



9th MEETING OF THE STANDING COMMITTEE
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**CMS EXECUTIVE SECRETARY PROPOSAL FOR ENHANCING COOPERATION
AND COORDINATION BETWEEN AEWA AND CMS**

Introduction

Synergies have become an important political issue for the effective governance of multilateral environmental agreements. The issues revolving around synergies have matured considerably over the last several years and now there is not only a better understanding of the need to improve cooperation across a busy landscape of Multilateral Environmental Agreements (MEAs), but also of how that might be achieved in practical terms. There have been lessons learned in several fields of MEAs particularly the chemical and waste conventions which have moved to a single secretariat for three MEAs and simultaneous COPs, together with other positive experiences in the form of cooperative mechanisms such as the Biodiversity Liaison Group (BLG). Many countries have identified synergies as a top priority and generally the issue is ripe for further progress. Within the CMS Family there is a great deal of scope for enhancing cooperation and coordination which can benefit from the wider political acceptance and formalization of the synergies issue.

This paper represents the proposal from the Executive Secretary of the Convention on Migratory Species (CMS) to develop stronger cooperation and coordination between the agreements in the CMS Family. The paper proposes that the CMS Executive Secretary subsume the functions of the Executive Secretary of the African-Eurasian Migratory Waterbirds Agreement (AEWA) as a concrete step forward in strengthening and formalizing the coordination and cooperation between the AEWA and CMS Secretariats. The proposal is made in the context of the outcome of the Future Shape Process and Resolution 10.9 which seeks “*enhanced collaboration between the CMS agreements*” via either secretariats or through “*merger of agreements based on geography ecology or on species clusters*”. The proposal is made in an effort to bring the AEWA and CMS Secretariats closer together and allowing them to share cross-cutting resources better and thereby have resource savings. Such an arrangement would increase efficiency by eliminating the need to have two full-time executive secretaries playing the role of representation with Parties and stakeholders, providing overall direction and leadership for the secretariat and managing the staff. Ultimately the proposal is made to improve the delivery of the CMS and AEWA Secretariats to Parties and to redirect staff resources towards supporting implementation activities designed to achieve the objectives of the two instruments.

The proposal is made relatively simple compared with other synergy processes in MEAs because of the existing overlap and closeness of the CMS and AEWA Secretariats not only in physical proximity but also because both agreements are also UNEP-administered, all AEWA Parties are CMS Parties with the exception of two¹, and the relevant species covered in Appendix I and II of the CMS are equally covered in the AEWA Agreement, so there is a great deal of congruence.

¹ North Sudan and Lebanon (in the process of acceding to CMS)

Context and Mandate: Resolution 10.9 Future Structure and Strategies of the CMS and the CMS Family

The synergies issue has particular significance in the context of CMS. Over the last several decades the CMS Family has grown steadily and now comprises seven different Agreements and 19 MOUs - each with separate processes such as COPs/MOPs, scientific bodies, and some even with separate administrations and executive secretaries or equivalent. Whereas the intention of CMS was to “*promote, under the direction of the Conference of the Parties, the conclusion of agreements*”, there was no guidance of how these agreements would be sustained over time. The reality is today that after three decades of developing agreements, there is a need to revisit the arrangements between the secretariats to understand how the CMS Family can better capture the obvious economies of scale and opportunities to increase efficiencies through the secretariats working more closely together.

The Parties to the CMS were cognizant of these pressures when they put in the place the CMS Future Shape inter-sessional process (the *Future Shape Process*). The process launched in 2008 had a broad scope to look at an array of different issues including the “*development of new agreements and the implementation of existing agreements*” and the “*financial and institutional implications (including Secretariat issues: staff, relevant competence, etc.) of all possibilities and options, in close collaboration with related CMS agreements*”. The *Future Shape Process* led to a decision at COP 10 that will require implementation by the Parties. Resolution 10.9 “Future Structure and Strategies of the CMS and the CMS Family” adopts a set of activities including their institutional legal and organizational implications to be implemented in 2012-2014. Amongst these activities is the need to “enhance collaboration between the CMS Agreements via secretariat and or via merger of agreements.”

Political and Legal Context outside the CMS Family

The CMS Parties have not been the only ones cognizant of the need for greater synergies in MEAs; the last few years have seen increasing political support and stronger references for the need to take actions on synergies. The 2010 Nusa Dua UN Declaration recognized “*the importance of enhancing synergies among the biodiversity-related conventions, without prejudice to their specific objectives*”, and encouraged “*the conferences of the parties to the biodiversity-related multilateral environmental agreements to consider strengthening efforts in this regard, taking into account relevant experiences.*” The outcome of the 2011 UNEP Belgrade Process on International Environmental Governance (IEG) invited the “*the Conferences of Parties of the biodiversity-related conventions to launch a synergies process among the biodiversity-related conventions, taking into account lessons learned from the chemicals and waste conventions process.*”

Rio+20 itself saw deep discussion on synergies between MEAs, and though many countries actively supported a stronger outcome on synergies, the Summit only arrived at the following language in paragraph 89 of “*The Future We Want*”:

We recognize the significant contributions to sustainable development made by the multilateral environmental agreements. We acknowledge the work already undertaken to enhance synergies among the three conventions in the chemicals and waste cluster (the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants). We encourage parties to multilateral environmental agreements to consider further measures, in these and other clusters, as appropriate, to promote policy coherence at all relevant levels, improve efficiency, reduce unnecessary overlap and duplication, and enhance coordination and cooperation among the multilateral

environmental agreements, including the three Rio conventions, as well as with the United Nations system in the field.

Nevertheless, the message from the Rio+20 Summit is clear: that MEAs should build on the good experiences and to consider further measures. The follow-up is now squarely in the hands of the Member States that are party to specific MEAs.

There has also been internal pressure to improve administrative and procedural synergies inside MEA secretariats and from hosting organizations. Countries are calling for more cost efficiency, elimination of waste and overall cost performance as their contribution to the management of MEA secretariats. For UNEP, which administers the most MEAs, this has led to greater transparency in terms of overheads of programme support costs and also for calls for the Executive Director to move forward and to take advantage of administrative synergies within those MEAs that UNEP administers. For example, the 2011 UNEP Governing Council/Global Ministerial Environment Forum requests “*the Executive Director to explore the opportunities for further synergies in the administrative functions of the multilateral environmental agreement secretariats administered by UNEP and to advise on such opportunities to the respective governing bodies of those multilateral environmental agreements*”

Synergies Experiences in other MEAs

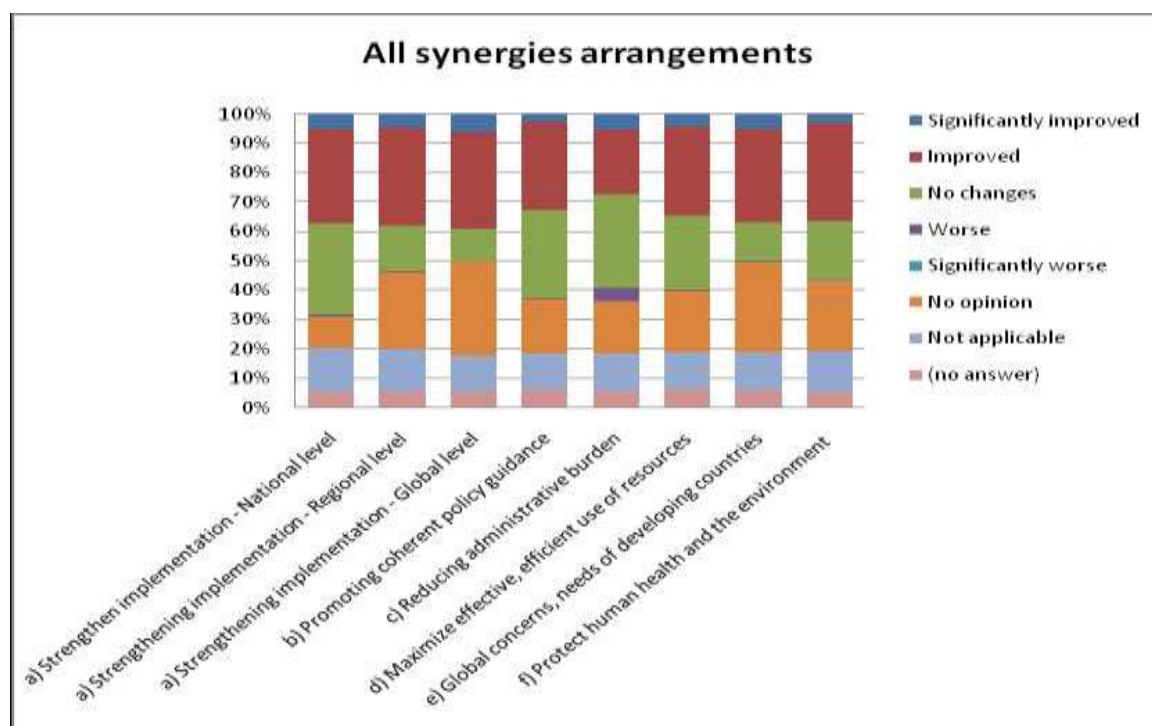
There are experiences in areas such as the Basel, Rotterdam and Stockholm Conventions (BRS) that can be built on and shared as good practices. One of the key steps in the synergies process here was first putting one Executive Secretary (ES) on top of these secretaries. This then allowed for the ES to reorganize the three conventions in a way that they could share costs, maximize their manpower, and utilize resources more efficiently. A BRS report published in February 2013 by the Secretariat and based on a questionnaire made to the Parties, showed clearly that these new institutional and organizational arrangements allow the Basel, Stockholm and Rotterdam Conventions to concentrate resources more effectively on implementation-oriented issues and improve the secretariats’ efficiency. The table below shows that half the Parties that expressed an opinion consider that the synergies arrangements have, overall, improved the achievement of the conventions’ objectives. The greatest improvements appear to be in respect of the strengthened implementation of the conventions as resources saved from synergies were agreed to be reinvested in implementation activities.

There have not only been gains of efficiency by reducing overlaps, but this has led to substantial cost savings for Parties. For example, in 2013 the establishment of a single joint Executive Secretary over the Basel, Rotterdam and Stockholm Conventions has saved in 2013 \$ 564,851 in staff costs, \$332,040 in meeting costs and \$160,000 in operational costs.²

The idea of creating a more interlinked secretariat of the CMS Family is not necessarily new. A similar arrangement was made in 2006 concerning the ASCOBANS Secretariat whereby it was decided for the Agreement’s ES functions to be carried out by the CMS Executive Secretary. Though this arrangement was done by a matter of necessity rather than design, the results have ultimately been positive as indicated by a 2012 report the “*Evaluation of the Merger of the ASCOBANS Secretariat with the CMS Secretariat*“. The results have led to considerable savings in cost to Parties.

² Estimated cost savings resulting from synergies among the Basel, Rotterdam and Stockholm conventions for the period 2012–2013 UNEP/FAO/CHW/RC/POPS/EXCOPS.2/INF/22

Figure 1: Synergies Experience in the Chemical & Waste Context



Moving Forward on Synergies in the CMS Family: Concrete Steps towards Implementing the Future Shape Outcome

Resolution 10.9 opens up the possibility for great synergies in the CMS Family and there are concrete opportunities within the secretariats of the CMS Family that can be capitalized upon and that make practical sense. In particular, the CMS Family agreements located in Bonn have developed a strong collaborative environment. Sharing resources, ideas, initiatives and now run by a common Administration and Fund Management Unit, common management meetings, regular staff meetings etc. Many of these activities remain informal and could be strengthened by a more structured and formularized institutional framework. Opportunities exist to have much stronger collaboration in terms of cross-cutting services such as interagency affairs, communication, capacity building and servicing of taxonomically-related species.

On the Executive Secretary level, the executive function could be another area for stronger collaboration and one that could further strengthen the cooperation between the Bonn-located secretariats. Many, if not most of the day-to-day management duties, including representational, administrative and management roles of the Executive Secretaries (ESs) overlap and are done on a collaborative level with the other ESs which requires continual coordination between them. The administration is already run only by the Executive Secretary of CMS and he delegates authority as needed from the UNEP ED to the other executive secretaries. The ESs also report to the CMS ES as their first reporting officer. Therefore efficiency gains could be possible by having just the CMS ES play this function and freeing up the positions of other ESs to focus more on areas of the secretariat that are critically lacking such as promoting implementation and capacity building.

Timing issues are important and should be taken into consideration. The AEWAS ES position for example is currently vacant and, before the final recruitment of this post and a long-term employment commitment is made, there is an opportunity to review the AEWAS Executive Secretary functions vis-à-vis the overlap with the CMS. The CMS ES could adequately fulfill the AEWAS executive functions as most of the functions are very similar and could be achieved under a single post. Institutionally, this type of arrangement is possible because most of the relevant species, if not all, are already under

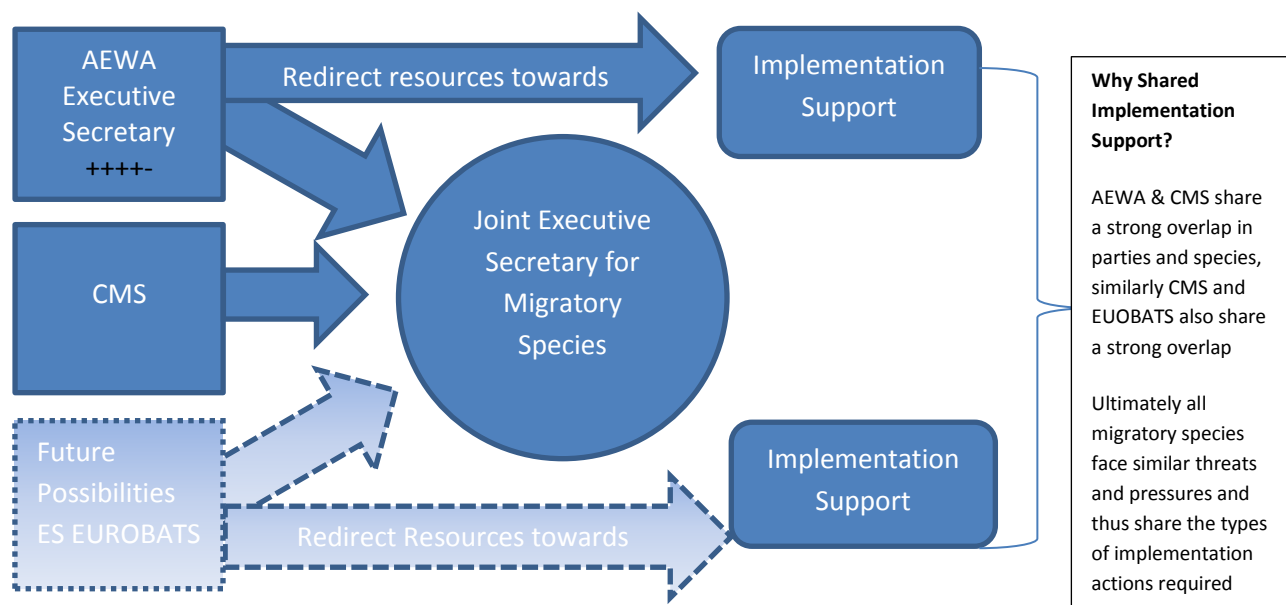
both CMS and AEWA and the Parties virtually overlap in membership and UNEP also administers both agreements. Having one single ES for both AEWA and CMS would allow the Secretariat to have a stronger intertwined administration, and combine resources. The CMS ES subsuming the responsibilities of the AEWA ES could then free-up the AEWA Executive Officer at P4 towards focusing attention much more on areas that require greater concentrated actions such as implementation. In sum the arrangements could:

- Maximize the effective and efficient use of resources at all levels;
- Create great cost efficiency;
- Increase joint planning and activities;
- Focus leadership and responsibility;
- Provide greater coherence in the work of the CMS Family; and
- Refocus administrative and management resources towards implementation.

Other Future Possibilities

Although this paper does not propose to bring a single Executive Secretary on top of EUROBATS, it is worth noting that a similar arrangement could also be done for EUROBATS, which UNEP also administers and for the same reasons explained above. The Executive Secretary role could be subsumed by the CMS ES and the current ES could then focus attention more on implementation. By subsuming the ES functions under one ES it would facilitate a shift towards a joint secretariat for CMS, AEWA and EUROBATS (see Figure 2). The AEWA and EUROBATS Executive Secretaries could then head up their respective agreements as coordinators or principal implementation support officers in a joint secretariat. The result would redirect resources/manpower towards implementation support and in a joint secretariat, the cross-cutting services such as interagency affairs, planning, communications, capacity building, scientific units of the AEWA, EUROBATS and CMS could be combined to service all three instruments (see Figure 2).

Figure 2: Single Executive Secretary for UNEP administered Conventions on Migratory Species freeing resources towards implementation support



Timing and Proposed Next Steps

There are difficult timing issues concerning the forthcoming COPs/MOPs of AEWA and CMS as each takes place at different intervals and therefore obtaining a decision to combine executive secretary functions at the COP and MOP could take up to three years. In light of this timing issue, a practical arrangement could be undertaken whereby the Standing Committees of AEWA, and CMS consider this proposal and, if agreed, the arrangement could then be implemented on an interim and pilot basis only. Between this period and the next COPs/MOPs of the two instruments, an evaluation could then be made and reported back to the COP/MOP deciding if the arrangements should then be made permanent.

In practical terms the arrangement proposed would look like the following:

- CMS Executive Secretary 15 per cent of time for managing, representing and leading the AEWA Secretariat.
- New Executive Officer (to be renamed Principal Implementation Support Officer or appropriate) and the position would be refocused on implementation support activities concerning avian species issues.
- The Principal Implementation Support Officer would work on implementation support areas that would be common to both the CMS and AEWA up to a value of 15 per cent of the CMS Executive Secretary's time. Essentially the proposal would be for an exchange in services given the autonomy of the CMS and AEWA budgets.

Actions Required by the AEWA Standing Committee to Implement the Proposal

In practical steps the AEWA Standing Committee would be required to take the following decision:

- **AEWA to decide on interim proposal to be finalized by the COP. It would make a recommendation to the CMS Standing Committee to take an interim decision to be decided by CMS COP 11 and AEWA MOP6.**

Proposed language for AEWA Standing Committee:

- ***Requests*** the CMS Standing Committee at its next session in consultation with the CMS Executive Secretary to consider the AEWA proposal of appointing the CMS Executive Secretary on an interim basis as the interim AEWA Executive Secretary .
- ***Suggests*** that the designated amount of time estimated to fulfill the AEWA Executive Secretary functions would be up to 15 per cent of the CMS Executive Secretary's time.
- ***Decides*** the recruitment of the advertised vacancy for the Executive Officer to be completed and the appointment made as *Principal Implementing Support Officer for AEWA* and that 20 per cent of this position's function, or equivalent to the designated 15 per cent of time of the Executive Secretary of CMS, be allotted to implementation support areas common to avian species to both the CMS and AEWA.
- ***Requests*** the Chair of the AEWA Standing Committee upon receiving the report of the outcome of the CMS Standing Committee to request the CMS Executive Secretary to implement this decision.
- ***Recommends*** that the CMS Executive Secretary/interim AEWA Executive Secretary report to the next Session of the Meeting of the Parties to AEWA on the effectiveness and adequacies of the joint arrangements for the consideration of the future of the joint arrangement.

It is the sincere hope of the CMS Executive Secretary that the current proposal will advance the vision and expectations of Parties for organizational synergies within the CMS Family secretariats, and the Executive Secretary welcomes any comments or input to help strengthen this proposal to better meet the needs of Parties.