

**CONVENTION ON
MIGRATORY
SPECIES**

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UNEP/CMS/Resolution 10.1

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**FINANCIAL AND ADMINISTRATIVE MATTERS AND TERMS OF REFERENCE
FOR THE ADMINISTRATION OF THE TRUST FUND**

Adopted by the Conference of the Parties at its Tenth Meeting
(Bergen, 20-25 November 2011)

Recalling Article VII, paragraph 4, of the Convention, which reads as follows:

“The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall, at each of its ordinary meetings, adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference”;

Appreciating that the financial position of the Convention has improved markedly since the previous COP as a result of the substantial increases in additional voluntary contributions in cash and kind, and careful stewardship by the CMS Secretariat;

Giving special thanks to the Host Government (Germany), to the Governments of Finland, France, Monaco, Norway, Spain, Sweden, Switzerland, the United Arab Emirates and the United States of America for their substantial additional voluntary contributions in support of special measures and projects aimed at improving implementation of the Convention, and other support offered to the organs of the Convention during the previous triennium;

Acknowledging also the financial and other services provided in 2009-2011 through the United Nations Environment Programme (UNEP);

Recognizing the need to provide sufficient resources, including manpower, to enable the Secretariat of the Convention to continue to carry out the Convention’s work programme set out in the Strategic Plan 2006-2011 and its updated version for the period 2012-2014, and to serve its Parties in all regions;

Recognizing also that several decisions taken at COP10 and in particular the outcome of the Future Shape of CMS process have significant implications for the Convention’s budget;

Expressing thanks to the Secretariat for producing various budget options for adoption by the Tenth Meeting of the Conference of the Parties;

Appreciating the importance of all Parties being able to participate in the implementation of the Convention and related activities; and

Noting the increased number of Parties, other countries and also organisations attending the meeting of the Conference of Parties as observers, and the resulting additional expenditure to Parties so incurred;

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

1. *Confirms* that all Parties should contribute to the budget adopted at the scale agreed upon by the Conference of the Parties in accordance with Article VII, paragraph 4, of the Convention;
2. *Adopts* the core budget for 2012 to 2014 attached as Annex I to the present Resolution and the list of activities that can be implemented subject to voluntary contributions attached as Annex II;
3. *Decides* to draw from the reserve of the Trust Fund of the Convention the amount of €130,000 annually to support the budget for the next triennium, thereby reducing the assessed contributions of the Parties;
4. *Expresses* concern about recruitment of the Associate Programme Officer in Washington D.C. without prior approval by the COP, as it is not standard MEA practice, and *emphasizes* that this should not set a precedent;
5. *Instructs* the Standing Committee to review, at its 40th Meeting, fundraising income generated by the post in Washington D.C., and not renew it if it does not yield income equal to at least two times the annual salary allocated in the budget, and to transfer the 2013-2014 salary costs to the Trust Fund;
6. *Adopts* the scale of contributions of Parties to the Convention, based on the UN Scale of Assessment, as listed in Annex III to the present Resolution and *decides* to apply that scale *pro rata* to new Parties;
7. *Decides* that all contributions to the Trust Fund shall be paid in Euros;
8. *Further decides* that there should be maintained a working capital at a constant level of at least 15 percent of estimated annual expenditure or US\$500,000, whichever is higher;
9. *Urges* all Parties to pay their contributions as promptly as possible preferably not later than the end of March in the year to which they relate and, if they so wish, to inform the Secretariat whether they would prefer to receive a single invoice covering the whole triennium;
10. *Notes* with concern that a number of Parties have not paid their contributions to the core budget for 2011 and prior years which were due on 1 March of each year, thus affecting adversely the implementation of the Convention;

11. *Urges* all Parties with arrears to co-operate with the Secretariat in arranging for the payment of their outstanding contributions without delay;
12. *Requests* Parties, in particular those that are required to pay small contributions, to consider paying for the whole triennium in one instalment;
13. *Decides* to set the threshold of eligibility for funding delegates to attend the Convention's meetings at 0.200 per cent on the United Nations scale of assessment, and as a general rule furthermore to exclude from such eligibility countries from the European Union, European countries with strong economies as listed in Annex IV to the present Resolution and/or countries that have payments in arrears of more than three years;
14. *Instructs* the Executive Secretary to service the implementation of the Strategic Plan (in its updated version for the period 2012-2014) within available resources;
15. *Confirms* the willingness of the CMS Secretariat to continue to provide Secretariat services to ASCOBANS and to the Gorilla Agreement in the next triennium;
16. *Invites* Parties to consider the feasibility of financing Junior Professional Officers or providing interns, volunteers and technical experts to the Secretariat to increase its technical capacity;
17. *Encourages* all Parties to make voluntary contributions to the Trust Fund to support requests from developing countries to participate in and implement the Convention throughout the triennium;
18. *Requests* the Executive Secretary to provide Parties with a detailed list of core ongoing and future activities and projects not covered by the core budget, to assist Parties to identify those they intend to fund;
19. *Decides* that Resolutions adopted by this Conference of the Parties that establish, *inter alia*, bodies, mechanisms or activities that have financial implications not provided for in Annex I, are subject to available funds from voluntary contributions;
20. *Instructs* the Secretariat to allocate the contributions of Parties that accede to the Convention after 1 January 2012 towards the funding of approved activities not covered by the core budget;
21. *Encourages* States not Parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to consider contributing to the Trust Fund or to special activities;
22. *Takes note* of document UNEP/CMS/Conf.18a on the execution of the budget of the Convention in the triennium 2009-2011 and *expresses its concern* with regard to outstanding unpaid pledges to the Trust Fund, and *urges* the Governments concerned to pay their contributions in a timely manner;

23. *Decides* that representatives from countries with contributions in arrears three years or more should be excluded from holding office in Convention bodies and denied the right to vote; and *requests* the Executive Secretary to explore with these Parties innovative approaches for the identification of possible funding to resolve their arrears prior to the next meeting;
24. *Requests*, the Secretariat to enhance, amongst other activities listed in Annex I, regionalization of conservation efforts by having local coordinators with assistance from *inter alia* UNEP, NGOs and MEAs within the parameters of the 2012-2014 budget;
25. *Requests* the Secretariat to undertake a review of the grading of the Secretariat's posts, taking into account the outcome of the Working Group on Future Shape of CMS, to enable decisions on the grading of the posts to be taken by Parties at COP11;
26. *Requests* the Executive Director of UNEP to extend the duration of the Convention Trust Fund to 31 December 2014;
27. *Requests* the Executive Director of UNEP to continue to incorporate aspects of the Convention's programme of work into the programme of work of UNEP and consider, as appropriate, providing financial support to specific CMS activities in this context; and
28. *Approves* the terms of reference for the administration of the Trust Fund, as set forth in Annex V to the present Resolution, for the period 2012 to 2014.