



**CONVENTION ON
MIGRATORY
SPECIES**

Distribution: General

UNEP/CMS/Inf.10.32
10 November 2011

Original: English

TENTH MEETING OF THE
CONFERENCE OF THE PARTIES
Bergen, 20-25 November 2011
Agenda Item 13

**EVALUATION OF THE MERGER OF THE ASCOBANS SECRETARIAT WITH THE
CMS SECRETARIAT**

(prepared by the ASCOBANS Advisory Committee)

Evaluation of the Merger of the ASCOBANS Secretariat with the CMS Secretariat

April 2011

Introduction

1. At the 6th MOP of ASCOBANS (September 2009) it was agreed to continue the current Secretariat arrangements and to request the Advisory Committee to evaluate these arrangements at its session in 2011. The Advisory Committee has established a working group to prepare this evaluation. The Netherlands has agreed to take a leading role within this working group, which also consists of Belgium, Finland and Germany.
2. The working group has sent a questionnaire based on the outcome of the earlier evaluation of 2008 to all focal points (see below). The questionnaire was an updated version of the questionnaire that had been used for the 2008 evaluation. Members of the working group have contacted all Parties and the Secretariat in order to collect their opinion as regards the evaluation of the merger at this moment.
3. The underlying document presents the composite opinions of the Parties.
4. Three Focal Points did not have the opportunity to share their opinion with the working group.
 1. Lithuania has not responded because the Lithuanian delegate has only very recently been appointed and therefore was unable to provide an opinion on the evaluation of the merger to the questionnaire.
 2. Denmark expressed the opinion that former problems had been solved, and that in this light the limited available time of the Focal Point rather was spent on other matters rather than on another evaluation.
 3. Poland did not fill the questionnaire per question, but confined the response to some general remarks.

Background of this evaluation

5. After having recognized that ASCOBANS was facing both institutional and sustainable difficulties, during the 5th Meeting of the Parties (MOP) of ASCOBANS (held from 18-20 September 2006), it was decided that: *“from 1st January 2007 the UNEP / CMS Secretariat shall serve as the secretariat pursuant to provision No.4 of the ASCOBANS Agreement; and the Executive Secretary of UNEP/CMS shall be the acting Executive Secretary of ASCOBANS” (See Annex I for the full Resolution. No. 2D)*.
6. It was also decided that these arrangements were to be implemented for a provisional three-year period. The Parties have requested the UNEP Executive Director to initiate an independent evaluation of the new Secretariat arrangements in mid 2008. The results and suggestions

stemming from this evaluation have been reviewed by the Conference of the Parties (COP) in December 2008, and the MOP of ASCOBANS in September 2009, aiming to identify the best organizational solutions for ASCOBANS. The results led to a number of changes, but the general Secretariat arrangements remained the same.

Summary findings

7. The overall picture is that the Secretariat has improved a lot since 2008 or at least is going in the right direction. There is a general positive feeling which is accounted for mainly by the change in staffing. The appointment of Ms. Elisabeth Mrema as Executive Secretary of CMS has a big share in this. Leadership was a big problem, but it is felt that the Secretariat's functioning has largely improved since the merger has been brought about.
8. Efficiency and cost effectiveness appear to be satisfying for the Parties. Cooperation with other gremia has also improved, although more attention should be given to cooperation with the EU and fisheries organizations. A coordinator for the Baltic Sea is desired by the Baltic countries, which than could also meet the wish for additional scientific staff.
9. One response to the questionnaire, by one of the Focal Points, summarizes the overall feeling of Parties: *"Generally we are satisfied with the work which the secretariat provides to the countries"* and *"People have got the feeling of safety and stability and can concentrate on their work"*.

Responses to the Questionnaire summarized

10. Question 1 of the questionnaire dealt with the advantages and disadvantages of the merger of the ASCOBANS Secretariat with the CMS Secretariat, in terms of efficiency, cost-efficiency, leadership, partnership, cooperation and profile. With respect to this question, the evaluation in 2008 was critical and noted that the staffing arrangements for the ASCOBANS Secretariat were "inadequate to carry out the increasing functions of the Secretariat". Currently ASCOBANS Secretariat's staff consists of a Coordinator (75%) and a Secretary (50 %), with varying support from other CMS Secretariat staff including the Executive Secretary (3%) and the Scientific Officer (15%).

Currently, in spring 2011, the overall opinion is more positive than in 2008. The common opinion is that there is a balance between resources and the work, which has to be done for the Parties, although some improvement of the cost benefit ratio is still possible. Staffing is adequate, but expensive due to UN rules. The collaboration with CMS staff and UN related organizations is good. Working with other multilateral environmental agreements and NGO's is improving. However, there is always room for improvement. Several Parties raised the subject of better

cooperation with the EU and fisheries organizations. Cooperation between the Secretariat, the Parties and the Range States is satisfying.

11. The second question of the questionnaire focused on the current evaluation of the staffing arrangements in respect to the functions of the Secretariat. The general feeling at this moment is that the Secretariat is working hard and adequately, but a surmountable shortage of scientific knowledge is signalled, especially with regards to marine biology and fisheries. A North Sea Plan coordinator could meet this need.
12. With respect to the question whether there is a need for a fulltime staff member devoted exclusively to the implementation of the ASCOBANS agreement (question 3) the opinions differed between Parties. Most of the Parties find the staffing sufficient and in balance with the (limited) budget. But some Parties want a fulltime staff member with a priority for the implementation of the numerous resolutions of the agreement.
13. As regards the leadership of the CMS-ASCOBANS Secretariat (questions 4 and 5) there is an important change in overall appreciation. In the 2008 evaluation, the leadership of the CMS-ASCOBANS Secretariat received considerable criticism. The evaluation of spring 2011 shows that Parties at this moment have a much more positive view on the current state of affairs. Parties acknowledge that the atmosphere at the Secretariat has improved a lot since Ms Elisabeth Mrema took the post of Executive Secretary. In general Parties expressed the opinion that the Secretariat performs its tasks as requested and is more transparent and more integrative. The combined Secretariat is efficient and the communication with Parties has improved a lot. However, there is room for more improvement. Especially the number of intercessional contacts should be increased according to some Parties.
14. As regards the question on the reasons for any lack of improvement, in 2008 Parties concluded that the implementation period of one and a half year was too short to witness the benefits of the merger. Although some merits (particularly in the area of promoting mutually beneficial relations with the UN Family, MEA's, Intergovernmental organisations and governments) have been reported, the efficiency and profile of the Secretariat mid-2008 did not yet improve as much as was expected.
At the spring 2011 evaluation Parties have shown a more positive view. However, Parties have expressed their concern as to the observed shortage of scientific knowledge. The time and energy which is spend at CEPA (communication, education and public awareness) could in the eyes of some Parties perhaps better be devoted to interaction with EU and fisheries organizations (RAC's, ICES, HELCOM).
15. With respect to question 7 that dealt with the performance of the Secretariat as regards efficiency and profile most Parties acknowledge that a considerable improvement since 2008 has taken

place. Cooperation with the host country and UN organizations is good and internal and external management has improved a lot, but could still be better.

16. As regards to the future, all Parties realize that expanding the scope and/or the activities would bring extra costs, which in this present period of time would be difficult to realize. The implementation of existing resolutions and cooperation with the EU should have more priority. But if money and energy were no obstacles than several suggestions were made:

- a) Geographically there is a need to investigate the possibility of closer cooperation with our sister agreement ACCOBAMS.
- b) For the Baltic Parties it is important to incorporate all Range states of the Baltic, especially Russia.
- c) Other suggestions are incorporation of Norway, Portugal and Spain.
- d) No need is felt (at this time) or the incorporation of the big whales into ASCOBANS

Some of the proposals concerning activities are part of the future shape process

17. With respect to the budget of ASCOBANS (question 9), most Parties have indicated that they do not see, given financial constraints of governments, possibilities on the short term to increase the available budget. None of the Party has given an estimation of foreseeable costs if some of the above mentioned proposals of expansion would be accomplished. But if more countries would become Parties and member of the Agreement, than part of the budgetary problems could be solved by the increasing amount of contributions. Perhaps some reduction in costs could be accomplished if a closer cooperation with ACCOBAMS was obtained in order to avoid duplication of work.