



**CONVENTION ON
MIGRATORY
SPECIES**

Distribution: General

UNEP/CMS/COP12/Doc.21.1.33
22 May 2017

Original: English

12th MEETING OF THE CONFERENCE OF THE PARTIES
Manila, Philippines, 23 - 28 October 2017
Agenda Item 21.1.33

RESOLUTIONS TO REPEAL IN PART

RESOLUTION 11.27, RENEWABLE ENERGY AND MIGRATORY SPECIES

(Prepared by the Secretariat on behalf of the Standing Committee)

Summary:

This document repeals in part [Resolution 11.27, Renewable Energy and Migratory Species](#).

This document should be read in conjunction with UNEP/CMS/COP12/Doc.24.4.6 which proposes additional Decisions to facilitate the implementation of this Resolution.

DRAFT RESOLUTION

RESOLUTION 11.27, RENEWABLE ENERGY AND MIGRATORY SPECIES

NB: Proposed new text is underlined. Text to be deleted is ~~crossed-out~~.

Paragraph	Comments
<p><i>Recognizing</i> the importance to society of an adequate and stable energy supply and that renewable energy sources can significantly contribute to achieving this, and <i>aware</i> that renewable power generation, especially from wind energy, large solar panel power stations and biomass production, is projected by the International Energy Agency to triple by 2035;</p>	<p>Retain</p>
<p><i>Recognizing also</i> that increased use of technologies to exploit renewable energy may potentially affect many migratory species listed by CMS and other legal frameworks, and <i>concerned</i> about the cumulative effects of such technology on the movement of migratory species, their ability to utilize critical staging areas, the loss and fragmentation of their habitats, and mortality from collisions with infrastructural developments;</p>	<p>Retain</p>
<p><i>Recalling</i> Article III 4(b) of the Convention which requests Parties to endeavour, <i>inter alia</i>, “to prevent, remove, compensate for or minimize, as appropriate, the adverse effects of activities, or obstacles that seriously impede or prevent the migration of species” and <i>noting</i> the relevance of this obligation to renewable energy developments, especially given that adverse impacts of renewable energy technologies can be substantially minimized through careful site selection and planning, thorough Environmental Impact Assessments (EIAs), and good post-construction monitoring to learn from experience;</p>	<p>Retain</p>
<p><i>Recalling also</i> previous decisions by CMS and aware of those of other MEAs, including CMS Agreements, as well as of relevant guidelines, on reconciling renewable energy developments with the conservation of migratory species, including:</p> <ul style="list-style-type: none"> • CMS Resolution 7.5 on ‘<i>Wind Turbines and Migratory Species</i>’; • CMS Resolution 10.19 on ‘<i>Migratory Species Conservation in the Light of Climate Change</i>’; • CMS Resolution 10.24 on ‘<i>Further Steps to Abate Underwater Noise Pollution for the Protection of Cetaceans and Other Migratory Species</i>’; • ASCOBANS Resolution 6.2 ‘<i>Adverse Effects of Underwater Noise on Marine Mammals during Offshore Construction Activities for Renewable Energy Production</i>’; • ACCOBAMS Resolution 4.17 ‘<i>Guidelines to Address the Impact of Anthropogenic Noise on Cetaceans in the ACCOBAMS Area</i>’; • AEWAs Resolution 5.16 on ‘<i>Renewable Energy and Migratory Waterbirds</i>’ which stressed the need to address or avoid adverse effects on migratory waterbirds and contains operational recommendations of relevance to many other migratory species; 	<p>Retain</p>

Paragraph	Comments
<ul style="list-style-type: none"> • AEWA's <i>'Guidelines on How to Avoid, Minimize or Mitigate Impact of Infrastructural Developments and Related Disturbance Affecting Waterbirds'</i> (Conservation Guidelines no. 11); • EUROBATS Resolution 7.5 <i>'Wind Turbines and Bat Populations'</i> and Guidelines for consideration of bats in wind farm projects; • Bern Convention Recommendation No. 109 on minimizing adverse effects of wind power generation on wildlife and the guidance of 2003 on environmental assessment criteria and site selection issues related to wind-farming as well as the best practice guidance on integrated wind farm planning and impact assessment presented to the 33rd meeting of the Bern Convention Standing Committee in 2013; • Ramsar Resolution XI.10 <i>'Guidance for Addressing the Implications for Wetlands of Policies, Plans and Activities in the Energy Sector'</i>; • SBSTTA 16 Recommendation XVI/9 <i>'Technical and Regulatory Matters on Geo-engineering in Relation to the Convention on Biological Diversity'</i>; and • BirdLife UNDP/GEF Migratory Soaring Bird Guidance on wind and solar energy; <p>and <i>recognizing</i> the need for closer cooperation and synergetic implementation amongst the CMS Family, other MEAs and relevant national and international stakeholders of decisions and guidelines to reconcile energy sector developments with migratory species conservation needs;</p>	
<p><i>Acknowledging</i> the critical need for liaison, communication and strategic planning to be jointly undertaken by those parts of governments responsible respectively for environmental protection and energy development to avoid or mitigate negative consequences for migratory and other species and their habitats;</p>	Retain
<p><i>Taking note</i> of document UNEP/CMS/COP11/Inf.26: <i>'Renewable Energy Technology Deployment and Migratory Species: an Overview'</i>, which summarizes knowledge of actual and possible effects of renewable energy installations on migratory species, <i>noting</i> its conclusion that relatively few scientific studies are available on the short-term, long-term and cumulative impacts of renewable energy technologies, and <i>acknowledging</i> the urgent need for further research on the impact on migratory species of renewable energy technologies particularly in relation to ocean and solar energy;</p>	Retain
<p><i>Noting also</i> that document UNEP/CMS/COP11/Inf.26 highlights the urgent need to collect data on the distribution of migratory species, their population size and migration routes as an essential part of any strategic planning and impact assessment, prior to and/or during the planning phase of development of renewable energy deployments, and also stresses the need to monitor regularly mortality arising from those developments;</p>	Retain
<p><i>Noting</i> the discussion at the 18th Meeting of the Scientific Council on the drafts of document UNEP/CMS/COP11/Inf.26 and document UNEP/CMS/COP11/Doc.23.4.3.2: <i>'Renewable Energy Technologies and Migratory Species: Guidelines for Sustainable Deployment'</i> and <i>aware</i> that input from other advisory bodies of the CMS Family has been incorporated into both documents;</p>	Retain

Paragraph	Comments
<p><i>Convinced</i> of the relevance of the above-mentioned guidelines for sustainable deployment of renewable energy technologies to the implementation of the CMS programme of work on climate change and migratory species submitted for consideration and adoption by the 11th Meeting of the Conference of the Parties in document UNEP/CMS/COP11/Doc.23.4.2;</p>	Retain
<p><i>Noting</i> relevant international decisions and guidance with regard to mitigating the specific impacts of power lines on birds, including:</p> <ul style="list-style-type: none"> • CMS Resolution 10.11 on ‘<i>Power Lines and Migratory Birds</i>’; • ‘<i>Guidelines on How to Avoid or Mitigate the Impact of Electricity Power Grids on Migratory Birds in the African-Eurasian Region</i>’ adopted by CMS COP10, AEWA MOP5 and the CMS Raptors MOU MOS1; • AEWA Resolution 5.11 ‘<i>Power Lines and Migratory Waterbirds</i>’; • Bern Convention Recommendation No. 110 on minimizing adverse effects of above-ground electricity transmission facilities (power lines) on birds; • The Budapest Declaration on bird protection and power lines adopted in 2011 by the Conference ‘<i>Power Lines and Bird Mortality in Europe</i>’; and • BirdLife UNDP/GEF Migratory Soaring Bird Guidance on power lines; 	Retain
<p><i>Welcoming</i> the good cooperation and partnerships already established at both international and national levels between stakeholders including governments and their institutions, energy companies, non-government organizations (NGOs) and Secretariats of MEAs, and the concerted efforts made to address energy developments which conflict with species conservation; and</p>	Retain
<p><i>Acknowledging with thanks</i> the financial support of the Governments of Germany and Norway through the CMS and AEWA Secretariats, of BirdLife International through the BirdLife UNDP/GEF Migratory Soaring Birds project and of IRENA towards the compilation of the report ‘<i>Renewable Energy Technology Deployment and Migratory Species: an Overview</i>’ and the guidelines document ‘<i>Renewable Energy Technologies and Migratory Species: Guidelines for Sustainable Deployment</i>’;</p>	Retain
<p>The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals</p>	
<p>1. <i>Endorses</i> the document ‘<i>Renewable Energy Technologies and Migratory Species: Guidelines for Sustainable Deployment</i>’ (UNEP/CMS/COP11/Doc.23.4.3.2);</p>	Retain
<p>2. <i>Urges</i> Parties and <i>encourages</i> non-Parties to implement these voluntary Guidelines as applicable depending on the particular circumstances of each Party, and as a minimum to:</p> <p>2-1 <i>a)</i> apply appropriate Strategic Environment Assessment (SEA) and EIA procedures, when planning the use of renewable energy technologies, avoiding existing protected areas in the broadest sense and other sites of importance to migratory species;</p> <p>2-2 <i>b)</i> undertake appropriate survey and monitoring both before and after deployment of renewable energy technologies to identify impacts on migratory species and their habitats in the short- and long-term, as well as to evaluate mitigation measures; and</p>	Retain

Paragraph	Comments
<p>2-3 c) apply appropriate cumulative impact studies to describe and understand impacts at larger scale, such as at population level or along entire migration routes (e.g., at flyways scale for birds);</p>	
<p>3. <i>Urges</i> Parties to implement, as appropriate, the following priorities in their development of renewable energy technologies:</p> <p>3-1 <u>a) wind energy</u>: undertake careful physical planning with special attention to the mortality of birds (in particular of species that are long-lived and have low fecundity) and bats resulting from collisions with wind turbines and the increased mortality risk to cetaceans from permanently reduced auditory functions, and consider means of reducing disturbance and displacement effects on relevant species, including deploying measures such as ‘shutdown on demand’ as appropriate;</p> <p>3-2 <u>b) solar energy</u>: avoid protected areas so as to limit further the impacts of deploying solar power plants; undertake careful planning to reduce disturbance and displacement effects on relevant species, as well as to minimize the risks of solar flux and trauma related injuries which could be a consequence of a number of solar energy technologies;</p> <p>3-3 <u>c) ocean energy</u>: give attention to possible impacts on migratory species of increased noise and electromagnetic field disturbance especially during construction work in coastal habitats, and injury;</p> <p>3-4 <u>d) hydro-power</u>: undertake measures to reduce or mitigate known serious impacts on the movements of migratory aquatic species, such as through the installation of measures such as fish passageways; and</p> <p>3-5 <u>e) geo-energy</u>: avoid habitat loss, disturbance and barrier effects in order to continue to keep the overall environmental impacts at their current low level;</p>	<p>Retain</p>
<p>4. <i>Instructs</i> the Secretariat to convene a multi-stakeholder Task Force on Reconciling Selected Energy Sector Developments with Migratory Species Conservation (the Energy Task Force), in order to:-</p> <ul style="list-style-type: none"> • promote the benefits of existing decisions;- • encourage Parties to implement current guidance and decisions;- • develop any necessary new guidelines and action plans as appropriate; and • make recommendations on suitable responses to specific problems and gaps in knowledge;- <p>and in convening the Energy Task Force, to work in conjunction with the Secretariats of AEWAs, other relevant CMS instruments and the Bern and Ramsar Conventions, involving Parties and other stakeholders such as NGOs and the energy industry in line with the Terms of Reference annexed;-</p>	<p>Repeal; the Task force has been established, it held its first meeting and it adopted its Modus operandi and work plan.</p>
<p>4-5. <i>Urges</i> Parties and <i>invites</i> UNEP and other relevant international organizations, bilateral and multilateral donors as well as representatives of the energy industry to support financially the operations of the <u>Task Force on Reconciling Selected Energy Sector Developments with Migratory Species Conservation (Energy Task Force)</u> Energy Task Force, including through funding for its coordination and provision of financial assistance to developing countries for</p>	<p>Retain as modified</p>

Paragraph	Comments
relevant capacity building and the implementation of relevant guidance; and	
5. 6. <i>Instructs</i> the Secretariat to report progress on behalf of the Energy Task Force, including on implementation and, as much as possible, on assessment of the efficacy of measures taken, to <u>each meeting of the Conference of the Parties COP12 in 2017.</u>	Retain as modified
<p>Annex to Resolution 11.27-</p> <p>Terms of Reference for the Multi-stakeholder Task Force on Reconciling Selected Energy Sector Developments with Migratory Species Conservation (<i>Energy Task Force</i>)</p> <p>[omitted due to length]</p>	Repeal; the Task Force has been established and its Terms of Reference have been incorporated in the Modus operandi adopted at its first meeting.

ANNEX 2

RESOLUTION 11.27 (REV. COP12)

RENEWABLE ENERGY AND MIGRATORY SPECIES

Recognizing the importance to society of an adequate and stable energy supply and that renewable energy sources can significantly contribute to achieving this, and *aware* that renewable power generation, especially from wind energy, large solar panel power stations and biomass production, is projected by the International Energy Agency to triple by 2035,

Recognizing also that increased use of technologies to exploit renewable energy may potentially affect many migratory species listed by CMS and other legal frameworks, and *concerned* about the cumulative effects of such technology on the movement of migratory species, their ability to utilize critical staging areas, the loss and fragmentation of their habitats, and mortality from collisions with infrastructural developments,

Recalling Article III 4(b) of the Convention which requests Parties to endeavour, *inter alia*, “to prevent, remove, compensate for or minimize, as appropriate, the adverse effects of activities, or obstacles that seriously impede or prevent the migration of species” and *noting* the relevance of this obligation to renewable energy developments, especially given that adverse impacts of renewable energy technologies can be substantially minimized through careful site selection and planning, thorough Environmental Impact Assessments (EIAs), and good post-construction monitoring to learn from experience,

Recalling also previous decisions by CMS and aware of those of other MEAs, including CMS Agreements, as well as of relevant guidelines, on reconciling renewable energy developments with the conservation of migratory species, including:

- CMS Resolution 7.5 on ‘Wind Turbines and Migratory Species’,
- CMS Resolution 10.19 on ‘Migratory Species Conservation in the Light of Climate Change’,
- CMS Resolution 10.24 on ‘Further Steps to Abate Underwater Noise Pollution for the Protection of Cetaceans and Other Migratory Species’,
- ASCOBANS Resolution 6.2 ‘Adverse Effects of Underwater Noise on Marine Mammals during Offshore Construction Activities for Renewable Energy Production’,
- ACCOBAMS Resolution 4.17 ‘Guidelines to Address the Impact of Anthropogenic Noise on Cetaceans in the ACCOBAMS Area’,
- AEWA Resolution 5.16 on ‘Renewable Energy and Migratory Waterbirds’ which stressed the need to address or avoid adverse effects on migratory waterbirds and contains operational recommendations of relevance to many other migratory species,
- AEWA’s ‘Guidelines on How to Avoid, Minimize or Mitigate Impact of Infrastructural Developments and Related Disturbance Affecting Waterbirds’ (Conservation Guidelines no. 11),
- EUROBATS Resolution 7.5 ‘Wind Turbines and Bat Populations’ and Guidelines for consideration of bats in wind farm projects,
- Bern Convention Recommendation No. 109 on minimizing adverse effects of wind power generation on wildlife and the guidance of 2003 on environmental assessment criteria and site selection issues related to wind-farming as well as the best practice guidance on integrated wind farm planning and impact assessment presented to the 33rd meeting of the Bern Convention Standing Committee in 2013,
- Ramsar Resolution XI.10 ‘Guidance for Addressing the Implications for Wetlands of Policies, Plans and Activities in the Energy Sector’,
- SBSTTA 16 Recommendation XVII/9 ‘Technical and Regulatory Matters on Geo-engineering in Relation to the Convention on Biological Diversity’, and
- BirdLife UNDP/GEF Migratory Soaring Bird Guidance on wind and solar energy,

and *recognizing* the need for closer cooperation and synergetic implementation amongst the CMS Family, other MEAs and relevant national and international stakeholders of decisions and guidelines to reconcile energy sector developments with migratory species conservation needs,

Acknowledging the critical need for liaison, communication and strategic planning to be jointly undertaken by those parts of governments responsible respectively for environmental protection and energy development to avoid or mitigate negative consequences for migratory and other species and their habitats,

Taking note of document UNEP/CMS/COP11/Inf.26: '*Renewable Energy Technology Deployment and Migratory Species: an Overview*', which summarizes knowledge of actual and possible effects of renewable energy installations on migratory species, *noting* its conclusion that relatively few scientific studies are available on the short-term, long-term and cumulative impacts of renewable energy technologies, and *acknowledging* the urgent need for further research on the impact on migratory species of renewable energy technologies particularly in relation to ocean and solar energy,

Noting also that document UNEP/CMS/COP11/Inf.26 highlights the urgent need to collect data on the distribution of migratory species, their population size and migration routes as an essential part of any strategic planning and impact assessment, prior to and/or during the planning phase of development of renewable energy deployments, and also stresses the need to monitor regularly mortality arising from those developments,

Noting the discussion at the 18th Meeting of the Scientific Council on the drafts of document UNEP/CMS/COP11/Inf.26 and document UNEP/CMS/COP11/Doc.23.4.3.2: '*Renewable Energy Technologies and Migratory Species: Guidelines for Sustainable Deployment*' and *aware* that input from other advisory bodies of the CMS Family has been incorporated into both documents,

Convinced of the relevance of the above-mentioned guidelines for sustainable deployment of renewable energy technologies to the implementation of the CMS programme of work on climate change and migratory species submitted for consideration and adoption by the 11th Meeting of the Conference of the Parties in document UNEP/CMS/COP11/Doc.23.4.2,

Noting relevant international decisions and guidance with regard to mitigating the specific impacts of power lines on birds, including:

- CMS Resolution 10.11 on '*Power Lines and Migratory Birds*',
- '*Guidelines on How to Avoid or Mitigate the Impact of Electricity Power Grids on Migratory Birds in the African-Eurasian Region*' adopted by CMS COP10, AEWa MOP5 and the CMS Raptors MOU MOS1,
- AEWa Resolution 5.11 '*Power Lines and Migratory Waterbirds*',
- Bern Convention Recommendation No. 110 on minimizing adverse effects of above-ground electricity transmission facilities (power lines) on birds,
- The Budapest Declaration on bird protection and power lines adopted in 2011 by the Conference '*Power Lines and Bird Mortality in Europe*', and
- BirdLife UNDP/GEF Migratory Soaring Bird Guidance on power lines,

Welcoming the good cooperation and partnerships already established at both international and national levels between stakeholders including governments and their institutions, energy companies, non-government organizations (NGOs) and Secretariats of MEAs, and the concerted efforts made to address energy developments which conflict with species conservation, and

Acknowledging with thanks the financial support of the Governments of Germany and Norway through the CMS and AEWA Secretariats, of BirdLife International through the BirdLife UNDP/GEF Migratory Soaring Birds project and of IRENA towards the compilation of the report '*Renewable Energy Technology Deployment and Migratory Species: an Overview*' and the guidelines document '*Renewable Energy Technologies and Migratory Species: Guidelines for Sustainable Deployment*',

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

1. *Endorses* the document '*Renewable Energy Technologies and Migratory Species: Guidelines for Sustainable Deployment*' (UNEP/CMS/COP11/Doc.23.4.3.2);
2. *Urges* Parties and *encourages* non-Parties to implement these voluntary Guidelines as applicable depending on the particular circumstances of each Party, and as a minimum to:
 - a) apply appropriate Strategic Environment Assessment (SEA) and EIA procedures, when planning the use of renewable energy technologies, avoiding existing protected areas in the broadest sense and other sites of importance to migratory species;
 - b) undertake appropriate survey and monitoring both before and after deployment of renewable energy technologies to identify impacts on migratory species and their habitats in the short- and long-term, as well as to evaluate mitigation measures; and
 - c) apply appropriate cumulative impact studies to describe and understand impacts at larger scale, such as at population level or along entire migration routes (e.g., at flyways scale for birds).
3. *Urges* Parties to implement, as appropriate, the following priorities in their development of renewable energy technologies:
 - a) **wind energy:** undertake careful physical planning with special attention to the mortality of birds (in particular of species that are long-lived and have low fecundity) and bats resulting from collisions with wind turbines and the increased mortality risk to cetaceans from permanently reduced auditory functions, and consider means of reducing disturbance and displacement effects on relevant species, including deploying measures such as 'shutdown on demand' as appropriate;
 - b) **solar energy:** avoid protected areas so as to limit further the impacts of deploying solar power plants; undertake careful planning to reduce disturbance and displacement effects on relevant species, as well as to minimize the risks of solar flux and trauma related injuries which could be a consequence of a number of solar energy technologies;
 - c) **ocean energy:** give attention to possible impacts on migratory species of increased noise and electromagnetic field disturbance especially during construction work in coastal habitats, and injury;
 - d) **hydro-power:** undertake measures to reduce or mitigate known serious impacts on the movements of migratory aquatic species, such as through the installation of measures such as fish passageways; and
 - e) **geo-energy:** avoid habitat loss, disturbance and barrier effects in order to continue to keep the overall environmental impacts at their current low level.
4. *Urges* Parties and *invites* UNEP and other relevant international organizations, bilateral and multilateral donors as well as representatives of the energy industry to support financially the operations of the Task Force on Reconciling Selected Energy Sector Developments with Migratory Species Conservation (Energy Task Force), including

through funding for its coordination and provision of financial assistance to developing countries for relevant capacity building and the implementation of relevant guidance; and

5. *Instructs* the Secretariat to report progress on behalf of the Energy Task Force, including on implementation and, as much as possible, on assessment of the efficacy of measures taken, to each meeting of the Conference of the Parties.