

*Accord sur la Conservation des Cétacés
de la Mer Noire, de la Méditerranée et
de la zone Atlantique adjacente*



*Agreement on the Conservation of Cetaceans
of the Black Sea, Mediterranean Sea
and contiguous Atlantic Area*

ROLES AND RESPONSIBILITIES OF ACCOBAMS NATIONAL FOCAL POINTS

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CONTEXT

The ACCOBAMS, as an intergovernmental Agreement, depends for its implementation on its Contracting Parties. Focusing on the marine biodiversity, the Agreement 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 Points for other intergovernmental bodies relevant for ACCOBAMS goals.

To tackle with this diversity of actors, the ACCOBAMS Secretariat counts on the efficiency of its National Focal Points. The Agreement text, entered in force on January 1st 2001¹, is the reference on which the ACCOBAMS institutional structure is based.

The ACCOBAMS National Focal Points function is not determined in the Agreement text itself which in Art VIII (communication and reporting) just asks the Parties to designate their National Focal Point and inform the Secretariat and the other Parties about this designation. There is a need to elaborate on the general understanding of what are National Focal Points in intergovernmental environmental Conventions, what are their tasks for the implementation of the ACCOBAMS and if they have been assigned to some special tasks by the adopted ACCOBAMS Resolutions, taking in consideration that the Parties themselves could determine other specific responsibilities for their designated National Focal Points.

INTRODUCTION

This document has been developed to clarify the general roles and responsibilities of ACCOBAMS National Focal Points (NFP), to facilitate interactions between the Party they represent and ACCOBAMS and to give guidance as to how they might contribute more effectively when participating in institutional meetings. Given the periodic turnover of official delegates, the Parties (during their 7th Meeting) requested the Secretariat, through Resolution 7.4, to produce a thorough document on the roles and responsibilities of ACCOBAMS National Focal Points.

The National Focal Point should be working in one of the Ministries dealing with nature conservation in his/her country. A working knowledge of the activities carried out under the Agreement is desirable. The National Focal Point should be able to communicate at least in one of the working languages of the Agreement (English and French).

1. FUNCTIONS RELATING TO ADMINISTRATION, FINANCE AND COMMUNICATION

1.1 Appointment of NFPs

The appointment procedure normally requires that a formal letter from the responsible government authority of the ACCOBAMS Party be sent to the Secretariat, i.e., including the signature of the minister or equivalent authority relevant to the Agreement and an official stamp. to the letter must specify the name and contact details of the person appointed. Changes in this regard can be directly communicated to the Secretariat by the NFP himself/herself.

¹ [Text of the ACCOBAMS Agreement](#)

1.2 Financial matters

The role of NFPs with regards to financial resource mobilization is twofold:

Ordinary Contributions

An important aspect of the NFP's work is to oversee and ensure the prompt and full payment of the annual or triennial contributions to the Trust Fund of ACCOBAMS. Usually, ordinary contributions should be paid no later than at the end of March of the corresponding year. NFPs are regularly informed by the Secretariat about the status of their annual dues and receive invoices at the beginning of each year (usually January). It is crucial that ordinary contributions are paid on time in order to ensure the smooth functioning and continuation of activities, staffing and project implementation.

Voluntary Contributions

Voluntary contributions can only be accepted when the purpose is consistent with the policies and aims of the Agreement.

In addition to the ordinary contributions, voluntary contributions, both financial and in-kind, are welcome and sought particularly to support the implementation of the Agreement, provided that they are used to cover activities approved by the Meeting of the Parties. NFPs are informed by the Secretariat about funding needs to complement core resources.

1.3 Communication and dissemination of information

Communication is a key element of any NFP's responsibilities. It is therefore very important to establish regular information and communication exchanges. NFPs are the main points of contact on matters:

- within the Member State (at the government level and beyond);
- between the Secretariat and the Member State.

Ideally, NFPs should regularly communicate with:

- the Secretariat,
- colleagues, peers and supervisors within the organization where the NFP works, as well as other relevant government ministries and agencies,
- experts/members of the Scientific Committee,
- other ACCOBAMS NFPs, as appropriate,
- NFPs of other instruments, as appropriate,
- other relevant expert institutions (e.g., relevant non-governmental organizations) and individuals,
- international governmental and non-governmental organizations.

With regard to dissemination of information, many tools have been developed by the Secretariat. They include the website, the FINS Newsletter, social media (Facebook and Twitter) and the ACCOBAMS platform (Netccobams). They help both keeping Member States and stakeholders abreast of progress on the work of the ACCOBAMS Agreement and providing platforms for communications and exchange of information.

2. GENERAL FUNCTIONS

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

To be informed between two Meetings of the Parties, 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 his/her country is accurate and updated;
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 Parties², the Bureau³, the Scientific Committee⁴ and the Follow-up Committee⁵ ;
5. The report of the Meeting of the Parties⁶ ;
6. The ACCOBAMS Resolutions⁷ in force;
7. The rules related to the acceptance of voluntary contributions⁸ ;
8. The CMS manual for the National Focal Points of CMS and its instruments⁹.

The National Focal Point function is a permanent one and should cover the whole triennium. Some specific actions are listed hereunder.

2.1 At national level

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, once 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 addressed to Parties by the Meeting of the Parties or 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 Report¹⁰, including the Site Data Sheets, making use of the Online Reporting Facility created for this purpose¹¹ ; the process of soliciting stakeholder inputs to the National Report should begin at least 6-9 months prior to the Meeting of the Parties;
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 his/her Party (Government competent administrations, National Focal Points for biodiversity related conventions,

² [Rules of procedures of the Meeting of the Parties](#)

³ [Rules of procedures of the Bureau](#)

⁴ [Rules of procedures of the Scientific Committee](#)

⁵ [Rules of procedures of the Follow-up Committee](#)

⁶ [Report of the Meeting of the Parties](#)

⁷ [ACCOBAMS Resolution to force](#)

⁸ [Rules related to the acceptance of voluntary contributions](#)

⁹ https://www.cms.int/sites/default/files/basic_page_documents/Internet_english_09012014.pdf

¹⁰ Texte de l'Accord Article VIII b

¹¹ [MOP3 Res. 3.7](#) and <http://www.netccobams.com/>

universities, NGO's, etc.) and ensure linkage of them with the Secretariat and, when required, designate the thematic national focal point (MEDACES, noise, etc.);

11. Take a special care to link with national representatives of CMS and CMS related Instruments;
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 his/her countries, to be submitted to the Secretariat¹²;
15. Receive and disseminate, as soon as they are launched, the proposals for the supplementary conservation funds and supervise their progress and final report;
16. Examine in due time any recommendations of the Follow-up Committee forwarded by the Secretariat and present his/her 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 the requests;
18. Grant any derogations for scientific research, as provided in the Agreement text (art II.2) and related Resolutions¹³ (non-lethal deliberate taking, harassment linked to whale watching activities, etc.);
19. Be informed of any unexpected event or uncertainty linked to anthropogenic noise impact in his/her Country;
20. Organize the different networks recommended by the Meeting of the Parties (strandings, etc.);
21. Follow the acceptance of any amendments to the Agreement by 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.

2.2 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;
3. Call attention to, and promote implementation of, the ACCOBAMS and the work of ACCOBAMS bodies in national and international fora, with a view to encouraging 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 inform the Secretariat about any activities organized by them that could be in line (or duplicate) with the ACCOBAMS goals and/or program of work;
6. Bring any submission to the Follow-up Committee by writing to the Secretariat¹⁴;
7. If relevant, facilitate the relations of the Secretariat with the European Commission.

¹² [MOP 3 Res. 3.6](#)

¹³ [MOP4 Res. 4.18](#)

¹⁴ [MOP5 Res. 5.4](#) and [MOP6 Res. 6.8](#)

3. MEETINGS OF THE ACCOBAMS BODIES

3.1 Regional Workshops of National Representatives

The NFP is called to:

1. Participate actively in the regional workshop of National Representatives;
2. Ensure that national cetacean conservation priorities are identified prior to the above-mentioned regional Workshop (held in May of the second year of the triennium), aiming at elaborating the work program for the next triennium;
3. Compile information on new cetacean conservation actions / initiatives that have been carried out in his/her 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 their country;
4. Identify and describe, in as much detail as possible, the resources that would be required (in terms of staff, 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.

3.2 Meetings of the Parties

A successful outcome of a meeting can be achieved through adequate preparation, undertaken by the meeting organizers and participants, throughout the whole process. The Secretariat announces to the States Parties details on each meeting through an official invitation, as well as disseminating a draft agenda and other relevant information. It is important for NFPs to be informed about the Rules of Procedure of the Meeting of the Parties, including deadlines for submitting amendments to the text of the instrument and its annexes and proposing draft decisions on emerging issues.

3.2.1 Before 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 the review of the national report and the compilation of any final inputs. Usually, 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, the NFPs should 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. NFPs are encouraged to hold national discussions prior to the Meeting of the Parties to explore possible sources of supplementary funds that their government or other organizations may be able to offer. Where possible, NFPs are requested to come to the Meeting of the Parties prepared to indicate the amount of financial resources their Government might be in a position to provide during the next 3 years in keeping with decisions of the Parties;
4. Where applicable, NFPs should consider applying for funding through the ACCOBAMS Technical Support and Capacity Building Programme.
5. As soon as the official invitation to attend the Meeting of the Parties is sent by the Secretariat, NFPs should:

- a. Closely examine the provisional agenda for the upcoming Meeting of the Parties at least three months in advance; it is important for the NFPs to review this document to be informed of the main 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;
- b. Closely examine the practical information related to the travel and attendance of the delegates;
- c. Have close and open discussion with the Secretariat on any item of the agenda raising national concern;
- d. Prepare the delegates to discuss national activities, as well as any international or regional initiatives and inform the Secretariat of any presentation foreseen;
- e. 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; where a draft Resolution is submitted through a Focal Point, it may be examined by the extended Bureau or, if any, by interested Parties; any exceptions to the 150-day deadline must be agreed by the Parties by consensus at the Meeting; NFPs should consult with interested partners as widely as possible on the contents of any draft Resolution they wish to introduce;
- f. Present in due time and in line with the ROP of the Bureau their wishes to be member of the Bureau¹⁵;
- g. Present, if any, candidates for regional representative of the Scientific Committee and for member of the follow-up Committee¹⁶;
- h. Examine the candidates applying to be considered as ACCOBAMS Partners¹⁷ and observers;
- i. Inform the Secretariat on the composition of the delegation and, if any, special concerns about delegates (visa, etc.) and communicate the original credential document in due time (Art 4, Rules of Procedure for Meeting of the Parties)¹⁸;
- j. Envisage any possibility of inviting the next Meeting of the Parties to be held in their Country.

3.2.2 During the Meeting of the Parties

The NFP should:

1. Participate in the informal consultation of Heads 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, etc.¹⁹);
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.

¹⁵ [Rules of procedures of the Bureau](#) article 8.2

¹⁶ [MOP6 Res. 6.8](#)

¹⁷ [MOP7 Res 7.9](#)

¹⁸ [Rules of procedures of the Meeting of the Parties](#)

¹⁹ [Rules of procedures of the Bureau](#) article 8.2

3.2.3 Follow-up of the Meeting of the Parties

1. NFPs should arrange as soon as possible to keep all involved national stakeholders updated 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. NFPs should submit any outstanding or requested documents to the Secretariat and should make it a priority to complete the updating of the national report, if this was not done prior to the Meeting.
4. To assure continued implementation of the Agreement, NFPs should take personal responsibility to initiate the internal process of securing the financial or in-kind contributions volunteered at the Parties Meeting; NFPs should inform the Secretariat within 45 days of the Meeting about the status of the voluntary financial contribution²⁰;
5. Between the periodic Meetings of the Parties, NFPs should continue to collaborate with sub-regional partners, with a view to implementing the projects and collaborative activities agreed during the sub-regional discussions.

4. NATIONAL REPORTING

National Reports are the official documents by which ACCOBAMS Parties report to the decision-making bodies of the Agreement on the measures they have undertaken to implement the priorities. National Reports provide an official record of national implementation over time and collectively draw the picture of the overall implementation of the ACCOBAMS Agreement.

The reporting process holds immense value for the Parties themselves by charting their own progress and identifying their future implementation priorities. National Reporting provides information to increase awareness of national activities, help mainstreaming biodiversity issues across sectors and encourage further investments in the national implementation of the Agreement.

The frequency and deadlines for National Reporting under ACCOBAMS is defined in the Agreement Text (Article VIII b) as “120 days before the Meeting of the Parties”. ACCOBAMS Parties are strongly urged to submit National Reports to the Secretariat by the given deadline, in order to allow for timely analysis and synthesis of all reports submitted.

5. INDICATIVE AGENDA FOR A TRIENNIUM

End year 3	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	Head of Delegations informal consultation--- --- Presentation of original credentials	MOP

²⁰ [MOP6 Res. 7.6](#) Annex 4