

Possible anchors for review in CMS



Fundamental principles of CMS

- Take individually or in cooperation steps to conserve species and their habitat (Art. II 1.)
- Take action to avoid any migratory species becoming endangered (Art. II 2.)
- *Should* promote, cooperate in and support research relating to migratory species;
- *Shall endeavour* to provide immediate protection for migratory species included in Appendix I;
- *Shall endeavour* to conclude Agreements covering the conservation and management of migratory species included in Appendix II.



Specific objectives of CMS

Appendix I listed species (Art. III):

- Lists species, which are endangered
- Parties *shall endeavour*:
 - Conserve and restore habitats of importance
 - Prevent, remove, compensate for or minimize adverse effects of activities or obstacles impeding the migration of species
 - Prevent, reduce or control factors endangering the species
- Parties *shall prohibit the taking of animals*, except if it is for scientific purposes; for enhancing the survival; for accommodating needs of traditional subsistence users; or extraordinary circumstances.



Specific objectives of CMS

Appendix II listed species (Art. IV and V):

- Lists species, which have an unfavourable conservation status and which require international agreements for their conservation and management, as well as those which could significantly benefit from international cooperation;
- Object of each agreement *shall be* to restore the species to a favourable conservation status or maintain it in that favourable status. Each agreement *should deal* with the with those aspects of conservation and management which serve to achieve that object.



Effectiveness of CMS

Global Biodiversity Outlook 4 provides:

- “Despite individual success stories, the average risk of extinction for birds, mammals and amphibians is still increasing (Target 12).”
- “Taking current commitments into account, the element of Target 11 on conserving 17 per cent of terrestrial areas by 2020 is likely to be met globally, *although protected area networks remain ecologically unrepresentative* and many critical sites for biodiversity are poorly conserved.”



How can we make CMS more effective?



Parties' review, report and financial obligations under CMS

Collective:

- Each Agreement *should* establish, if necessary, appropriate machinery to assist in carrying out the aims of the Agreement, to monitor its effectiveness, and to prepare reports for the COP. (Art. V 4. d))
- Where appropriate and feasible, each Agreement *should* provide for, but not be limited to periodic review of the conservation status of the species concerned and the identification of the factors which may be harmful to that status. (Art. V 5. a))



Parties' review, report and financial obligations under CMS

Individual:

- The Parties *shall* as soon as possible inform the Secretariat of any exceptions made pursuant to Art. III 5. (Art. III 7.)
- The Parties *shall* keep the Secretariat informed in regard to which of the species listed in Ap. I and II they consider themselves to be Range States, including provision of information on their flag vessels engaged outside national jurisdictional limits in taking the species concerned, and where possible, future plans in respect of such taking. (Art. VI 3.)
- Each Party *shall* contribute to the budget according to a scale agreed by the COP. (Art. VII 4.)



COP's authority to review and recommend

- At each of its meetings the COP *shall* review the implementation of this Convention and may (Art. VII 5.)
 - review and assess the conservation status of species;
 - review the progress made towards the conservation of species, especially those listed on AP. I and II;
 - make recommendations to the Parties for improving the conservation status of species and review the progress being made under Agreements;
 - make recommendations to the Parties for improving the effectiveness of this Convention;
 - decide on any additional measure that should be taken to implement the objectives of this Convention.
- The COP may recommend to the Parties that are Range States of a species listed in Ap. I that they take further measures considered appropriate to benefit the species (Art. III 6.).



Existing review and report measures

- National reporting: Currently refined in light of adoption of Strategic Plan.
- Concerted and cooperative action: Based on Article VII – review of conservation status of selected Ap. I and II species at each COP. Currently consolidated and refined.
- Contributions: No funding provided for participation in CMS meetings to Parties that have not paid their contributions for three consecutive years. (CMS Res 11.1, para. 8)



Questions arising:

- Based on which obligations could a review process be anchored?
- Based on the objectives of the Convention as well as collective and individual obligations on Parties:
 - What is the scope for collective and individual review of implementation?
 - What could be the subject of review to make collective and individual implementation more effective?
 - What could be the triggers for collective and individual reviews of implementation?
 - How can review be tailored to make collective and individual implementation more effective?

