

STRATEGIC REVIEW
OF THE
IUCN ENVIRONMENTAL LAW
PROGRAMME AND CENTRE

May 2007

ANNEXES

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ANNEX 1

Terms of Reference Strategic Review of the Environmental Law Programme and Centre

25 July 2006

Context and Rationale

As part of the evaluation system set out in the IUCN Evaluation Policy, IUCN undertakes a series of strategic reviews of organizational units and thematic programmes on a regular basis. These reviews typically assess a range of key performance criteria, including relevance, effectiveness, efficiency, impact and sustainability of an IUCN organizational unit (Global Thematic Programme, Regional, Outposted or Country Office) and cover the unit's Programme, Strategies and Operations.

The IUCN Environmental Law Programme and Centre has been included in the 2006 strategic review cycle at the request of the Director-General and the Head of the Environmental Law Programme for the broad purpose of investigating and clarifying the Environmental Law Programme and Centre's mandate, programmatic niche and operations to improve its performance and financial viability. This review will also examine the role of the Environmental Law Library, ECOLEX and the Partner Centres.

The IUCN Environmental Law Programme and Law Centre

The IUCN Environmental Law Centre (ELC) is located in Bonn, Germany and was established in 1970.

The Centre houses two extensive libraries, on Legislation, Treaties and Case Law, and Literature and Soft Law and is the headquarters for the UNEP, FAO, IUCN Management e 200qua[finut iiti a)52(ctiv knowon s, ECOLEX)6.8uan)-5.7e vehiyple threhe organizatioe, prvide web (baede)TJ0 -1.153 TD0.001 Tc-0.0001 Twpccnest ouaneird cimpehtensive

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Assess the organizational model and operational systems, including office location, that underpin the programme;
Assess the business model or strategies of the Environmental Law Programme;
Assess the role of the Law Library-ECOLEX, and the Partner Centers in delivering the Environmental Law Programme;

ANNEX 2 ELP Review Evaluation Matrix (revised 25 July)

Evaluation Issues	Questions	Sub-questions	Indicators	Data sources and analysis methods
Programmatic Relevance (organizational performance)	To what extent is the Environmental Law Programme relevant?	To what extent is the Environmental Law Programme relevant to IUCN (Programme, global thematic programmes and regional programmes)? ¹	Evidence of environmental law in other component programmes ² ; perception of relevance from component programmes	Analysis and inventory of environmental law work based on Intersessional

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Effectiveness of Programmatic Delivery (organizational performance)	To what extent is the Environmental Law Programme delivered effectively?	How does ELP develop its intersessional and annual programme and workplans? Is this an effective mode of programme planning? Who participates in the ELP programme planning process? Is this an appropriate mix of stakeholders? Who else should be involved? Whose participation inhibits programme planning?	Identifiable and effective programme planning processes	methods Analysis based on document review and interviews with ELP staff
		How clear are the intersessional programme and annual workplans of ELP? Is there a clear relationship between programme delivery, reporting and planning?	Clearly defined results for both intersessional and annual plans, clear reporting against intersessional and annual plans, clear link between programme delivery and subsequent plans.	Analysis based on document review and interviews with ELP staff
		What products and services does the ELP deliver? To whom? To what degree are key stakeholders satisfied with the ELP's products and services?	Strong positive perception from stakeholders on relevance and quality of ELP products and services	Analysis based on document review and interviews with ELP stakeholders

Evaluation Issues	Questions	Sub-questions	Indicators	Data sources and analysis methods
Effectiveness, continued		<p>To what extent does the ELP help other component programmes effectively deliver (effectively incorporate environmental law?) their Programmes? Is this effectiveness (value-added, ability to help programmes incorporate environmental law) different for global thematic programmes and regions? If so, why?</p>	<p>Evidence of joint programming or activities; high degree of satisfaction of partners (regions and globally)</p>	<p>Analysis based on document review and interviews with regional and global thematic staff</p>

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Evaluation Issues	Questions	Sub-questions	Indicators	Data sources and analysis methods
Organizational model	What is the organizational model of the ELP?	<p>What is the history and development of the ELP? To what extent has What is the current organizational model of the ELP? In terms of IUCN Secretariat? In terms of operational relations with the ELC? In terms of operational relations with other affiliated partner organizations?</p>		<p>Interviews with historically relevant staff (current and ex-staff) Analysis based on documentation, including organizational structure diagram, delegations of authority and interviews</p>
	To what extent does the organizational model of the ELP facilitate delivery of its programme?	To what extent does the outposted nature of the Law Centre facilitate or inhibit delivery?		Analysis weighing pros and cons from a variety of sources, including interviews (ELP and HQ), historical analysis, financial viability
Organizational capacity	To what extent is the strategic leadership of the ELP sound?	<p>What is the optimal structure for the ELP? What is needed, by way of organizational structure, to facilitate work in the regions?</p>	Strong positive perception; e.g. evidence of suitable management culture, proper direction setting, resource development, ensuring tasks are done, etc.	Analysis based on interviews, and possibly extract from Global Staff Survey

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Evaluation Issues	Questions	Sub-questions	Indicators	Data sources and analysis methods
Organizational capacity, continued	How efficient and effective is the management of the ELP?	Are the roles and responsibilities of all staff well-defined and implemented?	Written and anecdotal evidence of typical management functions, particularly internal communications, policies and procedures, etc (note: leadership, external network management, finance and human resources covered elsewhere in this performance area)	Analysis based on document review of management policies (finance, HR, delegations of authority, etc) and interviews
	To what extent does the ELP manage its networks effectively and efficiently?	To what extent does the ELP manage its relationship with and obligations to the Environmental Law Commission effectively and efficiently? To what extent does the ELP manage its relationship with the Partner Centres effectively and efficiently? What benefits and costs are associated with managing interaction with ELC and Partner Centres	Strong evidence of high return on investment (benefits vs. costs) in managing these networks; strong positive perception from staff and partners (ELC, partner centres)	Analysis based on interviews with stakeholders
	To what extent are staff satisfied and motivated?	Questions to be based on contents of Global Staff Survey	Positive perception of staff working in the ELP	Extract from Global Staff Survey
	To what extent is the financial management of the ELP sound?		Finance policy and procedures, positive audit report	Analysis based on document review and interviews (including audit and HQ Finance staff)

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Evaluation Issues	Questions	Sub-questions	Indicators	Data sources and analysis methods
Organizational capacity, continued	Is human resource management of ELP sound?		Sound policies, effective mechanisms for implementation, strong positive perception from staff	Analysis based on document review and interviews, particularly on issues raised by the Global Staff Survey
Financial viability	To what extent is the ELP financially viable?	To what extent is the business model or plan of the ELP sound?	Evidence of a sound business model or strategy; evidence that staff and management work within that business model	Analysis based on document review, interviews with staff both within and outside of the ELC (e.g. at HQ)
		What is the effect of the outposted ELP in Bonn on the financial viability of the ELP?	Cost analysis	Analysis of costs and benefits and scenarios based on (a) outposted office in Bonn separate from UN complex (b) outposted office in Bonn within UN complex and (c) repatriation of ELP to HQ
		What is the effect of the Environmental Law Library and ECOLEX on the financial viability of the ELP?	Cost analysis	
		How does the ELP interact with its donors?	Clear evidence (from, for example, the ABC List) of a donor engagement strategy and frequent contact	Analysis based on document review and interviews to assess changes in donor support in recent history

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Evaluation Issues	Questions	Sub-questions	Indicators	Data sources and analysis methods
Environmental Law Library and ECOLEX	<p>To what extent are the Environmental Law Library and ECOLEX relevant to the practice of environmental law in its own right?</p> <p>To what extent is the Environmental Law Library</p>	Is the purpose of the Environmental Law Library and ECOLEX clear and sound? Do stakeholders see the Environmental Law Library and ECOLEX as relevant to their work?	Strong perception that the Law Library and ECOLEX is an essential resource for environmental lawyers	Analysis based on interviews (particularly external stakeholders where possible; could be ELC members in this case)

ANNEX 3 STAKEHOLDERS INTERVIEWED

IUCN

Office of the Director General

Ibrahim Thiaw

Acting Director General and Regional Director,
West Africa

Jane Garneau

Special Assistant to Director General

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Nicola Breier Nature Protection Division, Ministry of the Environment, Germany (BMU)

IUCN Academy of Environmental Law

Nick Robinson Chair of IUCN Academy of Environmental Law, and former Chair, CEL

Ben Boer Co-Director of IUCN Academy of Environmental Law and Vice-Chair, Joint Task Force on Protected Areas

Jamie Benidickson Co-Director, IUCN Academy of Environmental Law

Other Organizations

Achim Steiner Executive Director, UNEP and Former Director General, IUCN

Iwona Rummel-Bulska Chief, Environmental Law Branch, Division of Policy Development and Law (DPDL), UNEP

Ali Mekouar Director of Conference Council and Protocol and former Chief, Development Law Service, FAO

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4. CEL Steering Committee Meeting, 4-5 April 2006, Bonn, Germany, Minutes of the Meeting
5. CEL Specialist Groups Meeting, 1-2 June 2006, Foz do Iguaçu, Brazil, Minutes of the Meeting
6. Development of CEL Strategic Plan 2006-2012 (Draft for discussion) – text and presentation

Environmental Law Centre

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4. IUCN Academy of Environmental Law Secretariat – Report to Governing Council (of the Academy), October 2006, University of Ottawa, Canada
5. 4th IUCN Academy of Environmental Law Colloquium, October 16-20, 2006, Pace University School of Law – Colloquium Program

IUCN Presence in Germany

1. Letter from Dr Gallas, for the BMU Minister to DG David McDowell of 6 October 1998
2. Agreement between the Federal Republic of Germany and IUCN concerning the Occupancy and Use of Premises by IUCN in Bonn of 7 December 1998
3. Agreement between the IUCN and KSSF of January 1999
4. 7 December 1999 letter from Dr. Edmonds from BMU to IUCN regarding BMU's lump sum payment
5. 26 February 2002 letter from Sparkasse Bonn
6. 12 May 2002 letter from Thomas Krummel to John Scanlon

ELP Publications

IUCN Environmental Law Programme Publications 2001-2004, CD-ROM

No. 65 *Les conventions locales de gestion des ressources naturelles et de l'environnement : Légalité et cohérence en droit sénégalais* Laurent Granier, 2006

No. 60 *Judges and the Rule of Law - Creating the Links: Environment, Human Rights and Poverty* Thomas Greiber (Ed.), 2006

No. 59 *Legal Aspects in the Implementation of CDM Forestry Projects*; Maria Socorro Z. Manguiat, Roda Verheyen, Jens Mackensen and Gerald Scholz , 2005

No. 57 *Explanatory Guide to the International Treaty on Plant Genetic Resources for Food and Agriculture*; Gerald Moore and Witold Tymowski, 2005

No. 56 *An Introduction to the African Convention on the Conservation of Nature and Natural Resources*; IUCN ELP, 2004

No. 55 *International Water Governance: Conservation of Freshwater Ecosystems. Vol. 1 International Agreements - Compilation and Analysis*; Alejandro Iza (Ed.), 2004

No. 54 *Accessing Biodiversity and Sharing the Benefits: Lessons from Implementing the Convention on Biological Diversity* edited by Santiago Carrizosa, Stephen B. Brush, Brian D. Wright, Patrick E. McGuire, 2004

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No. 31 *Draft International Covenant on Environment and Development* Commission on Environmental Law of IUCN - The World C