



Convention on Migratory Species

Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region

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PACIFIC CETACEANS MOU COORDINATION AND THE RELATIONSHIP WITH SPREP

(Prepared by the Secretariat)

1. The Pacific Regional Environment Programme (SPREP) and the Convention on Migratory Species (CMS) Secretariats both acknowledge the need to coordinate the migratory species related activities being developed by each organisation in the Pacific Islands Region. These include developments on marine mammals through the Pacific Islands Cetaceans and the Dugong MoUs, the CMS MoU for sharks (currently under negotiation) and a possible future CMS instrument for Pacific marine turtles.

CMS/SPREP proposal for a 'Joint Programme of Work on CMS Related Activities in the Pacific Islands Region'

2. Conscious that the priorities for CMS and SPREP both respond to the direction of their Parties, the SPREP and CMS Secretariats believe that it is important to ensure that processes and capacity are in place to ensure that CMS and SPREP continue to work collaboratively and cooperatively in the region. The SPREP and CMS Secretariats consider that the most appropriate vehicle for the coordination of the growing CMS related activities in the Pacific Islands Region is the 2005 Memorandum of Cooperation (CMS/SPREP MoC) between the CMS and SPREP Secretariats. Article 4 of this MoC articulates a process for such coordination.

3. To implement the objectives of the CMS/SPREP MoC, SPREP and CMS propose to work together on a *Joint Programme of Work on CMS Related Activities in the Pacific Islands Region*. This *Joint Programme of Work* will progress in a balanced way across the Region, facilitating the progress of the existing and developing CMS agreements within the confines of available financial resources.

4. The Pacific Cetaceans MoU (paragraph 17) states that *"The CMS Secretariat will act as the secretariat to this Memorandum of Understanding. It may use the services of any reliable organisation to support the coordination of this Memorandum of Understanding. An organization to coordinate the implementation of this Memorandum of Understanding will be determined by consensus of the signatories at their first meeting after consideration of all offers received. The signatories may also consider at their meetings suitable organizations to provide technical advice to support the implementation of this Memorandum of Understanding."*

5. The First Meeting of the MoU Signatories discussed the issue of MoU Coordination, examined some examples of how coordination mechanisms for other CMS MoUs have been structured and financed and made an initial review of the possibilities for SPREP to assume this function. No definitive conclusion was reached, but the meeting agreed that the MoU needed a coordinator so as to not lose momentum. A scoping paper with a joint concept for coordinating the MoU and the SPREP WDAP, including the role of the coordinator, was requested.

6. Since 2006 CMS has been exploring various options with SPREP and other bodies. The main problem is identifying secure funds for a co-ordinator. CMS has subsidized or part-subsidized the cost of coordination undertaken by non-CMS bodies for five other existing MoUs

– West African Elephants, Siberian Cranes, West African Turtles, European Great Bustard and Aquatic Warbler. The cost to CMS varies but is typically about **USD 15,000-30,000 per year**, usually paid on the basis of matching or greater contributions in cash or kind from other bodies.

7. CMS would attempt to make a sum of this order available if other donors could be found to cover the remaining costs. The annual resources needed to maintain a full time officer, including salary, office incidentals and overheads, small-scale implementation activities and annual single-day meetings of the Signatories to the Pacific Cetaceans MoU held in the margins of the SPREP general meetings, is at least USD150,000/annum. This assumes that an officer would not be paid according to UN rates, which would be considerably more expensive. **Thus at least USD 120,000 per annum would have to be raised from other donors.**

8. To facilitate this joint programme, a co-located CMS Regional Pacific Islands Officer could be housed within SPREP. This officer would be managed by the CMS Secretariat while working collaboratively and cooperatively with the Regional Marine Species Programme of SPREP. CMS would pay and raise funds to provide salary and associated costs, computer, travel and related costs (phone calls and other incidentals and utilities) of this position. SPREP would provide, as part of SPREP's support to the CMS/SPREP MoC, the officer with office-based facilities including office space, desk, chair, and access to phone, printing and Internet.

9. The co-located CMS Regional Pacific Islands Officer would be responsible for supporting CMS in the Pacific Islands Region; coordinating and maintaining oversight of existing and developing CMS MoUs; collaborating with and supporting the SPREP Marine Species Programme as outlined in the proposed annex to the 2005 Memorandum of Cooperation (MoC) between the CMS and SPREP Secretariats (at Annex A of this document).

Action requested:

The Signatories, and where appropriate other meeting participants, are requested to *inter alia*:

- Seek any clarification that might be necessary;
- Discuss the proposal outlined by the Secretariat as well as possible alternatives
- Consider/endorse the CMS/SPREP proposal for CMS coordination
- Suggest/advise on possible avenues for funding

**[Proposed] Annex to the
2005 MEMORANDUM OF COOPERATION (MOC)
BETWEEN THE CMS AND SPREP SECRETARIATS**

Coordination of CMS Related Activities in the Pacific Islands Region

The Secretariats of the Convention on Migratory Species (CMS) and the Pacific Regional Environment Programme (SPREP) acknowledge the need to coordinate a growing joint programme of work of regional activities, including *inter alia*, focus on cetaceans, marine turtles, dugong and sharks. They consider that the most appropriate vehicle for the coordination of the growing CMS related activities in the Pacific Islands Region is this Memorandum of Cooperation (MoC) between the CMS and SPREP Secretariats. Article 4 of this MoC articulates a process for such coordination.

CMS and SPREP agree that the co-location arrangements between CMS and UNEP for the CMS Indian Ocean and South-east Asia Marine Turtles MoU (IOSEA), and between SPREP and Ramsar for outreach, listings and technical support in the Pacific Islands Region has been successful. CMS and SPREP therefore agree to operate in the spirit of this experience and consider establishing a co-located CMS Regional Officer, funded through and focusing on CMS, while hosted by SPREP.

[Draft] Joint Programme of Work: CMS Related Activities in the Pacific Islands Region

1. CMS and SPREP pursue common and complementary goals in the conservation of ecosystems and the protection of migrating species in the Pacific Islands Region.
2. The pursuit of these common and complementary goals, through the mechanism of the SPREP-CMS MoC and in partnership in CMS MoUs would represent the *Joint Programme of Work on CMS Related Activities in the Pacific Islands Region*.
3. The SPREP Regional Marine Species Programme Action Plans 2008-2012 represent the priorities of the Pacific islands region. CMS and SPREP agree that the Marine Species Programme Action Plans should provide a dual role of servicing both the SPREP Regional Marine Species Work Programme and the CMS Regional Work Programme where CMS species agreements exist.
4. Working together through the MoC and in partnership on CMS MoUs offers an opportunity to improve regional and international cooperation for the species priorities of SPREP action plans and to address issues of shared responsibility. These include: threat reduction; habitat protection and the establishment of migratory corridors; research, monitoring and information exchange; regional capacity building; the development of sustainable and responsible cetacean-based tourism; increasing international awareness and recognition of the issues and threats to migratory species in the Pacific islands region; and the establishment of an informal network between the Pacific Island Region and relevant CMS agreements and taxonomic activities in other areas, increasing technical information flow and capacity sharing.
5. To implement the objectives of the MoC, SPREP and CMS will work together on a *Joint Programme of Work on CMS Related Activities in the Pacific Islands Region*. A co-located CMS Regional Pacific Islands Officer will be housed within SPREP to facilitate this work. This officer will be managed by the CMS Secretariat while working collaboratively with the SPREP Marine Species Officer.

6. The *Joint Programme of Work on CMS Related Activities in the Pacific Islands Region* will progress in a balanced way across the Region, facilitating the progress of the existing and developing CMS agreements within the confines of available financial resources.

7. The co-located CMS Regional Officer will facilitate the *Joint Programme of Work on CMS Related Activities in the Pacific Islands Region* by, *inter alia*:

1. Supporting CMS in the Pacific Islands Region, including:
 - a. maintaining official contact with CMS Parties, MoU Signatories and the relevant CMS institutions;
 - b. developing and implementing a communications and outreach plan;
 - c. meeting regional CMS reporting requirements;
2. Coordinating and overseeing existing and developing CMS MoUs, including:
 - a. organising and executing Meetings of the Signatories;
 - b. increasing the membership of MoUs;
 - c. providing technical advice to Range States in their planning for the implementation of MoUs;
 - d. facilitating public and private sector funding for the MoU processes;
 - e. assisting MoU Signatories to develop funding proposals for MoU related activities.
3. Collaborating with and supporting the SPREP Marine Species Programme, by:
 - a. contributing to joint work plan development under the Whale and Dolphin Action Plan and reporting for CMS and SPREP processes;
 - b. contributing to regional national biodiversity planning processes to facilitate the integration of CMS activities into national biodiversity strategies and action plans.

[End]