

Agenda Item 18.1

Evaluation of the New Arrangements for the
ASCOBANS Secretariat (2007-2009)

Presentation of Report and Conclusions

**Document 49
(restricted)**

**Draft Summary Report of the Meeting
of ASCOBANS' Advisory Committee
Working Group for the Review of the
Merger of the Secretariats**

Action Requested

- Take note of the information submitted
- Comment

Submitted by

Evaluation Working Group



NOTE:
**IN THE INTERESTS OF ECONOMY, DELEGATES ARE KINDLY REMINDED TO BRING THEIR OWN
COPIES OF DOCUMENTS TO THE MEETING**

DRAFT SUMMARY REPORT OF THE MEETING OF ASCOBANS' ADVISORY COMMITTEE WORKING GROUP FOR THE REVIEW OF THE MERGER OF THE SECRETARIATS

Bonn, 14-11-2008

1. On 14 November 2008 the ASCOBANS' Advisory Committee working group for the review of the merger of the ASCOBANS and CMS secretariats met in Bonn, Germany. Participants: Ms. Elsa Nickel, Ms. Christiane Paulus, Mr. Oliver Schall, Mr. Stefan Bräger (Germany), Mr. Paulus Tak (Belgium), Ms. Maj Munk (Denmark), Mr. Martin Lok (Netherlands), Ms. Elizabeth Mrema (UNEP) and Mr. Lal Kurukulasuriya (consultant). Mr. Andrew MacNee (Australia, Chair of the Standing Committee of CMS) unfortunately was not able to attend the meeting.
2. Mr. Lal Kurukulasuriya informed the working group about his working method. He stressed that he had based his approach on the Terms of Reference for the review. The information Mr. Lal Kurukulasuriya used in his research came from the available official documentation (available through internet), a mission to the Secretariat in Bonn, interviews with key players and responses to the questionnaire sent out to Parties, NGOs and other interested organizations.
3. Members of the working group welcomed the draft review report and expressed their appreciation for this report. Mr. Lal Kurukulasuriya's first draft has been found very extensive, balanced and to the point. Nevertheless several comments and proposed amendments were provided for consideration by the consultant. The most important suggestions were the following:
 - a. Proposed scenario's for the future should also include a scenario within the current budget. It was felt not to be suitable that all scenarios would require an enlarged budget. Several members of the working group have expressed their concern that this would create problems at the next Meeting of the Parties.
 - b. Furthermore members of the working group expressed the need for a more future-oriented approach in the report. Although it was agreed that the review needed to be primarily retrospective, members noted that a common vision on ASCOBANS' future is crucial to reach the full potential benefits of the merger.
 - c. The extension of ASCOBANS area should not be presented as a result of the merger, but was already prepared by the previous executive secretary of ASCOBANS.

Detailed comments were also presented for consideration by the consultant, both orally and written.

4. The working group has welcomed the first draft review report as a very good basis for further discussion. However, we have formulated a few amendments to the general conclusions of the draft review report. These conclusions, with inclusion of the amendments of the working group, can be summarized as follows:

- a. Although the merger, since it came into effect on January 1st 2006, has had several positive results, it has not yet reached its full potential. However, there are great opportunities to reach the full potential of the merger if certain changes are made.
 - b. There are four possible elements which could contribute to further strengthening the current arrangements:
 - i. Strengthening the secretariat staff, either within the current budget, or with additional funds made available at the next MoP, if the Parties find this necessary;
 - ii. It is necessary to improve the relationship between individuals and between individuals and the Secretariat;
 - iii. The executive secretary should act more proactive in creating a relation of trust;
 - iv. A joint vision on the future for Parties, the Secretariat and NGOs involved with cetacean protection, could further contribute to a better result.
5. As regards the consideration of the results of the merger the working group expressed its view that it is necessary that ASCOBANS should take the lead in deciding how to move forward. The next Meeting of the Parties of ASCOBANS (October/November 2009) would be the crucial momentum for this, and the Advisory Committee in spring 2009 the first step towards this momentum.
It has been agreed that for the Advisory Committee of ASCOBANS two papers will be prepared, to be discussed in conjunction with the review report of the merger itself:
- a. A paper on options for the future of ASCOBANS, which should include at least two possible future tracks for ASCOBANS:
 - i. A 'scientific track', in which ASCOBANS develops as a primarily scientific body, within the context of the EU;
 - ii. A more 'international policy oriented track', in which ASCOBANS strengthens the co-operation with other cetacean-instruments within CMS, like ACCOBAMS, Watch and others.
 - b. A paper, based on the options for the future of ASCOBANS put forward in a, on options to further strengthen the current secretariat-arrangements, including the scenarios in the review report, which should also include at least one scenario within the current budgetary limits, and scenario for an Secretariat attached to a public institution of a Party.
6. As regards the consideration of the progress of the review of the merger by the 9th Conference of the Parties of CMS (December 2008) the working group expressed its view that CoP9 could consider:
- a. To take note of the progress of the review of the merger, including the positive results so far, notwithstanding the fact that not all expected results yet are achieved, and including the expectation that there are more positive results to gain in the future;
 - b. To recognize the need that ASCOBANS should take the lead in deciding how to move forward;
 - c. To agree in principle to continue the experimental merger, in order for the Meeting of the Parties of ASCOBANS to take a decision on a more definitive arrangement.

The suggestion was made to reflect these points in resolution 9.14 (financial and administrative matters).

7. The working group has considered what kind of document should be tabled at the Standing Committee of CMS, previous to CoP9. Several options were discussed:
 - a. The full review document;
 - b. The executive summary, including a web-link to the ASCOBANS website, containing the full report;
 - c. The executive summary, accompanied the full review document as an INF-document.

In all cases there will be an accompanying note of UNEP introducing progress made regarding the review of the merger.

Within the working group a conclusion concerning the options could not be achieved yet. Some Parties reminded the working group of the minutes of the 32nd meeting of the Standing Committee of CMS, which stated that a detailed report of the financial and operational aspects of the merger will be presented at CoP9. The meeting was not conclusive whether this would mean that the full review document itself needed to be presented to the CoP.

Because the Chair of the Standing Committee of CMS was not able to attend the meeting, it had been agreed that the three options would be presented to him, and that the Chair would be asked to guide the working group as regards the proper way to table the progress made at CoP9.

8. As regards planning Mr. Lal Kurukulasuriya informed the working group that the next version of the review report would be available Friday November 21st. It had been agreed that the Netherlands would send this report to all ASCOBANS Parties, NGOs and interested organizations, accompanied by a letter introducing the review report, the results of the working group meeting and the proposed decision to be taken at CoP9 of CMS.

UNEP will send the report to the Secretariat and will prepare the document to be tabled at CoP9, including a report of progress made and a proposed decision.