

## From Stockholm to Bonn



Representatives of over 100 countries as well as many inter-governmental agencies and non-governmental organizations 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 major outcome of the Conference was the decision to establish the United Nations Environment Programme (UNEP). The Conference also recognized the special threats faced by migratory species on their often arduous journeys across political boundaries. The delegates agreed that an international instrument to protect migratory species was necessary.

In 1974 the German Government, through the then Federal Ministry of Food, Agriculture and Forestry (the predecessor of the Federal Ministry of the Environment, Nature Protection and Nuclear Safety) was mandated by UNEP to prepare an appropriate draft text of a Convention. The German Government enlisted the support of the legal experts of the IUCN's Environmental Law Centre. After long consultations with potential Parties, the IUCN ELC produced a text which formed the basis of negotiation. The final version of this text was signed on 23 June 1979, in the Bonn district of Bad Godesberg.

On 1 November 1983 the Convention came into effect in international law. In November 1984 a Secretariat was established in Bonn at the invitation of the German Government. It is provided by UNEP and, therefore, is sometimes known as the "UNEP/CMS Secretariat". For a long time it was the only independent United Nations entity in Germany operating globally.

The Federal Republic of Germany is not only the Convention's host country, but it also serves as the Convention's Depository. This means that all Contracting Parties have to deposit their instruments of ratification or accession with the German Foreign Ministry. As Depository, Germany is the only country with permanent representation on the Convention's Standing Committee.



### Key facts:

- The UN Conference on Man and the Environment took place in Stockholm in 1972.
- CMS was signed on 23 June 1979 in the Bonn suburb of Bad Godesberg, and for this reason, the Convention is also known as "the Bonn Convention".
- The Convention entered into force on 1 November 1983 and the Secretariat, provided by the United Nations Environment Programme, was established the following year.



# CMS History and Structure

## UNEP Milestones



1972: UN Conference on the Human Environment recommends the creation of a UN environmental organization; UNEP is born.

1973: Convention on International Trade in Endangered Species (CITES).

1975: The Mediterranean Action Plan was the first UNEP-brokered Regional Seas agreement.

1979: The Bonn Convention on the Conservation of Migratory Species of Wild Animals is concluded.

1985: Vienna Convention for the Protection of the Ozone Layer.

1987: Montreal Protocol on Substances that Deplete the Ozone Layer.

1988: Inter-governmental Panel on Climate Change (IPCC).

1989: Basel Convention on the Transboundary Movement of Hazardous Wastes.

1992: UN Conference on Environment and Development (Earth Summit) publishes Agenda 21; conclusion of the Convention on Biological Diversity (CBD).

1995: Global Programme of Action (GPA) launched to protect the marine environment from land-based sources of pollution.

1997: Nairobi Declaration redefines and strengthens UNEP's role and mandate.

1998: Rotterdam Convention on Prior Informed Consent (Hazardous Chemicals)

2000: Cartagena Protocol on Biosafety adopted to address the issue of genetically modified organisms; the Malmö Declaration; first Global Ministerial Forum on the Environment calls for strengthened international environmental governance.

2001: Stockholm Convention on Persistent Organic Pollutants (POPs).

2002: World Summit on Sustainable Development.

2004: Bali Strategic Plan for Technology Support and Capacity Building.

2005: The Millennium Ecosystem Assessment highlights the importance of ecosystems to human well-being, and the extent of ecosystem decline. The World Summit outcome document highlights key role of the environment in sustainable development.

2011: UNEP Governing Council adopts a decision to proceed with the operationalization of the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES).

2014: UN Environment Assembly, with global membership, meets for the first time 23-27 June replacing the UNEP Governing Council.



### Key facts:

- UN Conference on the Human Environment took place in Stockholm in 1972.
- UNEP established by the General Assembly 1972.
- Key Conventions enter into force – CITES (1973), CMS (1979), CBD (1992).
- The Earth Summit – Rio de Janeiro 1992.
- Appointment of current Executive Director of UNEP, Achim Steiner, 2006.



[www.cms.int](http://www.cms.int)

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UNEP Milestones



## Negotiating CMS



Godesburg © Presseamt Stadt Bonn

Representatives from 77 States met in Bonn in June 1979 at the invitation of the Federal Republic of Germany to negotiate the Convention on the Conservation of Migratory Species of Wild Animals. This was the culmination of years of international consultations led by Germany supported by the Environmental Law Centre (ELC) of the World Conservation Union (IUCN).

The impetus leading to the conclusion of CMS came from the adoption at the Conference on the Human Environment (Stockholm, 1972) of recommendation 32. It called for the conservation of species that migrate between countries to be enshrined in international law. IUCN had long advocated this idea.

In 1974 Germany assumed the task of following up this recommendation and at the UNEP Governing Council (Nairobi, 1974) announced that it would prepare a convention on migratory species and would convene an international meeting to negotiate it. From the outset, the German Government had the support of IUCN. For the next four years officials of the German Ministry of Food, Agriculture and Forestry (the predecessor of today's Federal Ministry for the Environment) worked closely with the ELC.

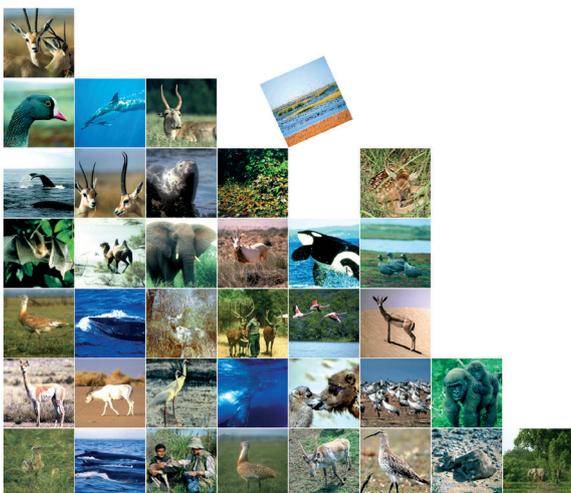
IUCN prepared the initial draft, an unofficial text sent to all governments with which the Federal Republic of Germany had diplomatic relations. A meeting of experts was then held in Bonn in July 1976 to discuss the draft. The experts' comments provided the basis for the preparation of a revised, official draft to be submitted to a plenipotentiary conference. While some areas of controversy remained, it was clear that there was support for an "umbrella" convention, which would co-ordinate action on the

conservation of migratory species, and within which international agreements covering one or more species would be negotiated.

This was a novel idea, and the flexibility it provided was appealing. Opinions differed on a number of important features, in particular scope: some favoured a broad approach and others wished to restrict the convention to endangered species and exclude marine species, such as commercially exploited fish.

These problems were not overcome in the next draft, so they came to a head during the 1979 plenipotentiary conference. A minority thought that marine species should not be covered by the convention, because conflicts might arise with the simultaneously proposed convention on the law of the sea (UNCLOS). Another proposal on the scope of the convention was to exclude the Antarctic region, which was already the subject of separate conservation negotiations.

The debate over these and several other points relating to defining migratory species as "shared resources" (then a novel, even controversial, legal concept) led to a tense negotiating atmosphere. Negotiations might have failed, had the African delegations not opposed the proposals to restrict the Convention's scope, and in a show of unity insisted on a holistic approach. They issued a joint proclamation, declaring that "wildlife as a whole, and migratory species in particular, are a common heritage of mankind to be conserved and managed in the common interest and by the common consent of all peoples". The exclusion of groups of species or geographical areas was inconsistent with these views.



### Success!

European, Asian and Latin American delegations supported the African declaration, but a consensus could not be reached, and a vote took place, rejecting any limitation. Ultimately, the Convention as a whole was adopted with only two dissenting votes. The two countries concerned later took the unprecedented step of changing their vote the next day to an abstention. And so CMS was born!

The text of this sheet draws on an article published in the CMS 25<sup>th</sup> Anniversary booklet by the late Françoise Burhenne-Guilmin.



## The Secretariat

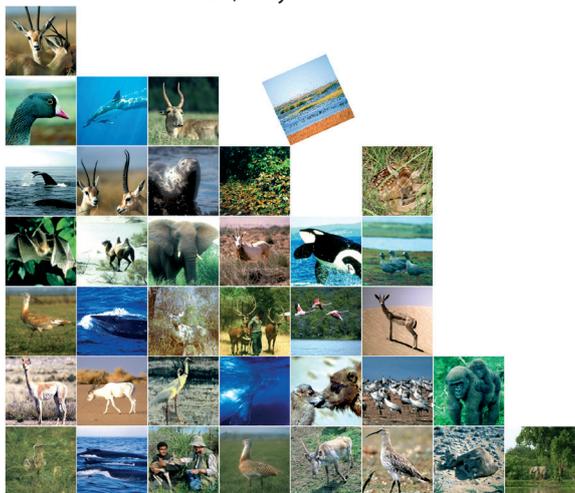


Langer Eugen, © Florian Keil, AEWA/UNEP

The CMS Secretariat is responsible for the administration of the Convention and is provided by the United Nations Environment Programme. The Secretariat's tasks are set out in Article IX of the Convention and these include the preparation, organization and servicing of the triennial meetings of the Conference of the Parties (COP) together with meetings of the Standing Committee and the Scientific Council.

The Secretariat is also responsible for promoting the exchange of information between the Parties, communicating with and recruiting non-Party States, liaising with international governmental and non-governmental organizations, the negotiation and implementation of regional Agreements on the conservation of individual migratory species or species groups and overseeing a programme of research and conservation projects. The working languages of the Convention and of the Secretariat are English, French and Spanish.

The first people to head the Secretariat were Sachiko Kuwabara and Ralph Osterwoldt. Judith Johnson served as Executive Coordinator until Arnulf Müller-Helmbrecht succeeded her in 1993. It was during his tenure that the job title changed to Executive Secretary. Mr Müller-Helmbrecht retired in 2004 to be replaced by Robert Hepworth. In July 2009 Elizabeth Maruma Mrema was appointed first as officer-in-charge and later as Executive Secretary. Bradnee Chambers entered on duty in March 2013 and, following his untimely death in 2019, was replaced by the current incumbent, Amy Fraenkel.



The original staff contingent of two has grown to 17 managerial and professional and 15 administrative posts, including two more professional posts endorsed by COP9 and which started in 2010. The main Secretariat is based in Bonn, with the two project offices in Bangkok and Abu Dhabi, the latter dealing principally with the raptor and dugong agreements. In addition, there are numerous consultants and interns working on shorter-term contracts.

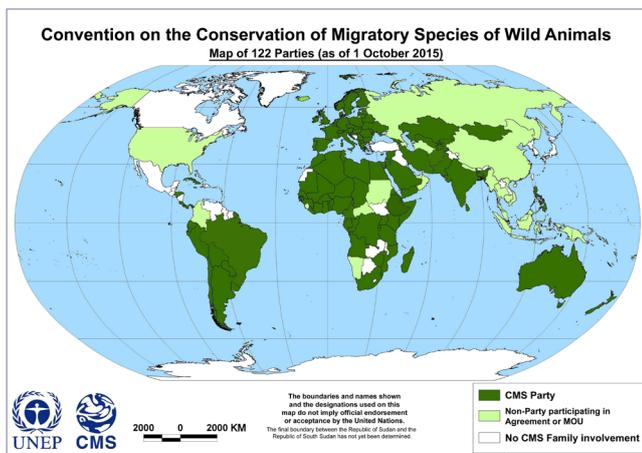
A number of buildings have served as the HQ for CMS since the establishment of the Secretariat, all of them within the City of Bonn. The first was Adenauerallee 214, the former Bonn offices of the IUCN. Then came Ahrstrasse 45 (Science Centre – Wissenschaftszentrum), Mallwitzstrasse 1-3 (Federal Office for Nature Conservation – Bundesamt für Naturschutz) and then Haus Carstanjen. The most recent move took place in 2006 to the United Nations Campus in Bonn in the former parliamentary offices known as Langer Eugen ("Tall Eugene") designed by award-winning architect Egon Eiermann and refurbished by the German Government to serve as the headquarters of a number of UN agencies. This accommodation is therefore shared with several other organizations e.g. the United Nations Volunteers (UNV), the Convention to Combat Desertification (UNCCD), small branches of UNESCO and the World Health Organization as well as the secretariats of CMS's daughter Agreements, AEWA and EUROBATS.

Since 2007, the CMS Secretariat has been merged with the Secretariat of ASCOBANS, the Agreement which deals with small cetaceans in the North-East Atlantic and the Baltic, Irish and North Seas.

### Key facts:

- The Secretariat's address is: UNEP-CMS, Platz der Vereinten Nationen 1, 53113 Bonn (+ 49 228 815 2401 or [cms.secretariat@cms.int](mailto:cms.secretariat@cms.int)).
- The Secretariat was first established in 1984.
- The Secretariat is provided by the United Nations Environment Programme.

## Parties



The Convention on Migratory Species had a membership of 15 when it entered into force on 1 November 1983. Membership reached 50 when Peru acceded in 1997 and at the time of the Sixth Meeting of the Conference of the Parties in Cape Town in 1999, there were 65 contracting parties. Yemen became the 100<sup>th</sup> Party on 1 December 2006. With Brazil's accession in 2015 the total reached 122.

Europe and Africa provide the largest regional contingents with over 40 Parties each. There is growing membership in the other three regions too: Asia, Oceania and the Americas.

Membership of the Convention has grown steadily since it entered into force. Fifteen Parties joined at the outset and 1999, the Year of the Sixth Conference of the Parties, saw ten new Parties accede. Chile was the first country in the Americas to become a Party in 1983 and Australia the first from Oceania in 1991. Recruitment again accelerated in 2005-6, which saw 12 new Parties and 2008 with six.

A number of countries participate in regional Agreements and Memoranda of Understanding despite not being Parties to the parent Convention; this phenomenon is particularly evident in Asia (see the light green shading in the map above). Many coun-

tries have progressed from participation in an agreement to full membership of CMS.

Some countries have taken the lead in developing regional agreements. For example, the Netherlands led the negotiation of AEWA and serves as that Agreement's depositary. The United Kingdom led on EUROBATS and Monaco on ACCOBAMS. Australia is the depositary and host government to the Albatross and Petrel Agreement, ACAP.

As well as a wide global coverage, the Parties to CMS are very diverse, including large land-locked countries such as Mongolia and Kazakhstan and small island states such as Mauritius and Cabo Verde. The most populous Party is India with over one billion inhabitants; the least populous is the Cook Islands with fewer than 30,000. The largest Party by area is Brazil (over eight million square kilometres); Monaco is the smallest with an area of just two square kilometres.

Deserts, mountains, steppe, forests, lagoons and reefs, savannah and frozen wilderness all occur within the territory or waters of the CMS Parties.

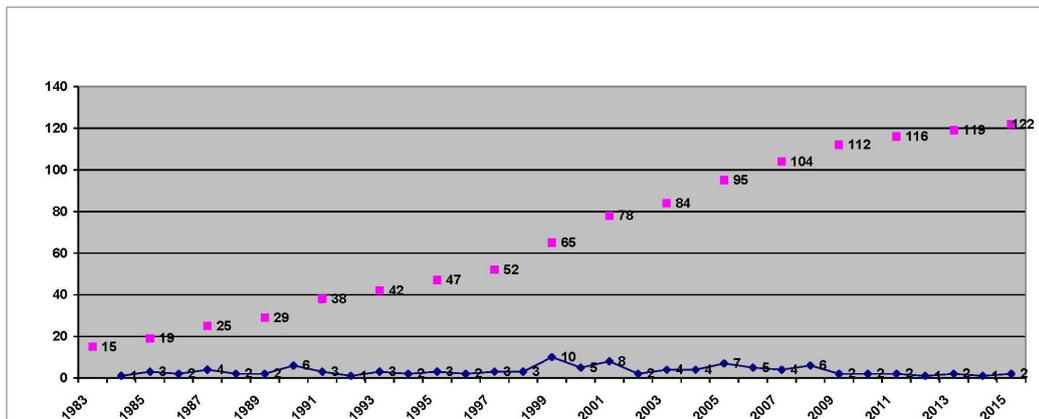


### Key facts:

- Steady growth in membership has seen the number of Parties reach 100 with the accession of Yemen in December 2006.
- Brazil became the 122<sup>nd</sup> Party in October 2015, the United Arab Emirates the 123<sup>rd</sup> in May 2016, Iraq the 124<sup>th</sup> in August 2016, the Dominican Republic the 125<sup>th</sup> in November 2017, Bosnia & Herzegovina the 126<sup>th</sup> in December 2017, Trinidad & Tobago the 127<sup>th</sup> in December 2018, Lebanon the 128<sup>th</sup> in June 2019 and Malawi the 129<sup>th</sup> in September 2019.

# CMS History and Structure

## Parties and the Growth of CMS



- |                          |                                |                                |                                 |
|--------------------------|--------------------------------|--------------------------------|---------------------------------|
| 1. Cameroon 11/1983      | 30. Burkina Faso 01/90         | 63. Ukraine 11/99              | 96. Cabo Verde 05/06            |
| 2. Chile 11/83           | 31. Uruguay 05/90              | 64. The FYR of Macedonia 11/99 | 97. Kazakhstan 05/06            |
| 3. Denmark 11/83         | 32. France 07/90               | 65. Mongolia 11/99             | 98. Cook Islands 08/06          |
| 4. Egypt 11/83           | 33. Sri Lanka 09/90            | 66. Congo 01/2000              | 99. Angola 12/06                |
| 5. European Union 11/83  | 34. Dem. Rep. Congo 09/90      | 67. Georgia 06/00              | 100. Yemen 12/06                |
| 6. Hungary 11/83         | 35. Belgium 10/90              | 68. Uganda 08/00               | 101. Madagascar 01/07           |
| 7. India 11/83           | 36. Saudi Arabia 03/91         | 69. New Zealand 10/00          | 102. Honduras 04/07             |
| 8. Ireland 11/83         | 37. Australia 09/91            | 70. Croatia 10/00              | 103. Costa Rica 07/07           |
| 9. Israel 11/83          | 38. South Africa 12/91         | 71. Tajikistan 02/01           | 104. Antigua & Barbuda 10/07    |
| 10. Italy 11/83          | 39. Argentina 01/92            | 72. Jordan 03/01               | 105. Cuba 02/08                 |
| 11. Luxembourg 11/83     | 40. Monaco 06/93               | 73. Republic of Moldova 04/01  | 106. Islamic Rep. of Iran 02/08 |
| 12. Netherlands 11/83    | 41. Guinea 08/93               | 74. Malta 06/01                | 107. Palau 02/08                |
| 13. Niger 11/83          | 42. Morocco 11/93              | 75. Gambia 08/01               | 108. Serbia 03/08               |
| 14. Portugal 11/83       | 43. Philippines 02/94          | 76. Albania 09/01              | 109. Gabon 08/08                |
| 15. Sweden 11/83         | 44. Czech Republic 05/94       | 77. Cyprus 11/01               | 110. Estonia 10/08              |
| 16. Germany 10/84        | 45. Slovakia 03/95             | 78. São Tomé & Príncipe 12/01  | 111. Montenegro 03/09           |
| 17. Spain 05/85          | 46. Switzerland 07/95          | 79. Lithuania 02/02            | 112. Mozambique 08/09           |
| 18. Norway 08/85         | 47. Guinea-Bissau 09/95        | 80. Libya 09/02                | 113. Ethiopia 01/10             |
| 19. United Kingdom 11/85 | 48. Togo 02/96                 | 81. Bolivia 03/03              | 114. Equatorial Guinea 08/10    |
| 20. Somalia 02/86        | 49. Poland 05/96               | 82. Syrian Arab Republic 06/03 | 115. Armenia 03/11              |
| 21. Benin 04/86          | 50. Peru 06/97                 | 83. Côte d'Ivoire 07/03        | 116. Burundi 07/11              |
| 22. Nigeria 01/87        | 51. Chad 09/97                 | 84. Belarus 09/03              | 117. Zimbabwe 06/12             |
| 23. Tunisia 06/87        | 52. Liechtenstein 11/97        | 85. Ecuador 02/04              | 118. Eswatini 01/13             |
| 24. Mali 10/87           | 53. Romania 07/98              | 86. Mauritius 06/04            | 119. Fiji 04/13                 |
| 25. Pakistan 12/87       | 54. Mauritania 07/98           | 87. Djibouti 11/04             | 120. Kyrgyzstan 05/14           |
| 26. Ghana 04/88          | 55. Uzbekistan 09/98           | 88. Liberia 12/04              | 121. Afghanistan 08/15          |
| 27. Senegal 06/88        | 56. Paraguay 01/99             | 89. Eritrea 02/05              | 122. Brazil 10/15               |
| 28. Finland 01/89        | 57. Slovenia 02/99             | 90. Rwanda 06/05               | 123. United Arab Emirates 5/16  |
| 29. Panama 05/89         | 58. Kenya 05/99                | 91. Austria 07/05              | 124. Iraq 08/16                 |
|                          | 59. United Rep. Tanzania 07/99 | 92. Seychelles 08/05           | 125. Dominican Rep. 11/17       |
|                          | 60. Latvia 07/99               | 93. Samoa 11/05                | 126. Bosnia-Herzegovina 12/17   |
|                          | 61. Bulgaria 09/99             | 94. Algeria 12/05              | 127. Trinidad & Tobago 12/18    |
|                          | 62. Greece 10/99               | 95. Bangladesh 12/05           | 128. Lebanon 06/19              |
|                          |                                |                                | 129. Malawi 09/19               |



### Key

- The list of Parties above shows when CMS entered into force for the countries concerned. European countries are shown in dark blue, African countries in red, Asian countries in green, countries from Oceania in light blue and American countries in black.



## Convention Text and Rationale



Migratory species of animals are generally more at risk of becoming endangered than non-migratory ones because their habitat requirements are greater. They need breeding grounds for reproduction and rearing their young and then quite different wintering grounds as well as staging areas along their migration routes. These sites have – to different degrees – to provide adequate food supplies and shelter.

Article II of the Convention text sets out the fundamental principles that underlie the objectives identified at the Stockholm Conference on the Human Environment in 1972. The Parties acknowledge that the conservation of migratory species is important and that Range States should agree to take action, paying special attention to migratory species and their habitats, particularly those with an unfavourable conservation status.

The Parties also acknowledge the need to take action to avoid any migratory species becoming endangered. In particular, the Parties should promote research relating to migratory species; try to provide immediate protection for migratory species included in Appendix I; and try to conclude Agreements covering the conservation and management of migratory species included in Appendix II.



Since the entry into force of the Convention, a number of Agreements have been concluded as well as several Memoranda of Understanding (MOU). The Agreements cover albatrosses and petrels, cetaceans, waterbirds, bats, gorillas and seals. The MOUs cover the Siberian Crane, the Aquatic Warbler, the Slender-billed Curlew, the Great Bustard, the Ruddy-headed Goose, South American grassland birds, Andean flamingos, Afro-Eurasian Raptors (birds of prey), marine turtles (Atlantic coast of Africa and the Indian Ocean & SE Asia), the Saiga Antelope, the Bukhara Deer, the Andean Huemul, West African Elephants, the Monk Seal, the Dugong, sharks, Pacific cetaceans and West African cetaceans and Manatees (see the separate sheets on each of the Agreements and MOUs elsewhere in the Guide).

### Arrangement of Articles:

Article I: Interpretation; Article II: Fundamental Principles; Article III: Endangered Migratory Species: Appendix I; Article IV: Migratory Species to be the subject of AGREEMENTS: Appendix II; Article V: Guidelines for AGREEMENTS; Article VI: Range States; Article VII: Conference of the Parties; Article VIII: The Scientific Council; Article IX: the Secretariat; Article X: Amendment of the Convention; Article XI: Amendment of the Appendices; Article XII: Effect on International Conventions and other legislation; Article XIII: Settlement of Disputes; Article XIV: Reservations; Article XV: Signature; Article XVI: Ratification, Acceptance, Approval; Article XVII: Accession; Article XVIII: Entry into Force; Article XIX: Denunciation; Article XX: Depositary

The text of the Convention in a number of languages is available on the CMS website.

### Key Quotation:

“I would like to urge all countries not yet a Party to CMS, to join. In the Convention you will find an effective, specialised tool, ready with technical and financial support, that can help you to achieve national goals set out in the biodiversity strategies and action plans”

Prof. Dr. Klaus Töpfer, former Executive Director of UNEP  
“25 Years of Journeys, UNEP-CMS”

## The Appendices



Pallas's fish eagle © Tim Loseby and Killer whale © WDCS

Article III of the Convention defines Appendix I and the species which are listed on it. Appendix I contains migratory species which are endangered – in danger of extinction throughout all or a significant portion of their range. Provided that there is reliable scientific evidence available that a species is endangered, a migratory species may be listed in Appendix I. A species can be removed from Appendix I if it is no longer considered to be in danger of extinction and is likely to remain out of such danger. To date, no species has ever been de-listed.

Parties that are Range States for Appendix I species endeavour to conserve and restore habitats; to prevent, remove, compensate for or minimize, as appropriate, the adverse effects of activities or obstacles, which prevent or impede migration; and to prevent, reduce or control factors that endanger the species. This includes the adoption of measures to control the introduction exotic species or to eliminate them where they are already established.

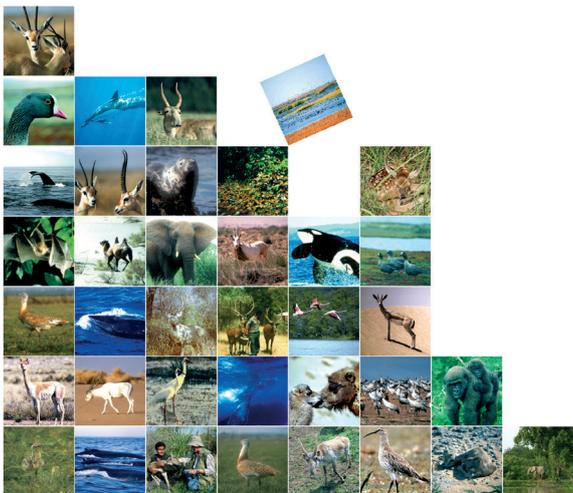
Taking of specimens of Appendix I species shall be prohibited subject to certain exceptions, namely where the taking is for scientific purposes; for the purpose of enhancing the propagation or survival of the affected species; to accommodate the needs of traditional subsistence users of such species; or where extraordinary circumstances so require. Parties making exceptions to the prohibition of taking must inform the Secretariat.

The Conference of the Parties may recommend to Parties that are Range States to Appendix I species that they should undertake additional conservation measures for the benefit of the species.

Article IV of the Convention text sets out the definition of Appendix II. This Appendix contains species with an unfavourable conservation status and which require international agreements for their conservation and management. It also contains species, which have a conservation status which would significantly benefit from the international co-operation that could be achieved through an international agreement.

Parties that are Range States of Appendix II species are encouraged to conclude Agreements for the conservation and management of those species or geographically separate populations of those species. The Secretariat is to be given a copy of any such Agreement.

It is possible for a species to be listed on both Appendices of the Convention, for the species as a whole to be listed on one and a particular population to appear on the other or for just a particular population to be listed.



### Key facts:

- Birds and mammals make up the majority of the species listed.
- The Monarch Butterfly (*Danaus plexippus*) is the only insect on the Appendices.
- There are also some reptiles (e.g. marine turtles) and fish (e.g. sturgeons and sharks) listed.

## The Conference of the Parties



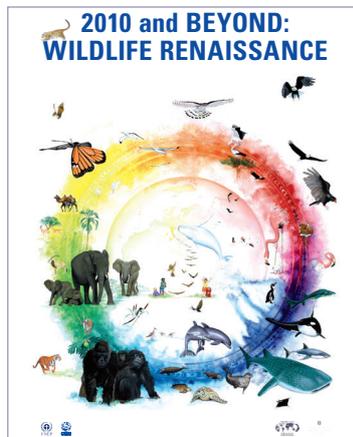
COP8 Nairobi © CMS

The Conference of the Parties (COP) is the principal decision-making body of the Convention as set out in Article VII of the CMS text. It meets once every three years, and sets the budget and priorities of the following three years (the triennium). It also decides on the amendment of the Appendices and considers reports submitted by the Parties, the Scientific Council and the Agreements established under the Convention. It also has the task of recommending to Parties whether they should conclude further regional Agreements for the conservation of particular species or groups of species.

All the Parties are entitled to attend the Conference and participate in the votes. Non-Party states are entitled to send observers, as are NGOs active in the field of conservation and other United Nations organizations.

**Standing Committee** – the first COP in 1985 established a Standing Committee. Its task is to oversee the running of the Convention and the Secretariat between sessions of the COP. Its membership comprises the elected regional representatives of the Parties, plus the Depositary Government (Germany) and the Host Governments of the previous and next COPs (see separate sheet on the Standing Committee).

**Meetings of the Conference of the Parties** – there have been eleven meetings of the Conference of the Parties so far. Some



COP9 Poster © CMS

have been held at UN centres, while others, such as COP6 and COP7, have been hosted by one of the Parties. The ninth meeting took place in 2008 in Rome, Italy, the tenth in Bergen, Norway in 2011 and the eleventh Quito, Ecuador in 2014. The twelfth is scheduled for 2017 in the Philippines.

There were approximately 50 delegates at the first COP in 1985 representing all nineteen of the Parties at that time. Attendance has grown steadily since then and typically COP attracts several hundred delegates and a similar number of observers representing non-Party states, United Nations agencies, Secretariats of Agreements established under the Convention, conservation NGOs and other international agencies active in the field of conservation and sustainable use.

The Convention's Scientific Council provides technical advice to the Conference. The Council is made up of national experts and taxonomic, thematic and geographical specialists appointed by the Conference.

(see separate sheet on the Scientific Council)

### Dates and Venues of COPs:

- COP1 Bonn, Germany, 1985
- COP2 Geneva, Switzerland, 1988
- COP3 Geneva, Switzerland, 1991
- COP4 Nairobi, Kenya, 1994
- COP5 Geneva, Switzerland, 1997
- COP6 Cape Town, South Africa, 1999
- COP7 Bonn, Germany, 2002
- COP8 Nairobi, Kenya, 2005
- COP9 Rome, Italy, 2008
- COP10 Bergen, Norway, 2011
- COP11 Quito, Ecuador, 2014
- COP12 Manila, the Philippines, 2017



## Scientific Council



Scientific Council 12, Glasgow © CMS

**Convention** – Article VIII of the Convention provides for the establishment of a Scientific Council. The Council, whose principal role is to provide scientific advice to the Conference of the Parties and the Secretariat, is made up of national experts chosen by the Parties together with a number of specialists appointed by the Conference of the Parties.

**Rules of procedure** – While the Council determines its own rules of procedure, its terms of reference are set by the Conference of the Parties. The Council advises on research priorities, helps to coordinate such research and considers the listing of species on the Convention's two Appendices. Its other main function is to advise on the conservation measures to be taken to benefit the species covered by the Convention.

**Conference appointed experts** – Following the 11<sup>th</sup> COP in Quito 2014, the ten appointed councillors and their nine fields of expertise are: Barry Baker (By-catch), Colin Limpus (Marine Turtles), Rodrigo Medellín (Neo-Tropical Fauna), Alfred Oteng-Yeboah (African Fauna), Taej Mundkur (Asiatic Fauna), Rob Clay and Stephen Garnett jointly (Bird Species), Giuseppe Notarbartolo di Sciarra (Marine Mammals), Zeb Hogan (Fish Species) and Colin Galbraith (Climate Change).



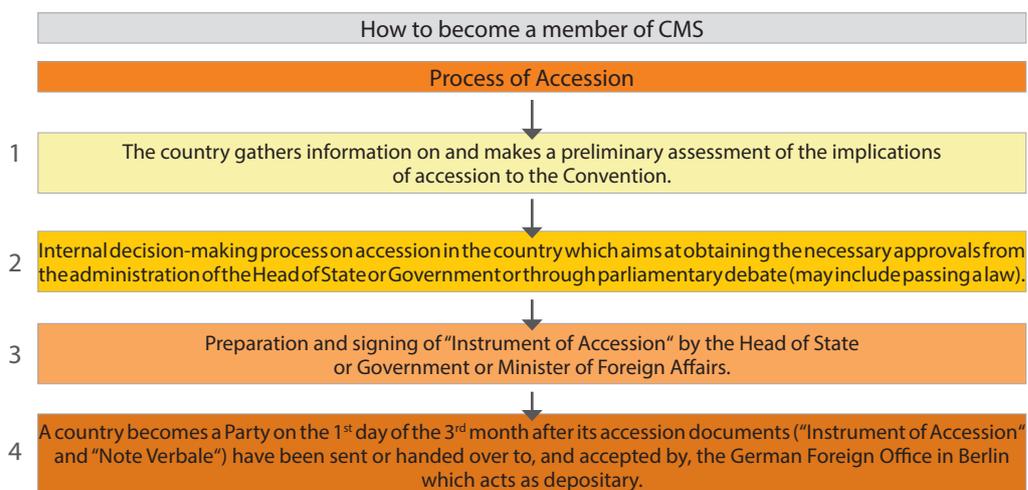
**Council chairmen** – Since the establishment of the Council, the incumbents of the office of Chairman have been: Michael Ford (United Kingdom), Wim Wolff (Netherlands), Pierre Devillers (European Union), Colin Galbraith (United Kingdom) and John Mshelbwala (Nigeria). The current chairman is Fernando Spina (Italy), who had previously served as Chair of COP9 in Rome. The Vice-Chair is Malta Qwathekana of South Africa.

**Sessional Committee of the Council** – At COP11 Parties decided (through Resolution 11.4) to establish the Sessional Committee of the Council, made up of the COP-appointed Councillors and a representative selection of Party-nominated Councillors (three from each of the five regions). The Committee's first meeting should take place before COP12. Details of the Council's deliberations are available on the CMS website ([www.cms.int](http://www.cms.int)).

### Meetings of the Scientific Council

- ScC1 Geneva, Switzerland, 11-14 October 1988
- ScC2 Bonn, Germany, 14-15 March 1991
- ScC3 Geneva, Switzerland, 9-13 September 1991
- ScC4 Bonn, Germany, 17-19 May 1993
- ScC5 Nairobi, Kenya, 4-5 June 1994
- ScC6 Bonn, Germany, 1-3 November 1995
- ScC7 Geneva, Switzerland, 10-16 April 1997
- ScC8 Wageningen, the Netherlands, 3-5 June 1998
- ScC9 Cape Town, South Africa, 4-6 November 1999
- ScC10 Edinburgh, United Kingdom, 2-4 May 2001
- ScC11 Bonn, Germany, 14-17 September 2002
- ScC12 Glasgow, United Kingdom, 31 March-3 April 2004
- ScC13 Nairobi, Kenya, 16-18 November 2005
- ScC14 Bonn, Germany 14-17 March 2007
- ScC15 Rome, Italy 27-28 November 2008
- ScC16 Bonn, Germany, 28-30 June 2010
- ScC17 Bergen, Norway, 17-18 November 2011
- ScC18 Bonn, Germany, 1-3 July 2014

## Accession



Following the conclusion of an international treaty, the text is opened for signature. Some governments sign the treaty at the end of the negotiation meeting; others add their signature shortly afterwards. After a given period, the treaty is closed to new signatories. The Bonn Convention was concluded on 23 June 1979 and was open for signature until 22 June 1980.

After signature, the next legal procedure is for the treaty to be ratified. This serves as confirmation by the appropriate authority—the Head of State, Head of Government, the whole Cabinet, the responsible minister or Parliament—through legislative or administrative act of that country's will to become party to the treaty. A country that has not signed a treaty at the initial stage may still decide to become a party to it. In this case, the country needs to accede to the treaty. (The terms "acceptance" or "approval" are also often used as well as "ratification" or "accession" to describe the instrument by which a country indicates its willingness to be bound by the terms of a treaty).

For a treaty to come into force, it is usually a requirement that a minimum number of countries confirm their intent to be bound by its terms. In the case of CMS, Article XVIII specifies that the Convention was to enter into force "on the first day of the third month following the date of deposit of the fifteenth instrument of ratification, acceptance, approval or accession". CMS passed

this milestone and entered into force in November 1983. The African-Eurasian Waterbird Agreement (AEWA), in recognition of the fact that the Agreement area covered two entire continents, required a minimum of fourteen ratifications or accessions, with at least seven from each of Eurasia and Africa.

A treaty needs a designated authority to serve as the "depositary", to which all instruments of ratification or accession have to be sent. In the case of CMS, the depositary is the Government of the Federal Republic of Germany; in the case of AEWA it is the Ministry of Foreign Affairs of the Netherlands, and for EUROBATS the Foreign and Commonwealth Office of the United Kingdom. Monaco serves as depositary for ACCOBAMS (the cetacean Agreement for the Mediterranean and Black Seas), whereas for ASCOBANS (the small cetacean Agreement for the North and Baltic Seas) this role is fulfilled by the Secretary General of the United Nations. Australia is the depositary of the Albatross and Petrels Agreement, ACAP.

**CMS Signatories:** the original signatories to CMS are: Cameroon, Central African Republic, Chad, Côte d'Ivoire, Denmark, Egypt, France, Germany, Greece, India, Ireland, Italy, Jamaica, Luxembourg, Madagascar, Morocco, the Netherlands, Niger, Norway, Paraguay, the Philippines, Portugal, Somalia, Spain, Sri Lanka, Sweden, Togo, Uganda and the United Kingdom. All except the Central African Republic and Jamaica have subsequently become Parties.



International treaties, conventions, agreements and protocols are governed by the Vienna Convention on the Law of Treaties concluded in 1969. It entered into force in 1980.

# CMS History and Structure

## CMS Budget



The Parties set the budget at the Conference of the Parties for a three year period (the “triennium”) in accordance with Article VII paragraph 4 of the Convention. The Parties pay contributions in accordance with a scale agreed by the Conference. CMS has adopted a modified version of the UN scale of assessment, adapted to reflect that not every member of the United Nations is yet a contracting Party to the Convention.

According to the UN Scale, among the CMS Parties, Germany is the largest contributor, followed by France, the UK and Italy. They pay 15.6, 12.2, 11.3 and 9.7 per cent respectively. In Germany’s case, this will amount to approximately €1.16 million over the triennium 2015-2017, whereas the countries with the lowest rating under UN scale of assessment (0.001%) are required to pay €164.

The First COP adopted a regular annual budget of just US\$ 112,000, rising to \$ 365,000 for the year of COP2. For the second triennium, the total expenditure exceeded \$1.2 million. In 1997, the year of COP5 when costs incurred were greater, the budget went over \$1 million for the first time. The total amount allocated by the Parties for the triennium 2002-2005 was nearly \$ 5.5 million. At COP8 in Nairobi it was decided to conduct the finances of CMS in Euros instead of US Dollars and Parties set a three-year budget of €6.6 million (approximately US\$ 8.3 million).

As well as meeting the Secretariat’s staff costs, the budget is used to fund information and promotional initiatives, and scientific and public awareness raising publications. Another important activity with calls on the budget is the organization of meetings to develop new instruments and implement existing ones and capacity building workshops where expertise and know-how can be exchanged and conservation efforts enhanced. In the past, surpluses in the budget have been used to fund conservation projects, but these are now almost exclusively financed through voluntary contributions from the Parties or grants from other bodies, such as UNEP or the European Commission.

As the Convention has grown, so have the resources allocated by the Parties to the Secretariat to carry out the CMS work programme

- 1987-1988 \* US\$ 482,100
- 1989-1991 US\$ 1,282,957
- 1992-1994 US\$ 1,962,019
- 1995-1997 US\$ 2,700,155
- 1998-2000 US\$ 3,683,800
- 2001-2002 \* US\$ 3,225,025
- 2003-2005 US\$ 5,441,289
- 2006-2008\*\* € 6,618,655
- 2009-2011\*\* € 6,943,087
- 2012-2014\*\* € 7,313,245
- 2015-2017\*\* € 7,442,629
- 2018-2020\*\* € 8,156,202

\* biennium rather than the normal triennium

\*\* budget conducted in Euros rather than US Dollars from 2006



# CMS History and Structure

## CMS Milestones

- 1972: UN Conference on the Human Environment calls for an international treaty to protect endangered species of migratory wildlife
- 1974: UNEP's Governing Council instructs the Executive Director to pursue an instrument for migratory species. The IUCN's Environmental Law Centre drafts the first text
- 1976: UNEP and IUCN convene a ministerial meeting to define the scope for the Migratory Species Convention
- 1979: Diplomatic Conference is held in Bonn and adopts the final version of the CMS text after a Declaration by the African States heads off the lobby calling for the exclusion of marine life.
- 1983: The Convention enters force on 1 November, after ratification by the required number of Parties
- 1984: CMS Secretariat established in Bonn
- 1985: First Conference of the Parties (COP)
- 1990: Agreement on the Conservation of Seals in the Wadden Sea is adopted
- 1991: COP3 instigates Concerted Actions to implement the Convention; Wadden Sea Agreement enters into force
- 1992: Convention on Biodiversity opens for signature
- 1993: The Siberian Crane Memorandum of Understanding (MOU) becomes the first such instrument concluded under CMS
- 1994: EUROBATS (European bats) and ASCOBANS (small cetaceans of the Baltic and North Seas) enter into force. Slender-billed Curlew MOU comes into effect
- 1995: African-Eurasian Migratory Waterbird Agreement (AEWA) is signed by 53 states
- 1996: ACCOBAMS (cetaceans of the Mediterranean and Black Seas) adopted



- 1997: Small Grants Programme started
- 1999: AEWA enters into force. Revised Siberian Crane MOU and the MOU on Turtles of the Atlantic Coast of Africa come into effect
- 2001: ACAP (Albatrosses and Petrels) adopted. ACCOBAMS enters into force. MOUs on the Great Bustard and Indian Ocean Marine Turtles come into effect
- 2002: MOU on Bukhara Deer comes into effect
- 2003: MOU on Aquatic Warbler comes into effect. CMS joins the Millennium Ecosystem Assessment. The Bangkok out-stationed office opens
- 2004: ACAP enters into force. CMS celebrates its Silver Jubilee
- 2005: CMS adopts the Euro and the Parties agree a 50% budget increase. West African Elephant MOU comes into effect
- 2006: MOU on Cetaceans of the Pacific Islands Region enters into force. Yemen becomes the 100<sup>th</sup> Party to CMS. The first CMS "Year of the ..." campaign (for marine turtles) is held
- 2007: CMS launches Year of the Dolphin with travel firm TUI, the Whale and Dolphin Conservation Society and UN partners
- 2008: Agreement on the Conservation of Gorillas
- 2009: Year of the Gorilla, CMS celebrates its 30<sup>th</sup> anniversary and membership reaches 110. Abu Dhabi project office opens
- 2010: International Year of Biodiversity
- 2011-12: Year of the Bat
- 2014: Membership reaches 120

### Key Dates:

- UN Conference on the Human Environment took place in Stockholm in 1972 calling for an international treaty to protect migratory species.
- Convention on Migratory Species negotiated 1979.
- Convention on Migratory Species enters into force 1983.



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## Strategic Plan



Strategic Plan Meeting, South Africa 2013 © Francisco Rilla UNEP/CMS

The 11<sup>th</sup> Meeting of the Conference of the Parties (Quito, 2014) adopted Resolution 11.2 and with it the “Strategic Plan for Migratory Species 2015-2023” (SPMS), which had been elaborated by an ad hoc Working Group established by COP10.

In view of the fact that the Conference of the Parties to the Convention on Biological Diversity recognized through Decision X/20 CMS as the lead partner in the conservation and sustainable use of migratory species over their entire range, the SPMS mirrors the Strategic Plan for Biodiversity 2011-2020 and the associated Aichi Targets. In this way, CMS honours the commitment made at the UN Environment Management Group (EMG) to identify measures for effective and efficient implementation of the Strategic Plan for Biodiversity across the United Nations system. Resolution 11.2 also highlighted the role of National Biodiversity Strategies and Action Plans (NBSAPs) as effective instruments to promote the implementation of the Strategic Plan for Biodiversity and mainstreaming of biodiversity at the national level, as well as their relevance to the implementation of a number of Multilateral Environmental Agreements (MEAs) such as CMS.

The SPMS is sub-divided into a number of chapters; Chapter 1: Rationale, Chapter 2: Vision and Mission, Chapter 3: Strategic Goals and Targets and Chapter 4: Enabling Conditions for Implementation. The Plan also has two Annexes: Annex A: Correspondence between the SPMS and Aichi Targets and Annex B: Indicative Strategic Plan Indicators. Chapter 3 includes five goals covering sixteen targets and further sub-targets. The five goals are:

**Goal 1:** Address the underlying causes of decline of migratory species by mainstreaming relevant conservation and sustainable use priorities across government and society

**Goal 2:** Reduce the direct pressures on migratory species and their habitats

**Goal 3:** Improve the conservation status of migratory species and the ecological connectivity and resilience of their habitats

**Goal 4:** Enhance the benefits to all from the favourable conservation status of migratory species

**Goal 5:** Enhance implementation through participatory planning, knowledge management and capacity-building

There is a close correlation between the CBD’s Aichi Targets and the sixteen targets contained in the SPMS. Only SPMS Target 3 (National, regional and international governance arrangements and agreements affecting migratory species and their migration systems have improved significantly, making relevant policy, legislative and implementation processes more coherent, accountable, transparent, participatory, equitable and inclusive) and SPMS Target 9 (International and regional action and cooperation between States for the conservation and effective management of migratory species fully reflects a migration systems approach, in which all States sharing responsibility for the species concerned engage in such actions in a concerted way) have no direct counterpart in the Aichi Targets.



### Key Facts:

- A set of indicators by which to measure the success of the Strategic Plan for Migratory Species is being developed.
- There will also be a “Companion Volume” setting out the enabling activities and instruments that will facilitate implementation.