



Institute for
European Studies
Vrije Universiteit Brussel

Implications of actions to enhance synergies

An independent analysis and report

Prof. Dr. Sebastian Oberthür
Ernesto Roessing, MSc in Law

1. Introduction
2. Current situation
3. Possible implications of actions to enhance synergy
4. Options

- CMS COP Resolution 11.3:
 - analysis and report on legal, financial, operational and administrative implications of actions to enhance synergies, such as through sharing services in common service areas
- Sources: existing experience, literature, established policy, interviews
- Review process
- Distinction between non-institutionalized efforts to enhance synergy and (more institutionalized) sharing of services

2. Current situation

- 8 Treaties + 19 MOUs
 - 5 treaty secretariats in Bonn
 - Other 3: Wilhelmshaven (Germany), Monaco and Hobart (Australia)
 - Many MOUs managed by CMS Secretariat (Bonn)
 - 1 by CMS Office in Bangkok
 - 2 by CMS Office in Abu Dhabi
 - Some by domestic organs of signatories

2. Current situation

- Synergies within CMS Family have so far been primarily enhanced through non-institutionalized efforts.
- ASCOBANS Secretariat functions merged into the CMS Secretariat from 2006
- Pilot joint CMS/AEWA communications unit since 2014
- Overall, Secretariats provide the same set of services (Table).

Service	Treaty Secretariats					
	CMS	EUROBATS	ASCOBANS	AEWA	ACCOBAMS	ACAP
Administrative services	Shared within UNEP	Shared within UNEP	Shared within UNEP	Shared within UNEP	Secretariat	Secretariat*
Communications, information and outreach	Shared with AEWA	Secretariat	Secretariat	Shared with CMS	Secretariat	Secretariat
IT services	Outsourced	Outsourced	Outsourced	Outsourced	Provided by Monaco	Outsourced
Translation services	Outsourced	Outsourced	Outsourced	Outsourced	Outsourced	Outsourced
Fund raising	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat
Implementation support	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat
Capacity-building	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat
Organization of meetings	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat	Secretariat

* with assistance from host country

3. Possible implications

- Legal
- Financial
- Operational and administrative
- Overarching

3. Possible implications

Legal implications (for sharing of services)

- Legal autonomy and different memberships of CMS Family instruments:
 - Agreement by respective governing bodies of instruments required
 - Inter-secretariat arrangements (cost- and time-sharing) required
- No treaty changes required.
- Different administrative legal frameworks can create particular impediments - not an issue for Bonn-based Secretariats.

3. Possible implications

Financial implications (sharing of services)

- Available data do not allow us to develop firm and reliable scenarios and calculations.
- Example of and experience with the Chemicals Conventions (Basel, Rotterdam, Stockholm) may be used as a very rough proxy.
- More detailed *ex-ante* calculation may be conducted by the relevant secretariats, but would need to be confirmed *ex post*.

3. Possible implications

Financial implications (sharing of services)

- Overall medium- to long-term potential for enhanced cost-effectiveness of up to EUR 165,000 (for all Bonn-based Secretariats) (high uncertainty)
- Potential for (transitional) cost increases in the short term as a result of adaptation (training, restructuring)
- Full realization of cost-effectiveness potential only in the longer term
- Concern about reduction of financial support

3. Possible implications

Operational and administrative implications

- Potential for efficiency and performance gains ('economies of scale': more specialization, resilience, overarching strategy - less double-work)
- Potential for transitional negative operational effects is significant and requires cooperation by main stakeholders and active 'change management'
- Changes of autonomy of agreements/Secretariats (e.g. cooperation on work prioritization and HR management required)

3. Possible implications

Overarching implications

- Enhanced cost-effectiveness and improved services support increased effectiveness of species conservation.
- External visibility of the CMS Family
- Individual identities of the agreements within the Family do not need to suffer.
- Enhancing synergies is very much in line with general policy directions agreed at the international level.

Overarching recommendations

- Focus on Bonn-based Secretariats in the mid term (which comprise the majority of treaties and MOUs within the Family)
- Provide clear political mandate for clarity and direction

Option 1: Non-institutionalized efforts at enhancing synergies

- No further sharing of services among Secretariats, but continued and possibly intensified non-institutionalized efforts
- No significant risks or disadvantages
- No reaping of potential additional benefits from further synergies (sharing of services)

Option 2: Stepwise sharing of services

- Further implementation and expansion of common services
- Controlling of risks and adaptation costs through step-by-step approach
- Potential to reap benefits from further synergies in areas such as conference services, capacity building and implementation support
- Agreement of governing bodies and cooperation of Secretariats required

Option 3: immediate implementation of all relevant shared services in one step

- Immediate full sharing of relevant Secretariat services among Bonn-based Secretariats
- Higher risks of operational dysfunctions and disruptions
- Potential to exploit sooner the benefits of synergies
- Very high demands on proactive change management and shared vision/understanding

Implications	Option 1 (non-institutionalized efforts)	Option 2 (stepwise sharing of services)	Option 3 (immediate sharing of services)
Legal implications	<ul style="list-style-type: none"> No serious legal requirements (already ongoing) 	<ul style="list-style-type: none"> Inter-secretariat arrangements required (cost-sharing, etc.) Decisions by governing bodies required 	<ul style="list-style-type: none"> Inter-secretariat arrangements required (cost-sharing, etc.) Decisions by governing bodies required
Financial implications	<ul style="list-style-type: none"> Modest/low financial implications (gains and costs) 	<ul style="list-style-type: none"> Additional cost effectiveness potential (stepwise realization) Costs of restructuring can reduce cost effectiveness gains (spread over transition) 	<ul style="list-style-type: none"> Additional cost effectiveness potential (immediate realization) Costs of restructuring can reduce cost effectiveness gains (immediate realisation)
Operational and administrative implications	<ul style="list-style-type: none"> Significant potential to enhance performance (much already realised) Low level of risks or operational malfunctioning 	<ul style="list-style-type: none"> Additional potential to enhance performance/efficiency Modest level of risks/operational malfunctioning Requires acting in concert and careful management 	<ul style="list-style-type: none"> Additional potential to enhance performance/efficiency Significant/high level of risks/operational malfunctioning Requires acting in concert and careful management
Overarching implications	<ul style="list-style-type: none"> Potential to increase effectiveness and external visibility (much already realized) In line with global policy direction 	<ul style="list-style-type: none"> Additional potential to increase effectiveness and external visibility Strongly in line with global policy direction 	<ul style="list-style-type: none"> Additional potential to increase effectiveness and external visibility Strongly in line with global policy direction

- If option 2 (or option 3) were chosen, implementation should be monitored and regularly reported on (including on resource planning and financial impacts).
- Overall, option 2 provides greatest additional potential **provided that**:
 - Clear direction is provided by Parties;
 - Common vision and understanding by all key stakeholders can be ensured;
 - Proactive change management with input by main stakeholders can be ensured.

Thank you for your attention!

Sebastian.Oberthuer@vub.ac.be

Ernesto.Roessing.Netto@vub.ac.be