

## RESOLUTION 5.7\*

### GUIDELINES FOR ACCEPTANCE OF FINANCIAL CONTRIBUTIONS

Adopted by the Conference of the Parties at its Fifth Meeting (Geneva, 10-16 April 1997)

*Having regard to* the recognition by the Conference of the Parties that financial resources in addition to the contributions of the Parties would facilitate implementation of the Convention;

*Considering* that, in its resolutions on financial and budgetary matters, the Conference of the Parties regularly invites Parties, non-Party Range States, intergovernmental and non-governmental organisations and other sources to contribute to the Trust Fund or to special activities, *inter alia* the implementation of the Convention in developing countries (Resolution 4.6, paragraphs 7 to 9), or takes into consideration potential voluntary contributions for certain special activities;

*Aware* that the Rules of the United Nations, as they apply to the receipt of funds which are administered by the United Nations Organization or one of the institutions administered by it, require that certain conditions, specified by the General Assembly, be met;

*Recalling* that, at its 13th and 14th meetings, the Standing Committee advised the Convention Secretariat to prepare draft guidelines for the acceptance of voluntary contributions, taking account of potentially similar such guidelines available for such matters for other environmental conventions;

*Referring to the Guidelines for acceptance of financial contributions*, adopted by the Standing Committee at its 15th meeting; and

*Appreciating* that the Standing Committee has invited the Conference of the Parties to endorse the Committee's decision;

#### *The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals*

*Decides:*

- a. that the *Guidelines for acceptance of financial contributions* attached hereto should be used as a basis for determining the future acceptance of voluntary contributions outside the framework of the Trust Fund; and
- b. that these guidelines should be administered and updated by the Standing Committee as necessary and appropriate, taking account of the prevailing advice and instructions from the United Nations Environment Programme, and the needs and requirements of the Convention and the Conference of the Parties.

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\* The original draft of this resolution, considered by the Conference of the Parties, was numbered 5.9.

## GUIDELINES FOR ACCEPTANCE OF FINANCIAL CONTRIBUTIONS

### 1. Background

- 1.1 The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS) at its fourth meeting considered the funding of special projects by external voluntary contributions. It invited all Parties, non-Party Range States, governmental, intergovernmental and non-governmental organisations and other sources to contribute to its Trust Fund or to special activities (see Resolution 4.6 (Nairobi, June 1994): Financial and budgetary matters, paragraphs 7 and 8).
- 1.2 At its thirteenth meeting (Bonn, 16-17 March 1995), the Standing Committee requested the Secretariat to prepare a paper for the next meeting, proposing guidelines regarding from whom the Secretariat of the Convention may be receive contributions.
- 1.3 The Standing Committee will continue to identify key priority areas along which lines projects should be developed, in consultation with the Scientific Council, as appropriate.

### 2. United Nations framework

- 2.1 Regarding guidelines for voluntary contributions, the United Nations Financial Rules (Rules 107.5, 107.6, 107.7) state as follows:
  - 2.1.1 In cases other than approved by the General Assembly, the establishment of any trust fund or the receipt of any contribution, gift or donation to be administered by the United Nations requires the approval of the Secretary-General, who may delegate this authority to the Under-Secretary General for Administration and Management;
  - 2.1.2 No voluntary contribution for a specific purpose may be accepted if the purpose is inconsistent with the policies and aims of the United Nations;
  - 2.1.3 Voluntary contributions which directly or indirectly involve an immediate or ultimate financial liability for the Organization may be accepted only with the approval of the General Assembly.
- 2.2 Although the Conference of the Parties to CMS has competence in approving or rejecting voluntary contributions and/or deciding on general guidelines, in doing so it should take account of the above United Nations rules *mutatis mutandis*.

### 3. Approval of list of donors

- 3.1 Donors which are not governmental institutions of Parties or non-Parties to the Convention must be approved as such by the Standing Committee before their contributions are accepted by the Secretariat. The Standing Committee may authorise its Chairperson to decide on its behalf, should it not be possible, for practical reasons, to solicit the approval of the Standing Committee in a timely manner, or should the proposed contribution be insubstantial (i.e. less than USD 15,000).

- 3.2 The Secretariat shall draw up a list of organizations and individuals who have made donations prior to the adoption of these guidelines for confirmation by the Standing Committee.
- 3.3 Sources that are known to have been involved in interests or activities which conflict with the aims of the Convention, and any organization or individual that has deliberately brought, or might bring, the Convention into public disrepute, shall be excluded. The same shall apply where there is a risk that the source might try to influence the decisions of any organ of the Convention or where the source, in the opinion of the Standing Committee, has, or has had in the past, an environmentally unfriendly attitude.

4. Acceptance of extraordinary contributions

- 4.1 Voluntary contributions may be accepted only when the purpose is consistent with the policies and aims of the Convention.
- 4.2 Voluntary contributions shall not have an immediate or ultimate financial liability for the CMS Trust Fund without the prior consent of the Conference of the Parties or the Standing Committee.
- 4.3 All monetary contributions shall be paid in freely convertible currency; however exceptions may be made for special projects if the currency in question can be used effectively.
- 4.4 Voluntary contributions in kind may be accepted, provided that they are used to cover activities approved by the Conference of the Parties and/or the Standing Committee. These may include *inter alia* direct or indirect involvement in a joint project, free office accommodation, equipment, or the secondment of staff.