

6th Meeting of the Standing Committee

Bonn, Germany, 22 March 2011

Record



1. Attendance

This is listed at **Annex 1** to this Record.

2. Opening remarks:

The Chair called the meeting to order and invited Germany, the Host Country to take the floor.

- **the Host Government**

Germany welcomed the members of the Committee to Bonn and announced that it had provided voluntary contributions of €100,000 towards implementing resolutions adopted at the previous MOP and in support of activities under the Year of the Bat.

- **the Chair of the Standing Committee**

The Chair also welcomed the members to the first Standing Committee meeting of the new quadrennium. He expressed his thanks to the Host Government for providing the Secretariat with excellent facilities. He also welcomed the Chair of the EUROBATS Advisory Committee and the Executive Secretary of CMS, the parent Convention. The CMS COP would be taking place in November 2011 in Bergen and under discussion would be the options elaborated under the Future Shape process, which had a bearing on EUROBATS. He also welcomed the observers from the Netherlands and Luxembourg.

The Standing Committee had mandates from the MOP to carry forward new initiatives along with the routine tasks of ensuring that the Agreement's finances were efficiently managed and that the conservation status of bats improved across the Agreement's increased area. It was hoped that the Secretariat's staff contingent could be increased, but this would depend on the recruitment of further Parties.

The Year of the Bat campaign to be carried out in the years 2011 and 2012 was another incentive for Parties to redouble their efforts for bat conservation and publicizing the plight of bats. Bats were among the best examples for demonstrating the fragility of biodiversity and the efforts made to protect it.

- **the Executive Secretary of UNEP/CMS**

The Executive Secretary of CMS said that the high attendance at the meeting demonstrated the Parties' commitment to the Agreement. She thanked the German Government for its assistance over the years and the EUROBATS team for having prepared the current meeting.

The Year of the Bat was an example of the fruitful cooperation between the Agreement and the parent Convention, with EUROBATS leading in 2011. Lessons could be drawn from the CMS-EUROBATS experience across all MEAs. Although the first year of the campaign would focus on Europe, activities were already taking place worldwide. It was important to maintain the momentum of the campaign over the full two years and take stock of the progress made in improving awareness of bats and in the species' conservation status.

EUROBATS had also been collaborating with the FAO and had contributed to a capacity building workshop in Africa on wildlife diseases, meaning that other regions were gaining from the experience gathered in Europe.

The UNEP Governing Council had met recently and some of the discussions there impinged on EUROBATS, especially with regard to environmental governance. The deliberations being made under the CMS Future Shape process were not an isolated initiative, as similar discussions were being conducted at different levels. The question of the relationship between UNEP and the MEAs that it administered would be raised under agenda item 8.

- **the Chair of the Advisory Committee**

The Chair of the Advisory Committee drew the meeting's attention to the fact that the Advisory Committee was due to meet in two weeks' time in Tbilisi, Georgia, where the agenda would concentrate on the implementation of the Resolutions adopted at MOP6. He pointed out that there were currently 52 different species of bat within the Agreement Area but this number was likely to increase as DNA research continued and more species were recognized. Artificial fertilizers and pesticides had reduced the role of bats in agriculture and forestry in Europe, and had harmful side effects on bats. In tropical and sub-tropical areas, bats still played an important role in seed dispersal and pollination and were therefore of great economic significance.

The Chair of the Advisory Committee recognized that a great deal of scientific work was needed to help develop effective conservation policy to better protect bats.

He furthermore reported that a number of species added to the EUROBATS annex at the previous MOP had scientific names but no vernacular ones. This impeded public awareness raising efforts as the Latin names did not resonate with non-scientists. Some countries had nomenclature commissions which were working on assigning common names to these species (Ukraine had completed the task and Luxembourg was in the process of doing so). It was hoped to have chosen common names in most languages in time for a planned EUROBATS Publication.

- **the Secretariat**

The Executive Secretary of EUROBATS highlighted some of the key points of the Secretariat Report which would be examined in greater detail under Agenda Item 5. He reported that Christine Boye had left the Secretariat after ten years' service. Her post was being filled temporarily by Ana Ferreira Da Silva until a permanent replacement was recruited.

Thanks to the MOP decision to allow a withdrawal from the reserve, two special assistants had been recruited to work on the "Year of the Bat", which had made an encouraging start with high quality materials having been produced. The Secretariat was receiving a large number of requests for material and information. A fuller account of activities under the campaign appears under Agenda Item 5c of this report.

The success of the EUROBATS publications series continued, with several editions in reprint and a Czech language version having been produced.

The Executive Secretary concluded by extending a special welcome to the representative from Finland who participated via video link.

3. Adoption of the Agenda

The Chair introduced Document StC6.1. This was adopted subject to the addition at Germany's suggestion of a further point under Agenda Item 5 to discuss marking the 20th anniversary of the signing of the Agreement.

4. Adoption of the Rules of Procedure

The Chair introduced Document StC6.4, pointing out that the Rules of Procedure had remained essentially unchanged since they had first been adopted.

Germany suggested three minor changes. It was pointed out that as the Agreement had a Standing Committee and an Advisory Committee and both were mentioned in the Rules of Procedure, reference to simply "the Committee" should be clarified. Rule 5 referred to extraordinary and special sessions of the MOP, but did not mention regular

sessions. The Chair recalled that the Czech Republic had been involved in the Standing Committee's work in the run-up to the Prague MOP in 2010. Finally, Germany suggested that the 20-day deadline contained in Rule 19 should be changed to 30 days, and in this context pleaded, that within 30 days after the StC Meeting the Secretariat should dispatch the minutes.

These amendments were accepted and the revised Rules of Procedure adopted.

5. Adoption of the Record of the 5th Meeting of the Standing Committee (Prague, Czech Republic, 22 September 2010)

The Chair referred to Document StC6.5, the record of the 5th meeting of the Standing Committee, which had taken place immediately after MOP6 in Prague. The main business of this meeting of the Committee had been the election of the Chair and Vice-Chair. There were no comments on the draft and the report was adopted.

6. Secretariat report:

a) Agreement membership (recruitment of new Parties)

It was reported that Montenegro had completed its internal accession procedures and should send its instrument of accession to the Depositary shortly. Other countries in the advanced stages of accession were: Bosnia and Herzegovina, Cyprus and Switzerland, while internal procedures were also progressing in Spain.

b) Eurobats Projects Initiative (EPI)

A full account of the voluntary contributions received in the course of 2010 for projects was contained in Document StC6.7. A summary of each project appeared on the EUROBATS website and donor countries received more detailed reports. One important project undertaken concerned the effects of lighting on historic monuments funded by Italy and France. The Chair suggested that Advisory Committee should consider how the results of this project could best be shared with the other Parties.

c) Year of the Bat and other publicity

The Executive Secretary gave a brief introduction of the main activities from the first months of the Year of the Bat. These included an event in the Philippines at a cave used as a bat roost, an event in France (la Forêt racontée) which the Executive Secretary had attended, and a launch in Portugal involving the participation of the junior environment minister. Further events were planned in Latin America and the USA. EUROBATS' initial contributions to the campaign had been made possible by voluntary contributions from France and Germany and included stickers and a flyer in various languages.

The Secretariat then made a presentation of the key initiatives taken under the campaign. There was a dedicated Year of the Bat website, which was attracting a large number of hits. An electronic bulletin (Batchat) had been produced and it was planned to publish further editions every other month. The campaign had a presence on the social network, Facebook, and a blog had been started. A brochure and a series of 20 postcards were in preparation. The flyer had initially been produced in English, French, Spanish and German. Bulgarian, Chinese and Portuguese versions had followed. An online quiz would be launched in April in cooperation with Planet Science; this would be aimed at schools, children and parents. A distance outreach programme, Batslive, would be launched in the autumn in the USA before the global launch of the second half of the campaign. A photograph competition and a bat box building initiative were also in the pipeline.

The Chair distributed ten copies of the poster associated with the French Natural history Museum's "la Forêt racontée" initiative.

The Executive Secretary sought the views of the Committee on how to maintain the campaign's momentum, pointing out that the funding for the two consultancies would soon be exhausted. It was estimated that the monthly cost of extending one consultancy would be €2,400 and this could be covered by the surpluses habitually generated under the staff budget lines. The United Kingdom stated a definite preference for using surpluses from the staff costs in the core budget rather than diverting funds from the reserve that might otherwise be used for projects, and sought more details of the type of work that the consultant would undertake and for what period the consultancy would be extended.

It was agreed to extend one of the consultancies for eight months (to the end of November 2011) at an estimated cost of €19,200 to deal with requests for information and material and maintain the website and Facebook presence. It was noted that the prime responsibility for the campaign in 2012 was to pass to CMS.

d) Bats in Africa

The Secretariat had cooperated with the FAO to organize a workshop in South Africa, with the participation of the Executive Secretary, the Chair of the Advisory Committee, Professor Paul Racey, Tony Hutson and the South African experts, Wanda Markotter and Peter Taylor. The main theme was wildlife disease but there was a great deal of interest in the EUROBATs conservation angle. The Chair of the Advisory Committee said that there was an unjustified level of concern over bat rabies in Europe, given the

infrequency of human fatalities. The extent to which bats in tropical countries carried rabies and other diseases needed to be investigated, including through the consumption of bats as bushmeat.

Three further workshops were being planned in other sub-regions of Africa. FAO would bear the main administrative and financial burden, but Parties were urged to make voluntary contributions to enable the participation of the highest possible number of countries and experts. It was estimated that each workshop would need €20,000.

The Chair suggested that the Secretariat write to all Parties seeking voluntary contributions for the initiatives in Africa, as knowledge gained in Europe should be shared with African countries, as well as for other projects. The Czech Republic informed the meeting of its special relationship with Ethiopia with regards to development cooperation, and this programme had a biodiversity element.

Germany suggested that advantage should be taken of the presence of African delegates at the forthcoming AEWA MOP in La Rochelle where a side event on bats could be organized. Ukraine made a similar suggestion regarding the CMS COP. Both of these suggestions were endorsed by the Committee.

e) 20th Anniversary of the Agreement

While there were no resources for a special event solely dedicated to celebrating the 20th anniversary of the signing of the Agreement, it was agreed that a multi-faceted side event at the CMS COP was a sensible alternative, combining promotion of the Year of the Bat (and the launch of the second year) and the initiatives in Africa.

The Chair suggested that the Secretariat work up a more detailed proposal for the Committee to consider intersessionally.

7. Administrative matters:

a) Report on income and expenditure in the financial year 2010 as well as Trust Fund status as of 31 December 2010

The Chair stressed that the Agreement faced no particular pressure to find savings, but the scope for efficiencies might become apparent whereby more resources could be assigned to conservation. It appeared that there was a distinct possibility of further accessions in the foreseeable future.

The Executive Secretary presented Doc StC6.6 and was pleased to report that the overwhelming majority of Parties had paid their contributions in full and on time and the level of arrears was minimal. He thanked donor countries for the voluntary contributions

detailed in Document StC6.7 and explained that the figures shown were the net amounts distributed to projects after the Programme Support Costs of 13 percent had been deducted.

The outturn for the 2010 budget was in line with what had been programmed. The cost of the pre-MOP joint meeting of the Standing and Advisory Committees had exceeded the allocated amount, but the excess had been met from savings from other budget lines and previous years. The preparatory meeting had also cleared many issues enabling the MOP itself to run more smoothly.

The Chair drew attention to the €6,000 underspend on the new budget line 4302 for IT Services. The Executive Secretary explained that this budget line had been introduced because the United Nations Volunteers, the Agency providing IT support at the UN premises in Bonn, was no longer able to provide the service free of charge and all client agencies including EUROBATS now had to pay a set fee for each staff member. The estimated cost for the full EUROBATS Staff contingent was €15,000, and the surplus would disappear when all vacancies were filled. The additional costs arising from the IT charges had been met in part by the additional revenue generated by a number of Parties who agreed to pay an amount in excess of their assessed contribution at MOP5.

There being no further comments, the Budget Statement was approved.

The Executive Secretary presented Document StC6.8 which had been received from UNEP HQ shortly before the meeting. He stressed that the document was provisional as the accounts would only be closed for the 2010 Financial Year on 31 March and also emphasized that the Secretariat had reservations about the statement and these had been raised with HQ. The statement, expressed in US dollars, included a line "exchanges losses" with a sum of US\$123,568.

The Administrative and Fund Management Officer of the CMS-Family gave a brief explanation of the UN accounting procedures and the difficulties the system had in determining a particular division's balances maintained in the Euro account. Given the recent depreciation of the Euro against the US dollar (average 6%), a reduction in the US dollar value of EUROBATS' reserves in Euros was to be anticipated. The depreciation shown in the statement of about 50% was difficult to understand and the Secretariat had stressed to UNEP and UNON, that Parties would be alarmed. All Bonn-based members of the CMS Family faced a similar position. UNON had agreed to review the process.

The Chair agreed that the reduction of the Agreement's reserves in this manner was inexplicable and not acceptable, and asked when the Secretariat expected to receive an explanation and a revised statement. The Secretariat confirmed that UNON had taken note of the concerns expressed and a revised statement would be issued in the course of the year, although it was not clear precisely when.

The United Kingdom asked whether the devaluation was purely a "paper" loss arising from accounting procedures or whether the Agreement was materially disadvantaged and further asked whether this phenomenon had occurred before. The Secretariat explained that as UNEP's principal accounting currency was the US dollar, the Agreement was materially affected as its reserves expressed in dollars had been significantly reduced and savings from 2009 and 2010 had been eradicated. In previous years, exchange rate fluctuations had been less volatile, had generally worked in favour of the agreement and had produced modest exchange gains. These had previously been shown in a "miscellaneous" line in the statement, but for transparency's sake the losses had been allocated their own line.

The Executive Secretary of CMS said that the intervention of the governing bodies of the CMS Family might prove helpful. The Chair requested the Secretariats of CMS and EUROBATS to inform HQ of the Standing Committee's request for an explanation. Further action would be considered in the light of the response received.

b) Projection of the financial situation in 2011 including voluntary contributions

The Executive Secretary presented Documents StC6.9 and StC6.10 and expressed his optimism that the current year's budget would be sufficient to cover the Secretariat's core functions and routine costs. Discretionary activities such as project funding were dependent on voluntary contributions, and all donors were thanked for their generosity. Belgium, Finland and Italy had agreed to forgo the reduction in their contributions or rebates arising from adjustments to the UN scale of assessment and the €5,000 arising from this had been allocated to the EPI.

c) Staffing situation in the Secretariat

See the Secretariat's comments under Agenda Item 1 (Opening Remarks)

8. Report on the preparations for the 16th Meeting of the Advisory Committee

The Executive Secretary reported that preparations for the Advisory Committee in two weeks' time were progressing well. The primary task was to organize the Committee's work for the current quadrennium. There would be few substantive new documents as the main business would arise from the MOP resolutions.

Special visa arrangements had been agreed with the Georgian authorities given that some EUROBATS range states did not have a Georgian embassy. Visas would therefore be issued on arrival at Tbilisi airport.

The Chair regretted that he would be unable to attend the meeting himself but asked that his best wishes should be expressed to the Agreement's expert forum.

9. Evolution of the relationship between the United Nations Environment Programme and the multilateral environmental agreements that it administers

The Chair introduced two lengthy documents regarding UNEP's relationship with the MEAs it administered and the delegation of authority (Documents StC6.12 and StC6.13 respectively).

The Executive Secretary explained that a dialogue with UNEP's Executive Director was already underway and all UNEP's MEAs (CBD, CITES and the Basel and Stockholm Conventions etc.) were involved. Much of Document StC6.12 dealt with past issues that had long since been resolved, such as human resources and administrative support.

One outstanding item of relevance to the CMS Family was the absence of a formalized relationship with UNEP and the Executive Director (possibly because of the historic lack of areas of conflict and there being no need to set parameters). This was being addressed through the delegation of authority (Document StC6.13). Another issue was the use of the Euro for the Agreement's accounts and UNEP's desire to use the dollar again coupled with the periodicity of the budget (EUROBATS had a four-year cycle and CMS a three-year cycle, whereas the UNEP norm was two years). Document StC6.12 criticized Parties for deviating from such UNEP norms, although all such divergences had been enacted with UNEP's full knowledge.

The Executive Secretary of CMS explained the background to the relationship between UNEP and its MEAs, saying that over time different arrangements had evolved on an ad hoc basis resulting ultimately in a rather confusing state of affairs where the Executive Director could be held responsible for actions over which he had relinquished control. A legal opinion from UN HQ in New York advised that the Executive Director's position had been undermined and that relationships between UNEP and the MEAs should be regularized.

She added that it was clearly stated in UN rules that the currency to be used was the US dollar, but pointed out that this rule dated from a time when the Euro did not exist. The Parties that had instigated the change to the Euro should perhaps bring the issue to

the General Assembly. With regard to the 13 percent Programme Support Costs (PSC), these were intended exclusively to provide administrative support, but Parties continually requested that they be used for project implementation. Larger Conventions also felt disadvantaged as they effectively subsidized Conventions such as CMS, where the entire Administration and Fund Management Unit was funded through the PSC. Any changes to the system were likely to work against the interests of the CMS Family.

With regard to the delegation of authority, extensive behind-the-scenes negotiations had taken place during the CBD COP in Nagoya between UNEP HQ and CBD over a service level agreement. In parallel, delegation of authority was being negotiated between UNEP HQ and the MEAs. CITES had recently agreed theirs. MEAs were for instance being given greater responsibility for the recruitment of staff below the P5 grade. The Executive Secretary to EUROBATS stressed that the CMS Family had ensured that a specific reference to the role of the Parties in assigning roles to the Executive Secretaries was included in the delegation of authority, thereby entrenching the wishes of the Parties.

The delegation of authority would not allow MEAs to deviate from UNEP rules and regulations, but autonomy on issues of substantive policy would be retained. The main aim was to reduce bureaucracy by removing the need for MEAs to seek approval from UNEP Headquarters for even quite routine business. Overall authority and accountability would remain with the Executive Director.

Germany asked what role the Parties had and what the Secretariat expected them to do. Germany stated that the cycle of the MOPs and budget should be left to the Parties and expressed concerns at the suggestion of reverting to the US dollar given the difficulties experienced by ASCOBANS resulting from exchange rate fluctuations before it had adopted the Euro. The Chair saw a dilemma given that the UNEP paper seemed to require strict adherence to UN rules, while the Parties had no desire to change their budget cycles or currency, so faced the choice of bowing to the pressure or seeking an alternative service provider.

Both Executive Secretaries advised that the documents had been presented for information purposes and the Secretariats would revert to Parties as further developments arose. The Executive Secretary of CMS sought to allay fears about the cycle of meetings, stressing that the triennial cycle of CMS was entrenched in the Convention text and the practice was well established, with UNEP's involvement from the very beginning. It was therefore unlikely that UNEP would require textual

amendments and re-ratification at this late stage. The annotation “(as accepted and commented by CMS- 16 March 2011)” referred to the CMS Secretariat rather than the CMS Parties, as the document was an internal UNEP one.

The Committee welcomed the Secretariats’ transparency in sharing the documents and requested to be informed of the outcomes of the discussions with UNEP.

10. Update on Phase III of the Future Shape of the CMS Family Process

The CMS Secretariat made a presentation describing the Future Shape process being undertaken within CMS. The process had been set in train by CMS COP9 (Resolution 9.13 and addendum), comprised three phases and was being led by a Working Group chaired by Switzerland and assisted by a firm of consultants, ERIC. The first was a scoping exercise describing the current operations and organizational structures in the CMS Family; the second developed initial proposals for how to improve the current operations and structures and the third was developing three Options for the future shape of the Convention to be presented at COP10 in November 2011. For the second phase, a questionnaire drafted by the Working Group had been issued to Parties, non-Parties involved in CMS Instruments and various MEA and NGO partners seeking their input, but the response rate had been quite low casting doubt on the representativeness of the replies. Nonetheless, ERIC was requested to summarize the key issues raised in the questionnaires received without making a full analysis. In parallel with the consultation through the questionnaires, the Working Group requested ERIC to produce a wide list of options for restructuring CMS Family. These options were reduced to a more manageable number (seven) by the second meeting of the Working Group (July 2010). This meeting considered the proposals presented by ERIC and decided to take the bullet points of Paragraph 3 of Resolution 9.13 as the starting point for further discussion and draw up a table to illustrate how the proposed activities met the mandate. As a result, ERIC selected some of these activities and, grouped them under four options, namely “Concentration”, “Decentralization”, “Ideal” and “Low Cost”. A methodology based on different foci and a related scoring system were also developed and applied to these activities.

The Standing Committee meeting November 2010 encouraged Parties to make further comments and requested ERIC and the Working Group to revise the report on the basis of comments received and to compile a new list of options for the third meeting of the Working Group. Although a number of issues arising from the report of the second phase were not fully resolved, the third meeting of the Working Group held in February

2011 had nonetheless started the process of elaborating the three Options to be presented at the COP. These were characterized as (1) essentials, (2) essentials and desirables achievable within existing legal frameworks and (3) essential and desirables entailing renegotiation of the Convention or Agreements.

ERIC was now working on costing the various options and the absolute deadline for a final draft proposal to be submitted to the CMS Standing Committee was the end of April 2011.

Germany said that as the EUROBATS Area had just been extended, the future shape of the Agreement was clear. This appeared to be less the case for CMS/AEWA and some of its other existing and proposed instruments such as the Central Asian Flyway initiative.

The Chair recalled that the Resolution from COP9 required the entire CMS Family to be consulted, and noted that time to contribute ideas was running out. The CMS Secretariat pointed out that it was servicing rather than running the process, but that all documentation was posted on a dedicated page of the CMS website. The CMS Secretariat would inform the Working Group about this request. The final draft of the options paper would be distributed as soon as it was available after review by the CMS Standing Committee.

11. Implementation of Resolutions adopted at MoP6

The key resolution from the previous MOP concerned the development of the Conservation and Management Plan. The Chair of the Advisory Committee said that it was likely that intersessional Working Groups would be established to take forward the tasks assigned to the Committee by the MOP. Further details would appear in the documents for the Advisory Committee in due course.

12. Upcoming international events and developments in Nature Conservation relevant for bats and the Agreement

The Chair of the Advisory Committee highlighted the twelfth triennial European Bat Research Symposium in Vilnius, Lithuania in 22-26 August 2011. The webpage was now live. The occasion would be used to launch the umbrella NGO, BatLife Europe.

Luxembourg drew attention to the 85th annual meeting of the German Society of Mammalogy, to take place from 13 - 17 September 2011 in Luxembourg. Further information would be sent to the Secretariat and disseminated at the Advisory Committee. Contributions from bat researchers would be very welcome.

Germany announced a national event in the context of the Year of the Bat which would take place from 1-4 April 2011 in Berchtesgaden, Bavaria.

Germany also drew attention to the forthcoming EU Presidencies, which would be Poland (late 2011), Denmark (early 2012) and Cyprus (late 2012).

13. Any other business

There was none.

14. Date and Venue of the 7th Meeting of the Standing Committee

The Chair said that although it had almost become customary for the Standing Committee to meet in Bonn, where the facilities were so good, it was not obligatory to do so. He extended an invitation to the Committee to meet in Paris at the Ministry's premises at La Défense. This offer was warmly received by the meeting.

The Chair would liaise with the Secretariat over details and the precise date, probably late March given that Easter 2012 fell in early April and scientific field work began in earnest in May.

15. Close of Meeting

The Chair summarized the work of the Meeting, confirming that the Agreement's finances were sound, and that funds should be used to continue a consultancy post for the Year of the Bat. The reports on the relationships between UNEP and its MEAs and the CMS Future Shape process had been noted.

After the customary expression of thanks for all those who had contributed to the successful organisation and execution of the meeting, the Chair declared business concluded at 16:32.

6th Meeting of the Standing Committee

Bonn, Germany, 22 March 2011

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