

CONVENTION ON MIGRATORY SPECIES

MEMORANDUM OF UNDERSTANDING ON THE CONSERVATION OF MIGRATORY SHARKS

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FIRST MEETING OF THE SIGNATORIES TO THE
MEMORANDUM OF UNDERSTANDING ON THE
CONSERVATION OF MIGRATORY SHARKS
Bonn, Germany, 24-27 September 2012

ADMINISTRATIVE AND BUDGETARY MATTERS

Secretariat

1. The Meeting agreed that the present provisional arrangements were to continue, whereby the CMS Secretariat provides the Interim Secretariat for the MoU. The attached Terms of Reference for the Interim Secretariat were adopted by the Meeting.

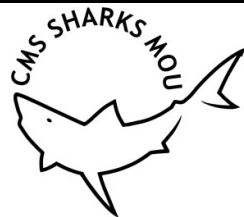
Budget

2. The Signatories agreed the attached budget, which aims to provide adequate resources for the MoU for the period 2013-2015. The budget includes a P3 post and a part time G5 post, to be established as of 1 January 2013, funds permitting. The budget is based on the continued operations of the interim Secretariat at its current location at the CMS headquarters in Bonn, Germany.

3. Given the non-binding nature of the MoU, contributions would be voluntary and a minimum contribution of EUR 2,000 per annum was recommended. However, Signatories recognized that the objectives of the MoU cannot be reached without adequate resources.

Trust Fund

4. Signatories requested the UNEP Executive Director to establish a United Nations Trust Fund for the management of the resources of the MoU, according to the attached Terms of Reference.



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TERMS OF REFERENCE FOR THE INTERIM SECRETARIAT

Adopted by the Meeting of Parties at its First Meeting (Bonn, 24-27 September 2012)

In accordance with Section 8 of the MoU, and under the guidance of the Signatories and subject to available finances, the Interim Secretariat will undertake the following tasks:

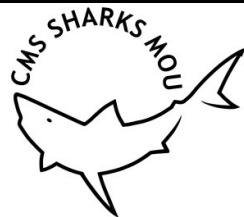
1. Organise meetings of the Signatories.
2. Facilitate and promote implementation of co-operative activities by the Signatory States.
3. Liaise with the CMS Secretariat and its marine species Agreements and MoUs, in order to identify synergies which could assist in the implementation of this Memorandum of Understanding.
4. Consult and share information with intergovernmental organizations and non-governmental organizations, including; FAO, relevant RFMOs, CITES, CBD, Regional Seas Conventions, stakeholders of the fishing industry and local communities, and other relevant international organizations to assist in the implementation of this Memorandum of Understanding.
5. Encourage non-Signatory Range States, particularly those identified as major shark fishing nations, to become signatories to the Memorandum or to cooperate in its activities.
6. Encourage non-range States, intergovernmental and international and national non-governmental organizations or other relevant bodies and entities to sign the MoU as cooperating partners, and establish a working relationship with such partners.
7. Communicate the progress made in implementing the Memorandum, to the signatories and other relevant organizations and entities.
8. Undertake public awareness-raising activities.
9. Support Signatories in search of financial resources to implement this agreement.
10. Perform other such functions as may be entrusted to it by the Signatories.

Budget for the 2013-2015 Triennium¹
(in Euros)

		2013	2014	2015	Total
Secretariat Staff					
1	Programme Officer, P-3	141,626	146,006	150,387	438,019
2	Administrative Assistant, G-5 (50%)	43,010	44,341	45,671	133,022
	Subtotal	184,637	190,347	196,057	571,041
Activities of the Secretariat					
3	Travel on official Business	15,000	15,000	15,000	45,000
4	Translation (documents, publications etc.), English, French and Spanish	20,000	20,000	30,000	70,000
5	Analytical studies, scientific assessments, development of guidelines etc.	15,000	15,000	15,000	45,000
6	Printing of technical/information materials, website production etc.	15,000	15,000	15,000	45,000
7	Hospitality	500	500	500	1,500
	Subtotal	65,500	65,500	75,500	206,500
Meetings of Governing Bodies					
<i>Second Meeting of the Signatories (MOS)</i>					
8	Logistical arrangements (venue, technical equipment, interpretation booths, catering)			30,000	30,000
9	Support for participation of delegates ²			62,500	62,500
10	Interpretation (English, French and Spanish)			30,000	30,000
11	Report writers			5,000	5,000
12	Development of technical documents for submission to Signatories		15,000	15,000	30,000
<i>Meeting of the Advisory Committee (AC)</i>					
13	Online Workspace for the Advisory Committee	4,500	1,500	1,500	7,500
14	Logistical arrangements (venue, technical equipment, interpretation booths, catering)			7,500	7,500
15	Support for participation of delegates			20,000	20,000
16	Report Writers			2,000	2,000
	Subtotal	4,500	16,500	173,500	194,500
Operating Costs – Equipment, Premises etc.					
16	Miscellaneous Office Supplies	2,500	2,500	2,500	7,500
17	Office Equipment, furniture etc.	2,500	2,500	2,500	7,500
18	Information and Communication Technology (ICT) Services	5,000	5,000	5,000	15,000
19	Maintenance of computers/photocopiers	1,500	1,500	1,500	4,500
20	Communications (Telephone, fax, postage etc.)	2,500	2,500	2,500	7,500
	Subtotal	14,000	14,000	14,000	42,000
	Total	268,637	286,347	459,057	1,014,041
21	Programme Support Costs (13%)	34,923	37,225	59,677	131,825
	Grand Total	303,559	323,572	518,735	1,145,866
In-kind Contributions					
22	CMS: Executive Secretary, D-1(2%)	4,316	4,449	4,583	13,348
23	CMS: Deputy Executive Secretary, P-5 (3%)	5,842	6,023	6,203	18,068
24	CMS: Agreements Officer, P-4 (10%)	16,744	17,262	17,780	51,786
25	Government of Germany: Rent and maintenance costs	12,500	12,500	12,500	37,500
26	Services of the Administrative and Finance Management Unit, P-4 (5%); G-6 (5%); 2 x G-5 (5%)	21,275	21,933	22,591	65,799
	Total	60,677	62,167	63,657	186,501

¹ As adopted by the Meeting of the Parties at its First Meeting (Bonn, 24-27 September 2012).

² Funding provided for 25 delegates. Will need to be supplemented by extra-budgetary funding as Signatory number increases.



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MEMORANDUM OF UNDERSTANDING ON THE CONSERVATION OF MIGRATORY SHARKS

Terms of Reference for the Administration of the Trust Fund for the Memorandum of Understanding on the Conservation of Migratory Sharks

Adopted by the Meeting of Parties at its First Meeting (Bonn, 24-27 September 2012)

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 established for an initial period of three years to provide financial support for the aims of the MoU.
2. The present Terms of Reference shall be effective from 1 January 2013 to 31 December 2015.
3. The financial period shall be three calendar years beginning 1 January 2013 and ending 31 December 2015, subject to the approval of the UNEP Governing Council.
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 2013-2015 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 period¹, 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.

¹ The calendar year 1 January to 31 December is the accounting and financial year, but the account's 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.