

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



Sixty-sixth meeting of the Standing Committee
Geneva (Switzerland), 11-15 January 2016

Administrative and financial matters

Administration of the Secretariat

ADMINISTRATIVE HOSTING ARRANGEMENTS FOR THE CITES SECRETARIAT: A BRIEF HISTORY'

This information document has been prepared by the Secretariat in relation to the agenda item 9.3 on Report of the Working group on options for administrative hosting arrangements for the CITES Secretariat.

**Briefing note for the CITES Standing Committee
Working Group on Administrative Hosting Arrangements
(Prepared by the CITES Secretariat, August, 2015)**

Attachment 1

Administrative Hosting Arrangements for the CITES Secretariat:

A brief history



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

ADMINISTRATIVE HOSTING ARRANGEMENTS FOR THE CITES SECRETARIAT

A BRIEF HISTORY

20 May 2015

1. This document has been prepared by the CITES Secretariat.
2. It provides a brief history of the administrative hosting arrangements between the United Nations Environment Programme (UNEP) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), as well as relevant documents on the topic.
3. The text of the Convention on International Trade in Endangered Species of Wild Fauna and Flora established the CITES Secretariat:

*Article XII **The Secretariat***

“Upon entry into force of the present Convention, a Secretariat shall be provided by the Executive Director of the United Nations Environment Programme. To the extent and in the manner he considers appropriate, he may be assisted by suitable inter-governmental or non-governmental international or national agencies and bodies technically qualified in protection, conservation and management of wild fauna and flora”.

Date	Act	Content
22 June 1973	Governing Council of UNEP Decision 1(I)VIII	The Governing Council of UNEP authorized the Executive Director of UNEP to provide Secretariat services for the implementation of CITES in accordance with its Article XII.
01 April 1974 (to 31 Oct 1984)	Project Document FP/0601-73-001 Project Document FP/1104-76-01	<p>The Executive Director of UNEP delegated secretariat functions under the Convention to the IUCN for an initial period of one year (<i>Ref. CITES Article XII 1. “To the extent and in the manner he considers appropriate, he may be assisted by suitable inter-governmental or non-governmental international or national agencies and bodies technically qualified in protection, conservation and management of wild fauna and flora”.</i>)</p> <p>This delegation of secretariat functions to IUCN was later extended in several separate funding stages and revisions of the Project Document to 31 December 1977.</p> <p>During that period (1974-1977) UNEP allocated a total of US\$ 322,224 to IUCN for the purpose of the Convention, including the holding of the first meeting of the CoP (Bern, November 1976) and a special working session of the CoP (Geneva, October 1977).</p> <p><i>Note: Through extensions of the contract, IUCN performed the Secretariat services until 31 October 1984, after which UNEP assumed full responsibility for the CITES Secretariat.</i></p>
02-06 Nov 1976	CoP 1 Bern (Switzerland)	Resolution Conf. 1.8 concerning the Secretariat of the Convention: The CoP resolved that <i>“a strong Secretariat is essential to the proper implementation of the Convention”</i> and recognized with appreciation the contribution by UNEP but also that <i>“the Secretariat did not have adequate resources to deal with its increasing workload and to meet its full responsibilities under the Convention”</i> . It urged that :

	<p><u>Opening speech</u></p>	<ul style="list-style-type: none"> - the Executive Director of UNEP provide further Secretariat capabilities; and - that the Parties give strong support at the May 1977 meeting of the UNEP Governing Council for the question of a reinforced Secretariat to be considered by the Council as a matter of high priority. <p><u>Executive Director of UNEP Dr Mostafa Tolba, delivered on his behalf by Mr Peter S. Thacher, Director of UNEP Office in Geneva</u></p> <p><i>“Fully conscious of the responsibility laid upon it by the Convention, the Executive Director of UNEP concluded that the best way to discharge his responsibility would be by means of a project agreement (in effect, a contract) with the International Union for the Conservation of Nature and Natural Resources whereby IUCN would provide the staff and facilities to undertake the Secretariat function. You may be interested to know that an agreed sum of :\$202,000 has been provided by UNEP for the period 1 April 1974 to 30 June 1977”. (...)</i></p> <p><i>“The fact that UNEP contracted with IUCN to carry out the Secretariat functions by no means reflected an abdication of interest or responsibility. (...)</i></p> <p><i>“This Conference will no doubt wish to review the functions and performance of the Secretariat, inter alia in the light of any modifications to Convention mechanisms and procedures that it may agree. (...)</i></p> <p><i>While UNEP cannot now anticipate the financial implications of recommendations of this Conference, and I therefore cannot make any commitments in that connection, I can assure you that financial implications will also receive serious consideration.</i></p> <p><i>Additional support of the Secretariat function by the Fund of UNEP is a possibility, but such additional support would necessarily be limited by the need to maintain a balance among a broad range of environmental activities supported by the Fund and approved by the Governing Council. Should a significant increase in the resources available to the Secretariat be recommended by the Conference, delegates might wish to consider the possibility of a UNEP administered Fund-in-Trust, established to receive contributions exclusively for the purposes of the Secretariat.”</i></p>
25 May 1977	<p>Governing Council of UNEP</p> <p>Decision 86 (V) C</p>	<p>The Governing Council of UNEP requested the Executive Director of UNEP to provide further Secretariat capabilities based on the analysis presented in the Resolution Conf. 1.8. (doc 2).</p>
17-28 Oct 1977	<p>Special working session of the Conference of the Parties</p>	<p>The special working session of the CoP requested the assistance of the Executive Director of UNEP in further strengthening the Secretariat in the spirit of the Bern Resolution Conf. 1.8 and Decision 86(V)C and in perfecting a means of providing an adequate and effective Secretariat for the implementation of the Convention.</p> <p>The request was made in a letter dated 28 October 1977 from Dr P. Gafner, Chairman of the special working session.</p>
01 March 1978	<p>Letter from the Executive Director of UNEP to the Parties</p>	<p>The intention of the Executive Director of UNEP to enlarge the already established Secretariat with funds provided under the terms of a UNEP project was confirmed by a letter to the Parties.</p> <p>While stressing the catalytic role of the Fund of UNEP, it was proposed to come to an agreed cost-sharing arrangement, which was to include direct financial support by the Parties for the operation of the Secretariat and the convening of meetings of the CoP.</p>

		<p><i>“Fully conscious of the responsibility laid upon him by the Convention, the Executive Director of UNEP at the time, my predecessor, Mr. Maurice Strong, concluded, and rightly so in my belief, that the best way to discharge his responsibility would be through an agreement with the International Union for the Conservation of Nature and Natural Resources whereby IUCN would provide the staff and facilities to undertake the Secretariat function.(...)”</i></p> <p><i>The fact that UNEP contracted with IUCN to carry out the Secretariat functions by no means reflected an abdication of interest or responsibility.</i></p> <p><i>You may be interested, to know that during the past five years of collaboration with IUCN, UNEP has committed a total of approximately US \$ 1,135,000 to IUCN' for the purpose of the Convention, including the first and this second meeting of the Conference of the Parties, and a special working session of the Conference of the Parties held in Geneva in October 1977.</i></p> <p><i>The contribution made by UNEP in providing Secretariat services for the Convention was recognized with appreciation in a decision by the Governing Council of UNEP when it met at its Fifth Session in Nairobi in 1977.</i></p> <p><i>My letter to the Parties dated 1 March 1978 confirmed my intention to enlarge the already established Secretariat under the terms of a UNEP project within the limits of available financial resources...”</i></p> <p><i>With this basic philosophy in mind, the Governing Council last year called upon the Second Conference of the Parties to the Convention to establish an arrangement for sharing the administrative costs of the Secretariat, and for gradually reducing the UNEP Fund contributions to such costs, and ending them at the earliest possible date, and in any event no later than the end of 1983.</i></p> <p><i>In the same Decision the Governing Council requested the Executive Director to provide US \$ 700,000 to the Secretariat for the biennium 1978-1979, and I am pleased to inform you that this has been done. It also directed, that on the second meeting of the Conference of the Parties, no subsequent meetings of the Conference of the Parties should be financed by UNEP. This Decision was communicated to all Parties.</i></p> <p><i>As already stated in my letter to the Parties dated 9 November 1978, I propose that from 1980 onwards UNEP 's financial contribution to the administrative costs of the Secretariat for the Convention should be gradually reduced, ceasing preferably by the end of 1982.</i></p> <p><i>In order to facilitate such an arrangement, a <u>working document</u> was prepared by the Secretariat for the Convention at the request of the Steering Committee, and was sent to you. This document described the background, summarized options for action, and provided an estimate of the required expenditures for the next biennium. It also contained three possible alternatives for a cost-sharing arrangement”.</i></p>
3 May 1979	<p>Governing Council of UNEP</p> <p>Decision 7/14 E</p> <p>(Seventh Session) Nairobi (Kenya)</p>	<p>In response to the above-mentioned Resolution Conf. 2.1, the Governing Council of UNEP :</p> <ul style="list-style-type: none"> - approved the establishment of the Trust Fund for a two-year period within the framework of the Environment Fund, and - agreed with the intention of the Executive Director to assume responsibility for administering it for the two-year period, and to supplement the resources made available for the Trust Fund by the Parties, in an amount not to exceed 50 per cent of the contribution of \$710,000 approved by the Governing Council for the biennium 1978-1979, to be provided by the Environment Fund.
22 June 1979	<p>First extraordinary Meeting of</p>	<p>Adoption of an amendment to Article XI: The words “<i>and adopt financial provisions</i>” were added to subparagraph (a)</p>

	the Conference of the Parties, Bonn (Germany)	<p><i>Article XI Conference of the Parties</i></p> <p>3. At meetings, whether regular or extraordinary, the Parties shall review the implementation of the present Convention and may:</p> <p>(a) make such provision as may be necessary to enable the Secretariat to carry out its duties, and adopt financial provisions;</p>
Sept 1979		The United Nations Controller, on behalf of the Secretary General of the United Nations, established the Trust fund for the Convention on International Trade in Endangered Species of Wild Fauna and Flora, as part of the UNEP General Trust Fund with the UN Branch of Chemical Bank, New York.
31 Jan 1981		<p>The contributions received by the Trust Fund from Parties by 31 January 1981 totalled US\$312,764.50, plus accumulated interest of US\$3,262.32.</p> <p>From this amount, US\$ 124,000 were disbursed to the Secretariat in accordance with the approved budget lines during 1980, with an additional US\$96,062 to be disbursed for the first quarter of 1981 (including Conference Costs). In accordance with UN Financial regulations, a 13% programme support charge for 1980 disbursements from the Trust Fund (US\$16,120) went to UNEP headquarters, Nairobi.</p>
19 Jan 1981	Project Document FP/1104-76-01 Rev.12	The Project FP/1104-76-01 was extended until 31 March 1981.
25 Feb -08 March 1981	CoP 3 New Delhi (India) <u>Opening speech</u>	<p>Resolution Conf. 3.2 "Financing of the Secretariat and of Meetings of the Conference of the Parties" requested that the Trust Fund continue to provide financial support in accordance with the adapted Terms of Reference and emphasized to the Parties "the importance of making their contributions to the Trust Fund promptly by the beginning of the respective calendar year or financial period to which the contributions apply or, if this is not possible, as soon thereafter as possible".</p> <p>The Resolution urged all Parties which had not yet done so to deposit an instrument of acceptance of the amendment to Article XI(3)a.</p> <p>It invited non-Party States, governmental, inter-governmental and non-governmental organizations to consider contributing to the Trust Fund and decided that "a standard participation charge of US \$50.00 be required for meetings, at the time of registration, from all observer organizations other than the United Nations and its specialized agencies, except as otherwise reduced by the Standing Committee as required".</p> <p><u>Assistant Executive Director of UNEP, Mr Sven Evteev</u></p> <p><i>"In Costa Rica, it was agreed that the Secretariat of CITES would be financed in 1980-81 jointly by UNEP and the new Trust Fund. UNEP undertook to contribute \$ 350,000 for the biennium and the Parties to the Trust Fund undertook to contribute some \$ 673,000 (Ref.: Resolution Conf 2.1).(...)</i></p> <p><i>For 1981, UNEP is in no position to contribute more than the balance of its agreed \$ 350,000 - that is \$ 70,000. All the remaining costs of the Secretariat, including the cost of this meeting must be met from the Trust Fund.</i></p> <p><i>This should not be difficult if you - the Parties - will pay - as I am sure you will - the contributions to the Trust Fund agreed at San José.(...)</i></p> <p><i>Although UNEP stands ready to help where it can, its financial rules do not permit it to make advances to a trust fund on the assumption that it can reimburse itself from the fund later on. We are not allowed to do this by our auditors - even if we could afford to do this, which I have to inform the meeting we cannot.</i></p>

		<p><i>Up to 21 February, that is a few days ago, out of the assessed contributions to the Trust Fund for 1980-81 increased by the adhesion of new Parties to \$ 761,913, there was \$ 474,576, of 62 per cent still outstanding. As a result, the Secretariat is only funded through to the end of April 1981, even though all the contributions received in the Trust Fund - and UNEP residual contribution - have been committed.</i></p> <p><i>Budgeting on hand-to-mouth basis, or more accurately a month-to-month basis, is not an efficient way to conduct our affairs.(...)</i></p> <p><i>For the biennium 1982-83, UNEP is prepared to stand by its pledge in Costa Rica to contribute a further \$ 175,000. Beyond that - as we said at the time - we believe the costs of the Convention should be the responsibility of the Parties completely.</i></p> <p><i>The Executive Director is also prepared to "provide" the Secretariat and to administer the Trust Fund on behalf of the Secretary General if it is your wish that the contributions you make to support the Convention should be channelled through a United Nations trust fund. If you prefer to handle your funds in some other way that is of course up to you, and we would assist in any way we could to establish such arrangements with you".</i></p>
<p>19-30 Apr 1983</p>	<p>CoP 4 Gaborone (Botswana)</p> <p><u>Opening speech</u></p>	<p>Resolution Conf. 4.3 "Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties" requested that the Executive Director of UNEP continue the Trust Fund and adopted its Terms of Reference.</p> <p>It emphasized the importance of Parties making timely contributions and ratifying the financial amendment.</p> <p>It also repeated the invitation to other sources of funding and the decision about the registration costs for observers.</p> <p><u>Executive Director of UNEP Dr Mostafa Tolba,</u></p> <p><i>"I am aware certain States Parties have expressed concern over UNEP's Governing Council decision to cease making regular fund contributions by the end of this year. This decision should not be interpreted as a sign that UNEP is about to summarily cut-off its financial support to CITES.</i></p> <p><i>I should perhaps remind you that the brief handed to us by Stockholm – and confirmed last year at the Nairobi special session - is a catalytic one. UNEP's view is that we have fulfilled that catalytic role: since CITES inception we have contributed US\$ 1.6 million in direct financial support.</i></p> <p><i>And despite the current parlous nature of UNEP's overall funding we have carried out the undertaking at Costa Rica to make a final contribution for the period 1982-83 of US\$ 175,000.(...)</i></p> <p><i>Our view in UNEP is that this Convention has come of age. Since CITES has so palpably demonstrated its worth to governments, we feel the time has come for the Parties to assume the full burden of regular funding. However, if you so wish UNEP would be willing to continue to administer the Trust Fund.</i></p> <p><i>I am aware that some Parties are concerned about the 13 per cent level of deduction UNEP makes in return for fulfilling this obligation. This figure is fixed by the United Nations and is not subject to negotiation.</i></p> <p><i>Nevertheless I would remind the Parties that under our agreement with IUCN one half of the deduction is paid to the Union to meet part of the administrative costs of the CITES Secretariat. So in real terms we are talking of a six and a half per cent deduction. I do not believe this is unfair since it falls to UNEP to do the costly and time-consuming work of project management, accounting and chasing up unpaid contributions.</i></p>

		<p><i>Existing arrangements for the Trust Fund will expire on 31 December 1983. If it is your wish that contributions should continue to be made to a U.N. Trust Fund, it is imperative that this meeting pass a decision requesting me to seek the approval of Governing Council 11 next month and the Secretary General of the United Nations to an extension of current arrangements for a term to be decided by you.</i></p> <p><i>I am anxious to assure you that your decision on the Trust Fund will not affect UNEP's continued support for CITES".</i></p>
3 - 5 Nov 1983	10th meeting of the Standing Committee (Gland, Switzerland)	<p>The Secretariat drew the attention of the Committee to the necessity of re-evaluating the administrative arrangements for the Secretariat.</p> <p>The Secretary-General stressed that the relationship CITES-UNEP-IUCN had been satisfactory in the early years, but that the time had come to re-evaluate the situation, in particular with respect to the financial operations of the Secretariat.</p> <p>He expressed the view that the situation was quite satisfactory and fair. The observer from UNEP (K. Oldfelt) pointed out that IUCN had originally been selected as the obvious "host" for the Secretariat and urged that a new arrangement be negotiated to maintain the link.</p> <p>It was noted that with the complete withdrawal of UNEP's financial involvement, the position was radically altered since the Secretariat's funding would be entirely by direct contributions by the Parties.</p> <p>The Chairman said that it was agreed that links with IUCN should be maintained and that a snap decision would be unwise.</p>
3 - 5 July 1984	11th meeting of the Standing Committee (Gland, Switzerland)	<p>The Standing Committee discussed the relationship between UNEP, the IUCN and CITES and outlined its resulting recommendation in a letter to the Executive Director of UNEP.</p> <p>It had identified shortcomings in the present arrangements not only with regards to finances but also in relation to administration, accommodation, staff relationship and associated matters.</p> <p>It was of the opinion that the arrangements were no longer appropriate in the situation where the Parties are themselves providing the funds for the conduct of business and where the Convention now represents a substantial proportion of the governments of the world, not all of which are members of the IUCN.</p> <p>It advised that UNEP should establish more direct and efficient operation of the CITES account as soon as possible and that the most logical arrangement was direct control by the Secretary-General under financial supervision of the Executive Director of UNEP and within the budgetary and financial decisions taken by the Parties.</p> <p>As a result the Standing Committee recommended to the Executive Director of UNEP that the Secretary-General should be directly responsible for financial matters, under the supervision of the Executive Director of UNEP, that the Secretariat should find new and independent office accommodation outside the World Conservation Centre (but as near to it as practical) and that the staff of the Secretariat should become UNEP employees.</p>
13 July 1984	Letter from the Executive Director of UNEP	<p>The Executive Director of UNEP expressed his regret that the Parties felt that the provision of the secretariat services by IUCN was no longer appropriate, but agreed that under the circumstances the only practical alternative was indeed to take a more direct control of the secretariat and to establish it within UNEP.</p> <p>The Executive Director of UNEP responded positively to these recommendations, and a copy of his letter on this subject was distributed to all the Parties.</p>
28 Aug 1984	Notification	<p>The exchanges of correspondence between the Standing Committee and the Executive Director in 1984 have been communicated to the Parties through the Notification No. 305.</p>

	No. 305	
1 Nov 1984		<p>UNEP assumed its full responsibility for the CITES Secretariat.</p> <p>The staff of the Secretariat became UN/UNEP staff members.</p> <p>The UNEP financial and administrative rules became applicable to the operations of the Secretariat, and the Secretariat took possession of its new premises in Lausanne.</p> <p><i>Since then, and in accordance with the request of both the Executive Director and the Standing Committee, the Secretariat initiated the drafting of a Memorandum of Understanding to be signed by UNEP and IUCN, covering co-operation between the IUCN and CITES Secretariats on technical, scientific and legal matters.</i></p>
22 Apr -03 May 1985	<p>CoP 5</p> <p>Buenos Aires (Argentina)</p> <p><u>Opening speeches</u></p>	<p>Resolution Conf. 5.1 "Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties" recognized that :</p> <ul style="list-style-type: none"> - in line with the Governing Council of UNEP Decision 7/14 E (doc), regular funding by UNEP ceased after 1983 and, - the Parties were now solely responsible for the funding of the Secretariat and of meetings of the CoP. <p>It acknowledged the support provided to the Secretariat by UNEP with the assistance of IUCN and recognized the continuing need for administrative and financial arrangements between the Parties and the Executive Director of UNEP.</p> <p>It requested that the Executive Director of UNEP, with the approval of the Governing Council of UNEP, seek the consent of the United Nations Secretary General for an extension of the Trust Fund until 31 December 1987 and adapted the Terms of Reference.</p> <p>It agreed that "the present financial structure, which includes the budget, the medium term plan, the scale of contribution and the Terms of Reference for the Administration of the Trust Fund shall be maintained after the coming into force of the amendment to Article XI(3)(a). (<i>doc 11</i>)</p> <p>It urged all Parties to pay their contributions to the Trust Fund. It requested the parties to pay as far as possible at the beginning of each year and appealed strongly to those Parties which, for legal or other reasons, had not so far been able to contribute towards the Trust Fund, to consider making voluntary contributions pending the acceptance of the financial amendment to article XI(3)(a).</p> <p>The participation charge for observers was increased to a minimum of US\$ 100.</p> <p><u>Deputy Executive Director of UNEP Mr Joseph C. Wheeler</u></p> <p><i>"From our point of view some vital improvements would include: expansion of membership; the commitment to prompt payments by the contracting Parties.(...)</i></p> <p><i>We in UNEP must admit, though, that our decision to agree to the recommendations of the Standing Committee was made with mixed feelings.</i></p> <p><i>We were concerned that the benefit of the scientific and technical association with the IUCN might be lost in the transfer. We are now reassured on this point, and we are in the process of completing a memorandum of understanding between UNEP and the IUCN setting out the framework for the legal, scientific and technical co-operation between the IUCN and CITES Secretariats. (...)</i></p> <p><i>The physical separation shall not, in any manner, affect the necessity for close co-operation in the pursuit of our objectives.</i></p> <p><i>I would like to conclude by urging all Parties which have not adopted the</i></p>

		<p><i>financial amendment of the Convention to do so as soon as possible. (...)</i></p> <p><i>The Trust Fund will run out of cash and the Secretariat will not be able to operate as you plan. This is not a hypothetical situation: this is the situation as it stands today. Your Secretariat does not yet have the money to implement its approved budget for 1985. Even the costs of holding this conference have not been covered by contributions of the Parties up to the time I am speaking.</i></p> <p><i>We in UNEP have been issuing money to the Secretariat from hand to mouth from day to day and I have to say this is not how the affairs of the Secretariat should be managed. (...)</i></p> <p><i>If you are faced with a situation in which some Parties are not prepared to pay contributions for the maintenance of the Secretariat through the Trust Fund, this must be taken into account at the outset when you approve the structure of the budget and its financing plan”.</i></p> <p><u>Director General of the IUCN Dr Kenton R. Miller</u></p> <p><i>“IUCN will be pleased to continue to associate freely and closely with CITES and to continue to provide the whole range of technical and policy support which it has given to the Convention in the past, including the involvement of senior IUCN, legal and technical staff at this meeting”.</i></p>
13 April 1987	Bonn Amendment to Article XI of the Convention	The Bonn amendment to Article XI regarding the contributions by the Parties entered into force.
12-24 Jul 1987	CoP 6 Ottawa (Canada) <u>Opening speeches</u>	<p>Resolution Conf. 6.2 “Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties” requested that the Executive Director of UNEP, with the approval of the Governing Council of UNEP, seek the consent of the United Nations Secretary-General for an extension of the Trust Fund until 31 December 1991 to provide financial support for the aims of the Convention in accordance with the Terms of Reference.</p> <p>It urged all Parties to pay their contribution to the Trust Fund.</p> <p>The participation charge for observers was increased to a minimum of US\$ 150.00</p> <p><u>Deputy Executive Director of UNEP Mr William H. Mansfield III</u></p> <p><i>“All of the Parties have been advised individually by the Executive Director of UNEP that by early 1987 there were insufficient funds in the CITES Trust Fund to pay the salaries of the Secretariat staff and the costs of this Conference. The Executive Director also advised Parties that he would advance money from the programme reserve on UNEP’s Environment Fund to meet the salary and conference costs up the end of July. He warned that he expected that advance to be repaid by the Trust Fund once overdue contributions were received.</i></p> <p><i>Since that letter, some Parties have paid their contributions for 1987 and earlier years. Others have not. There is now sufficient money in the Trust Fund to pay the salaries of the staff of the Secretariat up to the end of 1987, but as yet no further. Some of the costs of this meeting, but only some, are being charged to the trust fund.(...)</i></p> <p><i>The other costs that I have mentioned, however - part of the conference expenses, Secretariat staff travel, communications and the ivory trade coordinator - amounting to US \$96,000 must be repaid to the Environment Fund. (...)</i></p> <p><i>For all years taken together the unpaid contributions now total just under US \$1,000,000.</i></p>

		<p><i>Lest there are those among you who believe that UNEP's Environment Fund can be used to bail out the Parties from the financial crisis facing them, I have to tell you that the Executive Director has no mandate from the UNEP Governing Council to do this. Money was advanced from the Environment Fund to give you time to discuss in Ottawa what can fairly be described as the financial crisis of the Convention. It is now up to you to find a solution. UNEP is here to help by way of advice: the solution must come from the Parties.</i></p> <p><i>We have established a mechanism to conserve endangered species, but the most endangered species in Ottawa today is CITES itself”.</i></p>
09-20 Oct 1989	CoP 7 Lausanne (Switzerland)	<p>Resolution Conf. 7.2 “Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties” recalled Resolution Conf. 6.2 and acknowledged with appreciation the support provided to the Secretariat by the Executive Director of UNEP, which had provided, as an interim measure, direct financial assistance to cover the shortage in financial resources in 1987 and the first half of 1988.</p> <p>It requested that the Executive Director of UNEP, with the approval of the Governing Council of UNEP, seek the consent of the United Nations Secretary-General for an extension of the Trust Fund until 31 December 1995 to provide financial support for the aims of the Convention in accordance with the Terms of Reference.</p> <p>It urged all Parties to pay their contribution to the Trust Fund.</p>
2 Nov 1990		<p>Mr. Eugene Lapointe was dismissed from his position as Secretary-General of CITES by the Executive Director of UNEP. The decision was subsequently successfully challenged by Mr. Lapointe the Secretary-General.</p> <p>The United Nations Administrative Tribunal recommended that UNEP reinstate the Secretary-General from 1st January 1991 (with full salary and allowance). In the case of non-reinstatement, he would be paid full salary and allowances from 1st January 1991 until 31st March 1992.</p>
02-13 March 1992	CoP 8 Kyoto (Japan)	<p>After the CoP 7, the Executive Director of UNEP replaced the Secretary-General and the need arose to establish the roles of the Executive Director and of the Standing Committee in secretariat staff matters.</p> <p>This led to the adoption at CoP 8 of an Agreement between the CITES Standing Committee and the Executive Director of UNEP to clarify the relationship between CITES and UNEP.</p> <p>Resolution Conf. 8.1 “Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties” provided for the adoption of the Trust Fund.</p> <p><u>Opening speech</u></p> <p><u>Executive Director of UNEP Dr Mostafa K. Tolba</u></p> <p><i>“Finally, let me turn to the question of the CITES budget. There is a paradox here. Governments do not pay their bills on time, or they do not pay them at all. On the 31st of December 1991, 32% of CITES pledges for 1991 were outstanding. Pledges for years gone by have not been honoured, and CITES' programmes are suffering as a result.(...)</i></p> <p><i>The role of the Executive Director of UNEP and the CITES Secretariat is to ensure that the Parties' policies are implemented. That applies equally to the policy guidance of the Standing Committee. As such, it concerns me that CITES' budget is in the position it is. UNEP has had to advance CITES USD 800,000 already this year to cover its bills while it waits for contributions to flow into the Trust Fund. While this money is tied up at CITES, our own programmes at UNEP are affected”.</i></p>

26-28 Jun 1992		Signature of the Agreement between the CITES Standing Committee and the Executive Director of UNEP to clarify the relationship between CITES and UNEP.
07-18 Nov 1994	CoP 9 Fort Lauderdale (United States of America) <u>Opening speech</u>	Resolution Conf. 9.2 "Financing and Budgeting of the Secretariat and of Meetings of the Conference of the Parties" requested that the Executive Director of UNEP, with the approval of the Governing Council of UNEP, seek the consent of the United Nations Secretary-General for an extension of the Trust Fund until 31 December 2000 to provide financial support for the aims of the Convention in accordance with the Terms of Reference. <i>Executive Director of UNEP Ms Elizabeth Dowdeswell</i> <i>"By late October barely more than one-third of the total annual contributions due had been paid to the Trust Fund. In these circumstances UNEP's support, which exceeds the overhead charges of administration, becomes vital. We too, however, are facing financial challenges.</i> <i>Everybody seems to be in agreement that CITES is under budgeted. And its ever-growing mandate necessitates increased financial support.</i> <i>I earnestly request Parties to meet their financial commitments and to help to avoid the painful cuts that are now being envisaged in several projects being undertaken by the Secretariat".</i>
1 Jan 1996		The United Nations Office at Nairobi (UNON) was formally established as of 1 January 1996 and Nairobi became the third duty station at which such an office exists, the other two being Geneva and Vienna.
23-24 March 1997	38th meeting of the Standing Committee Harare (Zimbabwe)	Doc. 10.23 Annex 5 (Doc.SC.38.2) CITES/UNEP Working Group Report meeting 23-24 March 1997 3. The Working Group met, and had a preliminary discussion of the existing Agreement (28 June 1992), what functions are covered, and what would need to be included in a revised Agreement. All AGREED that there should be increased transparency and precision regarding personnel management selection and evaluation (for the Secretary General and professional staff), as well as financial management issues. It was AGREED that the revised Agreement should deal with both the management of the CITES Trust Fund, and Externally Funded projects. All AGREED that the revised Agreement should also deal with any future revisions of the Agreement, and periodic evaluation and review of the Agreement. 4. There was discussion of the issue of what exactly is meant by the terminology in Article XII paragraph 1 of the CITES treaty, which states " <i>upon entry into force of the present Convention, a secretariat shall be provided by the Executive Director of the United Nations Environment Programme</i> ". 6. During the discussion of what is meant by the treaty language " <i>provide a Secretariat</i> ", there was discussion of the history of the administration of the Secretariat. There was sentiment in the group that Article XII of the treaty was more pertinent to the original establishment of a Convention Secretariat, and is not necessarily applicable today. It was noted by several participants that there is strong sentiment among many Parties to leave UNEP, if that were possible, and UNEP needs to be aware of that. There was strong sentiment that the interpretation of what the treaty means by " <i>provide a Secretariat</i> " is up to the Parties, and not UNEP. 7. There was also discussion of the legal issue of whether an agreement (e.g., the CITES treaty) can oblige an entity that is not a party to it (e.g., UNEP). It was AGREED that the Parties present would ask their legal offices if the United Nations General Assembly gave its imprimatur to CITES when it was negotiated (CITES was negotiated about the time that UNEP was established), and if UNEP in any formal way accepted a CITES role at a UNEP Governing Council.

	<p>There was extensive discussion of whether or not the Parties could opt to have some other entity or organization provide for the administration of CITES. It was noted by several participants that there needs to be greater transparency in the relationship with UNEP, and greater accountability by UNEP, such that UNEP is aware that if the Parties are unsatisfied in the future they will not continue to accept UNEP as providing for the Secretariat.</p> <p>There was a discussion of the roles of UNON (the United Nations Office in Nairobi) and UNOG (the United Nations Office in Geneva). There are serious concerns with the effectiveness of UNON, including Trust Fund management and personnel issues.</p> <p>10. There was strong sentiment that UNEP should be transparent as to what it provides the CITES Parties with, but should not be allowed to continue to claim contributions that it does not make and are unrealistic.</p> <p>11. There was discussion of recent problems within UNEP, and the need for a “zero based strategy” for UNEP, to identify its basic mission. It was agreed that it would be more constructive if they worked with Convention Secretariats instead of against them. There was a discussion of the need for central oversight in UNEP, but agreement that removing CITES from UNEP at this time would not help, and would not be productive.</p> <p>12. There was discussion of concerns that the CITES Secretariat has lost administrative staff.</p> <p>14. It was also AGREED that Trust Fund administration has been more efficient than personnel and management issues. It was AGREED that basic performance indicators are needed in the revised Agreement with UNEP. It was also AGREED that the revised Agreement should be drafted so that if it were agreed to switch to a different “provider”, the same services would be provided.</p> <p>15. There was a discussion of the 13% administrative support charge assessed by UNEP on the CITES Trust Fund. It was noted that the UN General Assembly said that UNEP is authorized to charge 13%, but NOT mandated. It was suggested that the Parties should state what they expect for their overhead assessment, and be prepared to pay up to 13%. There was discussion of “indirect costs”, and how to determine what is and is not provided. It was AGREED that UNEP had already been asked by the Working Group at its last meeting to submit information as to what it costs to provide for the Secretariat, but UNEP had refused to say how much time and money it spends on each Trust Fund; UNEP’s response to all inquiries on this issue were AGREED by all to be unsatisfactory and not at all convincing. It was AGREED by all that UNEP needs to calculate what it is providing and how it is spending the Parties’ money. A suggestion was made to ask UNEP to hire a consultant to do a Time and Motion study.</p> <p>23. There was discussion of UNEP’s proposed revision, regarding the section involving externally funded projects. It was felt that this text was an attempt by UNEP to obtain the 13% out of “counterpart” funding (externally funded projects). All AGREED that this is not appropriate, and that the revised Agreement must spell out how the 13% (overhead assessment) is to be accounted for, and that it is not to be assessed on externally funded projects.</p> <p>26. It was noted that UNEP had told the Working Group in 1996 that the Executive Director was preparing a policy paper on what constitutes “provides a Secretariat”. It was AGREED to ask UNEP what progress had been made towards that end.</p> <p>27. The Working Group AGREED that the Standing Committee discussions with UNEP of these issues pertaining to the services provided by UNEP were not satisfactory. Several participants concurred that UNEP needs to be more flexible in terms of various personnel rules. Furthermore, it was AGREED that UNEP has been unwilling to be accountable as to how it spends the overhead assessment from the CITES Trust</p>
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		<p>Fund, but it must be willing to do so.</p> <p>40. It was AGREED by all that there should be a decision of the CoP that as long as the CoP agrees, UNEP will provide for the administration of the Secretariat</p> <p>42. There ensued a discussion of the decision of the UNEP Governing Council regarding administrative overhead costs (Res. 19/24 part B of the UNEP Governing Council). It was noted that the Governing Council charged the Executive Director with identifying the full administrative and management costs incurred by individual Trust Funds and UNEP.</p> <p>44. Several members suggested that payment to UNEP should be based on direct cost accounting and not overhead, to a maximum of 13%. It was also suggested that the Parties should be able to choose the services they want from UNEP. All AGREED to explore the option of direct cost accounting.</p>
09-20 June 1997	<p>CoP 10</p> <p>Harare (Zimbabwe)</p> <p><u>Opening speech</u></p>	<p>A revised version of the Agreement was adopted by the Executive Director of UNEP and the CITES Standing Committee, and was signed on 20 June 1997.</p> <p>It sets out the responsibilities of UNEP and the Standing Committee, particularly with regard to management of the CITES Trust Fund.</p> <p><u>Statement of Mr Jorge Illueca, on behalf of the Executive Director of UNEP</u></p> <p><i>"A new Agreement between the CITES Standing Committee and the Executive Director of UNEP for improving the provision of the CITES Secretariat, which we feel will lead to enhanced implementation of CITES.(...)</i></p> <p><i>Most importantly, it will signal the beginning of a new era of co-operation between CITES and the United Nations Environment Programme. UNEP is looking beyond the provision of administrative services to the Secretariat; it is looking to support the programmatic work of CITES, particularly by exploring and developing linkages with other global agreements such as the Convention on Biological Diversity, the Convention on Migratory Species and relevant regional conventions.</i></p> <p><i>The signing of a new Agreement between UNEP and the CITES Standing Committee at this CoP will be the culmination of a process that began in February 1996".</i></p>
29 Jan 1999		Mr. Willem Wouter Wijnstekers starts as CITES Secretary-General.
12-15 March 2002	<p>46th meeting of the Standing Committee</p> <p>Geneva (Switzerland)</p>	The Chairman and other members of the Committee expressed concern that UNEP was not complying with the Memorandum of Agreement. The Committee agreed that the Chairman should raise this issue with the Executive Director of UNEP.
01-02 Nov 2002	<p>47th meeting of the Standing Committee</p> <p>Santiago (Chile)</p>	<p>The Chairman reported that, following his review of the Agreement, he recommended that it be revised to stress the need for the Executive Director to consult with Committee before taking any action within his mandate and to reflect the responsibilities of the Secretary-General more accurately.</p> <p>He had prepared a draft of a new agreement.</p> <p>The Chairman of the Committee was requested to hold discussions with the Executive Director of UNEP on the draft concerned.</p>

22-25 Apr 2003	49th meeting of the Standing Committee Geneva (Switzerland)	The Chairman reported that the meeting he had requested with the Executive Director of UNEP had not taken place and that he had received no response from UNEP to the draft memorandum of agreement.
15-19 Mar 2004	50th meeting of the Standing Committee Geneva (Switzerland)	The Chairman reported that the meeting he had requested with the Executive Director of UNEP had not taken place and that he had received no response from UNEP to the draft memorandum of agreement.
01 Oct 2004	51st meeting of the Standing Committee Bangkok (Thailand)	The Deputy Executive Director apologized for UNEP's delay in providing comments on the draft Memorandum of Understanding prepared by the Standing Committee. He explained that the Executive Director had sought advice from the United Nations Office of Legal Affairs and should soon be in a position to respond to the Standing Committee on this issue.
27 June – 01 July 2005	53rd meeting of the Standing Committee Geneva (Switzerland)	<p>UNEP provided its own draft memorandum of agreement for consideration by the Standing Committee.</p> <p>During the discussion, participants stressed the need for UNEP to consult with the Standing Committee before taking actions that affect CITES, and in particular the Secretariat and the budget.</p> <p>With the agreement of the representative of UNEP, the Standing Committee adopted a number of amendments and agreed in principle to the resulting text of the agreement.</p> <p>The Committee agreed to the proposed amendments with the following modifications:</p> <ul style="list-style-type: none"> - <i>in paragraph 6, the second sentence should read: "The Secretary-General shall recommend the best candidate for the effective conduct of the business of the Secretariat, whilst taking account of the principle of geographical representation and the diversity of Parties to the Convention.";</i> and - <i>in paragraph 7, the proposed additional sentence should read: "For senior posts, the Secretary-General shall consult with the Standing Committee."</i> <p><i>Please refer to :</i></p> <ul style="list-style-type: none"> - <i>Document SC53 Doc. 7.2, Annex 2 (Rev. 2) containing the Standing Committee's draft MoA of 2002</i> - <i>Annex 3 containing the draft MoA submitted by UNEP on 17 June 2005,</i> - <i>Document SC65 Doc. 7.2.1 containing an amended version of Annex 3 (prepared by Australia, following discussion).</i> <p>The Committee instructed the Secretariat to place a copy of the amended draft on the CITES website. It decided that the amended draft would be open for comments until 15 August 2005, after which, if there were no substantive objections from Parties, the draft would be considered as adopted by the Standing Committee. None were received indicating that the text could be considered as adopted by the Committee.</p> <p>The item "Proposal of the Executive Director to change the administrative arrangements for the Secretariat" was introduced by the Secretariat. It was noted that, in view of the particular situation of CITES as compared to other Geneva-based</p>

		<p>offices, no administrative change for CITES was being proposed by the Executive Director of UNEP.</p> <p>No action was therefore currently required by the Standing Committee.</p> <p>However the Committee would be kept informed of the further development of the Geneva administrative service centre and of future options for CITES to be wholly or partly serviced by that centre.</p>
02-06 Oct 2006	54th meeting of the Standing Committee Geneva (Switzerland)	<p>The Chairman reported on the activities that he had undertaken to progress towards the signature of a Memorandum of Agreement with the Executive Director of UNEP.</p> <p>The representative of UNEP stated that the new Executive Director was committed to addressing this issue in the context of the United Nations' reform objectives and the review of effectiveness and synergies currently being undertaken by the UN Joint Inspection Unit.</p> <p>But he asked for more time while this review was going on.</p> <p>The Committee agreed that the Chairman should write to the Executive Director to agree to the request to allow more time and to ask that the Committee be kept informed of progress through the Secretary-General.</p>
14-18 July 2008	57th meeting of the Standing Committee Geneva (Switzerland)	<p>It was recalled that the Standing Committee had negotiated a new Memorandum of Agreement with UNEP two years previously in good faith, that it had been signed by the Chairman of the Standing Committee, but that it appeared that the Executive Director was unwilling to sign.</p> <p>It was noted that the Executive Director seemed to communicate with the Standing Committee only by proxy.</p> <p>The Committee requested that the representative of UNEP transmit its concerns to the Executive Director of UNEP, in particular regarding the lack of progress with the Memorandum of Agreement between himself and the Standing Committee.</p> <p><u>Statement by the Executive Director of UNEP Mr Achim Steiner</u></p> <p><i>"Allow me also to use this opportunity to give you a brief on the progress on how to further strengthen the relationship and the administrative arrangements between UNEP and CITES.(...)</i></p> <p><i>At SC55, you generously gave me time to analyse and implement recommendations of the Joint Inspection Unit (JIU) on the review of common support services offered by various UN organizations providing or servicing as Secretariats MEAs.</i></p> <p><i>Subsequently, I constituted a Task Team on the Administrative Arrangements for the UNEP MEA Secretariats with a mandate to present recommendations to me on a way forward to strengthen the administrative ties between UNEP and the MEA Secretariats. The Team was composed of representatives of MEAs Secretariats and UNEP, and it completed its work in July 2007.</i></p> <p><i>The Task Team report has provided me with clear and targeted recommendations for action to consider in the area of 1) the institutional relationship between UNEP and the MEA Secretariats; 2) coordination mechanisms; and 3) fund management. In order to ensure that there is uniform approach towards delegation of authority, I suggest that a common approach on delegation to all UNEP MEA Secretariats, including CITES should be found, however, respecting the differences between each of the MEAs, as appropriate.</i></p> <p><i>In implementing the recommendations of the Task Team report, I have since established an MEA Management Team (MMT) composed of the heads of the UNEP MEA Secretariats. I have met three times with the MMT since August last year and most recently in Nairobi in April 2008 in the margins of the UNEP Executive</i></p>

		<p><i>Management Week in which the MEA heads participated.</i></p> <p><i>These meetings provide a unique platform for regular communication between the Secretariats and UNEP. In addition to the above, I have instituted regular direct dialogue with the MEA heads on substantive issues. These dialogues are critical to me in further strengthening my direct liaison with the UNEP MEAs, including most recently in the development of the UNEP Medium Term Strategy 2010-2013.(...)</i></p> <p><i>I am pleased to report that the internal UNEP process has been finalized and to this end, I have requested UNEP's Quality Assurance Section (QAS) in collaboration with my Division of Environmental Law and Conventions (DELC) to present to me a comprehensive proposal on delegation of authority including an 'accountability system' building on lessons learnt from the recent delegation process that UNEP has undergone.</i></p> <p><i>In preparing the delegation of authority between myself and the Executive Secretaries, respectively, we will work closely to ensure that the delegation and the related accountability framework meets our respective needs and are in line with relevant decisions and rules and regulations. Consultations will also take place with the relevant MEA governing structure, as appropriate”.</i></p>
06-10 July 2009	58th meeting of the Standing Committee Geneva (Switzerland)	<p>The representative of UNEP informed the Standing Committee that the review of the agreement with the Executive Director of UNEP needed to take place in the context of UNEP's broader administrative reform, and explained the accountability framework and system for delegation of authority that would be tested on a number of multilateral environmental agreements in 2009.</p> <p>The plan was to apply this also to CITES before the end of 2009.</p> <p>The representative of UNEP further stated that the accountability framework was needed in order to hold the executive heads of the multilateral agreements accountable to UNEP for performance of their duties.</p> <p>He said that the Executive Director wished to discuss the agreement between UNEP and the Standing Committee at its 59th meeting.</p> <p>Before that meeting, the Executive Director of UNEP would discuss this issue with the Chair of the Standing Committee.</p> <p>The Executive Director of UNEP would therefore not sign the revised agreement in the meantime, but it was understood that the Memorandum of 1997 remained in force.</p> <p>Regarding the appointment of a new Secretary-General, after the retirement of Mr Wijnstekers in April 2010, UNEP would consult the Committee regarding the vacancy announcement, which was to be published soon, and would involve the Committee in the process of finding a new Secretary-General. It was expected that an appointment would be made at the end of 2009 or early 2010.</p> <p>Members of the Committee noted that UNEP's accountability framework and delegation of authority was an internal matter, quite separate from the agreement between the Executive Director of UNEP and the Standing Committee, which should not take second place; and the Committee wished to be fully involved in the process of selecting and recruiting a new Secretary-General. UNEP responded that the Standing Committee would be involved in compliance with the 1997 Memorandum of Understanding.</p>

12 March 2010	59th meeting of the Standing Committee Doha (Qatar)	<p>The Executive Director of UNEP stated that he had agreed to report to the Committee on the relationship between UNEP and CITES.</p> <p>He explained that the UNEP management team was developing a procedure for the delegation of authority for all Multilateral Environmental Agreement secretariats to enable them to work without having to always refer back to UNEP headquarters.</p> <p>It would supersede any prior arrangements between UNEP and CITES.</p> <p>He reported that a draft delegation of authority between the Executive Director of UNEP and the Secretary-General of CITES had been developed with the objective of ensuring high-level secretariat services and to clarify the Secretary-General's authority, responsibility and accountability.</p> <p>The draft delegation of authority had been sent to the Chair of the Standing Committee in February 2010 for review.</p> <p>The Executive Director proposed that a working group, that could include two or three members of the Standing Committee, meet in June 2010, to consider the way forward for CITES and UNEP.(...)</p> <p>Members of the Standing Committee expressed support for the formation of the working group and the proposed accountability framework.</p> <p>However, several Parties expressed serious concern that neither they nor other Parties had seen the draft accountability framework. One member pointed out that CITES was not a part of UNEP.</p> <p>They disagreed with the view that it was not necessary to have a separate agreement between the Executive Director and the Standing Committee and stressed that such an agreement could not be replaced by the delegation of authority, which was an internal arrangement between the Executive Director and one of his staff members.</p> <p>It was felt that this subject, as well as the present long-standing agreement between the Committee and the Executive Director, might benefit from discussion by the working group.</p>
25 March 2010	60th meeting of the Standing Committee Doha (Qatar)	Establishment of the working group to discuss with the Executive Director the relationship between CITES and UNEP.
3 May 2010		Mr. John Scanlon starts as CITES Secretary-General.
1 Oct 2010	Delegation of Authority on Administrative and Financial Matters	Following a review by the Executive Director of UNEP and the Secretary-General of CITES, and consultation with the Standing Committee Working Group, the Delegation of Authority between the Executive Director of UNEP and the Secretary-General of CITES was signed and entered into effect.
24 Feb 2011	26th Session of the Governing Council of UNEP	<p>The Governing Council of UNEP was provided with an information paper on the <i>Evolution of the relationship between the United Nations Environment Programme and the multilateral environmental agreements that it administers</i> (hereinafter referred to as the 'UNEP paper').</p> <p>The UNEP paper notes that, on 1 January 1996, the United Nations Office at Nairobi</p>

		<p>(UNON) was established from the United Nations Common Services Unit at Nairobi and the separate divisions of administration of UNEP and the United Nations Human Settlements Programme (UN-Habitat). The objective in establishing UNON was to strengthen the United Nations presence in Nairobi and to achieve economies of scale. Under a memorandum of understanding and specific service agreements with UNEP and UN-Habitat, UNON provides a full range of central administrative and other support services. This was not the case when the Executive Director of UNEP was asked to provide the secretariat for the Convention.</p> <p><i>(These services include but are not limited to: recruitment, classification and repatriation; payroll and the administration of staff entitlements including education grants, medical insurance (including Appendix d), home leave and repatriation; the UN's financial disclosure programme (and associated payments to UN headquarters); accounting and finance functions, including statement preparation, payables/receivables, cash-flow management, treasury and contributions receipt and recording; end-of-service and post-retirement benefits including the administration of pension fund deductions and ASHI; non-expendable property; the administration of internal audit, investigation, inspection and external audit; the UN's administration of justice system; shipping, pouch, visas and UN LPs; mail and other ICT systems and services.)</i></p> <p>The UNEP paper further notes that, to date, UNON has issued a single aggregated bill for services provided to UNEP. This has allowed multilateral environmental agreements (MEAs) to benefit from the services, capacity and associated financing described in the papers referred to in paragraph 6 above.</p>
15-19 August 2011	61st meeting of the Standing Committee Geneva (Switzerland)	<p>Regarding the Report of the Working Group on Revising the Agreement between the CITES Standing Committee and the Executive Director of UNEP :</p> <p>One observer expressed support for the developments in the relationship between the Standing Committee and the Executive Director of UNEP.</p> <p>The Committee adopted the Memorandum of Understanding (MoU), as amended, and authorized the Chair of the Standing Committee to sign it on behalf of the Committee and to transmit it to the Executive Director of UNEP.</p> <p>The Committee directed the Secretariat to prepare a report for its 62nd meeting (SC62) to inform it of any decisions taken by the UNEP Governing Council at its 12th Special Session, in February 2012, concerning paragraph 18 of UNEP GC decision 26/9 (Proposed UNEP biennial programme of work and budget for 2012-2013), noting that this report would not include any recommendations.</p> <p>The Committee noted that, if the MoU were not accepted, or if the Executive Director of UNEP proposed further changes, the matter would be referred back to the Standing Committee and its Working Group. The Secretariat would advise the Committee as soon as it became aware of the decision of the Executive Director of UNEP.</p>
1 September 2011		The Executive Director signed the MoU without alteration on 1 September 2011, which is the same date upon which it came into effect.
20 March 2012	Office of Internal Oversight Services – Audit of the	Overall results of the OIOS relating to the effective administrative management by UNEP of the CITES Secretariat were partially satisfactory. Positive observations were made regarding the Delegation of Authority and the MoU was noted.

	CITES Secretariat	
23-27 July 2012	62nd meeting of the Standing Committee Geneva (Switzerland)	<p>The representative of UNEP emphasized UNEP's commitment to the full implementation of the MoU between UNEP and the Standing Committee.</p> <p>In the discussion that followed, speakers expressed the need for: full compliance with the MoU before CoP16; and the need for a more complete report in future including information on the use of the 33 % that is retained by UNEP from the programme support costs, and information on significant challenges.</p> <p>The Secretary-General noted that there were two aspects to the relationship of CITES with UNEP: the programmatic side and the administrative side.</p> <p>The Committee requested UNEP to report in future on its use of the 33 % (of the 13%) that it retains from programme support costs, as stipulated in the MoU.</p>
20 August 2012	Letter from the Chair of the Standing Committee to the Executive Director of UNEP	<p>After the 62nd meeting of the CITES Standing Committee, the Chair of the Standing Committee expressed concerns regarding the Report of UNEP, as it did not meet the requirements for reporting on administrative matters set out in the MoU (of 1 September 2011), and the deadline for submission and translation of documents.</p> <p>In his letter, the Chair <i>inter alia</i> reminded the Executive Director that the Committee noted a number of instances where UNEP failed to comply with the terms of the MoU and expressed its concerns regarding especially the implementation of paragraphs 4, 5, 18, 24 and 34; and noted with concern how UNEP handled the settlement agreement in relation to a personnel matter, including the access to the CITES Trust Fund, on the termination of a post at the 15th meeting of the CITES Conference of the Parties.</p> <p>The committee noted the budgetary support offered by UNEP amounting to USD 150,000 to be used to partially offset this personnel matter as well as to support preparations for CoP16 and expressed its appreciation to the Executive Director for this allocation.</p>
29 Nov 2012	Letter from the Executive Director of UNEP to the Chair of the Standing Committee	<p>Regarding the handling of a staff-related settlement agreement, including the access to the CITES Trust Fund to issue the relevant termination payment, the Executive Director of UNEP reassured the Chair of the Standing Committee that UNEP was committed to settle such issues in full compliance with the existing MoU and CITES governance structure.</p> <p>On the issue of the allocation of PSC from June 2001 to 31 August 2011, the Executive Director of UNEP admitted that "<i>this had proven to be a somewhat complex issue to decipher</i>".</p> <p>He requested his offices to verify whether these funds were managed and the relevant services provided in accordance with the procedures in place at the time.</p> <p>The Executive Director of UNEP indicated that he had therefore instructed his offices to immediately address these issues further and fully co-operate with the CITES Secretary-General in order to urgently bring this matter to a successful closure, in full compliance with the established provisions. In this regard, the CITES Secretary-General started liaising with the UNEP Secretariat.</p>
14 March 2013	64th meeting of the Standing Committee Bangkok (Thailand)	<p>UNEP requested that the Committee consider the possibility of amending its MoU with the Executive Director of UNEP after each meeting of the Conference of the Parties, if appropriate. It was agreed that this would be discussed at SC65.</p>

7-11 July 2014	65th meeting of the Standing Committee Geneva (Switzerland) <u>Briefing by the Chair of the Standing Committee</u>	<p>The Committee agreed to establish an intersessional working group to review the administrative hosting arrangements for the CITES Secretariat. In proposing the establishment of the Working Group, the Standing Committee Chair stated:</p> <p><i>“When our current Secretary-General arrived in the Secretariat in May 2010 he set about improving our administrative and programmatic relationship with the UNEP Secretariat, firstly focusing on the administrative side of things. Through the hard work of many, including this Standing Committee, we reached agreement on a new Memorandum of Understanding between the Executive Director of UNEP and the Standing Committee, which came into effect on 1 September, 2011.</i></p> <p><i>This new MoU brought to a conclusion ten years of negotiations and it has served as a model to others to follow.</i></p> <p><i>The MoU provides a sound basis for providing better clarity in our inter relationship, especially when coupled with the delegation of authority given by the Executive Director to our Secretary-General.</i></p> <p><i>Since that time, there have been some bumps along the road in implementing the MoU, and we have had reason to express concern as a Committee to the Executive Director about the manner in which it was being implemented by the UNEP Secretariat. The Executive Director has taken steps to address these concerns, which I am most grateful for.</i></p> <p><i>However, over recent months I have had occasion, as your Chair, to express further concerns about other matters emerging from the UNEP Secretariat.</i></p> <p><i>The recently released report of the UN Joint Inspection Unit on environmental governance in the UN system suggests that some of the problems we confront may be due, at least in part, to the institutional hosting arrangements that are in place.</i></p> <p><i>The Joint Inspection Unit, as the UN’s independent external oversight body, has come to the conclusion that it may be time for UNEP to no longer administer convention secretariats, such as CITES, and for this administrative relationship to be directly with the service provider itself, either the UN Office at Nairobi or the UN Office at Geneva or both.</i></p> <p><i>In light of the advice of the UN Joint Inspection Unit and the experience we have gained in having our Secretariat administered through UNEP for many years now, I think it is time that we, as a subsidiary governing body, looked into the matter more deeply for ourselves in the lead up to CoP17 in 2016, noting that there is an expectation that such reports are brought to the attention of relevant governing bodies.</i></p> <p><i>In proposing the creation of this working group I wish to make it clear that I have no predetermined view of the optimal arrangements and the conclusion may well be that we are best placed remaining as we are. However, I do feel it is incumbent upon us to have a more considered look into this issue both in light of the UN Joint Inspection Unit report and our own experience.”</i></p> <p>The Chair proposed a draft Terms of Reference for the Working Group to review the:</p> <ol style="list-style-type: none"> 1. Models that exist within, or are linked to, the UN system for the hosting of convention secretariats; 2. Advantages and disadvantages of different hosting models for the CITES Secretariat, including any financial implications; and 3. Steps that would need to be taken if the current hosting arrangements were to be changed. <p>The Working Group will be supported by the CITES Secretariat and will report its findings to the 66th meeting of the Standing Committee (Geneva, January 2016).</p>
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29 July 2014	Letter from the Executive Director of UNEP to the Chair of the Standing Committee	<p>Regarding the Standing Committee's decision to establish an inter-sessional Working Group to review the hosting arrangements for the CITES Secretariat, the Executive Director of UNEP noted that this will be a Party-led initiative, but that UNEP will be actively engaged and consulted upon.</p> <p>He registered his continued commitment to provide the Standing Committee with all of the support, information, advice and inputs deemed necessary for the review and noted the offer to provide the UNEP Secretariat with the opportunity to review documentation made available to the Working Group, to submit its own inputs and perspectives, to participate as an observer in a possible face-to-face meeting of the Working Group, to review and comment on the draft recommendations to the Working Group, to see the final recommendations and to comment on them before and at the 66th meeting of the Standing Committee.</p> <p>He reiterated his full commitment and that of the entire UNEP Secretariat to continue a constructive dialogue with the Standing Committee and its support to the CITES Secretariat.</p>
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