

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

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Eighth Meeting of the Conference of the Parties  
Kyoto (Japan), 2 to 13 March 1992

Interpretation and Implementation of the Convention

TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE SECRETARIAT BY UNEP

1. The initial draft of a memorandum of understanding on the administration of the Secretariat was prepared by the Secretariat at the request of the Chairman of the Standing Committee. At the 22nd meeting of the Standing Committee (Nairobi, 8-10 August 1990) agreement was reached with UNEP that the latter would co-operate with the Standing Committee in the further development of such a document.
2. Further discussion of the topic at the 23rd meeting of the Standing Committee resulted in the draft memorandum being reformatted as a draft agreement to be signed by the Executive Director of UNEP and the Chairman of the Standing Committee. This draft was provided to the Deputy Executive Director of UNEP for consultations within the UNEP system. At the same time, a small working group, consisting of Canada, New Zealand and Trinidad and Tobago, was formed to assist in making any further changes that might be required, as well as to prepare appropriate documentation for the eighth meeting of the Conference of the Parties.
3. Comments provided by the Deputy Executive Director resulted in another draft being prepared by the working group for consideration at the 24th meeting of the Standing Committee. At that meeting, further minor changes were made and the final document was approved by the Standing Committee for presentation to the Executive Director for his consideration.
4. Correspondence from the Deputy Executive Director on 10 February 1992 indicates that the Executive Director desired further amendments to be made, particularly to paragraph 2. The revisions proposed by the Executive Director are attached as Annex 2.

AGREEMENT BETWEEN THE CITES STANDING COMMITTEE  
AND THE EXECUTIVE DIRECTOR OF UNEP

1. The Secretary General (the Chief Officer of the Secretariat of the Convention) shall be appointed by the Executive Director of UNEP in accordance with the United Nations personnel rules, and after consulting with the Standing Committee. The consultation will be such that every effort will be made to appoint a Secretary General acceptable to the Standing Committee, while recognizing that the United Nations personnel rules will govern the appointment. Other staff members will also be appointed under the United Nations personnel rules, which provide for consultation with the Secretary General. The consultation will be such that every effort will be made to appoint candidates the Secretary General considers acceptable for the effective conduct of the business of the Secretariat.
- [2. The Executive Director will act in conformity with the provisions of Articles XI and XII of the Convention on these and other functions as may be entrusted to the Secretariat by the Parties. The Secretary General shall act under policy guidance of the Conference of the Parties, and under the policy guidance of the Executive Director on matters relevant to UNEP. Between the meetings of the Conference of the Parties the Secretary General shall act under the policy guidance of the Standing Committee, and under the policy guidance of the Executive Director on matters relevant to UNEP in exercising all other functions in accordance with Articles XI and XXI of the Convention.]
- [2. The Executive Director will act in conformity with the provisions of Article XI and XII of the Convention on these and other functions as may be entrusted to the Secretariat by the Parties. The Executive Director shall ensure that the Secretary General follows the policy guidance of the Conference of the Parties and between the meetings of the Conference of the Parties the policy guidance of the Standing Committee in exercising functions of the Secretariat in accordance with Article IX and XII of the Convention.]
3. Financial Matters

The Standing Committee oversees on behalf of the Parties the development and execution of the Secretariat budget as derived from the Trust Fund and other sources. The Executive Director will be guided by the specific resolutions established by each meeting of the Conference of the Parties with respect to matters related to the financing and budgeting of the Secretariat. The Executive Director shall consult with the Standing Committee before implementing decisions which cause an unforeseen increase in the budget of the Secretariat.
4. Personnel Matters

The Executive Director will inform the Standing Committee in advance of any significant action with respect to the Secretariat which may affect the interests of the Parties or the efficient administration of the Convention, and will consider the views of the Standing Committee presents to him on such actions and in appraising the performance of the Secretary General.
5. Other Posts

The appointment of individuals to posts in the Secretariat financed by Governments or other institutions over and above their normal contributions to the CITES Trust will be confirmed through the normal appointment process of the United Nations Environment Programme, and will be subject to the terms of an agreement negotiated between the originating agency and UNEP.
6. The evaluation of the performance of the incumbents of all posts shall be in accordance with the applicable Staff Rules of the United Nations, which provide for the full participation of the supervisors of the Secretariat.