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|  | CONVENTION ONMIGRATORYSPECIES | UNEP/CMS/COP12/CRP33  27 October 2017 |

**FINANCIAL AND ADMINISTRATIVE MATTERS**

(UNEP/CMS/COP12/Doc.14.2)

*(Prepared by the Budget Working Group)*

DRAFT RESOLUTION

*Recalling* Article VII paragraph 4 of the Convention, which reads as follows:

*“The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall at each of its ordinary meetings adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference”;*

*Appreciating* the importance of all Parties being able to participate in the implementation of the Convention and related activities;

*Noting* the increased number of Parties, other countries and organizations attending the meeting of the Conference of Parties as observers and the resulting additional costs to Parties so incurred;

*Recalling* Resolution 10.1 which requests the Secretariat to undertake a review of the grading of the Secretariat’s posts, taking into account the outcome of the Working Group on Future Shape of CMS, to enable decisions on the grading of the posts to be taken by Parties at COP11;

*Noting* that the current level of the Trust Fund balance and the rising trend of year-end balances of Parties’ arrears make it impossible to drawdown on the Trust Fund balance to contribute to the financing of the current budget as this could adversely affect the liquidity of the fund;

*Having Reviewed* the proposed Programme of Work for 2018-2020 submitted by the Secretariat; and

*Noting* the Decision of the Second Meeting of the Signatories to the Memorandum of Understanding on the Conservation of Migratory Sharks (Sharks MOU) about having the CMS Secretariat as permanent Secretariat of the Sharks MOU;

*The Conference of the Parties to the*

*Convention on the Conservation of Migratory Species of Wild Animals*

1. *Confirms* that all Parties should contribute to the budget adopted at the scale agreed upon by the Conference of the Parties in accordance with Article VII paragraph 4 of the Convention;
2. *Adopts* the budget for 2018 to 2020 attached as Annex 1 to the present Resolution;
3. *Adopts* the scale of contributions of Parties to the Convention based on the UN Scale of Assessment as listed in Annex 2 to the present Resolution and decides to apply that scale pro rata to new Parties;
4. *Requests* Parties, in particular those that are required to pay small contributions, to consider paying for the whole triennium in one instalment;
5. *Urges* all Parties to pay their contributions as promptly as possible preferably no later than 1 March in the year to which they relate and, if they so wish, to inform the Secretariat whether they would prefer to receive a single invoice covering the whole triennium;
6. *Notes* with concern that a number of Parties have not paid their contributions to the core budget for 2017 and prior years thus affecting adversely the implementation of the Convention;
7. *Urges* all Parties with arrears to co-operate with the Secretariat in arranging for the payment of their outstanding contributions without delay;
8. *Decides* to set the threshold of eligibility for funding delegates to attend the Convention’s meetings at 0.200 per cent on the United Nations scale of assessment and as a general rule, furthermore, to exclude from such eligibility countries from the European Union, other European countries with developed economies and countries that have payments in arrears of three years or more;
9. *Decides* that representatives from countries with contributions in arrears of three years or more should be excluded from holding office in Convention bodies and be denied the right to vote; and *requests* the Executive Secretary to explore with these Parties innovative approaches for the identification of possible funding to resolve their arrears prior to the next meeting of the Conference of the Parties;
10. *Decides* that Resolutions adopted by this Conference of the Parties that establish inter alia bodies, mechanisms or activities that have financial implications not provided for in Annex 1 are subject to available funds from voluntary contributions;
11. *Encourages* all Parties to make voluntary contributions to the Trust Fund MVL[[1]](#footnote-1) to support requests from developing countries to participate in and implement the Convention throughout the triennium;
12. *Endorses* the Programme of Work for 2018-2020 in Annex 5 to assist Parties to identify those core ongoing and future activities and projects not covered by the core budget they intend to fund;
13. *Encourages* States that are not Parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to consider contributing to the Trust Fund MVL or to special activities;
14. *Decides* that the Executive Secretary, subject to the approval of the Standing Committee and in urgent cases with the approval of the Chair, shall have the authority to spend or apply funds saved from the implementation of the core budget and funds from new Parties joining the Convention to activities in the approved costed programme of work not covered by the core budget;
15. *Decides* that the Executive Secretary shall have the authority to make staffing decisions as necessary to implement the priorities of the Parties in accordance with the programme of work provided that the implications of the decisions can be met from the existing budget;
16. *Encourages* the Executive Secretary in line with UN rules to use opportunities provided by vacancies to explore ways to strengthen the capacity of the Secretariat within its assigned budget including through structural changes;
17. *Approves* the upgrading of the part-time (50 per cent) P-2 position of Associate Information Officer to full time;
18. *Invites* Parties to consider the feasibility of financing Junior Professional Officers and / or providing gratis personnel or technical experts to the Secretariat to increase its capacity;
19. *Instructs* the Finance and Budget Subcommittee of the Standing Committee to*:*

i) meet one day prior to the start of every regular meeting of the Standing Committee and to work intersessionally by electronic or other means;

ii) work with the Secretariat to prepare all financial and budgetary documents for consideration by the Standing Committee; and

iii) operate under the terms of reference attached as Annex 3 to this Resolution;

1. *Confirms* that the CMS Secretariat will continue to provide Secretariat services to ASCOBANS and to the Gorilla Agreement in the next triennium and *decides* that the CMS Secretariat will serve as the permanent Secretariat of the Sharks MOU;
2. *Requests* the Executive Director of the United Nations Environment Programme to continue to incorporate aspects of the Convention’s programme of work into the programme of work of the United Nations Environment Programme, and the projects that implement it, and consider as appropriate providing financial support to specific CMS activities in this context;
3. *Requests* the Executive Director of the United Nations Environment Programme to extend the duration of the Convention Trust Fund MSL[[2]](#footnote-2) to 31 December 2020;
4. Approves the terms of reference for the administration of the Trust Fund as set forth in Annex 4 to the present Resolution for the period 2018 to 2020;
5. *Decides* that all contributions to the Trust Fund shall be paid in Euros;
6. *Further decides* that there should be maintained an operating reserve at a constant level of at least 15 per cent of estimated annual expenditure or US$500 000 whichever is higher;
7. *Requests* the Secretariat to monitor exchange rate fluctuations carefully and adjust levels of expenditure where necessary; and decides that the Secretariat, as a last resort, can exceptionally request the Standing Committee to drawdown from the Trust Fund balance up to EUR 100,000 per triennium for unexpected operational costs

*27. Repeals* Resolution 11.1, however assessed contributions of Parties to fund 2015-2017 budget as set out in the Annex II of the Resolution remain on the record.

**ANNEX 1**

**BUDGET FOR THE TRIENNIUM 2018-2020**

(all figures in Euros)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| ***Object of expenditures*** | ***2018*** | ***2019*** | ***2020*** | ***Total*** |
| **Staff Costs** |  |  |  |  |
| Professional Staff | 1,412,657 | 1,440,910 | 1,469,728 | 4,323,295 |
| General Support Staff | 472,731 | 482,186 | 491,829 | 1,446,746 |
| **Subtotal** | **1,885,388** | **1,923,096** | **1,961,558** | **5,770,041** |
| **Contractual Services** |  |  |  |  |
| Contractual services (general translations and document editing) | 90,168 | 91,971 | 93,811 | 275,950 |
| Servicing of COP13 (interpretation, report writing) | - | - | 307,073 | 307,073 |
| Information Material Production | 12,750 | 13,005 | 13,265 | 39,020 |
| **Subtotal** | **102,918** | **104,976** | **414,149** | **622,043** |
| **Operating Costs** |  |  |  |  |
| ICT Tools, Website development and Maintenance | 6,630 | 6,763 | 6,898 | 20,290 |
| Staff development (training, retreats) | 10,200 | 10,404 | 10,612 | 31,216 |
| Information Technology Services (UNV) | 71,400 | 72,828 | 74,285 | 218,513 |
| Office Automation Services (printer leases, hosting) | 10,200 | 10,404 | 10,612 | 31,216 |
| Communication and Courier Services | 17,850 | 18,207 | 18,571 | 54,628 |
| Miscellaneous | 3,813 | 3,889 | 3,967 | 11,669 |
| **Subtotal** | **120,093** | **122,495** | **124,945** | **367,532** |
| **Supplies** |  |  |  |  |
| Office Supplies | 5,916 | 6,034 | 6,155 | 18,105 |
| **Subtotal** | **5,916** | **6,034** | **6,155** | **18,105** |
| **Equipment** |  |  |  |  |
| Non-expendable Equipment | 10,710 | 10,924 | 11,143 | 32,777 |
| **Subtotal** | **10,710** | **10,924** | **11,143** | **32,777** |
| **Travel** |  |  |  |  |
| Staff travel | 64,974 | 66,273 | 67,599 | 198,846 |
| Staff travel - COP13 | - | - | 56,245 | 56,245 |
| Standing Committee meetings | 22,965 | 23,425 | - | 46,390 |
| Scientific Council meetings | 52,424 | 53,473 | - | 105,897 |
| **Subtotal** | **140,363** | **143,172** | **123,844** | **407,379** |
| **Total** | **2,265,388** | **2,310,698** | **2,641,793** | **7,217,878** |
| Programme Support Costs | 294,500 | 300,391 | 343,433 | 938,324 |
| **Grand total** | **2,559,888** | **2,611,088** | **2,985,226** | **8,156,202** |

**Annex 2**

**Scale of contributions to the triennium 2018-2020 budget**

(all figures in Euros)

| **N°** | **Party** | **UN Scale for 2017** | **Adjusted Scale %** | **2018** | **2019** | **2020** | **Total** |
| --- | --- | --- | --- | --- | --- | --- | --- |
| 1 | Afghanistan | 0.006 | 0.0126 | 324 | 330 | 378 | 1,031 |
| 2 | Albania | 0.008 | 0.0169 | 432 | 440 | 503 | 1,375 |
| 3 | Algeria | 0.161 | 0.3394 | 8,687 | 8,861 | 10,130 | 27,678 |
| 4 | Angola | 0.010 | 0.0211 | 540 | 550 | 629 | 1,719 |
| 5 | Antigua & Barbuda | 0.002 | 0.0042 | 108 | 110 | 126 | 344 |
| 6 | Argentina | 0.892 | 1.8801 | 48,130 | 49,092 | 56,127 | 153,349 |
| 7 | Armenia | 0.006 | 0.0126 | 324 | 330 | 378 | 1,031 |
| 8 | Australia | 2.337 | 4.9259 | 126,098 | 128,620 | 147,049 | 401,767 |
| 9 | Austria | 0.720 | 1.5176 | 38,849 | 39,626 | 45,304 | 123,779 |
| 10 | Bangladesh | 0.010 | 0.0211 | 540 | 550 | 629 | 1,719 |
| 11 | Belarus | 0.056 | 0.1180 | 3,022 | 3,082 | 3,524 | 9,627 |
| 12 | Belgium | 0.885 | 1.8654 | 47,752 | 48,707 | 55,686 | 152,145 |
| 13 | Benin | 0.003 | 0.0063 | 162 | 165 | 189 | 516 |
| 14 | Bolivia (Plurinational State of) | 0.012 | 0.0253 | 647 | 660 | 755 | 2,063 |
| 15 | Bosnia and Herzegovina | 0.013 | 0.0274 | 701 | 715 | 818 | 2,235 |
| 16 | Brazil | 3.823 | 8.0581 | 206,278 | 210,404 | 240,552 | 657,233 |
| 17 | Bulgaria | 0.045 | 0.0949 | 2,428 | 2,477 | 2,832 | 7,736 |
| 18 | Burkina Faso | 0.004 | 0.0084 | 216 | 220 | 252 | 688 |
| 19 | Burundi | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 20 | Cabo Verde | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 21 | Cameroon | 0.010 | 0.0211 | 540 | 550 | 629 | 1,719 |
| 22 | Chad | 0.005 | 0.0105 | 270 | 275 | 315 | 860 |
| 23 | Chile | 0.399 | 0.8410 | 21,529 | 21,959 | 25,106 | 68,594 |
| 24 | Congo | 0.006 | 0.0126 | 324 | 330 | 378 | 1,031 |
| 25 | Cook Islands | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 26 | Costa Rica | 0.047 | 0.0991 | 2,536 | 2,587 | 2,957 | 8,080 |
| 27 | Côte d’Ivoire | 0.009 | 0.0190 | 486 | 495 | 566 | 1,547 |
| 28 | Croatia | 0.099 | 0.2087 | 5,342 | 5,449 | 6,229 | 17,020 |
| 29 | Cuba | 0.065 | 0.1370 | 3,507 | 3,577 | 4,090 | 11,175 |
| 30 | Cyprus | 0.043 | 0.0906 | 2,320 | 2,367 | 2,706 | 7,392 |
| 31 | Czech Republic | 0.344 | 0.7251 | 18,561 | 18,932 | 21,645 | 59,139 |
| 32 | Democratic Republic of the Congo | 0.008 | 0.0169 | 432 | 440 | 503 | 1,375 |
| 33 | Denmark | 0.584 | 1.2309 | 31,511 | 32,141 | 36,747 | 100,399 |
| 34 | Djibouti | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 35 | Dominican Republic | 0.046 | 0.0970 | 2,482 | 2,532 | 2,894 | 7,908 |
| 36 | Ecuador | 0.067 | 0.1412 | 3,615 | 3,687 | 4,216 | 11,518 |
| 37 | Egypt | 0.152 | 0.3204 | 8,201 | 8,366 | 9,564 | 26,131 |
| 38 | Equatorial Guinea | 0.010 | 0.0211 | 540 | 550 | 629 | 1,719 |
| 39 | Eritrea | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 40 | Estonia | 0.038 | 0.0801 | 2,050 | 2,091 | 2,391 | 6,533 |
| 41 | Ethiopia | 0.010 | 0.0211 | 540 | 550 | 629 | 1,719 |
| 42 | European Union |  | 2.5000 | 63,997 | 65,277 | 74,631 | 203,905 |
| 43 | Fiji | 0.003 | 0.0063 | 162 | 165 | 189 | 516 |
| 44 | Finland | 0.456 | 0.9612 | 24,604 | 25,097 | 28,693 | 78,393 |
| 45 | France | 4.859 | 10.2417 | 262,177 | 267,421 | 305,739 | 835,338 |
| 46 | Gabon | 0.017 | 0.0358 | 917 | 936 | 1,070 | 2,923 |
| 47 | Gambia | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 48 | Georgia | 0.008 | 0.0169 | 432 | 440 | 503 | 1,375 |
| 49 | Germany | 6.389 | 13.4667 | 344,732 | 351,626 | 402,010 | 1,098,368 |
| 50 | Ghana | 0.016 | 0.0337 | 863 | 881 | 1,007 | 2,751 |
| 51 | Greece | 0.471 | 0.9928 | 25,414 | 25,922 | 29,636 | 80,972 |
| 52 | Guinea | 0.002 | 0.0042 | 108 | 110 | 126 | 344 |
| 53 | Guinea-Bissau | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 54 | Honduras | 0.008 | 0.0169 | 432 | 440 | 503 | 1,375 |
| 55 | Hungary | 0.161 | 0.3394 | 8,687 | 8,861 | 10,130 | 27,678 |
| 56 | India | 0.737 | 1.5534 | 39,766 | 40,562 | 46,374 | 126,702 |
| 57 | Iran (Islamic Republic of) | 0.471 | 0.9928 | 25,414 | 25,922 | 29,636 | 80,972 |
| 58 | Iraq | 0.129 | 0.2719 | 6,960 | 7,100 | 8,117 | 22,177 |
| 59 | Ireland | 0.335 | 0.7061 | 18,076 | 18,437 | 21,079 | 57,592 |
| 60 | Israel | 0.430 | 0.9063 | 23,202 | 23,666 | 27,057 | 73,924 |
| 61 | Italy | 3.748 | 7.9000 | 202,231 | 206,276 | 235,833 | 644,339 |
| 62 | Jordan | 0.020 | 0.0422 | 1,079 | 1,101 | 1,258 | 3,438 |
| 63 | Kazakhstan | 0.191 | 0.4026 | 10,306 | 10,512 | 12,018 | 32,836 |
| 64 | Kenya | 0.018 | 0.0379 | 971 | 991 | 1,133 | 3,094 |
| 65 | Kyrgyzstan | 0.002 | 0.0042 | 108 | 110 | 126 | 344 |
| 66 | Latvia | 0.050 | 0.1054 | 2,698 | 2,752 | 3,146 | 8,596 |
| 67 | Liberia | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 68 | Libya | 0.125 | 0.2635 | 6,745 | 6,880 | 7,865 | 21,489 |
| 69 | Liechtenstein | 0.007 | 0.0148 | 378 | 385 | 440 | 1,203 |
| 70 | Lithuania | 0.072 | 0.1518 | 3,885 | 3,963 | 4,530 | 12,378 |
| 71 | Luxembourg | 0.064 | 0.1349 | 3,453 | 3,522 | 4,027 | 11,003 |
| 72 | Madagascar | 0.003 | 0.0063 | 162 | 165 | 189 | 516 |
| 73 | Mali | 0.003 | 0.0063 | 162 | 165 | 189 | 516 |
| 74 | Malta | 0.016 | 0.0337 | 863 | 881 | 1,007 | 2,751 |
| 75 | Mauritania | 0.002 | 0.0042 | 108 | 110 | 126 | 344 |
| 76 | Mauritius | 0.012 | 0.0253 | 647 | 660 | 755 | 2,063 |
| 77 | Monaco | 0.010 | 0.0211 | 540 | 550 | 629 | 1,719 |
| 78 | Mongolia | 0.005 | 0.0105 | 270 | 275 | 315 | 860 |
| 79 | Montenegro | 0.004 | 0.0084 | 216 | 220 | 252 | 688 |
| 80 | Morocco | 0.054 | 0.1138 | 2,914 | 2,972 | 3,398 | 9,283 |
| 81 | Mozambique | 0.004 | 0.0084 | 216 | 220 | 252 | 688 |
| 82 | Netherlands | 1.482 | 3.1237 | 79,964 | 81,564 | 93,251 | 254,779 |
| 83 | New Zealand | 0.268 | 0.5649 | 14,460 | 14,750 | 16,863 | 46,073 |
| 84 | Niger | 0.002 | 0.0042 | 108 | 110 | 126 | 344 |
| 85 | Nigeria | 0.209 | 0.4405 | 11,277 | 11,503 | 13,151 | 35,930 |
| 86 | Norway | 0.849 | 1.7895 | 45,810 | 46,726 | 53,421 | 145,956 |
| 87 | Pakistan | 0.093 | 0.1960 | 5,018 | 5,118 | 5,852 | 15,988 |
| 88 | Palau | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 89 | Panama | 0.034 | 0.0717 | 1,835 | 1,871 | 2,139 | 5,845 |
| 90 | Paraguay | 0.014 | 0.0295 | 755 | 771 | 881 | 2,407 |
| 91 | Peru | 0.136 | 0.2867 | 7,338 | 7,485 | 8,557 | 23,381 |
| 92 | Philippines | 0.165 | 0.3478 | 8,903 | 9,081 | 10,382 | 28,366 |
| 93 | Poland | 0.841 | 1.7727 | 45,378 | 46,285 | 52,918 | 144,581 |
| 94 | Portugal | 0.392 | 0.8263 | 21,151 | 21,574 | 24,666 | 67,391 |
| 95 | Republic of Moldova | 0.004 | 0.0084 | 216 | 220 | 252 | 688 |
| 96 | Romania | 0.184 | 0.3878 | 9,928 | 10,127 | 11,578 | 31,632 |
| 97 | Rwanda | 0.002 | 0.0042 | 108 | 110 | 126 | 344 |
| 98 | Samoa | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 99 | Sao Tome & Principe | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 100 | Saudi Arabia | 1.146 | 2.4155 | 61,835 | 63,072 | 72,109 | 197,015 |
| 101 | Senegal | 0.005 | 0.0105 | 270 | 275 | 315 | 860 |
| 102 | Serbia | 0.032 | 0.0674 | 1,727 | 1,761 | 2,014 | 5,501 |
| 103 | Seychelles | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 104 | Slovakia | 0.160 | 0.3372 | 8,633 | 8,806 | 10,068 | 27,506 |
| 105 | Slovenia | 0.084 | 0.1771 | 4,532 | 4,623 | 5,285 | 14,441 |
| 106 | Somalia | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 107 | South Africa | 0.364 | 0.7672 | 19,640 | 20,033 | 22,904 | 62,577 |
| 108 | Spain | 2.443 | 5.1493 | 131,817 | 134,454 | 153,719 | 419,990 |
| 109 | Sri Lanka | 0.031 | 0.0653 | 1,673 | 1,706 | 1,951 | 5,329 |
| 110 | Swaziland | 0.002 | 0.0042 | 108 | 110 | 126 | 344 |
| 111 | Sweden | 0.956 | 2.0150 | 51,583 | 52,615 | 60,154 | 164,351 |
| 112 | Switzerland | 1.140 | 2.4029 | 61,511 | 62,741 | 71,731 | 195,984 |
| 113 | Syrian Arab Republic | 0.024 | 0.0506 | 1,295 | 1,321 | 1,510 | 4,126 |
| 114 | Tajikistan | 0.004 | 0.0084 | 216 | 220 | 252 | 688 |
| 115 | The FYR of Macedonia | 0.007 | 0.0148 | 378 | 385 | 440 | 1,203 |
| 116 | Togo | 0.001 | 0.0021 | 54 | 55 | 63 | 172 |
| 117 | Tunisia | 0.028 | 0.0590 | 1,511 | 1,541 | 1,762 | 4,814 |
| 118 | Uganda | 0.009 | 0.0190 | 486 | 495 | 566 | 1,547 |
| 119 | Ukraine | 0.103 | 0.2171 | 5,558 | 5,669 | 6,481 | 17,707 |
| 120 | United Arab Emirates | 0.604 | 1.2731 | 32,590 | 33,242 | 38,005 | 103,837 |
| 121 | United Kingdom | 4.463 | 9.4071 | 240,810 | 245,627 | 280,822 | 767,259 |
| 122 | United Republic of Tanzania | 0.010 | 0.0211 | 540 | 550 | 629 | 1,719 |
| 123 | Uruguay | 0.079 | 0.1665 | 4,263 | 4,348 | 4,971 | 13,581 |
| 124 | Uzbekistan | 0.023 | 0.0485 | 1,241 | 1,266 | 1,447 | 3,954 |
| 125 | Yemen | 0.010 | 0.0211 | 540 | 550 | 629 | 1,719 |
| 126 | Zimbabwe | 0.004 | 0.0084 | 216 | 220 | 252 | 688 |
|  | **GRAND TOTAL** | **46.257** | **100** | **2,559,888** | **2,611,088** | **2,985,226** | **8,156,202** |

**Annex 3**

**Terms of Reference of the Finance and Budget Subcommittee**

1. *Composition of the Subcommittee:*

1. The Finance and Budget Subcommittee shall be composed from among the members of the Standing Committee, with one country representative from each of the CMS regions nominated by the region; and

b) The Subcommittee shall elect a Chair from among its members.

2. *Meetings and mode of operation of the Subcommittee:*

1. The Subcommittee shall meet in closed session (i.e. attended only by members of the Subcommittee, Party observers and the Secretariat) one day prior to each meeting of the Standing Committee; and

b) The members of the Subcommittee shall communicate by electronic means between meetings of the Standing Committee. For this purpose, the Secretariat shall establish a forum on its website for communications among the members and for the sharing of documents, which may be read by non-member Parties, who should communicate their views to their regional representative on the Subcommittee.

3. *Responsibilities of members of the Subcommittee:*

Members of the Subcommittee shall seek and represent the views of their region in carrying out their duties and shall report back to their regions.

4. *Responsibilities of the Subcommittee:*

To fulfil the mandate of Resolution Conf. 9.14, the Subcommittee shall:

* + 1. Broadly consider all aspects of the financing and budgeting of the Convention and develop recommendations to the Standing Committee. The Subcommittee should focus on keeping the Convention solvent while providing for essential support services for the efficient and effective functioning of the Convention;
    2. Evaluate the programme of work of the Secretariat and other documents with budgetary implications relative to:
       1. The duties and responsibilities of the Secretariat mandated in the text of the Convention; and
       2. Ensuring that the activities undertaken by the Secretariat under the approved budget are consistent with Resolutions and Decisions of the Conference of the Parties;
    3. Consider administrative procedures and other aspects of the financing and budgeting of the Convention and make recommendations for improving the efficiency with which funds are expended;
    4. Using the information developed through the processes described in paragraphs a)-c):

1. work with the Secretariat to prepare all financial and budgetary documents for consideration by the Standing Committee;
2. further develop the report format to ensure that the financial reports are easily understood and transparent and that they enable informed decisions to be taken in relation to the financial performance of the Convention;
3. make recommendations to the Standing Committee on all financial and budgetary documents and proposals developed through this process; and
4. otherwise assist the Standing Committee in providing oversight of financial and budgetary matters, including the preparation of documents for meetings of the Conference of the Parties;
   * 1. The Secretariat shall issue to all Standing Committee members a report every six months to be sent electronically, which identifies and explains any projected expenditure that differs from the approved budget by more than 20 per cent for total staff costs or, in the case of non-staff costs, for each activity, together with the proposed approach for managing any such projected over-expenditure.

**Annex 4**

**Terms of Reference for the Administration of the Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals**

1. The Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals (hereinafter referred to as the Trust Fund) shall be continued for a period of three years to provide financial support for the aims of the Convention.

2. The financial period shall be three calendar years beginning 1 January 2018 and ending 31 December 2020, subject to the approval of the United Nations Environment Assembly.

3. The Trust Fund shall continue to be administered by the Executive Director of the United Nations Environment Programme.

4. 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.

5. In accordance with United Nations Rules, the United Nations Environment Programme shall deduct from the expenditure 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.

6. The financial resources of the Trust Fund for 2018-2020 shall be derived from:

(a) The contributions made by the Parties by reference to Annex 1, including contributions from any new Parties; and

(b) Further contributions from Parties and contributions from States, not Parties to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources.

7. All contributions to the Trust Fund shall be paid in Euros. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the first day of the third month after deposit of the instrument of ratification, acceptance or accession till the end of the financial period) shall be determined pro rata based on the contributions of other Parties on the same level as the United Nations scale of assessment as it applies from time to time. However, if the contribution of a new Party determined on this basis were to be more than 22 per cent of the budget, the contribution of that Party shall be 22 per cent of the budget for the financial year of joining (or pro rata for a partial year). The scale of contributions for all Parties shall then be revised by the Secretariat on 1 January of the next year. Contributions shall be paid in annual instalments. Contributions shall be due on 1 January 2018, 2019 and 2020.

8. Contributions shall be paid to the bank account of the United Nations based on the invoice provided by the United Nations Environment Programme.

9. For the convenience of the Parties, for each of the years of the financial period, the Executive Director of the United Nations Environment Programme shall as soon as possible notify the Parties to the Convention of their assessed contributions.

10. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations and any income shall be credited to the Trust Fund.

11. The Trust Fund shall be subject to audit by the United Nations Board of Auditors.

12. Budget estimates covering the income and expenditure for each of the three calendar years constituting the financial period prepared in Euros shall be submitted to the meeting of the Conference of the Parties to the Convention.

13. The estimates for each of the calendar years covered by the financial period shall be divided into sections and objects of expenditure shall include references to the programmes of work to which they relate and shall 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 the United Nations Environment Programme may deem useful and advisable. In particular, estimates shall also be prepared for each programme of work for each of the calendar years with expenditures itemized for each programme so as to correspond to the sections and objects of expenditure described in the first sentence of the present paragraph.

14. The proposed budget, including all necessary information shall be dispatched by the Secretariat to all Parties at least 90 days before the date fixed for the opening of the ordinary meeting of the Conference of the Parties at which they are to be considered.

15. The budget shall be adopted by unanimous vote of the Parties present and voting at that Conference of the Parties.

16. In the event that the Executive Director of the United Nations Environment Programme anticipates that there might be a shortfall in resources over the financial period as a whole, the Executive Director shall consult with the Secretariat, which shall seek the advice of the Standing Committee as to its priorities for expenditure.

17. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention.

18. Upon the request of the Secretariat of the Convention after seeking the advice of the Standing Committee, the Executive Director of the United Nations Environment Programme should to the extent consistent with the Financial Regulations and Rules of the United Nations make transfers from one object of expenditure to another. At the end of the first calendar year of the financial period, the Executive Director of the United Nations Environment Programme may proceed to transfer any unspent balance of appropriations to the second calendar year, provided that the total budget approved by the Parties shall not be exceeded unless specifically sanctioned in writing by the Standing Committee.

19. At the end of each calendar year of the financial period[[3]](#footnote-3) the Executive Director of the United Nations Environment Programme shall submit to the Parties through the CMS Secretariat the year-end accounts. The Executive Director shall also submit, as soon as practicable, the audited accounts for the financial period. Those accounts shall include full details of actual expenditure compared to the original provisions for each object of expenditure.

20. Those financial reports required to be submitted by the Executive Director of the United Nations Environment Programme shall be transmitted simultaneously by the Secretariat of the Convention to the members of the Standing Committee.

21. The Secretariat of the Convention shall provide the Standing Committee with an estimate of proposed expenditures over the coming year simultaneously with or as soon as possible after distribution of the accounts and reports referred to in the preceding paragraphs.

22. The present terms of reference shall be effective from 1 January 2018 to 31 December 2020.

1. General Trust Fund in support of the Convention of the Conservation of Migratory Species of Wild Animals (CMS) [↑](#footnote-ref-1)
2. Trust Fund for the Convention of Conservation of Migratory Species of Wild Animals (CMS) [↑](#footnote-ref-2)
3. 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. [↑](#footnote-ref-3)