



Convention on the Conservation of Migratory Species of Wild Animals

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“TOWARDS THE FUTURE SHAPE OF CMS”

Revised Paper by the Executive Secretary

SUMMARY

CMS activities have expanded significantly in recent years as the number of Parties and programmes - especially regional agreements - have increased. This requires a reassessment of the Secretariat's organization and resources. CMS could achieve the objectives set by Parties more cost-effectively through a strengthened HQ working with three small capacity building nodes in Latin America, Africa and Asia. A coherent CMS Group uniting all agreements wishing to join would be developed in the period 2009-11, delivering conservation under five main species areas or “Initiatives”. At HQ, the paper recommends clustering functions from 2009 on information, media and fundraising to service both CMS and the co-located agreements, to work alongside a strengthened administrative and finance unit operating under a formal agreement with UNEP, providing streamlined “one-stop” services in Bonn. HQ capacities in Bonn on specific substantive issues, including the impact of climate change on migratory species, should also be strengthened. CMS' pioneering use of partnerships with the private and NGO sectors should continue, together with the flexible use of interns and consultants in CMS teams.

Background - CMS Strategic Plan and Budget

1. CMS has a sound Strategic Plan, which Parties agreed at the last CoP after a rigorous review (COP8 Resolution 8.2). The strategy lasts until 2011, and will fall to be revised at CoP10 in Nov-Dec 2011. A continuing challenge facing the Secretariat (and Parties) is a mismatch between the conservation objectives set by the Plan and the financial and manpower resources needed to deliver them. This paper examines options to narrow this “implementation gap” in order to identify a model which is both practicable and affordable for Parties, as well as being consistent with wider conservation and governance objectives.

2. CMS budget and staff complement are set at each CoP. The last CoP agreed a substantial percentage increase in the CMS triennial budget (43%), but this was largely required to maintain CMS staffing at the same level set in 2002 following the devaluation of the US dollar against the Euro. The overall budget for 2006-8 was significantly below the level required to implement the Strategic Plan in full. **The gap between the CMS Budget and the Strategic Plan's estimated requirements was €2.35m (or 26% of the Strategic Plan requirement.) The number and broad disposition of UN posts (13 in CMS financed by the Trust Fund, including just 5 P level posts) has not been changed since 2002, when CMS had 28 fewer Parties.** The last CoP passed several resolutions and recommendations – for example on aridland mammals, cetaceans, sharks and turtles - which added to the Workplan already foreseen in the Strategic Plan, and thus **increased the “implementation gap” still further, perhaps to 50% (€4.5m).**

3. Parties agreed at the last CoP to attempt to cover this gap through voluntary contributions of manpower (funded Junior Professional Posts) and project funds. **On funds there has been a positive response – since the last CoP, about €1.5m has been received in donations or pledges from Governments, mostly earmarked for specific projects under the Strategic Plan.** The five Parties donating most to CMS in the current triennium to date are Australia, UK, Italy, Germany and France. In addition the EC has made substantial financial assistance available for Sahelo-Saharan antelopes. The donors meeting organised by the Executive Secretary in September 2006 and a series of bilateral discussions helped to gather this support in 2006-8. The offer made by Italy to host the CoP in December 2008 and support several CMS projects is particularly noteworthy. **In addition, about €1.2m has been raised in cash or kind through partnerships with the private and voluntary sector and other bodies,** particularly TUI for Year of the Dolphin, and staffing support from the Whale and Dolphin Conservation Society & IFAW.

4. On the other hand, **success in raising project funds (as well as fundraising work itself) places ever-greater demands on a small secretariat.** No Parties have yet been able to offer Junior Professional Posts for conservation work in CMS, despite clear understandings reached at the last three CoPs and in several bilateral discussions that this support would be forthcoming. UNEP have also been unable so far to deliver their agreement made in early 2005, when an administrative JPO at CMS funded by Germany was relocated to Nairobi after a few months at UNEP's request, that they would provide a conservation JPO in the CMS Secretariat. Even if JPO posts were available, the Secretariat as it stands would be over-burdened to the detriment of CMS.

Recent Developments in CMS

5. Key developments since 2005 include:

- (i) negotiations of further regional agreements, the majority of which are outside Europe (Saiga antelope, South Pacific cetaceans, South American grassland birds, South American ruddy-headed goose, Andean Highlands flamingos, West African marine mammals, C/W/E African gorillas, Indian Ocean and Pacific dugongs, Afro-Eurasian birds of prey and sharks, and the expansion or revitalisation of existing non-European agreements (e.g. W. African turtles, IOSEA) and programmes (notably SSAP).
- (ii) the continued growth in the number of CMS Parties which has risen from 93 at the time of the last CoP in November 2005, to 108, with several more in the pipeline as a result of the active and targeted membership campaign by the Secretariat. The majority of new Parties are drawn from Asia, the Americas, Africa and Oceania.
- (iii) the establishment of working Partnerships with NGOs operating from local bases around the globe, including the Wildlife Conservation Society, the Whale and Dolphin Conservation Society, and IFAW, and the creation of an alliance between CMS and the major travel and transport multinational, TUI, initially focussed on the wildlife watching industry and Year of the Dolphin.
- (iv) the merger of the CMS and ASCOBANS Secretariats in January 2007, which increased total CMS/ASCOBANS staff numbers from 18 to 19.5 posts. The L-2 project post for SSAP (established in September 2007) brings the total of current approved posts in Bonn to 20.5. 25% of these posts provide the common administrative services for CMS and the three co-located agreements.
- (v) significant growth in CMS' role in relation to marine mammals :- eg the merger with the ASCOBANS secretariat; the successful initiation of the new CMS Agreement for Pacific Islands cetaceans; the new MoUs on monk seals and dugongs; the negotiations under way on an agreement for cetaceans and manatees in West Africa; the ground-breaking

Year of the Dolphin initiative and the continued development of scientific activities have moved CMS to the point where we can now genuinely claim to be a significant instrument in this area.

- (vi) at the end of 2007 range states agreed in principle to a new global CMS Agreement on sharks, initially covering the 3 large species listed under the Convention but expandable to deal with any further species which might be listed at CoP9 or subsequent CoPs. Completing the negotiations of the agreement and arranging for its implementation, in partnership with the FAO and other stakeholders, will be a major assignment for the Secretariat over the period 2008-11.
- (vii) improvements in information technology increasing the opportunity for networks of staff to inter-connect internationally at reasonable cost. This has been demonstrated through the successful work of the CMS-initiated Scientific Task Force on Avian Influenza, which has held 10 teleconferences linking members in four continents since August 2005.
- (viii) increased opportunities for CMS to promote sustainable use of migratory species through “wildlife watching” or (trophy) hunting, in partnership with other bodies and the private sector.
- (ix) the continued development of positive relations with several policy divisions and Regional Offices in UNEP exemplified by the 2006 joint seminar with UNEP/DEWA on avian influenza, the partnership with UNEP/GRASP on the new CMS gorilla agreement and the invitation from UNEP/DRC/ROA to the 2006 meeting of African Environment Ministers in Brazzaville. The financial support received from the UNEP Division of Environmental Law and Conventions (DELCO) – for example in funding the forthcoming CMS Implementation Guide and the West African Turtle Agreement is also noteworthy.

CMS Staffing

6. Between 2005 and 2007, CMS staffing remained stable, with virtually all posts filled. Changes in UNEP’s mobility policy helped trigger the departure of 3 CMS professional staff (ie 40% of the complement) in mid 2007. Two of these posts are expected to be filled during 2008 but there have been long and unacceptable delays in the selection processes in Nairobi. At present CMS is being run by 4 senior professionals working excessively long hours and supervising a team of administrative staff, interns and short-term consultants. The team’s morale is high and they have carried out an extraordinary range of challenging assignments during 2006-8. Even so protracted recruitment procedures and resistance to flexible solutions such as lateral transfers have had a negative effect on the Convention’s programmes, as well as the health of several staff.

7. **A positive development has been the introduction of a successful internship scheme in the CMS Family HQ in Bonn.** This became possible after our transfer to the Langer Eugen in June 2006, where we have sufficient office space provided by Germany as the host country to allow several interns to be working with the Secretariat at any one time. Since the introduction of the new scheme, 51 interns have taken up positions within the Secretariat, working for an average period of 3 months. The majority of interns (40%) are from the host country, but we have also attracted interns from Armenia, Bangladesh, Belgium, Canada, France, Italy, India, Kenya, Nepal, Peru, Spain, Switzerland, Russian Federation, UK, Ukraine and USA, and the scheme is advertised internationally on our website.

8. In parallel with the Intern scheme, the CMS Secretariat has been employing increased numbers of short term consultants, a significant proportion (60%) of who are former interns who

have demonstrated the ability and desire to follow up their learning period at CMS with a short contract. **This is allowing us to increase our output significantly, particularly on publications, species campaigns, fundraising, partnership-building, events, websites, and demanding tasks such as servicing the avian influenza task force, conducting a review of alien species and CMS, organising the series of new species agreement negotiation meetings in October 2007 and preparing the flyway policy review paper** considered at the Standing Committee in November 2007. CMS consultancies are transparently and globally advertised on our website. It is essential that we continue to make use of them, as our current output would be drastically cut without this resource. However the use of consultancies should not be regarded as a cornerstone of CMS longer term strategic planning. If CMS' permanent manpower is increased as proposed later in this paper, the need for consultancies will be reduced in future.

Developing CMS as a Global Convention

9. CMS is no longer by composition a European and W/C African Convention with 'outposts' in a few other countries as it was until the late 1990s. The Convention now has 108 Parties spread globally with 4 more in the immediate pipeline (Afghanistan, Estonia, Haiti and Mozambique). Several other countries including Brazil, China, Korea, Russia and UAE are showing strong interest in early accession. **The ambitious targets set in the Strategic Plan to increase the number of Parties from 93 in 2005 to 113 by COP9 in December 2008, and 123 by 2011 are within our grasp.**

10. A further 30 countries are Parties/members of CMS Regional Species agreements, but have not (yet) acceded to the Parent Convention. This is an issue that needs to be addressed as the current structure is against the original intention of the Convention and leads to financial inequities and places too great a burden on those developed countries who are Parties to the Convention.

11. Since 2004-5, nine new regional species Agreements or equivalent instruments under Article IV of the Convention have been negotiated. A further 4 are in the immediate pipeline (i.e. likely to be completed by the end of 2008). Another (on Pacific Turtles) is scheduled for negotiation during 2009-10. **12 of these 14 newer regional agreements are for species outside Europe, and the remaining two (African-Eurasian raptors and the Atlantic Monk Seal) have a substantial non-European component. This is likely to be the continuing pattern in 2009-11** as longstanding COP resolutions and recommendations for (e.g.) the Houbara Bustard, Sturgeons, SE Asia, South America and Indian Ocean Cetaceans, the Mongolian Gazelle and African bats move up the agenda, and are perhaps joined by others such as South and Central American marine mammals, the American Pacific and other America flyways, and the Central Pacific flyway. **CMS Appendix I listings, research and grant programmes – in short everything we do – will need to evolve in a way which reflects our fully global status.**

12. Climate change is now amongst the most potent of the various global threats to migratory species worldwide. **A stronger central focus is needed within CMS to ensure that science-based advice on how to help migratory species to cope with the impacts of climate change can be developed and then disseminated to all Parties and members of the CMS network.** There is a need for well-founded scientific work to assess the comparative advantages and disadvantages for migratory species/ecosystems and other wildlife of measures to provide alternative low-carbon energy sources. There is also a case for strengthening resources available in the Secretariat to provide practical advice and capacity building where needed, on a range of challenges including oil pollution, marine debris, marine noise, ship strikes, by-catch, wind turbines, electric transmission lines and towers - all these examples have been taken specifically from Resolutions/Recommendations passed by CMS parties at the two most recent COPs in Bonn and Nairobi.

13. We also need to take stock and then shape CMS' future in the context of the wider picture for sustainable development, including the global agenda for environmental governance that is beginning to move forward and is dealt with in a separate paper (CMS/StC32/6). Here **CMS needs to ensure that our expanding network of agreements and associated conservation action develops in a way which complements rather than contradicts a high-level political emphasis on organizational streamlining and integration.** The integration of the new Gorilla Agreement and the experimental merger with the ASCOBANS Secretariat are two examples.

14. A related and recurring issue in CMS is the concern expressed by some Parties about the proliferation of species agreements and fears that they will outstrip resources available to implement them. Early in the Convention's history, a culture was established in favour of legally binding, highly autonomous species Agreements each with their own Meeting of Parties, intersessional committees, Secretariats, Trust Funds and separate Party Subscriptions (usually on the UN Scale). In more recent years CMS has moved sharply away from this expensive model by supporting non-binding agreements and action plans such as the Siberian Crane, Aquatic Warbler, African Turtle, Saiga and Pacific Turtle agreements, all of which remain more closely integrated with the parent CMS Secretariat and are operated under partnership agreements which allow cheaper, and where possible, local delivery of conservation, and the engagement of local people at all levels.

15. CMS should build on recent trends to **deliver more integrated conservation programme under a broad umbrella of "CMS Multispecies Initiatives"**. These could embrace a variety of conservation actions by CMS, its Parties and Partners on Appendix I and II species, using a combination of tools including binding Agreements, non-binding MOUs, partnerships, action plans and project grants as needed in each case, *but in a more coherent way assuring that CMS Parties as a whole retain overall oversight including budgetary control in partnership with other actors, including NGOs and regional MEAs.* **CMS Initiatives might be established for five main migratory species groups: (i) Terrestrial Fauna including Bats (ii) Birds (iii) Marine Turtles¹ (iv) Marine Mammals and (v) Fish.** Within each Initiative, activities would be co-ordinated, and any duplication minimised. There would be a progress report on each Initiative at COP and relevant inter-sessional meetings. Existing Agreements wishing to retain their legal and institutional independence would be able to do so but in the medium term incentives might be devised to encourage a more coherent and cost-effective structure. One option might be to establish a fully coherent "CMS Group" with simplified Party subscriptions covering all Group activities, through a Resolution at the CMS CoP in 2011, and underpinned by decisions taken in the individual agreement institutions during the period 2008-11.

Organisational Implications of CMS Global Status

16. The CMS Secretariat needs to modernise in response to these developments and projections. CMS flexibility and capacity for "rapid response" has been a distinctive and positive feature of the Convention's evolution. Current staff vacancies provide more room for manoeuvre in planning and implementing necessary changes with the support of all current staff. **Above all, the Convention's mechanisms need to be equally effective in all regions and deliver capacity building services closer to Parties.**

17. The Secretariat has identified three main options for future CMS organisation. **The first would be to centre manpower resources exclusively in Bonn and to appoint officers at HQ**

¹ Initiatives (iii) and (iv) could be combined as some of the two species groups face common threats, although the Secretariat feel that marine mammals work is such a distinctive and important part of the Convention's work that it needs its own focus.

who can relate to the regions. This would be similar to the Ramsar Convention, which has full-time Senior Advisers each backed by Assistants, for four regions – Africa, Asia-Pacific, Europe and the Americas - based at its HQ at IUCN in Switzerland. The Ramsar model also involves partnerships with locally based bodies, some of which have been set up to provide local presence and delivery of (eg) capacity building. While this has some attractions, there are two major objections that probably rule it out. The first is cost: such a structure would be extremely expensive for CMS given the costs of UN staff in Europe (which is higher than IUCN). An initial estimate of the cost of establishing regional offices for CMS in Bonn (on a conservative assumption of 3 x P3 officers and 3 GS assistants for each of the three regions of Africa, Asia/Oceania and, Latin America) would be an additional €2m during 2009-11 or a CMS budget increase of 32% compared with 2006-8. The costs of co-funding local partner bodies – which are a key element in the Ramsar strategy – would be additional to these figures. The second disadvantage is that CMS is naturally focused on regions – through the Article IV species agreements – in a way that makes it unsatisfactory to operate entirely from one HQ without some regional presence.

18. **The second model is essentially a confirmation of the *status quo* which might be described as “Organic” or “Evolutionary” Regionalisation.** This reflects the historic pattern, largely dictated by resource constraints, whereby a number of regional agreements have sprung up under ad hoc arrangements everywhere with no set or strong link to CMS or the UN system or even other key conservation bodies like IUCN. They can be cheaper, but many Parties and other stakeholders have expressed doubts as to whether they will in the end prove as effective as agreements with closer ties to CMS. This also needs to be considered in the context of the global environmental governance debate. By creating such a loose, unstructured expanding network of mini MEAs, the Convention is actually flying in the face of what most countries say they want, in forums such as UNGA and the UNEP Governing Council. Nor is this what the founding fathers of CMS intended - they always envisaged that regional agreements would retain a formal link to CMS Institutions including the CoP, the ScC and the Secretariat.

19. Rejecting a continuation of this model does not mean attempting to absorb existing autonomous agreements, unless the Parties seek that option. Nor should it deter us from seeking options that are both cheaper and more conservation-oriented outside the UN for delivering some regional species agreements and programmes under broader and coherent CMS Multispecies Initiatives as suggested earlier. The models set by the Siberian Crane and Aquatic Warbler agreements (co-ordinated by NGOs) and the revived West African Turtle Agreement (co-ordinated by NEPAD in Senegal under Secretariat supervision) can be replicated in certain circumstances, provided that there is sufficient capacity within the CMS Secretariat to provide consistent oversight. However the key element is that future agreements need to retain a formal link to the CMS network as a whole. There are several agreements where this is not the case, and a *risk that fragmentation will continue unless the Secretariat is able to respond, at regional level and literally in a language that local countries and conservationists can understand, to the need for future migratory species protection and programmes.*

20. **The third, and in the Secretariat’s view, preferred model is for an “Integrated, Flexible Network” through the establishment of two small regional nodes in Africa and, Latin America, to join the existing (but under-resourced) node in Asia, which would also cover Oceania.** The nodes would prompt flexible responses in each region and co-operation with local Parties, NGOs and other partners to deliver CMS support under strategies developed by the COP and the HQ Secretariat.

Integrated, Flexible Regional Networks – the Right Model?

21. Under this model, CMS would **transform itself progressively into a networked Convention with regional nodes**, in cooperation with UNEP Regional Offices and other MEAs/IGOs/NGOs, as appropriate to each case. **Capacity building for developing country Parties would be a priority, undertaken in co-operation with UNEP under the “Bali” Strategy endorsed by all Governments.** The nodes would support regional agreements and programmes to deliver CMS Initiatives for endangered migratory wildlife and habitats in the five main categories of “CMS Multispecies Initiatives” identified above. Organising suitable CMS work in this way would be less expensive than adding further posts at HQ, because staff costs in most regional locations are generally lower, and in some cases – notably for G-level staff - a fraction of costs in Europe. For example, the average cost of a GS5 officer in Senegal costs about €21,000 compared with €65,000 p.a. for a Bonn equivalent.

22. **A decentralised model like this would also bring CMS closer to grass roots conservation at the national and regional level:** at present all five of the global MEAs dealing with biodiversity are located exclusively in developed countries in Western Europe or North America, which actually contain much less of the world’s remaining wildlife resources than developing and transitional countries. Arguably, one of the reasons why it has been so hard to conserve biodiversity globally is a lack of knowledge about the situation on the ground. Developing a regional presence for the CMS Secretariat should help to ensure that they reflect the actual balance of views amongst CMS Parties. It would also help us to secure a better geographic balance amongst CMS staff.

23. A more regionally oriented approach would allow us to exploit our blossoming partnerships with the voluntary and private sectors in different countries. **Establishing regional nodes would also offer potential to share some posts and other common costs with UNEP, other MEAs and NGOs.** The Executive Secretary was invited by the UNEP ED in 2007 to explore these potential synergies with UNEP Regional Offices and other MEAs. There has been a positive response, particularly in Latin America and Asia.

Which Regions?

24. CMS is a global convention. The percentage of eligible countries currently Parties to CMS in each region is:

Europe 76 %

Africa 72 %

Central and South America 51%

Asia 33%

Oceania 29%

North America and Caribbean 6%

25. **CMS HQ** in Bonn already provides a base for three of our regional Agreements covering **Europe** or Europe and adjacent areas: EUROBATS, ASCOBANS and AEWA. This beneficial co-location would continue. Later in the paper, further measures are proposed to maximise synergy within the “Bonn cluster” of CMS bodies (see especially para. 37 ff). Some European/North African Agreements (ACCOBAMS, Wadden Sea, Great Bustard and Aquatic Warbler) could choose to continue to be co-ordinated in other parts of the European region while strengthening connections with the parent Secretariat and other agreements. It will be particularly important to find constructive ways to develop links between (i) ACCOBAMS, whose pioneering role based on strong science is widely recognised (ii) ASCOBANS, whose Parties have already agreed a

boundary extension around North-Western Iberia and Ireland and are about to consider adding large whales, and (iii) the proposed CMS West African Cetaceans agreement. However such links should respect the different needs of many species over a wide ocean area, as well as legislative and cultural diversity.

26. In **Asia**, CMS already helps support a regional node in Bangkok through its contribution of 20% of the costs of the senior officer in the IOSEA Secretariat, which also acts as the CMS advisory office for Asia. This office could be strengthened by the addition of one P3 level officer supervised by the existing P5 officer for IOSEA who would provide stronger support to Asia. Bangkok is a suitable venue from which to cover CMS interests in the new Agreement on dugongs, our membership of the East Asian-Australasian Flyway partnership and other possible agreements including cetaceans in the Indian Ocean. The Asia node would also be the focal point for links with Oceania where CMS is already benefiting from an innovative partnership with WDCS, agreed in July 2007, under which WDCS are providing 50% of the time of a WDCS officer based in Adelaide, Australia *gratis* to support CMS work on cetaceans and related marine conservation issues regionally and globally. Negotiations are also under way with another CMS partner, SPREP, to provide manpower resources to co-ordinate implementation of the South Pacific Islands Cetacean Agreement, which may attract support from regional donor states. Although it is UNEP/CMS (and not Thailand) who host IOSEA, further efforts should be made to secure Thailand's accession to CMS.

27. Within **Africa**, CMS has its greatest concentration of Parties and programmes in Western Africa and the Sahara region. Every country in the region except one is a full CMS Party, and all are Parties to CMS and one or more of its Agreements. Our flagship project, supported by EC/France resources of about €4m is for Sahelo-Saharan antelopes present in 14 states in the region. There are CMS agreements in force for West African Elephants (in partnership with the IUCN office in Burkina Faso) and for Western African Turtles (in partnership with the SINEPAD office in Dakar, Senegal). A new agreement in the region is being negotiated for Western African marine mammals, and another for W/C/E African gorillas is expected to come into force during 2008. A MoU Agreement for the Eastern Atlantic Monk Seal came into force during 2007. AEWA also has a major interest throughout the region, as will the new agreement on Afro-Eurasian raptors due for adoption in October 2008. IOSEA covers turtles on the Eastern African coast. ACAP covers southern albatrosses and petrels; and ACCOBAMS covers northern African cetaceans.

28. The Secretariat would favour establishing a node of 3 staff in Dakar, comprising a P3 level officer and two locally recruited GS support staff. Project staff would be deployed in addition where appropriate and affordable. The office would focus on capacity building for the entire African region, and on liaison with CMS Parties. AEWA would be invited to support an agreed share of the costs of these two posts in return for support on their issues including work to encourage 27 missing African countries to accede to AEWA. The African office could not take on all the work for existing African agreements, but it would be a focal point for co-ordination to ensure a coherent approach to CMS issues in Africa. It would have a special duty to ensure that all CMS policies were properly integrated and consistent with wider, agreed UN policies covering development and the fight against poverty. UNDP have a major office in Dakar, and CMS would intend to negotiate co-location of the node there, which would help in establishing closer links between the Convention, UNDP and development programmes in Africa and beyond.

29. Major programmes such as the France/EC funded Concerted Action for Sahelo-Saharan antelopes in North West Africa - the largest single project under CMS – would continue to be managed by the existing team based in Bonn, in consultation with the new node and range states.

30. CMS has a growing number of Parties in **Latin America**, where there are two new CMS agreements (Ruddy-headed Goose and Grassland Birds) and others under negotiation (Andean Highlands Flamingos) or in prospect (cetaceans and turtles). There would be obvious advantages for CMS in exploiting the geography and infrastructure of Panama in establishing a regional node. Beside its central position on two Ocean coasts, the “City of Knowledge” in Panama already hosts the UNEP Regional Office and an increasing number of other UN and international bodies operating in the region. Ramsar already has a regional centre for training and research in the City. Preliminary discussions with the UNEP Regional Director indicate that UNEP would be able to host a small unit. The model under investigation would propose to locate a CMS team of 2 there. Work on developing an Americas flyway agreement (see CMS/StC32/Doc. 15) would be coordinated here using L or consultancy officers subject to further fundraising. UNEP would be asked to provide some co-funding for the unit, to support its work on promoting joint implementation of all the biodiversity-related agreements in the region. We would also approach CBD, CITES, Ramsar and the UNEP Cartagena Convention to explore the possibilities of cost and task sharing.

What would the Regional Nodes Do?

31. A modest decentralized network will help to deliver the four main objectives in the CMS Strategic Plan. Getting the right information to the right people at the right time; building conservation capacity amongst stakeholders; and reinforcing in the regions the value added by CMS can never be as fully realized from HQ as it can be from a dedicated regional node. A regional approach will generally be richer in the intangibles that can spell the difference between achieving and not achieving the desired outputs - language and cultural familiarity, hands on coordination, face-to-face engagement, first hand knowledge of conservation issues, and timely responses that avoid lost opportunities. Preliminary financial analysis by the Secretariat suggests that the establishment of nodes will allow the CMS Strategic Plan – and the likely additional work programme that Parties add at successive COPs – to be fully implemented. This is on the assumption that earmarked contributions continue to cover the gap in the Convention’s activities budget (see para 2).

32. Under a decentralised network, each regional node would take the lead in day to day matters relating to the Convention’s work in the regional area, and would liaise directly with the relevant Standing Committee and Scientific Councillors and local partners. Some regional species agreements could also be implemented or overseen, at least in part, from the relevant regional node. A joint HQ-Regional team established to meet the circumstances of each case would normally negotiate new species agreements. **Each regional node would have the lead role in delivering capacity building and training for Parties in its region, in co-operation with CMS HQ staff and partners including UNEP and other MEAs. The nodes would also assist with** approaches to non-Parties in their regions in order to secure further accessions, supported by the focal point in HQ. Administration, finance and fundraising services would continue to be provided by HQ, but each regional node would be expected to spend some of its time seeking new resources in its area for CMS programmes. Other CMS programmes, including science, overall policy, advice on climate change, data systems, and small grants, publications, websites, and relations with international agencies, would continue to be led from HQ but with inputs and support from the regional nodes.

32A. Management of the nodes would be through the Deputy Executive Secretary (or the CMS Senior Adviser in Bangkok) to ensure coherent delivery of agreed convention objectives.

Streamlining HQ – Administrative and Financial Services

33. CMS and the three co-located agreements (ASCOBANS, AEWA and EUROBATS) have shared a common administrative support office (AFMU) since mid 2000. In 2003-4 the complement of the AFMU was set at 5 posts (Head of Unit (AFMO) + 2 Finance Assistants + 2 Admin Assistants). The AFMU has not been strengthened since 2004, although the number of Parties and separate Trust Funds has increased substantially in the last 3 years. The Standing Committee recognised this in its decision at the StC meeting in September 2006 to seek reclassification of the AFMO to P4 level, in order to bring the post to the standard level for such responsibilities of similar posts in other UNEP MEAs and Regional offices. The upgrade was approved by UNEP after a year of prolonged negotiations with the Secretariat, and is expected to be filled during 2008.

34. All the salary costs of the unit are met by UNEP out of the 13% standard UN overheads (OTL). In 2006 these costs amounted to USD 431,773 (equivalent to €346,282 using average UN 2006 rate 0.802). The upgrading of the AFMO post to P4 would increase these to €365,282. This should be compared with the actual sum of USD532, 318(equivalent to €426,919) paid in overheads by CMS and the 3 co-located agreements in the same year (2006). [Substitute 2007 figs when available in June/July]

35. At the heart of the problems faced by CMS and its co-located Agreements is the fact that the AFMU does not have the capacity to provide a “one-stop” service from Bonn. The division of many key administrative tasks, including recruitment and processing of invoices, between Bonn and Nairobi has affected services to CMS Parties, staff, suppliers and customers. Earlier decisions to remove CMS’ right even to a “petty cash” bank account have also been problematic for efficiency. During 2007 the main Travel Agent in Bonn cut off services to CMS after several years of problems with non-payment of invoices. In the past, CMS consultants have been left unpaid. UN Recruitment processes are extremely slow in meeting the needs of CMS and its Parties. It is important to recognise these problems stem not from lack of delegation but rather administrative failings, which are in urgent need of solutions.

36. In early 2008, the Executive Secretary of CMS/ASCOBANS, in consultation with the chief officers of AEWA and EUROBATS, set up an internal panel under the chairmanship of the Executive Secretary of EUROBATS (Andreas Streit) to investigate the main administrative blockages and suggest practical solutions to UNEP and its service provider, UNON. A list of the main recommendations is at Annex [TO FOLLOW]. Their adoption is assumed in this paper.

37. In addition to the 5 existing OTL-funded posts, the GS 3 Clerk post currently funded by CMS would be transferred to the AFMU, so that services such as registration of documents and control of supplies are provided on a common basis for the entire CMS Family.

38. There is now an opportunity to seek much more flexible arrangements with UNEP under a written agreement which previous audit reports have recommended, in order to bring financial and personnel services closer to modern norms.

Clustering and Developing Substantive Functions in CMS HQ

39. All members of the CMS Family agree that there is major scope to improve our effectiveness by **pooling and “clustering” resources for information, capacity building, fundraising, media and publications.** At present CMS has an Information and Capacity Building Officer (P4) supported by a Senior Information Assistant (GS7) and a 50% GS (who also handle accession work). AEWA has an Information officer (P2) with a small amount of GS support. EUROBATS has no designated staff for information work, but does have a budget and carries out such work as part of its general duties. ASCOBANS is similarly placed and has a budget for an outside contract to manage its website.

40. It is proposed to create a 6-person CMS Family **Information, Central Capacity Building and Fundraising Unit (FICFU)** comprising 1 x P4 (current post financed by CMS), 1 x P3 (new post financed by CMS and centred on fundraising) 1 x P2 (existing post financed by AEWA), 1 x GS7 and 1 x GS (both current posts financed by CMS) and 0.5 x GS (existing post financed by AEWA). Financial resources for the unit would be contributed by ASCOBANS and EUROBATS (in place of a staff contribution) and existing information and capacity building budgets of the 4 agencies would also be available. The unit as a whole would report to the ES, but existing reporting lines and responsibilities, including the direct reporting line for the P2 to the AEWA ES, would continue. The Unit would manage all information to Parties, CMS Family/Group websites, publications, press and media announcements, and the implementation of Species years, World Migratory Bird Day, and other events. FICFU would co-ordinate CMS' capacity building efforts, ensuring that regional programmes, which would be a key responsibility of the regional nodes, are carried out in a consistent and effective manner. It would be in charge of central fundraising for the CMS Family/Group as a whole, and for relations with "Friends of CMS", the HQ Host Country and UNEP. It would also manage all accession work for the four Bonn Family members, ensuring that all approaches to Governments from Bonn and the regional nodes were comprehensive and co-ordinated. Training and implementation guides (including French and Spanish versions of the CMS guide published in 2007) would be prepared, in co-operation with the regional nodes. **It is estimated that clustering resources for information, capacity building co-ordination, fundraising, media and publications in a FICFU would lead to annual cost savings of €50,000 compared with the status quo.** The remodelled Family Information and Capacity Building Unit would report direct to the ES.

41. Three remodelled central units would report through the DES to the ES. They would have the following responsibilities:

- (i) **Science, Data and Marine Unit (SDMU).** This would deal with the Scientific Council, reporting, conservation data management and IT applications, conservation projects and grants, concerted and cooperative species actions, action plans for CMS Agreements, new cetacean agreements, scientific publications, ASCOBANS, protected areas, effects of climate change on species and habitats, pollution, avian influenza, alien species and marine issues. They would have lead responsibility for three CMS Multispecies Initiative areas: Marine Turtles, Marine Mammals and Fish. The complement would be 1 x P4, 1 x P2 (new post), 1 x P2 (ASCOBANS/Marine Mammals), 1.5 x GS.
- (ii) **Policy and Agreements Unit (PAU).** This would cover CoPs and Standing Committee, development of new CMS Agreements except cetaceans (in partnership with regional nodes and SDMU for action plans), development and review of CMS policies, and general co-ordination with the regional nodes. They would have lead responsibility for the CMS Initiatives on Terrestrial Fauna and Birds. The complement would be 1 x P4, 1 x P3 (new post), 1 x P2 (new post), 1.5 x GS. The P3 post would act as the focal point for all climate change work in CMS. The postholder would be able to liaise direct with the UNFCCC Secretariat in Bonn, and with a range of other institutions in the host country, which it is hoped would be willing to partner CMS in making these key linkages between global warming and biodiversity. The P2 post would handle most day-to-day work with the growing list of CMS partners.
- (iii) **Inter-Agency Co-operation Unit (ICU).** The existing duties of the Inter-Agency Liaison Officer (P4) would continue to be carried out in this unit, supported by a P2

post. This would provide capacity to deal with the growing number of partnerships between CMS and a range of UN, other intergovernmental agencies, NGOs and private sector bodies. There are now more than 20 partnership agreements in operation or under negotiation. These need regular support to ensure that they generate activities and tangible value for migratory species conservation. The complement would be 1 x P4, 1 x P2 (new post), 0.5 x GS.

Executive Secretary's Office

42. The Executive Secretary's office would be increased by one post to three, through a P3 policy assistant working alongside the existing PA. This would help the Chief Officer to deal with the demands of a growing network, including the regional nodes. The grading of the post of ES (unchanged since March 2000) needs to be reviewed separately.

CMS Representation in New York and North America

43. At present CMS has little opportunity to take part in the regular UN meetings that take place in New York, for example dealing with marine issues, environmental governance and UN Staffing and resource control policies. An opportunity has arisen whereby CMS may be able to buy a one-third share of an existing P post in New York shared by UNEP/CBD and UNCCD, but currently vacant. The Secretariat believes this would be a cost-effective way of increasing the Convention's reach, and would assist in presenting a factually accurate picture of the work of the CMS Family.

44. In USA one of the Federal government agencies has recently offered to provide *gratis* office space for CMS in Washington. The Secretariat has taken this up on a temporary and experimental basis with a contractor, in order to follow up the new opportunities for closer work with US in the light of the successful seminar held in the Smithsonian in May 2007 and the ES's visits to key US Departments in August 2007. The contractor will also work closely with CMS partner NGOs and with the UNEP Regional Office for North America who are supporting CMS efforts to engage with US, Canada and Mexico. There are also opportunities for raising the CMS Family profile with GEF and the World Bank. It is proposed to establish a partnership with an NGO in Washington to continue this arrangement in 2009-11.

TABLE 1: Conversion of Existing and New Posts

NB posts shown in italics are not paid from CMS Family Trust Funds

| | <u>CURRENT STAFF</u> | <u>NEW SCENARIO</u> |
|----------------|----------------------|--------------------------------------|
| <u>Bonn HQ</u> | 1 x D1 | 1 x D1 |
| | 1 x P5 | 1x P5 |
| | 4 x P4 | 4 x P4 |
| | <i>1 x P3 (AFMO)</i> | <i>1 x P4 (AFMO)</i> |
| | | 1 x P3. (Fundraising - FICFU) |
| | | 1 x P3 (ES Assistant) |
| | | 1 x P3 (Climate Change - PAU) |
| | 2x P2 (1 AEWA) | 1 x P2 (AEWA - FICFU) |
| | | 2 x P2 (Science/Data, Marine – SDMU) |
| | | 1 x P2 (Partnerships - ICU) |
| | 1 x L2 (SSAP) | 1 x L2 (SSAP) |
| | 8 x GS (0.5 AEWA) | 7 x GS |
| | <i>4 x GS (AFMU)</i> | <i>5 x GS (AFMU)</i> |
| | <i>Total 22.0</i> | <i>Total 27.0</i> |

| | | |
|--------------------------------|--|---|
| <u>Asia & Oceania Node</u> | 1 x P5 (80% IOSEA) 1 x GS <i>Total 2.0</i> | 1 x P5 (80% IOSEA) 1 x P3 1 x GS <i>Total 3.0</i> |
| <u>Africa Node</u> | | 1 x P3 2 x GS <i>Total 3.0 (with 20% funds from AEWa)</i> |
| <u>Latin America Node</u> | | 1 x P3 1 x GS <i>Total 2.0</i> |
| <u>UN HQ New York</u> | | 0.33 x P4 (shared) <i>Total 0.33</i> |
| GRAND TOTALS | 24 (20.7 CMS/ASCOBANS) | 35.33 (33.93 CMS/ASCOBANS) |

Manpower Resources in Comparable MEAs

45. At present, the five biodiversity-related Conventions have the following membership and staffing levels (including administrative, (L) project or equivalent posts):

TABLE 2

| | CBD | CITES | CMS | Ramsar | WHC |
|-----------------|-----|-------|--------------|--------|-----|
| No. Of Parties | 190 | 172 | 108 + 30 AIV | 156 | 184 |
| No. of Staff | 83 | 32 | 20.7 | 28* | 90 |
| Future Proposal | | | 33.93 | | |

Sources: CBD (current list on website), CITES (organogram at COP14), Ramsar (current list on website), WHC (current list on website), CMS (current/proposed staff financed by CMS)

* in addition a further [] staff are employed by Ramsar's local partners.

Delivery and Estimated Costs

46. As mentioned in para 31 above, initial analysis by the Secretariat suggests that lower staff costs through regional nodes will release substantial resources, allowing full implementation of the Strategic Plan. This would result in the Plan being fully implemented, including a margin for additional work commissioned by Parties at future CoPs.

47. The probable distribution of work is illustrated in the CMS Work Plan 2007 (CMS/StC32/Inf.9), where we have added a column to the existing Workplan for 2007 (itself a tool to implement the approved Strategic Plan) showing how tasks would be distributed under the networked, decentralised system advocated in this paper.

48. **These proposals have been drawn up rigorously as the most effective way of utilising UN resources, in partnerships with other bodies including NGOs, to create an effective CMS global network,** allowing us to support migratory species conservation, including the growing number of regional agreements, at HQ and 3 regional locations, and at a net addition of 12 posts, of which 8 would be new P posts, all at working level (P2 or P3). Posts at this level are not only more economic for Parties; they also create a more balanced structure allowing a natural progression

through internships, temporary appointments, lower level professional posts and senior professionals.

49. The changes would be phased during 2009: the new HQ and Bangkok posts would be recruited from 1 May 2009; the two regional nodes in Panama and Dakar would open on 1 September 2009.

50. The additional costs of the package in 2009-11 are estimated at €900,000 above the current budget for 2006-8 approved at COP8 (see Resolution 8.3 Annex I), an increase of about 14%. The total cost of €7.26m for the triennium 2009-11 are slightly lower than the figure in the Medium Term Plan for 2009-11 of €7.29m agreed on the same Resolution. The estimate includes additional costs for removals, recruitment and travel.

51. All estimates assume that Parties will continue to make earmarked contributions at about the level achieved in 2006-8 (see para 3). The activities budget in the trust Fund represents a 10% increase in the 2006-8 approved levels. All % budget increases given above will generally translate into lower % increases in individual Parties' subscriptions, because the number of Parties has risen since the latest COP (from 93 to 108 with more in the pipeline).

52. CMS will continue to manage its expenditure rigorously, and further savings generated in the period 2009-11 will be available for conservation projects and/or the following triennium's budget.

Preparatory/Transitional Steps

53. Consultations with the Standing Committee (via an Electronic Working Group), donor Parties and other potential contributors (e.g. UNEP) on the future CMS structure are taking place during 2007-8. **The objective is that all CMS stakeholders should be familiar with the proposals by the time decisions have to be taken by Parties at CoP 9 in December 2008.**

54. On current vacancies, recruitment for a permanent replacement for the AFMO is ready to start in March 2008. The existing ADSO post will be filled during 2008 with a "health warning" that the job description could change to that of the Head of the proposed PAPU. The current IALO vacancy will be covered by consultancies pending the recruitment of a permanent officer after COP9.

55. Maintaining staff morale is particularly important during any period of organisational change. It is vital in the view of all the CMS Family Chief Officers to guarantee to Parties the maximum degree of continuity in delivering key CMS and Agreement programmes. **These proposals have therefore been carefully designed to ensure all existing CMS Family staff in Bonn and Bangkok would have a post at their current grading within the new structure and that future workloads are more reasonable than those currently being experienced by most CMS staff.**

Action requested

56. The Standing Committee Working Group is asked to consider this paper, which has been revised in the light of comments made at the Standing Committee meeting in November 2007, and provide further advice which can be incorporated into a revised version for submission to COP9 in December 2008.