



Lesson - Unit 2 - Institutional Framework and Funding of the CMS Family

Lesson - Unit 2 - Background Information

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Course: Course for the National Focal Points for the Convention on the Conservation of Migratory Species of Wild Animals (CMS) and its Instruments

Book: Lesson - Unit 2 - Institutional Framework and Funding of the CMS Family

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1. Bodies of the CMS and its instruments

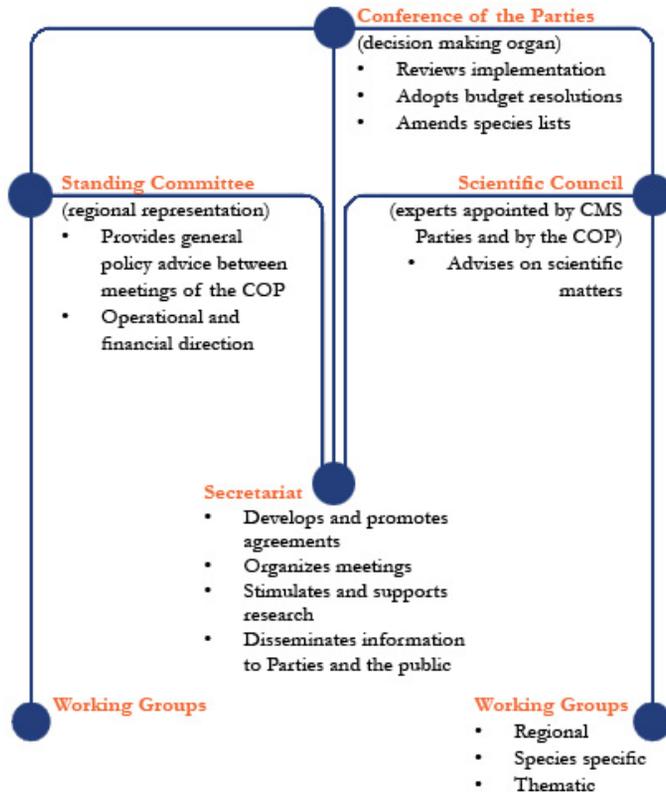


Within a CMS Family instrument, functions are generally

split among a number of bodies. These bodies can be broadly classified as:

1. Secretariats or Coordinating Units (administrative);
2. Decision-making bodies (COP/MOP/MOS) and the subsidiary bodies (usually called the Standing Committee) providing guidance between the meetings of decision-making bodies; and
3. Scientific and technical advice (e.g. Scientific Council)

Chart - Organizational Structure of CMS



1.1. Decision-making bodies

The principal decision-making body for the Convention is the Conference of the Parties (COP) which meets once every three years. For most of the legally binding Agreements, instead of a COP, there is a Meeting of the Parties or MOP (the exception is the Wadden Sea Seals Agreement which is overseen by the Wadden Sea Board made up of representatives of the three Range States, Denmark, Germany and the Netherlands); the MOP meets every three or four years, depending on the provisions of each Agreement agreed by the Parties. MOUs have Meetings of the Signatories (MOS).

Listen to Dr. Bradnee Chambers, Executive Secretary of CMS, on the upcoming 11th Conference of the Parties to CMS:

Roles and functions

The various decision-making bodies of the CMS Family instruments review progress made and challenges encountered during implementation, and decide on the priorities for the next inter-sessional period. Where applicable, they also review the instrument's finances and set a budget.

The roles and functions of the CMS COP are outlined in Article VII of the CMS. The main aim of the COP is to assess and agree upon amendments to the Appendices and to adopt resolutions. The COP additionally establishes and reviews the financial regulations of CMS, adopts the budget for the following three years and reviews the implementation of CMS. In particular, the COP may review and assess the conservation status of migratory species and the progress made towards their conservation.



How are the meetings conducted?



The COP is presided over by a Chair, usually the representative of the Host Government and is overseen by a bureau made up of the elected officers of the meeting, the Chair of the Standing Committee and the Scientific Council and supported by the Secretariat.

Decisions – such as the election of officers, the adoption of the agenda and the Rules of Procedure, the establishment of Committees and Working Groups, and at the end of the COP, the adoption of resolutions are taken by the Plenary, that part of the meeting attended by all delegates.

Detailed discussion of the COP's general business is conducted by the Committee of the Whole; some specialized business such as the budget is referred to a dedicated Committee or Working Group. Committees and Working Groups that meet only during the course of a meeting of a decision-making body are called “in-session Working Groups”; those that carry on after the close of the meeting are called “intersessional Working Groups”. These report their findings and make their recommendations either to the next meeting of the subsidiary of the decision-making body.

Meetings of the decision-making bodies follow more or less the same pattern as those of CMS, but tend to be much smaller in scale, reflecting the smaller membership of the instruments in comparison with the parent Convention.

1.2. Subsidiary Bodies

Subsidiary bodies are set up to assist the decision-making bodies of the Convention or its instruments.

They may be set up by the treaty itself, such as the CMS Scientific Council, or by the COP, such as the CMS Standing Committee.

Bodies that provide Intersessional policy and administrative Guidance

These bodies, which are in most cases called the Standing Committee, provide policy and administrative guidance between regular meetings of the decision-making bodies, and ensure that their decisions are implemented.

The CMS Standing Committee was established by the COP (originally Resolution 1.1 in 1984 but now based on Resolution 9.15 of 2008). Similar subsidiary bodies exist within several other CMS Family instruments, namely AEWA, whose Standing Committee was established through the adoption of Resolution 2.6 and EUROBATS with the adoption of Resolution 5.8.

In the case of ASCOBANS, the subsidiary body, which is called the Advisory Committee, has a double function in providing not only technical advisory services but also administrative and policy guidance.

These bodies either consist of regional representatives elected by the decision-making bodies and other representatives such as the depositary government, or in the case of smaller Agreements one representative per Party. Where the subsidiary body is made up of elected regional representatives, any other Member State can normally participate as a non-voting observer.

Their **mandate** consists of the following:

- monitoring the budget
- making recommendations for consideration by the next meetings of the decision-making bodies
- providing advice and guidance to the Secretariats/Coordinating Units
- representing the decision-making bodies in negotiations with the Host Government and UNEP with regard to the Secretariats/Coordinating Units.

As and when they consider it appropriate the decision-making bodies can additionally assign other ad hoc tasks to the subsidiary bodies.

Scientific and technical advisory Bodies

These bodies provide advice to the decision-making bodies and the Secretariats/Coordinating Units on scientific matters and priorities for research and conservation and ensure that all information presented, via proposals, recommendations, etc., is scientifically sound. Generally, they promote the interaction between science and policy.

The establishment of the CMS Scientific Council is foreseen in [Article VIII](#). It consists of members (known as Scientific Councillors) appointed by the Parties of CMS. They do not, however, represent the views of their governments, and contribute to the work of the instrument in their capacity as experts. In addition, the COP appoints a limited number of Councillors qualified in fields of particular interest such as special fauna and flora.

Listen to Dr. Fernando Spina, Chair of the CMS Scientific Council, on the occasion of the 18th Meeting of the Scientific Council

1.3. Working Groups

Working Groups are normally established either in a formal or informal manner in the context of the bodies (decision-making and subsidiary) of each instrument. Some of these Working Groups operate only during the meeting of these bodies while others have the mandate to work intersessionally to provide advice or recommendations. Depending on the nature of their mandate, Working Groups can be composed of Member States' representatives or scientific experts within or without the technical bodies of these instruments.



The Standing Committee of the CMS for instance had an Intersessional Working Group on Future Shape and a Sub-Committee on Budgetary and Financial matters while the Scientific Council of CMS has, for example, the Working Groups on Global Flyways. CMS COP-10 decided to establish a Working Group to draft the new Migratory Species Strategic Plan for the period 2015-2023.

A number of further Working Groups on various issues and species have been established under the Agreements and MOUs.

1.4. Secretariats and coordinating units

Secretariats and Coordinating Units provide administrative support to their instruments. Normally the decision-making body of the instrument determines the budget to be allocated to the Secretariat/Coordinating Unit including the number of posts and functions. Where MOUs have dedicated Coordinating Units, they are usually funded by voluntary contributions.

The CMS Secretariat provides secretariat functions for ASCOBANS, the Gorilla Agreement and for those MOUs that have no dedicated Coordinating Unit. The Secretariats of CMS and a number of other UNEP-administered instruments share premises in Bonn, some are administered by UNEP but are located elsewhere (the Raptors and Dugongs MOUs having a Coordinating Unit hosted by the Environment Agency Abu Dhabi in the United Arab Emirates, and the IOSEA Marine Turtles MOU being based in the UNEP Regional Office in Bangkok, Thailand).



ACAP, ACCOBAMS and the Wadden Sea Seal Agreement are not administered by UNEP and their Secretariats are based in Hobart (Australia), Monaco and Wilhelmshaven (Germany) respectively.

CMS Secretariat organigramme

2. Funding of the CMS Family

In accordance to Article VII, the CMS Conference of the Parties established the financial regulations of the CMS. The COP keeps it under review and adopts the budget.

The CMS Family Instruments use different approaches to funding, combining obligatory and voluntary contributions.

Assessed Contributions

Each Party to a legally binding-instrument (CMS and Agreements) is required to financially contribute to the budget adopted by the decision-making body

CMS

Parties contribute to the budget in accordance with the UN scale of assessment as agreed by the UN General Assembly adjusted to take account of the membership of CMS. The UN Scale of Assessment assigns to each country the share it has to contribute to the UN budget; the Scale is adjusted in the case of CMS to take account of the fact that not all countries have joined the Convention.

Agreements

Some Agreements also use the UN scale of assessment as a model while others developed their own guidelines and methods to determine each Party's contribution. These schemes sometimes set a minimum contribution or a single amount that all Parties must meet, while others developed their own formula.

Voluntary Contributions

CMS and the agreements

In the case of CMS and the legally-binding Agreements, voluntary contributions normally complement the assessed ones and are solicited by the Secretariats to fund projects and other initiative that are not covered by the regular budget.

MOUs

Funding for MOUs normally takes the form of ad hoc voluntary contributions from Signatories as well as other interested countries.

However, relying on ad hoc voluntary contributions which do not provide consistency or predictability of funding makes it difficult to implement long-term projects or employ staff. The majority of MOUs operate using a combination of voluntary contributions from Signatories coupled with financial support from CMS as well as in-kind assistance from partner organizations.

To remedy irregular funding, the IOSEA MOU for example recently requested all Signatories at the 2012 MOS to make voluntary contributions based on the UN Scale of Assessment (voluntary assessed contributions).

Funding of methods of the CMS Family

Table 2.3 Funding Methods for Some of the CMS Family Instruments

Instrument	Finance Method for Contribution of Parties	Additional notes
ACAP	Independent System: Developed different formulas for different Member States, Resolution 2.3	<p>Formula 1: For Parties whose scale of assessment under the United Nations Scale of Assessment for the UN Budget (currently Resolution 58/1 R, March 2004) is less than or equal to 0.15%, annual contributions shall be calculated on the UN Scale of Assessment;</p> <p>Formula 2: For Parties whose scale of assessment under the United Nations Scale of Assessment for the UN Budget is greater than 0.15%, annual contributions shall be calculated based on 50% GNI, and 50% GNI per capita, with no Party paying more than 20% of the total ACAP Budget;</p> <p>Formula 3: If the calculated percentage contribution for one or more Parties resulting from Formula 2 exceeds 20%, the contribution for the Party/Parties is set at 20% of the annual budget, and the contribution for the residual Parties recalculated according to the formula agreed to in Resolution 2.3, Appendix</p>
AEWA	UN Scale of Assessment	Resolution 4.6 regulates that the minimum contribution will not be less than € 2,000 per annum and that for the period of 2009-2012, the maximum contribution will not exceed 20 percent of the total budget.
ACCOBAMS	UN Scale of Assessment	Minimum contribution of €200. Resolution 1.7 created Supplementary Conservation Grants Fund accepting funds from other sources
ASCOBANS	UN Scale of Assessment with special modifications	Parties agree to share cost of the budget with Regional Economic Integration Organizations contributing 2.5% of the administrative costs and other Parties sharing the balance in accordance with the UN Scale, but no Party contribution shall exceed 25% of the budget.
CMS	UN Scale of Assessment adjusted to CMS membership	EU 2.5% and a ceiling. Proposal to reinstate a floor was rejected at COP10
EUROBATS	UN Scale of Assessment	No Party contribution shall exceed 25 percent of the budget. A minimum contribution of € 1,000 has been phased in during the budget period 2011-2014.
GORILLAS	Independent System	Fixed annual contribution of €3,000 (Resolution 2.2)
IOSEA	Voluntary Assessed Contributions with Funding from UNEP	
SHARKS	In discussion	
WADDEN SEA SEALS	Tripartite Governmental System	

Practical Example: CMS Small Grant Programme for 2012 - 2014

The CMS Small Grants Programme is funding a project supporting Tajikistan to lead on transboundary cooperation on Snow Leopards. The project is being implemented by Flora & Fauna International in collaboration with the Department of Forestry and Hunting under the Committee of Environmental Protection of the Republic of Tajikistan. Other collaborating partners include governmental and non-governmental agencies from Afghanistan, Kyrgyzstan and Tajikistan, as well as Panthera, an NGO focusing on the conservation of wild cats.



The key goal of the project is to bring the three countries together to coordinate activities on Snow Leopards and other migratory species that cross the borders between these States. The project therefore promotes collaboration and cooperation among the three countries, and encourages and supports the Tajikistan government to play a leading role in regional coordination activities. The project also helps build the capacity within the Range States of the Snow Leopard — through training, mentoring and network development — to develop and implement species action planning.