAW/RAC. The funding however does not cover project costs, which must be borne by other contributions. Though contact with the SPAW/RAC and CAR/RCU takes place on a semi-regular basis, there is no formal mechanism that establishes a relationship neither with the SPAW Contracting Parties nor with the Scientific and Technical Advisory Committee of the SPAW Protocol.

7. In 1994, the International Maritime Organisation (IMO) proposed to establish a centre for oil spill control and contingency planning in Curacao, under the umbrella of CEP. Operating as an informal RAC since 1995, the oil spill centre (Regional Marine Pollution Emergency Information and Training Centre – REMPEITC-Carib) was modelled after a RAC in the Mediterranean on the same subject. From 1995 to 2001, REMPEITC-Carib operated in Curacao under an agreement between the IMO, the United States Coast Guard, and the Kingdom of the Netherlands and the Netherlands Antilles. As that agreement was set to expire in 2001, the Ninth IGM (February 2000) accepted a proposal from the Government of the Netherlands Antilles to establish and formalise a RAC under the CEP – RAC/REMPEITC-Carib – under the coordination of UNEP-CAR/RCU and the IMO. The same decision of the Ninth IGM, also established the membership of a Steering Committee for the RAC. The Steering Committee is independent of the secretariat yet has within its membership, members of the secretariat and CEP Member Governments. This RAC, though established in June 2001 per the decision of the Ninth IGM has not yet been formalised through an agreement with the Government of the Netherlands Antilles and the IMO and UNEP-CAR/RCU.
8. RAC/REMPEITC-Carib Steering Committee has been established and it conducted its first meeting in June 2001 and its Second Meeting is scheduled for May 2002. At the first meeting, the Steering Committee established rules of procedure and financial rules. The meeting also developed a provisional workplan and budget for the 2002-2003 biennium. Though the Oil Spills Protocol has no Scientific and Technical Advisory Committee, as with the SPAW and LBS Protocols, the Steering Committee provides a clear mechanism to co-ordinate the work of the RAC as well as to liaise directly with the CEP intergovernmental meetings.

### **III. REGIONAL ACTIVITY CENTRES AND REGIONAL ACTIVITY NETWORKS**

9. The development of RACs and RANs was initially proposed to, and accepted by, CEP Member Governments in 1992 at the Sixth IGM through the presentation and adoption of the 1992 Concept Paper (UNEP(OCA)/CAR WG. 10/3). Nonetheless, as has been noted by the First Meeting of the Interim Scientific, Technical and Advisory Committee to the Protocol Concerning Pollution from Land-based Sources and Activities (LBS/ISTAC), February 2001, the Thirteenth Mon Com, and the First Meeting of the Contracting Parties to the Protocol Concerning Specially Protected Areas and Wildlife (SPAW), September

2001, the CEP institutional structure has evolved since 1992, such that the original concept is in need of revision. This section will address this new and evolved concept to allow for an adequate review of existing RAC arrangements and those proposed RACs.

#### **Definition of Regional Activity Centre (RAC)**

10. A RAC is a financially independent, regional or national institution, that has been designated by the Contracting Parties to the Cartagena Convention or Member Governments of the Caribbean Environment Programme, as appropriate, to carry out specific technical functions and activities in support of the CEP including, but not limited to, the existing and future protocols of the Cartagena Convention. The objective of a RAC is to strengthen the delivery of CEP activities through decentralising the work of CEP and by the addition of human and financial resources from a member country, another UN or international organisation or other donors.

#### **Definition of Regional Activity Network (RAN)**

11. RANs have never been well defined within the CEP. The 1992 RAC and RAN Concept Paper, though mentioning RANs and listing institutions that could make up RANs for various subject areas, in reality, never defined the structure or the function of RANs. Currently, there are no formal RANs of the CEP, nor was the secretariat able to identify the existence of formal RANs in any other Regional Seas Programmes. The “RANs” that have been informally operating in the CEP are perhaps those institutions or networks with which the secretariat or CEP working groups have normally consulted with on various topics. Nonetheless, RANs could be formalised within CEP in the event that a RAC is designated for the respective subject area.
12. Since the 1992 Concept Paper on RACs and RANs was developed, use of the Internet has drastically changed communication and information dissemination. Therefore, the Internet, interjects a new element into the operation of a RAN. A RAN can rapidly and easily communicate with a RAC and the secretariat, in addition to providing easy communications and electronic discussions on relevant topics between the members of the RAN. A RAN, could be nothing more than an e-group of sorts for the region. However, to make better use of regional knowledge, a RAN should be more formalised and make use of a RAC as a means towards improved coordination and technical programmatic input.
13. A RAN, as now being defined in this document, is a network of regional technical institutions (including national, intergovernmental, non-governmental and academic and scientific organisations) that provide input, peer review, and expertise to CEP in a specific technical area. Institutions within the RAN, must be well known in their area of expertise and be willing to provide advice and input to the CEP free of charge to the extent possible. Even under a contractual arrangement with CAR/RCU, any institution within a RAN should be willing to provide services to CEP, an existing RAC, or any other institution within the RAN on an “at-cost” basis rather than for profit. Additionally, RAN institutions would serve as an ongoing, consultative group for the CEP in their respective area of expertise. Where RANs exist, they would be coordinated by the RAC in their respective technical area.

14. RACs and RANs should in no way be a financial drain on the Caribbean Trust Fund. Any institution wishing to participate in a RAN or to become a RAC must be willing to do so at their own expense. The ordinary funds of the CTF (i.e., those that are not earmarked) would not be used to pay consultative fees for routine advice and informal consultations provided by the RAC or by RAN institutions. Neither would such CTF funds be used for travel and per diem expenses in the event of meeting of the RAC with CAR/RCU; a meeting of a RAC Steering Committee; meetings of the RAN institutions; or meetings between a RAC and its respective RAN-- unless funds are being provided directly to UNEP-CAR/RCU by the RAC host government or other donors for this purpose.
15. Overall, RACs and RANs represent an institutional framework of technical cooperation consisting of regional and national institutions selected for the purpose of coordinating the implementation of CEP activities in a systematic manner.

#### **IV. UNDERLYING PRINCIPLES**

##### **Enhancement and Expansion of CEP Capacity**

16. UNEP-CAR/RCU as designated by the Member Governments as secretariat, is the primary institution for the coordination of CEP activities. The resources available for the operations and activities of CEP are the contributions to the CTF and those additional contributions and grants obtained in the course of project development and implementation. RACs should be established to enhance and improve upon these resources by adding to the technical capacity of UNEP-CAR/RCU and CEP in general.

##### **Institutional Strengthening**

17. CEP recognises the need for strengthening national and regional technical institutions for the purposes of technical coordination and implementation of regional projects and activities. Further another aim is to simply strengthen institutions within the region to improve overall, the technical capacity in the Wider Caribbean Region. Current technological development favours the utilisation of tools and mechanisms that are not necessarily based in the need for geographic proximity. Synergies between regional institutions should be explored to provide an overall strengthening of the region as a whole. The development of RANs and RACs underscores the priority given to institutional development by increasing the capacity of institutions to effectively and actively participate in the coordination and implementation of CEP, as well as in the management of coastal and marine resources in the region. It is expected that the overall administrative and technical capabilities of participating institutions will be strengthened and that RACs and RANs will provide an effective mechanism for establishing follow-up action.

##### **Regional Co-operation**

18. The principal aim of the RACs and RANs is to coordinate the technical implementation of its assigned CEP activities and to increase the level and depth of cooperation and sharing of expertise among the neighbouring countries of the Wider Caribbean Region. This is essential for the attainment of the objectives of the Regional Programmes.

19. The establishment of RACs and RANs will strengthen regional co-operation and will also facilitate the exchange of information and technical expertise required for implementing project activities.

### **Participation**

20. The basic prerequisite for the success of RACs and RANs is the active participation of key institutions (in the case of a RAC), or a wide range of institutions (in the case of RANs), from the Member Governments each of whose contribution is vital to the successful implementation of CEP activities. CEP is first and foremost a programme for the Wider Caribbean Region established by the Governments of the Wider Caribbean Region. Though the Governments designated UNEP as the secretariat of CEP, coordination and implementation of activities should not be the sole responsibility of UNEP. Each Member Government or Contracting Party should also take some responsibility for CEP activities. RACs and RANs, therefore give Member Governments an opportunity to get more involved with the first hand implementation of CEP and to simultaneously increase programme delivery for the programme as a whole.

### **Financial Sustainability**

21. RACs must be financially self-sustaining. This does not mean that the host country of the RAC cover all operational costs, however the RAC must outline financial strategies that are adequate to generate the necessary resources for its operations whether through the sale of its services to private clients or through international developmental assistance. A RAC should in no way be a financial drain on the CTF such that it diminishes the human and financial capabilities of CAR/RCU.

## **V. TYPES OF RACS**

22. RACs can be of three types:
  - A. **UN Regional International Institutions.** This is a regional UNEP institution, established by CAR/RCU, as a subsidiary office, in support of a specific CEP subprogramme or subprogrammes. It is hosted in one of the CEP Member States, other than the country hosting CAR/RCU, through an agreement signed with UNEP. Initial and recurring capital and operating costs can be borne by the host country or UNEP. The professional staff of the RAC are UNEP staff members and funded by the Caribbean Trust Fund (CTF). The host country should provide for initial and recurring investments in facilities and equipment and for local staffing as appropriate or as agreed with CAR/RCU on behalf of the CEP Member Governments. Considering the status of the CTF, currently and for the foreseeable future, it is not envisioned that this type of RAC is feasible for the CEP.
  - B. **Non-UN International Organisations.** This is a new or existing regional institution (e.g., regional academic or regional intergovernmental institution), with competency in marine and coastal environmental protection and development that offers it services to the CEP. This RAC would be funded externally to UNEP or to any single CEP

Member Government. Initial and recurring capital and operating costs of the RAC would be borne by the institution. RAC staff would be the regular staff of the regional institution or secondments from other regional or extra-regional governments. Projects can be funded either through the CTF or outside donors depending on the special circumstances of the individual project or agreement reached with CAR/RCU on behalf of the CEP Member Governments.

- C. **National Institutions with a Regional Focus.** This is the most likely type of RAC for the CEP. This RAC is a national institution (new or existing) that was established with a regional focus (or has evolved to have a regional focus) by a national entity and (given their technical capabilities and expertise in one or more programme areas of CEP) offered by a CEP Member government to serve as a RAC for the CEP. Initial and recurring capital and operating costs of the RAC would be borne by the host government or the institution itself, outside the budget of the CTF. RAC staff would be the regular staff of the national institution or secondments from other regional or extra-regional governments. Projects can be funded either through the CTF or outside donors depending on the special circumstances of the individual project or agreement reached with CAR/RCU on behalf of the CEP Member Governments. (**NB:** *The two existing CEP RACs are of this type.*)

## VI. FUNCTIONS OF THE RACS AND RANS

23. The functions of CAR/RCU include programme development, project co-ordination and administration. A transfer of the functions associated with coordinating project implementation to RACs and RANs could create an institutional and technical framework to assist with the coordination and implementation of relevant activities of the CEP. This framework would operate in conjunction with CAR/RCU and complementary to the activities of CAR/RCU. It would not duplicate the functions of CAR/RCU.
24. The RACs will provide the overall supervision, technical guidance and administrative oversight to the implementation of specific and selected activities of CEP, as developed, approved, and assigned by the intergovernmental meeting or other relevant supervisory body for the RAC (e.g., a Steering Committee or Scientific and Technical Advisory Committee) through UNEP-CAR/RCU. Specifically, the RACs will:
- (a) Supervise and coordinate the implementation of specific project activities in consultation with CAR/RCU, as assigned;
  - (b) Provide administrative input related to the implementation of the project activities;
  - (c) Ensure the harmonious and mutually reinforcing involvement of the institutions participating in the RAN, where a respective RAN exists;
  - (d) Assist in the identification of institutions and experts required for programme implementation and also assist with the process whereby agreements and sub-contracts for project implementation are made with participating institutions or individuals;
  - (e) Provide assistance to and advise CAR/RCU on specific technical matters and programme development through coordination with the RAN;

- (f) Exchange information with CAR/RCU and institutions within the network; and
  - (g) Provide technical assistance, training and research inputs to the Regional Programmes.
  - (h) Assist with fundraising for specific CEP activities to be implemented by the RAC and as requested by its respective CEP supervisory body.
25. RACs will be utilized to coordinate the technical aspects of project implementation only. The political, and indeed all other aspects of project implementation, will be coordinated by UNEP-CAR/RCU. As the Secretariat of CEP, UNEP-CAR/RCU will provide direct programmatic supervision of RAC activities assigned by CEP on behalf of the Contracting Parties or CEP Member Governments unless other arrangements are made by decision of the Intergovernmental Meeting of CEP.

## **VII. CRITERIA FOR THE SELECTION OF RACS**

### **A. Degree of Interest and Commitment in Hosting a RAC, as well as to CEP and the Cartagena Convention**

26. A high level of interest and government commitment is essential for RACs to achieve their objectives. Given that the process involved in coordinating project implementation will require a substantial national commitment -- including human and financial resources -- it is important that the host country demonstrate this commitment to the RAC as an institution and to the CEP and Cartagena Convention as a whole.

### **B. Capacity to Perform the Functions of a RAC**

#### **1. Institutional Capacity**

##### *i. Policy Orientation:*

The institution must have a recognised policy orientation that results in organisational objectives, which are consistent with those of CEP. Additionally, the policy orientation should encourage co-operative linkages with other institutions.

##### *ii. Organisational Structure:*

With respect to the execution of its various functions, it is important that the organisational structure be sufficiently flexible to enable the institution to fully adapt to its role as a RAC.

##### *iii. Human and Physical Resources:*

The institution must be endowed with the sufficient human resources having the requisite technical and managerial expertise. Additionally, the institution must possess or be able to access office space, equipment and other physical resources required to carry out the activities of the RAC.

**2. Technical Capacity**

The institution must have expertise in the fields of project coordination and management as well as relevant technical or academic expertise in the particular subject area enabling it to offer specialised assistance to the implementation process and to other countries.

**3. Leadership Capacity**

The institution must be able to provide an overall positive influence as well as foster the cooperation of participating institutions. Additionally, it is desirable that the institutions be recognised by the members of the RAN (if it exists) as a leader in the programme area due to pioneering work or other efforts that have significantly advanced the body of knowledge in the field.

**C. Geographic Distribution**

27. The selection of RACs must be such that the distribution of the centres allows for maximum representation of all the cultural and geographical sub-regions within the Wider Caribbean.

**D. Language Distribution**

28. The RACs should be selected so as to ensure that all the different languages of the Region are represented. Care should be taken to ensure that the RACs have personnel who have a good working knowledge of the official languages of the CEP (Spanish, English and French). Working knowledge of Dutch would also be considered an asset.

**E. Financial Means**

29. A RAC should be economically viable and financially self-sustaining. Additionally, the proposed institution should have a demonstrated ability to raise the necessary funds from various sources including multilateral, bilateral and national sources to finance its operations as a RAC and to attract donor funding for project implementation.

**VIII. ACTIVITIES TO BE IMPLEMENTED OR COORDINATED BY THE RACS**

30. Generally speaking, CAR/RCU as its name implies, is a *coordinating* unit for CEP overall and as such should not necessarily have the resources (neither human or financial) to implement CEP activities itself. Rather, CAR/RCU has a more catalytic role and coordinates implementation by working with supporting or collaborating institutions. A RAC however, as a technical institution, should have the capacity to implement projects using its own staff and facilities and should, in most cases, not have to subcontract its activities to others. As such, several possible options exist with respect to the structure of the relationship between the RAC and CEP. Any one of the following options may be selected depending on the RAC, a decision of the Governments, and the activities within the regional programme:

- (a) A single RAC co-ordinating the implementation of most of the technical activities under a single regional programme;
  - (b) A single RAC co-ordinating the implementation of several technical activities under a single regional programme;
  - (c) Multiple RAC's co-ordinating the implementation of multiple activities under a single regional programme;
31. In determining which of the above-mentioned options would be most feasible when structuring the relationship between RACs and a regional programme, the following must be considered:
- (a) The human and physical resource base of the RAC will determine the number and types of activities that it can effectively implement. It must therefore be ensured that the RAC coordinates no more than the number of activities it is capable of coordinating. Should this number be exceeded, the proper implementation of activities cannot be guaranteed.
  - (b) The level and nature of the specialisation of a RAC will determine the types of activities that it can implement. Where a RAC is highly specialised then its ability to coordinate the implementation of activities will be limited to those which fit into the RAC's area of specialisation. At the same time, a RAC that is highly specialised may serve functions that are not available within CAR/RCU or other regional institutions.
  - (c) The size, nature and budget of the CEP overall will determine the number of RACs that can be effectively managed by and contribute meaningfully to CEP. Where the workplan for a specific subprogramme or protocol is large in terms of the number of activities, the activity size and overall budget, a single RAC may be unable to coordinate the implementation of the activities within the regional programme. The programme would therefore need to be served by multiple RACs. Additionally, where the nature of the regional programme is such that its activities are highly varied, multiple RACs may be needed to provide the specialised inputs that may be required by the different activities.
  - (d) CEP has four subprogrammes: Assessment and Management of Environmental Pollution – AMEP; Specially Protected Areas and Wildlife – SPAW; Environmental Information Systems – CEPNET; and Education, Training and Awareness – ETA. Similarly, the Cartagena Convention has three Protocols: Oil Spills, SPAW and Land-based Sources of Pollution. A RAC can serve either a subprogramme as a whole or a specific protocol to the Cartagena Convention. As not all CEP Member Governments are Contracting Parties to the Convention or to its Protocols, it is important to designate whether a RAC is serving a subprogramme or the Protocol.

## **IX. INSTITUTIONAL ARRANGEMENTS**

### **Legal**

32. Following a decision of the Intergovernmental Meeting and/or the Contracting Parties to the Cartagena Convention (depending on the designation of the RAC – see above) to

establish a RAC, a basic host agreement must be elaborated between the host government and UNEP-CAR/RCU. Although the host agreement may vary from RAC to RAC, in general the host agreement should specify the nature and type of contribution being offered by the host government, the administrative relationship between the RAC and CAR/RCU, specify mechanisms for transfer of funding, and provide for privileges and immunities for international staff.

### **Financial**

33. An initial investment, (in cash and kind) should be provided by the host government, to establish the RAC and to serve to attract funding from other donors, including multilateral and bilateral sources, for the implementation of projects. Under no circumstances should funds of the CTF be used to establish or maintain the administrative costs of a RAC of Type B or Type C. Nonetheless, a RAC may require funding (outside its own national resources) to establish itself as a RAC. In such case, the RAC would be expected to identify its own donors and apply for funding. CAR/RCU would be expected to endorse the RACs request to a donor and support its application as part of the CEP. Costs incurred by UNEP-CAR/RCU as a result of the establishment and operation of the RAC (e.g., CAR/RCU travel expenses to meet with the RAC) should also be considered in the establishment of the RAC. These can be offset by an extraordinary contribution to the CTF by the host government into a budget line reserved for this purpose (as is done with the SPAW/RAC sponsored by France).
34. The RAC (or host government) will provide the initial and recurring operating costs of the RAC. However, it is not envisioned that the RAC or host government will provide funding directly for project implementation. At the same time, the status of the CTF (currently and for the foreseeable future), would not allow for more than a nominal budget, *if any*, to be devoted to the RAC (bearing in mind the criteria above that the RAC should not be a financial burden to CAR/RCU or the CEP). As such, funding for project implementation will necessarily come from external donors as with most project funding of the CEP.
35. Currently, the staff of CAR/RCU continuously solicits and applies for project funds from bilateral and multilateral donors to implement the CEP workplan. Therefore, the RAC, once it is assigned projects from the CEP workplan, must be prepared to solicit and apply for project funding, with the endorsement of CAR/RCU as the CEP Secretariat. The RAC should not rely on the CAR/RCU to bring the project funding, but rather it should actively solicit – *on its own initiative* – donor support for agreed activities. Not only does this assist in building new donor relationships for the RAC, the administration of a grant or other donation would not have double overhead costs associated with passing through the administration of two institutions -- CAR/RCU and the RAC.

### **Administrative**

36. Critical to the effective and efficient functioning of the RAC will be its relationship to CEP. Though it may vary from RAC to RAC and no one arrangement may fit all situations, this relationship must be clearly defined in the decision of the Parties (or Intergovernmental Meeting) and through the terms of reference elaborated subsequent to a

decision. The administrative relationship must clearly show linkages to a subprogramme or Protocol to ensure active participation and oversight by the relevant CEP body or bodies (e.g., STAC, RCU, Mon Com, or Steering Committee) such that the RAC would not be operating on its own, but under the direction of and on behalf of CEP. For the existing SPAW/RAC, this relationship has not yet been defined (other than generally through its MOU with the secretariat for its establishment). There is no body such as a Steering Committee for the SPAW/RAC, nor is its relationship established with the Scientific and Technical Advisory Committee (STAC) of the SPAW Protocol. On the other hand, RAC/REMPEITC-Carib, while there is no STAC for the Oil Spills Protocol, the Ninth IGM clearly established a Steering Committee to oversee and provide guidance to the RAC.

37. Each RAC (except in the case of the Type "A" RAC, noted above) will maintain its own administration for personnel, procurement, travel, etc. However, the Intergovernmental Meeting must approve any expenditure of unearmarked CTF funds for *any* purpose by the RAC (or by CAR/RCU on behalf of the RAC) during its biennial meetings where the CEP workplan and budget is approved. As well, project funding from the CTF, or other contributions or donor funds managed by CAR/RCU, that are transferred to the RAC by CAR/RCU for the purpose of implementing the workplan of the CEP or specifically that of the RAC, shall be through a UNEP project document, subcontract, memorandum/letter of agreement or other formal mechanism approved by UNEP.
38. Matters concerning personnel should also be clearly defined. In the case of a Type A RAC, personnel will be selected and hired by UNEP. For the Type B and C RACs, the host government, or regional institution, would select a RAC Coordinator in consultation with UNEP-CAR/RCU. The RAC director would in turn, then select the technical staff. In all cases the selection and hiring process should be specified in the terms of reference and agreement signed between the RAC and UNEP-CAR/RCU.

(NB: Additional institutional, technical and financial specifications can be found in the document: *Draft Proposed Legal Framework for the Administrative, Technical and Financial Operations of RACs and RANs*, UNEP(OCA)/CAR IG.11/7. This document was discussed in draft then amended and adopted by the Seventh Intergovernmental Meeting, Kingston, 12-14 December 1994, for its use as guidelines in the establishment of RACs and RANs.)

## **X. SUMMARY**

39. RACs, when properly established, funded, administered and operated, may provide an opportunity to expand the services provided by CEP through the addition of human and financial resources in a particular area of specialisation. Additionally, a RAC may fill a technical void in an important area not sufficiently covered by the secretariat.
40. Nonetheless, as noted above in the presentation of the functions of a RAC and the selection criteria, a RAC proposal must be clearly presented by the host government and carefully considered by the CEP Member Governments to ensure:

- Complementarity to the work of the Secretariat;
  - Beneficial results and outputs to the CEP Member Governments; and
  - Financial self-sustainability.
41. With the concept for RACs and RANs contained in this document, concerning their establishment and operation, it is hoped that the Intergovernmental Meetings will be better informed and prepared to make decisions regarding both the management of existing RACs and the establishment of future RACs.