

**CONFERENCE OF THE PARTIES TO THE CONVENTION
ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS**

CONFERENCE OF THE PARTIES: ORGANIZATIONAL CHANGES

Introduction

1. Following the Tenth Meeting of the Conference of the Parties to the CMS (November 2011, Bergen, Norway), the CMS Secretariat circulated a questionnaire to participants seeking views on how arrangements might be improved. Based on the results of this questionnaire, at the 40th Meeting of the Standing Committee to CMS, the CMS Secretariat tabled document UNEP/CMS/StC40/11.2.1: *COP Organizational Changes*. This document proposed a number of changes that would result in “efficiency improvements” in the running of the Meeting.

2. The document was discussed during StC40 (November 2012). At the meeting, a Working Group was established with the mandate to, *inter alia*: “...consider proposed changes to the arrangements for organizing the CMS COP and make recommendations to the 41st Meeting of the Standing Committee”.

3. This paper is divided into two sections. The first section proposes a set of principles to underpin organization of the CMS COP. These principles may be used as a basis to guide consideration of the 13 specific proposals put forward to StC40 by the Secretariat.

4. The second section of the paper discusses each of the 13 proposals. After some initial exploration of each proposal, a recommendation is made for each item. The recommendations draw on matters raised at StC40.

Principles for Organizing and Running the Conference of the Parties

5. Article VII of the Convention establishes the Conference of the Parties as “the decision making organ of this Convention” and establishes legally binding conditions for the COP which shall be implemented. To guide the Working Group and the Standing Committee in its consideration of this item, the following additional principles are proposed.

6. The principles underlying the organization of the COP are:

a. *Primary purpose of COP:*

The purpose of the Conference of the Parties is to efficiently and effectively transact the business required for the implementation and operations of the Convention. Meetings held immediately before or after COP, and, meetings and side events held during COP, are complementary but secondary to this purpose. The exceptions are the Regional Meetings on the eve of COP.

b. *Budgetary responsibility:*

The Conference of the Parties will be constrained in terms of its duration by its available budget but will normally not be less than five days duration.

- c. *Thorough preparation:*
Efficiency in the organization and running of the Conference of the Parties will be significantly enhanced by thorough preparation and by good communications among, the Secretariat, the Standing Committee and the Parties prior to and during the Conference.
- d. *Representation and participation:*
Efficiency and effectiveness of the Conference of the Parties will be enhanced through the participation of an active Bureau in guiding the Chairs of Plenary, COW, other Committees and Working Groups, and reporting back to regional meetings during the Conference. (See proposal set out in the paper on Rules of Procedure being considered by the Working Group).
- e. *Communication:*
The Regional Representatives elected to the Standing Committee will convene regional meetings for delegates immediately prior to and during the COP to inform them of discussions at the Bureau and to inform the Bureau of the views of the delegates.

Recommendation: It is recommended that:

- 7. The Standing Committee agrees:
 - a. The five principles outlined above are adopted as the Principles for Organising and running the COP.
- 8. Proposals put forward by Secretariat for consideration.

Proposal 1: Uploading final papers and draft resolutions six weeks before the COP

9. This proposal is superseded by proposals put forward in the Rules of Procedure paper, which the Working Group is currently considering. One of the proposed Rules of Procedure makes early circulation of official documents a mandatory requirement rather than an organizational change.

Recommendation: It is recommended that:

- 10. The Standing Committee agrees:
 - a. This proposal should be resolved in the Rules of Procedure paper and therefore should not be considered further here.

Proposal 2: Encouraging regional discussions, by email or teleconference, in advance of COP

11. Members of the Standing Committee are already required: “to maintain a fluid and permanent communication with Parties in their region and the Secretariat” (UNEP/CMS/Resolution 9.15 para5 (a)). The means by which this is to occur are not suggested.

12. Maintaining communication – especially in advance of COP – is to be encouraged. For such discussions to be most useful, it would seem worthwhile for them to continue

throughout the COP. Efficient and effective pre-COP discussions can be a challenge. E-mail or teleconference calls have been suggested as possible options. Regional meetings held prior to the COP are unlikely because they would impose significant additional expense on Parties unless donors were prepared to cover the costs of such meetings.

13. The Rules of Procedure paper under current consideration proposes that the Standing Committee becomes part of the Bureau of the COP. This will provide opportunity for Standing Committee members to transmit advice emerging from potential regional meetings to the Bureau. In addition, Standing Committee members can report back on matters considered by the Bureau to regional meetings held during the COP.

14. A Bureau meeting in the morning on the day before commencement of the COP, with regional meetings convened in the afternoon of the same day (i.e. following the Bureau meeting) would allow Standing Committee members to update their regions on matters considered by the Bureau and allow delegates to hold regional discussions. This would improve regional coordination and negate the need for the Head of Delegation meeting. (NB: other MEAs that use this structure include CBD, Ramsar, and CITES).

Recommendations: It is recommended that:

15. The Standing Committee agrees:
- a. Standing Committee Members are encouraged to lead regional discussions via email or teleconference prior to COP.
 - b. The Bureau meet in the morning on the day before commencement of the COP, with regional meetings convened in the afternoon of the same day (i.e. following the Bureau meeting).
 - c. Standing Committee members convene regional meetings the afternoon before commencement of the COP and also hold regular regional meetings during the COP.
 - d. The Chair of the Standing Committee requests members of the Standing Committee to convene such meetings as an elaboration of their “Duties” identified in Res.9.15 with the Secretariat ensuring the availability of meeting rooms.

Proposal 3: Contracting Higher Quality Translators

16. There has been comments about the quality of translated documents and interpretation services. The Secretariat has advised they have contracted higher quality translators.

Recommendation: It is recommended that:

17. The Standing Committee agrees that:
- a. The quality of translation and interpretation services is subject to ongoing monitoring by the Secretariat and feedback provided to the Bureau.

Proposal 4: Preparing a Clearer Agenda with Document Numbers Linked to Agenda Items

18. After COP10, delegates reported confusion with the numbering system used by the Secretariat when posting documents.

19. At StC40, the Secretariat deployed a new system whereby document numbers matched the agenda item number (i.e. the same system used by CITES). This was an improvement and should be used in all CMS meetings.

Recommendation: It is recommended that:

20. The Standing Committee agrees that:

- a. The Secretariat continues to use the system whereby document numbers are linked to agenda item numbers.

Proposal 5: Providing Documents on a Memory Stick

21. Provision of documents on a USB/memory stick for delegates as they arrive at the COP will reduce the requirement for printed copies of papers prior commencement of the Meeting. However, this should not be a substitute for or diminish the requirement to have all documents published on the website by the designated deadline prior to the COP.

22. New papers will be generated as COP proceeds and it is desirable that these also be made available electronically in the working languages of the Convention, at least three hours prior to the commencement of the session at which the document will be considered. This will allow time for delegates to consider its content, and engage in regional coordination, as required. In the first instance, these papers should be available on the website as 'in-session' documents. It may also be helpful to have a facility available to allow delegates to download these documents to a USB stick should they so wish. Furthermore, documents and papers should always be provided in both MS Word and PDF formats.

23. The need for careful document control to avoid confusion as to the paper under consideration is noted. Other MEAs keep in-session documents on only one website page (the CMS documents were available on multiple pages, resulting in confusion). Quicklinks from the CMS home page to the page for in-session documents would be helpful.

24. While the availability of electronic documents will reduce the requirement for printed documents, it will still be necessary to produce some printed documents for delegates. The Secretariat will need to ensure adequate provision for printing is made in the Host Country Agreement. In addition, arrangements will need to be made with the host country to ensure that the internet facilities provided at the COP venue (particularly in the Plenary room) has sufficient bandwidth and server capacity to cater for the increased demand by delegates.

Recommendation: It is recommended that:

25. The Standing Committee agrees that:

- a. Meeting documents should desirably be preloaded onto USB sticks or equivalent media and distributed to delegates on arrival at the Meeting. A

facility for updating the USB stick during the Meeting should be made available.

- b. “In-session” documents should be made available on the CMS web site (accessible through a quicklink on the homepage) as the Meeting proceeds with appropriate systems being introduced to ensure good document control practices.
- c. The Secretariat, through negotiations with the host country, ensure that the internet service provided at the venue has sufficient capacity to meet the anticipated increased demand from delegates for timely access to web-based papers.
- d. The Secretariat is requested to take appropriate steps to ensure the implementation of recommendations a. to c. above.

Proposal 6: Holding Meetings Back-to-Back with the COP

26. It has been proposed (refer para 1.1 above) as a guiding principle that the primary purpose of the COP should be to efficiently and effectively transact the business of the Convention and that other pre- and post-COP meetings should not distract from this focus.

27. In recent years, a practice has developed of holding back-to-back meetings with the COP, e.g., meetings of other CMS instruments, on the grounds of efficiency. The key efficiency gain is believed to be the ability to have Parties represented at multiple meetings by a single delegate resulting in savings in travel costs. This practice places an additional workload on the Secretariat in the lead-up to the COP and it has been found that delegates attending the COP are often not the same as those attending the other meetings.

28. Nevertheless, COP targeted events are, in general, important contributions to COP and are welcome as long as their outcomes are not binding on the COP, and the additional organizational or attendance burdens they may place on the Secretariat, does not distract the Secretariat from preparations for, or attendance, at the COP.

Recommendation: It is recommended that:

- 29. The Standing Committee agrees that:
 - a. The practice of holding back-to-back meetings with the COP is discouraged and organizers of meetings are discouraged from arranging such meetings when the organizational or attendance burdens placed on the Secretariat distracts the Secretariat from preparations for, or attendance at, the COP.
 - b. The Executive Secretary is requested to convey this request to appropriate officers, especially of species-related Agreements.

Proposal 7: Parties to Develop Resolutions

30. The Working Group was invited to consider a proposal that Parties play a greater role in proposing and drafting Resolutions. No particular rationale is given for the suggestion but

during discussion at StC40, it was suggested this may increase direct involvement of Parties in the work of the Convention and reduce the workload of the Secretariat.

31. It is noted that there are currently no impediments to a Party wishing to propose a Resolution or Recommendation to the COP and this has occurred in the past.

32. Article IX of the Convention gives the Secretariat, in part, the “functions” of:

- a. to arrange for and service meetings:
 - i. of the Conference of the Parties; and
 - ii. of the Scientific Council;
- b. to invite the attention of the Conference of the Parties to any matters pertaining to the objectives of this Convention; and
- c. to perform any other function entrusted to it under this Convention or by the Conference of the Parties.

33. Greater engagement by Parties in the Convention is to be encouraged as it will increase the likelihood of positive actions occurring to manage migratory species. However, this can only be ‘encouragement’ as there is no mechanism to ‘require’ engagement in the preparation of Resolutions.

Recommendation: It is recommended that:

34. The Standing Committee agrees that:

- a. Parties are encouraged to engage in the preparation of Resolutions and Recommendations for the COP following the process proposed in the Rules of Procedure paper under consideration.
- b. Papers submitted by Parties must follow process and timelines that allow consideration by the Scientific Council and the Standing Committee.

Proposal 8: Special Meeting of Standing Committee to Clear Documents

35. The Working Group was invited to consider that either a teleconference or an online meeting of the Standing Committee (or a documents working group established by the Standing Committee) be held to comment on and clear documents prior to a COP. This proposal was put forward before preparation of the paper proposing new Rules of Procedure for the COP.

36. It is suggested the Working Group complete consideration of the paper on new Rules of Procedure for the COP before considering this matter. The decision of the Standing Committee on the Rules of Procedure will determine the need to consider processes for paper preparation.

Recommendation: It is recommended that:

37. The Standing Committee agrees that:
- a. This matter is not considered further until such time as consideration of the Review of the Rules of Procedure for the COP paper is completed.

Proposal 9: Heads of Delegation Meeting

38. The Working Group was invited to provide views on convening a more formal ‘Heads of Delegations’ meeting on the eve of the COP. The meeting was intended to assist delegates prepare for the meeting and encourage nominations for elected positions.

39. Under the section regarding Proposal 2 (Encouraging regional discussions, by email or teleconference, in advance of COP), a role is suggested for members of the Standing Committee to convene regional meetings on the afternoon prior to commencement of COP. Such a meeting would allow the objectives set out for Heads of Delegation meeting to be achieved without the expense of hosting a Heads of Delegation meeting. If the recommendation regarding the regional meetings prior to the COP is agreed, then the need for a ‘Heads of Delegation’ meeting will be redundant.

Recommendation: It is recommended that:

40. The Standing Committee agrees that:
- a. This matter is not considered further until such time as consideration of the matters raised in paragraphs 13 - 17 have been considered.

Proposal 10: Shorter and Rationalized Opening Sessions

41. The Working Group was invited to provide its views on opening the COP with a High Level opening ceremony on day one, for up to two hours in total, with fewer and shorter speeches and including administrative matters.

42. The adoption of such a practice is in keeping with the principles proposed at the commencement of this paper and is consistent with the practice adopted by other conventions. It also allows the day preceding the meeting to be used for Bureau and Regional meetings as previously proposed.

Recommendation: It is recommended that:

43. The Standing Committee agrees that:
- a. The opening ceremony for the Conference of the Parties occurs on the first morning of the meeting, contains fewer and shorter speeches by the main authorities, includes administrative matters, and be of no more than two hours duration.

Proposal 11: Extension of the COP by one or two days

44. The Working Group was invited to consider extending the COP by one or two full days with a decision on how many days to be made once the provisional agenda is compiled.

The key reason for the extension by one day is to allow the Secretariat a full day to compile Resolutions before they are to be adopted in the last plenary session (while the delegates have an excursion and/or a social event). If an extension by a second additional day were agreed it could provide more time for Committee of the Whole, Plenary or Working Group meetings.

45. The Secretariat paper suggested that a decision on the length of the meeting be made at a future date once the provisional agenda is compiled. The impact of this lack of certainty when negotiating a host country agreement is not explored.

46. The principles outlined at the commencement of this paper establish efficiency and effectiveness, and budgetary considerations as being key drivers of the length of meetings. The Secretariat has not presented an analysis of impacts on efficiency, effectiveness, or cost of an extended COP. It is not clear that there will be gains in this regard.

Recommendation: It is recommended that:

47. The Standing Committee agrees that:

- a. The duration of the COP remain at five days.

Proposal 12: Side Events and Working Group Meetings

48. The Working Group is invited to consider how to make side events available to as many delegates as possible, in advance of decision making, whilst Working Groups also require time to meet. The matter arises due to timetabling difficulties, limitations on suitable rooms, and possible time clashes for delegates.

49. The principles identified at the commencement of this paper identify the completion of the business of the meeting as the primary purpose for holding the meeting; side events or associated meetings are secondary to this primary purpose. By definition, “side events” are exactly that: events that occur if possible around the primary business. Therefore, in terms of assigning times and/or venues, the COP and its subsidiary meetings will always have primacy.

50. As guidance to the Secretariat, when assigning times slots for side events, the Working Group may wish to agree that priority be given to those events that directly support significant issues to be addressed by the COP. However, as most party delegations arrive at the meeting with an official brief that has been agreed before coming to the meeting, the opportunity for influencing their position at such a late stage is most likely to be limited.

Recommendation: It is recommended that:

51. The Standing Committee agrees that:

- a. Meetings of the COP and its subsidiary meetings (COW, Working Groups, Committees) take priority over side events in terms of timetabling and venues.
- b. The proposed five-day duration of the COP is not extended in order to allow time for side events during the COP. Events maybe held before or after the COP when they place no additional burden on the Secretariat.

- c. Key side events be held early in the COP to avoid potential clashes with the Committee of the Whole and Working Groups.
- d. In assigning time slots to side events during the COP, the Secretariat will give priority to those events which directly support significant issues to be addressed by the COP.

Proposal 13: Timing for Provision of Credentials

52. The provision of proper and timely credentials by delegates has been a significant problem with resulting high and unnecessary workloads for the Secretariat and the Credentials Committee at the COP. In addition, there have been incidents where sponsored delegates have been unable to participate in the business of the meeting as they do not hold valid credentials.

53. If an electronically transmitted (scanned) copy of the credentials can be supplied prior to the meeting, there is opportunity for the Secretariat to commence scrutiny of them on behalf of the Credentials Committee. Points for clarification or correction can be returned to the Party if required, and the workload at the meeting can be reduced. Note that final, original credentials will still need to be submitted at the start of the COP for final processing.

54. Some delegations may not be able to obtain final signed credentials in advance of the COP. In these cases, they can still submit the final signed credentials for presentation at the beginning of the COP. Other delegations may not wish to send credentials by mail or courier for fear of their being lost in the mail system. In these cases, delegations should be encouraged to forward an electronic version of the credentials for initial processing and bring the original to the meeting.

Recommendation: It is recommended that:

55. The Standing Committee agrees that:
 - a. Delegates are requested to electronically transmit (i.e. scan and send) a copy of their credentials to the Secretariat to allow preliminary scrutiny prior to the meeting. Submission of final signed credentials to the Secretariat at the start of the COP will still be required.
 - b. Sponsored delegates are particularly encouraged, where possible, to forward credentials as outlined above prior to tickets and travel authorizations being issued by the Secretariat.