



26th MEETING OF THE STANDING COMMITTEE
30th MEETING OF THE ADVISORY COMMITTEE

5 – 8 May 2026, Bonn, Germany

TERMS OF REFERENCE FOR SECRETARIAT ARRANGEMENTS

ANNEX 1 OF RESOLUTION 3.1

(Prepared by the Secretariat)

Summary:

This document proposes amendments to Annex 1, *Terms of Reference for Secretariat Arrangements*, of Resolution 3.1, with a view to aligning with current UN rules and regulations.

The proposed amendments have been compiled by the Secretariat.

Background

Resolution 3.1 on the integration of EUROBATS into UNEP administration, adopted in 2000, sets out the Terms of Reference for Secretariat arrangements in its Annex 1. These Terms of Reference were drafted at a time when none of the Agreements concluded under the auspices of CMS was administered by UNEP and before the institutional arrangements of the CMS Family in Bonn had been fully established. They were first adopted by the Parties to AEWA at its first Meeting of the Parties (MoP1) in 1999. Identical Terms of Reference were subsequently adopted by the Parties to EUROBATS and ASCOBANS at their back-to-back MoPs in 2000.

Over time, UN rules and practises have evolved, rendering certain provisions of the Terms of Reference outdated and the proposed amendments necessary.

For example, with regard to the recruitment of the Executive Secretary, Annex 1 provides that the Chairperson of the competent body of the Agreement shall be actively involved in the screening of candidates and shall serve as a member of the assessment panel. Pursuant to the Administrative Instruction of the United Nations Secretariat on the staff selection system (ST/AI/2010/3/Rev.3, effective 1 February 2024) and the UNEP Standard Operating Procedure on recruitment process of P4 and below positions (UNEP-HRS/CSD-SOP-01, effective 25 September 2024), assessment panels shall comprise at least three UN staff members. All panel members are required to have completed the relevant UN recruitment training.

In addition to the recruitment-related provisions, other UN rules and practices have also evolved over time, further underscoring the need to update the Terms of Reference.

Recommended actions during the joint 26th Meeting of the Standing Committee and the 30th Meeting of the Advisory Committee:

The Standing Committee is invited to consider and discuss the draft amendments to Annex 1, *Terms of Reference for Secretariat Arrangements*, of Resolution 3.1, as contained in Annex 1 to the present document, and to propose further amendments, if appropriate.

ANNEX 1

Proposed amendments to Annex 1 *Terms of Reference* for *Secretariat Arrangements* of Resolution 3.1

NB: Proposed new text is underlined. Text to be deleted is ~~crossed out~~.

Annex1

Terms of Reference for Secretariat Arrangements

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

1. The Agreements ~~Unit~~Secretariats will comprise personnel according to the budgets of the respective Agreements.
2. The Executive Secretaries to the Agreements will report to the Executive Secretary to CMS for internal administrative matters and communication with UNEP. They will report to the Parties as well as to the competent bodies of the Agreements on their work programme. The Chairpersons of the competent bodies of the Agreements ~~shall~~may contribute to the annual performance appraisal of an Agreement's Executive Secretary should a need arise.
3. Staff members of the Agreements ~~Unit~~Secretariats 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 ~~authorised~~agreed by the Executive Secretary~~ies to CMS~~concerned.
4. ~~Apart from t~~The costs of the joint Administrative and Fund Management Officer~~Unit,~~which are borne by UNEPthe Programme Support Costs generated from the Convention and Agreements budgets,~~the~~Any additional costs 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 Executive Secretary~~ies to CMS~~ with the agreement of the Chairperson of the competent body of the Agreement concerned. UNEP will be responsible for ensuring classification of all posts.

~~The advertisement for any Executive Secretaryies to a given Agreement shall desirably come from, as well as the subsequent appointment of a candidate, will be limited to the Contracting Parties to the Agreement Area 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 Executive Secretaryies ~~to CMS~~concerned, in consultation with the UNEP Executive Director as appropriate, in accordance with set recruitment procedures and consisting of staff including officers from United Nations agencies in Bonn. The Chairperson of the competent body of the Agreement concerned will be actively involved in the screening of candidates for the post of Executive Secretary to that Agreement and will be a member of an observer to the panel. If the Chairperson is unable to attend panel sessions, he / she is entitled to appoint a substitute. Preliminary screening of general service staff applications and interviews will be organised by the responsible Executive Secretaryies, ~~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~~by the Executive Secretary ~~to CMS~~concerned.

Financial arrangements

7. The 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 Agreement Secretariats shall be entitled to appropriate local banking facilities for the conducting of day to day transactions.~~

~~98.~~ 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

~~109.~~ Contributions from the 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 rationalised 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 adopted by the respective MoPs/CoP.

140. 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 Secretariats staff, the Executive Director of UNEP will be authorised, through a provision in the terms of reference of the CMS Trust Fund, to make special provision to cover these salaries on a reimbursable 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 competent bodies of the Convention and the Agreement concerned, and reported upon at the next session of the Meeting/Conference of the Parties.