



# 1st Meeting of the Working Group on the Development of a Review Process under the Convention on Migratory Species

*Bonn, 19-20 September 2016*



## Background

### Introduction to the origin and the mandate of the Working Group

CMS Secretariat

# COP11 Resolution: Preamble

## Elements to take into consideration:

- Most major multilateral environmental agreements have established a process for facilitating implementation and providing support to those Parties experiencing difficulties with implementation
- Two agreements have review mechanisms
- Compliance with the Convention's obligations and the effectiveness of implementation measures are critical to the conservation and management of migratory species
- Paragraph 5, of the Convention, which provides that “the Conference of the Parties shall review the implementation of this Convention” and may, in particular, “make recommendations to the Parties for improving the effectiveness of this Convention

## COP11 Resolution: Preamble

- Resolution 10.9, Activity 16, of the Future Structure and Strategies for CMS, which establishes a medium-term priority (by COP12–2017) to “improve mechanisms to measure implementation of CMS and its Family ... and identification of gaps and propose measures to close these gaps”
- Article IX, paragraph 4, of the Convention, which directs the Secretariat “to invite the attention of the Conference of the Parties to any matter pertaining to the objectives of this Convention”;

## COP11 Resolution: Operational Parts

- Launches an intersessional process to explore possibilities for strengthening implementation of the Convention through the development of a review process
- Instructs the Secretariat to propose terms of reference for a working group to be considered for adoption by the Standing Committee at its 44th Meeting
- Instructs the Standing Committee at its 45th Meeting to review any progress, if a working group is established, and report to the 12th Meeting of Conference of the Parties

## COP11 Resolution: Operational Parts

- Instructs the Secretariat to support the process;
- Requests UNEP, Parties and other donors to provide financial assistance to support the development of the review process;
- Requests the Secretariat, where possible, to reduce costs by convening potential meetings of the Working Group in the most cost-effective way

# Terms of Reference of 44<sup>th</sup> Standing Committee

## Objective

To compare existing review mechanisms that strengthen implementation of other Multilateral Environmental Agreements (MEAs), including the agreements established under Article IV(3) of CMS; define the most appropriate, cost-efficient and effective options of a review process for CMS; and prepare a report with recommendations for consideration to the 12th Meeting of the Conference of Parties to CMS.

## Terms of Reference of 44<sup>th</sup> Standing Committee

- Discuss a comparative analysis of best practices of existing review mechanisms of MEAs, including the CMS Family agreements, taking into account their advantages, disadvantages and the cost involved;
- Discuss an assessment of the feasibility for an existing body within CMS to exercise the functions of a review process (e.g. Standing Committee);
- Prepare options for a CMS review process, including: determination of what parts of the instrument and its resolutions be part of the review process; cost analyses; and financial and institutional implications for CMS.

# Terms of Reference of 44<sup>th</sup> Standing Committee



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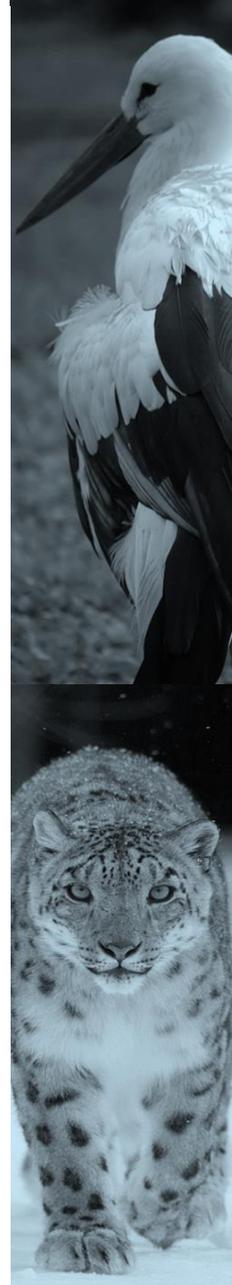
- 44th Meeting of the CMS Standing Committee (14-15 October 2015)
- Adoption of Terms of Reference for and establishment of Working Group



2

- First Meeting of Working Group – stand-alone (June 2016)
- Determination of structure of work and consideration of existing review mechanisms; Discussion of options for review mechanism and recommendations to CMS Conference of Parties

3

- Second Meeting of Working Group back-to-back with 45th Meeting of the CMS Standing Committee (2016)
  - Submission Review of Progress
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## Terms of Reference of 44<sup>th</sup> Standing Committee

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- If required - Third Meeting of Working Group (First half of 2017)
- Continuation of discussion started at First Meeting if required

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- 12th Meeting of the CMS Conference of Parties (October/November 2017)
- Submission of Report

## Terms of Reference of 44<sup>th</sup> Standing Committee

All options will be considered under the principles of cost-efficiency and effectiveness as well as practicality and practicability for the Convention. The option of retaining the status quo ('zero option') will also be considered.

### Work Arrangements

The Working Group will determine the structure of its work at its first meeting. Where at all possible, the Working Group will utilize existing meetings to conduct its work in order to reduce costs. The Secretariat will make available all expertise as required, including that of external consultants and experts if needed.



THANK  
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