



United Nations Environment Programme

برنامج الأمم المتحدة للبيئة • 联合国环境规划署
 PROGRAMME DES NATIONS UNIES POUR L'ENVIRONNEMENT • PROGRAMA DE LAS NACIONES UNIDAS PARA EL MEDIO AMBIENTE
 ПРОГРАММА ОРГАНИЗАЦИИ ОБЪЕДИНЕННЫХ НАЦИЙ ПО ОКРУЖАЮЩЕЙ СРЕДЕ

UNEP/UNON INFORMATION NOTE TO THE CMS STANDING COMMITTEE MEETING Bonn, 13-14 December 2001

INTRODUCTION

This paper, submitted by the Division of Environmental Conventions (UNEP), gives information about substantive UNEP support to environmental conventions and to administrative support to CMS provided by the United Nations Office at Nairobi (UNON).

PART A: UNEP SUBSTANTIVE SUPPORT TO BIODIVERSITY-RELATED MEAS

I. Great Apes Survival Project (GRASP)

1. There are 23 countries with naturally occurring populations of great apes. Orangutans are found in two countries, gorillas in nine, chimpanzees in 21 (all those with gorillas also have chimpanzees) and bonobos in just one. As their habitats have become reduced, degraded and fragmented, ape populations have fallen; often dramatically. War and conflict; human expansion; mining; agriculture; logging; forest fires; hunting for bushmeat and the capture of live specimens for sale threaten the remaining scattered populations.
2. In order to address this tragedy, in May this year, UNEP's Executive Director launched an initiative to seek political support for great ape conservation. The Executive Director gave particular priority to fund-raising activities for relevant conservation projects, and consequently announced the appointment of a team of Special Envoys for Great Apes. The team of world-renowned experts will be headed by Dr. Russ Mittermeier, President of Conservation International and Chair of the IUCN Species Survival Committee and includes Dr. Jane Goodall, chimpanzee expert and head of the Jane Goodall Institutes, and Dr. Nishida Toshisada, chimpanzee expert and professor at Kyoto University. Dr. Richard Leakey, distinguished wildlife conservationist, has also agreed to take part in this initiative as an advisor to UNEP.
3. UNEP is working in partnership with CITES, CMS, CBD, the African Wildlife Foundation, the Ape Alliance, Born Free Foundation, Bristol Zoo Gardens, Conservation International, Fauna and Flora International, the Jane Goodall Institutes, the Orangutan Foundation, the Wild Chimpanzee Foundation, WWF and other partners to bring world-wide attention to the ape crisis. UNEP will approach governments, the private sector and other donors to raise funds for great ape conservation projects and the work of the Ape Envoys. Several governments have offered support, and the United Kingdom has already pledged financial and technical assistance for this initiative. The Envoys will be assisted by a small team of experts who will visit each range state and obtain endorsements at the highest political level for improved protection, strengthened support for conservation and the preparation and adoption of National Great Ape Survival Plans. The first missions to range states will begin this month and it is hoped that the governments of Cameroon, Central African Republic, Democratic Republic of Congo, Equatorial Guinea, Gabon, Burundi, Rwanda, Uganda, Indonesia and Malaysia will be visited before the end of the year. In addition to funding these technical missions, the Executive Director has set aside UNEP funding to catalyse the initiative and support various urgently needed actions in the range states.

4. The Secretariat of the Convention on Migratory Species (CMS) has endorsed and offered its full support for the Great Apes Survival Project. As a partner of the United Nations Environment Programme's initiative, CMS is particularly responsible for the Mountain gorillas (*Gorilla gorilla beringei*). This species has been listed on the Convention's Appendix I ever since the Convention was concluded in 1979, in recognition of this species' endangered conservation status. Two Resolutions of the Conference of the Parties to CMS -- COP5 in 1997 and COP6 in 1999 -- have called for urgent action to be taken to protect Gorillas throughout their range. Two of the Range States of the Mountain gorilla are Parties to the Convention - the Democratic Republic of the Congo and Uganda, which joined CMS in 1990 and 2000 respectively.
5. It is hoped that both these CMS Parties as well as Rwanda, not yet a member of the CMS family, will take advantage of the legislative framework offered by the Convention on Migratory Species and, now, through the new initiative offered by GRASP, to engage in concerted, collaborative actions to stabilise and bolster the remaining populations of Mountain gorillas.

II. UNEP offer to host the Secretariat for the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia

6. In July 2000, 24 States gathered in Kuantan, Malaysia, to negotiate and adopt a *Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia* under the auspices of the Convention on Migratory Species (CMS). The Memorandum seeks to conserve and replenish the populations of these six species of marine turtles through collaborative actions of the Range States.
7. In July 2001, the States concerned met in Manila and agreed the terms of an associated Conservation and Management Plan, consisting of 24 programmes and 105 specific activities. These focus on reducing threats, conserving critical habitat, exchanging scientific data, increasing public awareness and participation, promoting regional co-operation, and seeking resources for implementation of the Memorandum.
8. A small secretariat and an advisory committee will be established to help implement the provisions of the Memorandum. At the meeting in Manila, UNEP offered to co-locate the secretariat with its Regional Office for Asia and the Pacific and the East Asian Seas Regional Co-ordination Unit in Bangkok. UNEP believes that co-locating the secretariat with UNEP/ROAP and the EAS/RCU in Bangkok offers the opportunity to foster reciprocal technical, scientific and financial assistance because of existing relationships and geographical location. In addition to facilitating the administrative procedures necessary at the initial stages of establishment of a secretariat, the arrangement lends itself to additional in-kind and other support from donor Governments, for example in the framework of the UNEP Junior Professional Officer programme. UNEP offered some financial assistance for the first three years of the secretariat's operation, along with help in securing a Junior Professional Officer from one of the countries participating in this programme.

III. *The Sturgeon Crisis in the Caspian Sea*

9. In view of the crisis affecting sturgeon resources in the Caspian, and the imminence of reduced or zero export quotas under CITES, UNEP convened an inter-agency meeting, in February this year. The CMS secretariat was invited but was unable to attend. The immediate objective of the inter-agency meeting was to prepare the ground for a high level approach to the Governments of the five littoral States. The approach was designed to advise and assist the Government authorities to implement effective measures to protect sturgeon resources. Such measures would enable the littoral States to meet the requirements of CITES, and above all, ensure that sturgeon fisheries were in future exploited on a fully sustainable basis. The meeting drew up a proposal for transmission to the five littoral States, and asked UNEP to take the lead in organising a high level meeting, including fisheries ministers of the littoral States. Subsequently, in June this year, UNEP convened a meeting between UNEP, CITES, the Caspian Environment Programme (CEP), the European Union and Caspian Littoral States.
10. As a result of the meeting, the Caspian Littoral States issued a joint declaration promising to take immediate measures on sturgeon protection and management. UNEP achieved its immediate objectives, which were to facilitate a co-ordinated approach by Intergovernmental bodies (including UNDP, CITES and CEP) and the littoral states to prevent a crisis which could have led to contentious trade bans and further damage to sturgeon conservation.
11. Later in June 2001, the CITES Standing Committee, taking account of the "Geneva Declaration", agreed further measures to safeguard sturgeon populations, including a moratorium on further harvesting this year. UNEP remains watchful and is encouraging the financing of improvements to sturgeon management and harvesting in the region.

IV. *International Environmental Governance*

12. In February 2001, the UNEP Governing Council adopted a decision on international environmental governance. This established an open-ended Intergovernmental Group of ministers or their representatives to undertake a comprehensive assessment of existing institutional weaknesses as well as future needs and options for strengthened international environmental governance. The report is to be presented at the next session of the Governing Council/Global Ministerial Environmental Forum (GMEF) in February 2002.
13. The three meetings of the Open ended Group of Ministers and Officials on International Environmental Governance have explored the rationale for rationalising, streamlining and consolidating the present system of MEAs. UNEP paper entitled " A Policy Paper for Improving International Environmental Governance among Multilateral Environmental Agreements: Negotiable Terms for Further Discussion" (presented at the meetings of the IEG in Bonn and Algiers) summarises these challenges in the context of the MEAs. These are: efficient use of collective resources--information, financial and expertise; reduction of duplication and overlaps; emphasis on programme and policy coherence; and averting uncoordinated sectoral initiatives. At the national level which is the focus of implementation of MEA activities, the concerns are for reduction of governments' burden of reporting under different MEAs; assisting governments in establishing priorities and allocating resources in an era of limited budgets; and supporting governments in co-ordinating

preparations/monitoring to reinforce decisions taken under various MEAs and intergovernmental processes.

14. UNEP has initiated the process to prepare the report, involving all stakeholder groups among which are the MEA secretariats. Following the first consultation with the secretariats of the MEAs in Nairobi on 11-12 February, the second and third consultative meetings were held in New York on 18 April and through a teleconference on 4 July. The meetings reviewed papers for submission to the Inter-Governmental Meeting (IGM): UNEP/IGM/2/4 (Improving international environmental governance among multilateral environmental agreements: Negotiable terms for further discussion); UNEP/IGM/2/5 (Proposal for a systematic approach to co-ordination of multilateral environmental agreements); UNEP/IGM/2/INF/2 (The concept of a chemicals and waste cluster: an overview); and UNEP/IGM/2/INF/3 (International Environmental Governance: Multilateral Environmental Agreements). All these papers are available at UNEP's home page www.unep.org.
15. UNEP's vision of co-ordination hinges on a partnership approach among the multilateral environmental conventions, UNEP and other intergovernmental organisations in the implementation and operationalization of "4 Cs" - Co-ordination, Coherence, Compliance and Capacity building. The centrepiece of the co-ordination process will be the implementation of the conventions at the national level.
16. One approach that emerged from the debate at the third meeting of the IGM in Algiers, Algeria on 9-10 September 2001, is that of clustering . Clustering could take place either at the functional level (by bringing together the various functions undertaken by secretariats of multilateral environmental agreements such as capacity-building, compliance monitoring and so on), or at the programme level, (by bringing together multilateral environmental agreements dealing with related issues such as chemicals, biodiversity, regional seas and the like). UNEP is currently working on a paper elucidating this approach. The paper will be presented at the fourth meeting of the IGM in Montreal in November.
17. Members of the Standing Committee may wish to comment on the role of the CMS Agreements Unit which already co-locates AEWA, ASCOBANS and the EUROBATS with the CMS Secretariat in Bonn. UNEP regards this as a pioneering project where results should inform the debate on MEAs governance in the IEG process, and at the World Summit on Sustainable Development in September 2002.

V. Harmonisation of National Reporting

18. As a first step towards addressing the need to harmonise reporting processes under MEAs, UNEP is implementing a project on streamlined national reporting under biodiversity-related conventions. Pilot case studies are being carried out with four interested countries, including Ghana, Indonesia, Panama and Seychelles. The pilot projects will test the four main methods of streamlining national reporting that were identified in the Workshop (October 2000, Cambridge) which explored ideas for a more harmonised approach to national reporting to international agreements. The workshop was convened by UNEP. The four methods are: (i) modular reporting; (ii) consolidated reporting; (iii) linking reporting to state of the environment reporting; and (iv) information management and regional support.

19. The biodiversity conventions included in the project are the five global conventions, i.e. the Convention on Biological Diversity (CBD), Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Convention on Wetlands of International Importance Especially as Waterfowl Habitat (Ramsar Convention), Convention on Migratory Species of Wild Animals (CMS), and the Convention Concerning the Protection of the World Cultural and World Natural Heritage (World Heritage Convention). The Specially Protected Areas and Wildlife (SPA) Protocol under the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region (Cartagena Convention) will also be considered in the pilot project of Panama.

20. The project is being implemented in collaboration with UNEP-World Conservation Monitoring Centre, which will provide the necessary technical assistance. The pilots have also been agreed with the Secretariats of all the relevant conventions. So far resources have been provided mainly by UNEP. In November 2001 the Ramsar Convention Secretariat agreed to provide financial and in-kind support, focusing on the project in Panama and Indonesia. We are looking to the UNEP-administered conventions, including CMS, to provide similar support in 2002 and beyond. Each pilot project will be completed before WSSD and will produce the following:

~~///~~ A report (or reports) that would satisfy the reporting requirements under the biodiversity related conventions to which the country is a Party for a selected period.

~~///~~ A report on the national reporting mechanisms (institutional frameworks and information/data flow) for the biodiversity-related conventions and in some cases, state of the environment (SOE) reporting, including:

~~///~~ Description of the reporting mechanisms that exist and the information management systems used for the preparation of each report;

~~///~~ Description of the linkages between the reporting mechanisms for the biodiversity-related conventions (and in some cases SOE reporting mechanisms);

~~///~~ Gaps in information and data existing in the country;

~~///~~ Recommendations, including the necessary actions to be taken by the Government, on how to streamline the national reporting under biodiversity-related conventions and, in some cases, including the linkages with SOE reporting mechanisms, can be ensured or improved;

~~///~~ Recommendations on how the information management system for the reporting can be improved, including possible information support from outside the country.

21. Based on the outcome of the pilot projects the following outputs will be produced:

~~///~~ Preliminary consolidated reporting format for the global biodiversity-related conventions.

~~///~~ A set of guidelines on establishment of a co-ordinated national reporting mechanism for the biodiversity-related conventions.

~~22.~~ A report on regional mechanisms for supporting the countries to fulfil the reporting requirements under biodiversity-related conventions: the case of Panama and Central America.

22. A paper on available results will be prepared for submission to the Global Ministerial Environment Forum in early 2002 with a view to further refining the paper as a part of UNEP's contribution to the World Summit on Sustainable Development. Members of the CMS Standing Committee may wish to express views, including the financial support necessary to complete and follow up the project by applying the results more widely. UNEP are considering a project in 2003 in partnership with UNEP-WCMC to provide assistance to interested developing countries in particular on co-ordinating implementation of conventions at national level. UNEP have provisionally earmarked some funds for this but contributions from the MEAs will be essential to progress this in the follow-up to WSSD

VI. Collaboration between the UNEP/World Conservation Monitoring Centre and CMS

23. UNEP-WCMC is currently completing the first synthesis of annual reports to CMS and related Agreements. This exercise has integrated a wealth of information on the activities, knowledge, strengths and needs of the Parties to the CMS and related Agreements. The synthesis is expected to provide a basis to enable decision-makers to make informed recommendations regarding the setting of priorities for future conservation actions. In conjunction with this, and in close collaboration with the CMS Secretariat, a new format for national reporting has been drafted. The format is designed to facilitate a modular approach to reporting and the exchange of information. Linkages with the reporting requirements for other conventions are taken into consideration.

24. The Secretariat of the CMS has also sponsored a prototype project at the Centre to present spatial data on the Internet, which currently concentrates on marine turtle nesting sites in the Indian Ocean region. Recent work for AEWA includes the design and development of the AEWA web site (<http://www.unep-wcmc.org/AEWA/>) and the design of AEWA species flyway posters.

VII. Information support to Conventions by the Information Unit on Conventions, UNEP/DEC

25. The Information Unit on Conventions has provided support to the CMS secretariat on press outreach for its various meetings. In 2002 this will include efforts to raise press awareness of the CMS 7th Conference of the Parties (COP-7) and the African-Eurasian Waterbird Agreement's Second Meeting of the Parties, as well as of the relevance of CMS to the World Summit on Sustainable Development.

26. UNEP, in co-operation with IUCN, is developing ECOLEX – a Web-based information service on environmental law. Over 480 environmental treaties, including CITES, CBD, CMS, Ramsar and the Lusaka Agreement, are now available on-line at <http://www.ecolex.org>. The future development of ECOLEX will be focussed on increasing access to national legislation, soft law and literature. IUCN's fauna database will also be available on-line. Plans are underway to include FAO in the ECOLEX consortium.

VIII. UNEP Guidelines on Enforcement and Compliance with MEAs

27. An Intergovernmental Working Group of experts on Enforcement & Compliance took place at UNEP Headquarters at Nairobi from 22 to 26 October 2001 attended by 78 Governments. UNEP facilitated the participation of developing countries and countries in transition. This working group of experts considered and finalised the draft guidelines with a recommendation that they be submitted to the Special Governing Council session scheduled to meet at Cartagena from 13 to 15 February 2002, for consideration as part of the input to the WSSD process.
28. The draft guidelines were adopted unanimously and will be presented to the Global Ministerial Environment Forum (GMEF) for consideration and adoption. The final text of the Guidelines will be widely distributed to MEAs. The guidelines are non-binding and in no way affect or alter the parties' obligations to multilateral environmental agreements. The text is available on <http://www.unep.org/DEPI/Compliance-and-Enforcement/>.

IX. Lusaka Agreement

29. UNEP continued to provide advisory services for the establishment and operations of the Task Force on the Cooperative Enforcement Operations Directed at Illegal Trade in Wild Fauna and Flora. It provided advisory services to the 4th Lusaka Agreement Governing Council Meeting held in Nairobi, 23-24 July 2001 which as further response to institutional building requested UNEP to assist the Parties in the harmonization of Parties' national wildlife enforcement management laws and regulations and capacity building and institutional strengthening. UNEP also supported training and awareness programme to law enforcement agencies in Uganda from 16-18 October 2001.

PART B: UNON ADMINISTRATIVE SUPPORT TO THE MEAs: PROVISION OF SUPPORT TO THE CMS SECRETARIAT

INTRODUCTION

The present document has been prepared by UNEP/UNON as part of its responsibilities for providing administrative support to UNEP/CMS. It provides information on the administrative aspects of the functioning of the CMS Secretariat.

I. FINANCIAL MANAGEMENT

Trust Fund status (Annex 1)

30. The CMS trust fund status as at 31 October 2001 shows a positive balance of \$1,365,602. The balance takes into account a total contribution received in 2000-2001 of \$2,470,937, interest accrued of \$138,692 and a total approved project commitment for 2000-2001 of \$2,976,636. This has not taken into account the CMS Secretariat saving from 2001, and the CMS requirement of the year 2002 estimated at \$1,820,430 in Annex 1 to resolution 6.8.

Voluntary contributions status (Annex 1)

31. Voluntary contributions received in the UNEP account in 2000-2001 amounts to \$174,700. The total approved commitment on voluntary contribution amounts to \$209,099. The over commitment of \$2,470 is due to the fact that project commitments have been made against pledges. The shortfall will be absorbed by the CMS trust fund as soon as the full payment of the voluntary contributions is made to the trust fund.

Contribution Table (Annex 2)

32. The contribution table as at 31 October 2001 indicates that out of a 2001 total pledge of \$1,463,211, collections in 2001 for 2001 and future years amounts to \$1,017,498, leaving an unpaid pledge of \$463,772. The collections during year 2001 for prior years amounts to US\$135,083 – this is a record 100 percent collection of the prior years' outstanding pledges for which the CMS Secretariat should be commended.

Write-off of pledges of 4 years and older

33. Further to the adoption of Resolution 6.8 of the CMS 6th Meeting of the Conference of the Parties (COP-6) and in line with the United Nations System of accounting standards, UNON was notified by the CMS Secretariat via memorandum of 7 December 2000 of the 9 Parties affected by the agreed write-off and the specified amounts. In accordance with the decision, a total of US\$ 10,518 was written-off in the UNEP Financial Report and Accounts for the first year of the 2000-2001 biennium ended 31 December 2000.

Statement of Income and expenditures and changes in Reserve and Fund balance for the first year of the 2000-2001 biennium ended 31 December 2000 (Annex 3)

34. This document reflects certified information on the UNEP/CMS 2000 accounts. The statement indicates that the total pledge to the trust fund for the year 2000 is \$1,141,645. Other income includes US\$57,587 interest income. The debit of US\$16,546 reflected under miscellaneous income is a correction of the wrongly recorded 1999 Common premises costs. The actual expenditures incurred for the year 2000 amounts to \$961,590 inclusive of \$109,023 programme support cost. Based on the above the trust fund status as at December 2001 shows a positive reserve and fund balance at the end of December 2000 of \$2,670,521.

CMS Program and Budget proposal for the triennium 2003 – 2005:

35. UNON/BFMS provided comments to the CMS working draft paper CMS/StC.23/Doc.13 - Budget proposal for the 2003 – 2005 particularly on the items below:

- ~~/~~ Establishment of a new post at P3 level starting 2005;
- ~~/~~ Upgrade and change of functional title of the post of a secretary to administrative assistant from G4 to G5;
- ~~/~~ New post of clerk/driver at G3 level;
- ~~/~~ Purchase of a car;
- ~~/~~ Funding of the Finance assistant post from the OTL;
- ~~/~~ Additional tasks of the administrative and fund management Officer.

Voluntary contribution to UNEP CMS from the French Government

36. The 20th session of the UNEP Governing Council adopted Decision 20/35 which states that "the full 13 per cent support charge continues to be levied on all trust fund expenditures and is also levied on directly related expenditures financed from voluntary additional contributions, such as counterpart contributions in support of conventions and other trust fund activities". This directive has to be applied to this contribution.
37. UNON received a request from the CMS Secretariat to use the income from the French voluntary contribution for the recruitment of a programme officer for the purpose of project implementation. This will be considered urgently by UNON and the UNEP Project Appraisal Group on the basis of a paper requested from CMS.

Recruitment of Junior Professional Officers

38. The CMS Secretariat prepared Junior Professional Officer (JPO) requests for three positions (JPO AEWAS Secretariat; JPO CMS Information and JPO CMS Administration) and submitted these in line with established UNEP and donor procedures to the Deputy Executive Director of UNEP. The Deputy Executive Director has given highest priority to the CMS JPO request and forwarded the request in August 2001 to the JPO Authorities (mostly Ministries of Foreign Affairs/Development Co-operation) of the JPO Donor Governments (Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Ireland, Italy, Japan, Luxembourg, Korea, Norway, Netherlands, Spain, Sweden and Switzerland). Copies were sent to the official channels of communication of these countries. In addition, the requests were forwarded to the Organisation de Francophonie and the Governments of Israel, Portugal, United Kingdom and USA for their consideration. UNEP and CMS are awaiting reactions from these governments on their possible willingness to sponsor JPOs for CMS.

CMS Headquarters agreement

39. UNEP and the UNEP/CMS Secretariat held two consultative meetings with the German Government in Bonn in July and September 2001, respectively, to discuss issues relating to the CMS Headquarters agreement. Consequently, the parties agreed upon several issues. These include the scope of the agreement, legal capacity of the Convention Secretariat, tenure (subject to further clarification of some aspects) and dispute settlement clauses. Certain privileges and immunity issues remain open for further consultation. In general, a positive atmosphere prevailed during those meetings. All parties hope to conclude the agreement soon.

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