



22 January 2016

Original: English

Second Meeting of the Signatories
San José, Costa Rica, 15-19 February 2016
Agenda Item 10

PROPOSED BUDGET FOR THE SHARKS MOU SECRETARIAT

(Prepared by the Secretariat)

Background:

1. In order to support the implementation of the Programme of Work, outlined in CMS/Sharks/MOS2/Doc.9.1, and to cover the costs of a fully operational Secretariat, sustainable funding is a fundamental requirement. The present document provides a proposal for resourcing the interim Secretariat in accordance with Section 8 of the MOU. Two budget scenarios, aimed at providing adequate and predictable resources for the MOU are presented in Annexes 1 - 3 below, with Annex 1 providing a comparison of the two scenarios.

Current funding:

2. MOS1 agreed that, given the non-binding nature of the MOU, budget contributions would be voluntary and rejected a proposed apportionment of contributions based on the UN scale of assessment. However, voluntary contributions received from Signatories in the previous triennium (2013-15) were significantly lower than the approved budget, as shown in CMS/Sharks/MOS2/Doc.10.2.

3. Because of the resulting funding insecurities, the P3 position for a Programme Manager and a part-time G5 assistant position (50 per cent), approved by MOS1, could not be filled. Consequently, the Secretariat continued to rely on a P2 Officer to perform the day-to-day functions of the Secretariat; this officer was funded by the German Government throughout 2013 and 2014. Consultants were hired temporarily to support the Secretariat during peaks in workloads such as during the preparation of MOS2.

4. Furthermore, the Interim Secretariat benefited from the direction and support provided by staff of the CMS Secretariat. Staff time of the Executive Secretary, the Deputy Executive Secretary, the head of the Aquatic Team (in excess of the 10 per cent indicated in the budget), and the Administration and Fund Management Unit were provided as an in-kind contribution from the CMS core budget.

5. Moreover, the unpredictability of funding obliged the Secretariat to apply a restrictive approach regarding expenditure for activities, which made long-term planning difficult and resulted in the ad hoc development of activities as and when funding was made available by donors.

6. Fundraising by the Secretariat was even required for core activities, such as the organization of AC1 and MOS2 as well as for a key study on conservation priorities for species listed in Annex 1. These fundraising activities were supported by the CMS Fundraising Officer and Administration and Fund Management Unit. The preparation of funding applications and meeting the associated reporting requirements further increase the workload of the Secretariat.

7. There is expected to be a balance of €250,000 (+/- €50,000), including a 15 per cent reserve (see paragraph 36), at the end of 2015. Estimated expenditure for MOS2 and AC1, which will be paid in 2016, is already included in these figures¹. This balance provides the Secretariat with some security for the next triennium against a potential shortfall of voluntary contributions to pay for planned activities.

Proposed budget Scenarios:

8. For the triennium 2016-2018 the Secretariat has developed two scenarios for Signatories to consider in the context of their ability to provide resources to the Trust Fund, and taking into account their decisions related to the proposed Programme of Work.

9. Both scenarios are based on the continued operations of the interim Secretariat at the CMS headquarters in Bonn, Germany, allowing for the provision of managerial direction and administrative support.

10. In comparison with the budget for the last triennium, staff costs are lower, because a new scale of standard costs has been developed, better reflecting the current costs for Bonn-based staff.

Budget Scenarios

Overview

11. Scenario 1 includes an increase of 9 per cent compared with the approved budget of the last triennium. It would cover costs of a fully functional Secretariat and the implementation of important activities as outlined in the Programme of Work. It contains full costs for two meetings of the Advisory Committee (AC) and MOS3 as well as initial funding for two Working Group meetings.

¹ The Secretariat will include all meeting related costs in its report on expenditures for 2015.

Table 1: Overview on budget scenario 1 (Euros)

	2016	2017	2018	Total
Staff				
Subtotal	166,502	169,732	173,026	509,260
Activities of the Secretariat				
Subtotal	45,000	50,000	65,000	160,000
Activities of the Advisory Committee & External Experts				
Subtotal	30,000	30,000	30,000	90,000
Meetings of Governing Bodies				
Subtotal	250	52,250	247,250	299,750
Meeting of Working Groups				
Subtotal	17,000	17,000	0	34,000
Operating Costs				
Subtotal	5,400	5,600	5,600	16,600
Total	264,152	324,582	520,876	1,109,610
Programme Support Costs (13%)	34,340	42,196	67,714	144,249
Grand Total	298,491	366,777	588,590	1,253,859

12. Scenario 2 entails a decrease of 20 per cent in comparison with the budget of the last triennium. It provides for only one meeting of the AC and less funding for AC activities. Costs of AC working group meetings are not included.

Table 2: Overview on budget scenario 2 (Euros)

	2016	2017	2018	Total
Staff				
Subtotal	166,502	169,732	173,026	509,260
Activities of the Secretariat				
Subtotal	25,000	30,000	45,000	100,000
Activities of the Advisory Committee & External Experts				
Subtotal	5,000	5,000	5,000	15,000
Meetings of Governing Bodies				
3rd Meeting of the Signatories (MoS)				
Subtotal	0	33,000	137,500	170,500
Meeting of Working Groups				
Subtotal	0	0	0	0
Operating Costs				
Subtotal	5,400	5,600	5,600	16,600
Total	201,902	243,332	366,126	811,360
Programme Support Costs (13%)	26,247	31,633	47,596	105,477
Grand Total	228,149	274,965	413,723	916,836

13. Annex 1 provides a more detailed comparison of both scenarios together with the budget of the 2013-2015 triennium in a single table.

Scenario 1

14. Scenario 1 (see Annex 2) aims to cover the costs of a fully functional Secretariat, which is able to implement activities as outlined in the Draft Programme of Work (CMS/Sharks/MOS2/Doc.9.1) and the Terms of Reference of the Interim Secretariat. In comparison with the previous triennium, it shows an increase of 9 per cent.

Staff Costs

15. At MOS1 the Signatories approved the creation of a P3 post, which was not filled owing to budget insecurities as explained in CMS/Sharks/MOS2/Doc.10.2. Based on the Secretariat's experience of managing the MOU during the past triennium, a full-time Programme Officer (P-3) supported by a part-time Administrative Assistant (G-5, 50 per cent) would be required to meet the increasing demands of a fully operational Secretariat. Such a staff contingent is therefore included in both scenarios. In particular the management and implementation of the budget including reporting and fundraising duties, representing the MOU at international meetings, as well as the planning of activities and the development and management of projects requires at least the level of a P3 Officer.

Activities of the Secretariat and Operating Costs

16. The budget estimates for the activities and operations of the Secretariat are based on the experience of the last triennium. Provisions have been made for an increased level of translation during the second and the third year when the Meeting of the Signatories and the AC is expected to take place. It should also be noted that no provision has been made for the rent and maintenance of office space, as these continue to be borne by the Government of Germany under the terms of their Agreement in relation to the hosting of the CMS Family in Bonn. In comparison with the last triennium a few expenditure items, such as operating costs, translation costs, printing of technical materials and hospitality, have been reduced based on past experience. As regular training for staff is a requirement under UN regulations, a new budget line for staff training has been included.

Activities of the Advisory Committee and External Experts

17. The budget includes travel costs for AC members to represent the MOU in meetings of Regional Fisheries Management Organizations (RFMOs) or other relevant bodies and to build up and maintain a working relationship with these organizations as further, discussed under agenda item 9 "Programme of Work" and 11 "Partnerships and Cooperation". This is an important activity in the implementation of one of the core mandates of the Secretariat and the AC to improve cooperation with relevant fisheries organizations in order to synergize efforts and avoid duplications.

Meetings of Signatories

18. The significant increase in the budget requirements for the third year of the triennium is due to the fact that the Third Meeting of the Signatories (MOS3) is scheduled to take place in 2018. The costs of this meetings have been estimated based on the participation of approximately twenty-five sponsored delegates and five members of the Secretariat. However, these costs are likely to grow significantly as efforts are being continued to encourage additional Range States to join the MOU. Costs for interpretation have also been increased, as travel for six interpreters need to be met under this item. The development of technical documents is only foreseen during the last two years before the meeting, which results in turn in reduced costs on this item.

Meetings of the Advisory Committee

19. It is anticipated that two meetings of the AC will need to be convened during the triennium to facilitate its work. The current proposal foresees that the meetings take place in early 2017 and 2018; the latter should be held at least six months before the MOS3. Paragraph 26 of the MOU notwithstanding, the Secretariat recommends not to hold the AC meeting in

conjunction with MOS, to allow more time for the preparation of documents and commendations arising from the AC's deliberations. . From the experience of CMS, this arrangement would not be likely to result in increased costs, as participants to the AC are in most cases different from MOS participants. Furthermore, the Secretariat could host such a meeting in its premises in Bonn, thereby saving on venue and technical costs for the meeting.

20. Costs for "Online Workspace", which was established to facilitate online collaboration among AC members, were kept to a significantly lower level than expected, which explains the reduced figure in the proposed budget for this item.

Meeting of Working Groups

21. In order to be able to prepare and hold thematic workshops, as discussed under agenda item 9 "Programme of Work", the Secretariat would require appropriate resources. The working group would support the work of the AC considerably with regard to key activities in the Programme of Work and would thereby significantly contribute to the implementation of this MOU. Assuming that such workshops can be organized in Bonn, costs for venue and technical equipment could be kept relatively low.

Scenario 2

22. Scenario 2 (see Annex 3) includes reduced costs for the Secretariat, which will only be able to carry out its most basic functions and to partially implement additional activities as outlined in the Draft Programme of Work. In comparison with the previous budget, it represents a decrease of 20 per cent.

23. Please note that this scenario would not be able to be supported with the contributions received in the last triennium.. A similarly low funding commitment would require the use of the balance in the Trust Fund or would involve significant fundraising efforts for core activities, such as the organization of MOS3.

Staff Costs

24. Staff costs remain the same as in Scenario 1.

Activities of the Secretariat and Operating Costs

25. Scenario 2 includes lower costs for staff travel, the development of analytical studies and the printing of technical and information materials.

Activities of the Advisory Committee and External Experts

26. This scenario would only allow for the participation of the AC Chair at MOS3 as stipulated in the TOR and one additional meeting of high importance to be identified by the Committee. There is no provision for the participation of Committee members at meetings of fisheries bodies or workshops.

Meetings of Signatories

27. This scenario includes funding for interpretation and the report writer. It would however provide significantly fewer resources for logistical arrangements such as the venue and technical equipment, resulting in MOS3 having to be held in the Secretariat premises in Bonn, unless a host country came forward and covered the costs of a venue. Furthermore, resources for the support of delegates to participate in the meeting would be reduced. Bearing in mind

that membership of the MOU is growing, this would lead to a situation in which the Secretariat cannot fund all delegates from eligible countries, unless additional fundraising efforts of the Secretariat were successful.

Meetings of the Advisory Committee

28. Contributions to support participation of Committee members would be reduced. This would result in only one AC meeting. As in scenario 1, this meeting would be decoupled from MOS3 and would be held in 2017. The maintenance of the “Online Workspace” to facilitate online collaboration among AC members would be ended and replaced by email communication.

Meeting of Working Groups

29. No Working Group meeting is budgeted for under this scenario.

Contributions

Agreed Voluntary Contributions

30. Without adequate and predictable resources, the MOU is unable to deliver its most fundamental objectives. Reliance on ad hoc voluntary contributions, that have not matched the budget agreed by Signatories to fund the Secretariat, have proved extremely challenging, particularly due to the inability to enter into multi-year contracts with staff.

31. In view of this, it is proposed that the budget be apportioned among Signatories on a voluntary basis.

32. As the proposal of the Secretariat to calculate contributions in accordance with the United Nations Scale of Assessment was rejected by MOS1, the Secretariat suggests that Signatories should indicate how much they would contribute annually to secure the agreed budget. This would provide the Secretariat with a much more reliable basis on which to plan expenditure on staffing and activities.

33. To this end, Annex 4 provides a table to be completed by Signatories with voluntary contributions that could realistically be offered over the coming triennium. Contributions, calculated using the United Nations General Assembly agreed scale of contributions (A/Res/64/248), have not been proposed in this table, but can be found in CMS/Sharks/MOS2/Inf.15.

Financial Arrangements

34. It is proposed that Signatories request the UNEP Executive Director to extend the United Nations Trust Fund for the management of the MOU by three years until 31 December 2018. Amended draft Terms of Reference for the administration of the proposed Trust Fund are provided in Annex 5.

35. In accordance with the Financial Regulations and Rules adopted by the United Nations General Assembly (UNGA) for the management of Trust Funds, Signatories are advised that Programme Support Costs are charged at a rate of 13 per cent on all expenditure incurred. The UNGA imposes this charge to ensure Trust Funds are not subsidized from the core resources of the United Nations and that the administrative costs are fully covered by the Trust Funds. For UNEP-administered Trust Funds, the practice has been that one-third of the resources generated

from Programme Support Costs are used to support the administration of the Trust Fund directly while the remaining two-thirds are used by UNON and UNEP headquarters to cover their costs associated with the Trust Fund's administration. Costs for the support from the CMS Administrative and Funds Unit are therefore partly covered.

36. Additionally, United Nations Trust Funds require that an operating cash reserve be maintained, at the level of 15 per cent of annual planned expenditure, to cover shortfalls and to meet the Trust Fund's final expenditures, including liquidating any liabilities. In addition, Trust Fund resources may only be expended once sufficient cash payments have been received to meet initial expenditure estimates and the operating reserve requirement.

Action requested:

The Meeting of the Signatories is invited to:

- a) Review the budget scenarios presented in the Annexes, also taking into account discussions under agenda item 9, and to adopt a Budget for 2016-2018;
- b) Agree to share the costs based on the apportionment to be agreed on in Annex 4;
- c) Adopt the revised Terms of Reference for the Trust Fund, presented in Annex 5, and request the UNEP Executive Director to extend the Trust Fund for a further three years.

Budget for the 2016-2018 Triennium (In EURO)						
Comparison of the Budget for 2013 -2015 with the proposed budget scenarios 1 and 2 for 2016-2018						
(in EURO)						
	Budget 2013-2015	Proposed budget for 2016 -2018				
		Scenario 1			Scenario 2	
		Budget	Increase (%)	Budget	Increase (%)	
Staff						
1	Programme Officer, P-3	438,019	390,043	-11	390,043	-11
2	Administrative Assistant, G-5 (50%)	133,022	104,216	-22	104,216	-22
3	Staff training	0	15,000	new budget item	15,000	new budget item
	Subtotal	571,041	509,259	-11	509,259	-11
Activities of the Secretariat						
4	Travel on Official Business	45,000	45,000	0	30,000	-33
5	Translation (documents, publications etc.), English, French and Spanish	70,000	55,000	-21	55,000	-21
6	Analytical studies, scientific assessments, development of guidelines etc.	45,000	45,000	0	15,000	-67
7	Printing of technical / information materials, website production etc.	45,000	15,000	-67	0	-100
8	Hospitality	1,500	0	-100	0	-100
	Subtotal	206,500	160,000	-23	100,000	-52
Activities of the Advisory Committee & External Experts						
9	Travel on Official Business	0	90,000	new budget item	15,000	new budget item
	Subtotal	0	90,000		15,000	
Meetings of Governing Bodies						
3rd Meeting of the Signatories (MoS)						
10	Logistical arrangements (venue, technical equipment, interpretation booths, catering)	30,000	30,000	0	2,500	-92
11	Support for participation of delegates	62,500	120,000	92	90,000	44
12	Interpretation (English, French and Spanish)	30,000	50,000	67	40,000	33
13	Report writers	5,000	5,000	0	5,000	0
14	Development of technical documents for submission to Signatories	30,000	30,000	0	0	-100
Meeting of the Advisory Committee (AC)						
15	Online Workspace for the Advisory Committee	7,500	750	-90	0	-100
16	Logistical arrangements (venue, technical equipment, catering)	7,500	10,000	33	1,000	-87
17	Support for participation of delegates	20,000	60,000	200	30,000	50
18	Report Writers	2,000	4,000	100	2,000	0
	Subtotal	194,500	309,750	59	170,500	-12
Meeting of Working Groups						
19	Logistical arrangements (venue, technical equipment, catering)	0	10,000	new budget item	0	new budget item
20	Support for participation of delegates	0	20,000		0	
21	Report Writers	0	4,000		0	
	Subtotal	0	34,000		0	
Operating Costs						
22	Miscellaneous Office Supplies	7,500	1,900	-75	1,900	-75
23	Office Equipment, furniture etc.	7,500	1,500	-80	1,500	-80
24	Information and Communication Technology (ICT) Services	15,000	9,000	-40	9,000	-40
25	Maintenance of computers / photocopiers	4,500	600	-87	600	-87
26	Communications (Telephone, fax, postage etc.)	7,500	3,600	-52	3,600	-52
	Subtotal	42,000	16,600	-60	16,600	-60
	Total	1,014,041	1,119,609	10	811,359	-20
Programme Support Costs (13%)		131,825	145,549	10	105,477	-20
	Grand Total	1,145,866	1,265,158	10	916,836	-20
In-kind Contributions						
27	Executive Secretary, CMS, D-1 (2%)	13,348	13,205	-1	13,205	-1
28	Deputy Executive Secretary, CMS, P-5 (3%)	18,068	17,554	-3	17,554	-3
29	Agreements Officer, CMS, P-4 (10%)	51,786	50,247	-3	50,247	-3
30	Government of Germany: Rent and maintenance costs	37,500	37,500	0	37,500	0
31	Services of the Administrative and Funds Management Unit, P-4 (5%); G-6 (5%); 2xG-5 (5%) (partly funded through 13% PSC)	65,799	62,784	-5	62,784	-5
	Total	186,501	181,291	-3	181,291	-3

Budget for the 2016-2018 Triennium (In EURO)				
Scenario 1				
<i>(in Euro)</i>				
	2016	2017	2018	Total
Staff				
1 Programme Officer, P-3	127,449	129,997	132,597	390,043
2 Administrative Assistant, G-5 (50%)	34,053	34,734	35,429	104,216
3 Staff training	5,000	5,000	5,000	15,000
Subtotal	166,502	169,732	173,026	509,260
Activities of the Secretariat				
4 Travel on Official Business	15,000	15,000	15,000	45,000
5 Translation (documents, publications etc.), English, French and Spanish	10,000	15,000	30,000	55,000
6 Analytical studies, scientific assessments, development of guidelines etc.	15,000	15,000	15,000	45,000
7 Printing of technical / information materials, website production etc.	5,000	5,000	5,000	15,000
8 Hospitality				0
Subtotal	45,000	50,000	65,000	160,000
Activities of the Advisory Committee & External Experts				
9 Travel on Official Business	30,000	30,000	30,000	90,000
Subtotal	30,000	30,000	30,000	90,000
Meetings of Governing Bodies				
3rd Meeting of the Signatories (Mos)				
10 Logistical arrangements (venue, technical equipment, interpretation booths, catering)			30,000	30,000
11 Support for participation of delegates			120,000	120,000
12 Interpretation (English, French and Spanish)			40,000	40,000
13 Report writers			5,000	5,000
14 Development of technical documents for submission to Signatories		15,000	15,000	30,000
Meeting of the Advisory Committee (AC)				
15 Online Workspace for the Advisory Committee	250	250	250	750
16 Logistical arrangements (venue, technical equipment, catering)		5,000	5,000	10,000
17 Support for participation of delegates		30,000	30,000	60,000
18 Report Writers		2,000	2,000	4,000
Subtotal	250	52,250	247,250	299,750
Meeting of Working Groups				
19 Logistical arrangements (venue, technical equipment, catering)	5,000	5,000		10,000
20 Support for participation of delegates	10,000	10,000		20,000
21 Report Writers	2,000	2,000		4,000
Subtotal	17,000	17,000	0	34,000
Operating Costs				
22 Miscellaneous Office Supplies	500	700	700	1,900
23 Office Equipment, furniture etc.	500	500	500	1,500
24 Information and Communication Technology (ICT) Services	3,000	3,000	3,000	9,000
25 Maintenance of computers / photocopiers	200	200	200	600
26 Communications (Telephone, fax, postage etc.)	1,200	1,200	1,200	3,600
Subtotal	5,400	5,600	5,600	16,600
Total	264,152	324,582	520,876	1,109,610
Programme Support Costs (13%)	34,340	42,196	67,714	144,249
Grand Total	298,491	366,777	588,590	1,253,859
In-kind Contributions				
27 Executive Secretary, CMS, D-1 (2%)	4,173	4,449	4,583	13,205
28 Deputy Executive Secretary, CMS, P-5 (3%)	5,329	6,023	6,203	17,554
29 Agreements Officer, CMS, P-4 (10%)	15,205	17,262	17,780	50,247
30 Government of Germany: Rent and maintenance costs	12,500	12,500	12,500	37,500
31 Services of the Administrative and Funds Management Unit, P-4 (5%); G-6 (5%); 2xG-5 (5%) (partly funded through 13% PSC)	18,260	21,933	22,591	62,784
Total	55,467	62,167	63,657	181,291

Budget for the 2016-2018 Triennium (In EURO)					
Scenario 2					
<i>(in Euro)</i>					
		2016	2017	2018	Total
Staff					
1	Programme Officer, P-3	127,449	129,997	132,597	390,043
2	Administrative Assistant, G-5 (50%)	34,053	34,734	35,429	104,216
3	Staff training	5,000	5,000	5,000	15,000
	Subtotal	166,502	169,732	173,026	509,260
Activities of the Secretariat					
4	Travel on Official Business	10,000	10,000	10,000	30,000
5	Translation (documents, publications etc.), English, French and Spanish	10,000	15,000	30,000	55,000
6	Analytical studies, scientific assessments, development of guidelines etc.	5,000	5,000	5,000	15,000
7	Printing of technical / information materials, website production etc.				0
8	Hospitality				0
	Subtotal	25,000	30,000	45,000	100,000
Activities of the Advisory Committee & External Experts					
9	Travel on Official Business	5,000	5,000	5,000	15,000
	Subtotal	5,000	5,000	5,000	15,000
Meetings of Governing Bodies					
3rd Meeting of the Signatories (MoS)					
10	Logistical arrangements (venue, technical equipment, interpretation booths, catering)			2,500	2,500
11	Support for participation of delegates			90,000	90,000
12	Interpretation (English, French and Spanish)			40,000	40,000
13	Report writers			5,000	5,000
14	Development of technical documents for submission to Signatories				0
Meeting of the Advisory Committee (AC)					
15	Online Workspace for the Advisory Committee				0
16	Logistical arrangements (venue, technical equipment, catering)		1,000		1,000
17	Support for participation of delegates		30,000		30,000
18	Report Writers		2,000		2,000
	Subtotal	0	33,000	137,500	170,500
Meeting of Working Groups					
19	Logistical arrangements (venue, technical equipment, catering)				0
20	Support for participation of delegates				0
21	Report Writers				0
	Subtotal	0	0	0	0
Operating Costs					
22	Miscellaneous Office Supplies	500	700	700	1,900
23	Office Equipment, furniture etc.	500	500	500	1,500
24	Information and Communication Technology (ICT) Services	3,000	3,000	3,000	9,000
25	Maintenance of computers / photocopiers	200	200	200	600
26	Communications (Telephone, fax, postage etc.)	1,200	1,200	1,200	3,600
	Subtotal	5,400	5,600	5,600	16,600
	Total	201,902	243,332	366,126	811,360
Programme Support Costs (13%)		26,247	31,633	47,596	105,477
	Grand Total	228,149	274,965	413,723	916,836
In-kind Contributions					
27	Executive Secretary, CMS, D-1 (2%)	4,173	4,449	4,583	13,205
28	Deputy Executive Secretary, CMS, P-5 (3%)	5,329	6,023	6,203	17,554
29	Agreements Officer, CMS, P-4 (10%)	15,205	17,262	17,780	50,247
30	Government of Germany: Rent and maintenance costs	12,500	12,500	12,500	37,500
31	Services of the Administrative and Funds Management Unit, P-4 (5%); G-6 (5%); 2xG-5 (5%) (partly funden through 13% PSC)	18,260	21,933	22,591	62,784
	Total	55,467	62,167	63,657	181,291

SCALE OF CONTRIBUTIONS TO PARTIES FOR THE PERIOD 2016-2018 AS PER THE PROPOSED BUDGET					
<i>(in EURO)</i>					
N°	Signatory	%	Assessment	Pledge	Balance
1	Australia				
2	Belgium				
3	Chile				
4	Colombia				
5	Comoros				
6	Congo				
7	Costa Rica				
8	Denmark				
9	Egypt				
10	EU				
11	Germany				
12	Ghana				
13	Guinea				
14	Italy				
15	Jordan				
16	Kenya				
17	Liberia				
18	Libya				
19	Mauritania				
20	Monaco				
21	Nauru				
22	Netherlands				
23	New Zealand				
24	Palau				
25	Philippines				
26	Romania				
27	Samoa				
28	Senegal				
29	South Africa				
30	Sudan				
31	Sweden				
32	Syrian Arab Republic				
33	Togo				
34	Tuvalu				
35	United Arab Emirates				
36	United Kingdom				
37	United States of America				
38	Vanuatu				
39	Yemen				
39	TOTAL TO BE SHARED BY PARTIES				

**Draft Terms of Reference
for the Administration of the Trust Fund for the Memorandum of Understanding on the
Conservation of Migratory Sharks (2013-2016)**

1. The Trust Fund for the Memorandum of Understanding (MoU) on the Conservation of Migratory Sharks (hereinafter referred to as the Trust Fund) shall be extended by three years to provide financial support for the aims of the MoU.
2. The present Terms of Reference shall be effective from 1 January 2016 to 31 December 2018.
3. The financial period shall be three calendar years beginning 1 January 2016 and ending 31 December 2018, subject to the approval of the UNEP Environment Assembly.
4. The Trust Fund shall be administered by the Executive Director of the United Nations Environment Programme (UNEP).
5. The administration of the Trust Fund shall be governed by the Financial Regulations and Rules of the United Nations, the Staff Regulations and Rules of the United Nations and other administrative policies or procedures promulgated by the Secretary-General of the United Nations.
6. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income. No commitments shall be made in advance of the receipt of contributions.
7. In accordance with the United Nations rules, UNEP shall deduct from the income of the Trust Fund an administrative charge equal to 13 per cent of the expenditure charged to the Trust Fund in respect of activities financed under the Trust Fund.
8. The Trust Fund shall be subject to audit by the United Nations Board of Auditors.
9. The financial resources of the Trust Fund for 2016-2018 should be derived from Voluntary Contributions from Signatories and Non-Signatories to the MoU, other governmental, intergovernmental and non-governmental organizations and other sources.
10. For the convenience of Signatories, for each of the years of the financial period, the Executive Director of UNEP should, as soon as possible, after the first day of each year, request contributions from Signatories.
11. Contributions received into the Trust Fund that are not immediately required shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.
12. Budget estimates covering the income and expenditure for the three calendar years constituting the financial period, should be submitted to the meeting of the Signatories.
13. The estimates for each of the calendar years covered by the financial period should be specified according to budget lines and should be accompanied by such information as may be required by or on behalf of the contributors and such further information as the Executive Director of UNEP may deem useful and advisable.

14. The proposed budget, including all necessary information, should be made available by the Secretariat to all Signatories at least 30 days before the date fixed for the opening of the Meeting of the Signatories to which they are to be considered.
15. The budget should be adopted by consensus of the Signatories present at the Meeting of the Signatories.
16. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, the Executive Director should consult with the Secretariat, which should seek the advice of the Chair and/or Vice-Chair regarding priorities for expenditure.
17. Upon the request of the Secretariat of the MoU, after seeking the advice of the Chair and Vice-Chair of the Meeting of the Signatories, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one budget line to another. At the end of the first and second calendar year of the financial period, the Executive Director of UNEP may proceed to transfer any unspent balance of appropriations to the second and third calendar year respectively, provided that the total budget approved by the Parties shall not be exceeded, unless specifically sanctioned in writing by the Chair and/or Vice-Chair of the Meeting of the Signatories.
18. At the end of each calendar year of the financial period², the Executive Director of UNEP should make available, through the MoU Secretariat, the year-end accounts. The Executive Director should also make available, as soon as practicable, the audited accounts for the financial period. Those accounts should include full details of actual expenditure compared to the original provisions for each budget line.
19. Extra-budgetary contributions may be accepted for purposes that are consistent with the objectives of the MoU.
20. Extra-budgetary contributions should be used in accordance with terms and conditions agreed upon between the Contributor and the Secretariat.

² The calendar year 1 January to 31 December is the accounting and financial year, but the accounts' official closure date is 31 March of the following year. Thus, on 31 March the accounts of the previous year must be closed, and, it is only then that the Executive Director may submit the accounts of the previous calendar year.