



**United Nations  
Environment  
Programme**

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**Sixteenth Meeting of the Parties  
to the Montreal Protocol on  
Substances that Deplete the  
Ozone Layer**  
Prague, 22–26 November 2004  
Item 5 (c) of the provisional agenda\*  
**Consideration of an amendment of  
paragraph 10 (k) of the terms of reference  
of the Executive Committee**

**Report of the Executive Committee of the Multilateral Fund on the implementation of  
Decision XV/48**

The following information is intended to update the Meeting of the Parties on the actions undertaken by the Executive Committee to implement decision XV/48, in addition to the information already contained in paragraphs 90 to 92 of document UNEP/OzL.Pro.16/10.

On 4 August 2004, a letter was sent to the Secretary-General of the United Nations Organization, Mr. Kofi Annan, with copies to his Chef de Cabinet, Mr. Iqbal Riza, the Assistant Secretary-General for Human Resources Management, Ms. Rosemary McCreery, the Under-Secretary for Legal Affairs and Legal Counsel, and the Executive Director of UNEP, Dr. Klaus Töpfer. This letter contained the relevant part of the reports of the 43rd Meeting of the Executive Committee and the 24th Meeting of the Open-Ended Working Group of the Parties, reiterating the request for a reply to previous letters.

Dr. Klaus Töpfer sent the letter included in Annex I in reply to the letter delivered to him at the meeting that took place in Buenos Aires last June.

On 3 November 2004, the Executive Committee received a letter signed by Ms. McCreery, informing the Committee that she had forwarded the observations of Dr. Töpfer to the Executive Office of the Secretary-General for a decision to be taken on the proposal, taking into account the views expressed by the different offices concerned. Ms. McCreery has assured the Chairperson of the Executive Committee that the latter would be informed of the decision as soon as it would have been taken.

\* UNEP/OzL.Pro.16/1



## United Nations Environment Programme

برنامج الأمم المتحدة للبيئة - 联合国环境规划署  
 PROGRAMME DES NATIONS UNIES POUR L'ENVIRONNEMENT - PROGRAMA DE LAS NACIONES UNIDAS PARA EL MEDIO AMBIENTE  
 ПРОГРАММА ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ ПО ОКРУЖАЮЩЕЙ СРЕДЕ

Our reference: OED/SAB/aa

29 September 2004

Dear Ms. Levaggi,

I refer to your letters dated 15 June 2004 and 4 August 2004 to Mr. Kofi Annan, the United Nations Secretary General, regarding Decision XV/48 of the Fifteenth Meeting of the Parties to the Montreal Protocol on possible amendment of the relevant terms of reference of the Executive Committee relating to the nomination and appointment of the Chief Officer of the Multilateral Fund.

I wish to thank you for bringing this important issue of the appointment of the Chief Officer to my attention. I am aware of the various consultations undertaken on this issue and as I stated in our meeting in Buenos Aires last July, I wish to reiterate to you that, while the Secretary General of the United Nations and myself appreciated and valued the recommendations made by the Executive committee leading to the selection of the current Chief Officer, we are the trustees of the United Nations rules and regulations as they apply to the recruitment and appointment of all United Nations staff members.

I would like to suggest therefore that the Executive Committee might wish to align its terms of reference with the rules and regulations established by the UN General Assembly to remove any potential areas of conflict with the current practices of the United Nations in appointing staff members. The current practice in the UN System is that the Secretary-General appoints the Chief Officer on the recommendation of the Executive Director of UNEP who in turn may consider the views of the Executive Committee.

Kindest regards.

Yours sincerely,

Klaus Töpfer  
 Executive Director

Ms. Marcia Levaggi  
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