



Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and contiguous Atlantic area, concluded under the auspices of the Convention on the Conservation of Migratory Species of Wild Animals (CMS)



Accord sur la Conservation des Cétacés de la Mer Noire, de la Méditerranée et de la zone Atlantique adjacente, conclu sous l'égide de la Convention sur la Conservation des Espèces Migratrices appartenant à la Faune Sauvage (CMS)

Seventh Meeting of the Parties to ACCOBAMS

Istanbul, Republic of Turkey, 5 - 8 November 2019

29/10/2019

English

Original: English

ACCOBAMS-MOP7/2019/Inf 45

GUIDANCE DOCUMENT ON THE ROLES AND RESPONSIBILITIES OF ACCOBAMS' NATIONAL FOCAL POINTS

*Delegates are kindly invited to bring their own documents to the Meeting.
This document will be available only in electronic format during the Meeting.*

GUIDANCE DOCUMENT ON THE ROLES AND RESPONSIBILITIES OF ACCOBAMS' NATIONAL FOCAL POINTS

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BACKGROUND

The ACCOBAMS, as Intergovernmental Agreement, depends for its implementation on its Contracting Parties. The ACCOBAMS focusing on the marine biodiversity needs a multi-institutional approach involving several national ministerial sectors like, Foreign Affairs, Environment, Fisheries, Tourism, Maritime Transport, Scientific Research, Navies and many institutions or Organizations including National Focal Point for others intergovernmental bodies relevant for its goals.

To tackle with this diversity of actors, the ACCOBAMS Permanent Secretariat counts on the efficiency of its National Focal Points.

INTRODUCTION

This document has been developed to clarify the general roles and responsibilities of ACCOBAMS Focal Points (NFP) and to make participation in institutional Meetings more effective. Given periodic turnover of official delegates, it is considered that a document serving as a basic guide to activities, would be useful. This will allow ACCOBAMS representatives to contribute more effectively to the conduct of business between regular Meetings of the Parties and to better understand the process surrounding the Meeting itself – in order to enhance the value of this special event for international cooperation in cetacean's and their habitats conservation.

TERMS OF REFERENCE

The Agreement text, entered in force on January 1st 2001¹, is the referential on which the institutional structure of the Organization is based.

The ACCOBAMS National Focal Points function was not determined in the Agreement text itself which just ask the Parties to designate their National Focal Point and inform the Secretariat and the other Parties on this designation in Art VIII "Communication and reporting". As such we have to look in the general understanding of what is a National Focal Point in the classical Intergovernmental Environmental Conventions, what are the needs for the implementation of the ACCOBAMS and if they have been assigned to some special tasks by the ACCOBAMS' Resolutions, taking in consideration that the Parties themselves could determine the others specific responsibilities of their National Focal Points.

NOMINATION

The National Focal Point is nominated by a higher authority within a Government (usually the Foreign Affairs, Environment or Fisheries Ministry) to act as liaison with the Agreement's bodies and back through appropriate bodies/Ministries and other groups within its Party. The Focal Point should be able to communicate at least in English witch is the usual working language of the Agreement.

The National Focal Point should inform the Permanent Secretariat and the others Parties on any change in the designation of National Focal Point².

¹ http://www.accobams.org/new_accobams/wp-content/uploads/2017/01/ACCOBAMS_Text_Agreement_English.pdf

² Agreement's text article VIII

GENERAL FUNCTIONS

The primary function of National Focal Points is to liaise with the Secretariat on behalf of their Parties.

Between two Meetings of the Parties, to be informed, the NFP could rely on:

1. Direct relations with the Secretariat;
2. The ACCOBAMS website (<http://www.accobams.org>) which should be consulted at least once a month, and preferably more often, to be acquainted with the latest developments from around the region, and to make sure that general information from their country is accurate and up to dated;
3. The Participation in the regional Meeting organized once in the triennium usually in the Spring of Year 2;
4. The Rules of Procedures of the Meeting of the Parties³, the Bureau⁴, the Scientific Committee⁵ and the Follow-up Committee⁶;
5. The report of the Meeting of the Parties⁷;
6. The ACCOBAMS' Resolutions⁸ in force;
7. The rules related to the acceptance of voluntary contributions⁹ ;
8. The CMS manual for the National Focal Points of CMS and its instruments¹⁰.

At national level:

The National Focal Point function is a permanent one and should cover the whole triennium, but some specific actions are listed hereunder;

1. Receive and disseminate information related to the Agreement;
2. Ensure that the ordinary contribution is paid in due time (before March of the current year) and if possible, in one time for the total triennium;
3. Ensure that Parties are represented at Meetings under the Agreement;
4. Identify experts to participate in *ad hoc* technical expert groups, assessment processes and other processes under the Agreement;
5. Respond to other requests for input by Parties from the Meeting of the Parties and the Secretariat;
6. Monitor, promote and/or facilitate national implementation of the Agreement;
7. Open in due time discussion with the Secretariat for any institutional or financial Point;
8. Oversee the preparation and/or updating of the ACCOBAMS National Report¹¹, including the Site Data Sheets, making use of the Online Reporting Facility created for this purpose¹². The

³ http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ROP_MOP.pdf

⁴ http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ROP_BU.pdf

⁵ http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ROP_SC.pdf

⁶ http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ACCOBAMS_MOP5_Res.5.4.pdf

⁷ <http://www.accobams.org/category/Meetings/Meetings-of-the-parties/>

⁸ <http://www.accobams.org/documents-Resolutions/Resolutions/>

⁹ http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ACCOBAMS_MOP6_Res6.6.pdf

¹⁰ https://www.cms.int/sites/default/files/basic_page_documents/Internet_english_09012014.pdf

¹¹ Agreement's text article VIII b

¹² http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ACCOBAMS_MOP3_Res.3.7.pdf

And <http://www.netccobams.com/>

process of soliciting stakeholder inputs to the National Report should begin at least 6-9 months prior to the Parties Meeting;

9. Ensure the collection of necessary information for the Meeting of the Parties;
10. Identify the different stakeholders involved in the Conservation of the cetaceans and their habitat in your Party (Government' competent administrations, National Focal Points for biodiversity related conventions, university, NGO's, ...) and ensure linkage of them with the permanent Secretariat and, when required, designate the thematic national focal point (MEDACES, noise, ...);
11. Take a special care to link with CMS and CMS related Instruments national representatives;
12. Inform the Secretariat as soon as possible about any changes in the national personnel responsible for ACCOBAMS matters, so that the Secretariat can ensure that they receive all relevant communications;
13. Support the Secretariat in the identification of national or regional expertise needed for the progress of the scientific information relevant for the implementation of the Agreement goals in particular for the preparation of periodic species assessments, in accordance with decisions of the Meeting of the Parties;
14. Draft a letter of support for projects from your countries, to be submitted to the Secretariat¹³;
15. Receive and disseminate, as soon as they are launched, the Proposal for the supplementary conservation funds and endorse their progress and final report;
16. Examine in due time any recommendations of the follow-up Committee forwarded by the Secretariat and present your national views and any relevant information, expert advice and document;
17. Facilitate the granting of permits for scientific research supported by the ACCOBAMS by informing the Secretariat on the procedures needed and follow up the requests;
18. Grant any derogations for scientific research as provide in the Agreement text (art II.2) and related Resolutions¹⁴ (non-lethal deliberate taking, harassment link with whale watching activities, ...);
19. Be informed of any unexpected event or uncertainty link with anthropogenic noise impact in your Country;
20. Organize the different networks recommended by the Meeting of the Parties (strandings, ...);
21. Follow the adoption of any amendments of the Agreement in the national institutions and inform the Secretariat on any problems occurring;
22. Communicate to the Secretariat any meeting relevant for the ACCOBAMS goals for publication on the ACCOBAMS website.

At the regional level

1. Encourage cooperation within and among government and non-government sectors, for the implementation of the Conservation and Management Plan of the ACCOBAMS, including through the development and/or strengthening of national networks. Progress towards the establishment of such national 'coordinating committees' has been under review since the Third Meeting of the Parties (2005).
2. Communicate with the respective ACCOBAMS regional representative of the Scientific Committee as and when necessary (ideally, at least twice a year), and respond in a timely manner to requests for information;

¹³ http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ACCOBAMS_MOP3_Res.3.6.pdf

¹⁴ http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ACCOBAMS_MOP4_Res.4.18.pdf

3. Call attention to and promote implementation of the ACCOBAMS and the work of ACCOBAMS in national and international fora, with a view to encourage synergy and avoiding unnecessary duplication of effort;
4. Review with the Secretariat the arrangements with Sub regional coordination units (UNEP-MAP SPA/RAC and Black Sea Commission);
5. Seek coordination with the national entities involved for the follow-up of International Organizations in particular those listed in the Agreement preamble and informs the Secretariat for any activities by them organized which could be in line (or duplicate) with the ACCOBAMS goals and/or program of work;
6. Submit any case to the Follow-up Committee by writing to the Permanent Secretariat¹⁵;
7. If relevant, facilitate the relations of the Secretariat with the European Commission.

SPECIFIC FUNCTIONS

Regional Workshop of National representatives

1. Participate actively in the regional workshop of National Representatives;
2. Ensure that national cetacean conservation priorities are identified prior to this regional Workshop, aiming at elaborating the work program for the next triennium, is held (in May of the second year of the triennium);
3. Compile information on new Cetaceans conservation actions / initiatives that have been carried out in your country since the previous Meeting of Parties. This would be a useful preparatory exercise for the Meeting of the Parties, where Focal Points may be called upon to present an update of activity in your country;
4. Identify and describe, in as much detail as possible, the resources that would be required (in terms of human, equipment, training, etc.) to better implement the provisions of the Agreement and its work program within the country and, in particular, identify essential activities that are not being conducted for lack of resources.

In preparation of the Meeting of the Parties

1. An important step in preparing a Meeting of Parties is to hold national consultations several months before the Meeting. Among other things, this will facilitate a review of the national report and compilation of any final inputs. Typically, the Secretariat issues reminders at least six months prior to the Meeting of the Parties calling for updates to the national reports to be finalized at least 4 months in advance of the Meeting (according to Article VIII of the Agreement), to enable the Secretariat to prepare an overall synthesis of implementation progress;
2. In relation with the draft Resolutions on administrative and financial matters proposed by the Secretariat, seek funding and support within the national budget for securing the national contribution to the Trust Funds through the ordinary contribution;
3. An important topic of discussion at the Parties Meeting will be securing funding and other support for the work to be conducted in the coming years. Focal Points are encouraged to hold

¹⁵ http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ACCOBAMS_MOP5_Res.5.4.pdf and http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ACCOBAMS_MOP6_Res6.8.pdf

national discussions prior to the Parties Meeting to explore possible sources of supplementary funds that your government or outside Organizations may be able to offer. Where possible, Focal Points are requested to come to the Meeting of the Parties prepared to indicate the amount of financial resources your Government might be in a position to provide during the next 3 years in keeping with decisions of the Parties;

4. Where applicable, consider applying to benefit from funding through the ACCOBAMS Technical Support and Capacity Building Programme

As soon as the invitation to attend the MOP is forwarded by the Secretariat

1. Closely examine the provisional agenda for the upcoming Meeting of the Parties at least three months in advance. It is important for the Focal Point to review this document to be informed of the major topics that will be discussed, as well as the focus of any thematic working group; to consider proposing additional agenda items and discussion topics; and to offer any other general feedback;
2. Closely examine the practical information related to the travel and attendance of the delegates;
3. Have close and open discussion with the Secretariat on any item of the agenda raising national concern;
4. Prepare the Delegates to discuss national activities, as well as any international or regional initiatives and inform the Secretariat of any presentation foreseen.
5. Propose any draft Resolutions or amendments to draft Resolutions to be submitted to the Secretariat, for wider circulation at least 150 days prior to the Meeting and send comments on amendments proposed, at least 60 days before the Meeting. Whereas a draft Resolution is submitted through a Focal Point, it may be looked at the extended Bureau or, if any, by other interested Party. Any exceptions to the 150-day deadline must be agreed by the Parties by consensus at the Meeting. Focal Points should consult with interested partners as widely as possible on the contents of any draft Resolution they wish to introduce.
6. Present in due time and in line with the ROP of the Bureau, their wishes to be member of the Bureau¹⁶;
7. Present if any your candidate for the regional representative of the Scientific Committee, and for member of the follow-up Committee¹⁷;
8. Examine the candidates applying to be considered as ACCOBAMS' Partners¹⁸ and observers;
9. Inform the Secretariat on the composition of the Delegation and, if any, special concern about delegate (visa,) and communicate the original credential document in due time (Art 4, Rules of Procedure for Meeting of the Parties)¹⁹;
10. Envisage any possibility of inviting the next Meeting of the Parties.

¹⁶ R.O.P. of the Bureau article 8.2 : http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ACCOBAMS_MOP6_Res6.4.pdf

¹⁷ http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ACCOBAMS_MOP6_Res6.8.pdf

¹⁸ https://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ACCOBAMS_MOP4_Res.4.20.pdf

¹⁹ https://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ROP_MOP.pdf

During the Meeting of Parties: Participation

1. Participate in the informal consultation of Head of Delegation which is held the day before the opening of the Meeting and be ready to discuss any special items (amount of ordinary contribution, informal choice of the Bureau members, ...) ²⁰;
2. Review any Resolutions proposed by Parties and provide input as requested by other delegations, the Secretariat, or the Scientific Committee. Delegates may be called upon to give feedback on a procedural question, provide information on regional or national conservation and management activities, or discuss proposed activities and priorities for implementing the ACCOBAMS;
3. During the Meeting of the Parties, countries of each of the four ACCOBAMS sub-regions will have an opportunity to discuss among themselves their current conservation programs, priorities, challenges and successes; as well as future plans and opportunities to coordinate at the sub-regional level.

After the Meeting of Parties: Follow-up

1. Focal Points should arrange as soon as possible to keep all involved national stakeholders up-to-date on ACCOBAMS decisions and goals for the coming three years.
2. This should include discussions among national stakeholders as to how they plan to collectively implement the ACCOBAMS requirements and arrangements for future Cetaceans conservation actions in light of the results of the Meeting, in particular the work program, the strategy and the specific actions plans.
3. Focal Points should submit any outstanding or requested documents to the Secretariat and should make it a priority to finish updating the national report if this was not done prior to the Meeting.
4. To assure continued implementation of the Agreement, Focal Points should take personal responsibility to initiate the internal process of securing the financial or in-kind contributions volunteered at the Parties Meeting. Focal Points should inform the Secretariat within 45 days of the Meeting about the status of the voluntary financial contribution ²¹ ;
5. Focal Points should continue to collaborate with sub-regional partners between the periodic Meetings of the Parties, with a view to implementing the projects and collaborative activities agreed during the sub-regional discussions.

²⁰ R.O.P. of the Bureau article 8.2 : http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ROP_BU.pdf

²¹ Annexe 4 : http://www.accobams.org/new_accobams/wp-content/uploads/2016/06/ACCOBAMS_MOP6_Res6.6.pdf

Indicative agenda for a triennium

End year -1	year 1	Year 2	Year 3				
	<March	<March	<March	MOP day-120		MOP day-1	MOP
MOP	Payment of ordinary contributions	Payment of ordinary contributions	Payment of ordinary contributions	Updated national report	MOP national preparation	H of D informal consultation- ----- Presentation of original credentials	MOP