

Update on Legal Status of GEO

This Document is submitted to Plenary for information.

Update on Legal Status of GEO

Following the adoption of the Strategic Plan: Implementing GEOSS 2016-2025, the Plenary requested that an enhanced legal standing be sought for the Group on Earth Observations (GEO) Secretariat, while maintaining its Intergovernmental status. Through consultations between the Secretariat, the Swiss Government and the Host Organization, the World Meteorological Organization (WMO), a solution was found that would provide GEO with increased “Standing” while remaining within the current WMO hosting agreement with Switzerland.

This has been achieved by a renewed agreement between WMO and the Host Nation (Switzerland) to recognize that WMO has a renewed Standing Arrangement with GEO and its Secretariat, and that this Standing Arrangement is now covered by the existing Headquarters Agreement of the Host State.

The steps of the process therefore were:

1. Conclude a renewed Standing Arrangement between WMO and the GEO Secretariat. (Completed: 2 November 2016, Annex 1);
2. WMO to communicate to Switzerland that a renewed Standing Arrangement has been concluded, and to request Switzerland to support the conclusion of the new Standing Arrangement. (Completed: 16 November 2016, Annex 2); and
3. Switzerland to confirm their acknowledgement of the new Standing Arrangement and confirm that GEO and its Secretariat is covered by the Headquarters Agreement concluded between WMO and the Swiss Federal Council. (Completed: 10 January 2017, Annex 3).

This enhanced level of GEO Standing, provides GEO with the necessary status to become part of the Partnership Advisory Council (PAC) of the GFCS. This also provides a necessary first step for potential acceptance as “Observer” to the UNFCCC. This recognition, however, would also require substantial support and interventions, by GEO Member States at the UNFCCC Conference of the Parties (COP).

It is important to note that this is a “Renewed” Standing Arrangement and not a full scope “Revision” to the previous version. The terms of the renewed Standing Arrangement remain largely unchanged apart from a revised Introduction paragraph, which now reflects the current situation of GEO having begun its second decade in 2016 with the Ministerial approval and adoption of the Strategic Plan: Implementing GEOSS 2016-2025.



STANDING ARRANGEMENT

BETWEEN

GROUP ON EARTH OBSERVATIONS

(GEO)

AND

the World Meteorological Organization

(WMO)

2016

Introduction

GEO commenced its second decade with the adoption of a new Strategic Plan for the years 2016-2025. The location of the GEO Secretariat within the WMO since 2005 has provided opportunities of close collaboration and synergies to the mutual benefit of both parties. This collaboration is expected to continue and strengthen during GEO's second decade.

Basic Principles

1. The GEO provides programmatic directions and approval of plans for the GEO Secretariat.
2. The GEO Secretariat Director is accountable to the GEO for the management of the Secretariat.
3. The GEO Secretariat Director is accountable to WMO for administrative matters in accordance with the WMO Financial and Staff Regulations.
4. WMO provides administrative services to GEO in a cost-efficient manner under an annual Service Level Arrangement.
5. The status of GEO, and in particular those of the staff of the Secretariat, will be covered by the Headquarters Agreement concluded between Switzerland and the WMO.

Office and Infrastructure Facilities

6. WMO will provide GEO free of charge with office facilities for up to 10 staff according to applicable standards and provide additional space, if required, following prior consultation and in accordance with WMO policy on space allocation. GEO will have priority access to Headquarter conference facilities compared to external users. GEO staff will have unrestricted access to in-house parking and staff recreation facilities.

Charging of Costs

7. The full cost of the GEO Secretariat contains direct and indirect costs. Direct costs are those directly attributable to the GEO Secretariat, such as salaries of GEO staff, travel expenses by GEO staff, cost of interpretation at GEO meetings, cost of equipment used by GEO staff. The direct costs of the GEO Secretariat will be covered by GEO.
8. Indirect costs are those incurred by WMO for the provision of administrative services to GEO. As a principle, WMO will not charge GEO for the total indirect costs, but rather for the incremental costs only. This principle excludes any charges related to overhead or the fixed costs of WMO. The incremental costs of administrative services provided by WMO to GEO will be identified in a Service Level Arrangement to be concluded between GEO and WMO.

Service Level Arrangement

9. The Service Level Arrangement will specify the services to be provided, the incremental costs of those services, the benchmarks to be attained in the execution of those services and the consequences that occur in the event the standards are not met. The Service Level Arrangement may cover, among others, the administration of the following: conference servicing, printing services, office maintenance, information technology and communication services, financial service, human resource administration, procurement and travel services, legal services, internal and external audit, parking, medical coverage, pension schemes, system of justice and cafeteria service. The arrangement excludes the administrative services that GEO provides itself through its own establishment. Detailed accounting on the provision of services will be provided by WMO to the GEO Secretariat Director for the provision of services under the Service Level Arrangement and will be subject to regular reviews.

Budget Formulation, Monitoring, and Execution

10. The GEO Secretariat budget will be approved annually by the GEO, with the financial year corresponding to the calendar year. The GEO Secretariat Director will be guided by the specific resolutions and decisions of the GEO with respect to matters related to the financing and budgeting of the Secretariat taking into account the availability of resources. The GEO Secretariat Director will authorize all expenditures.

Administration of Funds

11. GEO funds will be administered under a trust fund mechanism. In accordance with the Financial Rules and Regulations of WMO, the Director, Resource Management Department, in consultations with the GEO Secretariat Director, will designate a bank in Geneva in which the funds will be located.

Personnel Management

12. The GEO Secretariat Director will be selected by GEO. The Secretary-General of WMO, upon the decision of GEO, will appoint the Director as a WMO staff member. The GEO Secretariat Director will report to GEO for the management of the Secretariat. The GEO Secretariat Director will be under the administrative authority of the Secretary-General of WMO.
13. All vacancy announcements will be drafted in conformity with WMO rules, and WMO will ensure their circulation to all GEO Members and Participating Organizations and other bodies as requested by GEO. The authority for recruitment, appointment and non-renewal of staff of the Secretariat will be delegated to the GEO Secretariat Director by the Secretary-General of WMO. Only candidates with the requisite knowledge, experience, and expertise will be considered for posts at the GEO Secretariat. The Secretary-General of WMO will have the authority for all

types of terminations or dismissals of staff, in consultation with or at the request of the relevant GEO authority.

14. The appointment of individuals to posts in the GEO Secretariat financed by Governments or other institutions (e.g. secondments) will be confirmed through the applicable appointment process of WMO and will be subject to the terms of an arrangement negotiated between the originating Government agency and the GEO Secretariat.
15. A person selected for a position in the GEO Secretariat will have the status of WMO staff member assigned exclusively and solely to support GEO. The appointment will be for service with GEO only, and does not give any right of transfer of appointment to WMO.

Applicability of Regulations and Rules

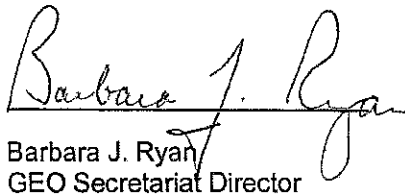
16. Under this Standing Arrangement, the WMO Staff and Financial Regulations apply. This will also be extended to WMO Staff and Financial Rules. Such Rules may be amended to serve the need of GEO, provided those modifications would not violate the Regulations.

Periodic Review


17. WMO will prepare for the GEO Secretariat Director an annual report on its GEO support services including implementation of this arrangement and the provision of administrative services.

Replacement, Revision and Termination of this Arrangement

18. This arrangement replaces the Standing Arrangement concluded in 2005.
19. The arrangement may, at the request of either party to it, be reviewed or terminated at any time, provided that at least six month's notice is given.


Barbara J. Ryan
GEO Secretariat Director

Date: 2 November 2016


Petteri Taalas
WMO Secretary-General

Date: 2.11.16

WMO OMM

WEATHER CLIMATE WATER
TEMPS CLIMAT EAU

World Meteorological Organization
 Organisation météorologique mondiale
 Organización Meteorológica Mundial
 Всемирная метеорологическая организация
 المنظمة العالمية للأرصاد الجوية
 世界气象组织

Secrétariat
 7 bis, avenue de la Paix – Case postale 2300
 CH 1211 Genève 2 – Suisse
 Tél.: +41 (0) 22 730 81 11
 Fax: +41 (0) 22 730 81 81
 wmo@wmo.int – public.wmo.int

Our ref.: 6533-16/LC/AGREE
 Annex: 1 (New Standing Arrangement)

H.E. Mr Valentin Zellweger
 Ambassador Extraordinary and
 Plenipotentiary
 Permanent Representative
 Permanent Mission of Switzerland to the
 United Nations Office and other international
 organizations in Geneva
 Rue de Varembe 9-11
 1211 Geneva 20

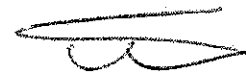
GENEVA, 1 December 2016

Excellency,

I have the honour to refer to recent discussions on the GEO Standing under the WMO Hosting arrangements. We are pleased to inform you that a renewed Standing Arrangement has been signed between WMO and the GEO Secretariat on 2 November 2016. We attach a copy of this Arrangement for reference.

In this respect and in keeping with the procedure discussed with your representatives, we understand that the next step of the process would be a letter from the Swiss authorities stating that Switzerland supports the conclusion of the new Standing Arrangement and confirming that GEO continues to be covered by the Headquarters Agreement concluded between WMO and the Federal Council.

Accept, Excellency, the assurances of my highest consideration.


 (P. Taalas)
 Secretary-General

cc: Ms Karin Siegwart, Swiss GEO Principal
 Mr Peter Binder, Permanent Representative of Switzerland with WMO



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Mission permanente de la Suisse auprès de l'Office des Nations
Unies et des autres organisations internationales à Genève

CH-1211 Genève 20, Mission suisse ONUG, TIF

Monsieur Petteri Taalas
Secrétaire général
Organisation météorologique mondiale (OMM)
Avenue de la Paix 7bis
Case postale 2300
1211 Genève 2

HSY

0,834,7-4

12 Jan. 2017

✓

Référence : 41.07.41
Genève, le 10 janvier 2017

Group on Earth Observation (GEO): nouvel Arrangement - statut

Monsieur le Secrétaire général,

Votre courrier du 1^{er} décembre 2016 m'est bien parvenu et j'ai pris note qu'un nouvel arrangement entre l'Organisation météorologique mondiale (OMM) et le Group on Earth Observation (GEO) a été signé le 2 novembre 2016.

Je n'ai pas manqué d'en informer mes autorités et de leur transmettre la copie dudit arrangement. Celles-ci ont pris acte de ce nouvel accord qui atteste non seulement des liens et interactions profitables durant les dix dernières années entre l'OMM et le GEO mais marque également un renforcement de leur coopération et des synergies dont les autorités suisses ne peuvent que se réjouir. Ce faisant, elles confirment que le GEO et son Secrétariat continuent d'être couverts par l'Accord de siège du 10 mars 1955 conclu entre l'OMM et le Conseil fédéral suisse.

Veuillez agréer, Monsieur le Secrétaire général, l'assurance de ma haute considération.

Le Représentant permanent de la Suisse

Valentin Zellweger
Ambassadeur

Annexe : traduction anglaise de cette lettre

Mission permanente de la Suisse auprès de l'Office des Nations
Unies et des autres organisations internationales à Genève
Rue de Varembe 9-11, Case postale 194, 1211 Genève 20
Tél. 058 482 24 24, Fax 058 482 24 37
danielle.werthmueller@eda.admin.ch
www.dfae.admin.ch/geneve



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Permanent Mission of Switzerland to the United Nations Office
and to the other international organisations in Geneva

CH-1211 Geneva 20, Swiss Mission UNQG, TIF

Mr Petteri Taalas
General Secretary
World Meteorological Organization (WMO)
Avenue de la Paix 7bis
P.O. Box 2300
1211 Geneva 2

English translation of the French original version

Reference : 41.07.41
Geneva, 10 January 2017

Group on Earth Observation (GEO): Standing Arrangement and status

Dear General Secretary,

I have the honour to acknowledge receipt of your letter dated 1 December 2016, in which you informed me that the World Meteorological Organization (WMO) and the Group on Earth Observation (GEO) signed a renewed Standing Arrangement on 2 November 2016.

The Swiss authorities have been notified accordingly and a copy of the signed Standing Arrangement has been transmitted to them. They welcome this Arrangement, which does not only set out the important connection and interactions between WMO and GEO, but also strengthens the cooperation and synergies between these two organizations. The Swiss authorities hereby confirm that the GEO and its Secretariat continue to be covered by the Headquarters Agreement of 10 March 1955 concluded between WMO and the Swiss Federal Council.

Please accept, General Secretary, the assurances of my highest consideration.

The Permanent Representative of Switzerland

Valentin Zeliweger
Ambassador

Permanent Mission of Switzerland to the United Nations Office and to
the other international organisations in Geneva
Rue de Varembe 9-11, P.O. Box 194, 1211 Geneva 20
Tel. 058 482 24 24, Fax 058 482 24 37
danielle.werthmueller@eda.admin.ch
www.dfae.admin.ch/geneve