



# MANUAL FOR THE NATIONAL FOCAL POINTS FOR CMS AND ITS INSTRUMENTS



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**Executive Secretary of CMS**

Bradnee Chambers

**Prepared by:**

UNEP/CMS Secretariat and UNEP/AEWA Secretariat

**Programme Management:**

Francisco Rilla

**Project Coordinator:**

Sofia Chaichee

**Editor:**

Robert Vagg

**Drafting Group:**

Marco Barbieri, Laura Cerasi, Sofia Chaichee, Bradnee Chambers, Sergey Dereliev, Florian Keil, Bert Lenten, Evelyn Moloko, Francisco Rilla, Robert Vagg

**CMS Family, National Focal Points and Contributors**

Hanah Al-Samaraie, Susanne Altvater, Akankwasah Barirega, Gerard Boere, Marcel Enzo Calvar, Nancy Céspedes, Thandiwe Chikomo, Marianne Courouble, Natalie Epler, Adeline Fischer, Frauke Fleischer-Dogley, Heidrun Frisch, Almeida Guissamulo, Sandra Hails, Douglas Hykle, Tracy Johnston, Melanie Kemper, Linda Krueger, Donna Kwan, Kelly Malsch, Nina Mikander, Elizabeth Mrema, Taej Mundkur, Narelle Montgomery, James Njogy, Haruko Okusu, Alfred Oteng Yeboah, Warren Papworth, Andrea Pauly, Margi Prideaux, Thomas Rabeil, Houssein Rayaleh, Christiane Roettger, Omar Said, Melissa Sanfourche, Oliver Schall, Simone Schiele, Katrin Schiffer, Johannes Stahl, Andreas Streit, Mohammed Sulayem, Marie Verney, Eleanor Waters, Lindsey West, Nick Williams, Kamar Yousuf, Ying Zhang

**Design:**

Karina Waedt, [www.karinadesign.de](http://www.karinadesign.de)

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UNEP/CMS Secretariat

UN Campus

Platz der Vereinten Nationen 1, D-53113 Bonn, Germany

Tel (+49 228) 815 24 01/02, Fax (+49 228) 815 24 49

E-mail: [secretariat@cms.int](mailto:secretariat@cms.int), [www.cms.int](http://www.cms.int)

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## Foreword

The purpose of this Manual is to support the National Focal Points (NFPs) of the CMS Family in implementing the Convention and its instruments. The Manual adopts a dual approach – it is both a reference document and a training tool and by strengthening national institutions the Manual should ultimately contribute to facilitating conservation efforts both nationally and worldwide.

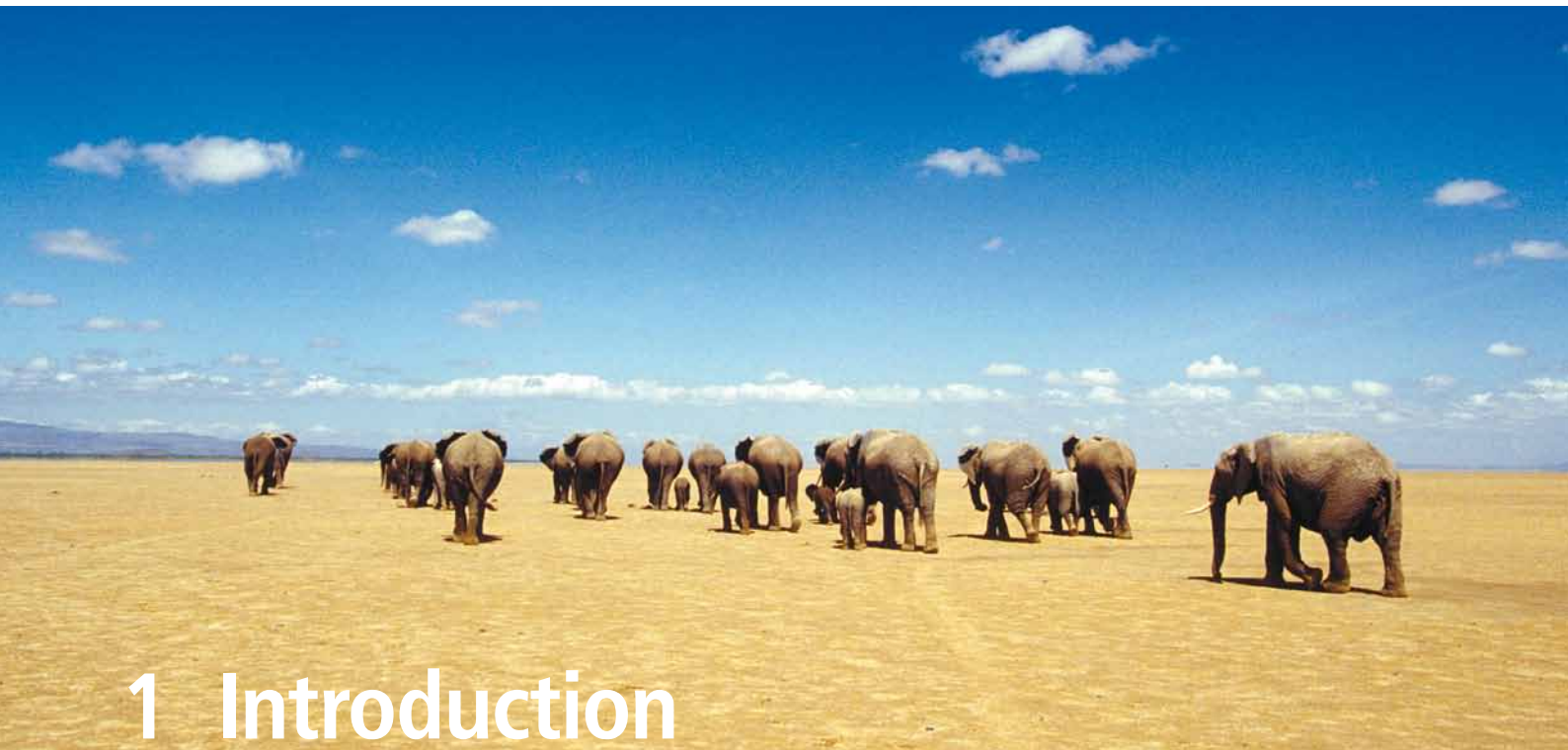
Government officials charged with the responsibility for implementing CMS and its family of instruments – both those of many years' experience and those recently appointed – have commented that there was virtually no guidance available to them to explain what their role should be. In response to this, the Secretariats decided to compile this Manual, in the expectation that by describing the mechanisms of the various members of the CMS Family, NFPs will be better placed to participate, thus allowing Member States to use the opportunities provided by the global and regional fora, specifically established to ensure concerted and collaborative actions for the benefit of endangered migratory wildlife.

The Manual has been developed by the Secretariat of the Convention on the Conservation of Migratory Species of Wild Animals (also known as the Convention on Migratory Species (CMS) or Bonn Convention) in collaboration with the Secretariat of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (UNEP/AEWA) and Ecologic Institute. Invaluable assistance was also provided by other CMS Family Secretariats and in close consultation with the CMS Family National Focal Points (NFPs), key CMS Family partners (Ramsar Secretariat, UNEP/WCMC, Sahara Conservation Fund, BirdLife International, Wildlife Conservation Society, Migratory Wildlife Network, and UNEP Regional Office for Africa), and other resource persons and organizations. The development of the Manual was made possible by funding from the Thematic Programme for Environment and Sustainable Management of Natural Resources including Energy (ENRTP) Strategic Cooperation Agreement between the European Commission – DG Environment and the United Nations Environment Programme (UNEP).



Dr. Bradnee Chambers,  
Executive Secretary of UNEP/CMS Secretariat

A handwritten signature in blue ink, consisting of stylized, overlapping loops and a long horizontal stroke extending to the right.



# 1 Introduction

*“Wild animals in their innumerable forms are an irreplaceable part of the Earth’s natural system which must be conserved for the good of mankind.”*

Preamble of text of the Convention on the Conservation of Migratory Species of Wild Animals

When representatives of over 100 countries met in Stockholm, Sweden in June 1972 to discuss the state of the world’s environment at the UN Conference on the Human Environment, one of the pressing needs that they recognized was for a worldwide agreement on the conservation of migratory species.

**The Convention on the Conservation of Migratory Species of Wild Animals** — more commonly abbreviated to just the Convention on Migratory Species (CMS) — came into being after the German Government assumed responsibility for organizing an international conference to agree the text for an international treaty. The negotiations came to a successful conclusion in June 1979 in Bad Godesberg, a suburb of Bonn, which at that time was the capital of Germany (for this reason the Convention is also sometimes known as the “Bonn Convention”).

The Convention text sets out the principles that underlie the objectives identified at the Stockholm Conference. The Parties acknowledge the importance of conserving migratory species and agree that Range States – those countries through which migratory species pass or spend part of their lives - should take joint action. {→see [Information Box 1.1.](#)}



**INFORMATION BOX 1.1****Preamble to the Convention and Article II – Fundamental Principles**

The Contracting Parties,

RECOGNIZING that wild animals in their innumerable forms are an irreplaceable part of the earth's natural system which must be conserved for the good of mankind;

AWARE that each generation of man holds the resources of the earth for future generations and has an obligation to ensure that this legacy is conserved and, where utilized, is used wisely;

CONSCIOUS of the ever-growing value of wild animals from environmental, ecological, genetic, scientific, aesthetic, recreational, cultural, educational, social and economic points of view;

CONCERNED particularly with those species of wild animals that migrate across or outside national jurisdictional boundaries;

RECOGNIZING that the States are and must be the protectors of the migratory species of wild animals that live within or pass through their national jurisdictional boundaries;

CONVINCED that conservation and effective management of migratory species of wild animals require the concerted action of all States within the national jurisdictional boundaries of which such species spend any part of their life cycle;

RECALLING Recommendation 32 of the Action Plan adopted by the United Nations Conference on the Human Environment (Stockholm, 1972) and noted with satisfaction at the Twenty-seventh Session of the General Assembly of the United Nations,

HAVE AGREED as follows ...

... Article II

Fundamental Principles

1. The Parties acknowledge the importance of migratory species being conserved and of Range States agreeing to take action to this end whenever possible and appropriate, paying special attention to migratory species the conservation status of which is unfavourable, and taking individually or in co-operation appropriate and necessary steps to conserve such species and their habitat.
2. The Parties acknowledge the need to take action to avoid any migratory species becoming endangered.
3. In particular, the Parties:
  - a) should promote, co-operate in and support research relating to migratory species;
  - b) shall endeavour to provide immediate protection for migratory species included in Appendix I; and
  - c) shall endeavour to conclude Agreements covering the conservation and management of migratory species included in Appendix II.

National Focal Points (NFP) are the government-appointed officials with lead responsibility for overseeing and guiding the implementation of CMS or one of its instruments nationally and liaising with the Secretariat or Coordinating Unit and their counterparts in other Member States. They are faced with many different questions when dealing with national implementation: {→see Section 2.3 for more information on these instruments}

## 1.1 Purpose and Outline of this Manual

The Manual aims to support the CMS Family NFPs in implementing CMS and its instruments. It was developed to address gaps in information and the lack of guidance on the roles and responsibilities of CMS Family NFPs. These shortcomings represent one of the factors limiting the effective involvement of NFPs in processes related to the CMS Family. The Manual is intended to serve as both a guiding resource tool and as a practical training tool to support the NFPs in implementing CMS and its instruments.

To make the Manual as useful as possible, the format consists of six main chapters which are further divided into sections and sub-sections. Supplementary information for each chapter is highlighted in Information Boxes and includes Checklists and carefully selected Practical Examples. Additional resources and links to relevant websites are presented at the end of the Manual.

The six chapters address:

- **Introduction (Chapter 1)**
- **Background information on the structure and functioning of CMS Family instruments (Chapter 2)**
- **The roles, responsibilities and processes associated with CMS Family NFPs (Chapter 3)**
- **The procedures and tasks associated with the participation of NFPs at CMS Family meetings (Chapter 4)**
- **Guidance on implementation of CMS Family instruments at the national level (Chapter 5)**
- **The process of national reporting to CMS Family instruments (Chapter 6)**

## 1.2 Defining the CMS Family NFP

The term “**CMS Family**”, as used in this Manual, includes CMS itself as well as its instruments, that is to say, the Agreements and Memoranda of Understanding (MOUs) signed under its auspices. {→ see Section 2.3 for more information on these instruments}

The term “**CMS Family NFPs**” is used to refer to the person or persons designated by the government of a Member State to be responsible for dealing with issues relating to CMS and/or one or more of its instruments.

CMS and some of its instruments have developed terms of reference for their own NFPs. The present Manual takes into account these documents, which summarize roles and responsibilities of NFPs, and elaborates on them. Some of the guidance contained in this CMS Family Manual is based on the Terms of Reference (TOR) of the CMS NFPs presented to and adopted by the 37<sup>th</sup> Meeting of the CMS Standing Committee and the TOR for Indian Ocean and South-East Asia Marine Turtle (IOSEA) MOU NFPs adopted by the 6<sup>th</sup> Meeting of Signatory States in 2012. Both sets of Terms of Reference are included in {→ the Annexes 1.1 & 1.2 } to this Manual.

The issues relating to CMS and/or one or more of its instruments might involve the representation of the designating government in its day-to-day dealings with the Secretariat(s)/Coordinating Unit(s), including activities such as communications, monitoring and reporting, dissemination of information, representation at meetings, responding to various requests and promoting or facilitating national implementation of CMS and/or one or more of its instruments.

### Presentation of Information and Use of Symbols

In cases where the information provided applies to both CMS and its instruments, it will be presented in a general manner. Only where differences exist between CMS and its instruments will they be explicitly highlighted.

In the following chapters, there are Practical Examples , Helpful Tips , Checklists , Information Boxes , Chapter Reviews , Annexes  & space for Notes  to help the reader understand the content of this Manual.



The following Chapter will provide some of the basic background information on the CMS Family.

### NOTES

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## ANNEX 1.1

### CMS Standing Committee 37, Doc. 23 (Bonn, 2010) CMS National Focal Points Terms of Reference

#### Introduction

This document has been developed to clarify the general roles and responsibilities of CMS National Focal Points and give guidance as to how they might contribute more effectively to the operation of CMS and facilitate interactions between the Party they represent and CMS.

As the primary contacts in CMS Parties, the National Focal Points are of great importance for CMS as well as for the Parties themselves. The CMS National Focal Points serve as a link with CMS as well as the responsible institutions in the country through maintaining a constant flow of information.

The Focal Point should be working in one of the relevant Ministries dealing with nature conservation in their countries. A working knowledge of the operations of the Convention is desirable.

The working languages of the Convention are English, French and Spanish and therefore the Focal Point should be able to communicate at least in one of these languages.

#### Responsibilities of National Focal Points

The CMS National Focal Points should

- Arrange confirmation of their appointment through official communication from their Ministers. The CMS Secretariat should be provided with the full contact details of the Focal Points and alternate in their absence. Any changes of appointment or contact details should be communication as soon as possible to the Secretariat;
- Ensure the preparation, completion and timely submission of the CMS National Report to the CMS Secretariat;
- Oversee and ensure the prompt and full payment of the annual contribution to CMS, and investigate the possibility of providing voluntary contributions;
- Arrange for the appointment of the Party's Scientific Councillor and officially inform the CMS Secretariat directly of the contact details and area of expertise of their country's nominee to serve as Scientific Councillor;
- Arrange for and follow up the nomination of focal points for CMS Memoranda of Understanding (where responsibility for the MOU does not lie with the CMS Focal Point) as well as act as focal point for those instruments in the interim period and inform the CMS Secretariat accordingly;
- Regularly exchange information with the Focal Points for Agreements and MoUs, possibly through the creation of national and regional forums with the Focal Points for the MoUs, promote synergies and strengthen liaison with them to avoid unnecessary duplication of effort;\*

\* **Chile has a National CMS Committee:** the National CMS Committee, created by Decree No. 2 of January 2, 2006, to advise the Minister of Foreign Affairs, being an instance of coordination between the various State agencies associated with the Conservation of Migratory Species of Wild Animals. It is chaired by the Ministry of Foreign Affairs. It has a Technical Secretariat, in charge of Agriculture and Livestock Service (SAG). It comprises also the following services: National Environment Commission, Undersecretary of the Navy, Undersecretary of Fisheries, Directorate General of Maritime Territory and Merchant Marine, National Forest Service, General Directorate of Water, National Marine Fisheries Service, Chilean Antarctic Institute, National Museum of Natural History and the National Commission for Scientific and Technical Research.

- Regularly exchange information with the Focal Points for (Biodiversity) MEAs, possibly through the creation of a National Focal Point Forum, promote synergies and strengthen liaison with them to avoid unnecessary duplication of effort;
- Maintain a mutual and permanent communication flow with the Parties' institutions with an interest in CMS issues and the policy-makers of their countries on the one side and the CMS Secretariat on the other;
- Check the CMS website ([www.cms.int](http://www.cms.int)) regularly to keep abreast of the latest developments and updates and share with the CMS Secretariat with possible input about their country's achievements and actions towards the implementation of the Convention and activities related to the conservation of endangered migratory species;
- Provide the CMS Secretariat with information concerning legal, administrative and scientific measures undertaken by the country with regard to the conservation activities undertaken in their country;
- Ensure that their country is represented at CMS official meetings such as the COP by coordinating in a timely manner the nomination of the delegation, securing and submitting credentials, and applying for funding if applicable and needed;
- Ensure that the outcome of CMS meetings, particularly of CMS COPs, is brought home and initiate the implementation of the decisions taken at national level, if appropriate;
- Reply as soon as possible to invitations (inclusion forwarding the invitations to other recipients where appropriate) concerning the COP, meetings and workshops;
- Identify incentive measures for the national stakeholders to actively participate in the conservation of migratory species in the country;
- Hold consultations with the responsible institutions in advance of meetings to discuss the agenda and documents, and prepare the country's input into the meeting (policy stance, implementation reports, results of science research, difficulties encountered etc). Follow-up on requests made by the Secretariat e.g. promoting revision of meeting reports; provision of inputs on documents, completion of questionnaires on specific issues related to the Convention etc;
- Promote the drafting and/or revision of relevant documents e.g. species listing proposals, Resolutions and Recommendations;
- Promote national coordination among different institutions through the sharing of national, regional and sub-regional experiences in species conservation and handling the mobilization and allocation of resources;
- Spearhead public awareness campaigns (through the media for best practices or publicize violations and enforcement actions) to promote compliance and generating information for assessing the status of compliance with the CMS and defining ways and means through consultations for promotion and enhancement of compliance;
- Spearhead the development of a national CMS implementation plan for effective implementation and enforcement of CMS as well as its governing bodies' decisions and resolutions;
- Identify activities for which additional resources are required and help mobilise such resources;
- Actively seek the input or information from other national focal points particularly those from the same region, in the case where the CMS National Focal Point is a regional representative on a subsidiary body or working group (see Terms of Reference for Standing Committee members);
- Where the Party is not on the CMS Standing Committee or any Working Group, liaise with the relevant regional representative and provide timely responses to any requests for input or information.



## ANNEX 1.2

### IOSEA Meeting of the Signatory States 6 (Bangkok, 2012) Terms of Reference and Guidance for IOSEA National Focal Points

#### Introduction

This document has been developed to clarify the general roles and responsibilities of IOSEA Focal Points and to make participation in Signatory State meetings more effective. Given periodic turnover of official delegates, it is considered that a document serving as a basic guide to activities before, during and after a Signatory State meeting would be useful. This will allow IOSEA representatives to contribute more effectively to the conduct of IOSEA business between regular meetings of the Signatory States and to better understand the process surrounding the meeting itself – in order to enhance the value of this special event for international cooperation in marine turtle conservation.

The terms of reference are not meant to be prescriptive, insofar as it is recognized that the Memorandum of Understanding is not legally binding and the circumstances for implementation differ from one Signatory State to another. However, they are considered to offer helpful guidance to Focal Points to assist them in the important tasks for which they have been appointed.

#### Intersessional activities

With a view to maximizing efficiency and enhancing outcomes, each IOSEA Focal Point should:

1. Inform the Secretariat as soon as possible about any changes in the personnel responsible for IOSEA matters, so that the Secretariat can ensure that they receive all relevant communications.
2. Take the lead in the establishment and active functioning of a national marine turtle committee or network\*, as appropriate, to bring together representatives of relevant ministries, agencies, departments, and other relevant stakeholders, including research and academic organizations, non-governmental organizations, private sector (such as fishing organizations, tourism organizations, etc). This Committee should meet periodically to exchange information on marine turtle conservation and to review IOSEA implementation.
3. Oversee the preparation and/or updating of the IOSEA National Report, including the Site Data Sheets, making use of the Online Reporting Facility created for this purpose. The process of soliciting stakeholder inputs to the National Report should begin at least 6-9 months prior to the Signatory State meeting. (The 'Editor' allows Focal Points with password access to make changes to the report at any time.)
4. Identify and delegate appropriate technical specialist(s) for the preparation of periodic species assessments, in accordance with decisions of the Meeting of the Signatory States.
5. Consult the IOSEA website ([www.ioseaturtles.org](http://www.ioseaturtles.org)) 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 date.

\* Programme 6.4c) of the Conservation and Management Plan of the IOSEA MOU encourages cooperation within and among government and non-government sectors, 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 Signatory States (2005); and a special page on the IOSEA website (under 'Membership') is devoted to this important topic.

6. Compile and send periodically to the Secretariat information of general interest on marine turtle conservation activities being conducted in their country, for publication on the IOSEA website, including plans for new work and details of upcoming meetings of interest.
7. Communicate with the respective IOSEA sub-regional Focal Point as and when necessary (ideally, at least twice a year), and respond in a timely manner to requests for information.
8. Identify and describe, in as much detail as possible (in Section 5.4.1 of the national report template), the resources that would be required (in terms of human, equipment, training, etc.) to better implement the provisions of the MOU and CMP within the country and, in particular, identify essential activities that are not being conducted for lack of resources.
9. Solicit funding and support within the national budget and from other sources within the country for implementation of IOSEA-related activities, for attendance at relevant IOSEA meetings, and for voluntary contributions towards IOSEA operational costs, in keeping with decisions of the Signatory States.
10. Where applicable, consider submitting an application to benefit from funding through the IOSEA Technical Support and Capacity Building Programme.
11. Call attention to and promote implementation of the IOSEA MOU in national and international forums, with a view to promoting synergy and avoiding unnecessary duplication of effort.

#### **Before the Meeting of the Signatory States: Preparation**

12. An important step in preparing for a Signatory State meeting 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 Signatory States calling for updates to the national reports to be finalized at least 2-3 months in advance of the Meeting, to enable the Secretariat to prepare an overall synthesis of implementation progress.
13. The Secretariat will circulate a provisional agenda for the upcoming Meeting of the Signatory States at least three months in advance. It is important for the Focal Point to review this document: (1) to be informed of the major topics that will be discussed, as well as the focus of any thematic workshops; (2) to consider proposing additional agenda items and discussion topics; and (3) to offer any other general feedback. Delegates should prepare themselves to discuss national activities in these specific areas, as well as any international or regional initiatives. Delegates who are expected to make a presentation at the meeting will be mentioned in the provisional agenda.
14. Prior to the meeting, Focal Points are encouraged to compile information on new marine turtle conservation and management actions / initiatives that have been carried out in their country since the previous Meeting of Signatory States. This would be a useful preparatory exercise for the sub-regional Working Group meetings, held at the Meeting of the Signatory States, where Focal Points may be called upon to present an update of activity in their country.
15. IOSEA Signatory States have decided that any draft resolutions should be submitted to the Secretariat, for wider circulation (to other delegations, Advisory Committee etc.) at least 60 days prior to the meeting (cf. Report of the Fifth Meeting of the Signatory States). Whereas draft resolutions must be submitted through a Focal Point, they may be drafted by the Advisory Committee or any other interested party. Any exceptions to the 60-day deadline must be agreed by the Signatory States 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.

16. An important topic of discussion at the Signatory State meeting will be securing funding and other support for the work to be conducted in the coming year. Focal Points are encouraged to hold internal discussions prior to the Signatory State meeting to explore possible sources of funding that their government or outside organizations may be able to offer. Where possible, Focal Points are requested to come to the Meeting of the Signatory States prepared to indicate the amount of financial resources their Government might be in a position to provide during the next 1-2 years.

#### **During the Meeting: Participation**

17. Focal Points should review any resolutions proposed by Signatory States and to provide input as requested by other delegations, the Secretariat, or Advisory Committee. They 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 IOSEA MOU.
18. During the Meeting of the Signatory States, countries of each of the four IOSEA sub-regions will have an opportunity to discuss among themselves their current conservation programmes, priorities, challenges and successes; as well as future plans and opportunities to coordinate at the sub-regional level. Each sub-region will report back to the meeting as a whole.

#### **After the Meeting: Follow-up**

19. Focal Points are encouraged to review the minutes and make any suggestions (within a time frame to be agreed at the meeting) for corrections or changes to be incorporated in the final document. This will allow delegates to stay focused on what was decided at the meeting as well as the next steps needed to further the goals of the IOSEA MOU.
20. Focal Points should arrange to reconvene their national committee/network (as appropriate) as soon as possible to keep all parties up-to-date on IOSEA decisions and goals for the coming two years. This should include discussions among national stakeholders as to how they plan to collectively implement the IOSEA MOU requirements at the national level; and make arrangements for future marine turtle conservation actions in light of the results of the meeting.
21. Also as follow-up, 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.
22. To assure continued implementation of the MOU, Focal Points should take personal responsibility to initiate the internal process of securing the financial or in-kind contributions volunteered at the Signatory State meeting. Focal Points should inform the Secretariat within 45 days of the meeting about the status of the voluntary financial contribution.
23. Focal Points should continue to collaborate with sub-regional partners between the periodic Meetings of the Signatory States, with a view to implementing the projects and collaborative activities agreed during the sub-regional discussions.
24. In addition to giving diligent attention to IOSEA matters domestically, Focal Points should work with the Secretariat to promote the conservation of marine turtles and their habitats, as well as the work of the IOSEA, in other relevant forums.





## 2 Background Information

***“Conservation and effective management of migratory species of wild animals require the concerted action of all States within the national jurisdictional boundaries of which such species spend any part of their life cycle”***

Preamble of the CMS on the Conservation of Migratory Species of Wild Animals

This chapter provides an overview of CMS and its instruments. The following topics are addressed:

- Rationale for Protecting Migratory Species (Section 2.1)
- The Role of CMS (Section 2.2)
- Bodies of CMS and its Instruments (Section 2.3)
- Funding of the CMS Family (Section 2.4)

### 2.1 Rationale for Protecting Migratory Species

Migratory species of wild animals are part of the world’s natural heritage. They form a significant portion of its biodiversity and genetic resources and play a unique role as indicators of ecological change (e.g. climate and pollution). In addition, they provide numerous ecosystem services for instance by dispersing seeds and pollinating plants. They are a source of food for other animals and humans. Many have spiritual and cultural significance and are key elements of ecotourism.

However, human activities threaten many species, and conservation efforts for migratory species are made more difficult because by their very nature as migratory animals, their behaviour means that they are

frequently on the move {→ see Information Box 2.1 and Figure 2.1}. They depend on a range of often fragile habitats. Threats include barriers to migration (dams, power lines, wind farms, fences, roads, railways); habitat loss and degradation; by-catch; underwater noise; invasive alien species; wildlife disease; illegal hunting and fishing; pollution; marine debris; poisoning; desertification and climate change. As a result, many once common migratory species are becoming increasingly rare. There is a growing need to recognize the links between species and their habitats and, in particular, to protect breeding, wintering and stopover sites and migratory corridors. As migratory species pay no attention to jurisdictional boundaries, effective conservation depends on cooperation between countries.

## INFORMATION BOX 2.1

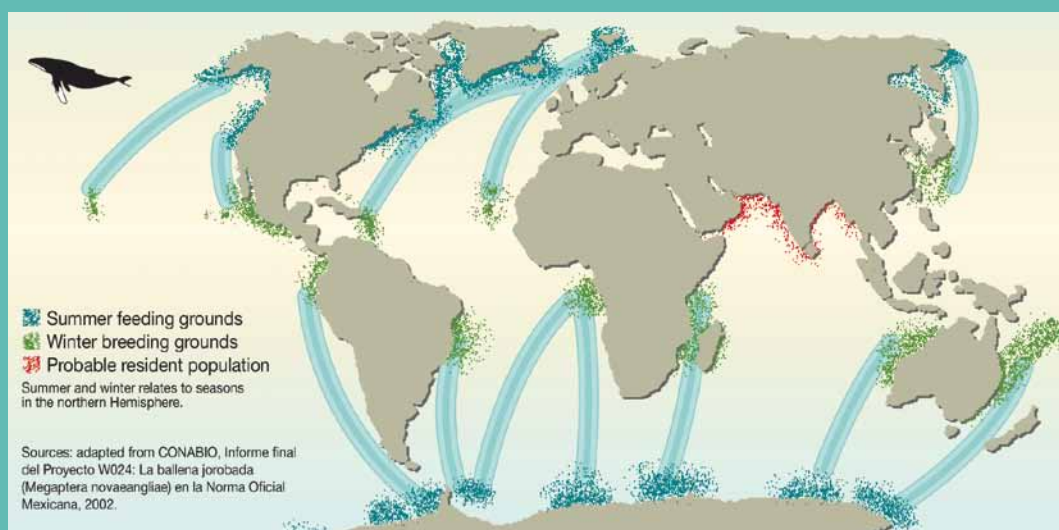


### What is Migration?

Migration is a natural phenomenon by which individuals of given species move between sites. This can occur at different times of the year, at different stages of their lives, or in search of appropriate conditions for breeding and raising their young and in some cases involves very long distances.

Article I of the CMS defines the term 'migratory species' as "the entire population or any geographically separate part of the population of any species or lower taxon of wild animals, a significant proportion of whose members cyclically and predictably cross one or more national jurisdictional boundaries."

The CMS definition, although not fully biological, explains to some extent the behavioural aspects of migration and allows to distinguish it from other forms of movements such as foraging and ranging. Its political connotation is tailored to the aims of CMS and its instruments that identify and promote the implementation of cooperative conservation measures and instruments among species' Range States. It implies the exclusion of migrants, that move within the territory of a state, but allows for the inclusion of technical migrants such as several bat species and species such as Gorillas that live in frontier zones.



**Figure 2.1 Humpback Whale Migrations**

Source: Living Planet - Connected Planet, p. 49

## 2.2 The Role of CMS

The CMS, which entered into force in 1983, is the only global and UN-based intergovernmental organization established exclusively for the conservation and management of terrestrial, aquatic and avian migratory species throughout their range.

Other global conventions, such as the Convention on Biological Diversity (CBD), the UN Convention on the Law of the Sea (UNCLOS) and its implementing Fish Stocks Agreement (FSA), the Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) or the World Heritage Convention share some objectives with CMS. However, these conventions do not provide the special instruments necessary for migratory species conservation. CMS, by contrast, does address the fact that migratory species cross jurisdictional boundaries. It does this by providing the forum through which countries that would otherwise have different level of protection come together to agree on common priorities and conservation measures.

Furthermore, CMS is a framework convention under which a range of measures, tailored to the specific needs of the Range States, can be developed for a single species or a group of related species and ranging from a bilateral agreement to regional or global geographical scope.

These measures range from formal treaties – legally binding Agreements – through non-legally binding instruments (Memoranda of Understanding) to concerted actions {→ see Table 2.1}.

CMS and its instruments determine policy and provide further guidance on specific issues through their Strategic Plans, Action Plans, resolutions, decisions and guidelines. All maintain on their websites a list of all decisions taken, guidelines issues and Action Plans adopted by the Member States.

In summary, CMS provides:

- A specialized, comprehensive forum of experts on transboundary migratory species;
- Global and regional instruments and other measures tailored and adaptable to taxa's needs;
- Support for integrated implementation of biodiversity protection;
- Support for research, conservation and capacity-building projects;

### 2.2.1 Species Coverage

The CMS Family covers a great diversity of migratory species. The Appendices of CMS include many mammals, including land mammals, marine mammals and bats; birds; fish; reptiles and one insect. Among the instruments, AEWAs covers 255 species of birds that are ecologically dependent on wetlands for at least part of their annual cycle. EUROBATS covers 52 species of bat, the Sharks MOU seven species of shark and the IOSEA Marine Turtle MOU six species of marine turtle.\*

Under CMS, those species threatened with extinction are listed in Appendix I, with relevant provisions outlined in Article III, paragraphs 4 and 5 {→ see Information Box 2.2}. Parties that are Range States to Appendix I species are obliged to afford them strict protection.

\* Correct at time of editing (10 June 2013)

## INFORMATION BOX 2.2



### Article III paragraphs 4 and 5 of the Convention:

4. Parties that are Range States of a migratory species listed in Appendix I shall endeavour:
  - a) to conserve and, where feasible and appropriate, restore those habitats of the species which are of importance in removing the species from danger of extinction;
  - b) to prevent, remove, compensate for or minimize, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of the species; and
  - c) to the extent feasible and appropriate, to prevent, reduce or control factors that are endangering or are likely to further endanger the species, including strictly controlling the introduction of, or controlling or eliminating, already introduced exotic species.
  
5. Parties that are Range States of a migratory species listed in Appendix I shall prohibit the taking of animals belonging to such species. Exceptions may be made to this prohibition only if:
  - a) the taking is for scientific purposes;
  - b) the taking is for the purpose of enhancing the propagation or survival of the affected species;
  - c) the taking is to accommodate the needs of traditional subsistence users of such species; or
  - d) extraordinary circumstances so require; provided that such exceptions are precise as to content and limited in space and time. Such taking should not operate to the disadvantage of the species.

Further migratory species needing or significantly benefitting from international co-operation are listed in Appendix II. These species, either individually or by taxonomic group, are the basis for establishing instruments – regional or global – under CMS.

The CMS Conference of the Parties (COP) can decide to add (or remove) a species from the Appendices backed by reliable scientific evidence. Any Party can make such a proposal to the COP, which is adopted if supported by two thirds of the Parties present and voting. The change takes effect after 90 days, unless a Party notifies the Depositary that it wishes to enter a reservation. AEWA has a similar provision, as does EUROBATS (although the changes take effect after 60 days rather than 90).

The Gorilla Agreement covers all species and sub-species of the genus *Gorilla* – current taxonomy recognizes two species (*Gorilla gorilla* and *Gorilla beringei*) both of which have two sub-species. Article 1.2 (a) of ASCOBANS defines “small cetaceans” as any species, subspecies or population of toothed whales Odontoceti, except the Sperm Whale *Physeter macrocephalus*.

### 2.2.2 Membership of CMS and its Instruments

In addition to the current 119 Parties to CMS (as of September 2013), a further 33 countries are Member States to instruments\*, while many of the 119 are also Parties and signatories to Agreements and MOUs (e.g. France is Party to five of the seven Agreements and signatory to five of the MOUs, and Senegal is Party to one Agreement and a signatory to six MOUs). In many cases joining one of these instruments has been a first step to join the mother Convention.

\* These figures were correct as of 10 June 2013. The latest figures can be found at [http://www.cms.int/about/part\\_1st.htm](http://www.cms.int/about/part_1st.htm)

Table 2.1 List of CMS Family Instruments

**Parent Convention**

	<p><b>CMS</b> Convention on the Conservation of Migratory Species of Wild Animals (Multiple species instrument)</p>	
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**Agreements**

	<p><b>ACAP</b> Agreement on the Conservation of Albatrosses and Petrels (Multiple species instrument)</p>	
	<p><b>ACCOBAMS</b> Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (Multiple species instrument)</p>	
	<p><b>AEWA</b> Agreement on the Conservation of African-Eurasian Migratory Waterbirds (Multiple species instrument)</p>	
	<p><b>ASCOBANS</b> Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (Multiple species instrument)</p>	
	<p><b>EUROBATS</b> Agreement on the Conservation of Populations of European Bats (Multiple species instrument)</p>	
	<p><b>GORILLAS</b> Agreement on the Conservation of Gorillas and their Habitats (Multiple species instrument)</p>	
	<p><b>WADDEN SEA SEALS</b> Agreement on the Conservation of Seals in the Wadden Sea (Single species instrument)</p>	

Table 2.1 List of CMS Family Instruments (cont.)

**Memoranda of Understanding (MOUs)**

	<p><b>Aquatic Warbler</b>          Memorandum of Understanding concerning Conservation Measures for the Aquatic Warbler          (Single species instrument)</p>
	<p><b>Bukhara Deer</b>          Memorandum of Understanding concerning Conservation and Restoration of the Bukhara Deer          (Single species instrument)</p>
	<p><b>Cetaceans in the Pacific Islands Region</b>          Memorandum of Understand Conservation of Cetaceans and their Habitats in the Pacific Islands Region          (Multiple species instrument)</p>
	<p><b>Dugongs</b>          Memorandum of Understanding on the Conservation and Management of Dugongs (<i>Dugong dugon</i>) and their Habitats throughout their Range          (Single species instrument)</p>
	<p><b>Grassland Birds of Southern South America</b>          Memorandum of Understanding on the Conservation of Southern South American Migratory Grassland Bird Species and their Habitats          (Multiple species instrument)</p>
	<p><b>Great Bustard Middle - European</b>          Memorandum of Understanding on the Conservation and Management of the Middle-European Population of the Great Bustard (<i>Otis tarda</i>)          (Single species instrument)</p>
	<p><b>High Andean Flamingos</b>          Memorandum of Understanding on the Conservation of High Andean Flamingos and their Habitats          (Multiple species instrument)</p>

Table 2.1 List of CMS Family Instruments (cont.)

	<p><b>Marine Turtles of the Atlantic Coast of Africa</b>          Memorandum of Understanding concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa (Multiple species instrument)</p>
	<p><b>Marine Turtles of the Indian Ocean and South-East Asia (IOSEA)</b>          Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia (Multiple species instrument)</p>
	<p><b>Mediterranean Monk Seal</b>          Memorandum of Understanding concerning Conservation Measures for the Eastern Atlantic Populations of the Mediterranean Monk Seal (Single species instrument)</p>
	<p><b>Raptors</b>          Memorandum of Understanding concerning the Conservation of Migratory Birds of Prey in Africa and Eurasia (Multiple species instrument)</p>
	<p><b>Ruddy-headed Goose</b>          Memorandum of Understanding between the Argentine Republic and the Republic of Chile on the Conservation of the Ruddy-headed Goose (Single species instrument)</p>
	<p><b>Saiga Antelope</b>          Memorandum of Understanding concerning Conservation, Restoration and Sustainable Use of the Saiga Antelope (Single species instrument)</p>
	<p><b>Sharks</b>          Memorandum of Understanding on the Conservation of Migratory Sharks (Multiple species instrument)</p>
	<p><b>Siberian Crane</b>          Memorandum of Understanding concerning Conservation Measures for the Siberian Crane (Single species instrument)</p>

Table 2.1 List of CMS Family Instruments (cont.)

	<p><b>Slender-billed Curlew</b>          Memorandum of Understanding concerning Conservation Measures for the Slender-billed Curlew          (Single species instrument)</p>
	<p><b>South Andean Huemul</b>          The Memorandum of Understanding between the Argentine Republic and the Republic of Chile on the Conservation of the South Andean Huemul          (Single species instrument)</p>
	<p><b>Western African Aquatic Mammals</b>          Memorandum of Understanding concerning the Conservation of the Manatee and Small Cetaceans of Western Africa and Macaronesia          (Multiple species instrument)</p>
	<p><b>West African Elephants</b>          Memorandum of Understanding concerning Conservation Measures for the West African Populations of the African Elephant          (Single species instrument)</p>

More information and links for the CMS Family instruments are available at: <http://www.cms.int/species/index.htm> (including e.g. links to the agreement texts, information on meetings, conservation plans, etc.)

### 2.3 Bodies of CMS and its Instruments

Within a CMS Family instrument, functions are generally split among a number of bodies. These bodies can be broadly classified as (1) Secretariats or Coordinating Units (administrative); (2) decision-making bodies (COP/MOP/MOS) and the subsidiary bodies (usually called the Standing Committee) providing guidance between the meetings of decision-making bodies and (3) scientific and technical advice (e.g. Scientific Council) {→ see Table 2.2}.



Table 2.2 Overview of the Subsidiary Bodies Established by CMS and its Instruments

	Decision-making Body	Subsidiary Body		Secretariat/Coordination Unit, Location	
		Scientific and Technical	Administration and policy		
<b>CMS CONVENTION</b>	Conference of Parties (COP)	Scientific Council	Standing Committee	Secretariat, Bonn, Germany	
<b>AGREEMENTS</b>	<b>ACAP</b>	Meeting of Parties (MOP)	Advisory Committee	n.a.	Secretariat, Hobart, Australia
	<b>ACCOBAMS</b>	MOP	Scientific Committee	n.a.	Secretariat, Monaco
	<b>AEWA</b>	MOP	Technical Committee	Standing Committee	Secretariat, Bonn, Germany
	<b>ASCOBANS</b>	MOP	Advisory Committee		Joint (CMS) Secretariat, Bonn, Germany
	<b>EUROBATS</b>	MOP	Advisory Committee	Standing Committee	Secretariat, Bonn, Germany
	<b>GORILLAS</b>	MOP	Technical Committee	n.a.	CMS Secretariat, Bonn, Germany
	<b>WADDEN SEA SEALS</b>	Tripartite Board <sup>+</sup>	Technical Committee	n.a.	Secretariat, Wilhelmshaven, Germany
<b>MEMORANDA OF UNDERSTANDING (MOUs)</b>	<b>Aquatic Warbler</b>	Meeting of Signatories (MOS)	n.a.	n.a.	CMS Secretariat, Bonn, Germany
	<b>Bukhara Deer</b>	MOS	n.a.	n.a.	CMS Secretariat, Bonn, Germany
	<b>Cetaceans in the Pacific Islands Region</b>	MOS	n.a.	n.a.	CMS Secretariat, Bonn, Germany
	<b>Dugongs</b>	MOS	Advisory Committee	n.a.	CMS Secretariat, Coordination Unit, Abu Dhabi, United Arab Emirates
	<b>Grassland Birds of South America</b>	MOS	n.a.	n.a.	CMS Secretariat, Bonn, Germany
	<b>Great Bustard Middle European</b>	MOS	n.a.	n.a.	CMS Secretariat, Bonn, Germany
	<b>High Andean Flamingos</b>	MOS	n.a.	n.a.	CMS Secretariat, Bonn, Germany
	<b>Marine Turtles of the Atlantic Coast of Africa</b>	MOS	Advisory Committee	n.a.	CMS Secretariat, Bonn, Germany
	<b>Marine Turtles IOSEA</b>	MOS	Advisory Committee	n.a.	CMS Secretariat, Coordination Unit, Bangkok, Thailand
	<b>Mediterranean Monk Seal*</b>	MOS	n.a.	n.a.	CMS Secretariat, Bonn, Germany
	<b>Raptors</b>	MOS	Technical Advisory Group	n.a.	CMS Secretariat, Coordination Unit, Abu Dhabi, United Arab Emirates
	<b>Ruddy-headed Goose**</b>	MOS	n.a.	n.a.	CMS Secretariat, Bonn, Germany
	<b>Saiga Antelope</b>	MOS	n.a.	n.a.	CMS Secretariat, Bonn, Germany
	<b>Sharks</b>	MOS	Advisory Committee	n.a.	Interim Secretariat (CMS) Bonn, Germany
	<b>Siberian Crane</b>	MOS	n.a.	n.a.	CMS Secretariat, Bonn, Germany
	<b>Slender-billed Curlew</b>	MOS	n.a.	n.a.	CMS Secretariat, Bonn, Germany
	<b>South Andean Huemul**</b>	MOS	n.a.	n.a.	CMS Secretariat, Bonn, Germany
<b>Western African Aquatic Mammals</b>	MOS	n.a.	n.a.	CMS Secretariat, Bonn, Germany	
<b>West African Elephants</b>	MOS	n.a.	n.a.	CMS Secretariat, Bonn, Germany	

<sup>+</sup> with representatives of Denmark, Germany and the Netherlands

\* According to the text of the MOU the CMS Secretariat provides administrative services but coordination is effected through the Spanish Government

\*\* The CMS Secretariat serves as Depository to these MOUs which are conducted as part of the "Special Additional Protocol on the Conservation of Wild Flora and Fauna shared between the Argentine Republic and the Republic of Chile"

Source: [http://www.cms.int/publications/pdf/album/inside\\_english.pdf](http://www.cms.int/publications/pdf/album/inside_english.pdf)

### 2.3.1 Decision-making Bodies

The principal decision-making body for the Convention is the Conference of the Parties (COP) which meets once every three years. For most of the legally binding Agreements, instead of a COP, there is a Meeting of the Parties or MOP (the exception is the Wadden Sea Seals Agreement which is overseen by the Wadden Sea Board made up of representatives of the three Range States, Denmark, Germany and the Netherlands); the MOP meets every three or four years, depending on the provisions of each Agreement agreed by the Parties. MOUs have Meetings of the Signatories (MOS). {→ for more information about meetings, see Chapter 4 }

The various decision-making bodies of the CMS Family instruments review progress made and challenges encountered during implementation, and decide on the priorities for the next intersessional period. Where applicable, they also review the instrument's finances and set a budget.

The roles and functions of the CMS COP are outlined in Article VII of the CMS, the text of which is reproduced as {→ Annex 2.1} to this chapter. The main aim of the COP is to assess and agree upon amendments to the Appendices and to adopt resolutions. The COP additionally establishes and reviews the financial regulations of CMS, adopts the budget for the following three years and reviews the implementation of CMS. In particular, the COP may review and assess the conservation status of migratory species and the progress made towards their conservation.

The COP is presided over by a Chair, usually the representative of the Host Government and is overseen by a Bureau made up of the elected officers of the meeting, the Chair of the Standing Committee and the Scientific Council and supported by the Secretariat. Decisions – such as the election of officers, the adoption of the agenda and the Rules of Procedure, the establishment of Committees and Working Groups, and at the end of the COP, the adoption of resolutions are taken by the Plenary, that part of the meeting attended by all delegates. Detailed discussion of the COP's general business is conducted by the Committee of the Whole; some specialized business such as the budget is referred to a dedicated Committee or Working Group. Committees and Working Groups that meet only during the course of a meeting of a decision-making body are called “in-session Working Groups”; those that carry on after the close of the meeting are called “intersessional Working Groups”. These report their findings and make their recommendations either to the next meeting of the subsidiary of the decision-making body.

Meetings of the decision-making bodies follow more or less the same pattern as those of CMS, but tend to be much smaller in scale, reflecting the smaller membership of the instruments in comparison with the parent Convention.

### 2.3.2 Subsidiary Bodies

#### 2.3.2.1 Bodies that Provide Intersessional Policy and Administrative Guidance

These bodies, which are in most cases called the Standing Committee, provide policy and administrative guidance between regular meetings of the decision-making bodies, and ensure that their decisions are implemented. Whereas the CMS Scientific Council (see below) is provided for within the Convention text, the Standing Committee was established by the COP (originally Resolution 1.1 in 1984 but now based on Resolution 9.15 of 2008). Similar subsidiary bodies exist within several other CMS Family instruments, namely AEWAs, whose Standing Committee was established through the adoption of Resolution 2.6 and EUROBATS with the adoption of Resolution 5.8.

In the case of ASCOBANS, the subsidiary body, which is called the Advisory Committee, has a double function in providing not only technical advisory services but also administrative and policy guidance. These bodies either consist of regional representatives elected by the decision-making bodies and other representatives such as the depositary government, or in the case of smaller Agreements one representative per Party. The composition of these bodies is set out below {→ see Table 2.2 and Table 2.3}. Where the subsidiary body is made up of elected regional representatives, any other Member State can normally participate as a non-voting observer.

Their mandate consists of the following:

- monitoring the budget
- making recommendations for consideration by the next meetings of the decision-making bodies
- providing advice and guidance to the Secretariats/Coordinating Units
- representing the decision-making bodies in negotiations with the Host Government and UNEP with regard to the Secretariats/Coordinating Units.

As and when they consider it appropriate the decision-making bodies can additionally assign other ad hoc tasks to the subsidiary bodies.

### 2.3.2.2 Scientific and Technical Advisory Bodies

These bodies provide advice to the decision-making bodies and the Secretariats/Coordinating Units on scientific matters and priorities for research and conservation and ensure that all information presented, via proposals, recommendations, etc., is scientifically sound. Generally, they promote the interaction between science and policy.

The CMS Scientific Council consists of members (known as Scientific Councillors) appointed by the Parties of CMS. They do not, however, represent the views of their governments, and contribute to the work of the instrument in their capacity as experts. In addition, the COP appoints a limited number of Councillors qualified in fields of particular interest such as special fauna and flora. (Article VIII, paragraph 2 of the CMS). {→ see Information Box 2.3}

#### INFORMATION BOX 2.3

##### COP-appointed Members of the CMS Scientific Council

After COP10 (Bergen, 2011) there are nine such Councillors with special responsibility for:

fish, birds, marine turtles, aquatic mammals, Asiatic fauna, neo-tropical fauna, African fauna, climate change and by-catch



Some of the Agreements and MOUs also established Advisory Bodies or Technical Committees {→ see Table 3.1 in Section 3.1.2}. The composition of the bodies does however vary widely. {For further information about the Committees in Agreements and MOU see also Table 2.2.}

### 2.3.2.3 Working Groups

Working Groups are normally established either in a formal or informal manner in the context of the bodies (decision-making and subsidiary) of each instrument. Some of these Working Groups operate only during the meeting of these bodies while others have the mandate to work intersessionally to provide advice or recommendations, {→ see Section 4.2.5}. Depending on the nature of their mandate, Working Groups can be composed of Member States' representatives or scientific experts within or without the technical bodies of these instruments.

The Standing Committee of the CMS for instance had an Intersessional Working Group on Future Shape and currently has a Sub-Committee on Budgetary and Financial matters while the Scientific Council of CMS has for example the Working Groups on Global Flyways. A number of further Working Groups on various issues and species have been established under the Agreements and MOUs.

### 2.3.3 Secretariats and Coordinating Units

Secretariats and Coordinating Units provide administrative support to their instruments. Normally the decision-making body of the instrument determines the budget to be allocated to the Secretariat/Coordinating Unit including the number of posts and functions. Where MOUs have dedicated Coordinating Units, they are usually funded by voluntary contributions.

The CMS Secretariat provides secretariat functions for ASCOBANS, the Gorilla Agreement and for those MOUs that have no dedicated Coordinating Unit. The Secretariats of CMS and a number of other UNEP-administered instruments share premises in Bonn, some are administered by UNEP but are located elsewhere (the Raptors and Dugongs MOUs having a Coordinating Unit hosted by the Environment Agency Abu Dhabi in the United Arab Emirates, and the IOSEA Marine Turtles MOU being based in the UNEP Regional Office in Bangkok, Thailand). ACAP, ACCOBAMS and the Wadden Sea Seal Agreement are not administered by UNEP and their Secretariats are based in Hobart (Australia), Monaco and Wilhelmshaven (Germany) respectively {→ see Table 2.2}.

## 2.4 Funding of the CMS Family

### 2.4.1 Assessed Contributions

Each Party to a legally binding-instrument (CMS and Agreements) is required to financially contribute to the budget adopted by the decision-making body {→ see Helpful Tips 3.1 and Section 3.3}.

#### 2.4.1.1 CMS

Parties contribute to the budget in accordance with the UN scale of assessment as agreed by the UN General Assembly adjusted to take account of the membership of CMS. The UN Scale of Assessment assigns to each country the share it has to contribute to the UN budget; the Scale is adjusted in the case of CMS to take account of the fact that not all countries have joined the Convention.

#### 2.4.1.2 Agreements

Some Agreements also use the UN scale of assessment as a model while others developed their own guidelines and methods to determine each Party's contribution. These schemes sometimes set a minimum contribution or a single amount that all Parties must meet, while others developed their own formula. Different approaches to funding of CMS Agreements are indicated in {→ Table 2.3}.

## 2.4.2 Voluntary Contributions

### 2.4.2.1 CMS and the Agreements

In the case of CMS and the legally-binding Agreements, voluntary contributions normally complement the assessed ones and are solicited by the Secretariats to fund projects and other initiative that are not covered by the regular budget {→ see also [Section 3.3](#) and [Chapter 5](#)}.

### 2.4.2.2 MOUs

Funding for MOUs normally takes the form of ad hoc voluntary contributions from Signatories as well as other interested countries.

However, relying on ad hoc voluntary contributions which do not provide consistency or predictability of funding makes it difficult to implement long-term projects or employ staff. The majority of MOUs operate using a combination of voluntary contributions from Signatories coupled with financial support from CMS as well as in-kind assistance from partner organizations.

To remedy irregular funding, the IOSEA MOU for example recently requested all Signatories at the 2012 MOS to make voluntary contributions based on the UN Scale of Assessment (voluntary assessed contributions).



Table 2.3 Funding Methods for Some of the CMS Family Instruments

Instrument	Finance Method for Contribution of Parties	Additional notes
<b>ACAP</b>	Independent System: Developed different formulas for different Member States, Resolution 2.3	<p>Formula 1: For Parties whose scale of assessment under the United Nations Scale of Assessment for the UN Budget (currently Resolution 58/1 B, March 2004) is less than or equal to 0.15%, annual contributions shall be calculated on the UN Scale of Assessment;</p> <p>Formula 2: For Parties whose scale of assessment under the United Nations Scale of Assessment for the UN Budget is greater than 0.15%, annual contributions shall be calculated based on 50% GNI, and 50% GNI per capita, with no Party paying more than 20% of the total ACAP Budget;</p> <p>Formula 3: If the calculated percentage contribution for one or more Parties resulting from Formula 2 exceeds 20%, the contribution for the Party/Parties is set at 20% of the annual budget, and the contribution for the residual Parties recalculated according to the formula agreed to in Resolution 2.3, Appendix</p>
<b>AEWA</b>	UN Scale of Assessment	Resolution 4.6 regulates that the minimum Contribution will not be less than € 2,000 per annum and that for the period of 2009-2012, the maximum contribution will not exceed 20 percent of the total budget.
<b>ACCOBAMS</b>	UN Scale of Assessment	Minimum contribution of € 200. Resolution 1.7 created Supplementary Conservation Grants Fund accepting funds from other sources
<b>ASCOBANS</b>	UN Scale of Assessment with special modifications	Parties agree to share cost of the budget with Regional Economic Integration Organizations contributing 2.5% of the administrative costs and other Parties sharing the balance in accordance with the UN Scale, but no Party contribution shall exceed 25% of the budget.
<b>CMS</b>	UN Scale of Assessment adjusted to CMS membership	EU 2.5% and a ceiling. Proposal to reinstate a floor was rejected at COP10
<b>EUROBATS</b>	UN Scale of Assessment	No Party contribution shall exceed 25 percent of the budget. A minimum contribution of € 1,000 has been phased in during the budget period 2011-2014.
<b>GORILLAS</b>	Independent System	Fixed annual contribution of € 3,000 (Resolution 2.2)
<b>IOSEA</b>	Voluntary Assessed Contributions with Funding from UNEP	
<b>SHARKS</b>	In discussion	
<b>WADDEN SEA SEALS</b>	Tripartite Governmental System	

## PRACTICAL EXAMPLE 2.1

### CMS Small Grants Programme for 2012-2014

The CMS Small Grants Programme is funding a project supporting Tajikistan to lead on transboundary cooperation on Snow Leopards. The project is being implemented by Flora & Fauna International in collaboration with the Department of Forestry and Hunting under the Committee of Environmental Protection of the Republic of Tajikistan. Other collaborating partners include governmental and non-governmental agencies from Afghanistan, Kyrgyzstan and Tajikistan, as well as Panthera, an NGO focusing on the conservation of wild cats.

The key goal of the project is to bring the three countries together to coordinate activities on Snow Leopards and other migratory species that cross the borders between these States. The project therefore promotes collaboration and cooperation among the three countries, and encourages and supports the Tajikistan government to play a leading role in regional coordination activities. The project also helps build the capacity within the Range States of the Snow Leopard – through training, mentoring and network development – to develop and implement species action planning.



### CHAPTER REVIEW



**Question 1:** What category of species is covered by CMS Appendix I?

**Question 2:** What instruments are foreseen under CMS for the protection of Appendix II species?

**Question 3:** What is the mandatory financial contribution of a Party under CMS referred to as or called?

**Question 4:** Where is the Coordinating Unit of the Raptors MOU based?

**Answers:**

*(1) Migratory species threatened with extinction (2) Agreements and MOUs (3) Assessed contribution (4) Abu Dhabi*



The following chapter will provide a closer look on the role of CMS Family NFPs.

### NOTES

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## ANNEX 2.1

### Article VII of the Convention The Conference of the Parties

1. The Conference of the Parties shall be the decision-making organ of this Convention.
2. The Secretariat shall call a meeting of the Conference of the Parties not later than two years after the entry into force of this Convention.
3. Thereafter the Secretariat shall convene ordinary meetings of the Conference of the Parties at intervals of not more than three years, unless the Conference decides otherwise, and extraordinary meetings at any time on the written request of at least one-third of the Parties.
4. The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall, at each of its ordinary meetings, adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference. Financial regulations, including the provisions on the budget and the scale of contributions as well as their modifications, shall be adopted by unanimous vote of the Parties present and voting.
5. At each of its meetings the Conference of the Parties shall review the implementation of this Convention and may in particular:
  - a) review and assess the conservation status of migratory species;
  - b) review the progress made towards the conservation of migratory species, especially those listed in Appendices I and II;
  - c) make such provision and provide such guidance as may be necessary to enable the Scientific Council and the Secretariat to carry out their duties;
  - d) receive and consider any reports presented by the Scientific Council, the Secretariat, any Party or any standing body established pursuant to an AGREEMENT;
  - e) make recommendations to the Parties for improving the conservation status of migratory species and review the progress being made under AGREEMENTS;
  - f) in those cases where an AGREEMENT has not been concluded, make recommendations for the convening of meetings of the Parties that are Range States of a migratory species or group of migratory species to discuss measures to improve the conservation status of the species;
  - g) make recommendations to the Parties for improving the effectiveness of this Convention; and
  - h) decide on any additional measure that should be taken to implement the objectives of this Convention.
6. Each meeting of the Conference of the Parties should determine the time and venue of the next meeting.
7. Any meeting of the Conference of the Parties shall determine and adopt rules of procedure for that meeting. Decisions at a meeting of the Conference of the Parties shall require a two-thirds majority of the Parties present and voting, except where otherwise provided for by this Convention.

8. The United Nations, its Specialized Agencies, the International Atomic Energy Agency, as well as any State not a party to this Convention and, for each Agreement, the body designated by the parties to that Agreement, may be represented by observers at meetings of the Conference of the Parties.
9. Any agency or body technically qualified in protection, conservation and management of migratory species, in the following categories, which has informed the Secretariat of its desire to be represented at meetings of the Conference of the Parties by observers, shall be admitted unless at least one-third of the Parties present object:
  - a) international agencies or bodies, either governmental or non-governmental, and national governmental agencies and bodies; and
  - b) national non-governmental agencies or bodies which have been approved for this purpose by the State in which they are located.

Once admitted, these observers shall have the right to participate but not to vote.





# 3 Functions Relating to Administration, Finance and Communication

*“The people chosen to be the NFPs are key to breathing life into the CMS Family. Our enthusiasm is decisive for saving migratory species.”*

James Njogu, Kenya

This chapter addresses the processes related to the NFPs and their roles and responsibilities, particularly:

- Appointment of NFPs and Other Representatives and Experts (Section 3.1)
- Communication and Dissemination of Information (Section 3.2)
- Financial Matters (Section 3.3)

## 3.1 Appointment of NFPs and Other Representatives and Experts

### 3.1.1 Appointment of NFPs

Under CMS and its instruments, Member States are requested to appoint NFPs. The Secretariats and Coordinating Units are required to promote communication and collaboration with and among the Member States. To fulfill this responsibility the Secretariats and Coordinating Units maintain a list of the NFPs designated by the governments of Member States.

In addition, some Agreements (e.g. ACAP, AEWa and EUROBATs) go further - following Article V (4) lit. c) of the CMS - and require Parties to designate a national authority to oversee implementation of the instrument.

CMS NFPs are often requested to play a role in overseeing and following up on the appointment of NFPs for Agreements and MOUs as necessary.

The appointment procedure normally requires that a formal letter from the responsible authority of the Member State be sent to the Secretariat/Coordinating Unit concerned, i.e., a formal letter from the government, including the signature of the minister or equivalent relevant to the instrument and an official stamp. It has to contain the name and contact details of the person appointed. Changes in this regard can be directly communicated to the Secretariat/Coordinating Unit by the NFP himself/herself. The National Report format also provides the opportunity to Member States to confirm and/or update their NFPs contact details. {→ see Chapter 6 for more detailed explanations of the Nation Reporting process}.

It is an advantage if NFPs can remain in post for several years so that they can experience the full cycle and build up experience and a network of contacts to ensure continuity in the work and communication flow.

### 3.1.2 Appointment of Members to Subsidiary Bodies

#### 3.1.2.1 Appointment of Experts to Scientific and Technical Subsidiary Bodies

CMS and some of its instruments establish a number of subsidiary bodies to which Member States are invited to appoint expert members {→ see Section 2.3.2 and Table 3.1} to provide technical and scientific advice. In the case of ASCOBANS members of the Advisory Committee have a double function {→ see Table 2.2 in Section 2.3}.

In some instances each Member State is requested to appoint an expert on the species or group of species covered by the instrument, while in others, specific indications on the required expertise are given for the members of the body concerned. In contrast, the membership of some instruments' scientific and technical subsidiary bodies is limited and based on geographical representation.

NFPs can play an important role in facilitating the selection of the experts and arranging for their appointment.

The appointment process therefore varies according to the composition of these bodies.



Table 3.1 Membership of Technical and Scientific Advisory Bodies to CMS Family Bodies

<b>CMS</b>	<b>Scientific Council (Article VIII.2)</b> → each Party is entitled to appoint a member (In addition, COP Resolution 1.4 states that the Council shall include qualified experts selected and appointed by the COP) {→ see Information Box 3.1}
<b>Agreements</b>	
<b>ACAP</b>	<b>Advisory Committee (Article IX)</b> → each Party is entitled to appoint a member
<b>AEWA</b>	<b>Technical Committee (Article VII)</b> → fifteen members, comprising: - nine experts representing different regions of the Agreement Area (nominated by the Parties within the nine sub-regions and elected by the MOP) - one expert each in rural economics, game management, and environmental law - In addition to the Parties' experts: One representative each from the International Union for Conservation of Nature and Natural Resources (IUCN), the International Waterfowl and Wetlands Research Bureau (IWRB) and from the Council for Game and Wildlife Conservation (CIC)
<b>ACCOBAMS</b>	<b>Scientific Committee (Article VII and Resolution 4.4)</b> → twelve members, comprising: - One Chair - Four Task managers, including a Vice-Chair - Four regional representatives from the ACCOBAMS area - One representative each from the International Union for Conservation of Nature and Natural Resources (IUCN), the European Cetacean Society (ECS), and the Scientific Committee of the International Whaling Commission (IWC)
<b>ASCOBANS</b>	<b>Advisory Committee (Article 5.2)</b> → One member from each Party (each Committee member may be accompanied by advisers and the Committee may invite other experts to attend its meetings, Article 5.4) The Committee has both a technical and administrative advisory function
<b>EUROBATS</b>	<b>Advisory Committee (Resolution on the Establishment of an Advisory Committee, Annex H of the MOP 1 report)</b> → One member from each Party (each member may be accompanied by advisors and the Committee may invite other experts to attend its meetings, para. 4 of the Resolution)
<b>GORILLAS</b>	<b>Technical Committee (Article VI)</b> → One representative from each Range State → One expert from each of the following fields: forest management and conservation, environmental law, wild animal health → One representative from the Great Apes Survival Partnership (GRASP)
<b>WADDEN SEA SEALS</b>	<b>Wadden Sea Board (Annexes 3 and 4, 2010 Governance Arrangements, Trilateral Wadden Sea Cooperation)</b> → thirteen members, comprising: - Four board members from each Party (Annex 3) - One Chair (nominated by the participating Government hosting the next Trilateral Governmental Council, Annex 4)
<b>Some of the MOUs</b>	
<b>Dugongs</b>	<b>Dugong Technical Group</b> see Report from the Second Official Signatory State Meeting, DM/SS.2/Report, 19-20 February 2013, paras 112-126, Agenda point 11.4 and the terms of reference contained in CMS/Dugong/SS2/Doc.11.4 Annex II)
<b>Marine Turtles of the Atlantic Coast of Africa</b>	<b>Advisory Committee</b> → 10 members; each Signatory may appoint members: to be either seconded by at least two other Signatories or not including citizens from the nominating state (Para. 4)
<b>Marine Turtles IOSEA</b>	<b>Advisory Committee</b> → Up to 10 members, nominated by Signatory States from countries other than their own. (Terms of reference, paras 1 and 5)
<b>Raptors</b>	<b>Technical Advisory Group</b> See section 13.2 of the report of the Meeting of Signatories (Abu Dhabi, 9-11 December 2013) and CMS/Raptors/MoS1/Doc 13.2 Annex
<b>Sharks</b>	<b>Advisory Committee</b> → 10 members: Africa: 2; Asia: 2; North America: 1; Europe: 2; Oceania: 1; South, Central America & the Caribbean: 2 (Section 7, paragraph 24)

### 3.1.2.2 Appointment of Members to Bodies that Provide Intersessional Policy and Administrative Guidance (Representatives to Standing Committee)

Since the Standing Committees carry out the functions of the decision-making bodies inter-sessionally, it is recommended that the members should have some expertise in policy and administrative matters. Standing Committees' membership is normally determined on a geographically balanced representation of the Parties {→ see Table 3.2 and Practical Example 3.1}. Depending on the instrument, at COPs or MOPs the regions or sub-regions meet to propose the Parties that will represent them, and the Conference or Meeting then formally endorses the choice. It is for the Parties elected to the Standing Committee to decide which individual(s) will attend.

NFPs of each instrument are therefore reminded to liaise with NFPs of other countries in their own region or sub-region, as appropriate, in order to influence the decision on the appointment of these representatives, prior to meetings of decision-making bodies.

**Table 3.2 Composition of Representatives to Standing Committees of the CMS Family**

<b>CMS</b>	<b>Standing Committee</b> - Three Parties from Africa - Three Parties from Europe - Two Parties from Asia - Two Parties from South and Central America and the Caribbean; - One Party from North America (no Parties in this region at present) - One Party from Oceania - the Depositary and Host Government of the Secretariat; and where applicable, - the Host Government of the next and previous meetings of the Conference of the Parties. (Resolution 9.15)
<b>AEWA</b>	<b>Standing Committee</b> - five regional representatives - two for Europe and Central Asia - one for Middle East and Northern Africa - one for Western and Central Africa - one for Eastern and Southern Africa - one representative of the host country of the next Meeting of the Parties - one representative of the Depositary (Chair of the Technical Committee is invited to attend as an observer)
<b>EUROBATS</b>	<b>Standing Committee</b> → no more than seven Parties including a representative from the Depositary Government, the Host Government of the Secretariat, and five elected members (Resolution 5.8)

The texts of the CMS Resolution 9.15, AEWA Resolution 2.6 and EUROBATS Resolution 5.8 are reproduced in the {→ Annexes 3.1, 3.2 and 3.3} to this Chapter.

### 3.1.2.3 Appointment of Members to Working Groups

The criteria and procedures by which these Working Groups are established and the expertise of their members, may vary depending on the nature and scope of the Working Groups. Taking part in these formal or informal mechanisms can be of great advantage for any Member States wanting to bring forward their views and position on a certain issue. Good communication between Secretariats and Coordinating Units and NFPs is needed to facilitate this process.

**PRACTICAL EXAMPLE 3.1****Composition of the CMS Standing Committee (2011-2014)**

REGION	MEMBERS	ALTERNATE
Africa	Ghana (Chair), Tunisia, Uganda	Congo (Brazzaville), Mali, South Africa
Asia	India, Pakistan	Mongolia, Syrian Arab Republic
South & Central America and the Caribbean	Chile, Cuba	Argentina, Costa Rica
Europe	Norway (Vice-Chair), Poland, Ukraine	France, Georgia, Switzerland
North America	Vacant	Vacant
Oceania	New Zealand	Australia
Depositary	Germany	
Host of COP 10	Norway (also representative for Europe)	
Host of COP 11	To be confirmed	



### 3.2 Communication and Dissemination of Information

Communication is a key element of any NFP's responsibilities {→ see Figure 3.1}. NFPs are the main points of contact on matters:

- within the Member State (at the government level and beyond)
- between the Secretariat/Coordinating Unit and the Member State, and
- between Member States.

It is therefore crucial to establish a regular flow of information and communication. "Staying up-to-date" regarding developments under CMS and its instruments is the starting point {→ see Information Box 3.1}.

It is recommended that the NFPs regularly communicate:

At the national level, with:

- colleagues, peers and supervisors within the organization where the NFP works as well as other relevant government ministries and agencies.
- experts/members of scientific and technical subsidiary bodies of the relevant CMS instrument.
- other NFPs of the CMS and/or its instruments as appropriate
- NFPs of other biodiversity-related MEAs
- other relevant expert institutions (e.g. relevant non-governmental organizations) and individuals ;

At the regional level, with:

- their regional representatives in the relevant bodies of the CMS and its instruments,
- Regional authorities/fora as appropriate e.g. the European Commission and regional economic commissions such as the Southern African Development Community.

At the international level, with:

- Secretariats/Coordinating Units concerned,
- NFPs of other Member States outside of their region.
- International governmental and non-governmental organizations

With regard to dissemination of information, many tools have been developed by the Secretariats/Coordinating Units and are currently in use. These include as websites, e-bulletins, social media as well as the e-community platform. These both help keep Member States and stakeholders abreast of progress on the work of the instrument; challenges and needs; and provide platforms for communications and exchange of views.

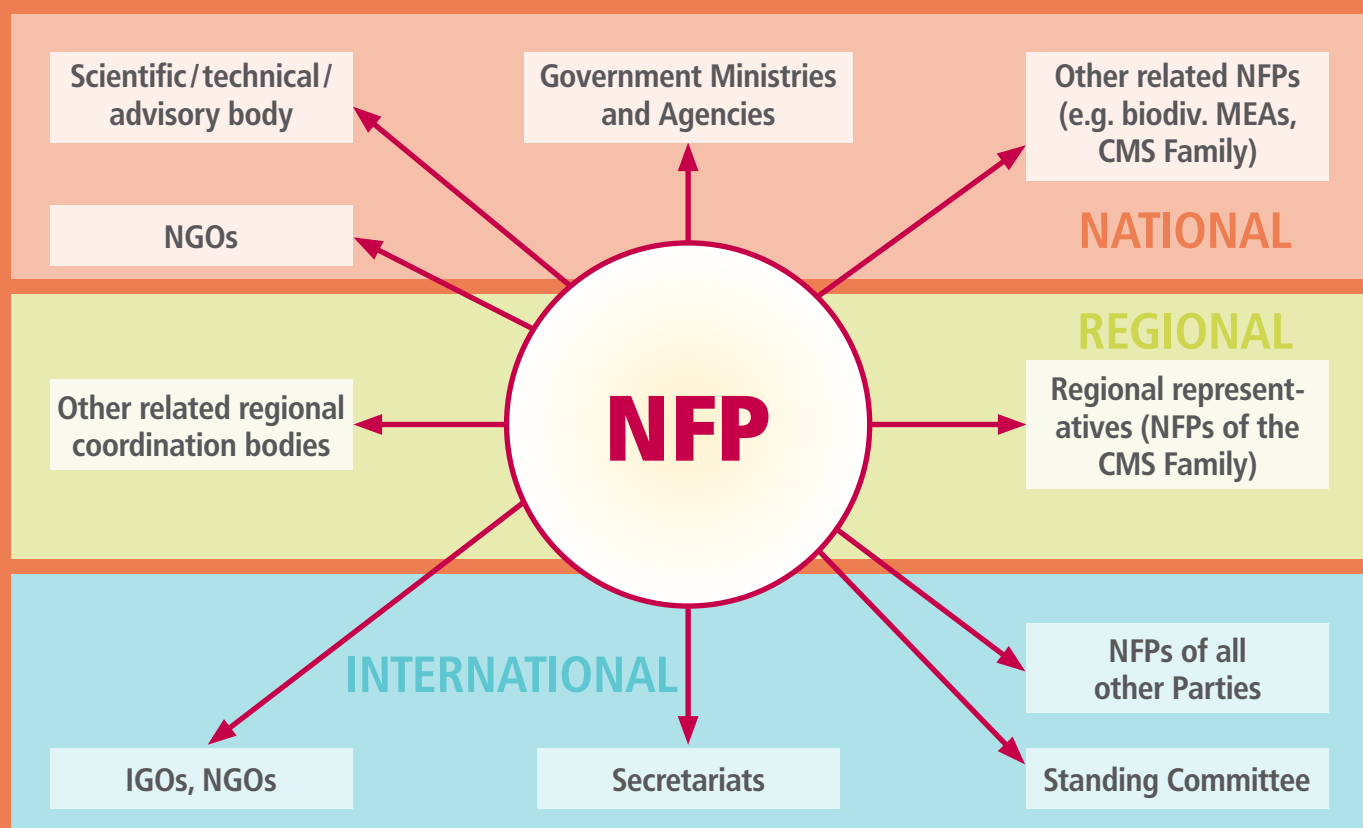


Figure 3.1 NFP Communication Roles



**INFORMATION BOX 3.1****List of Communication Methods within CMS Family****CMS**Website: <http://www.cms.int/>E-Bulletin: [http://www.cms.int/publications/CMS\\_Bulletin.htm](http://www.cms.int/publications/CMS_Bulletin.htm)Twitter account: <https://twitter.com/BonnConvention>Notifications: <http://www.cms.int/news/index.htm>**AEWA**Website: <http://www.unep-aewa.org/>E-newsletter: [http://www.unep-aewa.org/news/e\\_newsletter\\_archive.htm](http://www.unep-aewa.org/news/e_newsletter_archive.htm)**ASCOBANS**Website: <http://www.ascobans.org/>Bulletin: <http://www.ascobans.org/newsletter.html>**EUROBATS**Website: <http://www.eurobats.org/>EUROBATS Chat: [http://www.eurobats.org/publications/eurobat\\_chat](http://www.eurobats.org/publications/eurobat_chat)**IOSEA**Website: <http://www.ioseaturtles.org/>Newsletters: [http://www.ioseaturtles.org/electronic\\_lib2.php?cat\\_id=8](http://www.ioseaturtles.org/electronic_lib2.php?cat_id=8)e-News (Archive): [http://www.ioseaturtles.org/archive\\_eneews.php](http://www.ioseaturtles.org/archive_eneews.php)**3.3 Financial Matters**

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

**Assessed contributions**

An important aspect of the NFP's work is to oversee and ensure the prompt and full payment of the annual contributions to the CMS and its instruments {→ see **Helpful Tips 3.1**}. NFPs are regularly informed by Secretariats/Coordinating Units about the status of their annual dues and will receive invoices from UNEP Headquarters in Nairobi. It is crucial that assessed contributions are paid on time in order to ensure the smooth functioning and continuation of activities, staffing and project implementation. The quality and effective implementation of a programme or project suffer when funding is irregular.

**Voluntary contributions**

In addition to the assessed contributions, voluntary contributions both financial and in-kind are welcome and sought particularly to support the implementation of CMS and instruments at the international level. NFPs are informed by Secretariats and Coordinating Units about funding needs to complement core resources {→ see also **Section 5.2.5 Objective 6 and Practical Example 5.2**}.

**HELPFUL TIPS 3.1****Paying the contributions to the CMS Family instruments**

While responsibility for securing adequate resources is expected to be shared among the various activity leaders and stakeholders, the NFP is expected to play a proactive role. Much of the financial resources will have to be found at the national level and each country will have its own institutions and procedures to deal with this {—see Sections 3.3 and 5.2.5}.

NFPs should make sure that the contributions to the CMS Family instruments are paid on time. The amounts are determined by the meetings of the decision-making bodies and the can be found in the adopted budget resolution/decisions. Normally in the budget resolution/decisions an indication of the bank details and on how and who to pay are provided.

**CHECKLIST****Action required from the NFP and other actors****Appointment of CMS Family NFPs and other representatives**

- NFP: Initiate appointments of NFPs, Standing Committee representatives and other experts and obtain official signed letter of appointment from the responsible minister or government office.
- Responsible Minister: Fill in and sign official appointment form
- NFP or responsible designating authority: Submit official appointment letter to the Secretariat/Coordinating Unit concerned
- NFP: Inform the Secretariat/Coordinating Unit concerned of any changes in the NFPs contact details

**Communication**

- Collect contact information of all relevant stakeholders active in the field of the CMS and its instruments
- Establish regular information flow and maintain the communication between the Government and the Secretariat/Coordinating Unit as well as other Member States to the CMS Family instruments.

**Staying up to date**

- Regularly check the CMS Family websites, notification, e-bulletins and social media for information and provide input where required.



**CHAPTER REVIEW**



**Question 1:** Who needs to be informed of all key developments under the CMS and its instruments in order to ensure sufficient political support for their implementation at the national level?

**Question 2:** Who maintains a list of all NFPs of CMS and therefore needs to be informed immediately of all changes in the contact details of NFPs?

**Question 3:** How does the NFP get information on the amount of the assessed contribution?

**Answers:**

*1) The Government 2) The Secretariat/Coordinating Unit 3) NFPs are regularly informed by Secretariats/Coordinating Units about their annual dues and receive invoices from UNEP HQ in Nairobi.*



The next chapter provides information how the cyclic trend of events within the CMS Family does take place and how the NFP can support its national authorities.

**NOTES**

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## ANNEX 3.1

### CMS COP Resolution 9.15 (Rome, 2008) Composition and Organization of the Standing Committee

Adopted by the Conference of the Parties at its Ninth Meeting (Rome 1-5 December 2008)

*Recalling* Resolutions 1.1, 2.5, 3.7 and 6.6 establishing and governing the CMS Standing Committee and, in particular, the composition of its membership;

*Acknowledging* the need for clear, concise and consolidated terms of reference governing the Standing Committee;

*Desiring* to ensure that the membership reflects the numbers and conservation interests of Parties in each main geographic region and, as far as possible, the richness and diversity of migratory species within each region; and

Also *desiring* to ensure as far as possible both continuity and efficient rotation in the membership of the Committee;

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

1. *Resolves* to re-establish the Standing Committee of the Conference of the Parties with the following terms of reference;

Within the policy agreed to by the Conference of the Parties, the Standing Committee shall:

- (a) Provide general policy and operational direction to the Secretariat;
- (b) Provide advice and assistance to Parties concerning implementation of the Convention;
- (c) Carry out, between one meeting of the Conference of the Parties and the next, such interim activities on behalf of the Conference as may be necessary or explicitly assigned to it;
- (d) Provide guidance and advice to the Secretariat on the preparation of agendas and other requirements of meetings and on any other matters brought to it by the Secretariat in the exercise of its functions;
- (e) Oversee, on behalf of the Parties, the development and execution of the budget of the Secretariat as derived from the Trust Fund and other sources and also all aspects of fundraising undertaken by the Secretariat in order to carry out specific functions authorized by the Conference of the Parties, and oversee expenditures of such fund-raising activities; and shall be supported, in this activity, by the subcommittee established through resolution 9.14 paragraph 12;
- (f) Represent the Conference of the Parties, vis-à-vis the Government of the host country of the Secretariat's headquarters, the United Nations Environment Programme and other international organizations for consideration of matters relating to the Convention and its Secretariat;
- (g) Submit at each ordinary meeting of the Conference of the Parties a written report on its work since the previous ordinary meeting;

(h) Draft resolutions or recommendations, as appropriate, for consideration by the Conference of the Parties;

(i) Act as the Bureau at meetings of the Conference of the Parties until such time as the Conference Rules of Procedure are adopted; and

(j) Perform any other function as may be entrusted to it by the Conference of the Parties;

2. *Establishes* the following rules for the Standing Committee:

(a) The Membership of the Standing Committee shall be agreed at each meeting of the Conference of the Parties in accordance with the Conference's Rules of Procedure (but also see 2 (l) below) and shall comprise:

- (i) three parties elected from each of the geographic regions (a) Africa and (b) Europe;
- (ii) two parties elected from each of the geographic regions (a) Asia and (b) South and Central America and the Caribbean;
- (iii) one party from each of the geographic regions (a) North America and (b) Oceania;
- (iv) the Depositary and Host Government of the host of the Secretariat; and
- (v) where appropriate, the Host Government of the next and previous meetings of the Conference of the Parties.

(b) Each meeting of the Conference of the Parties (COP) also shall elect twelve regional representatives to serve as alternate members and, in particular, to attend the meetings of the Standing Committee in the absence of the member of the region for which they are alternate member.

(c) The term of office of regional members and alternates shall expire at the close of the next ordinary meeting of the COP following the meeting at which they were originally elected. Regional members may not serve more than two consecutive terms of office.

(d) If an extraordinary meeting or a special meeting of the Conference of the Parties is held between two regular meetings, the host Party of that meeting shall participate in the work of the Committee on matters related to the organization of the meeting.

(e) Parties not members of the Committee shall be entitled to be represented at meetings of the Committee by an observer who shall have the right to participate but not to vote.

(f) The Chairman of the Scientific Council shall be entitled to participate in meetings of the Standing Committee as a non-voting observer.

(g) The Chairman may invite any person or representative of any other country or organization to participate in meetings of the Committee as an observer without the right to vote.

(h) The Secretariat shall inform all Parties of the date and venue of Standing Committee meetings.

(i) The Committee shall, by consensus, establish its own rules of procedure.

(j) The Secretary for the Committee shall be provided by the Secretariat of the Convention.

(k) The membership of the Committee shall be renewed at every ordinary meeting of the Conference of the Parties.

(l) If a regional representative or alternate resigns from the Standing Committee, the Secretariat shall organize a ballot among all Parties from that region to elect a successor, the voting system described in the COP ROPs being adopted *mutatis mutandis*.

3. *Requests* members of the Committee to make every effort to pay their own travel expenses;

4. *Requests* the Secretariat to make provision in budgets for the payment, upon request, of reasonable and justifiable travel expenses of nominated representatives from the group of countries which have been identified by the responsible organs of the Convention as being eligible for travel assistance and from the next host Party (should that also qualify for funding).

Within the policy agreed by the Conference of the Parties, the Secretariat:

(a) Shall make provisions for payment of travel costs for regional members from the group of the developing countries and countries with economies in transition (or alternate members deputizing for them) to attend a maximum of one Standing Committee per calendar year;

(b) Shall refund travel expenses, upon request, to no more than one representative of a Party at any one meeting of the Standing Committee;

(c) May refund to the Chairman of the Standing Committee all reasonable and justifiable travel expenses for travel undertaken on behalf of the Conference of the Parties or on behalf of the Secretariat;

(d) May pay refunds in United States dollars or euros;

(e) Shall receive claims for refunds, supported by receipts, which must be submitted to the Secretariat within thirty calendar days of the completion of the travel; and

(f) Shall endeavour, to the extent possible, to obtain external funding for travel expenses;

5. *Resolves* that the duties of the Regional Representatives on the Standing Committee are as follows:

(a) to maintain a fluid and permanent communication with the Parties of their region and the Secretariat;

(b) wherever possible, to request opinions from Parties of their regions on items under consideration by the Standing Committee; and

(c) to report on their activities and communications at meetings of the Committee, and at any regional meetings that take place during the COP or inter-sessionally; and

6. *Decides* that Resolutions 2.5, 3.7 and 6.6 are hereby repealed



## ANNEX 3.2

### AEWA MOP Resolution 2.6 (Bonn, 2001) Institutional Arrangements: Standing Committee

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*Recalling* that, pursuant to article VI paragraph 9 (e) of the Agreement the Meeting of the Parties may establish such subsidiary bodies, as it deems necessary to assist in the implementation of the Agreement, in particular for coordination with bodies established under other international treaties, conventions and agreements with overlapping geographic and taxonomic coverage,

*Recalling* further that, at its first session, the Meeting of the Parties established a Technical Committee to provide scientific and technical advice and information to the Meeting of the Parties and, through the Agreement Secretariat, to Parties,

*Recognizing* that the Executive Director of the United Nations Environment Programme is responsible for the administration of the Secretariat,

*Noting* that no provisions have been made to provide guidance and advice to the Secretariat on policy, financial and administrative matters, which the Secretariat may need to raise between sessions of the Meeting of the Parties,

*Considering* the usefulness of a small permanent committee for matters relating to the organization of meetings and for the continuous implementation of the Agreement,

*The Meeting of the Parties:*

1. *Decides* to establish a Standing Committee, which, within the policy agreed by the Meeting of the Parties shall;

(a) Carry out between sessions of the Meeting of the Parties, such interim activity on behalf of the Meeting as may be necessary;

(b) Make recommendations for consideration at the next session of the Meeting of the Parties;

(c) Oversee, on behalf of the Parties, the development and execution of the Secretariat's budget as derived from the Trust Fund and other sources, and also all aspects of fund-raising undertaken by the Secretariat in order to carry out specific functions authorized by the Meeting of the Parties;

(d) Oversee, as the representative of the Meeting of the Parties, the implementation of policy by the Secretariat and conduct of the Secretariat's programmes;

(e) Provide guidance and advice to the Secretariat on implementation of the Agreement, on the preparation of meetings, and on any other matters relating to the exercise of the Secretariat's functions brought to it by the Secretariat;

(f) Represent the Meeting of the Parties, vis-à-vis the Government of the host country of the Secretariat's headquarters, the United Nations Environment Programme and other international organizations for consideration of matters relating to the Agreement and its Secretariat;

(g) Act as bureau at the sessions of the Meeting of the Parties, in accordance with the rules of procedure of the Meeting of the Parties;

(h) Report to the Meeting of the Parties on the activities that have been carried out between ordinary sessions of the Meeting of the Parties;

(i) Perform any other functions that may be entrusted to it by the Meeting of the Parties;

2. *Determines* the following principles for the composition of and the procedures to be followed by the Standing Committee:

(a) The Committee shall consist of not more than seven Contracting Parties, which shall be appointed by the Meeting of the Parties. For at least five of these members, the appointment shall be based upon the principle of balanced geographical distribution, reflecting two representatives from the Europe and Central Asia region, one representative from the Middle East and Northern Africa region, one representative from the Western and Central Africa region, and one representative from the Eastern and southern Africa region. The remaining two members shall comprise the host country for the next session of the Meeting of the Parties and a representative from the Depositary;

(b) The Meeting of the Parties shall appoint an alternate member for a member described in subparagraph 2 (a) above. Any such alternate shall attend at meetings as a regional member only in the absence of a representative of the member for which it is the alternate;

(c) If an extraordinary session of the Meeting of the Parties is held between two ordinary sessions, the host Party of that extraordinary session shall participate as an observer in the work of the Committee on matters related to the organization of the extraordinary session;

(d) Contracting Parties which are not members of the Standing Committee shall be entitled to be represented at meetings of the Committee by an observer who will have the right to participate at their own expense but not to vote;

(e) The Chairman may invite any person or representative of any other country or organization and the Chairman of the Technical Committee to participate in meetings of the Committee as an observer without the right to vote;

(f) The membership of the Committee shall be reviewed at each ordinary session of the Meeting of the Parties, in accordance with the rules of procedure of the meeting. The term of office of the members nominated on a geographical basis shall expire at the close of the second ordinary session of the Meeting of the Parties following that at which they have been nominated;

(g) The Committee should meet at least once between the Meetings of the Parties, normally at the seat of the Secretariat;

(h) The Secretary for the Committee shall be provided by the Secretariat of the Agreement;

(i) The Secretariat shall inform all Parties of the date and venue of the Standing Committee meetings;

(j) The Committee shall draw up and adopt its own rules of procedure.

3. *Requests* the Secretariat to make provision in future budgets for the payment, upon request, of reasonable and justifiable travel expenses of appointed Standing Committee members from developing countries and countries with economies in transition, within the policy agreed by the Meeting of the Parties. In this regard:



- (a) Members should make every effort to pay their own travel expenses;
- (b) The Secretariat may refund to the Chairman of the Standing Committee all reasonable and justifiable travel expenses for travel undertaken on behalf of the Meeting of the Parties or on behalf of the Secretariat;
- (c) Travel arrangements for sponsored Standing Committee members will be made by the Secretariat in accordance with the rules and regulations of the United Nations and, where applicable, claims for refund must be supported by receipts, and submitted to the Secretariat within 30 days after completion of travel;

4. *Requests* Contracting Parties to provide financial assistance to developing countries and countries with economies in transition that are Parties to the Agreement to be represented at meetings of the Standing Committee by an observer.





## ANNEX 3.3

### EUROBATS MOP Resolution 5.8 (Ljubljana, 2006) Establishment of a Standing Committee of the Agreement

*The Meeting of the Parties to the Agreement on the Conservation of Populations of European Bats (hereafter “the Agreement”),*

*Noting* that through the significant growth of the Agreement the Advisory Committee to the Agreement has become too large to handle both administrative and scientific matters in a cost and work effective manner,

*Considering* the usefulness of a small permanent advisory body for budgetary and other administrative matters relating to the continuous implementation of the Agreement,

*Emphasizing* the need for transparency in the operation of such a body,

1. Decides to establish a Standing Committee of the Meeting of the Parties, which, on behalf of the Meeting of the Parties, and within the policy agreed by the Meeting of the Parties, shall:
  - (a) Carry out, between one meeting of the Meeting of the Parties and the next, such interim activities as may be necessary to execute the decisions of the Meeting;
  - (b) Monitor the execution of the Secretariat’s budget;
  - (c) Oversee the implementation of policy by the Secretariat;
  - (d) Provide guidance and advice to the Secretariat on the implementation of the Agreement, on the preparation of meetings, and on any other matters brought to it by the Secretariat;
  - (e) Represent, where appropriate, the interests of the Meeting of the Parties, vis à vis the Government of the host country of the Secretariat’s headquarters, UNEP and other international organizations for consideration of matters relating to the Agreement and its Secretariat;
  - (f) Perform any other function as may be entrusted to it by the Meeting of the Parties; and
  - (g) Submit through its Chair at each ordinary meeting of the Meeting of the Parties a report on its work since the previous ordinary meeting, including any recommendations concerning its role and effective operation;
  - (h) Make recommendations, as appropriate, for consideration at the next meeting of the Meeting of the Parties.
2. Determines the following principles for the functioning of the Standing Committee;
  - (a) The Committee shall consist of no more than seven Parties, and shall include a representative from the Depositary Government, the Host Government of the Secretariat and five elected members, who shall be nominated by each Meeting of the Parties, with due regard to geographical distribution;
  - (b) Parties who are not members of the Standing Committee may attend meetings, and may otherwise participate in discussions by whatever means conducted, but may not vote;

(c) The Committee may invite any body or organization it considers relevant to the discharge of its functions to attend meetings, in their entirety or for particular items, as observers;

(d) The Committee shall establish its own rules of procedure, which shall be approved by at least a two-thirds majority of the Parties;

(e) The Secretary for the Committee shall be provided by the Secretariat of the Agreement.

3. Directs the Secretariat to:

(a) Inform all Parties of the date and venue of Standing Committee meetings and of other deliberations, and to ensure the circulation of all the working documents to all Parties at the same time as they are circulated to the Standing Committee for their consideration;

(b) Endeavour, to the extent possible, to obtain external funding for the reasonable and justifiable travel expenses of elected members from Parties with economies in transition, and for not more than one representative of such a Party at any one meeting of the Standing Committee;

(c) Refund to the Chairman of the Standing Committee, upon request, all reasonable and justifiable travel expenses for travel undertaken on behalf of the Meeting of the Parties or on behalf of the Secretariat.





## 4 Meetings of the CMS Family Decision-making Bodies

***“During the Meetings of the CMS Family I experience the inspiring power of trans-boundary co-operation. I want to bring that feeling to my colleagues back home.”***

Nancy Céspedes as Head of delegation at CMS meetings

This Chapter is intended to support the NFPs in fulfilling their roles and responsibilities with regard to the Conference of the Parties (COP), Meetings of the Parties (MOP), Meetings of the Signatories (MOS) - the decision-making bodies - and meetings to negotiate new instruments.

Specifically, the chapter addresses, what needs to be done:

- Before the Meeting (Section 4.1)
- At the Meeting (Section 4.2)
- Follow-up (Section 4.3)
- Negotiation Meetings (Section 4.4)

As Member States constitute the decision-making bodies, it is their representatives that participate in these processes, alongside non-voting observers (e.g. representatives from non-Party States and NGOs.)

Meetings of decision-making bodies set the course of the instrument for the next few years - the cycle for meetings being typically three or four years. The tasks of these meetings can include agreeing budgets, amending species lists, agreeing policy resolutions and adopting conservation and strategic plans. The decisions reached have a great bearing on the future direction of the instruments and can have considerable consequences for the Member States, and particularly for those officials responsible for implementing policies.

At the very least NFPs will simply be informed about the meetings; but it is also likely that they will have a more active role. Generally, it is their task to keep abreast of the bodies' operations and to liaise with colleagues within their national administration as appropriate, before the meeting and follow-up on and disseminate the results of such meetings.

Representatives of Non-Parties can attend meetings of the decision-making bodies as observers, in many cases a prelude to accession.

## 4.1 Before the Meeting

### 4.1.1 Substantive Preparation

A successful outcome of a meeting can be achieved through adequate preparation, undertaken by the meeting organizers and participants alike, throughout the whole process.

Depending on the meeting cycle of each instrument, the Secretariat/Coordinating Unit announces to its Member States details of each meeting through an invitation, as well as disseminating a draft agenda and other relevant information.

The formulation of the draft agenda is a crucial element of the preparation of the meeting as it sets out the objectives. The consultation process on the agenda, which is normally facilitated through the Standing Committee or the equivalent body, provides Member States with the opportunity to bring issues to the attention of the international community.

Member States' priorities in terms of species, emerging conservation issues and related future policies should be determined through a revision of the national implementation plan (NIP) in preparation of the reporting to the meeting {→ see Section 5.2.4}. National reports must in fact be prepared and submitted before the meetings, such as the COP.\* {→ see Chapter 6 for more details on the National Reporting process.}

Depending on the instrument and its legal status and procedures, these priorities can be formulated and presented either through formal proposals (i.e. amending the scope of the instrument in terms of species/geographical range or procedural issues and prioritization of its work plan) or by simply informing the Secretariats or Coordinating Units. If there is an issue in which a Member State has a particular interest, consideration could be given to hosting a meeting.

It is important to be well informed about the rules governing the meeting – the Rules of Procedure - such as deadlines for submitting amendments to text of the instrument and its annexes or appendices and draft decisions on emerging issues. For instance, proposals for amendments to the text and appendices of CMS must be submitted to the Secretariat 150 days before the COP while for draft resolutions the deadline is 60 days. Similar provisions and deadlines also exist for most of the Agreements under the CMS, and their MOPs - with some exceptions: for AEWA, for example, the deadline is communicated before each meeting in a notification by the Secretariat.

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\* In case a report is not submitted, the Secretariats/Coordinating Units of the CMS Family will send reminders. An overview of reports submitted (or not) will furthermore be published in the analysis of national reports to CMS, see e.g. of the year 2011, pp 2-3 (Analysis of National Reports to CMS 2011 – UNEP/CMS/CONF.10.11, Annex I).

#### 4.1.1.1 National Consultation

Consultation at national level, in the context of the established National Consultation Process (where one exists) and/or beyond as deemed necessary, is vital throughout the whole process from the reviewing of the agenda to the formulation of position papers for the meeting {→ see Section 5.2.3}. It is crucial to ensure an effective participation of all national stakeholders particularly for the formulation of draft resolutions and species proposals. {→ see Practical Example 4.1}

Once a national position on a particular issue has been reached, it is recommended that the consultation process is broadened to include other relevant actors in the regional and international spheres. Regional collaborative preparations with states and organizations that work on the same issue, often help to generate political momentum, add impact to the efforts and avoid unnecessary duplication of work.

Promoting further dissemination and seeking comments and recommendations of Standing Committees of the instrument and their advisory bodies would also help with making the national constituency with an interest in the instrument aware of the issues and the delegate or delegation would have a well negotiated proposal which would require less discussion and refinement during the meeting.

#### 4.1.1.2 Species Proposals

Some of the CMS instruments have developed their own templates for species proposals which are generally in line with the CMS one. Key elements of the proposal are a description of the range including migration behaviour and routes, quantitative and qualitative data on population, habitats and threats. An important component of the proposal is a brief outline of comments provided by experts and authorities of the Range States. The CMS template can be found as at {→ Annex 4.1}.

#### 4.1.1.3 Decisions

Resolutions or decisions are structured in preambular paragraphs, operative paragraphs and Annexes. Preambular paragraphs provide background information on the topic and link the decision to existing provisions and processes on the same or a related matter.

An annotated example of a CMS Conference Resolution is attached at {→ Annex 4.2}.



**PRACTICAL EXAMPLE 4.1****Successfully submitting a resolution to the CMS COP - Australia's Resolution 10.4**

Australia's successful submission of Resolution 10.4 on Marine Debris illustrates an effective step-by-step process of developing, proposing and submitting a resolution to the CMS COP.

As a first step, Australia started by gathering national support and awareness through a national action plan to address the issue, developing the 2008 *Threat abatement plan for the impacts of marine debris on vertebrate marine life*.

After initiating a national response, Australia sought a trans-boundary approach recognizing that marine debris threatens marine life and particularly migratory species such as turtles, cetaceans, sharks and birds. It proceeded and voluntarily submitted a draft resolution to both the CMS Scientific Council's 16<sup>th</sup> meeting in June 2010 and to the 37<sup>th</sup> Meeting of the Standing Committee in November 2010. Consulting the Scientific Council and Standing Committee was instrumental in allowing the CMS Family units to become familiar with the text, discuss the issue and provide comments and recommendations well in advance of the COP.

Two months prior to the 10<sup>th</sup> COP, Australia submitted the revised Resolution which successfully passed. The Resolution already enjoyed the support and contribution of the CMS Secretariat and the CMS associated bodies and Australia demonstrated its ability to take a coordinated lead on the issue.

A lesson learnt from this case study is the importance of having an extensive consultation including the associated bodies of the CMS. The participation of such bodies means that the resolution requires less discussion and refinement during the COP itself, and strategically involves various CMS bodies in the process of developing and supporting the initiative.

Other Member States can similarly propose new issues and species to be discussed at the meeting. Furthermore, certain items such as budgetary and financial matters are always on the agenda of these meetings and related draft decisions are normally prepared by the Secretariats/Coordinating Units.

It is therefore important that NFPs familiarize themselves with all matters under negotiation, beyond those they propose themselves, and therefore check the meeting documentation available posted on the instruments' websites.

The determination of a Member State's position on all matters under discussion at the meeting normally involves a comprehensive coordination process depending on its government structure and national procedures. This is often time-consuming and it is therefore recommended that the NFP oversees this process and ensures that it is started well in advance of the meeting.

**4.1.1.4 Regional Consultation**

It is recommended the preparation of position papers which are very useful tools at the meeting for delegates as they should clearly state proposals for action to be taken. Coordinated positions at the regional level, such as through joint statements or proposals, might be also useful. An agreed regional position may have more weight in negotiations and allow Member States to participate more effectively. Regional coordination requires that position papers are shared and consultations are held in advance of meetings. Language differences within the regions should be taken into account. Regional coordination meetings are generally financed by the region itself and therefore subject to the availability of funding. Sometimes, these meetings are arranged with the support of the Secretariat/Coordinating Unit. However, with the greater accessibility of electronic means of communication, consultations could be undertaken remotely.



The representation of the government in the meeting needs to be selected strategically depending on the matters to be negotiated and the level of experience required for lobbying for certain positions.

#### 4.1.2 Logistical Preparation

The role of NFPs includes facilitating the lead-up, in terms of logistical preparation, to a meeting for the delegations attending. Formal invitations from the Secretariat/Coordinating Unit notifying Member States of the meeting contains information regarding the date and venue of the meeting as well as further details, such as registration deadlines and procedures.

Timely preparation can ensure compliance with possible funding deadlines, and the preparation of necessary documents can ensure the full participation of the delegation, including the exercise of voting rights.

##### 4.1.2.1 Composition of Delegations

A delegation can be described as the person or people officially representing a country at a meeting. It can consist of a single representative from a Member State, but may also include alternate representatives and advisers. Each country will have its own procedures for selecting individuals for its delegation. As the person with the most detailed day-to-day knowledge of the instrument, the NFP is usually included in the national delegation, although a more senior colleague might be nominated “Head of Delegation” as these meetings deal with overall policy. Furthermore, the NFP is instrumental in advising the rest of the delegation. NFPs should inquire at an early stage whether delegates are eligible for funding to participate in the meeting in question. It is recommended that the NFP starts to coordinate well before the meeting about who should be on the delegation.

When considering the composition of the delegation, the NFP should take into consideration:

- The type and level of expertise required for the consideration of the topics on the agenda and their priority for the Member State;
- The ministries that, according to national policy, may need to be represented at the meeting.

Coordination of the Delegation’s organizational needs includes several aspects, as shown below in {→ Figure 4.1}.



Figure 4.1 Meeting Preparation



#### 4.1.2.2 Funding

The NFPs must check well in advance whether their country may be eligible for funding for a representative to participate in a meeting. The eligibility criteria for funding are normally determined by the budget decisions of the decision-making body. However, further criteria may apply and NFPs therefore have a greater chance of success if they prepare the applicable criteria for funding before each meeting.

The Secretariat/Coordinating Unit will normally arrange for sponsored delegates to receive a return ticket to travel to the meeting and pay a “Daily Subsistence Allowance” to cover accommodation and meals. The rates vary from city to city and country to country.

Non-sponsored delegates are responsible for making their own travel arrangements and booking accommodation, but the Secretariat/Coordinating Unit will often provide a list of suitable hotels.

Relevant information on the details of each meeting is included in the official notification which is sent by the Secretariat/Coordinating Unit to the Member State.

#### 4.1.2.3 Pre-registration

Pre-registration of participants does not normally follow a strict deadline. Early registration is however appreciated by those organizing the meeting. There are fixed deadlines for participants requiring funding though. After the deadline, registration for such delegates is still possible but funding might not be available. The CMS Secretariat created an online pre-registration system to cover all meetings organized by the CMS Family\*. Here the NFP is required to select the correct meeting from a list and register information, such as name, some personal data (date of birth, passport number, and expiration date), contact details, and affiliation of the delegates.

A recent innovation is an online registration system. Delegates must have reliable access to the internet to be able to use it.

#### 4.1.2.4 Credentials

Credentials for national delegations to COPs and MOPs must be signed by the Head of State, Head of Government or the Minister of Foreign Affairs, whereas credentials for MOS can be signed by the relevant minister (separate arrangements are in place for delegations representing regional economic integration organizations). Credentials must be duly signed and stamped and contain the names of the Party's official delegates who will represent the government (specifying who heads the delegation). Credentials empower the delegation to participate fully in the meeting and transact all matters and vote on behalf of the relevant Ministry. An advanced copy of the letter of credentials may be requested from delegates seeking funding to attend. The original must be submitted to the Secretariat/Coordinating Unit at the beginning of the meeting in one of the languages of the instruments (or if in another language accompanied by an official translation), which will then be reviewed either by the Secretariat/Coordinating Unit or by a credentials committee composed of country representatives. Normally the Secretariat/Coordinating Unit provides models for a letter of credentials.

It is important that the NFP facilitates the delegation receiving appropriate credentials. Otherwise, representatives would only be recognized as observers to the meeting.

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\* [http://www.unep-cms.com/cms\\_v2/default.aspx](http://www.unep-cms.com/cms_v2/default.aspx)

Formal acts for negotiating or signing new instruments, such as MOUs or Agreements, require additional authorization known as “full powers” which indicate that the person is granted authority to sign and/or negotiate the instrument. It is important to highlight the difference of “credentials” and “full powers”.

Full powers:

- name a representative who is going to sign or negotiate the instrument, **and**
- for legally binding instruments - must be issued and signed by the Head of State or Government or the Minister of Foreign Affairs, **or**
- for non-binding instruments - must be issued and signed by the relevant minister.

#### 4.1.2.5 Visas

Invitation letters from Secretariats/Coordinating Units also provide information about visa requirements for entering the country hosting the meeting. Each delegation member is invited to apply for a visa in due course and it is important that the NFP facilitates the process. Secretariats/Coordinating Units facilitate the issuance of visas by providing country delegations with visa support letters and informing the appropriate authorities.

#### HELPFUL TIPS 4.1

- Delegates might want to carry copies of the most important documents with them, as hard copies of all relevant documents may not be available at each meeting. It is recommended that meetings be as “paper free” as possible and work with online documents, accessible through WIFI provided at the meeting venue for all the participants.
- Sound knowledge of the Rules of Procedure can foster effective participation in a meeting.
- Some organizations provide a reporting service during negotiations which can help delegates stay up to date on all issues under negotiation (e.g. IISD Earth Negotiations Bulletin - <http://www.iisd.ca>).
- Parties can include experts or consultants to provide technical advice on specific issues in their delegation.
- Back-to-back meetings of different instruments or the CMS can be attended, but require further preparation and coordination by the relevant NFPs and other attending officers.



## 4.2 At the Meeting

### 4.2.1 Registration and Credentials

On the first days of the meeting, normally in the foyer of the venue, the organizers will set up a Reception Desk, where those delegates that have pre-registered to attend the meeting can collect their delegate’s pack and badge. Delegates of Member States should also hand in their Credentials (the documentary evidence of a delegate’s authority to represent their country at the meeting) which are then examined.

### 4.2.2 During the Meeting (in-session)

Since the meeting of the decision-making body is the last stage of the negotiations, during these meetings the delegates are required to actively contribute in all negotiating fora. The negotiations during meetings

of the decision-making bodies are intended to find agreement on the way forward on the issues that arise between Member States. Likewise, the meeting of the decision-making body offers an opportunity to express, support, oppose or propose changes to the draft resolutions and decisions. During the meeting of the decision-making body the Member States exchange views and try to develop a text of the draft resolution/decision which is agreeable to all participants.

#### 4.2.2.1 Making Interventions and Statements During Meetings

During a meeting the delegates are invited to deliver statements and make interventions {→ see [Practical Example 4.2](#)}. In the context of this Manual statements are meant as “reports” that outline the overarching priorities of the key issues and that provide a general indication of the topics within which substantive debate will be carried out. Interventions on the other hand are reactions to a discussion taking place during the meeting and which present the delegation’s position clearly along with a compelling rationale. It is important in a meeting to make interventions only as often as necessary to secure a resolution or a decision of an issue in line with the delegation’s mandate. {→ see [Helpful Tips 4.2](#) and [4.3](#)}

#### HELPFUL TIPS 4.2

##### To make a good statement:

- Keep it brief and to the point. Be polite, but make your points clearly. If the meeting has interpretation, speak slowly enough for the interpreters to keep up with you. If there is a time limit for statements, keep within it.
- Avoid general statements. Be relevant to the agenda item. Aim for concrete proposals for action.
- Have written copies of your statement available for delegates, interpreters and the Secretariat/Coordinating Unit.
- Think about the pros and cons of making a statement. You can often approach delegates individually.

Presenting joint statements at meetings or circulating joint position papers can have an influence on the negotiations and is a way to express solidarity.

#### HELPFUL TIPS 4.3

##### A good intervention:

- is concise and spoken slowly
- provides your delegation’s position clearly along with a compelling rationale;
- provides precise drafting language in the simplest terms possible;
- works to the extent possible with existing language; and,
- avoids re-opening issues that have been laid to rest

**PRACTICAL EXAMPLE 4.2****Statement of Armenia to the CMS COP Plenary, Bergen, 2011**

Dear Chairman, Dear COP10 participants,

On behalf of the Government of the Republic of Armenia I welcome this COP10 representative meeting. I am glad to inform you that in 2010 our country ratified the Convention on the Conservation of Migratory Species of Wild Animals, which came into force in Armenia on 1 March 2011.

Armenia as part of the Caucasus Eco-region, which is characterized by high representation of biological diversity, highlights the importance of regional and international cooperation and in that context all the meetings and events, which contribute to increased efficiency of the environmental protection and biodiversity conservation including migratory species of wild.

By this statement I confirm the willingness and interest of the Republic of Armenia to support the conservation of migratory species of wild animals on national, regional and international levels as well as to participate in all relevant initiated events.

On behalf of the Government of my country I would like to welcome this important meeting one more time and wish fruitful work not only to this but also to the other further events to be organized in the framework of the Convention on Migratory Species.

Representative of the Republic of Armenia

Convention Focal Point in Armenia

M. Nalbandyan .....

Norway, Bergen

20 November 2011

.....

.....

To address a meeting, a delegate must have the permission of the Chair of the meeting. A delegate raises his or her country's name card (sometimes called "the flag") to obtain permission from the Chair to speak. The Rules of Procedure sometimes stipulate that the Chair shall give precedence to delegates from Parties that wish to speak, then Non-Parties and finally other observers (e.g. representatives of NGOs). Based on a proposal from a Member State or the Chair the decision-making body may decide to limit the time allowed for each speaker as well as the number of interventions that a representative may make.

It is critical that delegates listen carefully to the interventions of others and, to the greatest extent possible, support interventions that are generally consistent with their own position in order to generate backing for their delegation's proposals. In any intervention, it is strategic to indicate support for particular countries that have a common position and, in doing so, to name countries from different regions where possible.

Delegates should always be prepared and that means knowing their brief thoroughly, including all of the fallback positions, and being ready to respond to questions from other delegations, both formal and



informal. They should consult other members of the delegation(s) most concerned with the topic and obtain their views on the intervention. Moreover, major changes to the text need clearance with government at home. For responsive interventions in the heat of debate, it is important to note down the key points to be made before intervening. Delegates should always carry their negotiating instructions and briefing notes with them. They should learn about a particular forum before they arrive (e.g. its objectives, history, and structures, key players), and have access to the Rules of Procedure in case they are needed. If feasible, a delegate should have another member of the delegation on hand with whom to consult, and who can carry notes and drafting proposals to other delegations. {→ see [Helpful Tips 4.1](#)}

When presenting any statement or making an intervention, joint or otherwise, delegates should not claim to be speaking on behalf of all the Member States at the meeting unless it is absolutely certain that every Member State at the meeting supports the statement. {→ see [Section 4.1 Before the Meeting and Section 2.3.1 Decision-making Bodies](#)}

#### 4.2.3 Regional Coordination

One feature of the CMS COP, being a global forum, and the AEWMA MOP with its wide geographic coverage, is regional coordination, which gives countries from the same region facing the same environmental problems and sharing the same migratory species the opportunity to compare notes, exchange ideas, try to adopt common positions and agree concerted efforts to secure the adoption of beneficial policies. Particularly smaller delegations might use regional coordination as a means of dividing labour with two delegates agreeing to attend different Working Groups but undertaking to represent each other's interests. This does not mean that delegates can only collaborate with other delegates from the same region {→ see [Section 4.2.5 on Working Groups below](#)}.

A special case is the European Union, the only regional economic integration organization (REIO) that is a Member State to a number of CMS Family instruments. The delegations of the EU countries meet regularly throughout the meetings they attend to coordinate their positions to the items under discussion.

#### 4.2.4 Committees

It is generally not possible for the Plenary (the full meeting) to deal with every aspect of the meeting agenda. It is normal practice to assign responsibility for particular issues to smaller groups which report their findings and make recommendations. It is common practice to establish one Committee to scrutinize the "Credentials", the documents provided by their Governments as proof of the delegate's authority to represent the country at the meeting {→ see [Sections 4.1.2.4 and 4.2.1](#)} and another to examine the budget proposals.

As explained above {→ see [Section 2.3.1](#)} the CMS COP operates through a decision-making Plenary attended by all delegates (with sessions at the start of the COP to elect officers and establish committees and a session at the end to adopt Resolutions) and a Committee of the Whole where the general business of the Conference is discussed in detail and which meets in parallel with other Committees and Working Groups.

#### 4.2.5 Working Groups

These groups are usually established to look at particular key issues on the agenda. After having introduced an item and given delegations the opportunity to state their opening positions on the matter, the Chair may suggest, on his or her own initiative or at the request of one or more Member States, that the item in question be considered in more detail in a working group. This ensures that important issues are carefully considered by a group of interested Member States while at the same time allowing the Chair to move to

the next item on the agenda on the understanding that he or she will return to the deferred item once the working group is ready to report back to the decision-making body or subsidiary body in question.

While the working groups are open-ended, the number of participants to the group will, in practice, vary depending on the number of Member States interested. The Chair of the Plenary often designates a Chair or, if it is a large group or one that deals with a particularly difficult issue, Co-Chair, but sometimes the Group chooses a Chair from among its members itself. Sometimes membership of the Groups is limited (such as those dealing with budgets); sometimes anyone with an interest in the subject can participate. The Chair will normally give a ruling whether Committees are open to observers as well as voting delegates.

In-session Working Groups operate only for the duration of the meeting of the decision-making body. In addition to a Chair, one member of the group is normally appointed as “rapporteur” to present the Group’s findings and recommendations to the Plenary.

Some important issues do not need to be resolved in the course of the meeting, and policy can be developed and solutions found over a longer period. In such cases an Intersessional Working Group might be established to work between sessions of the decision-making body {→ see [Helpful Tips 4.4](#)}.

Where consensus cannot be reached on an important issue, those delegations with strongly opposing positions are brought together to try to find a compromise. Such groups are sometimes known as “Contact Groups”.

It is quite possible at larger meetings, for several Committees and Working Groups to be meeting simultaneously. This presents a dilemma for countries with small delegations or even just one representative, as it is impossible for them to attend all the meetings. In such cases, it is important to set priorities to decide which Working Group is of greatest interest. It might also be worth working in collaboration with another like-minded country - not necessarily from the same region - whereby the delegate from one country attends Working Group X and the delegate of the other attends Working Group Y, with the two delegates defending each other’s interests {→ see [Section 4.2.3 Regional Coordination](#)}.

#### HELPFUL TIPS 4.4

##### Intra-session Debates

Often delegates will be asked to work during the meeting under conditions where they lack sleep, food, water and other amenities. All-night sessions are typical on the eve of the final negotiating session and are also known to occur at a meeting. The ultimate strategy is to come prepared. Start the day with a good breakfast as it may be your last meal of the day. Always be prepared with food, drink, medication, tissues, coins for vending machines and the like. If you are not tied up in a late-night group, try to support other members of your delegation by sitting with them to provide moral, drafting, and food-fetching support. Remember to also bring a portable office to the meeting. While limited on-site facilities and computer access are sometimes available to delegates, it is likely that you will need additional capacity.



#### 4.2.6 In the Margins

One important feature of meetings of the decision-making bodies outside the formal framework of the Plenary, Committees and Working Groups are the less formal side events, often held during the lunch breaks or in the evenings. Various organizations make presentations on their work or research and such events provide opportunities for information to be exchanged, for questions to be asked and contacts to be made. One can learn a great deal by attending such meetings as a member of the audience but organizing a side event presents the opportunity to show case a project or a problem and enlist the support of potential donors or NGOs. These meetings are an excellent means of finding out who else is interested in the same issues.

#### 4.2.7 Liaison Within the Delegation

During the meeting of decision-making bodies, the delegate should be prepared to report to the rest of the delegation, clearly and concisely, on any developments arising from discussions held at Regional Coordination, Committees, Working Groups or in the margins. The delegate should therefore take detailed notes, particularly on negotiating text changes. Having detailed information on what happened, will help the delegate verify the accuracy of the next version and of the final meeting report. Also, noting which delegations and regions had particular perspectives in support or opposition to the delegate's own position will enable help in effectively targeting delegations that have to be won over or that could offer support. A great deal of important work can be done without being physically present at the meeting. {→ see Section 4.3 Follow-up}.

### 4.3 Follow-up

For most official meetings of the CMS Family instruments, a report will be prepared by the Secretariat or Coordinating Unit concerned and published on its website. Meeting reports should be carefully reviewed. However, the report might take some time to be completed, and NFPs should therefore not wait for the report to be published before initiating follow-up action {→ see Helpful Tips 4.5}.

As an immediate follow-up, even before the publishing of the report, Member States should begin the effective implementation of the decisions taken at the meeting {→ see also Section 5.2}. In the case of the CMS COP, the first draft of the report is produced in daily sections and the Resolutions adopted appear on the CMS website shortly after the COP is over, as soon as final editing is complete and translations into the other official languages have been done.

The CMS allows Parties to enter reservations regarding the protection afforded to species listed on the Appendices. Changes to the Appendices take effect 90 days after the COP adopted them and Parties have this period in which to lodge their objection with the Depositary (the Government of Germany). Similarly, Parties to AEWA have 90 days in which to notify the Depositary (the Government of the Netherlands) of any reservations they wish to make to changes to the annexes to the Agreement. The First Meeting of Signatories to the Sharks MOU adopted a procedure for modifying the species list (Annex 1).

To ensure timely and comprehensive implementation of the decisions taken at the meeting, the outcomes should be communicated to the relevant authorities at the national level during or directly following the meeting {→ see Helpful Tips 4.5}. It is also important to involve other ministries and agencies if they will be involved in the implementation of decisions. For instance, one outcome could be the need for amendments to the text of relevant legislation such as planning regulations and fisheries legislation.

**HELPFUL TIPS 4.5****Working with the Media**

Journalists from nationally and internationally circulated newspapers, television, and radio, as well as representatives from the alternative media, attend major inter-governmental meetings. Media work (press releases, contacts with journalists) could be integrated into your organization's overall strategy for attending the meeting and mobilizing public support for your position.

**4.4 Negotiation Meetings**

CMS Parties have over the years endorsed the development and negotiated 7 legally-binding Agreements and 19 MOUs {→ see [Practical Example 4.3](#)}. Often the COP identified that a certain species or species group was facing particular problems and that international coordinate action in the form of an Agreement under Article IV was the best approach.

The stages of the process leading up to the negotiation of an instrument are as follows:

- Parties identify a species with an unfavourable conservation status and require international agreements for their conservation and management
- Secretariat/Coordination Unit and/or a Party takes lead in convening a meeting of Range States and other interested organizations and circulates a draft text in advance
- NFP needs to ascertain whether his or her Party wishes to sign any future instrument and whether it would be advisable to participate in the negotiations.

To participate in the negotiation meeting and be entitled to sign the instrument, the delegate of the country (whether the NFP or another official) will need “Full Powers”, these are similar to the letter of credentials needed to attend a meeting of a decision-making body. The delegate's signature would not normally give full effect to the country's commitment to a legally-binding Agreement; it only indicates that the country accepts that the text presented is the one agreed at the meeting. National procedures usually mean that the signature is made “subject to ratification” meaning that the national parliament or president has to confirm the country's intention to be bound by the terms. One of the Member States normally agrees to serve as “depository”, meaning that it receives all ratification documents and maintains the official list of those countries that have joined.

**4.4.1 Questions to Pose**

- Should the instrument be a legally binding Agreement? Or an MOU? (a legally binding Agreement will need to be ratified)
- What species should be covered? Instruments can cover just one species (e.g. Great Bustard), several species (Sharks MOU) or many species from a range of taxonomic groups (e.g. AEWAs).
- What geographic range should the instrument cover? Some CMS instruments cover just two countries (Ruddy-headed Goose and Huemul MOUs), some cover a sub-region (e.g. Southern South American



Grassland Birds and ASCOBANS), some several continents (e.g. AEWA) and others are global (e.g. Sharks MOU).

- What conservation measures should be agreed under the instrument? Here the NFP will have to consult other ministries as activities for which they are responsible might be affected (fisheries and water, forestry, planning and development, agriculture, mineral extraction).

#### 4.4.2 Logistics

Procedures for obtaining visas and provision of financial support for the attendance of delegates from eligible countries are similar to those in place for meetings of decision-making bodies described above {→ see Section 4.1.2 Logistical Preparation}.

### PRACTICAL EXAMPLE 4.3

#### Negotiation of the Sharks MOU

Recommendation 8.16 adopted by the Parties at COP8 (Nairobi, November 2005) called upon range states of migratory sharks listed on Appendix I or II to develop a global migratory sharks conservation instrument in accordance with Articles III and V of the Convention.

The IUCN Species Specialist Group on Sharks prepared a paper setting out the background and possible way ahead for an international (global) instrument under CMS.

Three meetings were held to negotiate the terms of a CMS instrument:

1. Mahé, Seychelles 11-13 December 2007
2. Rome, Italy 6-8 December 2008
3. Manila, Philippines, 10-12 February 2010

The text of the MOU was agreed at Manila and the First Meeting of the Signatories took place in Bonn, Germany, 24-27 September 2012.



**CHECKLIST****Actions to be done / followed-up:****Preparing for meetings:**

- Initiate nomination of delegation at the national level and pre-register them via the online registration system
- Request credentials and full powers, where applicable, from the Ministry of Foreign Affairs, Head of State or Head of Government
- Inquire about visa requirements and obtain visa

**Before meetings:**

- Come to the meetings prepared. Familiarize oneself with the topics on the agenda and emerging issues, and initiate the development of a national (and, potentially, regional) position.
- Develop draft decisions and resolutions as appropriate and submit them to the Secretariat/Coordination Unit within the deadline for circulation
- Review meeting documents and prepare comments and positions on submissions of other comments

**During meetings:**

- Know the applicable Rules of Procedure well and participate actively in the meeting
- Exchange views and try to develop a text of the draft resolution/decision which is agreeable to all participants

**After meetings:**

- Review meeting record
- Initiate ratification procedure where applicable
- Distribute information on the meeting widely to stakeholders
- Identify priority activities for national implementation

**CHAPTER REVIEW**



**Question 1:** What document is required of a representative of a Party in order to officially participate in a meeting of a decision-making body?

**Question 2:** What document is required of a representative of a Party in order to officially participate in a meeting to negotiate a new instrument?

**Question 3:** Which document regulates the process of a meeting?

**Question 4:** What are decisions of the COP called?

**Answers:** 1) Credentials 2) Full Powers 3) The Rules of Procedure 4) Resolutions



In the next Chapter about implementation the elements linked to the cyclic trend of events just described will be presented.

**NOTES**

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## ANNEX 4.1

### CMS COP Resolution 1.5 (Bonn, 1985) Format of Proposals for Amendment of the Appendices

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

Considering the need to ensure that the listing of migratory species on the appendices of the Convention must be based on the best scientific evidence available,

Recommends the following format for drawing up official proposals for the inclusion of individual species in appendices I or II of the Convention:

- A. PROPOSAL
- B. PROPONENT
- C. SUPPORTING STATEMENT
  1. Taxon
    - 1.1 Classis
    - 1.2 Ordo
    - 1.3 Familia
    - 1.4 Genus or Species resp. subspecies, including author and year
    - 1.5 Common name(s), when applicable
  2. Biological data
    - 2.1 Distribution (current and historical) - see also 5
    - 2.2 Population (estimates and trends)
    - 2.3 Habitat (short description and trends)
    - 2.4 Migrations (kinds of movement, distance, proportion of the population migrating).
  3. Threat data
    - 3.1 Direct threat of threat of the population (factors, intensity)
    - 3.2 Habitat destruction (quality of changes, quantity of loss)
    - 3.3 Indirect threat (e.g. reduction of breeding success by pesticide contamination)
    - 3.4 Threat connected especially with migrations
    - 3.5 National and international utilization
  4. Protection status and needs
    - 4.1 National protection status
    - 4.2 International protection status
    - 4.3 Additional protection needs;
  5. Range States
  6. Comments from Range States

7. Additional remarks

8. References

Explanatory notes

A. Definition of the proposal (species or sub-species; whether the entire or only part of the population should be included; whether inclusion in appendix I or II or in both appendices is proposed)

B. Official name of the Contracting Party submitting the proposal

C. A brief selection of the most important scientific data which explain and substantiate the proposal; these data may be gathered from technical literature or from reports which have so far not been published (indication of source). The proposals should contain the following details:

1. Taxonomy: the relevant scientific names as well as the names in those languages in which the official Convention text was drawn up;

2. Biological data

2.1 Description of the range, including changes in historical times as well as division of the overall range into reproduction, migrating and wintering (resting) ranges; add a map, if necessary;

2.2 Short quantitative characterization of the population (number, sizes, quantitative data from test areas) and its changes, including the population trend (extent and rate);

2.3 Short ecological characterization of habitats which are used by one or more animal species; indication of the most important structures of habitats which are responsible for the survival of the species during migration and in its wintering (resting) areas;

2.4 Description of the character of regular migrations, indicating the geographical extent of the population movements and including information on whether the entire or only part (which?) of the population undertakes regular migrations.

3. Threat data: Listing of factors - broken down into four groups - which are responsible for the species being endangered or for its poor conservation status; as far as factors 1 to 3 are concerned, it must also be specified whether these factors are operating in breeding, migrating or resting areas.

4. Apart from the legal conservation status in the various Range States and from information on international conservation (under other Conventions), concrete conservation requirements (4.3) should be listed which must be met in order to improve the conservation status of the species. Apart from providing direct protection to the population, proposals from the field of biotope conservation should be listed and explained (if necessary).

5. Listing of States where the occurrence of species has been proved (indicating, perhaps, whether these are breeding, migrating or resting ranges).

6. It is necessary to consult, as far as possible, experts and/or nature conservation authorities of the other Range States before the proposal is submitted and to give a brief outline of their comments upon the proposal on this format. These data make it easier both for the Scientific Council and for the Conference of the Parties to take the necessary decisions



**ANNEX 4.2**

**CMS COP Resolution 10.4 (Bergen, 2011)**

**Marine Debris**

**Adopted by the Conference of the Parties at its Tenth Meeting**

**(Bergen, 20-25 November 2011)**

**Submitted by Australia**

Resolution number – 10 indicating COP10

Title of resolution

Reference to the COP at which the resolution was adopted

Reference to the Party submitting the draft (at draft stage)

Preamble – sets out the background to the issue – the problem, the consequences, other actions being taken in different forums

Typical preamble words: recognizing, noting, concerned at, aware of, acknowledging

Reference to another International body's decision

**Concerned** that marine debris negatively impacts substantial numbers of migratory marine wildlife, including many species of birds, turtles, sharks and marine mammals that are threatened with extinction;

**Aware** that mortality of migratory species may occur through ingestion, entanglement or by encountering marine debris in marine and coastal areas;

*Noting* that concerted effort needs to be made in upstream locations and estuaries and other systems where marine debris can enter the marine and coastal environment and impact upon migratory species listed under the Convention;

**Recognizing** Resolution 60/30, Oceans and the law of the sea, adopted by the United Nations General Assembly which emphasizes the importance of protecting and preserving the marine environment and its living marine resources against pollution and physical degradation;

*Further recognizing* that there are many regional and other international instruments addressing the issue of marine debris within their regions;

*Noting* the recent formulation of the Honolulu Commitment and the ongoing development of the Honolulu Strategy which aims to reduce the impacts of marine debris over the next ten years;

*Further noting* the recent adoption by the International Maritime Organization of amendments to Annex V “Prevention of Pollution by Garbage from Ships” of the International Convention for the Prevention of Pollution from Ships (MARPOL) which will prohibit the discharge of all garbage from ships into the sea from 1 January 2013, except in very limited circumstances; and

*Acknowledging* actions undertaken by States to reduce the negative impacts of marine debris in waters within their jurisdiction;

1. **Considers** marine debris to include any anthropogenic, manufactured or processed solid material, irrespective of its size, discarded, disposed of or abandoned in the environment, including all materials discarded into the sea, on the shore, or brought indirectly to the sea by rivers, sewage, storm water or winds;

2. **Encourages** Parties to identify coastal and oceanic locations where marine debris aggregates to identify any potential areas of concern;

3. *Further encourages* Parties to work collaboratively with regional neighbours to identify and address the sources and impacts of marine debris, acknowledging that marine debris is not constrained by sovereign borders;

Operative paragraphs – where the agreed actions are set out, where instructions are given to the Secretariat. The Standing Committee, the Scientific Council and third parties are instructed/urged to take action

Typical action words: considers, encourages, requests, instructs, recommends, urges, calls upon

4. **Requests the CMS Secretariat** to ask related agreements that may have access to data on the potential or actual impacts of marine debris on marine species to provide this information to the Scientific Council before the 11th or subsequent Conference of the Parties;

Instructions to the Secretariat

5. *Recommends* that Parties develop and implement their own national plans of action which should address the negative impacts of marine debris in waters within their jurisdiction, and which could also elaborate the benefits of establishing domestic programmes for the management of marine debris, particularly in relation to lost, abandoned, and otherwise discarded fishing gear and the problems of ghost fishing that arise from these;

6. **Requests that Parties** provide available information on the amounts, impacts and sources of marine debris in waters within their jurisdiction on marine species listed on Appendix I and II of the Convention in their National Reports;

Request to the Parties

7. *Encourages* Parties and organizations to support the efforts of Parties with limited resources in the development and implementation of their national plans of action for marine debris;

8. **Instructs the Scientific Council** to:

Instructions to the Scientific Council

(a) identify knowledge gaps in the management of marine debris and its impacts on migratory species;

(b) identify best practice strategies for waste management used on board commercial marine vessels, taking into account the extensive work being undertaken by the International Maritime Organization, FAO and the International Standards Organization to avoid duplication, identify existing codes of conduct and determine the need for the improvement and/or development of new codes of conduct;

(c) facilitate an analysis of the effectiveness of current public awareness and education campaigns to identify gaps and areas for improvement; and

(d) report progress and developments to the Conference of Parties as appropriate; and

9. *Further requests* the Secretariat, subject to availability of resources, to foster linkages with relevant regional and other international instruments, such as **IMO, FAO, UNEP** regional seas conventions and other fora, to promote synergies, to avoid duplication, and to maximize efforts to reduce the impact of marine debris on migratory species.

Acronyms that would be familiar to the delegates are not explained in full as they should know International Maritime Organization (IMO), the Food and Agriculture Organization (FAO) and the United Nations Environment Programme (UNEP)





## 5 Implementation

*“We are happy that we were able to stabilize the marine turtle population. Thailand’s commitment to the MOU was helpful in building a broad alliance of people, government, civil society and private sector to make this project happen.”*

Source: Field worker from an NGO

During recent years, work in the international environmental field has been increasingly focused on implementation, more than on the development of further landmark agreements, such as those concluded at Rio in 1992.

The text of the treaties and the related tools, such as action plans, strategic plans and guidelines developed by CMS and its instruments aim to provide the framework and guidance for implementation at the national level.

The following chapter intends to provide information on different aspects of implementation in order to support NFPs with recommendations of how the CMS and its instruments could be implemented at the national, regional and international levels.

In particular, the following points are addressed:

- What Does Implementation Actually Involve? (Section 5.1)
- The Implementation Cycle (Section 5.2)
- International Aspects of Implementation (Section 5.3)



## 5.1 What Does Implementation Actually Involve?

Governments and regional economic integration organizations (REIO) such as the European Union (EU) have taken on a series of international commitments by signing and where appropriate ratifying or acceding to CMS and its instruments. Yet, adopting the CMS Family instruments is only the start; the instruments require implementation.

*What is Implementation?* Implementation means the operationalization of an instrument at the national level. Implementation requires that policy actions are undertaken in accordance with the operational parts of the instrument to achieve the agreed objectives. CMS Family instruments are implemented through national strategies. These can either be in the form of a specific national strategy dedicated to migratory species, as part of the NBSAPs, or as a specific national implementation action plan or work plan. Such national strategies can be reinforced, mainstreamed into or supplemented by other policy measures. Examples of such measures include the development of laws and regulations (i.e. migratory species law or act), economic incentives, education policies and enforcement programmes and frameworks. National implementation plans (NIPs) {→ see Section 5.2.4 Option 2} and strategies should include monitoring and evaluation in order to report on progress of implementation {→ see also Chapter 6 on National Reporting} and determine whether the CMS Family instrument is resulting in environmental improvement.

### What is the role of the NFP in implementation?

NFPs are important contributors to the effective and efficient implementation of the CMS and/or its instruments. They can have a critical role in the identification of appropriate priority activities in their country, e.g. identification of priority regions/species for action or enhancing communication between different stakeholders, who can further the implementation of CMS and its instruments.

Furthermore, NFPs can be instrumental in identifying synergies and innovative opportunities for funding for activities aimed at ensuring implementation. NFPs, therefore, should not only rely on government funding, but identify new sources of funding where appropriate. In most cases, CMS and several of its instruments provide little or no financial assistance to Member States for implementation. However, in the cases where such financial assistance is available, Member States must meet certain requirements in order to receive it. Additionally, NFPs should regularly hold consultations with their governments about the level of funding or voluntary/assessed contributions the Member State may be willing to offer to achieve effective implementation of the CMS and its instruments {→ see Section 5.2.5 Objective 6 for further details}.

## 5.2 The Implementation Cycle

The successful use and application of a CMS Family instrument is a continuous, iterative process. Member States have to apply a cogent series of steps; many at the national level {→ see Figure 5.1}. For an easier understanding of implementation at national level six basic steps are outlined in simple and concise terms.

**Step 1: Familiarity with the Instrument(s) and National Reporting Requirements**

**Step 2: Review of National Legislation and Identification of Gaps**

**Step 3: Setting up a National Consultation Process**

**Step 4: Development of National Strategy and/ or Implementation Plans**

**Step 5: Promote and Facilitate the Implementation of the National Biodiversity Strategic Action Plan (NBSAP) and/or National Implementation Plan (NIP)**

**Step 6: Monitor, Assess and Report on National Implementation**

### 5.2.1 Step 1 Familiarity with the Instrument(s) and National Reporting Requirements

This step should ideally be done at the point where a country is preparing to accede to CMS and/or any of its instrument and should be done alongside relevant existing national policies, legislation, strategies and action plans. For countries that are in the process of becoming a Member of CMS and/ or any of its instrument, a thorough analysis of the legally binding tools (including the text of the instrument, Strategic Plan, Action Plans, Resolutions, as applicable) is a first important step. Understanding the potential legal implications of CMS and/or its instruments for the country (e.g. through a review of the potential adequacy of existing national laws and policies for the implementation of CMS and/or its instruments and an assessment of potential specific requirements of the country) will give the country a realistic expectation of the implications of accession.

For NFPs whose country has already signed or ratified an instrument becoming familiar with the legal text, the species listing (the Appendices), decisions, resolutions, work programme and strategic plans will assist in setting the expectation for the NFP and understanding the responsibilities of the Member State.

Understanding the reporting requirements of CMS and/or its instruments very early in the implementation cycle will also allow the NFP to be familiar with the implementation needs and prepare the NFP to meet the reporting expectation of the instrument. {→ see Chapter 6 where National Reporting is fully examined}

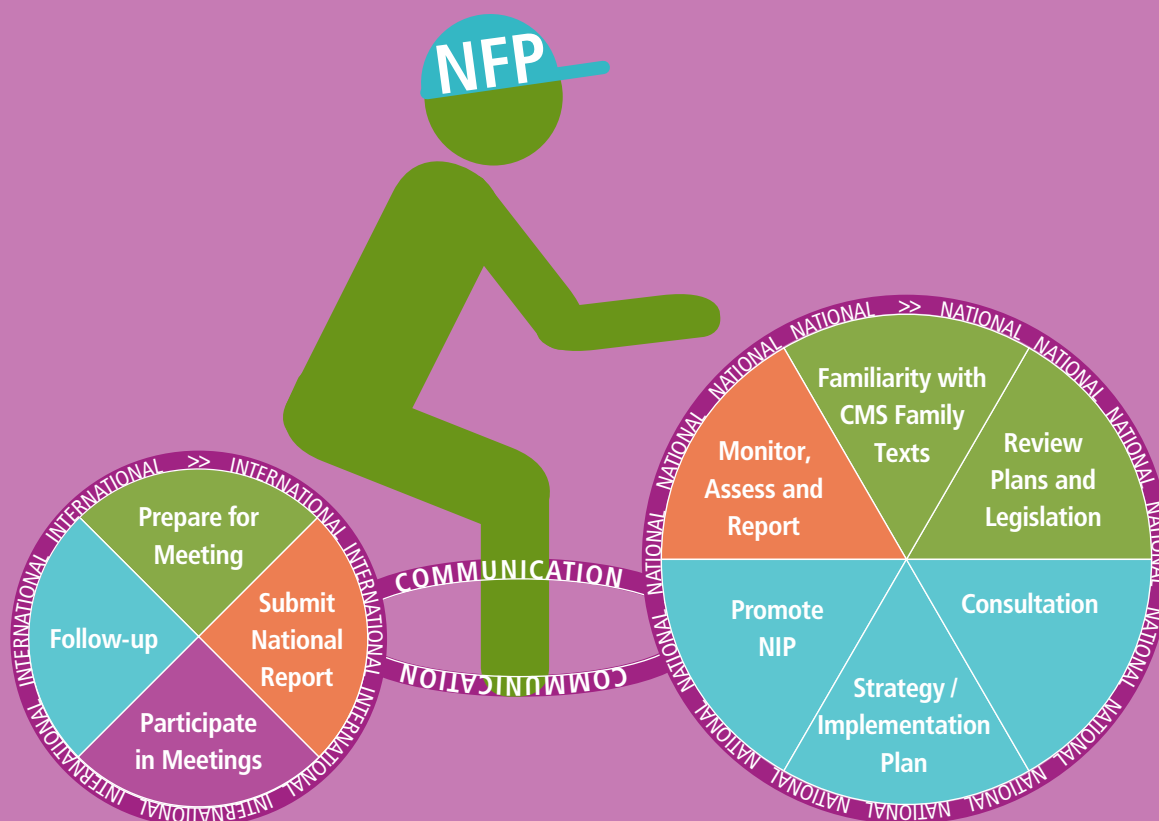


Figure 5.1 Implementation Cycle for the CMS Family Instruments

### 5.2.2 Step 2 Review of National Legislation and Identification of Gaps

A review of the relevant national legislation in place (e.g. on nature conservation, water protection, environmental planning) provides an overview on how national legislation supports the implementation of the instrument(s) and identifies the overlaps and gaps with these regulations. The review should not only focus on the existence of national legislation but also encompass its enforcement (e.g. control of hunting, poaching, pollution, and habitat destruction) and the experiences and lessons learned regarding the effectiveness of legal instruments. Potential overlaps and conflicts with the interest of other ministries have to be carefully considered for policy areas such as fisheries, agriculture, forestry, mineral exploitation, transport infrastructure, development and planning.

Appropriate methods for the review include analysis of documents, interviews with key policy makers and stakeholders, legal analysis, literature reviews and the results of case studies on management practices, stakeholder workshops, best practice analysis and experience exchange on a regional level.

Key questions to be considered when conducting the review include:

- What are the gaps in the current national institutional/legislative/regulatory processes that will need to be strengthened or for which new processes will need to be developed?
- What role do national legislation and national and local institutions play in reducing threats to migratory species and their habitats?
- Which institutional/legislative processes for protecting migratory species are more successful than others?
- What are the options and prospects for (re)designing institutions/legislation in order to reduce the threats to migratory species and their habitats?

### 5.2.3 Step 3 Setting up a National Consultation Process

Whether the NFP is planning to implement CMS and its instruments by integrating implementation planning into existing national implementation tools (such as NBSAPs, Wildlife Acts, etc.), is aiming for a separate national implementation plan, or plans to use both approaches, developing a national consultation process is an indispensable step towards planning the implementation of CMS and its instruments at the national level. Broad consultation with all relevant societal stakeholders throughout the implementation cycle will significantly improve the results by making the planning more efficient, transparent and inclusive. Broad consultation will also help to generate the buy-in and support from the stakeholders which is necessary for subsequent implementation.

Such a national coordination mechanism could either be set up independently for addressing issues relating to the implementation of CMS and/or its instruments or could be mainstreamed into existing relevant National Coordination mechanisms as appropriate (such as NBSAPs national committees, National Ramsar Committees, etc.).

Planning and managing this consultation process, and setting its agenda is the responsibility of the NFP. This is not an easy feat. A first key step is to identify the relevant stakeholders and to bring them together. Stakeholders may include technical or scientific experts, policy-makers from other government bodies (e.g. ministries of planning, agriculture, transport or finance), NGOs, representatives of the private sector, representatives of indigenous peoples and local communities, or NFPs of other relevant multilateral environmental agreements such as the CBD, CITES, the Ramsar Convention and the World Heritage Convention.

What the NFP should aim for is a small, representative and inclusive group of stakeholders willing to form part of a core working group for the planning exercise and subsequent implementation process. In addition, it might be necessary to engage a wider range of participants in a broader process – including for example people or institutions who prefer to be consulted during other phases but not involved at the stage of organizing or drafting. This larger set of stakeholders may be engaged e.g. through public hearings or the use of (online) surveys or social media.

For the consultation process to be successful, it will be of key importance that all stakeholders can participate fully and effectively {→ see also Section 4.1.1.1 and Practical Example 5.1}. This means that the NFP will need to ensure clear and transparent communication and flow of information among all. To achieve this NFP may want to consider using government notifications, open letters to stakeholder groups, information kits, requests for written submissions etc.

### PRACTICAL EXAMPLE 5.1

#### National Committee in Chile (Example of a National Consultation Process)

##### The National Committee strengthens effectiveness and minimizes use of budgetary and staff resources

The National Committee plays a key role in the implementation of CMS and other instruments for which Chile is a Range State. It was established by an official Decree (of the Ministry of Foreign Affairs, which chairs the Committee and is the designated national authority responsible for CMS in Chile) and is composed of entities belonging to various Ministries, including the Ministries for the Environment, Agriculture, Economy, Education, Public Works and Defense (Directorate of Maritime Territory and Aquatic Affairs). All other agencies, NGOs involved in CMS work, scientists and biologists are invited to attend meetings of the Committee when their advice is required.

The CMS National Committee encompasses all actors and activities of the CMS Family. It deals with issues of CMS that are inherent to the species present in the country.

At the centre of the consultation will be an iterative series of workshops, fora, seminars and meetings or exchanges of correspondence of the core working group depending on the resources available. These communication tools will serve to exchange information and opinions among stakeholders. In addition, the group should develop and discuss drafts of the national planning document. Throughout these exchanges it is important to maintain an atmosphere that keeps participants motivated so that they contribute actively to the discussions, provide information, seek solutions, and remain open to dialogue. Such an atmosphere will create ownership among the stakeholders and motivate them to follow through to implementation of the plans.

#### 5.2.4 Step 4 Development of National Strategy and/or Implementation Plan

To ensure that CMS and/or any of its instruments are properly implemented at national level the development of a National Strategy and/or Implementation Plan for Migratory Species is required. Decisions and resolutions of the decision-making body of CMS and/or its instruments, together with the programme of work and strategy should be studied carefully to identify what would be applicable for the country. For



instance, a country developing a large renewable energy sector would need to consider the implications of resolutions concerning the impact of wind farms. However, if the country is landlocked, it would be unlikely that decisions dealing with marine issues are particularly relevant. For the development of a National Strategy and/or Implementation Plan the following three options could be considered:

1. Full integration of Migratory Species into the National Biodiversity Strategy and Action Plan (NBSAP)
2. Stand-alone National Implementation Plan for Migratory Species (NIP)
3. Combination of NBSAP and NIP

Whichever option is chosen, it is clear that an effective strategy can only be elaborated through a consultative process with full involvement of all relevant stakeholders {→ see [Practical Example 5.2](#)}. The role of the NFP is primarily to initiate and coordinate the process of the development of one of these options. For guidance CMS has developed guidelines explaining how to integrate migratory species into NBSAP. This guidance was presented to the Parties at COP10.\*

## PRACTICAL EXAMPLE 5.2

### Successful implementation process also securing appropriate funding (Kenya)

In Kenya, the implementation process at the national level foresees the development of an implementation strategy as a first step. This strategy serves as the roadmap for implementation and in a second step helps to identify key implementation activities. An implementation activity includes, for example, the conservation of a specific habitat. In a third step, various actors within and outside of government review the list of identified activities and are invited to commit to funding and implementing one or more of the listed activities. Through this process, Kenya has successfully secured funding from NGOs for a number of implementation activities while ensuring a coherent and efficient implementation of their national strategy.

### Option 1: Full integration of Migratory Species into the National Biodiversity Strategy and Action Plan (NBSAP)

NBSAPs are the principal tools for implementing the Convention on Biological Diversity (CBD). The Convention is one of the Biodiversity-related MEAs that require their Member States to prepare a national biodiversity strategy (or equivalent instrument) and to ensure that this strategy is mainstreamed into the planning activities of all those sectors whose actions can have an impact (positive or negative) on biodiversity. To date, nearly all countries have developed an NBSAP.

In October 2010, the CBD Conference of the Parties adopted the Strategic Plan for Biodiversity 2011-2020 and the Aichi Targets. The new Strategic Plan focuses on the wider issue of conserving biodiversity and not on CBD as an institution. All biodiversity-related Conventions and instruments are encouraged to support the implementation of this Strategic Plan and its Aichi Targets and therefore their activities can be included in NBSAPs. CBD COP10 also requested that Parties review, update and revise their NBSAPs by 2014.

At the moment CMS and its instruments do not provide for a mechanism for national implementation. Since migratory species concerns cannot, and should not be seen separately from the broader issue of conservation

\* [http://www.cms.int/bodies/COP/cop10/docs\\_and\\_inf\\_docs/doc\\_27\\_guidelines\\_nbsap\\_e.pdf](http://www.cms.int/bodies/COP/cop10/docs_and_inf_docs/doc_27_guidelines_nbsap_e.pdf)



## INFORMATION BOX 5.1

**What is an NBSAP?**

The National Biodiversity Strategy and Action Plan or NBSAP is a process by which countries can plan to address the threats to their biodiversity. They are a requirement of Article 6 (a) of the CBD Text and are considered as the principal means for the implementation of the Convention on Biological Diversity (CBD) both at the national and at the global level. They are increasingly relevant to other biodiversity-related instruments as well as other national sectors which contribute to the implementation of the Strategic Plan for Biodiversity 2011-2020 and its Aichi Targets, in accordance with Article 6 (b) of the CBD Text which emphasizes synergy with other relevant sectors for the development and implementation of NBSAPs. Although the NBSAP can take the form of a single biodiversity-planning document (and many countries have chosen this form), this does not necessarily have to be the case.

The NBSAP can also be seen as being made up of a range of elements – for example: laws and administrative procedures; scientific research agendas; programmes and projects; communication, education and public awareness activities; forums for inter-ministerial and multi-stakeholder dialogue – which together provide the means to meet the three objectives of the CBD, thereby forming the basis for national implementation. Second generation, or revised NBSAPs have tended to be more in line with this broader definition; they resemble more a planning process, than a fixed document. Such a planning process is equally relevant to the other biodiversity-related conventions and agreements.

*Adapted from the introduction to NBSAPs Module 1*  
<http://www.cbd.int/doc/training/nbsap/b1-train-intro-nbsap-revised-en.pdf>

and sustainable use of biodiversity, there is good reason for integrating strategies and actions for migratory species conservation into NBSAPs.

Before considering Option 1 and 3, NFPs should check what the current status of the NBSAP of their country is and if these options are still valid. An indicative outline of an NBSAP is shown in {→ see **Information Box 5.1**} As indicated before, nearly all countries already have an NBSAP in place and are therefore familiar with all the details of NBSAPs.\*\*

The advantage of using the NBSAP as a tool for conservation of migratory species is that this instrument is already well-known and well established at national level. In many countries, NBSAPs will be enacted in law i.e. through formal adoption by the Parliament in many cases, thus providing the political basis for implementation. The NBSAP or national biodiversity law may also establish a dedicated committee with the mandate of coordinating the related planning and reviewing of implementation.

Although the drafting or revision of NBSAPs and their formal adoption can be challenging, it might be worth the additional effort to include migratory species to secure the necessary political support for their conservation. {→ see **Information Box 5.2** for guidelines how to do this}

One disadvantage of being part of the NBSAP is that migratory species might receive less attention than they could have as the subject of a dedicated stand-alone National Strategy and/or Implementation Plan.

\*\* As part of their capacity building the CBD Secretariat has developed several training modules regarding NBSAP, which can be found at <http://www.cbd.int/nbsap/training/default.shtml>.



## INFORMATION BOX 5.2

### GUIDELINES ON THE INTEGRATION OF MIGRATORY SPECIES INTO NATIONAL BIODIVERSITY STRATEGIES AND ACTION PLANS (NBSAPs)

These guidelines propose the following:

#### ↳ *Process*

- 1) Establish contact and collaboration with the national CBD and the other biodiversity-related conventions focal points
- 2) Become familiar with CBD decisions, work programmes, targets etc. and their relevance for CMS
- 3) Create a separate CMS planning process to identify and feed CMS priorities into the NBSAP process
  - ↳ The process should consider how CMS tools could best contribute to achieving the overall 2020 target for biodiversity and the 20 accompanying Aichi Targets.
- 4) Promote coherent integration of migratory species in Range States' NBSAPs
- 5) Become fully involved in the NBSAP process
- 6) Provide basic information on migratory species for which the country is a Range State to the NBSAP process

#### ↳ *Tools for implementation:*

- 7) Promote enhanced monitoring of and research into migratory species
- 8) Promote targets and indicators for migratory species
- 9) Promote the establishment of protected areas networks as beneficial for migratory species
- 10) Promote restoration of habitats for migratory species
- 11) Promote provisions for sustainable use of migratory species in NBSAPs
- 12) Promote integration of migratory species in Environmental Impact Assessment (EIA) and Strategic Environmental Assessment (SEA)
- 13) Promote outreach and communication activities related to migratory species
- 14) Explore the value of migratory species and the potential to create incentives for the conservation and sustainable use
- 15) Promote the preservation of local communities' and indigenous peoples' traditional knowledge, innovations and practices related to migratory species
- 16) Resource mobilization

#### ↳ *Addressing threats to migratory species:*

- 17) Climate change
- 18) Invasive alien species
- 19) Threats caused by economic sector activities

Source: *Guidance on the Integration of the Conservation of Migratory Species into NBSAPs*  
[http://www.cms.int/bodies/COP/cop10/docs\\_and\\_inf\\_docs/doc\\_27\\_guidelines\\_nbsap\\_e.pdf](http://www.cms.int/bodies/COP/cop10/docs_and_inf_docs/doc_27_guidelines_nbsap_e.pdf)

## Option 2: Stand-alone National Implementation Plan for Migratory Species (NIP)

In the event of the integration of migratory species into the NBSAP not being a viable option, the development of a specific National Implementation Plan for CMS and/or its instruments could be an alternative. An NIP should preferably focus more on concrete implementation of CMS and its instruments rather than take on developing a national strategy {→ see Information Box 5.3 for details}. The NIP should equally be more thematic by nature and might not need formal adoption at a high political level (e.g. by the Parliament) but could be approved by the responsible Minister. To add political weight, the Minister rather than the NFP could take the lead in developing such a plan in close consultation with governmental agencies and other stakeholders.

The advantage of this approach is that the procedure would be less cumbersome than a NBSAP and that conservation needs of migratory species will be more visible - they will be less prominent when included within a NBSAP. The disadvantage is clearly the risk of less political and financial support from the government as a whole towards the implementation of such a plan.

### INFORMATION BOX 5.3

#### An indicative outline for an NIP

1. **Introduction** which describes;
  - a. **The value of migratory species** - importance of migratory species from environmental, ecological, genetic, scientific, aesthetic, recreational, cultural, educational, social and economic point of view
  - b. **The conservation status of migratory species** in the country and the main threats they are facing e.g. pollution, climate change, illegal taking, invasive species, power lines, wind farms, etc.
  - c. **CMS instruments** to which the country is a Member State and the relevance of these instruments and decision taken under these instruments for the country;
  - d. **Constitutional, legal and institutional framework** relevant for migratory species;
  - e. **Lessons learned from the National Reports** submitted to CMS and/or its instruments where the country has already been a Member State for some time.
2. **Implementation Plan**
  - a. National action to implement CMS and/ or its instrument and relevant decisions taken through:
    - i. **Review of existing national legislation** and if needed, recommendations to initiate a process to develop or amend such legislation. In principle, at the time of joining CMS and/or its instrument steps might have been undertaken to align the national legislation with the provisions of these instruments. It might be advisable to double check whether this was already undertaken at the time of joining CMS and/or its instruments. Given the dynamic nature of the functioning of CMS and its instruments, new decisions taken might require the development of new laws or the amendment of existing ones.
    - ii. **Specific conservation activities** should be proposed to tackle or mitigate the impact of threats that migratory species are facing: for example, the development of a National Single Species Action Plan (often based on an existing International Single Species Action Plan), the conservation and protection of key habitats for migratory species, or the protection of an ecological network.
    - iii. **Research and monitoring activities.** To assess the conservation status of migratory species at the national level, monitoring of the species and their habitats is required. Additional research might be needed to discover the migration routes used by certain species, or how to tackle certain threats.
    - iv. **Capacity building to support the implementation of the** national implementation plan might also be needed to ensure that there is adequate capacity in place for implementing it.





cont. from p. 73

### INFORMATION BOX 5.3

- v. **Communication, Education, Participation and Awareness (CEPA) on the Plan** to promote it among decision makers and the general public e.g. through a species campaign {→ see the CEPA information box below}
- vi. **Resource mobilization for the implementation of the Plan** at the national level and beyond to ensure that financial and/or human resources are in place to carry out the activities mentioned above as well as the actual implementation of activities on the ground
- vii. **Mainstreaming conservation of migratory species into cross-sectoral plans** such as sustainable development, poverty reduction and climate change adaptation and mitigation, trade and international cooperation, But also in sector-specific plans such as agriculture, fisheries, forestry, mining, energy, tourism, transport, finance and others.
- viii. **Implementation of NIP at state/ provincial and local level.** Although the central government is responsible for the implementation of the NIP it is clear that in many countries the authorities are also at state/ provincial or local level. This means that the government has to initiate, stimulate and to oversee the implementation by these authorities.
- ix. **International cooperation to maintain or improve the conservation status of specific species** requires all Range States to work together. In the NIP existing cooperation at international level could be listed and the need for additional cooperation be addressed.
- x. **Establishment of a National Consultation Process** to coordinate and oversee the implementation of the NIP is strongly recommended. The complexity regarding conservation of migratory species and the involvement of many stakeholders justifies the establishment of such a National Consultation Process which will help divide the tasks between the different members.

#### 3. Monitoring, Assessment and Reporting

This is of great importance to evaluate the achievements made in the implementation of the NIP and what more has to be done. Step 6 will provide more information on this aspect of the Plan. {→ see Chapter 6 on National Reporting}

#### 4. Procedure for revision of the NIP

The Plan should contain provisions identifying when and by whom it will be revised periodically. The key players are likely to include the NFP and other main stakeholders. The frequency of the revisions might be alignment with the frequency of meetings of decision-making bodies.

### Option 3: Combination of NBSAP and NIP

As indicated under Option 1 a disadvantage of integrating migratory species into NBSAPs is that they might receive less attention. At the same time NBSAPs dealing with wider biodiversity issues already address migratory species concerns generally without going into great detail. Through the development of a NIP, however, issues regarding migratory species can be tackled in a more focused manner.

By integrating of migratory species into NBSAPs (Option 1) while at the same time developing a much more detailed NIP setting out priorities for the country on how to implement CMS and/or its instruments, maximum attention could be achieved. This would engage a higher level of political support, better access to resources and at the same time more visibility for conservation of migratory species.

An outline of how an NBSAP might be structured is contained in {→ see Annex 5.1}.

### INFORMATION BOX 5.4

#### Communication, Education [Participation] and [Public] Awareness (CEPA)

The initials CEPA can stand for Communication, Education and Public Awareness (as is the case with CBD, ASCOBANS and AEWA) or Communication, Education, Participation and Awareness (as is the case with the Ramsar Convention). Communication, Education and Public Awareness are important activities in making the connection between scientific theory and ecological conditions on one hand and the social and economic reality people face on the other. Ramsar's CEPA programme 2009-2015 was adopted at the 10<sup>th</sup> COP in Changwon, Korea in 2008; the 17<sup>th</sup> meeting of the ASCOBANS Advisory Committee (October 2010) adopted the Agreement's CEPA Plan, while for AEWA, CEPA activities are covered in Resolution 5.5 "Implementation and Revision of the Communication Strategy" adopted at MOP5 in 2012.



#### 5.2.5 Step 5 Promote and Facilitate the Implementation of the National Biodiversity Strategic Action Plan (NBSAP) and/or National Implementation Plan (NIP)

Once the National Biodiversity Strategic Action Plan (NBSAP) and/or National Implementation Plan (NIP) has been finalized and endorsed at the appropriate level by the government, it should enter into the implementation phase. Promoting and facilitating the implementation of CMS and its instruments are part of the responsibilities of the NFP. It is therefore generally expected that the NFP should play a role in the execution of the NBSAP and/or NIP.

It is expected that the NBSAP and/or NIP should identify first who is responsible for carrying out the activities foreseen by the plan, and second - to the extent possible - the resources available for implementation. The role of the NFP in this regard should consist primarily of stimulating action by the various actors, ensuring and facilitating coordination and synergies among different activities, as appropriate, and endeavoring to fill gaps for those activities in the NBSAP and/or NIP for which leadership and/or resources could not be identified earlier.

The following section highlights some key functions of the NFP in ensuring and promoting the implementation of the NBSAP and/or NIP. Importantly, part of these functions, notably those pertaining to oversight of realizing the NBSAP and/or NIP, can be fulfilled through the national consultation mechanism.

#### 1. Ensure continuous communication flow at the national level during all the different stages of implementation of the NBSAP and/or NIP

This function is absolutely critical, and is expected to significantly influence the effectiveness in fulfilling the other functions listed below {→ see also Section 3.2 on communication and dissemination of information}.

It is essential that the NFP communicates regularly with relevant key stakeholders at all stages of implementation. Communication is the key for gaining support for implementing activities towards the conservation and sustainable use of migratory species. Efficient communication will strengthen the institutional capacities of NFPs, better connect relevant government departments and other stakeholders and promote synergies and cooperation in the governance of migratory species conservation and management. In this regard, the development of a CEPA plan could be valuable, and should ideally be part of the NBSAP and/or NIP itself {→ see also Information Box 5.3 and 5.4}.

## 2. Stimulate initiation of action by activity leaders identified in the NBSAP and/or NIP

It is a key function of NFPs to coordinate activities agreed upon for national implementation. This could be done through maintaining an overview of “who does what” in the implementation of the plan and reminding activity leaders of their role and engagements. Depending on the level of seniority of the NFPs, communication between the various stakeholders might be direct from them or from an appropriate higher level in the administration. The NFPs would have the role of briefing the senior official.

## 3. Where appropriate, promote the integration of relevant elements of the NBSAP and/or NIP into other sectoral and cross-sectoral strategies, policies, plans and programmes

Migratory species conservation policy should not be seen as independent of other sectoral and cross-sectoral policies, but rather sectoral and cross-sectoral policies should be seen as vehicles through which migratory species conservation targets can be attained. Mainstreaming efforts {→ see [Information Box 5.5](#)} should be part of the NBSAP and/or NIP itself {→ see also [Section 5.2.4](#)}. Relevant sector-specific plans include those concerning agriculture, fisheries, forestry, mining, energy, tourism, transport and others, while cross-sectoral plans of relevance could concern sustainable development, poverty reduction, climate change adaptation/mitigation, trade and international cooperation.

### INFORMATION BOX 5.5

#### What is Mainstreaming?

“Mainstreaming” means just that: the integration of the conservation and sustainable use of biodiversity in both cross-sectoral plans such as sustainable development, poverty reduction, climate change adaptation/mitigation, trade and international cooperation, and in sector-specific plans such as agriculture, fisheries, forestry, mining, energy, tourism, transport and others. It implies changes in development models, strategies and paradigms.

*Source: Updating National Biodiversity Strategies and Action Plans in line with the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets*



## 4. Monitor progress in the implementation of relevant components of the NBSAP and/or NIP and ensure a link to the national reporting process to the Convention and relevant instruments

Responsibility for oversight of the implementation of the NBSAP and/or NIP may rest with the NFP, or alternatively it might be given to a multi-stakeholder committee or group. Such a committee or group might include representatives of the same stakeholders (or a subset of them) who participated in the national consultation process. Even in this second case, the NFPs would be expected to play a central role in the facilitation of the work. In their role as coordinator of the National Reporting process {→ see [Chapter 6](#)} the NFPs should also ensure that progress achieved is regularly recorded, in order to simplify the process of compilation and synthesis of information when the National Report is due.

## 5. Endeavour to identify and involve additional actors and stakeholders to undertake activities for which a lead could not be identified in the NBSAP and/or NIP

It may not always be possible at the planning stage to identify who is responsible for activities and projects foreseen by the NBSAP and/or NIP and when this is the case, the NFP is expected to liaise proactively with

actors capable and willing to lead the implementation of specific components. These will typically include government departments and specialized agencies and components of the civil society such as NGOs, institutions and the private sector. It might also include world players such as international NGOs. The search for leaders to implement elements of the plan is likely to be done in parallel with the identification of resources for the implementation of those same elements.

#### **6. Promote/facilitate the identification of resources for the implementation of measures/activities for which resources could not be identified at the planning stage**

While the NBSAP and/or NIP should ideally already identify the resources necessary to support the implementation of the activities and projects it foresees, this may not always be possible, notably when the period covered by the plan does not coincide with the country's budgetary cycle. While responsibility for securing adequate resources is expected to be shared among the various activity leaders and stakeholders, the NFP is expected to play a proactive role. Much of the financial resources will have to be found at the national level and each country will have its own institutions and procedures to deal with this. Importantly, the implementation of some activities/projects foreseen by the plan might generate revenues (e.g. from tourism) that should remain available for the further implementation of the plan. Support from the private sector should also be actively pursued {→ see [Practical Example 2.1](#)}.

National resources can in many cases be matched by funds from multilateral and bilateral sources. NFPs from developing countries should normally know the development cooperation agencies of other countries or the international agencies and NGOs that support projects in their countries and have an interest in funding activities in the area of wildlife conservation. NFPs are expected to play a role in facilitating the contacts between potential donors and activity leaders.

#### **7. Promote education and public awareness activities**

Education and public awareness are of paramount importance to gain support towards the implementation of CMS and its instruments at all levels of society. A great variety of activities can be foreseen, identified in the CEPA plan when this instrument has been developed {→ see [Information Box 5.4](#) above}. NFPs, while not necessarily leading, are expected to promote and facilitate the development of CEPA initiatives in their countries. This should be particularly the case as regards the participation of the country in campaigns and initiatives promoted by the CMS and its instruments, such as the World Migratory Bird Day (WMBD) and migratory species campaigns. {→ see [Information Box 5.6](#), [5.7](#) and [Practical Example 5.3](#)}

#### **8. Initiate and facilitate the process of revision of existing legislation or development of new legislation as appropriate**

When a need for the revision of the existing relevant national legislation and/or the development of new legislation has been identified {→ see [Sections 5.2.2](#) and [5.2.4](#)} the NFP is expected to play a role in initiating the process, following it through its various steps, and endeavour to remove obstacles and promote action when the process get delayed or blocked. Enlisting the assistance of other ministries, departments and agencies, members of parliament or the relevant parliamentary committees, working groups or inter-sectoral governmental committees to help to facilitate this work would be useful.

**INFORMATION BOX 5.6****World Migratory Bird Day**

Outreach elements such as public awareness campaigns are also a strong instrument to support implementation efforts. One example of a public awareness campaign, for which NFPs are encouraged to initiate action on the national level, is the World Migratory Bird Day (WMBD). The campaign was initiated in 2006 and is an annual awareness-raising campaign highlighting the need for the protection of migratory birds and their habitats. On the second weekend of each May, people around the world take action and organize public events such as bird festivals, education programmes and bird watching excursions to celebrate World Migratory Bird Day.

These kinds of campaigns are extremely effective in generating awareness among the general public and are particularly important for species that have minimal publicity.

*<http://www.worldmigratorybirdday.org/>*

**INFORMATION BOX 5.7****Species campaigns**

CMS has run a series of species campaigns: the “Year of the ...” campaigns. They started in 2006 with the Year of the Turtle, the Year of the Dolphin 2007-8, and the Year of the Gorilla 2009.

The biennium 2011-2012 was named Year of the Bat and this campaign helped to increase knowledge and understanding worldwide of the role of bats and their population declines. Similarly, in 2011 a regional campaign called the Pacific Year of the Dugong was launched targeting awareness among communities of geographical relevance to the Dugongs specifically in areas where human action could increase protection efforts most. The Dugong campaign involved local schools in educational programmes for children and encouraged media coverage by offering prizes and hosting discussions on the web, radio and television.

**PRACTICAL EXAMPLE 5.3****World Migratory Bird Day in Uganda, 2010**

NatureUganda, the BirdLife International Partner in Uganda, took part in the 2010 celebrations under the theme “Save migratory birds in crisis - every species counts!” To celebrate the day, NatureUganda organized a bird walk around Mabamba Bay, one of the migration stop-over sites in the country.

Mabamba Bay is an Important Bird Area (IBA) and Ramsar site and is one of the country’s most interesting and spectacular sites for birdwatching. The site is known for globally threatened species, such as, the Shoebill Stork, Blue Swallow and the Papyrus Yellow Warbler. It is a migratory stop-over site for huge congregations of terns and gulls and an important habitat for resident species, such as ducks, storks, herons and jacanas.

The event aimed to raise awareness among NatureUganda members, local communities surrounding the migration site and the general public about migratory birds, that are globally threatened. Specifically, the intention was to highlight how migratory birds are an integral part of the biological diversity of ecosystems and how the threat of extinction faced by individual bird species is a reflection of the impact on other species and the general ecosystem.

*Source: [http://www.natureuganda.org/and  
http://www.worldmigratorybirdday.org/2010/index.php?option=com\\_content&view=article&id=9&Itemid=9](http://www.natureuganda.org/andhttp://www.worldmigratorybirdday.org/2010/index.php?option=com_content&view=article&id=9&Itemid=9)*

**9. Ensure coordination and synergies with the implementation of other relevant MEAs**

The NFP is encouraged to maintain regular contacts with the NFPs of other relevant MEA, with a view to sharing information on the implementation of CMS and/or its instruments and identifying opportunities for synergies and collaboration. When a national consultation process has been established, it should provide a suitable context for this coordination to take place. Normally the participation of the NFPs in the national consultation mechanisms of the other MEAs would also be expected {→see Section 5.3.2 for additional information and advice}.

**10. Facilitate research and monitoring**

Encouraging specific research and monitoring programmes to keep track of the progress towards achieving national migratory species targets is an important activity to be promoted nationally. The monitoring processes should gather supplementary information, carrying out inspections and investigations. This should result in periodic updating and revision of NBSAPs or other implementation strategies, through which increasing scientific information, gained through the monitoring and evaluation of each phase of implementation, is fed back into a permanent review process.

**11. Promote Economic and Financial Instruments to Facilitate Implementation**

A wide range of economic responses exist to support the successful implementation of any MEA on a national level. Generally, any initial appliance of economic and financial instruments should be preceded by checking existing regulations for potential “perverse” subsidies (those that create as much harm as they do good) in order to maximize the effectiveness of for new response policies. NFPs may want to bear in mind that no single economic instrument is the best for all types of ecosystem problems and socioeconomic situations.

## 12. Enacting an NBSAP and/or NIP into law

Once either or both are in place, consideration could be given to it being enacted in law, which will in any case in many countries have to happen anyway. This can also apply to a NIP or the revision of an existing biodiversity law that is being amended to incorporate specific provisions for migratory species. By enacting a NBSAP/NIP into legislation, there will be clear benefits because the law would be enforceable. It would also define more clearly the objectives of national policy on biodiversity, identify a vision and ideal outcomes, establish any bodies responsible for overseeing implementation as may be needed and, when appropriate, allocate responsibilities between different levels of government (national, state or provincial, municipal or village levels).

## 13. Develop Enforcement Programmes and Frameworks

An important part of implementation is the adoption of appropriate laws and regulations, but equally as important is enforcing them. It is important that adequate attention is paid to setting up programmes and a framework for enforcement to ensure that those individuals or bodies whose activities are being regulated actually comply with the laws and regulations.

## 14. Secretariat/Coordinating Unit Can Help

While the implementation of CMS and its instruments at the national level is mainly the responsibility of the individual Member States, the Secretariat/Coordinating Unit remains ready to assist NFPs in promoting implementation within the limits of their human and financial resources.

### 5.2.6 Step 6 Monitor, Assess and Report on National Implementation

The NBSAP and/or NIP should include review, monitoring and evaluation of a country's implementation activities in order to determine whether CMS and its instruments are bringing about tangible improvement and whether obligations under the instruments are being met.\* Monitoring undertaken at the national level is extremely important for gauging the actual impact of CMS and its instruments in their implementation goals. In other words, monitoring gives a measure to a country's progress and helps to identify specific challenges that a country might face in meeting the objectives of CMS and its instruments. The National Reports, for which the NFP normally oversees the compilation process, serve as the main indication of how CMS Family instruments are being implemented overall, both at the national level as well as at the international level. {→ Chapter 6 deals in detail with reporting requirements.}

\* see UNEP Guideline 14(b) on implementation of MEAs: "National implementation plans could be required in a multilateral environmental agreement, which could potentially include environmental effects monitoring and evaluation in order to determine whether a multilateral environmental agreement is resulting in environmental improvement"

### 5.3 International Aspects of Implementation

Given the nature of migratory species moving between range states, successful national implementation will depend on collaborations at a transboundary, regional and sub-regional levels.\* Achieving effective conservation of migratory species requires cooperation between Range States sharing those ecosystems or situated along a migration route. Assessing which elements of implementation are better achieved through regional and transnational cooperation will be necessary. International support by operational UN entities and specialized agencies is also an important source of assistance for national implementation that NFPs might consider seeking. This section covers these international aspects of implementation and helps to identify key actors and major processes that will assist NFPs in developing their country strategies and applying for assistance for promoting their implementation.

#### 5.3.1 Transboundary and Regional Implementation

Transboundary implementation is integral to the CMS Family instruments due to the migratory nature of the species that they cover. Effective implementation, therefore, must result from cooperation and coordination between multiple nations that are relevant to a specific migratory species {→ see [Practical Example 5.4](#)}. Through liaising and communication, NFPs are important actors in promoting transnational cooperation {→ see [Figure 5.1](#)}. Several cooperative programmes have been developed for the management of shared resources of migratory species or the conservation of individual species.

#### PRACTICAL EXAMPLE 5.4

##### Mountain Gorilla Conservation by Uganda, Congo and Rwanda

Only 790 individuals of Mountain Gorillas remain in existence globally. About half of these live in Uganda's Bwindi National Park and the other half migrate between Uganda, Democratic Republic of the Congo and Rwanda in the Virunga landscape. In a bid to save this close cousin of man, the three countries cooperate in management of the Virunga Landscape which straddles the three countries.

The three countries have managed to increase the Mountain Gorilla population in the Virunga Landscape from 380 in 2003 to 480 in 2010. This has been possible through joint planning, sharing of intelligence, joint monitoring teams when the animals move, joint enforcement activities, collaborative research, revenue sharing when a group of gorillas from one country is viewed by tourists in another and continued engagement of the three Governments in multilateral cooperation.

The three countries are now taking the cooperation to another level by developing the Greater Virunga Transboundary Collaboration Treaty to provide concrete measures for conserving the entire landscape and its ecosystems in a collaborative manner.

\* Article IV, paragraph 4 of the CMS encourages Parties to conclude agreements "for any population or any geographically separate part of the population of any species or lower taxon of wild animals, members of which periodically cross one or more national jurisdictional boundaries." Many birds and mammals follow migratory routes along or using special ecosystems as resting and feeding areas.





Sub-regional consultation processes are extremely helpful to enhance the exchange of information between different stakeholders that would otherwise not interact with one another.

Other MEAs provide useful examples of sub-regional cooperation. For instance, the Ramsar and the World Heritage Conventions encourage their Member States to designate specific sites through which individuals, communities, and nations work to protect habitats. For the CMS Family, *identifying migratory corridors* across countries needs strong cooperation. The objective would be to link protected area networks potentially beyond national jurisdiction and across international boundaries through the establishment of migratory corridors.\* Transboundary collaboration is again a key tool to support the aims of the CMS Family instruments. At the same time the establishment of migratory corridors could help raise public and governmental awareness as is the case with the Ramsar Convention does when a site is designated.

### 5.3.2 Collaboration with International Organizations

Liaising with other organizations that share goals or objectives provides important opportunities for collaboration. For instance, many non-profit organizations are effectively working on conservation and restoration. Some are quite established and spread across different nations, providing a foundation for developing transnational relationships. Moreover, collaboration with different organizations can enhance skills, as many have experience with cross-cutting tools, including communication, advocacy and lobbying, as well as the establishment of partnerships.

For NFPs from some countries there are specific UN operations at the national level that can be very useful for mainstreaming national strategies into planning activities in economic and social sectors other than environment. There also exists opportunities for developing international assistance in the form of capacity building, technical assistance and technology transfer that can promote the implementation of the national strategies. The main UN vehicle for this at the national level is the United Nations Development Assistance Frameworks (UNDAF). UNDAFs are developed in consultation with developing country governments to focus the UN's assistance and the UN Country Teams actions on national priorities. The UNDAF includes outcomes, activities and UN agency responsibilities that are agreed by governments {→ see [Information Box 5.8](#)}.

For NFPs in developing countries it is important to establish a dialogue with their UN Country Teams and national entities to ensure that national strategies for migratory species become part of the development frameworks. Once part of the framework opportunities for assistance, advice and potential financial assistance to support the implementation of the strategy will open up. Being part of the dialogue establishing or revising the UNDAFs will also improve the coordination and potentially help to mainstream a country's migratory species strategies with other sectors also receiving UNDAF support. The linkages with other environmental issues and MEA strategies will also be important, particularly for those issues that have high priority in national assistance frameworks such as climate change, water and waste management, chemicals and biodiversity management. In addition, developing a common understanding of how migratory species implementation strategies fit with key global priorities such as the Millennium Development Goals (MDGs) and the future Sustainable Development Goals (SDGs) and the Aichi Biodiversity Targets will improve the potential take up of the migratory species strategies by the UNDAF.

The Global Environmental Facility (GEF) is a powerful financial mechanism at the national level. It is not a financial mechanism for CMS and its instruments but it does fund biodiversity projects and activities on biodiversity and the NBSAPs. Therefore it can be useful for assisting a country's work on migratory species in the greater context of biodiversity.

\* See e.g. the decision VII/28, annex, activity 1.3.7 of the programme of work on protected areas under the CBD.

There are a number of international organizations, inter-governmental and non-governmental, that have expertise, mandates or resources that enable them to assist countries with national strategies and implementation plans. Such inter-governmental organizations include the Food and Agriculture Organization of the United Nations (FAO), the United Nations University (UNU), the United Nations Institute for Training and Research (UNITAR), and others, including regional organizations. Non-governmental organizations include the World Conservation Union (IUCN), the World Wide Fund for Nature (WWF), Fauna and Flora International (FFI), the World Resources Institute (WRI), The Nature Conservancy (TNC), BirdLife International, Wetlands International and others.

The implementation of instruments can also be supported by workshops, meetings, and activities outside formal institutional processes. These may be held in conjunction with the Secretariat/Coordination Unit and Member States to the instrument.

#### INFORMATION BOX 5.8

##### UNEP and the Integration of environmental sustainability in the UNDAFs and UN common country programming processes

UNEP has been increasingly engaged in the UN common country programming processes specifically to play a more visible and effective role in addressing the lack of UNCT capacities to properly integrate environment into their work. In particular, UNEP's engagement has piloted a number of interventions aimed at strengthening the systematic integration of environmental sustainability in country analysis and UNDAFs including support to the United Nations Development Group (UNDG) to develop guidance notes on environmental sustainability including on MEA policies. Much of the work has focused on the development of national environment summaries to enhance the environmental components of the country analyses, participating in inter-agency thematic working groups and supporting the integration of environmental considerations in the UNDAF outcome priorities and results matrices.





## CHECKLIST

### Familiarize/Analyze of the text of the CMS and its instruments including National Reporting requirements

#### Review and revise existing national legislation

- The review should look for gaps and how existing legislation and policy support the implementation of the instruments. A review should not only focus on the existence of national legislation but also encompass its enforcement.

#### Plan implementation by following the national consultation process

- Consult with different relevant actors at the national level, including other ministries and technical/scientific experts as well as NFPs of other relevant MEAs
- The process should be open, transparent and inclusive in order to develop ownership and legitimacy for the plans implementation
- Establish or join existing national committee for implementation of migratory species conservation needs

#### Develop National Strategies and/or implementation plans

- For the development of a National Strategy and/or Implementation Plan the following three options could be considered:
  1. Full integration of Migratory Species into the National Biodiversity Strategy and Action Plan (NBSAP)
  2. Stand-alone National Implementation Plan for Migratory Species (NIP)
  3. Combination of NBSAP and NIP

Whichever option is chosen, it is clear that an effective strategy can only be elaborated through a consultative process with full involvement of all relevant stakeholders.

#### Promote and collaborate to actively support implementation on the ground

- Link decision-making with implementation on the ground
- Improve national capacity-building plans for the implementation of the CMS and its instruments (e.g. communication and awareness raising)
- Review of national resources available for implementation
- Secure additional financial and other resources for the implementation
- Explore enacting a national strategy and/or implementation strategy into law
- Develop enforcement and compliance frameworks

#### Monitor, and assess and report on national implementation

- National strategies and/or plans should include review, monitoring and evaluation of a countries implementation activities in order to determine whether the CMS and its instruments are bringing about tangible improvement and that obligations under the instruments are being met.

#### Promote transboundary and regional Implementation and implementation at the international level

- Engage international processes such as UNDAFs and GEF





## ANNEX 5.1

### CBD NBSAP Training Package Version 2.1, Box 4

#### Indicative Outline of an NBSAP

#### I. INTRODUCTION

*A concise account of the necessary background, setting the scene for updated NBSAP and providing the rationale for the strategy and actions therein. Where necessary, may be complemented by in-depth studies annexed to the main NBSAP*

**1. Values of biodiversity and ecosystem services in the country and their contribution to Human well-being** - Importance of biodiversity for the country. Highlight contribution to human well-being, socio-economic development, including poverty reduction. Include analysis of economic and other values.

**2. Causes and consequences of biodiversity loss** - Main threats to biodiversity (and ecosystems) and their underlying causes. Impacts of threats on biodiversity and ecosystems and socio-economic implications of the impacts. Describe the impacts of declining biodiversity and ecosystems on human well-being, livelihoods, poverty reduction etc. Link the threats (direct drivers) with the underlying causes (indirect drivers) and relate these to the relevant economic sectors

**3. Constitutional, legal and institutional framework** - Overview of the biodiversity policy and planning framework and relevant broader policy and planning processes (national development plans; poverty reduction strategies; climate change adaptation plans etc). Include an outline of any relevant constitutional, legal and institutional elements.

**4. Lessons learned from the earlier NBSAP(s) and the process of developing the updated NBSAP.** - A brief account of progress in implementing earlier NBSAPs (where relevant). Summary results of any evaluation of the effectiveness of earlier NBSAPs. What challenges and gaps need to be addressed, and main priority areas for revised NBSAP. Might also develop scenarios of biodiversity futures. Might also include brief reflections on the process of developing the previous NBSAP and how it may have influenced its effectiveness. Briefly outline the process of updating the NBSAP including stakeholder consultations.

#### II. NATIONAL BIODIVERSITY STRATEGY: PRINCIPLES, PRIORITIES AND TARGETS

*The main "high-level" elements of the Strategy that provides the framework for the NBSAP as a whole.*

**5. Long term vision** - Outline the long-term vision for the state of biodiversity in the country. This should be an inspirational statement that reflects the importance of biodiversity for people and is broadly shared across the country. This may be for 2050 (as is the case for the Strategic Plan for Biodiversity 2011-2020) or may be aligned with other long term national development plans.

**6. Principles governing the strategy** - Core values and beliefs underlying the NBSAP.

**7. Main goals or priority areas** - The most pressing issues that are addressed by the NBSAP. Among these should be goals to ensure the mainstreaming of biodiversity (i.e. the integration of biodiversity into broader national policies, strategies and plans)

**8. National Targets (SMART)** - National biodiversity targets in line with the Aichi Biodiversity Targets. These should be strategic, specific, measurable, ambitious but realistic targets that are time-bound (usually for 2020). They may be grouped under the main goals or priority areas.

### III. NATIONAL ACTION PLAN

*The details of the Strategy and the Action Plan.*

**9. National actions to achieve the strategy, with milestones** - The actions needed to achieve the targets. These should consist largely of strategic actions such as institutional, legislative, economic or other policy and institutional actions that will provide the enabling conditions and incentives necessary to achieve the goals or priority areas and the targets of the NBSAP. More specific actions would be indicative, acknowledging that approaches will need to be adapted in light of experience of implementation. The Plan should determine who does what, where, when and how.

**10. Application of the NBSAP to sub-national entities** - How the NBSAP will be implemented at state/provincial level (particularly important for federal countries, or quasi-federal countries which devolve territorial management to these entities) and at local or municipal levels (including cities). The national strategy and action plan might be complemented by local-level versions of the plan (LBSAPs) developed separately.

**11. Sectoral Action** - mainstreaming into development, poverty reduction and climate change plans - actions and steps that will be taken to integrate biodiversity into broader national policies, strategies and plans (such as national development plans; poverty reduction strategies; climate change adaptation plans etc) and into sectoral policies, strategies and plans, across government, the private sector and civil society.

### IV. IMPLEMENTATION PLANS

**12. Plan for capacity development for NBSAP implementation, including a technology needs assessment** - The human and technical needs to implement the NBSAP and how they may be mobilized.

**13. Communication and outreach strategy for the NBSAP.** - How the NBSAP will be promoted in the country among decision makers and the public at large (This is distinct from the CEPA activities of the NBSAP – which would go into the national and sub-national actions sub-sections).

**14. Plan for resource mobilization for NBSAP implementation** - The financial resources needed to implement the NBSAP and how they will be mobilized through all sources including the domestic budget, external assistance (where relevant) and innovative financial mechanisms.

### V. INSTITUTIONAL, MONITORING AND REPORTING

**15. National Coordination Structures** - What are the national structures, institutions, partnerships that will guide, coordinate and ensure implementation of the NBSAP (e.g. national committees, inter-ministerial committees; and Secretariat or Coordinating Unit to support these) clear identification of roles and responsibilities of various institutional actors. Where relevant, establishment of coordination mechanisms with local authorities in the development and implementation of LBSAPs and/or with regional partners in the case of regional strategies

**16. Clearing House Mechanism** - including the development and/ or enhancement of the national CHM and how it is being use to support the development and implementation of the NBSAPs; development of national (and where relevant regional) institutional network for biodiversity.

**17. Monitoring and Evaluation** - How the implementation of the NBSAP will be monitored and evaluated including provisions for reporting and the identification of indicators to track progress towards international targets.



## 6 National Reporting

*“The National Reporting Process is an integral part of the overall implementation process of the CMS Family instruments”*

National Reports are the official documents by which countries report to the decision-making bodies of the CMS Family and/or its instruments on the measures they have undertaken to implement the priorities of the instruments. National Reports provide an official record of national implementation of each instrument over time and collectively they draw the picture of the overall implementation of the instrument.

The National Reporting process is essential for the effective functioning of the instruments, and when properly carried out, can provide substantial benefits both to the instrument and to the country concerned.

The reporting process holds immense value for the countries themselves by charting their own progress and identifying their future implementation priorities. It also helps countries to assess implementation and to plan with other countries. National Reporting provides information to increase awareness of national activities, help mainstream biodiversity issues across sectors and encourage and further investments in the national implementation of CMS and its instruments.

This chapter will give a further insight to the National Reporting procedures, addressing in particular, the following:

- Why have National Reporting at all? (Section 6.1)
- Benefits of National Reporting for the Reporting Country (Section 6.2)
- When and What to Report (Section 6.3)
- Who Reports and How to Report (Section 6.4)
- Steps for Compiling the National Report (Section 6.5)
- Submitting the National Report and Follow-up (Section 6.6)

## 6.1 Why have National Reporting at all?

### 6.1.1 How National Reporting Fits into the Overall Implementation Process

National Reporting is an integral part of the overall implementation process of the CMS Family instruments. This process usually occurs at the end of the intersessional period before the meetings of the decision-making bodies. However, it should also be seen as a continuous underlying process influencing the planning of activities, their implementation and the assessment of progress made under CMS and each of its instruments.

### 6.1.2. Legal Basis for National Reporting

All CMS Family instruments include provisions for the preparation and submission of National Reports prior to meetings of their decision-making body. However, obligations differ depending on the legal status of the CMS instrument. For CMS and its Agreements - which are legally binding - reporting is an obligation for each Party. However, there is no mandatory reporting requirement under the MOUs, which are legally non-binding in nature. Nonetheless, Signatories to these MOUs are requested to make periodic reports on their national implementation. References to the legal texts of each Instrument with regard to national reporting are summarized in {→ Table 6.1} .

## 6.2 Benefits of National Reporting for the Reporting Country

National Reporting under CMS and its instruments, if carried out properly, has numerous benefits for the reporting countries:

- The National Reporting process can serve as an incentive for the systematic collection of data and information related to migratory species. It also provides for the regular updating of this data and information and for some countries can provide a unique framework for collating and archiving data and information.
- National Reporting leads to an increase in knowledge on migratory species and other related issues as well as the identification of gaps in knowledge.
- National Reports are a tool for sharing information – both within the country and internationally. They also bring the data and information collected to the public domain.
- National Reporting also allows countries to identify conservation issues that need to be tackled within their own country, in a region and/or more broadly internationally by a number of countries.
- Due to its multi-stakeholder nature, National Reporting establishes and builds a national alliance for implementation.
- National Reports can serve as the starting point for the planning of national implementation activities under the CMS Family Instruments {→ see Chapter 5 on implementation}.

### 6.2.1 Value and Use of Information Provided in National Reports

The data and information gathered in the National Reports, when objective and comprehensive, are of great value for many processes and user groups. For this reason it is important that the data be as complete and accurate as possible.



**Table 6.1 Legal Basis and Deadlines for National Reporting under CMS and its Instruments (reporting deadlines may change over time, therefore please check with the relevant Secretariat/Coordinating Unit for the most up-to-date information on the frequency and deadlines for National reporting)**

CMS Family instrument	Legal basis	Deadline / frequency
<b>CMS</b>	Article VI (3)	Six months before the COP
<b>Agreements</b>		
<b>ACAP</b>	Article VII: (1) c) & Article IX: (6) d)	120 days before the meetings of MOP
<b>ACCOBAMS</b>	Article VIII: b)	120 days before the meetings of MOP
<b>AEWA</b>	Article V: (1) c)	120* days before the meetings of MOP
<b>ASCOBANS</b>	Article 2.5	annual submission by 31 March
<b>EUROBATS</b>	Article VI	90 days before the meetings of MOP
<b>GORILLAS</b>	Article III and Article IV: (1) c)	120 days before the meetings of the MOP
<b>WADDEN SEA SEALS</b>	N/A	N/A
<b>MOUs</b>		
<b>West African Elephant</b>	Paragraph 7 of MOU	reports submitted every two years
<b>Aquatic Warbler</b>	1. Paragraph 6 of the MOU; 2. official document: CMS/AW-1/6	reports submitted every two years by 31 March of alternate years
<b>Bukhara Deer</b>	Paragraph 5 of the MOU	annual reports
<b>Dugongs</b>	1. Paragraph 6&9; 2. meeting documents: CMS/Dugongs/SS2/Doc3: Rule 2	regular reports; documents for the meeting shall be available at least 30 days before the start of the Signatory State Meetings
<b>Grassland Birds of South America</b>	Paragraph 5 of the MOU	(determined by the first meeting of the signatories)
<b>Great Bustard</b>	Paragraph 4 of the MOU	regular reports
<b>High Andean Flamingos</b>	Paragraph 5 of the MOU	regular reports (format and frequency of reports decided at the first meeting of the signatories)
<b>South Andean Huemul</b>	Article 7 of the MOU	annual reports
<b>Marine Turtles IOSEA</b>	1. Paragraph 8 of the MOU; 2. report of the first meeting of the signatory states: point 74	90 days prior to the annual meeting of signatory states (use online reporting database)
<b>Marine Turtles Africa</b>	Paragraph 6 of the MOU	annual report by 30 September each year
<b>Monk Seal</b>	Paragraph 8 of the MOU	reports submitted every two years
<b>Pacific Cetaceans</b>	Paragraph 8 of the MOU; UNEP/CMS/PIC2/Doc.5-01/Rev.1	regular reports coincide with MOU signatories' meetings
<b>Migratory Birds of Prey in Africa and Eurasia</b>	1. Paragraph 15 of the MOU; 2. CMS/Raptors/MoS1/Doc.12.2: point 9	reports submitted every three years according to the cycle of meetings of signatories; deadline set mid-way between Meetings of the signatory states
<b>Ruddy Headed Goose</b>	Articles 4 and 7 of the MOU	report on the development of the MOU at least once a year
<b>Saiga Antelope</b>	Paragraphs 3 and 6 of the MOU	regular reports; detailed report within one year of the date of its entry into effect (report requirement according to report format determined by the signatory states in consultation with the CMS secretariat)
<b>Sharks</b>	Section 5: Paragraph 15 (b) of the MOU	regular reports
<b>Siberian Crane</b>	Paragraph 5 of the MOU	annual reports by 31 March
<b>Slender Billed Curlew</b>	MOU text (other duties: point 2)	annual reports
<b>Western African Aquatic Mammals</b>	Paragraph 8 of the MOU	regular reports

\* The AEWA MOP extended, through Resolution 5.1, the deadline for submission of national reports to MOP6 to 180 days and future sessions of the MOP may take similar decisions. For updates on the deadline please check the AEWA website: [www.unep-aewa.org](http://www.unep-aewa.org) or contact the UNEP/AEWA Secretariat.

National Reports function as a “one-stop-shop” for a country’s official information on migratory species and the measures undertaken to conserve them. Through this, the Government fulfills its obligations under CMS and its instruments.

From the viewpoint of CMS and its instruments, the data collected in the National Report provide information against indicators of the Strategic Plans or other implementation indicators and on the broader international level can also provide information on progress made towards achieving the Aichi targets {→ see [Section 5.2 and Information Box 5.2](#)}. Thus they provide an assessment of implementation of the instrument as a whole and informs decisions of its decision-making body as well as feeds into the broader international biodiversity governance processes.

Nationally, the National Reports are essential for understanding the overall picture of implementation - progress and strengths, but also gaps and weaknesses - of the National Biodiversity Strategic Action Plans and National Implementation Plans {→ see [Section 5.2.4 and 5.2.5](#)} and achieving the objectives of the Instrument. With the development of an analytical tool to complement the Online Reporting System {→ see [Information Box 6.2 “The Online Reporting System and its Advantages”](#)} the analysis of data and information will be automated and access to and use of the information will increase significantly, giving an unprecedented web-based gateway to information collected through national reports.

Governments can use the data and information to inform their decision-making and further implementation planning. NGOs can also use the information collected to direct their priorities for activities on the ground. The information contained in National Reports also provides a useful data source for academic research in the fields of conservation, sustainable use, environmental governance and others.

The private sector, for example, can use the information made available through National Reports in their strategic business planning.

## 6.3 When and What to Report

### 6.3.1 Frequency and Deadlines

The frequency and deadlines for National Reporting under each CMS Family instrument are defined in their texts. {→ [Table 6.1](#)} above summarizes the frequency and deadlines for all Instruments.

Member States are strongly urged to submit National Reports to the relevant Secretariat/Coordinating Unit by the given deadline, in order to allow for timely analysis and synthesis of all reports submitted. Reports that are submitted after the deadline will not be considered in the synthesis prepared by the Secretariat/Coordinating Unit. This in turn will mean that the assessment of the implementation of the instrument is neither comprehensive nor reliable and is an imperfect basis for decision making.

### 6.3.2 National Report Formats

Most CMS Family instruments have their own National Report Format {→ see [Information Box 6.1](#)}. The format defines which type of information needs to be reported by the countries under each Instrument. Broadly the categories of information concern the status of the migratory species covered by the instrument, threats and pressures facing them, relevant responses taken as well as knowledge, capacity, institutional and financial matters. The formats are closely aligned with the Strategic Plans and Action Plans of the Instruments and the decisions of their decision-making bodies which establish the requirement to make a report.

The reporting formats are provided in the appropriate working language(s) CMS and its instruments. The CMS National Reporting Format is available in the three working languages of the COP which are English, French and Spanish. In the cases of some of the Agreements, such as AEWA and EUROBATS, however, the National Reporting Formats are only available in English and French which are the two working languages of their MOP.

Report formats are usually approved by the decision-making body of CMS or the given instruments concerned. The mandate to make revisions and amendments to the reporting formats in the inter-sessional periods can be given to the subsidiary bodies such as the Standing/Advisory Committees.

For the latest version of the individual national report formats, please contact the Secretariat/Coordinating Unit of the relevant CMS instrument.

### INFORMATION BOX 6.1

#### The AEWA format

AEWA is working towards a modular format. In addition to the main module there will be two specific ones – one on species status and the other one on site status. The main module is to be submitted to each Meeting of the Parties (MOP), which meets at intervals of three years, while the specific modules will have to be submitted less frequently.



## 6.4 Who Reports and How to Report

The responsibility for the National Reporting process under CMS and its instruments lies with the designated NFP for each country. The NFPs can however appoint a designated National Respondent to run the National Reporting process in their place.

### 6.4.1 Stakeholder Involvement and Coordination

The National Reporting process is a collective, collaborative and participatory exercise. This multi-agency, multi-sectoral and multi-stakeholder process should ideally involve all relevant governmental, scientific and academic institutions, non-governmental and other organizations and stakeholders at different levels who contribute to the implementation of the CMS Family instruments and/or can provide necessary data and information.

These institutions, organizations and stakeholders should form the core National Coordination Mechanisms for the implementation of the CMS instruments. These Mechanisms should be coordinated by the NFP {→ see Section 5.2.3 for a description of National Consultation Process and Practical Example 5.1}.

### 6.4.2 Reporting Platforms

Within the CMS Family, National Reporting currently takes place using two main methods. Until recently, the report formats were only made available in standard office software applications (Microsoft Word or Adobe PDF). This meant that the standard Word or PDF files were filled in by each country and sent to the Secretariat/Coordinating Unit.

As an alternative, some of the Agreements such as those of IOSEA, ACAP and ACCOBAMS have started providing their National Report formats as online templates which can be accessed and completed via their websites.

A new central web-based reporting platform – the Online Reporting System (ORS) - has been developed to support the National Reporting processes for the CMS Family. Within the Online Reporting System the report formats are provided as online templates. This allows for data to be directly inserted into a web-based system and saved into an underlying database. Currently the Online Reporting System is being used by CMS, AEWa and ASCOBANS. The Online Reporting System is available for all CMS instruments to use and several more of them have already taken steps to adopt it {→ see [Information Box 6.2](#)}.

## INFORMATION BOX 6.2



### The Online Reporting System and its Advantages

The Online Reporting System (ORS) was developed in 2010-2011 by UNEP-WCMC in close collaboration and under the guidance of the UNEP/AEWa Secretariat. AEWa was the first CMS instrument to use the ORS for its reporting to the 5<sup>th</sup> session of the MOP in May 2012.

The ORS is a versatile web-based platform for national reporting. It is a sophisticated, but flexible and easy-to-use system, which allows for easy creation and modification of customized national reporting templates. No IT programming skills are required to reproduce a report format within the ORS. Therefore, even Secretariats/Coordinating Units with no IT capacity can administer reporting processes through the system.

The system includes a delegation function, which allows the person responsible for the reporting process in a country to assign sections or even individual questions of the report to different contributors. All national contributors can access and work on the same national report simultaneously. This is a useful tool for managing the involvement of many contributing stakeholders in the national reporting process.

Once a complete report has been submitted, the information remains available and pre-filled for the next reporting cycle. It will only require the information to be updated, if necessary, thus significantly reducing the workload over for subsequent reporting cycles.

The information inserted flows directly into a database from which data can be easily extracted and analyzed by the Secretariat/Coordinating Unit. This saves substantive resources and time in comparison to the Microsoft-Word or Adobe-PDF-based report formats formerly used.

It is planned in the near future to complement the ORS with an analytical tool module. The analytical tool envisioned will be accessible by any internet user and will allow automated analysis of data across time and across different user records. The analytical tool will significantly increase access to and use of data and information provided through the national reports and will amplify the advantages of the ORS as a whole.

Last, but not least, the ORS is being considered for use by other biodiversity-related treaties outside of the CMS Family, such as CITES and the Ramsar Convention. Broadening the user community of the ORS can facilitate harmonization of report formats and reporting processes, where feasible, and will likely lead to cost sharing arrangements between participating MEA Secretariats, which will help reduce the costs associated with long-term maintenance and further development of the system.

## 6.5 Steps for Compiling the National Report

As an integral part of the implementation, reporting is a rolling and iterative process. It starts with the planning of implementation and carries through to the assessment of what has been done.

### **STEP 1: Starting to plan the reporting together with the implementation planning**

#### BE CLEAR ON WHAT NEEDS TO BE REPORTED

It is fundamentally important to have a clear understanding of what needs to be reported at the end of the implementation cycle. Therefore the NFP should study and be fully familiar with the report format at an early stage. It is important to review each question and have a good understanding of what information is being requested. If a report has already been submitted in the previous reporting cycle start from it – this will also provide the NFP with the overview of what data and information have been provided and what is missing.

#### IDENTIFY WHO CAN HELP AND CONTRIBUTE

Knowing what they will need to report will help NFPs to identify the most suitable institution, organization or stakeholder to provide the required information. Different sections and even individual questions of the national report can be assigned to members of the National Coordination Mechanism according to their expertise, data custody as well as their involvement in the implementation process.

#### HOW TO OBTAIN INFORMATION

NFPs should identify all potential sources of data and information, nationally or internationally, which could be used to complete each question in the national report and clarify on the means to obtain the information. Checks should be made regarding what data and information are or are not actually available and whether their format is compatible with what is required within the National Report. NFPs also need to anticipate any possible need of analysis and/or summarizing of the data and information prior to inserting them in the report.

NFPs must make sure that they have identified any possible parallel reporting processes under other instruments or treaties, which require similar data and information, so that they can avoid duplication of work and reporting contradictory or different information.

#### TIMING - SET MILESTONES AND DEADLINES

NFPs must also create a calendar for their reporting process. To do this, milestones and internal deadlines should be set to help NFPs ensure that they receive the necessary information in time to complete the national report. Other players must be made aware of the major deadlines which lead to the timely submission of the report as well as the final submission deadline (for submission deadlines of the different CMS Instruments, please {→ see [Table 6.1](#) and [Practical Example 6.1](#)}).

### **STEP 2: Entering information into the report format as it becomes available throughout the implementation cycle**

In accordance with the milestones and deadlines set – the data and information should be inserted into the national report throughout the implementation cycle. This will spread the workload over time and will avoid last minute overload trying to complete the report. Responses should be objective and honest – the national report aims at identifying gaps as much as achievements.

### STEP 3: Ensuring regular national coordination throughout the implementation cycle

In order to ensure smooth progress of the compilation of the national report, NFPs should include monitoring and review of the reporting process as part of the regular meetings of the National Coordination Mechanism. These meetings should be used to harmonize and verify the data and information coming from various sources. Between meetings or in cases when holding meetings is not feasible, other means of communication can be used such as e-mail, teleconferences or the above-mentioned function in the ORS to delegate and continuously review the contributions made to the national report.

### STEP 4: Finalizing and preparing the National Report for submission

Before submitting the national report, NFPs should ensure that any last missing data and information are inserted, if available. The correctness of all information entered and the completeness of the report as a whole should be verified. Fields should not be left blank– so if no data and information are available, this should be indicated. This will usefully pinpoint gaps and causes and avoid unhelpfully leaving an unclear situation.

It should be ensured that the National Report is agreed upon by the National Coordination Mechanism. {→ see [Section 5.2.3 Practical Example 5.1 on the National CMS Committee in Chile](#)}

The final step is the approval of the report for submission by the relevant governmental authority.

#### PRACTICAL EXAMPLE 6.1

##### Protection and management of sites of importance for migratory waterbirds

In the 2009-2011 report format the Parties to AEWA were supposed to report on the protection and management status of the identified as being sites of international or national importance for migratory waterbirds. For each of these two categories of importance, summaries were required in the following fields:

Total number of sites

Total area (in hectares)

Number of protected sites out of the above total

Protected area (in hectares) out of the above total

Number of protected sites with management plans in place that are being implemented

Area under protection (in ha) covered by management plans that are being implemented

In order to produce the figures required for each field, a large amount of data on protected areas had to be identified, accessed, analysed and summarized. This required, in the first place, identifying where the information about the national inventory of sites important for migratory waterbirds and the protected areas database were stored. The next step was to obtain this information and extract the data relevant for the shortlisted sites, which had to be analysed in order to bring all parameters into the same format. The last step was to aggregate and summarize the data in order to come up with a single figure for each of the fields described above. Above all, this was a time consuming exercise, which had to be taken into account from the very beginning when planning the reporting process.



## 6.6. Submitting the National Report and Follow-up

Once the National Report has been verified and approved, it should be submitted to the appropriate Secretariat/Coordinating Unit of the CMS Family. Once submitted, the report will be reviewed by the Secretariat/Coordinating Unit and possibly returned to the country with a request for additional input and further refinement, if necessary.

The final report will be included in the overall international implementation analysis for the respective Instrument. It should be borne in mind that following its final submission, the report becomes an official and public document and will be submitted to the forthcoming meeting of the CMS or its instruments' decision-making body.

### HELPFUL TIPS 6.1

Countries are strongly urged to submit their National Report punctually. Reports that are submitted after the deadline will not be considered in the analysis and synthesis prepared by the Secretariat/Coordinating Unit. This in turn will make the assessment of the implementation of the respective Instrument incomprehensive, unreliable and a weak basis for decision making. In order to ensure the timely final submission of the report, NFPs are encouraged to submit the final draft report to the Secretariat/Coordinating Unit for review well in advance of the deadline.



### 6.6.1 What Happens After the National Report has been Submitted?

The submission of the National Report marks the beginning of a new reporting cycle. NFPs should start planning their implementation and reporting activities according to the latest report format adopted or the latest National Report in the cases when one has been submitted. It should be noted that decisions taken at the meetings of the decision-making bodies can lead to changes in the report formats. NFPs must therefore ensure that they adjust their implementation and reporting to reflect the new report format once it becomes available.

When the revised formats have been approved {→ see Section 6.3.2 National Report Formats}, they will be made available by the Secretariat/Coordinating Unit.

Once the National Report has been submitted, the full report will be made publicly available on the website of CMS or the instrument concerned. All national reports submitted by countries will be uploaded on a central webpage and will be permanently archived and made accessible through the Internet by the individual Secretariat/Coordinating Unit {→ see Information Box 6.3}. In addition, National Reports that have been submitted to the CMS Family instruments will also be further distributed and made available through online portals such as InforMEA (www.informe.org) in future, where they will become part of the global information base of National Reports submitted by countries to Multilateral Environment Agreements (MEAs).

### INFORMATION BOX 6.3



#### Analytical Tool

The Online Reporting System will in due course be complemented by an Analytical Tool. This will make possible instantaneous and automated analysis of the data submitted and should be designed in a way to allow easy, web-based access to customized reports.

### CHECKLIST



#### Steps for Compiling the National Report

- Start to plan the reporting together with the implementation planning
- Be clear on what needs to be reported
- Identify who can help and contribute to the information compilation process
- Make sure you obtain the correct information for National Reports
- Enter information into the report format as it becomes available throughout the implementation cycle
- Ensure regular national coordination throughout the implementation cycle
- Be mindful of the timing for National Reporting and the set milestones and deadlines
- Finalize and prepare the National Report for submission
- Use the finalized National Report as the basis for input into the next national implementation and reporting cycle for CMS and/or the concerned instrument





## Glossary

**ACAP** – Agreement on the Conservation of Albatrosses and Petrels

**Accede, ratify and sign** – processes by which a country becomes a Member State (q.v.) to an instrument (q.v.)

**Action Plan** – a set of measures to implement an instrument or secure the conservation status of a species or group of species

**Advisory Committee (AC)** – the subsidiary body established under many instruments to provide scientific and technical advice between meeting of the Member States; in the case of ASCOBANS it also has responsibility for administration and policy

**AEWA** – Agreement on the Conservation of African-Eurasian Migratory Waterbirds

**Agreement** – the term used to describe seven legally binding instruments concluded under CMS (q.v.)

**Aichi Biodiversity Targets** – a set of targets to meet the five Strategic Goals of CBD (q.v.)

**Alien Species** – a species of animal or plant that has been introduced to a habitat where it did not previously occur naturally. Those that disrupt the ecological balance as also known as invasive alien species

**Appendix/Appendices** – an annex or annexes to an instrument often used to list the species to which the instrument applies

**ASCOBANS** – the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas

**Biodiversity (Biological Diversity)** – the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part: this includes diversity within species, between species and of ecosystems (Article 2 of CBD)

**BirdLife International** – an international coalition of NGOs concerned with the conservation of birds

**Bonn Convention** – An alternative name for the Convention on the Conservation of Migratory Species of Wild Animals (CMS) arising from the fact that the Convention was negotiated in that city

**Bureau** – a small group of Party representatives including the officers of the meeting of the decision-making body (q.v.) responsible for guiding through the business

**By-catch** – the incidental capture of non-target species in fishing nets or on hooks

**CBD (Convention on Biological Diversity or Convention on Biodiversity)** – one of the international conventions adopted at the Rio Summit in 1992

**CITES (Convention on the International Trade of Endangered Species of Wild Fauna and Flora)** – an international convention administered by UNEP (q.v.) concluded in Washington D.C., USA in 1973

**CMS (Convention on the Conservation of Migratory Species of Wild Animals)** – an international convention administered by UNEP (q.v.) concluded in Bonn, Germany in 1979

**CMS Family** – a collective term to describe CMS and the legally binding Agreements and the Memoranda of Understanding concluded under it

**Committee of the Whole** – the body whose function at COP (q.v.) it is to discuss proposals in detail and to make recommendations to the Plenary (q.v.)

**Concerted Actions** – mechanism under CMS (q.v.) created at the third Conference of the Parties (q.v.) identifying species listed on Appendix I of the Convention deserving of special attention.

**Conference of the Parties (COP)** – the main decision-making institution of the Convention held every three years

**Contact Group** – an ad hoc group established at decision-making bodies to address an issue where finding consensus is proving difficult.

**Contracting Parties (or Parties)** – countries and regional economic integration organizations that have formally joined the Convention or an Agreement

**Convention on Migratory Species** – the short name of the Convention on the Conservation of Migratory Species of Wild Animals (q.v.) giving rise to the Convention’s commonly used initials CMS

**Convention on the Conservation of Migratory Species of Wild Animals** – the full name of CMS (q.v.) or the Convention on Migratory Species (q.v.)

**Coordinating Unit** – the administrative body based in Abu Dhabi providing secretariat services to the Raptors and Dugong MOUs

**Credentials Committee** – a committee established at meetings of decision-making bodies to ensure that the “credentials” (letters authorizing the delegates’ participation at the meeting issued by the Member State’s government) are in order

**Decision** – a resolution (q.v.) or recommendation (q.v.) made by a decision-making body (q.v.)

**Decision-making Body** – the term used to describe the Conference of the Parties (q.v.) to CMS (q.v.), the Meeting of the Parties (q.v.) of an Agreement (q.v.) or the Meeting of the Signatories (q.v.) of a Memorandum of Understanding (q.v.)

**Depositary (Depositary Government)** – the country or organization that receives all the official documentation from Member States when they accede or ratify the Convention or an Agreement (Germany in the case of CMS, the Netherlands for AEWA, the United Kingdom for EUROBATS and the UN for ASCOBANS)

**E-bulletins** – periodically produced newsletters that are distributed by email or posted on websites rather than being printed and sent out by post

**E-community platform** – web-based communication and capacity building tool allowing interested people (“the community”) to interact on a given subject.

**EUROBATS** – Agreement on the Conservation of Populations of European Bats

**Fauna and Flora International (FFI)** – international conservation charity and non-governmental organization with its headquarters in Cambridge

**Food and Agriculture Organization of the United Nations (FAO)** – a specialized UN Agency with headquarters in Rome, Italy. It was established in the 1940s as the successor to the International Institute of Agriculture

**Genetic Resources** – genetic material (any material of plant, animal, microbial or other origin containing functional units of heredity) of actual or potential value (Article 2 of CBD)

**Global Environment Facility (GEF)** – an independent financial organization whose role is to fund of projects relating to biodiversity, climate change and other issues. Its headquarters are in Washington D.C.

**Head of Delegation** – the person leading a Party’s delegation to a decision-making body of an instrument

**InforMEA** – an information portal on Multilateral Environmental Agreements (MEA) (q.v.) maintained by the United Nations to store data on decisions (q.v.) of the meetings of Decision-making Bodies (q.v.)

**In-session Working Group** – an ad hoc group established to operate during a meeting of a Decision-making Body (q.v.), Subsidiary Body (q.v.) or Technical and Scientific Body (q.v.) to look at a particular area of policy

**Instrument** – a term used to describe, the Convention, an Agreement (q.v.) or a Memorandum of Understanding (q.v.)

**Intersessional Working Group** – an ad hoc group established by one meeting of a decision-making body (q.v.), Subsidiary Body (q.v.) or Technical and Scientific Body (q.v.) to look at a particular area of policy and to report back to the next meeting.

**Intervention** – a verbal contribution to a debate during a meeting

**IOSEA** – Memorandum of Understanding on the Conservation and Management of Marine Turtles and Their Habitats of the Indian Ocean and South-East Asia

**IUCN (World Conservation Union)** – a conservation organization founded in 1948 that brings together Member States and NGOs and maintains the Red Data List of endangered species

**Marine Debris** – rubbish disposed of and accumulating at sea, such as plastic bags and bottles, that pose a threat to animals

**Meeting of the Parties (MOP)** – the decision-making body (q.v.) of an Agreement (q.v.)

**Meeting of the Signatories (MOS)** – the decision-making body (q.v.) of a Memorandum of Understanding (MOU) (q.v.)

**Member States** – countries that are (Contracting) Parties (q.v.) to the Convention or an Agreement or Signatories to a Memorandum of Understanding MOU

**Memorandum of Understanding (MOU)** – the term used to describe a legally non-binding instrument of which to date 19 have been concluded under CMS

**Migratory Species** – a species or lower taxon of wild animals of which the entire population or any geographically separate part of the population cyclically and predictably cross one or more national jurisdictional boundaries

**Migratory Wildlife Network** – A collaborative civil society partnership with the objective of coordinating and progressing actions to conserve migratory wildlife through international processes.

**Millennium Development Goals (MDG)** – eight international development goals that were officially established following the Millennium Summit of the United Nations in 2000

**Multilateral Environment Agreement (MEA)** – a legally binding agreement between more than two states relating to the environment, often concluded under the United Nations.

**National Biodiversity Strategy and Action Plan (NBSAP)** – the principal means of implementing the Convention on Biological Diversity (q.v.) at the national level

**National Focal Point (NFP)** – the official designated by a Member State to lead on the implementation of an instrument and to liaise with the Secretariat (q.v.) or Coordinating Unit (q.v.) and other member States (q.v.)

**Observer** – a person attending a meeting of decision-making or subsidiary body without voting rights, such as a representative of a non-Member State, an NGO or and inter-governmental organization

**Online Reporting System (ORS)** – a web-based reporting system that allows Member States to input data directly into an electronic template

**Parties (or Contracting Parties)** – countries that have ratified or acceded to CMS (q.v.) or one of its Agreements (q.v.) (see also Signatories and Member States)

**Plenary** – that part of the Conference of the Parties that is empowered to make decisions, such as elect officers, adopt the agenda and adopt decisions (see also Committee of the Whole)

**Ramsar Convention** – the Convention on Wetlands of International Importance concluded in the Iranian city of Ramsar in 1971

**Range State** – a country that exercises jurisdiction over any part of the range of a migratory species, or a country, flag vessels of which are engaged outside national jurisdictional limits in taking that migratory species

**Rapporteur** – the participant in a Working Group (q.v.) or member of a Committee given the task of reporting on the Working Group or Committee's deliberations

**Ratify** – see accede, ratify and sign

**Recommendation** – a decision of a decision-making body describing desirable actions (see also Resolution)

**Regional Economic Integration Organization (REIO)** – an organization such as the European Union where sovereign states transfer competence over certain policies to a supranational body

**Reservation** – notification by a Member State that it does not wish to be bound by a particular provision of an instrument

**Resolution** – a decision of a decision-making body that sets out policy or gives instructions to the Secretariat (q.v.), Coordinating Unit (q.v.), subsidiary or scientific advisory body (q.v) or Member States (q.v.) (see also Recommendation)

**Rio Summit** – a world summit held in 1992 which led to the conclusion of the Convention on Biological Diversity (CBD) (q.v.), the United Nations Framework Convention on Climate Change (UNFCCC) and the United Nations Convention to Combat Desertification (UNCCD)

**Rules of Procedure (ROP)** – rules governing the conduct of meetings (e.g. voting and the right to speak) of meetings of bodies such as the COP (q.v.), MOP (q.v.), MOS (q.v.) and the Standing Committee (q.v.)

**Sahara Conservation Fund** – an international non-governmental organization established in 2004 to conserve the wildlife of the Sahara and bordering Sahelian grasslands.

**SBSTTA (Subsidiary Body on Scientific, Technical and Technological Advice of CBD)** – the Technical and Scientific Body (q.v.) of the Convention on Biological Diversity (q.v.) equivalent to the Scientific Council (q.v.) of CMS (q.v.)

**Scientific Council (ScC)** – the body providing scientific and technical advice to CMS (q.v.)

**SDG (Sustainable Development Goals)** – international development goals agreed at the UN conference (Rio +20) held in Rio de Janeiro, Brazil in June 2012

**Secretariat** – the organization that administers an instrument (q.v.)

**Sign** – see accede, ratify and sign

**Signatory** – a Member State (q.v.) of a Memorandum of Understanding (q.v.) or a country that has signaled its intention of becoming a Member State to CMS (q.v.) or an Agreement (q.v.)

**Social Media** – means of communication among people enabling them to create, share, and exchange information and ideas through networks of online communities

**Sponsored Delegate** – delegate to a meeting of a Decision-making Body whose travel and accommodation costs are met by the organizers

**Standing Committee (StC)** – Subsidiary Body (q.v.) which normally has responsibility for representing the Member States (q.v.) of an instrument (q.v.) and overseeing implementation between meetings of the Decision-making Body (q.v.). In the case of ASCOBANS (q.v.) this role is assumed by the Advisory Committee (q.v.).

**Statement** – a formal intervention (q.v.) by a delegate at a meeting normally explaining the position of the delegate's government on a particular issue

**Strategic Plan** – the document adopted by the Member States (q.v.) of an instrument (q.v.) setting short-, medium- and long-term objectives for implementation and development

**Subsidiary Body** – term used to describe bodies such as the Standing Committee (q.v.) of an instrument (q.v.) the primary purpose of which is to represent the interests of the Member States (q.v.) between meetings of the Decision-making Bodies (q.v.)

**Subsidiary Body on Scientific, Technical and Technological Advice of CBD (SBSTTA)** – the name given to the Technical and Scientific Body (q.v.) of the Convention on Biological Diversity (q.v.)

**Technical and Scientific Body** – the body established under many instruments (q.v.) the purpose of which is to provide technical and scientific advice, an example being the Scientific Council (q.v.) under CMS (q.v.)

**Technical Committee (TC)** – the name given to the Technical and Scientific Body (q.v.) of various instruments (q.v.) such as for example AEWA (q.v.)

**Terms of Reference (TOR)** – the instructions given to a Committee or Working Group (q.v.) specifying what has to be done

**Text** – the wording of an instrument (q.v.) setting out the requirements (as opposed to the instrument as an institution)

**The Nature Conservancy (TNC)** – a US-based environmental charity that is active across the USA and in many other countries worldwide

**United Nations Convention on the Law of the Sea (UNCLOS)** – the convention that resulted from the United Nations Conference on the Law of the Sea (UNCLOS III), held between 1973 and 1982

**United Nations Convention to Combat Desertification (UNCCD)** – one of the MEAs (q.v.) established at the Rio Summit (q.v.). The Headquarters of UNCCD are in Bonn, Germany.

**United Nations Development Assistance Framework (UNDAF)** – a strategic programme framework describing the response to national development priorities of the UN system collectively

**United Nations Environment Programme (UNEP)** – the UN body charged with responsibility for the environment set out as a result of the 1972 Stockholm Conference on the Human Environment. Its headquarters are in Nairobi, Kenya.

**UNEP/WCMC** – the World Conservation Monitoring Centre (UNEP-WCMC) is a collaboration between the United Nations Environment Programme and WCMC and is based in the UK.

**United Nations Framework Convention on Climate Change (UNFCCC)** – one of the MEAs (q.v.) established at the Rio Summit (q.v.). The Headquarters of UNFCCC are in Bonn, Germany.

**United Nations Institute for Training and Research (UNITAR)** – founded in 1965 to train personnel, particularly from developing countries, to undertake administrative and operational tasks within the UN, in the field and in their countries of origin

**United Nations University (UNU)** – the academic and research arm of the United Nations established in 1973 and with headquarters in Tokyo, Japan

**Wetlands International** – NGO based in the Netherlands and with offices in 20 countries that works to sustain and restore wetlands and their resources

**Wildlife Conservation Society** – a US organization managing national and international conservation projects, research and education programmes.

**Working Group** – a collection of experts and/or representatives given the task of examining a particular issue or drafting a document (see also In-session Working Group and Inter-sessional Working Group)

**World Heritage Convention** – international treaty concluded in 1972 and administered by the United Nations Educational, Scientific and Cultural Organization (UNESCO) whose aim is to protect the world's natural and built heritage

**World Resources Institute (WRI)** – an independent organization with its main offices in Washington D.C. and Beijing and focusing on the interaction of socio-economic development and the environment

**World Wide Fund for Nature (WWF)** – a large international NGO dealing with the conservation of species

## List of Websites /Webpages

CMS website	<a href="http://www.cms.int">www.cms.int</a>
CMS COP Resolutions	<a href="http://www.cms.int/bodies/COP/res_and_recs_cop1_to_10.pdf">www.cms.int/bodies/COP/res_and_recs_cop1_to_10.pdf</a>
CMS Appendices (English)	<a href="http://www.cms.int/documents/appendix/appendices_e.pdf">www.cms.int/documents/appendix/appendices_e.pdf</a>
CMS Appendices (French)	<a href="http://www.cms.int/documents/appendix/appendices_f.pdf">www.cms.int/documents/appendix/appendices_f.pdf</a>
CMS Appendices (Spanish)	<a href="http://www.cms.int/documents/appendix/appendices_s.pdf">www.cms.int/documents/appendix/appendices_s.pdf</a>
CMS lists of Parties	<a href="http://www.cms.int/about/part_lst.htm">http://www.cms.int/about/part_lst.htm</a>
List of CMS Instruments	<a href="http://www.cms.int/species/index.htm">http://www.cms.int/species/index.htm</a>
Online registration	<a href="http://www.unep-cms.com/">http://www.unep-cms.com/</a>
CMS NBSAPs Guidelines	<a href="http://www.cms.int/bodies/COP/cop10/docs_and_inf_docs/doc_27_guidelines_nbsap_e.pdf">http://www.cms.int/bodies/COP/cop10/docs_and_inf_docs/doc_27_guidelines_nbsap_e.pdf</a>
AEWA	<a href="http://www.unep-aewa.org">www.unep-aewa.org</a>
AEWA Single Species Action Plans	<a href="http://www.unep-aewa.org/publications/ssap/index.htm">www.unep-aewa.org/publications/ssap/index.htm</a>
ASCOBANS	<a href="http://www.ascobans.org/">www.ascobans.org/</a>
EUROBATS	<a href="http://www.eurobats.org/">www.eurobats.org/</a>
IOSEA Marine Turtles MOU	<a href="http://www.ioseaturtles.org/">www.ioseaturtles.org/</a>
Sharks MOU	<a href="http://sharksmou.org/">http://sharksmou.org/</a>
2003-2008 National Wetlands Strategy for Turkey	<a href="http://www.ramsar.org/cda/en/ramsar-documents-wurl-policies-2003-2008-national/main/ramsar/1-31-116-162%5E21224_4000_0__">http://www.ramsar.org/cda/en/ramsar-documents-wurl-policies-2003-2008-national/main/ramsar/1-31-116-162%5E21224_4000_0__</a>
National Communication, Education and Public Awareness (CEPA) Plan for Wetland Protection in China	<a href="http://www.ramsar.org/pdf/cepa/outreach_actionplan_china.pdf">http://www.ramsar.org/pdf/cepa/outreach_actionplan_china.pdf</a>
Nature Uganda	<a href="http://www.natureuganda.org/">http://www.natureuganda.org/</a>
World Migratory Bird Day	<a href="http://www.worldmigratorybirdday.org/">http://www.worldmigratorybirdday.org/</a>
WMBD Around the World	<a href="http://www.worldmigratorybirdday.org/2010/index.php?option=com_content&amp;view=article&amp;id=9&amp;Itemid=9">http://www.worldmigratorybirdday.org/2010/index.php?option=com_content&amp;view=article&amp;id=9&amp;Itemid=9</a>
United Nations Information Portal on Multilateral Environmental Agreements	<a href="http://www.informe.org">www.informe.org</a>
An introduction to NBSAPs Module 1	<a href="http://www.cbd.int/doc/training/nbsap/b1-train-intro-nbsap-revised-en.pdf">http://www.cbd.int/doc/training/nbsap/b1-train-intro-nbsap-revised-en.pdf</a>

## Photo Credits

**Title: (L-R, T-B):** Green Turtle (*Chelonia mydas*): WWF-Canon / Jürgen Freund; Sharks Meeting: ENB; Schreibers' Bat (*Miniopterus schreibersii*): François Schwaab; Third Southeast Asian Marine Mammal Symposium, Langkawi, Malaysia: Vivian Kuit; Scimitar-horned Oryx (*Oryx dammah*): Olivier Born; NBSAPs Workshop in Harare, Zimbabwe: Francisco Rilla; Andean Flamingos (*Phoenicopterus jamesi*): Omar Rocha; Father and son, Ecuador: Francisco Rilla; Common Dolphin (*Delphinus delphis*): João Corvina; Humpback Whales (*Megaptera novaeangliae*) mother and calf, Ha'apai Islands, Tonga: Glenn Edney / www.grida.no

**P. VI:** Dr. Bradnee Chambers: Francisco Rilla

**P. 1:** African Elephants (*Loxodonta africana*): Biosphoto / Denis-Huot Michel & Christine / Still Pictures

**P. 10:** Harbour Seals (*Phoca vitulina*): Svend Tougaard

**P. 14, Table 2.1 (T-B):** Snow Leopard (*Uncia uncia*): Snow Leopard Conservancy; Shy Albatross (*Thalassarche cauta*): Barry Baker; Striped Dolphin (*Stenella coeruleoalba*): Julia Neider; Northern Bald Ibis (*Geroniticus eremita*): Sergio Tomey / www.sergiotomey.com; Orca (*Orcinus orca*): WDCCS; Brown Long-eared Bat (*Plectoris auritus*):

F. Greenaway; Eastern Gorilla (*Gorilla beringei beringei*): Mondberge; Harbour Seal (*Phoca vitulina*): Svend Tougaard

**P. 15, Table 2.1 (cont.) (T-B):** Aquatic warbler (*Acrocephalus paludicola*): M. Lane / WILDLIFE / Still Pictures; Bukhara Deer (*Cervus elaphus yarkandensis*): Olga Pereladova / WWF Russia; Pantropical Spotted Dolphin (*Stenella attenuata*): William Rossiter; Dugong (*Dugong dugon*): J. Freund / WILDLIFE / Still Pictures; March Seedeater (*Sporophila palustris*): Adrian Aspiroz; Great Bustard (*Otis tarda*), male: Béla Motkó; Andean Flamingos (*Phoenicopterus jamesi*): Omar Rocha

**P. 16, Table 2.1 (cont.) (T-B):** Loggerhead Turtle (*Caretta caretta*): Jonathan Bird / Still Pictures; Green Turtle (*Chelonia mydas*): Douglas Hykle; Mediterranean Monk Seal (*Monachus monachus*): M.A. Cedenilla / CBD-Habitat; Osprey (*Pandion haliaetus*): courtesy of Wings Over Wetlands; Ruddy Headed-goose (*Chloephaga rubidiceps*): David Middleton / fotonatura.com; Saiga (*Saiga tatarica*): Navinder Singh; Whale Shark (*Rhincodon typus*): Commonwealth of Australia (GBRMPA); Siberian Crane (*Grus leucogeranus*): George Archibald

**P. 17, Table 2.1 (cont.) (T-B):** Slender-billed Curlew (*Numenius tenuirostris*): C.H. Gomersall / RSPB; South Andean Huemul (*Hippocamelus bisulcus*): Hernán Pastore; Common Dolphin (*Delphinus delphis*): João Corvina; West African Elephant (*Loxodonta africana*): Yannick Beaudoin / www.grida.no

**P. 22:** Eurasian Spoonbill (*Platalea leucorodia*): Tim Faasen

**P. 24:** Loggerhead Turtle (*Caretta caretta*): Jonathan Bird / Still Pictures

**P. 27:** Scimitar-horned Oryx (*Oryx dammah*): Olivier Born

**P. 28:** Meeting of Latin American Focal Points, Panama: Francisco Rilla

**P. 29:** Harbour Seal (*Phoca vitulina*): Svend Tougaard

**P. 42:** Saiga Antelope (*Saiga tatarica*): I. Shpilenok / WILDLIFE Still Pictures

**P. 44:** Eastern Gorilla (*Gorilla beringei beringei*), Eastern Democratic Republic of Congo: Tim Freccia / www.grida.no

**P. 45:** Andean Flamingos (*Phoenicopterus jamesi*): Omar Rocha

**P. 47:** Dugong (*Dugong dugon*): Commonwealth of Australia

**P. 64:** White-faced Storm Petrel (*Pelagodroma marina*): Tony Palliser

**P. 65:** Scimitar-horned Oryx (*Oryx dammah*): Olivier Born

**P. 84:** Strange-tailed Tyrant (*Alectrurus risora*): Adrian Aspiroz

**P. 88:** Barnacle goose (*Branta leucopsis*): Tim Faasen