

**Agenda Item 9:                    Business session**

**Considerations on the future status of the ASCOBANS Secretariat**

Submitted by the Secretariat

***NOTE FROM THE SECRETARIAT:***  
**IN THE INTERESTS OF ECONOMY, DELEGATES ARE KINDLY REMINDED TO BRING THEIR OWN  
COPIES OF THESE DOCUMENTS TO THE MEETING**

# Considerations on the Future Status of the ASCOBANS Secretariat

Submitted by the ASCOBANS Secretariat

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## Historical background

During its 4<sup>th</sup> meeting (Nairobi 1994) the Conference of Parties to CMS invited the Parties to the Agreements concluded under the auspices of CMS to consider consolidating secretariat functions for one or more Agreements in regional centres in order to facilitate links with the CMS Secretariat. In particular, the Parties to ASCOBANS and other European Agreements were invited to consolidate secretariat functions in a special Agreements Unit to be co-located with the CMS Secretariat (Resolution 4.4 adopted by the 4<sup>th</sup> CoP to CMS).

The 5<sup>th</sup> CoP to CMS (Geneva 1997) confirmed its invitation of the Parties to ASCOBANS to relocate their Secretariat with the CMS Secretariat. The Conference approved the establishment of an Agreements Unit within the CMS Secretariat and formulated "Terms of Reference for the Secretariat Arrangements" (Resolution 5.5 adopted by the 5<sup>th</sup> CoP to CMS).

Acknowledging both resolutions, the 2<sup>nd</sup> Meeting of Parties to ASCOBANS (Bonn 1997) decided to establish the ASCOBANS Secretariat in Bonn from 1998 onwards. On behalf of the German Government the Secretariat is administered by the Federal Agency for Nature Conservation on an interim basis pending its full integration into the UNEP/CMS Secretariat from January 2001. The relocation of the ASCOBANS Secretariat to Germany took effect in June 1998 and the Secretariat is now co-located with the Secretariats of UNEP/CMS and EUROBATS in the United Nations Premises in Bonn. In spite of this co-location, it is still a formally independent and fully autonomous institution.

Meanwhile the 2<sup>nd</sup> Meeting of Parties to EUROBATS (Bonn 1998), which is a sister-agreement to ASCOBANS and operates under the same formal arrangements, decided to extend the co-located, but independent status until the end of 2000. The 2<sup>nd</sup> MoP to EUROBATS agreed that the 3<sup>rd</sup> MoP should adopt the full integration of the EUROBATS Secretariat into the CMS Secretariat from January 2001. They decided to collaborate with other European-based Agreements on a co-ordination of integration arrangements into the UNEP/CMS Secretariat (Resolution No. 1 adopted by the 2<sup>nd</sup> MoP to EUROBATS). To facilitate this collaboration, it is planned to hold the 3<sup>rd</sup> Meetings of Parties to ASCOBANS and to EUROBATS consecutively at a common venue (Bristol, July 2000).

### **Terms of Reference for Secretariat Arrangements**

The Terms of Reference for Secretariat Arrangements within an Agreements Unit fully integrated into the UNEP/CMS Secretariat are specified in the Annex of Resolution 5.5 adopted by the 5<sup>th</sup> CoP to CMS (see appended copy). Representatives of some Parties to ASCOBANS were involved in the development of these regulations. However, the Terms of Reference for Secretariat Arrangements have not been approved formally by all Parties. Any amendments or changes in the Terms of Reference that require approval by the Conference of Parties to CMS should be discussed at the 6<sup>th</sup> CoP to CMS scheduled for November 1999. The Parties to ASCOBANS are therefore kindly asked to consider these Terms of Reference and the future status of the Secretariat already during 1999.

### **Future location of the UNEP/CMS Secretariat**

In 1998 a UNEP proposal to co-locate the secretariats of environmental and biodiversity-related conventions was made in order to improve efficiency and co-operation. A report by the UN Task Force on Environment and Human Settlements to the Secretary-General (15 June 1998) argued that "as a result of decisions by Governments, the secretariats of environmental and environmental-related conventions have been located in diverse geographic locations, with little regard to the functional relationships among conventions. That dispersal has resulted in loss of efficiency because of inability to take advantage of synergies among conventions and substantial costs through loss of economies of scale and fragmentation of administrative, conference, and infrastructure services." The UN Task Force recommended that "with respect to existing conventions, approaches should include promoting co-operation among the secretariats within each cluster, with a view to their eventual co-location and possible fusion into a single secretariat."

Although not explicitly mentioned, these considerations raised concerns that, as a consequence, the UNEP/CMS Secretariat might be forced to leave Europe. In a recent document (7 January 1999) prepared for the 20<sup>th</sup> session of the Governing Council of UNEP, however, a co-location is only proposed for secretariats to be established in the future.

If the Parties to ASCOBANS took the decision to integrate their Secretariat into the UNEP/CMS Agreements Unit, provisions should be made to ensure that the ASCOBANS Secretariat will permanently stay in Europe. This is also in line with the intention of the 4<sup>th</sup> CoP to CMS that the Agreements Unit should be a regional centre for European-based Agreements (Resolution 4.4 adopted by the 4<sup>th</sup> CoP to CMS).

### **Time frame for the necessary decisions**

A decision on the future status of the ASCOBANS Secretariat is the responsibility of the Parties and will finally be made during the 3<sup>rd</sup> MoP to be held in the year 2000. The ASCOBANS Secretariat would appreciate being informed about the views of the Parties on this matter as early as possible. Reaching a consensus among the Parties in advance of the 3<sup>rd</sup> MoP would make the preparation of that meeting much easier.

## TERMS OF REFERENCE FOR SECRETARIAT ARRANGEMENTS

For the Establishment of the Agreements Unit the following terms of reference will apply:

1. The Agreements Unit will comprise personnel according to the budgets of the respective Agreements.
2. The Professional Staff members will report to the Co-ordinator for internal administrative matters, as well as temporal co-ordination of the work programme and communication with UNEP.
3. Staff members of the Agreements Unit will function independently and will report to their respective Agreements. When the need arises, reciprocal staff assistance might be accommodated for short periods of time as authorized by the Co-ordinator.
4. Apart from the cost of the Administrative and Fund Management Officer, which is borne by UNEP, the cost of personnel for common administrative support and of common secretarial services will be funded on a cost-sharing basis by budgets of the Convention and the Agreements.
5. Recruitment of all staff members will be carried out by the United Nations Environment Programme on the basis of job descriptions prepared under the direction of the Co-ordinator. UNEP will be responsible for ensuring classification of all posts. The advertisement for any executive officer post for a given Agreement, as well as the subsequent appointment of a candidate, will normally be limited to the Contracting Parties to the Agreement concerned. Secondment of staff members from Governments should be encouraged, subject to mutually acceptable arrangements between UNEP and the Government concerned.
6. Primary screening of candidates for all posts will be conducted by a panel of three, selected by the Co-ordinator in accordance with set recruitment procedures and consisting of staff including officers and from United Nations agencies in Bonn. Preliminary screening of general service staff applications and interviews will be organized by the responsible executive officer(s), in consultation with senior UNEP/CMS staff. Current staff of the respective Agreements will be eligible to compete for the available posts. Recommendations of short-listed candidates for professional and general service staff posts will be submitted to UNEP through the Co-ordinator.

### Financial arrangements

7. Parties to each Agreement will request the Executive Director of UNEP to establish separate Trust Funds for each Agreement. A separate budget will continue to be adopted for each Agreement and for the Convention, by the respective Meeting of the Parties (MOP) or Conference of the Parties (COP), as appropriate.
8. The operating costs of the secretariats (e.g. telephone usage, postage, photocopying, special printing cost, etc.) will be computed and budgeted separately for each of the constituent Agreements. Where it is impracticable to compute actual costs separately (e.g. for common office supplies), the Agreements are expected to agree a contributing figure to the overall costs for these items.

Trust Fund contributions

9. Contributions from Parties will continue to be calculated separately for each Agreement and for the parent Convention, and paid annually according to the UN scale of assessment. However, a rationalized system will be developed allowing Parties to the Convention and to one or more of the Agreements concerned to pay subscriptions in a single instalment, giving clear instructions as to how the funds are to be allocated. Requests for payment will continue to be sent by UNEP in the form of an invoice, detailing the contributions to be made towards the Convention and any applicable Agreements. UNEP will administer one or more trust funds which will supply CMS and each of the Agreements concerned, according to contributions received and the overall budgets by the respective MOPs/COP.

10. Every effort should be made by the Parties to ensure adequate and timely contributions. Nevertheless, in the event of insufficient funds for salaries of Agreements Unit staff, the Executive Director of UNEP will be authorized, through a provision in the terms of reference of the CMS Trust Fund, to make special provision to cover these salaries on a reimbursable basis from the CMS Trust Fund if its resources allowed. UNEP will liaise with the UNEP/CMS Secretariat on such temporary transfers of funds from the parent Convention to any Agreement. Any such movements, however temporary, will be communicated to the respective Standing/Advisory Committee of the Convention and Agreement(s ) concerned, and reported upon at the next session of the Meeting/Conference of the Parties.