

8th SESSION OF THE MEETING OF THE PARTIES

26 - 30 September 2022, Budapest, Hungary

DRAFT RESOLUTION 8.12

FINANCIAL AND ADMINISTRATIVE MATTERS

Recalling the provisions of Article V, Paragraph 2 (a) and (b), of the Agreement, relating to budgetary matters,

Acknowledging with appreciation the financial and other support provided by the Government of the Federal Republic of Germany for hosting the Agreement Secretariat, which is co-located with the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals in Bonn,

Recognising the importance of all Parties being able to participate in the implementation of the Agreement and related activities,

Appreciating the additional support given by various Parties and intergovernmental and non-governmental organizations on a voluntary basis to implement the Agreement,

Recognizing that Parties decided to adopt a zero real growth budget 2019-2021 at MOP7 after having maintained the AEWA budget as a zero nominal growth budget for the duration of three budgetary periods (2009-2012; 2013-2015; 2016-2018),

Further recalling that Parties due to reasons caused by the COVID-19 pandemic decided via a silence procedure to postpone MOP8 to 2022 (Resolution Ex. 2) and adopted an annual budget with no increase of contributions for Parties for the year 2022 (Resolution Ex. 3),

Recalling the method applied at MOP7 to develop the scale of contributions which is intended to return to the UN scale of assessments with a gradual transitional period (Doc. AEWA/MOP8.39),

Recognizing that the immediate return to the UN scale of assessments in the period 2023-2025 would lead to significant increases of contributions for certain Parties,

Taking note of the proposed Programme of Work of the Secretariat for the intersessional period 2023-2025,

Recognising the imperative need for sufficient financial resources to enable the Secretariat to play its facilitating role in implementing the AEWA Strategic Plan 2019-2027 and the AEWA Plan of Action for Africa 2019-2027 and in this respect *taking note* of document AEWA/MOP 8.43 on resource needs for international coordination and delivery of the Strategic Plan 2019-2027 and document AEWA/MOP 8.11 on the progress of implementation of the Strategic Plan 2019-2027,

Admitting that the mandatory activities mentioned in the Agreement text should be covered by the core budget to avoid the risk of not satisfying the objectives of the treaty,

Further admitting that the productivity of the Secretariat will be further increased if staff positions are as far as possible integrated in the core budget and fundraising efforts can be focused on implementation activities rather than personnel costs,

Recalling the reclassification assessment undertaken in 2016 and the recommendation for upgrade of five P-staff positions within the Secretariat (Doc AEWA/MOP7 Inf.2),

Recognizing that an upgrade of all P-staff is required under the UN staff rules and regulations,

The Meeting of the Parties:

1. *Confirms* that Parties shall contribute to the budget adopted at the scale agreed upon by the Meeting of the Parties in accordance with Article V, Paragraph 2 (a) and (b), of the Agreement;
2. *Adopts* the budget for 2023-2025 to the amount of EUR XX for the year 2023, EUR XX for the year 2024 and EUR XX for the year 2025, attached as Appendix I to the present Resolution;
3. *Adopts* the staffing table as per Appendix II to the present Resolution;
4. *Adopts* the scale of contributions for Parties to the Agreement as listed in Appendix III to the present Resolution, and to the application of that scale *pro rata* to new Parties;
5. *Endorses* the Programme of Work of the Secretariat for the intersessional period 2023-2025 attached as Appendix VI;
6. *Decides* that the contributions of new Parties shall be directed to the AEWA Trust Fund reserve and that the Executive Secretary, subject to approval of the Standing Committee, and in urgent cases with the approval of the Chair, shall have the authority to spend funds from new Parties on activities not covered by the core budget;
7. *Decides* that the minimum contribution shall not be less than EUR 6,000 per triennium and that for the period 2023-2025, the maximum contribution shall be restricted to 20 per cent of the total triennial budget;
8. *Requests* the Secretariat, using the financial and staff rules and regulations of the United Nations including UNEP financial rules, and other administrative issuances promulgated by the Secretary-General of the United Nations, to develop a series of budget scenarios for further consideration by Parties at the 9th Session of the Meeting of Parties;
9. *Requests* Parties to pay their annual contributions promptly as far as possible, but in any case, not later than the end of June of the year in which they relate;
10. *Further requests* Parties, in particular those that are required to pay the minimum contribution, to consider paying for the whole triennium in one instalment;

11. *Decides* that a working capital be maintained at a level of at least 15 per cent of the estimated annual expenditure or 150,000 Euros, whichever is higher;
12. *Decides* to set the threshold of eligibility for funding of delegates to attend AEWA meetings at 0.200 on the UN Scale of Assessment and, as a general rule, to exclude countries from the European Union, European countries with strong economies and OECD countries, as listed in Appendix V attached hereto and/or countries that have payments in arrears of more than three years;
13. *Urges* all Parties to make voluntary contributions to the AEWA Voluntary Trust Fund (AVL) to support requests from least developed countries, developing countries, countries with economies in transition and Small Island Developing States to participate in and implement the Agreement throughout the triennium;
14. *Further urges* Contracting Parties and other partners to make an increased effort in providing additional financial or in-kind contributions to secure urgent implementation of the Agreement, in particular implementation of the AEWA Strategic Plan 2019-2027 and implementation of the AEWA Plan of Action for Africa 2019-2027;
15. *Recognizes* the need to provide adequate resources to support the implementation of the AEWA Communication Strategy;
16. *Invites* States not Party to the Agreement, governmental, intergovernmental and non-governmental organisations and other sources to consider contributing to the implementation of the Agreement on a voluntary basis;
17. *[Recognizes that all P posts recommended for upgrade in the reclassification assessment undertaken in 2016 will need to be reconsidered for upgrade at the 9th Session of the Meeting of the Parties in order to meet United Nations rules and regulations;] (subject to the results of the MOP)*
18. *Decides* that the Executive Secretary shall have the authority to make staffing decisions, as necessary, to implement the priorities of the Parties in accordance with the MOP8 mandates, provided that the implications of the decisions can be met from the existing budget;
19. *Invites* Contracting Parties to consider the feasibility of providing gratis personnel and/or junior professional officers, in accordance with the United Nations rules and regulations, to strengthen the capacity of the Agreement Secretariat;
20. *Invites* the Executive Director of the United Nations Environment Programme to extend the duration of the AEWA Trust Fund (AWL) to 31 December 2025;
21. *Approves* the terms of reference for the administration of the Agreement budget as set out in Appendix IV to the present Resolution for the period 2023-2025.

APPENDIX 1A

[Budget 2022-2024]

APPENDIX 1B

[Budget in Umoja format]

APPENDIX II

APPROVED STAFFING TABLE FOR 2023- 2025

[Table]

APPENDIX III

SCALE OF CONTRIBUTIONS BY PARTIES TO THE AEWA TRUST FUND FOR 2023 – 2025 (in Euro)

[Scale of contributions table]

Appendix IV

TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND FOR THE AGREEMENT ON THE CONSERVATION OF AFRICAN-EURASIAN MIGRATORY WATERBIRDS

1. The terms of reference for the Trust Fund of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) are for the financial years beginning 1 January 2023 and ending 31 December 2025).
2. The Trust Fund shall be administered by the Executive Director of the United Nations Environment Programme (UNEP) subject to the approval UNEA and the consent of the Secretary-General of the United Nations.
3. The administration of the Trust Fund shall be governed by the financial regulations and rules of the United Nations, the staff regulations and rules of the United Nations and other administrative policies or procedures, promulgated by the Secretary-General of the United Nations.
4. In accordance with United Nations rules, UNEP shall deduct from the income an administrative charge equal to 13 per cent of the expenditure charged to the AEWA Trust Fund in respect of activities financed under AEWA.
5. The financial resources of the Trust Fund for 2023-2025 shall be derived from:
 - (a) Contributions made by Parties by reference to Appendix II of Resolution 8.12, including contributions from any new Party; and
 - (b) Further contributions from Parties and contributions from States not Parties to the Agreement, other governmental, intergovernmental and non-governmental organizations and other sources.
6. All contributions to the Trust Fund shall be paid in fully convertible Euros. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the first day of the third month after deposit of the instrument of ratification, acceptance or accession until the end of the financial period) shall be determined pro rata based on the contribution of other States Parties on the same level of the United Nations scale of assessments, as it applies from time to time. However, if the contribution of a new Party determined on this basis would be more than 20 per cent of the budget, the contribution of that Party shall be 20 per cent of the budget for the financial year of joining (or pro rata for a part year). No contribution shall be less than 2,000 Euros. The contribution of each Party as laid down in Appendix II of Resolution 8.12 shall be fixed until the next ordinary session of the Meeting of the Parties. Contributions of new Parties shall flow into the Trust Fund of the Agreement. Contributions shall be paid in annual installments. The contributions shall be due on 1 January 2023, 2024 and 2025. Contributions shall be paid into the following account:

UNITED NATIONS (DECH1)
Account No. 6161603755
J.P. Morgan AG
Taunustor 1

60310 Frankfurt / Main
Germany
Bank code number 501 108 00
SWIFT No. CHASDEFX
IBAN: DE 565011080061616 03755

7. For the convenience of the Parties, for each of the years of the financial period the Executive Director of UNEP shall as soon as possible notify the Parties to the Agreement of their assessed contributions.
8. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.
9. The Trust Fund shall be subject to audit by the United Nations Board of Auditors.
10. The budget estimates covering income and expenditures for each of the three calendar years constituting the financial period to which they relate, prepared in Euros, shall be submitted to the Meeting of the Parties to the Agreement.
11. The estimates of each of the calendar years covered by the financial period shall be divided into sections and objects of expenditure, shall be specified according to budget lines, shall include references to the programmes of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors, and such further information as the Executive Director of UNEP may deem useful and advisable. In particular, estimates shall also be prepared for each programme of work for each of the calendar years, with expenditure itemized for each programme so as to correspond to the sections, objects of expenditure, and budget lines described in the first sentence of this paragraph.
12. The proposed budget, including all the necessary information, shall be dispatched by the Secretariat to all Parties at least 90 days before the date fixed for the opening of the Meeting of the Parties.
13. The budget shall be adopted by consensus at the Meeting of the Parties.
14. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, the Executive Director shall consult with the Secretariat, which shall seek the advice of the Standing Committee as to its priorities for expenditure.
15. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Agreement. No commitments shall be made in advance of the receipt of contributions.
16. Upon the request of the Secretariat of the Agreement, after seeking the advice of the Standing Committee, the Executive Director of UNEP should, to the extent consistent with the financial regulations and rules of the United Nations, make transfers from one budget line to another. At the end of the first, second or third calendar year of the financial period, the Executive Director of UNEP may proceed to transfer any uncommitted balance of appropriations to the second, third or fourth calendar year respectively, provided that it does not exceed the total budget approved by the Parties, unless this is specifically sanctioned in writing by the Standing Committee.

17. At the end of each calendar year of the financial period, the Executive Director of UNEP shall submit to the Parties, through the Agreement Secretariat, the accounts for the year. The Executive Director shall also submit, as soon as practicable, the audited accounts for the financial period. These shall include full details of actual expenditure compared to the original provisions for each budget line.
18. Those financial reports required to be submitted to the Executive Director of UNEP shall be transmitted simultaneously by the Secretariat of the Agreement to the members of the Standing Committee.
19. The Secretariat of the Agreement shall provide the Standing Committee with an estimate of pro-posed expenditures over the coming year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.
20. The present terms of reference shall be effective from 1 January 2023 to 31 December 2025.

Appendix V

ELIGIBILITY FOR SPONSORSHIP FOR AEWA MEETINGS

[Table]

Appendix VI

PROGRAMME OF WORK OF THE SECRETARIAT FOR 2023-2025

[Table]