



**MEMORANDUM OF UNDERSTANDING ON THE CONSERVATION OF MIGRATORY SHARKS** CMS/Sharks/MOS4/Doc.14.1  
2 February 2023  
Original: English

4<sup>th</sup> Meeting of the Signatories (Sharks MOS4)  
Bonn, 28 February – 2 March 2023  
Agenda Item 14

**REPORT ON THE IMPLEMENTATION OF THE BUDGET FOR THE TRIENNIUM 2019-2021 and 2022**

*(As of 30 November 2022 / Prepared by the Secretariat)*

1. The present report provides an overview of the performance of the CMS Sharks MOU budget for the triennium 2019-2021 and the extended period until 30 November 2022 with projected expenditure for December 2022. An update on the status of voluntary contributions to the Trust Fund of the MOU is contained in [Annex 1](#). An overview of expenditures for that period is provided in [Annex 2](#).

**Budget 2019-2021 and budget extensions**

2. The agreed budget for the triennium 2019-2021, including Programme Support Costs (PSC) was **€1,208,868** ([CMS/SharksMOS3/Outcome3.10/Annex 1](#)).
3. The Trust Fund was extended in two steps, first to December 31, 2022, and then to December 31, 2023. The postponement of the 4<sup>th</sup> Meeting of Signatories (MOS4) due to Covid19-related travel restrictions and uncertainties made these extensions necessary. Pending the approval of the new budget, the extension was required to maintain the Secretariat, proceed with the implementation of projects in 2022 and 2023, and to cover the costs for holding MOS4.
4. Signatories agreed via written procedure to the extensions in December 2021 and November 2022. Signatories further agreed to carry over the agreed budget for the year 2021 to the following years 2022 and 2023 until a new budget for the triennium 2023-2025 is adopted at MOS4.
5. The budget for the year 2021 (€558,906, including PSC) was originally intended to cover costs related to the organizations of MOS4 and is, hence, significantly higher than the budgets for 2019 and 2020. However, as the meeting could not be held in 2021 or 2022, MOS4 related costs started occurring at the end of 2022, as shown in [Annex 2](#).

**Status of Contributions**

6. A detailed status of contributions to the CMS Trust Fund for voluntary contributions to cover costs of the agreed budget and extra-budgetary activities as of 30 November 2022 is provided in [Annex 1](#). **Table 1** below shows an overview.

7. Actual voluntary contributions from Signatories to the Sharks MOU during the extended triennium amounted to **€1,072,033** overall. This includes an amount of **€729,770** which was contributed to the core budget and contributions of **€342,263** earmarked for extra-budgetary activities. A contribution of €99,440 from Germany has not been included in this report as it was received after 30 November 2022.
8. The cumulative shortfall in voluntary contributions versus the agreed core budget for 2019-2021, was **€479,098** which equals **ca. 40 per cent**.
9. The CMS Secretariat has continued to provide an in-kind contribution of approximately €212,448 in the form of staff time. Rent and maintenance costs were covered by the government of Germany.

**Table 1:** Voluntary contributions in EUR during the extended triennium 2019-2022

Voluntary contributions	Received	Approved for 2019-2021 <sup>1</sup>	Shortfall
a) to the core budget	729,770	1,208,868	(479,098)
b) for extrabudgetary activities	342,263		
<b>Total</b>	<b>1,072,033</b>		

10. In the light of the voluntary nature of Signatory contributions to the Trust Fund and the sustained lack of incoming voluntary contributions, the Secretariat adopted a conservative approach vis-à-vis expenditure of Trust Fund resources with a view to ensuring sufficient funds for the coming years to staff the Secretariat, to build up a reserve (15 per cent of the annual budget) and to organize MOS4.

#### **Expenditures that occurred during the extended budget period (2019-2021/2022)**

11. The report includes expenditures towards the agreed budget for 2019-2021 (hereinafter called "**core budget**") and for the extended budget period 2022. To be able to distinguish between the approved budget period 2019 – 2021 and the extended period 2022, figures are being presented here as follows:

#### **€ figures for 2019-2021 (+ figures for 2022)**

12. Figures for December 2022 were estimated and include projected costs of MOS4 and staffing.
13. The report does not include expenditures for **extra-budgetary activities** as agreed in paragraphs 24 and 25 of the TOR of the Trust Fund ([CMSSharks/MOS3/Outcome 3.10](#)):
  24. *Extrabudgetary contributions may be accepted for purposes that are consistent with the objectives of the MOU.*
  25. *Extrabudgetary contributions should be used in accordance with terms and conditions agreed upon between the Contributor and the Secretariat.*
14. Please refer to [Annex 2](#) for detailed figures.

<sup>1</sup> Only the approved budget for 2019-2021 is referenced here, not the extended amount for 2022.

## Core budget

15. The Secretariat was able to maintain total expenditures during the triennium at €483,184 (+ €225,481), summing up to €708,665 for the extended period 2019-2022. Overall savings versus the agreed budget of €1,208,868 (+ €558,906) amounted to €725,685 (+ € 333.425).
16. Thanks to these savings, the expenditures did not exceed the income that was available to cover costs of the core budget. However, the full costs of organizing MOS4 have not been captured in this report as those will partially occur in early 2023. These figures clearly show that the precautionary approach of the Secretariat to restrict expenditures continued to be fully justified.

## Secretariat Staff

17. As indicated in [Annex 2](#), expenditure from the Trust Fund on approved staff lines for the triennium amount to €379,677 (+ €142,695) against a budget of €454,195 (+ €154,307).
18. The position of the P2 officer was entirely funded through the Trust Fund. Overall costs for the P2 position amounted to €301,451 (+ €113,077) versus an agreed budget of €332,894 (+ €113,169) for the extended triennium.
19. Overall estimated costs on the budget line for the G5 position, which was filled from June 2019 – August 2022 amounted to €78,227 (+ €29,618) versus an agreed budget of €106,301 (+ €36,138).
20. No costs were incurred for staff training during the extended triennium, resulting in savings on this line of €15,000 (+ €5,000).

## Activities of the Secretariat

21. MOS3 provided a budget for activities of the Secretariat of €160,000 (+ €65,000) for the triennium. Overall expenditure from the Trust Fund amounted to €9,039 (+ €18,509).
22. Significant savings were achieved on staff travel as due to Covid19 many meetings took place online. Expenditures on this budget line amounted to €9,211 (+ €0) versus a budget of €45,000 (+ €15,000).
23. More savings were achieved through keeping costs for translations at a minimum at €-4,449<sup>2</sup> (+ €0) by using online translation tools for day-to-day communication with Signatories and partners in three languages<sup>3</sup>.
24. Costs for developing analytical studies, scientific assessments etc. amounted to (+ €18,509).
25. Costs for printing of information materials amounted to €4,276 (+ €0) during the triennium as the budget line was used to pay for the apportioned cost of CMS Family website upgrading, including the Sharks MOU pages.
26. For a detailed description of activities please refer to [CMS/Sharks/MOS4/Doc.7.1](#) "Report of the Secretariat".

<sup>2</sup> Negative amounts represent liquidation of un-used balances of contracts with translators.

<sup>3</sup> Translation costs of MOS4 documents are not included here as they will be billed in 2023.

### *Activities of the Advisory Committee & External Experts*

27. The Advisory Committee (AC) was represented at the 4<sup>th</sup> Sessional Committee of the CMS Scientific Council (ScC-SC4), the 13<sup>th</sup> Conference of the Parties (COP13) and the SC-ScC5. In addition, members leading on key initiatives at MOS4 have been invited to participate at this meeting. Travel costs, including projected costs, amounted to €-3,705 (+ €3,552) due to the liquidation of travel commitments for the triennium.
28. This budget line was significantly underspent due to Covid19-related travel restrictions. Also, in light of the income shortfall, the Secretariat chose to be very conservative in sending members to meetings.
29. For a detailed report on activities of the AC please refer to [CMS/Sharks/MOS4/Doc.7.3](#).

### *Servicing Meetings of Governing Bodies*

#### *4<sup>th</sup> Meeting of the Signatories (MOS4)*

30. Costs related to the organization of Meetings of the Signatories amounted to €10,083 (+ €30,246). As MOS4 was postponed to February 2023, it is estimated that **€124,984 will be incurred in 2023** for organizing and servicing MOS4. The expenditures were mandated by the approved budget for 2021 which was carried forward to 2022 and 2023.
31. The government of Germany has kindly provided interpretation services for MOS4, resulting in savings on this budget line of €65,000.

#### *Meetings of the Advisory Committee (AC)*

32. The costs associated with organizing and servicing the 3rd Meeting of the AC (AC3) totalled €19,159. Only one of the two planned Meetings of the Advisory Committee was held during the triennium, owing to Covid19-induced travel restrictions, leading to a saving of €70,841. During the pandemic, the AC convened regularly online.

### *Operating Costs*

33. The operating costs amounted to €13,343 (+ €4,539) against an approved budget of €22,600 (+ €7,300).

### *Extra-budgetary Expenditures*

34. In accordance with paragraphs 24 and 25 of the Terms of Reference of the Trust Fund, Signatories provided additional financial resources for certain extra-budgetary activities. The contributions received so far have been included in [Annex 2](#). The Secretariat reports directly to the respective Donors on the use of the funds following the conditions stated in the Donor agreements.

### **Status of the Trust Fund**

35. The estimated balance of the Trust Fund as of 31 December 2022 is **€459,443**. This is based on actual expenditures from the Trust Fund during the extended triennium 2019-2022 and projected costs for staff, a part of MOS4 organization and operational costs in December 2022. The estimated Trust Fund balance will be further reduced by €124,864 due to the cost related to the organizing and servicing MOS4 in February 2023.

**Table 2:** Estimated Trust Fund balance as of 31 December 2022 (in Euro)

No	Description	Amount USD	Amount EUR
<b>Core Budget</b>			
1	Trust Fund balance as at 31 December 2018	513,503	449,829
2	Received Contributions 2019-2022	821,137	729,770
3	Contributions refunded	-13,362	-11,492
4	Expenditures incurred till 30 Nov 2022	-753,786	-675,304
5	Projected Expenditures Dec 2022	-35,524	-33,361
<b>Estimated Trust Fund Balance as at 31 December 2022</b>		<b>531,969</b>	<b>459,443</b>

Action requested:

36. The Meeting is requested to:
- a) Take note of the report on the implementation of the budget;
  - b) Provide any guidance to the Secretariat as necessary.

## ANNEX 1

**STATUS OF VOLUNTARY CONTRIBUTIONS  
TO THE CMS SHARKS MOU TRUST FUND**

*(as of 30 November 2022)*

Contributions to the core budget and for extra-budgetary activities in EUR (sorted by country)

Signatory	Year				Total 2019-2022
	2019	2020	2021	2022	
Contributions to the core budget					
<b>Australia</b>	12,637				12,637
<b>European Union</b>		25,073	10,074	10,104	45,252
<b>Germany</b>	63,114				63,114
<b>Monaco</b>	56,416	40,000 <sup>4</sup>		40,000 <sup>5</sup>	136,416
<b>Netherlands</b>	2,804	59,855			62,659
<b>New Zealand</b>		2,800	3,369		6,169
<b>Samoa</b>	31				31
<b>Saudi Arabia</b>	35,968				35,968
<b>South Africa</b>	11,424				11,424
<b>USA</b>	89,300	87,800	84,200	94,800	356,100
<b>    subtotal</b>	<b>271,694</b>	<b>215,528</b>	<b>97,643</b>	<b>144,904</b>	<b>729,770</b>
Contributions for extra-budgetary activities					
<b>Australia</b>		22,587	102,812		125,399
<b>European Union</b>	101,864				101,864
<b>Germany</b>		50,000	65,000		115,000
<b>    subtotal</b>	<b>101,864</b>	<b>72,587</b>	<b>167,812</b>		<b>342,263</b>
				<b>Total</b>	<b>1,072,033</b>

<sup>4</sup> To be transferred to the extra-budgetary grant

<sup>5</sup> To be transferred to the extra-budgetary grant

## ANNEX 2

## IMPLEMENTATION OF THE CMS SHARKS MOU BUDGET FOR 2019-2021 (including 2022)

(as of 30 November 2022 in EUR<sup>6</sup>)

Budget Lines		2019		2020		2021		Triennium 2019 - 2021			2022			
		Budget	Expenditures	Budget	Expenditures	Budget	Expenditures	Total Budget	Total Expenditures	Total Balance	Budget	Expenditures Jan - Nov	Projected Expenditures Dec	Total Expenditures
<b>Staff</b>														
1	Programme Officer, P-2	108,775	102,996	110,950	105,443	113,169	93,012	332,894	301,451	31,443	113,169	103,165	9,912	113,077
2	Administrative Assistant, G-5 (50%)	34,734	16,692	35,429	33,523	36,138	28,012	106,301	78,227	28,074	36,138	29,680	(62)	29,618
3	Staff training	5,000	-	5,000	(0)	5,000	-	15,000	(0)	15,000	5,000	-	-	-
	<b>Subtotal</b>	<b>148,509</b>	<b>119,688</b>	<b>151,379</b>	<b>138,965</b>	<b>154,307</b>	<b>121,024</b>	<b>454,195</b>	<b>379,677</b>	<b>74,518</b>	<b>154,307</b>	<b>132,845</b>	<b>9,850</b>	<b>142,695</b>
<b>Activities of the Secretariat</b>														
4	Staff travel on official business	15,000	8,775	15,000	436	15,000	-	45,000	9,211	35,789	15,000	-	-	-
5	Translation (documents, publications etc.)	10,000	5,269	15,000	(6,103)	30,000	(3,615)	55,000	(4,449)	59,449	30,000	-	-	-
6	Analytical studies, scientific assessments, development of guidelines etc.	15,000	-	15,000	-	15,000	-	45,000	-	45,000	15,000	18,548	(39)	18,509
7	Printing of technical / information materials, website etc.	5,000	484	5,000	4,093	5,000	(301)	15,000	4,276	10,724	5,000	-	-	-
	<b>Subtotal</b>	<b>45,000</b>	<b>14,528</b>	<b>50,000</b>	<b>(1,574)</b>	<b>65,000</b>	<b>(3,916)</b>	<b>160,000</b>	<b>9,039</b>	<b>150,961</b>	<b>65,000</b>	<b>18,548</b>	<b>(39)</b>	<b>18,509</b>

<sup>6</sup> The table includes actual expenditures that occurred from Jan 2019 to November 2022 and projected expenditures for December 2022.

Budget Lines	2019		2020		2021		Triennium 2019 - 2021			2022				
	Budget	Expenditures	Budget	Expenditures	Budget	Expenditures	Total Budget	Total Expenditures	Total Balance	Budget	Expenditures Jan - Nov	Projected Expenditures Dec	Total Expenditures	
<b>Activities of the Advisory Committee &amp; External Experts</b>														
8	AC and experts travel on official business	30,000	1,117	30,000	2,246	30,000	(7,068)	90,000	-3,705	93,705	30,000	-	3,552	3,552
	<b>Subtotal</b>	<b>30,000</b>	<b>1,117</b>	<b>30,000</b>	<b>2,246</b>	<b>30,000</b>	<b>(7,068)</b>	<b>90,000</b>	<b>-3,705</b>	<b>93,705</b>	<b>30,000</b>	<b>-</b>	<b>3,552</b>	<b>3,552</b>
<b>Meetings of Governing Bodies</b>														
<b>4th Meeting of the Signatories (MOS4)</b>														
9	Logistical arrangements (venue, technical equipment, interpretation booths, catering)	-	-	-	(17,403)	30,000	-	30,000	(17,402)	47,403	30,000	-	-	-
10	Support for participation of delegates	-	(713)	-	(241)	120,000	-	120,000	(953)	120,954	120,000	-	12,597	12,597
11	Interpretation	-	27,311	-	-	65,000	-	65,000	27,310	37,689	65,000	-	-	-
12	Report writers	-	-	-	-	8,000	-	8,000	-	8,000	8,000	-	3,602	3,602
13	Development of technical documents	-	-	15,000	-	15,000	1,129	30,000	1,129	28,871	15,000	14,076	(30)	14,047
<b>Meeting of the Advisory Committee (AC)</b>														
14	Logistical arrangements (venue, technical equipment, catering)	5,000	3,367	5,000	(2,583)	-	-	10,000	784	9,216	-	-	-	-
15	Support for participation of AC members and experts	40,000	19,791	40,000	(1,416)	-	-	80,000	18,375	61,625	-	-	-	-
	<b>Subtotal</b>	<b>45,000</b>	<b>9,756</b>	<b>60,000</b>	<b>(21,643)</b>	<b>238,000</b>	<b>1,129</b>	<b>343,000</b>	<b>29,242</b>	<b>313,758</b>	<b>238,000</b>	<b>14,076</b>	<b>16,170</b>	<b>30,246</b>
<b>Operating Costs</b>														
16	Miscellaneous office supplies	500	173	500	-	900.00	-	1,900	173	1,727	900	-	-	-
17	Office equipment, furniture etc.	2,000	1,631	500	173	500	-	3,000	1,804	1,196	500	646	(1)	645



Budget Lines		2019		2020		2021		Triennium 2019 - 2021			2022			
		Budget	Expenditures	Budget	Expenditures	Budget	Expenditures	Total Budget	Total Expenditures	Total Balance	Budget	Expenditures Jan - Nov	Projected Expenditures Dec	Total Expenditures
18	Information and Communication Technology (ICT) Services	4,500	4,970	4,500	2,775	4,500	3,621	13,500	11,366	2,134	4,500	-	-	-
19	Maintenance of computers / photocopiers	200	-	200	-	200	-	600	-	600	200	3,902	(8)	3,894
20	Communications (Telephone, fax, postage etc.)	1,200	-	1,200	-	1,200	-	3,600	-	3,600	1,200	-	-	-
	<b>Subtotal</b>	<b>8,400</b>	<b>6,774</b>	<b>6,900</b>	<b>2,948</b>	<b>7,300</b>	<b>3,621</b>	<b>22,600</b>	<b>13,343</b>	<b>9,257</b>	<b>7,300</b>	<b>4,549</b>	<b>(10)</b>	<b>4,539</b>
	<b>Total</b>	<b>276,909</b>	<b>191,864</b>	<b>298,279</b>	<b>120,942</b>	<b>494,607</b>	<b>114,790</b>	<b>1,069,795</b>	<b>427,596</b>	<b>642,199</b>	<b>494,607</b>	<b>170,017</b>	<b>29,523</b>	<b>199,540</b>
21	Programme Support Costs (13%)	35,998	24,942	38,776	15,722	64,299	14,923	139,073	55,588	83,486	64,299	22,102	3,838	25,940
	<b>Grand Total</b>	<b>312,907</b>	<b>216,806</b>	<b>337,055</b>	<b>136,665</b>	<b>558,906</b>	<b>129,713</b>	<b>1,208,868</b>	<b>483,184</b>	<b>725,685</b>	<b>558,906</b>	<b>192,120</b>	<b>33,361</b>	<b>225,481</b>