

RESOLUTION 5.5

CO-LOCATION OF AGREEMENT SECRETARIATS

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

Recalling the action points 17, 18 and 19 contained in Resolution 4.4, adopted by the fourth Meeting of the Conference of the Parties (Nairobi, June 1994), which read as follows:

“17. Secretariats for individual Agreements should be financed entirely by their Parties, except when the membership is such that financial support from the Convention is essential in the early stages of development.

18. Parties to Agreement should be invited to consider consolidating secretariat functions for one or more Agreements in regional centres which would facilitate links to the CMS Secretariat.

19. The Parties to the Agreement on the Conservation of Bats in Europe, the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (ASCOBANS) and other European Agreements under the Convention should be invited to consolidate secretariat functions in a special Agreements Unit co-located with the Secretariat of the Convention.”

Confirming that the question of the location of the secretariat for any particular Agreement, and of all other relevant questions, is a matter to be determined solely by a decision of the Meeting of the Parties to that Agreement;

Expecting that mutual benefit will be derived from the co-location of the Secretariat of the Convention with Agreement secretariats through cost savings and the pooling of resources and by strengthening the organisational and administrative potentials and increasing the efficiency of the secretariats, in implementing the aims of the Agreements;

Guided by a common will to maintain the mutually independent and autonomous functioning of each secretariat according to the instructions of their relevant bodies;

Acknowledging the Final Act of the Negotiating Meeting on the adoption of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (The Hague, 12 to 16 June 1996) provides in Article VI, paragraph 7 (6), that "at its first session, the Meeting of the Parties shall establish an Agreement Secretariat within the Convention Secretariat";

Acknowledging the decision of the First Session of the Meeting of the Parties to the Agreement on the Conservation of Bats in Europe (Bristol 18-20 July 1995), to establish a permanent secretariat in co-location with the Convention Secretariat;

Acknowledging that the resolution of the First Meeting of the Parties to the Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas (Stockholm, 26-28 September 1994) provides that "the permanent secretariat be established at the Sea Mammal Research Unit in the United Kingdom, and remain there for the triennium; and that this arrangement be reviewed at the next ordinary Meeting of the Parties, taking into account Resolution 4.4 of the Conference of the Parties to the Convention (Nairobi, 7-11 June 1994) as well as further development with regard to other agreements";

Acknowledging that the Final Act of the Negotiating Meeting on the adoption of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (Monaco, 19 to 24 November 1996) provides in Article IV that, "subject to the approval of the Conference of the Parties to the Convention, an Agreement secretariat shall be established within the Secretariat of the Convention"; and

Appreciating that the Host Government has made excellent facilities available to the Convention Secretariat, the other Agreement secretariats as well, and has allocated increased financial means to the Convention budget as of 1997;

*The Conference of the Parties to the
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Approves* the establishment of an Agreements Unit within the Convention Secretariat on the basis of the attached Terms of Reference;
2. *Is willing* to establish on the basis of the attached Terms of Reference a Common Administrative Unit for the UNEP/CMS Secretariat and the Agreements Unit and to contribute to the financial means needed for these arrangements within the limits of the existing budget;
3. *Requests* UNEP to provide the financial means for an Administrative and Fund Programme Management Officer for this Common Administrative Unit;
4. *Also requests* UNEP, in accordance with Resolution 4.4 to approve the consolidation of Secretariat functions of the Convention and the Agreements on the basis of the Terms of Reference attached hereto;
5. *Confirms* the invitation made at the fourth meeting of the Conference of the Parties (Nairobi, 1994) for the Parties to the Agreement on the Conservation of Small Cetaceans of the Baltic and the North Seas (ASCOBANS) to relocate their secretariat with the Secretariat of the Convention;
6. *Recommends* that the Parties to the Agreement on the Conservation of Small Cetaceans of the Baltic and the North Seas and to the Agreement on the Conservation of Bats in Europe request the Executive Director of the United Nations Environment Programme to become the secretariat;
7. *Invites* the Contracting Parties of ASCOBANS and EUROBATS, as well as ACCOBAMS and AEWA, to consider, in accordance with their procedures, the offer to consolidate secretariat functions in the Agreements Unit at their own expense and in line with the Terms of Reference attached hereto;
8. *Invites*, in accordance with Resolution 4.4, contracting Parties to future Agreements to consider co-location of their Agreement secretariats with the UNEP/CMS Secretariat;
9. *Commissions* the Standing Committee to develop, where necessary, further terms of reference for the co-location and integration of Agreement Secretariats, and to submit them to the administrative/scientific bodies of the Agreements; and
10. *Invites* the Meetings of the Parties which accept the invitation under paragraph 7, above, to empower their administrative/scientific bodies to negotiate any further terms of reference for co-location and integration, as may be needed.

TERMS OF REFERENCE FOR SECRETARIAT ARRANGEMENTS

For the Establishment of the Agreements Unit the following terms of reference will apply:

1. The Agreements Unit will comprise personnel according to the budgets of the respective Agreements.
2. The Professional Staff members will report to the Co-ordinator for internal administrative matters, as well as temporal co-ordination of the work programme and communication with UNEP.
3. Staff members of the Agreements Unit will function independently and will report to their respective Agreements. When the need arises, reciprocal staff assistance might be accommodated for short periods of time as authorized by the Co-ordinator.
4. Apart from the cost of the Administrative and Fund Management Officer, which is borne by UNEP, the cost of personnel for common administrative support and of common secretarial services will be funded on a cost-sharing basis by budgets of the Convention and the Agreements.
5. Recruitment of all staff members will be carried out by the United Nations Environment Programme on the basis of job descriptions prepared under the direction of the Co-ordinator. UNEP will be responsible for ensuring classification of all posts. The advertisement for any executive officer post for a given Agreement, as well as the subsequent appointment of a candidate, will normally be limited to the Contracting Parties to the Agreement concerned. Secondment of staff members from Governments should be encouraged, subject to mutually acceptable arrangements between UNEP and the Government concerned.
6. Primary screening of candidates for all posts will be conducted by a panel of three, selected by the Co-ordinator in accordance with set recruitment procedures and consisting of staff including officers and from United Nations agencies in Bonn. Preliminary screening of general service staff applications and interviews will be organized by the responsible executive officer(s), in consultation with senior UNEP/CMS staff. Current staff of the respective Agreements will be eligible to compete for the available posts. Recommendations of short-listed candidates for professional and general service staff posts will be submitted to UNEP through the Co-ordinator.

Financial arrangements

7. Parties to each Agreement will request the Executive Director of UNEP to establish separate Trust Funds for each Agreement. A separate budget will continue to be adopted for each Agreement and for the Convention, by the respective Meeting of the Parties (MOP) or Conference of the Parties (COP), as appropriate.
8. The operating costs of the secretariats (e.g. telephone usage, postage, photocopying, special printing cost, etc.) will be computed and budgeted separately for each of the constituent Agreements. Where it is impracticable to compute actual costs separately (e.g. for common office supplies), the Agreements are expected to agree a contributing figure to the overall costs for these items.

Trust Fund contributions

9. Contributions from Parties will continue to be calculated separately for each Agreement and for the parent Convention, and paid annually according to the UN scale of assessment. However, a rationalized system will be developed allowing Parties to the Convention and to one or more of the Agreements concerned to pay subscriptions in a single instalment, giving clear instructions as to how the funds are to be allocated. Requests for payment will continue to be sent by UNEP in the form of an invoice, detailing the contributions to be made towards the Convention and any applicable Agreements. UNEP will administer one or more trust funds which will supply CMS and each of the Agreements concerned, according to contributions received and the overall budgets by the respective MOPs/COP.

10. Every effort should be made by the Parties to ensure adequate and timely contributions. Nevertheless, in the event of insufficient funds for salaries of Agreements Unit staff, the Executive Director of UNEP will be authorized, through a provision in the terms of reference of the CMS Trust Fund, to make special provision to cover these salaries on a re-imbursable basis from the CMS Trust Fund if its resources allowed. UNEP will liaise with the UNEP/CMS Secretariat on such temporary transfers of funds from the parent Convention to any Agreement. Any such movements, however temporary, will be communicated to the respective Standing/Advisory Committee of the Convention and Agreement(s) concerned, and reported upon at the next session of the Meeting/Conference of the Parties.