

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA



Fourteenth meeting of the Conference of the Parties
The Hague (Netherlands), 3-15 June 2007

Committee II

Costed programme of work for the Secretariat for the triennium 2009-2011

DRAFT RESOLUTION OF THE CONFERENCE OF THE PARTIES

This document has been prepared by the Secretariat following discussions at the 14th session of Committee II on the basis of document CoP14 Doc. 7.3 (Rev. 1) Annex 8, adopted as amended except for the fourth paragraph in the operative part.

RECALLING that the financial amendment to the Convention, adopted in Bonn in 1979, entered into force on 13 April 1987;

RECALLING Resolution Conf. 13.1 adopted at the 13th meeting of the Conference of the Parties (Bangkok, 2004);

HAVING NOTED the 2004-2006 actual expenditures incurred by the Secretariat [document CoP14 Doc. 7.1 (Rev. 1)];

HAVING NOTED the revised estimates of expenditures for 2007 presented by the Secretariat [document CoP14 Doc. 7.2 (Rev. 1)];

HAVING REVIEWED the costed programme of work for the triennium 2009-2011, submitted by the Secretariat [document CoP14 Doc. 7.3 (Rev. 1)];

RECOGNIZING the continuing need for administrative and financial arrangements between the Parties and the Executive Director of UNEP;

NOTING the considerable increase in the number of Parties to the Convention; the need for greater assistance to the Parties to achieve more effective implementation; the necessity to provide adequately for implementation of all Decisions and Resolutions of the Conference of the Parties as well as the Strategic Vision for 2008-2013, and the resulting increasing expenditure incurred by the Secretariat;

THE CONFERENCE OF THE PARTIES TO THE CONVENTION

ACCEPTS the report of expenditures for the triennium 2004-2006 and APPROVES the estimates of expenditure for the year 2007;

DECIDES that the costed programme of work for the triennium 2009-2011 in Annex 1 to this Resolution shall be covered by contributions from the Parties for the amount of USD XXXX for 2009, USD XXXX for 2010 and USD XXXX for 2011 and ADOPTS the scale of assessment for the apportionment of expenses for 2009, 2010 and 2011 as contained in Annex 2;

INSTRUCTS the Secretariat where activities that are to be externally-funded are concerned, to proactively seek funds, preferably non-earmarked, for the implementation of those with priority A and to subsequently seek funds for those with priority B;

REQUESTS the Secretariat to maintain an operating cash reserve of USD 700,000 to ensure financial liquidity and AUTHORIZES the Secretariat to draw additional funds from the CITES Trust Fund balance at the end of each year, provided that it is not reduced below USD 700,000 at the commencement of each year;

APPROVES the Terms of Reference for the Administration of the Trust Fund, in Annex 3, for the financial period beginning on 1 January 2009 and ending on 31 December 2011;

AGREES that:

- a) contributions to the Trust Fund shall be based on the United Nations scale of assessment, as amended from time to time, adjusted to take account of the fact that not all members of the United Nations are Parties to the Convention;
- b) any other basis of assessment of contributions shall not be used without the consent of all Parties present and voting at a meeting of the Conference of the Parties;
- c) any change in the basic scale of contributions which would increase the liability of a Party to contribute, or would impose a new such liability, shall not apply to that Party without its consent, and that any proposal to change the basic scale of contributions from that currently in use shall only be considered by the Conference of the Parties if notice of such proposal has been communicated by the Secretariat to all Parties at least 150 days before the meeting; and
- d) Parties should pay their contributions to the Trust Fund in accordance with the agreed scale and, whenever possible, should make special contributions to the Trust Fund above their assessed contributions;

REQUESTS all Parties to pay their contributions as far as possible during the year prior to the one to which they relate or, otherwise, promptly by the beginning of the calendar year to which the contributions apply;

NOTES with concern that a number of Parties have not paid their contributions to the core budget (CITES Trust Fund) for 2006 and prior years which were due on 1 January of each year thus affecting adversely the implementation of the Convention;

RECOMMENDS all Parties with arrears, who have ratified the Amendment on the Convention adopted on 22 June 1979, to pay without delay and, in the event that there is no improvement in the payment of contributions by Parties, INVITES the Secretary-General to submit proposals with a facilitative approach for dealing with non-payment of contributions by Parties for consideration and review by the Conference of the Parties at its 15th meeting;

URGES all Parties that have not yet done so to deposit as soon as possible an instrument of acceptance of the amendments to the Convention adopted on 22 June 1979 and 30 April 1983;

INVITES States not Parties to the Convention, other governmental, inter-governmental and non-governmental organizations, and other sources to contribute to the CITES Trust Fund;

INVITES all Parties to support, through their representatives in UNEP, UNDP and the World Bank, the requests for additional funding of CITES-related projects by the Global Environment Facility;

DECIDES that the standard participation charge for all observer organizations other than the United Nations and its specialized agencies shall be set at a minimum of USD 600 (except as otherwise decided by the Secretariat as required) and URGES such organizations to make a greater contribution if possible at least to meet their effective costs of participation;

AGREES that:

- a) all meetings of the Conference of the Parties and all regular meetings of the Standing Committee, the Animals Committee and the Plants Committee should be held in Geneva unless a candidate host country pays the difference in costs between its proposed venue and Geneva; and
- b) no more than two regular meetings each of the Standing Committee, and the Animals and Plants Committees should be convened between regular meetings of the Conference of the Parties;

DECIDES that the CITES Trust Fund should not be used to cover travel costs and per diem of Committee members and other representatives from developed countries;

INSTRUCTS the Standing Committee:

- a) to establish a Finance and Budget Subcommittee for the consideration of all financial and budgetary matters, which shall:
 - i) meet one day prior to the start of every regular meeting of the Standing Committee, and shall work intersessionally by electronic or other means;
 - ii) work with the Secretariat to prepare all financial and budgetary documents for consideration by the Standing Committee;
- b) to develop the terms of reference for the Finance and Budget Subcommittee under which it will operate until these terms of reference are endorsed at the 15th meeting of the Conference of the Parties;
- c) to develop a roadmap to put the CITES Trust Fund on a sustainable footing; and
- d) to report to the meetings of the Conference of the Parties, making recommendations on all financial and budgetary documents and proposals developed through this process;

INSTRUCTS the Secretariat:

- a) to make provisions for all the costs the Secretariat incurs, including staff costs, when seeking funds for the implementation of externally funded projects; and
- b) in consultation with proponent Parties, when necessary, to advise the Conference of the Parties on proposals with budgetary implications, including staff costs;

DECIDES that:

- a) in respect of the review of activities in any work unit, the Secretary-General shall have the authority to make staffing decisions as necessary to implement the priorities of the Parties within the overall budget and in accordance with the UN rules; and
- b) any change in the costed programme of work of the Secretariat deriving from a new resolution or decision shall be made only if the source of the necessary additional funds has been decided or if that programme is reprioritized at the time such a resolution or decision is adopted by the Conference of the Parties; and

REPEALS the following Resolutions, which however remain on the record as an indication of the agreed levels of annual contributions for Parties that have not paid the amount due:

- a) Resolution Conf. 2.1 (San José, 1979) – Financing of the Secretariat and of Meetings of the Conference of the Parties;
- b) Resolution Conf. 3.2 (New Delhi, 1981) – Financing of the Secretariat and of Meetings of the Conference of the Parties;

- c) Resolution Conf. 4.3 (Gaborone, 1983) – Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties;
- d) Resolution Conf. 5.1 (Buenos Aires, 1985) – Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties;
- e) Resolution Conf. 6.2 (Ottawa, 1987) – Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties;
- f) Resolution Conf 7.2 (Rev. CoP12) (Lausanne, 1989, as amended at Santiago, 2002) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties;
- g) Resolution Conf 8.1 (Rev. CoP12) (Kyoto, 1992, as amended at Santiago, 2002) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties;
- h) Resolution Conf. 9.2 (Rev. CoP12) (Fort Lauderdale, 1994, as amended at Santiago, 2002) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties;
- i) Resolution Conf. 10.1 (Rev. CoP12) (Harare, 1997, as amended at Santiago, 2002) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties;
- j) Resolution Conf. 11.2 (Rev. CoP12) (Gigiri, 2000, as amended at Santiago, 2002) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties;
- k) Resolution Conf. 12.1 (Santiago, 2002) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties; and
- l) Resolution Conf. 13.1 (Bangkok, 2004) – Financing and budgeting of the Secretariat and of meetings of the Conference of the Parties.

TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND FOR THE CONVENTION
ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

1. The Trust Fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora (hereinafter referred to as the Trust Fund) shall be further continued for a period of three calendar years, which begins on 1 January 2009 and ends on 31 December 2011, to provide financial support for the aims of the Convention.
2. Pursuant to the Financial Regulations and Rules of the United Nations, the Executive Director of the United Nations Environment Programme (UNEP), with the approval of the Governing Council of UNEP and the Secretary-General of the United Nations, shall continue the Trust Fund for the administration of the Convention.
3. The appropriations of the Trust Fund shall be financed from:
 - a) the contributions made by the Parties by reference to the attached Table including contributions from any new Parties which are to be added to the Table;
 - b) contributions from States not Parties to the Convention, other governmental, inter-governmental and non-governmental organizations and other sources; and
 - c) any uncommitted appropriations from any of the financial periods prior to 1 January 2009.
4. The costed programme of work covering the income and expenditure for each of the calendar years constituting the financial period to which it relates, prepared in US dollars, shall be submitted for approval to the regular meeting of the Conference of the Parties to the Convention.
5. The estimates for each of the calendar years covered by a financial period shall be specified in a costed programme of work and shall be accompanied by such information as may be required by, or on behalf of, the contributors and such further information as the Executive Director of UNEP may deem useful and advisable.
6. The proposed costed programme of work, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least 150 days before the date fixed for the opening of the regular meeting of the Conference of the Parties.
7. The costed programme of work shall be adopted by a 3/4 majority of the Parties present and voting at the regular meeting.
8. In the event that the Executive Director of UNEP expects that there might be a shortfall in resources, over the year as a whole, he shall consult with the Secretary-General of the Convention, who shall seek the advice of the Standing Committee as to its priorities for expenditure.
9. The Secretary-General of the Convention is authorized, to the extent consistent with the Financial Regulations and Rules of the United Nations, to transfer resources within the costed programme of work up to a maximum of 20% over and above the annual amount foreseen in the costed programme of work under any main appropriation line provided that such action does not negatively affect any high-priority activities. When any such transfers are made, these shall be reported to the Standing Committee at its following meeting. Any budget adjustments over and above the 20% flexibility mentioned above may be made only after they have been agreed by the Standing Committee. However, the total costed programme of work approved by the Parties for that financial period shall not be exceeded unless this is specifically sanctioned in writing by the Standing Committee.
10. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention.

11. All contributions shall be paid in any convertible currency. The amount of any payment, however, shall be at least equal to the amount payable in US dollars on the day the contribution is made. Contributions from States that become Parties after the beginning of the financial period should be made on a pro-rata basis for the balance of the financial period.
12. At the end of each calendar year of a financial period, the Executive Director of UNEP shall submit to the Parties the accounts for the year. He shall also submit, as soon as practicable, the audited accounts for the financial period.
13. The Secretary-General of the Convention shall provide the Standing Committee with an estimate of proposed expenditure over the coming calendar year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraph.
14. The general procedures governing the operations of the Fund of UNEP and the Financial Regulations and Rules of the United Nations shall govern the financial operations of the Trust Fund for the Convention.
15. These Terms of Reference shall be effective for the financial period of 1 January 2009 to 31 December 2011 subject to amendments at the 15th meeting.