



CONVENTION ON MIGRATORY SPECIES

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FIRST MEETING OF THE SIGNATORIES TO THE
MEMORANDUM OF UNDERSTANDING CONCERNING
CONSERVATION MEASURES FOR THE WEST AFRICAN
POPULATIONS OF THE AFRICAN ELEPHANT (*Loxodonta africana*)
Accra, Ghana, 30-31 March 2009

MOU COORDINATION

(Note prepared by the Secretariat)

1. The Memorandum of Understanding concerning Conservation Measures for the West African Populations of the African Elephant (the “MoU”) states in paragraph 15 that:

“15. The CMS Secretariat will provide Secretariat functions as outlined in this Memorandum of Understanding. It may use the services of any reliable organisation.”

2. In addition, paragraph 4 of the MoU identifies the IUCN/SSC African Elephant Specialist Group as the technical advisor to the MoU.

3. The Secretariat services normally provided by the CMS Secretariat to MoUs include the coordination of their implementation. However, as the number of MoUs has grown, the CMS Secretariat has increasingly sought to collaborate with partner organisations to support it in coordinating the implementation of MoUs. This is in response to CMS Conference of the Parties Resolutions 7.7, 8.5 and 9.2, which encourage the Secretariat to continue exploring partnerships with interested organisations specialised in the conservation and management of migratory species for the provision of developmental support and coordination services for MoUs concluded under CMS auspices.

4. The attributes that would make a collaborating organisation potentially attractive to act as an MoU coordinator include *inter alia*: (1) a long term interest in the particular species; (2) a demonstrated commitment towards the MoU; (3) a regional presence or influence, including good relations with Range States and national level NGOs in the agreement area; (4) a demonstrated ability to fundraise and successfully implement projects; and (5) the ability to make financial or in-kind contributions towards the coordinator’s position. The organisation could be intergovernmental, governmental or non-governmental.

5. Although the coordinator would take on coordinating functions, the CMS Secretariat would remain the Range States’ official contact and would remain ultimately responsible for the MoU’s oversight. The coordinator would be tasked to work in a balanced way across the West

African Elephant's migratory range to the extent possible and within the confines of available financial resources. Ultimate responsibility for implementing the MoU and associated strategy would remain with the MoU Signatories.

6. Funding and in-kind contributions will be a key consideration for establishing a coordination mechanism for the MoU as there is no dedicated budget line in the CMS regular budget.

7. Draft Terms of Reference, which could be used to assign the task of coordinating the MoU to an organisation, are contained in **Appendix 1** below.

Action requested

- The Signatory States are invited to consider and provide input on what type of advisory services and coordinating functions would be desirably provided by a cooperating organisation in the future, with a view to supporting the further implementation of the MoU and the associated Strategy;
- The Signatory States are invited to consider, suggest any necessary amendments and finalize the Draft Terms of Reference contained in **Appendix 1** below;
- Delegates and observers may consider offering to undertake coordinating functions for the MoU;
- The Signatory States may express any preference as regards entrusting coordinating functions to a competent organisation.

Appendix 1

Draft Terms of Reference for the Coordination of the Memorandum of Understanding concerning Conservation Measures for the West African Populations of the African Elephant (*Loxodonta africana*)

(Prepared by the Secretariat)

Mandate

The objective of the Memorandum of Understanding concerning Conservation Measures for the West African Populations of the African Elephant (*Loxodonta africana*) (hereinafter “MoU”) and of the Strategy for the Conservation of West African Elephants (hereinafter “Strategy”) is to:

“Take steps to conserve and, when and where appropriate, to strictly protect the African Elephant and to conserve and sustainably use the habitats essential for its survival.”¹

To facilitate its implementation, the Memorandum designates the CMS Secretariat as the MoU Secretariat and empowers it to use the services of any reliable organisation to support it.²

The MoU’s conclusion and entry into effect were endorsed by the CMS Eighth Meeting of the Conferences of the Parties (“COP8”) in Resolution 8.5 (Nairobi 2005). CMS Conference of the Parties Resolutions 7.7, 8.5 and 9.2 encourage the Secretariat to continue exploring partnerships with interested organisations specialised in the conservation and management of migratory species for the provision of developmental support and coordination services for selected MoUs, including the West African Elephant MoU.

Primary Objective

The primary objective is to assist the CMS Secretariat and the Range States in coordinating and implementing the MoU and the Strategy.

Expected outcomes

The main expected outcomes are:

- a) Strengthened secretariat services;
- b) The coordination of work under the MoU between Signatory States, sub-regional bodies, intergovernmental organisations, non-governmental organisations and other UNEP secretariats in a manner that optimises synergies and creates efficiency;
- c) Implementation of decisions of the Meeting of the Signatories;
- d) The obtainment of funding;

¹ MoU, para 1

² MoU, para 15

- e) Monitoring and reporting on progress achieved;
- f) The efficient exchange of information between stakeholders and distribution of information to them;
- g) Promotion of the MoU and Strategy regionally and internationally.

Functions expected to be carried out (depending on availability of resources)

1. SECRETARIAT SERVICES

- a) Assist the CMS Secretariat in providing the secretariat services assigned to it under the MoU, in particular:
 - convene and service meetings of the signatory states;
 - Provide secretariat services to committees or working groups established under the MoU.

2. COORDINATION OF ACTIVITIES

I. Signatory States

Designation of National Contact Points

- a) Act as a focal point for all Range States in collaboration with the CMS Secretariat;
- b) Assist the designation of competent authorities to serve as contact points for the implementation of the MoU and Strategy;
- c) Maintain an up-to-date list of contact points for the MoU and Strategy and liaise closely with them on matters relating to implementation;

Implementation and associated projects

- d) Draw the attention of the Signatory States to matters relating to implementation;
- e) Formulate and give effect to proposals to improve implementation of the Memorandum, as well as seeking support for national and international African Elephant conservation-related projects;
- f) Facilitate collaboration between Range States in developing initiatives for the trans-boundary management of elephants and help provide input to these initiatives;
- g) Identify new transboundary elephant areas and suggest actions to be taken;

Funding

- h) Identify and negotiate potential external funding from Governments, development aid agencies, foundations and other sources;
- i) Review project proposals and facilitate contact between relevant institutions and the donor community;

Support in the development and implementation of national strategies

- j) Help to develop national strategies in countries and to coordinate them with other countries' national strategies;
- k) Provide assistance, including helping strengthen capacity, to implement existing national elephant conservation strategies and action plans as and when requested and required;
- l) Make available tools and guidelines for conservation and management of elephants to help implement the Strategy (e.g. mitigating human elephant conflict, translocation, managing local overpopulation, etc);
- m) Improve actors' capacities in the mitigation of human-elephant conflicts through regional workshops.

II. Intergovernmental bodies and non-governmental organisations

- a) Exchange information, correspond and interact regularly with IGOs and NGOs working on issues related to the conservation of African elephants and the habitats on which they depend;
- b) Catalyse and support the development by other organisations of project activities that serve to further the aims of the Memorandum.

3. REPORTING

- a) Prepare reports on the work of the secretariat for submission to the Meeting of the Signatory States;
- b) Encourage Range States to provide regular national reports on progress regarding the implementation of the MoU and Strategy, synthesize the reports received into a summary report and distribute it.

4. PROMOTION OF THE MOU/STRATEGY AND EXCHANGE OF INFORMATION

- a) Promote the MoU and the Strategy regionally and internationally;

- b) Represent the Memorandum of Understanding at international, regional and national meetings in order to promote its objectives in wider fora;
- c) Facilitate the rapid exchange of scientific, technical and legal information necessary to coordinate elephant conservation measures;
- d) Undertake public awareness-raising through the media, both regionally and internationally;
- e) Provide content to the CMS webpage on the MoU/Strategy (summarizing important meetings or activities supporting the MoU's/Strategy's implementation, etc);
- f) Oversee the development of a range of information materials suitable for distribution to a wider audience reflecting the aims and spirit of the Memorandum;
- g) Ensure the appropriate compilation and dissemination of information materials prepared by Governments and other organisations, in order to maximize the benefits of experience-sharing;
- h) Develop and consult on proposals for special international events aimed at promoting African Elephant conservation.