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WESTERN AFRICAN TALKS ON CETACEANS AND THEIR HABITATS

DISCUSSIONS D'AFRIQUE OCCIDENTALE SUR LES CETACES ET LEURS HABITATS

OPTIONS FOR MOU COORDINATION AND SECRETARIAT SERVICES

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(Note prepared by the Secretariat)

1. Paragraph 18 of the draft Memorandum of Understanding (MoU) raises the issue of the MoU Secretariat and coordination. It states that “The CMS Secretariat will act as the Secretariat to this Memorandum of Understanding. It may use the services of any reliable organisation to support the coordination of this Memorandum of Understanding. The Signatories will consider at their first meeting what further mechanisms are required to provide technical advice and secretariat services to support the implementation of this Memorandum of Understanding”.
2. It is generally accepted that the CMS Secretariat acts as the secretariat to MoUs signed under CMS auspices. In the past, the services of the Secretariat have been at no cost to the MoU signatories, the exception being the Indian Ocean-South-East Asia Marine Turtles MoU, for which voluntary contributions from the signatories fund an out-posted secretariat.
3. As the number of MoUs has grown, the CMS Secretariat has increasingly sought partnerships with collaborating organisations to support it in organising MoU meetings and to provide technical documentation and advice.
4. In addition, in order to give MoUs and their accompanying action plans a solid basis for effective implementation, the CMS Secretariat has introduced the concept and practice of outsourced “MoU coordinators”, with many of the same collaborating partner organisations. This initiative is a response to CMS Conference of the Parties Resolutions 7.7 and 8.5, which encourage the Secretariat to continue exploring partnerships with interested organisations specialised in the conservation and management of migratory species for the provision of coordination services for selected MoUs.
5. To date, formal coordination arrangements have been established for MoUs concerning the Siberian crane, the great bustard, the aquatic warbler, West African elephants and marine turtles of the Atlantic coast of Africa. The post of coordinator for the Siberian crane flyway was the first to be established and has been funded by the International Crane Foundation and CMS.
6. BirdLife International is providing coordination functions for the great bustard MoU, with co-funding from the Government of Austria. Interim coordination functions for the Aquatic Warbler MoU were established for 3 years in collaboration with BirdLife International and the BirdLife United Kingdom partner, the Royal Society for the Protection of Birds (RSPB). On its own initiative, RSPB secured funding from the Michael Otto Foundation in Germany. The BirdLife Belarus partner APB hosts the coordinator in collaboration with the Government of Belarus. The coordinator was initially provided at no cost to the Convention; since then BirdLife and CMS have shared the costs for a 2-year period from 2007.
7. IUCN is providing coordination for the West African Elephant MoU, through a Letter of Agreement with CMS. Co-funding to cover the costs of this arrangement has so far been provided by the Government of France.
8. Of particular relevance for the present MoU, in view of the geographical area covered and the type of issues addressed, are the arrangements currently in place for coordination of the MoU on Conservation of Marine Turtles of the Atlantic Coast of Africa. In October 2005, UNEP/CMS signed a Memorandum of Cooperation (MoC) with the Government of Senegal, in its capacity as interim Secretariat of the

Environment Component of the New Partnership for Africa's Development (NEPAD) (SINEPAD/Env.). Under the MoC, SINEPAD/Env. is responsible for establishing and overseeing the activities of a regional coordinating body for the turtle MoU. Such a body was established in Dakar as the Regional Unit for Marine Turtles of the Atlantic Coast of Africa (URTOMA). The costs of the Unit have been covered for an initial period of 3 years by CMS and the UNEP Division of Environmental Law and Conventions.

9. MoU coordinators are expected to operate principally in a technical capacity. The CMS Secretariat maintains official contact with the Range States and the relevant CMS institutions and is ultimately responsible for monitoring the MoU. Under the existing arrangements, coordinators are expected to offer technical advice (including on fundraising) to Range States in preparing projects under an MoU action plan, to support the CMS Secretariat in the preparation of regular meetings of the Range States, and to undertake range-wide communication efforts to raise awareness and share information. Ultimate responsibility for implementing an MoU and its action plans remains with the MoU Signatories.

10. The attributes that would make a collaborating organisation attractive as a potential MoU coordinator include: (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 non-governmental organisations in the agreement area; (4) a demonstrated ability to raise funds and implement projects successfully; 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.

11. Funding and in-kind contributions are key considerations for establishing a coordination mechanism for the Small Cetacean and Manatee MoU, as there is no dedicated line in the CMS regular budget. The Eighth Meeting of the Conference of the Parties adopted the CMS budget for the triennium 2006-2008 with a very modest amount dedicated to agreement development and servicing under budget line 2260. The budget for the triennium 2009-2011 has not yet been adopted and will be decided at the Ninth Meeting of the Conference of the Parties (Rome, 1-5 December 2008); however, no significant changes in budgetary allocations for agreement development and servicing are foreseen.

12. CMS Conference of the Parties Resolution 8.5 encourages Parties, non-Parties and organisations to work closely with the CMS Secretariat in order to contribute financial and in-kind resources over and above the funds provided in the core CMS budget, to support coordination of instruments, such as species MoUs. The CMS Secretariat regularly produces a portfolio of projects for which the core CMS budget is not sufficient and which is used to approach potential donors, either bilaterally or at donors' meetings. If the concept of a coordination mechanism for the MoU is retained, the Secretariat will include the coordination of the present MoU among those projects for which voluntary contributions are sought, either in cash or in kind.