

Convention on Migratory Species: Future Shape Phase III

Report by ERIC Ltd
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Acronyms

ACAP	Agreement on the Conservation of Albatrosses and Petrels
ACCOBAMS	Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area 1996
AEWA	Agreement on the Conservation of African-Eurasian Migratory Waterbirds 1995
ASCOBANS	Agreement on the Conservation of Small Cetaceans of the Baltic and North Seas 1992 / Agreement on the Conservation of Small Cetaceans of the Baltic, North-East Atlantic, Irish and North Seas 2008
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CMS	Convention on the Conservation of Migratory Species of Wild Animals 1979 (also known as the “Bonn Convention”)
CMS Family	CMS and Subsidiary instruments created under the aegis of CMS
COP	Conference of the Parties
CSN	Critical Site Network
EUROBATS	The Agreement for the Conservation of Populations of European Bats
FS Process	Inter-sessional Process Regarding the Future Shape of CMS
IEG	International Environmental Governance
IOSEA	Indian Ocean – South-East Asian Marine Turtle Memorandum of Understanding
IPBES	Inter-Governmental Science-Policy Platform on Biodiversity and Ecosystem Services
ISWGoFS	Inter-Sessional Working Group of the Future Shape of CMS
IUCN	International Union for Conservation of Nature
MEA	Multilateral Environment Agreement
MOP	Meeting of the Parties
MoU	Memorandum of Understanding
MOS	Meeting of the Signatories
NGO	Non-Governmental Organization
ScC	Scientific Council
SPREP	South Pacific Regional Environment Programme
StC	Standing Committee
UNEP	United Nations Environment Programme
UNEP-WCMC	UNEP World Conservation Monitoring Centre
WOW	Wings over Wetlands (WOW) UNEP-GEF African-Eurasian Flyways Project

Executive Summary

This Report is part of the third Phase or Step of the Future Shape (FS) process. The idea to launch an initiative aimed at restructuring the functioning of the Convention on Migratory Species' (CMS') Family was first expressed by the Parties at the 32nd Session of the Standing Committee (StC) in November 2007. At the meeting the Parties recognized and were concerned about an inconsistency between the rapid growth of the Convention in recent years and the human and financial means at its disposal which could not respond any longer to CMS's objectives in an adequate manner. The StC therefore decided on the creation of an electronic Steering Committee on the FS of the Convention, but the decision was never followed by any concrete action until COP 9.

Given the continued growth and success of the CMS Family and acknowledging the existing UN review on how the Organization could develop into a more integrated entity, through management and policy developments, COP 9 launched the Intersessional FS Process. The purpose of this FS Process, as mandated and set out in Resolution 9.13, is to explore:

“.....the possibilities of strengthening the contribution of the CMS and the CMS family to the worldwide conservation, management and sustainable use of migratory species over their entire range”.

Starting in July 2009 and finalizing in December 2011, the Environmental Regulation and Information Centre (ERIC) has produced three reports on the FS of the CMS and the CMS Family for the Inter-Sessional Working Group of the Future Shape (ISWGoFS). All Reports are available on the CMS website and summarized in section 2 of this Report.

ERIC would like to warmly thank the Chair and members of the ISWGoFS, the CMS Secretariat, the Secretariats of all the CMS Family agreements and all others who contributed, for their invaluable support and guidance during the FS Process.

The ISWGoFS and ERIC give grateful thanks to France who together with Finland funded the external consultancy; to Switzerland, France and Germany for funding the ISWGoFS meetings and to Germany for their contribution towards translations.

Phase I

Phase I entailed preparing an overview of the organization and activities of the CMS and its Family and producing a critical operational analysis by focusing on advantages and disadvantages of current arrangements. There are many success stories in the history and current working of the CMS Family, including the clear dedication and high calibre of its staff. However Phase I focused on identifying specific issues which could be improved for the benefit of conservation of migratory species. We have outlined below the issues raised in Phase I:

- *staff and integration* – there are areas that would likely benefit from improved staffing levels when considering their workload (e.g. Policy & Agreements Unit and the Information & Capacity Building Unit); the CMS Family can seize the opportunity to work in a more integrated way sharing resources, knowledge and know how across agreements;
- *financing* – MoUs have no regular secure funding but rely on voluntary contributions which can lead to a piecemeal approach to conservation and a lack of medium to long-term planning; conservation activities by and large also depend on voluntary contributions across agreements. It should also be noted that the vast majority of conservation activities mandated by the Parties are funded by voluntary contributions whilst Convention and Agreement core budgets (mandatory contributions from Parties) cover, largely, institutional costs;

- *implementation monitoring* – ERIC found no harmonized implementation monitoring across the CMS Family;
- *capacity building* – the CMS' core budget for capacity building, on which many agreements rely, is €21,814¹ for the period 2009-2011; there is no centralized tool (e.g. intranet) to support capacity building; in some Range States there is insufficient capacity building and training for technical staff;
- *the CMS Family Coverage* – the CMS aspires to have global coverage and the current percentage of Parties per CMS world region is: Latin America & the Caribbean 10.3%, North America 0%, Oceania 5.2%, Asia 12.1%, Africa 36.2% and Europe 36.2;
- *reporting* – there is a heavy reporting burden for Parties and there is no harmonized reporting across the CMS, or indeed across Multilateral Environmental Agreements (MEA);
- *technical data* – access to technical data across the CMS Family is variable, whilst some agreements have developed advanced systems, e.g. the Indian Ocean – South-East Asian Marine Turtle MoU's (IOSEA) Interactive Mapping System (developed by UNEP-WCMC), this know how is not utilized across the CMS Family;
- *activity rate* – the last 5 year period to 2010 (2006-2010) has shown exponential growth of the CMS Family with the creation of 12 new agreements, with 11 of these only receiving voluntary contributions and being by and large supported by the CMS' Scientific Council (ScC) and CMS' Secretariat Policy and Agreements Unit;
- *regionalization and localization* – the CMS is represented in the regions by its Parties, however it does not have an institutional presence within each of its regions, being an organization that works in the main from its centre in Bonn with a number of agreements working independently outside the United Nations Environment Programme (UNEP); and
- *synergies* – seeking synergistic working requires clear high level policies to drive best results, alignment of goals, division of labour, maintaining long-term relationships and on the ground coordination of conservation actions. One particular example of recent synergistic working is the CMS Secretariat working with other international organizations and partners, for example the March 2011 meeting with the Convention on International Trade in Endangered Species (CITES). The CMS Secretariat advertised in May 2011 for a consultant to work on Inter-Agency liaison and Partnerships projects and policies.

Phase II

For each of the issues mentioned in point 3 of Resolution 9.13¹ and in the light of the outcome of the assessment of the CMS' current situation, the ISWGoFS proposed a number of activities that could improve current operations and, as appropriate, solve any difficulty encountered and foreseen in the functioning of the CMS and the CMS Family.

Examples of these activities include to: “*identify opportunities for cooperation and coordination at the local and regional level through the creation of synergies based on geography*”; “*carry out a global gap analysis at the Convention level and to assess resources appropriateness*”; or “*enhance communication and seek opportunities to develop awareness of the CMS and the CMS Family*”.

¹ UNEP/CMS/CONF.9.33/Rev.2.

ERIC proposed a number of Options during this Phase, but due to time constraints the Chair of the ISWGoFS mandated grouping the activities in four Options – namely Concentration, Decentralization, Ideal and Low Cost; the first two having also been proposed for consideration by ERIC.

The ISWGoFS later accepted the development of the activities but rejected the four Options. However the Phase II exercise and the resulting Report was used as a key basis for developing the Phase III Report.

Phase III

At the commencement of Phase III, the activities in Phase II were further rationalized by timeframe of implementation: short-term (to be achieved by COP 11 in 2014), medium-term term (to be achieved by COP 12 in 2017) and long-term (to be achieved by COP 13 in 2020). A number of activities however were identified as continuous or ongoing activities, which cross all three timeframes (these ongoing activities have been identified in the tables at Annexes I to 4).

The activities are included in the following three Options chosen by the ISWGoFS at their February 2011 meeting. The Options are cumulative as Option 2 contains its own activities and all activities in Option 1, and Option 3 contains its own activities and all activities in Option 2 and therefore also in Option 1.

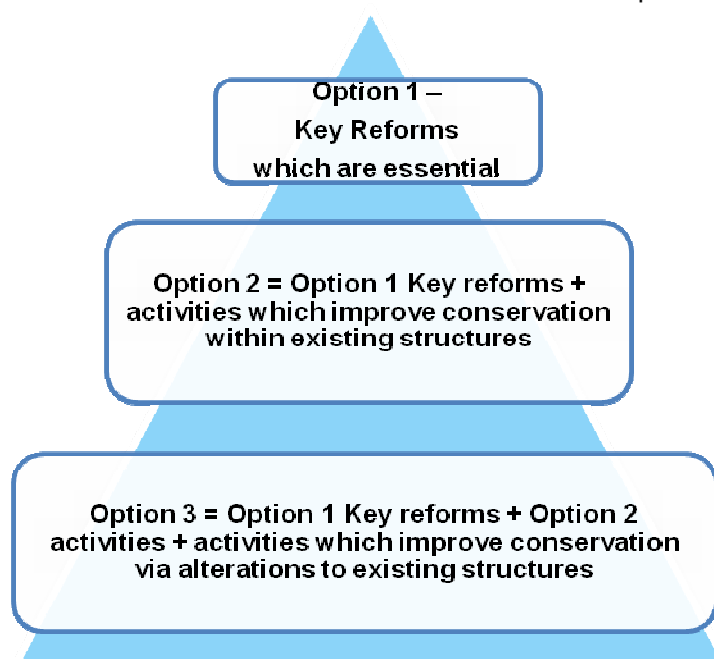


Figure 10: Pyramid of options (repeated here from page 26).

The activities are broad in nature and sometimes are divided into sub-activities (e.g. 1.1, 1.2 and 1.3 - see Annex 1 page 44) to indicate the possible different degrees, forms and sometimes timescales for implementation of the same type of activity.

It is then for the COP to choose, or not, part or all of one of the Options as they appear in this paper, or to choose to implement a number of activities from the Options.

Option 1 – Key Reforms

Option 1 deals mainly in the short-term², and thus tackles to a fairly large degree but not solely, all the issues raised in Phase I: staffing and integration, implementation monitoring, capacity building, the CMS Family coverage, reporting, technical data, the Family's rate of growth, regionalization/localization and synergies. It offers opportunities for organizational change, but does not require any institutional change.

Some have viewed this Option as that which offers picking from low hanging fruit, with realistic and achievable activities. However, merely because something is more attainable does not mean that it is less valuable, but perhaps that it provides the first stepping stone to achieving full implementation of a longer term goal.

This Option aims to lead to greater integration, less duplication of work, greater implementation monitoring and resource evaluation - all in all a more efficient use of limited resources by working in a more integrated and synergistic way, which is in fact the greatest theme within this Option.

Option 2 – Improve Conservation within Existing Structures

In addition to what the ISWGoFS sees as the essential activities contained in Option 1, this Option builds upon those and includes desirable enhancements that could be achieved without any alteration to the existing institutional structures of the CMS or its Family. The activities are additional to those put forward in Option 1, and therefore there are no activities in Option 1 that are not also in Option 2. The distinguishing feature of Option 2 is that it will require a longer term approach to achieve the aims and objectives in comparison to those set out for Option 1.

Further Option 2 has four completely new activities, not included in Option 1. These are: the restructuring of the ScC by basing its membership on species grouping or thematic cross cutting issues; seeking opportunities to expand upon capacity building; seeking to expand upon fundraising activities and enhancing cooperation between the CMS' agreements.

This Option has the qualities which characterized Option 1, namely integrated and synergistic working, but more fully developed. Adopting Option 2 should also place the CMS and its Family at the forefront of harmonized biodiversity data systems, as well as add value to the CMS, increase its profile amongst the international Convention community and potentially increase its global reach.

Option 3 – Improve Conservation by Altering Existing Structure

Option 3 is a more radical Option. It includes all of the activities in Option 1 and 2, but then adds activities which require a structural change to the workings of the CMS and its Family, either through a change to its institutions or to the text of agreements.

In addition to leading to a more integrated, synergistic and high profile CMS, this Option seeks a fully integrated CMS by bringing together institutions and merging agreements by taxonomic group and/or geography. Due to the longer-term timescales necessary to make structural changes, this Option is likely to take the longest time to fully achieve. The estimated costs of this Option taken on its own are not necessarily high because the costs are not fully known at this stage given that they do not make provisions for the final institutional and management changes that would have to take place. However, Option 3 arguably has the potential to offer the highest savings as it aims to create the most coordinated

² See Annex 4 for Phase III Option Implementation by Time Frame.

and integrated way of working across the CMS Family which can deliver high institutional and organizational resource efficiencies.

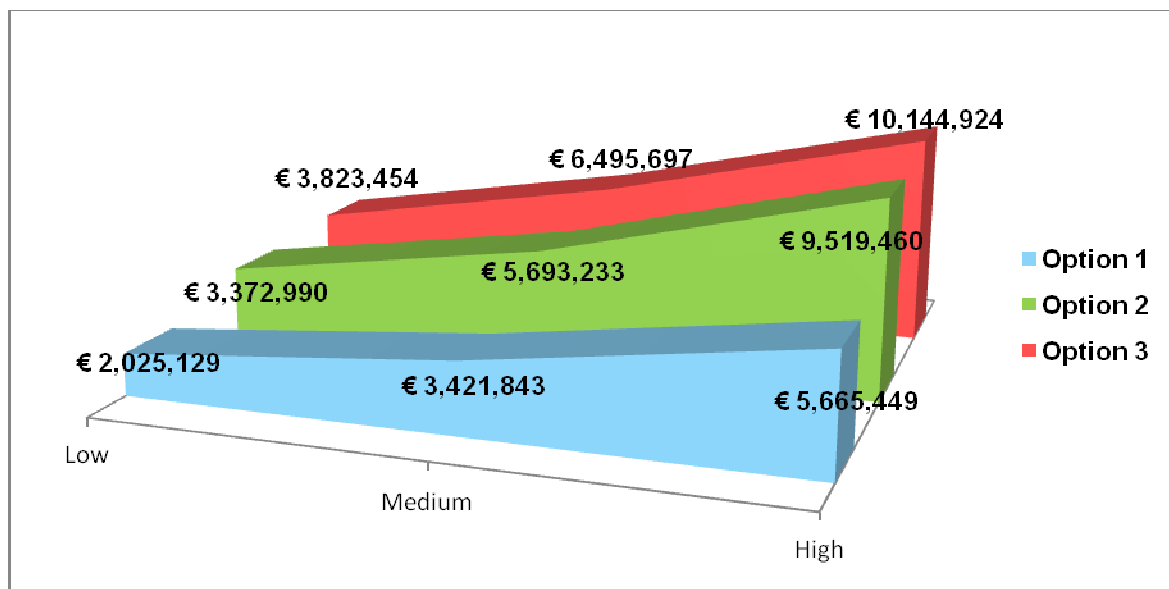
Option Costs

For each option an estimated range of costs (low, medium and high)³ were prepared over a triennial budgetary period. This range of costs represents different cost variations of implementing an activity; e.g. of low costs: it costs less to use Junior Professional Officer's (JPO) or consultants than CMS staff; to look for ways of sharing resources through integration, therefore decreasing costs. However, without better understanding implementation of current Strategic and Action Plans, carrying out a resource evaluation and reassessing management priorities to fit in with the chosen Option, and therefore understanding resulting savings, actual costs cannot be stated with certainty.

There are various types of estimated costs which appear in this report, for e.g.:

- total option costs – which include new costs to implement the option plus costs of using existing CMS and CMS Family staff costs which are already covered by core budgets (see final totals at Annex 2);
- new option costs – which exclude costs of using existing CMS and CMS Family staff time, which are already covered by core budgets;
- new staff costs – which set out estimated costs of new CMS and CMS Family staff; and
- external costs – which account for non CMS staff such as external consultants.

Figure 1 below illustrates the estimated total costs (including existing costs for CMS and CMS Family staff covered by core budgets) for each of the three options across the three cost ranges (low, medium and high).



³ This report summarizes all costs at Annex 2.

Figure 1: Total cost of each option across 3 costs ranges.

Figure 2 below does not include the costs associated with existing CMS Secretariat and CMS Family staff time (already covered by core budgets) and therefore represents only new costs for the three options.

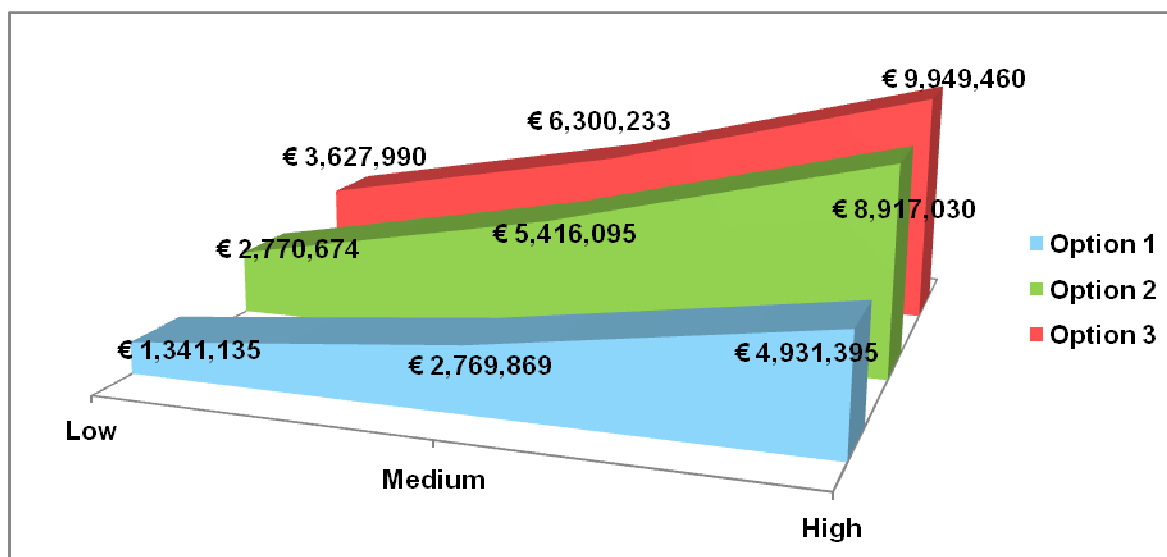


Figure 2: Total new costs excluding existing CMS and CMS Family staff time across 3 cost ranges.

Table 1 identifies the percentage increase of new costs (as set out in Figure 2 above) on the CMS' 2009-11 core budget for each option across a range of costs.

Option	% increase low range	% increase medium range	% increase high range
Option 1	21	42.5	75
Option 2	42.5	82.5	135
Option 3	55.5	96	151

Table 1: Percentage increase of the CMS' core budget per option across a range of costs.

Options and issues raised by the ISWGoFS

At their February 2011 meeting, the ISWGoFS wished ERIC to consider how the chosen three options supported a number of concerns. We summarize the principal issues of concern below.

Proliferation of agreements without resources

This issue is dealt directly by an activity themed "*Actions to prioritize the growth of CMS and the CMS Family*". In itself there are various ways of achieving the aim of this activity. Option 1 tackles this activity fully.

CMS' global presence

This issue is strongly dealt with in Option 1 by implementation of the activity "*Enhance communication and seek opportunities to develop awareness of CMS and its Family*". For Option 2 "*Enhancing scientific and research information*" offers the development of a migratory species data hub which would facilitate the use of migratory species data as an indicator of climate change. This would certainly raise CMS's

profile within the wider international Convention community and give it a niche in a crowded regulatory field.

CMS's global presence can also be enhanced by increasing synergies with other relevant MEAs and institutions (Option 2) and by developing its local presence in the regions as per Options 1 to 3.

Role in cross cutting issues

There are a number of activities that would support this issue in all of the options. However the role of cross cutting issue is directly dealt with in Option 2 which fully supports the coordination of research programmes on such issues across the CMS Family (see *"Enhancing scientific and research information"* – medium-term – Option 2).

Taxonomic clustering

All Options offer an activity with a degree of taxonomic clustering. Option 3 offers the strongest as it proposes *"Enhanced collaboration between CMS agreements via projects, programmes or Secretariats based on either geography or on species clusters"* by merging agreements on the basis of species clustering. This would allow a framework agreement to be developed for different taxa which could then have regional action plans, much like the recommended Option by the Flyways Group following the Flyways Review.

Strategic presence in regions (and in other MEAs)

Options 2 and 3 offer the best opportunity to increase the CMS' strategic presence in the regions and amongst other MEAs as to *"Identify opportunities for cooperation and coordination at the local and regional level through the creation of synergies based on geography"* is fully implemented in Option 2.

This activity deals with regionalization directly and makes provision in the short-term for having an institutional presence in each of the CMS administrative regions in conjunction with and where possible with assistance from UNEP, Non Government Organizations (NGOs), MEAs and Parties; in the medium-term for the regionalization of conservation efforts by having local outposts with assistance from UNEP, NGOs, Governments and MEAs (also included in Option 1); and in the long-term for agreements to consider enhancing collaboration and cooperation via sharing, for example, office/personnel/resources (as per Abu Dhabi for Dugongs and Birds of Prey MoUs) or sharing these resources with other settled institutions (e.g. local UNEP offices, IUCN, etc...).

Marine gaps

There is no activity that deals directly with covering marine gaps. However, *"To carry out a global gap analysis at Convention level and to assess resources appropriateness"*, which is fully implemented in Option 1, would identify marine gaps.

Affecting agreements outside UNEP

Option 3 is the Option that would have the greatest effect on agreements outside UNEP because it advocates the merger of agreements and consolidation of scientific bodies. However, the activity could be changed to accommodate only those agreements within the UNEP Family.

ISWGoFS Recommendation

The ISWGoFS decided not to recommend one over any other of the three options and wished to leave it up to the Parties to make their choice.

Next Steps

This report will be communicated to the CMS' StC members six months before COP 10. The StC members are expected to respond providing their coordinated comments and suggestions four months before COP 10.

After review, and two months before COP 10, this Report will be made available to the Parties, to the CMS and to other related Agreements, UNEP, as well as to the multilateral environmental agreements and other international organizations concerned.

It is then for the COP to choose, or not, part or all of one of the Options as they appear in this paper, or to choose to implement a number of activities from the Options.

Flyways Review

The Flyways Review was finalized on 11 March 2011 and the ISWGoFS was asked to compare the outcomes of this and their own review. Although the Flyways review is more specific and comprised an agreement gap analysis many of the issues raised in the Flyways Review coincide with those raised during the FS Process and so do the activities chosen to tackle these issues.

The Flyways Review found that there were a number of flyway **agreements that would benefit from grouping** in order to create efficiencies of scale, e.g. alleviate the administrative burdens. The FS Review found this to be the case across the CMS Family. The Flyway Group's recommendation suggests that the CMS consider having *"Regional framework agreements supported by fully funded action plans focussing on the most urgent habitat and species conservation need in each Region of the world."*

Grouping, merging or expanding agreements with common characteristics can lead to savings, and also assist with achieving greater coverage, increase Parties, help realise other synergistic opportunities, identify gaps, enables a habitat approach and develop a truly regional approach for the CMS. The FS Process identifies the following activities that assist in this respect:

- Activity 15 – *"Enhanced collaboration between CMS agreements via projects, programmes or Secretariats based on either geography or on species clusters."*;
- Activity 8 – *"Identify opportunities for cooperation and coordination at the local and regional level through the creation of synergies based on geography."*; and
- Activity 11 – *"Seek opportunities to coordinate meetings between institutions, working groups and across the CMS Family agreements."*

Having **guidelines for the creation of new agreements and initiatives**, to including adequate funding from the outset, was raised by both the Flyway's Review and the FS Process. The FS process has identified the following activity:

- Activity 12 – *"Actions to prioritize the growth of the CMS and the CMS Family."*

Another issue raised by the Flyway's Review was the need to **"harmonize the use of indicators across the work of all the international Conventions."** With a recommendation that the *"CMS should examine the new CBD indicator set following the agreement of the new CBD strategic plan, targets and associated indicators, to ensure a degree of harmony with them."* The FS process has also flagged the need to harmonize reporting across CMS relying where possible on synergistic working across MEAs and other international institutions:

- Activity 9 – *"Harmonization and interoperability of information management and reporting systems where appropriate and applicable for the CMS Family."*;
- Activity 3 – *"Enhancing scientific research and information."*; and

- Activity 1 – “*Alignment with international environmental governance reform.*”.

Regarding **MoUs** the Flyways Review touches on the **lack of funding of some of these instruments**: “*The main problem in terms of maintaining effort in many cases, however, appears to be the lack of resources to coordinate and implement these initiatives.*” Again the FS Review found that some MoUs are funded well and others are not, relying only on voluntary contributions. FS activities that would assist with this issue include:

- Activity 10 – “*Strengthen the coordination and servicing of MoUs.*”; and
- Activity 12 - “*Actions to prioritize the growth of the CMS and the CMS Family.*”.

The Flyways’ Review has stated that “*it is important that any new work related to flyway management “stands-out” and has an obvious profile with decision makers and with others. Work to achieve this should be included in any forward plan of activity and the issue of branding....*” The issue of **raising the CMS and its Family’s profile**, which can lead to greater coverage, funding and other synergistic opportunities, has been a theme throughout the FS process and actions have been identified to assist in reaching this goal. The following activity addresses fully this matter:

- Activity 4 – “*Enhance communication and seek opportunities to develop awareness of the CMS and CMS Family.*”.

1. Background to the FS Review

The idea to launch an initiative aimed at restructuring the functioning of the CMS Family was first expressed by the Parties at the 32nd Session of the StC in November 2007. At the meeting the Parties, recognized and were concerned about an inconsistency between the rapid growth of the Convention in recent years and the human and financial means at its disposal which could not respond any longer to the Convention objectives in an adequate manner. The StC therefore decided on the creation of an electronic Steering Committee on the FS of the Convention, but the decision was never followed by any concrete action until COP 9.

Given the continued growth and success of the CMS Family and acknowledging the existing UN review on how the Organization could develop into a more integrated entity, through management and policy developments, COP 9 launched the Intercessional FS Process. The purpose of this FS Process, as mandated and set out in Resolution 9.13, is to explore:

“.....the possibilities of strengthening the contribution of the CMS and the CMS family to the worldwide conservation, management and sustainable use of migratory species over their entire range”.

Resolution 9.13 required that an ad-hoc working group be established with the task of drafting proposals on the future strategies and structure of the CMS and the CMS Family for presentation at COP 10. The terms of reference for this FS Process were also agreed at COP 9 and are set out in the addendum to Resolution 9.13. The terms of reference require the ISWGoFS to identify the institutional, legal, organizational and budgetary impacts of its proposals and take into account all issues raised in paragraph 3 of Resolution 9.13.

The ISWGoFS was to be supported by the CMS Secretariat, to meet throughout the FS Process and to consult with its members, the CMS and the CMS Family Secretariats, Parties, other MEAs and NGOs, and non Parties if so requested. The ISWGoFS was empowered to appoint external consultants if required and in 2009 and then again in 2010 appointed ERIC to assist them in the FS Process. This Process was to be divided in three Steps or Phases tied to a strict timetable; each of these Phases are summarized below.

ERIC would like to warmly thank the Chair and members of the ISWGoFS, the CMS Secretariat, the Secretariats of all CMS Family agreements and all others who contributed for their invaluable support and guidance during the FS Process.

The ISWGoFS and ERIC give grateful thanks to France who together with Finland funded the external consultancy; to Switzerland, France and Germany for funding the ISWGoFS meetings and to Germany for their contribution towards translations.

2. Summary Overview of 3 Phases

Please note that the information below on Phase I and II are a summary of extensive reports which are available on the CMS' website.

2.1. Phase 1: Pros and Cons of the CMS and the CMS Family

2.1.1. Objective

Phase I of the FS Process commenced the Inter-sessional Process dictated by Resolution 9.13 of exploring the possibilities of strengthening the CMS and its Family. Starting in July 2009 and finalizing with the production of a Phase I Final Report on the 1 January 2010, this Phase gave an overview of the organization and activities of the CMS and its Family and produced a critical operational analysis by focusing on advantages and disadvantages of current arrangements, as mandated by Resolution 9.13.

2.1.2. Methodology

The Report was based on documentary analysis of key documentation including the relevant agreements and MoUs forming part of the CMS Family. Associated web-based information was also reviewed. In addition, data was provided by the CMS Secretariat and from questionnaires designed by the ISWGoFS⁴, which had been completed by the Secretariats of the CMS Family.

2.1.3. Critical analysis of the current system

The CMS and its Family have been extremely successful at creating agreements and working for conservation for over three decades. There are many success stories in its history and current working, including the dedication and high calibre of its staff. We have had to summarize for this Report, and none of the issues raised below should be taken as criticisms of individuals but seen as structural challenges. ERIC has also felt that issues raised during the beginning of the process have already started to be addressed, which shows how interactive and iterative the FS Process has been.

2.1.3.1. Integration and staffing

The CMS Family relies on the CMS Secretariat to provide a measure of integration across the Family. For example most MoUs receive their Secretariat, and most of their scientific support from the ScC⁵ which allows sharing of expertise, experience in conservation, consistency of services, delivery of a strong central policy and understanding of what the MoUs require.

⁴ Questionnaire returns contained both factual information and the subjective opinion of the respondent where assessment was required.

⁵ The CMS Secretariat has stated that this is not a general rule although it is widely implemented. Resolution 2.7 states that Range States to the Agreement should decide on the administration of an agreement and that the Standing Committee to the Convention should agree whether this task shall be undertaken by the Secretariat.

The CMS Secretariat team is dedicated (a small team handles a great deal of work) and multifaceted. However, the expectation is that the CMS Secretariat has sufficient resources in terms of personnel, finance and logistics in order to sustain such an arrangement effectively. Whilst it is debatable whether this is the case or not, and whether a reprioritization of work agendas would help with this issue, the CMS position, in Figure 3 below, is compared against other MEAs in terms of the number of instruments and Parties they serve and their annual funding, using 2010 as the year of comparison.

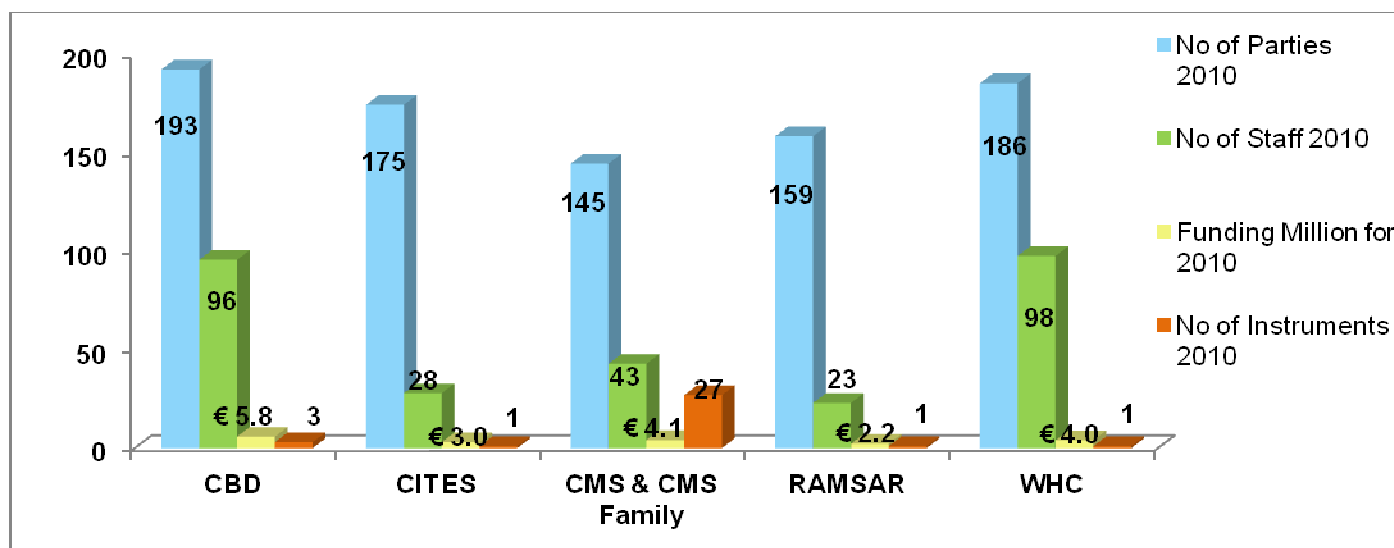


Figure 3: Number of Parties, staff, funding and Instruments served⁶.

Even if it is true that a measure of resource efficiency could be achieved by various methods, there are areas which are arguably understaffed (or would benefit from further external support) such as the Information Capacity-Building Unit and the Policy and Agreements Unit, when compared to their workload. The Policy and Agreement Unit with 4 staff members (Head of Unit, a Programme Assistant, a part-time Secretary (currently vacant) and a JPO), have to manage 15 agreements. The Information Capacity-Building Unit has 4 staff (Head of Unit, Public Information Assistant, a part-time Secretary, a clerk, and a registry clerk/secretary which they share with another unit) and they support 115 Parties, and various inter-sessional working groups.

ERIC found little evidence of cooperation between agreements, coordination of programmes across cross cutting themes or habitat related issues. However there are exceptions. The African Eurasian Waterbird Agreement (AEWA) announced at MOP 3 that it was seeking to identify areas of possible cooperation between the Agreement on the Conservation of Albatrosses and Petrels (ACAP) and AEWA to improve the effective management of issues of concern for the conservation of seabirds⁷. ASCOBANS and ACCOBAMS, who have convened joint workshops on common issues, have now also agreed that ASCOBANS will be represented on the ACCOBAMS noise working group to facilitate work on common marine noise issues. (See the Report on the 18th Meeting of ASCOBAMS' Advisory Committee (AC18).)

⁶ €4.1 million is based on €2.1 million from CMS, €674,000 from AEWA, €472,000 from ACAP (converted from \$Aus), €346,000 from EUROBATS, €180,000 from ASCOBANS, €232,000 from ACCOBAMS.

⁷ Reported at AEWA MOP 3.

2.1.3.2. Financing

One could argue that there is never enough money to dedicate to conservation activities and therefore ERIC does not comment on the suitability of core budgets (Party mandatory contributions) or voluntary contributions. However, in terms of the financial structure of the CMS, it is noted that MoUs have, in most cases, no regular secure funding⁸ but rely on piecemeal voluntary contributions which can lead to a piecemeal approach to conservation and a lack of medium to long-term planning, resulting in a risk to the CMS' reputation in advancing conservation locally. There is also arguably a case for a specific MoU coordinating Unit which would ensure very directed close follow-up of MoU meeting decisions and which could provide a greater focus for Party engagement.

We also noted that for Agreements, the majority of the core budget costs are dedicated to institutional matters, whilst voluntary contributions are used for conservation activities.

Figure 4 below provides a comparison of the core budget and voluntary contributions for legally binding agreements⁹.

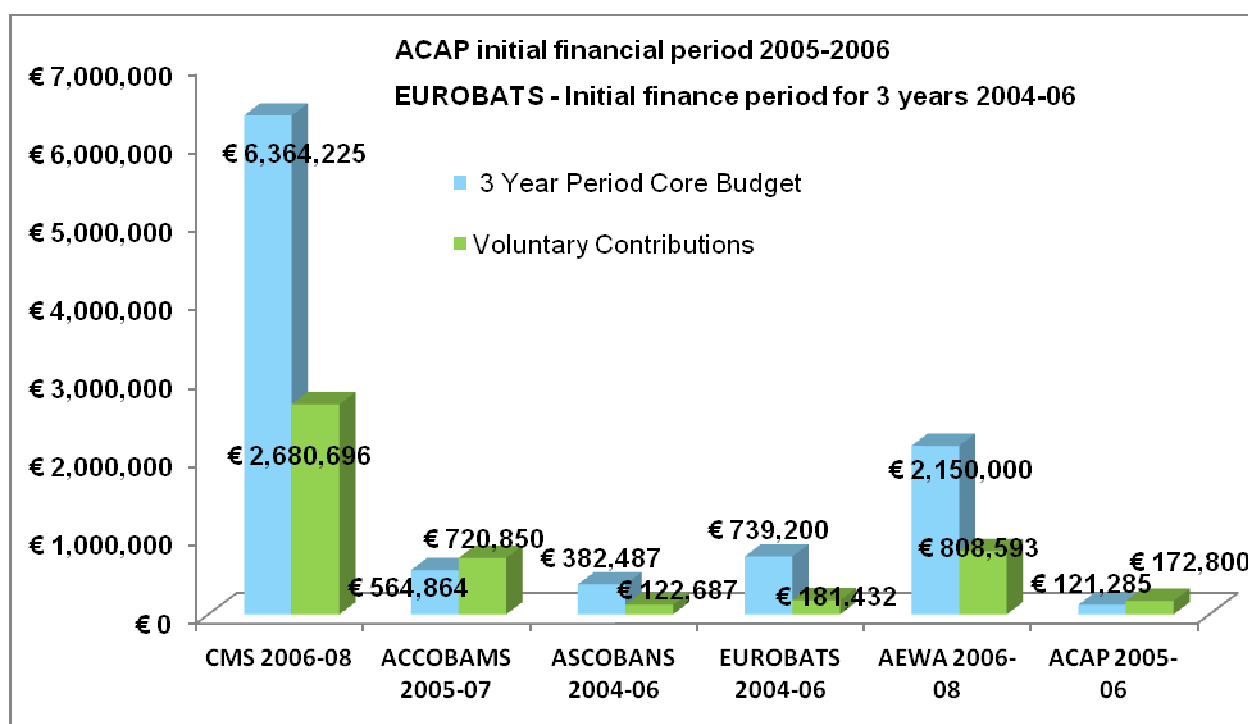


Figure 4: Core budget and voluntary contributions for legally binding agreements (based on latest available data).

A number of subsidiary agreements reported that a lack of finance was impacting on the implementation of their work plans, e.g. the Gorilla Agreement has received no core funding so far, the Siberian Crane MoU cannot finance monitoring of released birds, the Bukhara Deer MoU cannot develop a network for protected areas and the West African Aquatic Mammals is at a standstill due to lack of funding. On the other hand the West African Elephant MoU which requires an estimated

⁸ The exception to this are the MoUs based in Abu Dhabi.

⁹ The Wadden Sea Seals' Agreement did not provide any financial information so it is excluded from this chart. The Gorilla Agreement was not in existence during this budgetary period and therefore is also excluded from the chart.

US\$120,000 to operate for the next three years was provided in 2009 with voluntary contributions of €15,000 and €25,000 respectively from France, and at March 2011 these funds were still unspent.

Even if it could be argued that a lack of funding was applicable to all agreements, this may in reality be a reflection of the priorities of the Parties in the current economic climate and what may be necessary is to use current funding in a more effective way across the CMS and its Family and/or reprioritize mandated activities.

2.1.3.3. Implementation monitoring

Although some agreements have stated that they monitor implementation of their action plans, we found no harmonized implementation monitoring across the CMS Family so it is difficult at this stage to identify efficiencies and savings that could be achieved at the CMS and CMS Family level. At a central level, following the 37th StC meeting it was agreed that the review of the current Strategic Plan (as extended until 2014) would be undertaken in the inter-sessional period between COPs 10 and 11 (2012-2014)¹⁰.

2.1.3.4. Capacity building

In some Range States there is insufficient capacity building and training for technical staff. In addition, there is not always sufficient technical equipment available in some Range States to allow technical staff to undertake their duties e.g. ecological surveys and monitoring. The CMS' current budget for training workshops amounted to €21,814¹¹ for the period 2009-2011 which would arguably not cover this shortfall. However, there are no in-house tools, such as an intranet, that could provide an inexpensive solution to some of these capacity building issues.

2.1.3.5. CMS Family Coverage

CMS aspires to have global coverage. Figure 5 illustrates the number of Parties to the CMS by Region and the percentage of Range States in that Region who are Parties.

¹⁰ The elaboration of the CMS' new Strategic Plan for 2015-2017, which will take full account of the Future Shape Process, could be given to an Inter-sessional Working Group established at COP10.

¹¹ COP 9 Resolution 9.14.

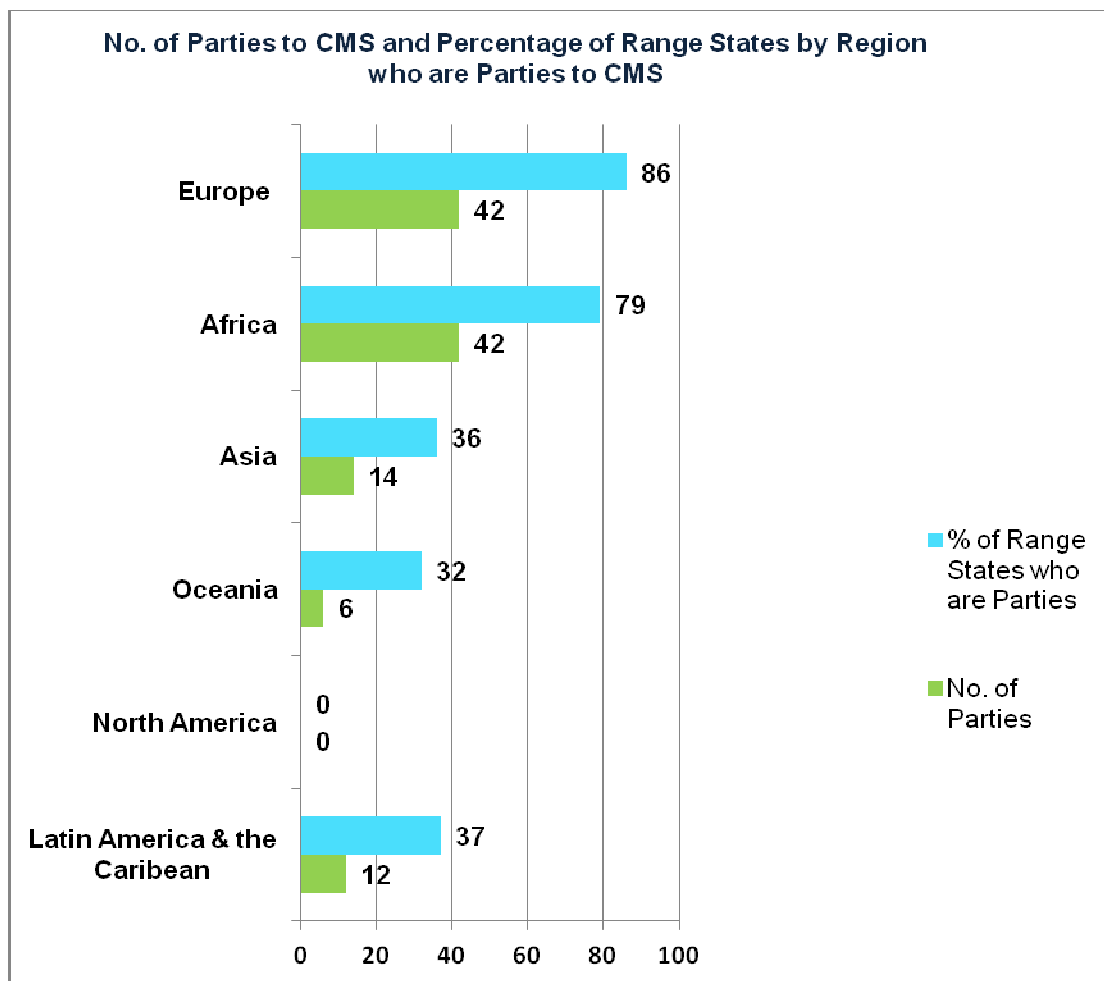


Figure 5: No. of Ranges States Per Region who are Parties to the CMS.

Figure 6 below illustrates the percentage of the CMS Parties when viewed by world region.

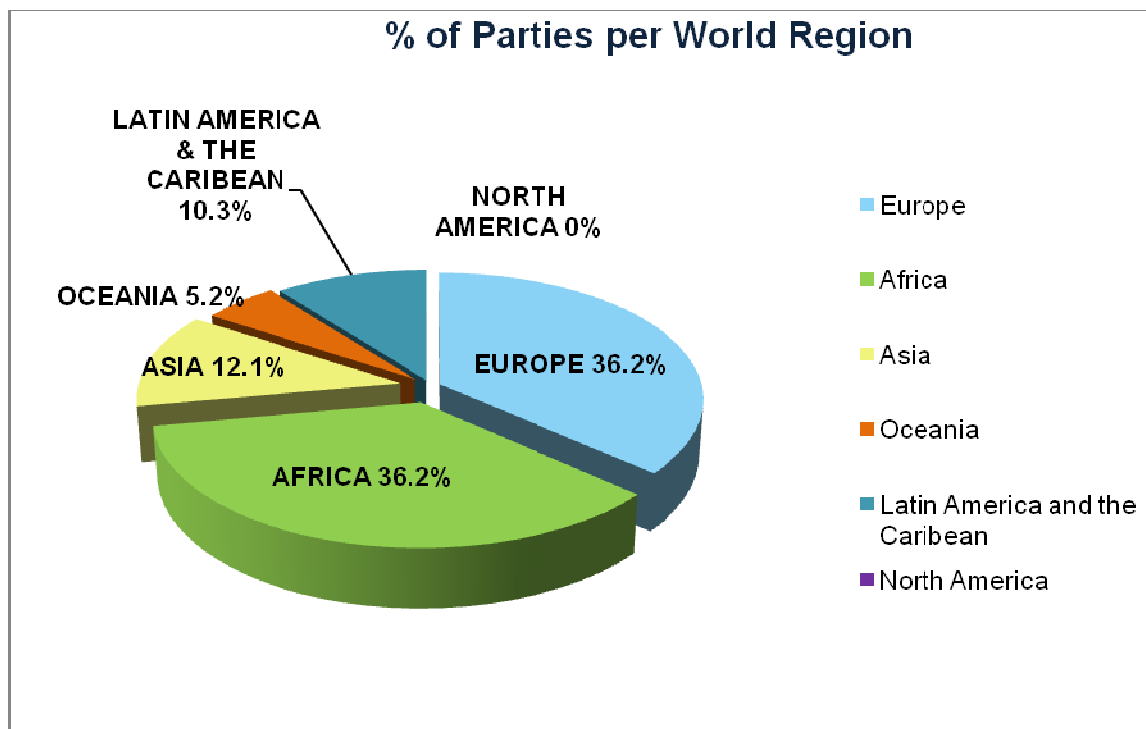


Figure 6: Percentage of Parties by Region.

Since the commencement of the FS process, the CMS has further endeavoured to raise its profile and presence in North America and has advertised to recruit an Associate Programme Officer (P2) for the North America Region. The Abu Dhabi Office is regionally well placed to cover the Middle East and Central Asia and services the Birds of Prey (Raptors) MoU and the Dugongs MoU. The IOSEA agreement covers the Indian Ocean and the South East Asian region.

Figure 7 below shows the difference between Range States and existing agreement MoU Signatories¹².

¹² The Sharks MoU is not included as there is no defined number of Range States.

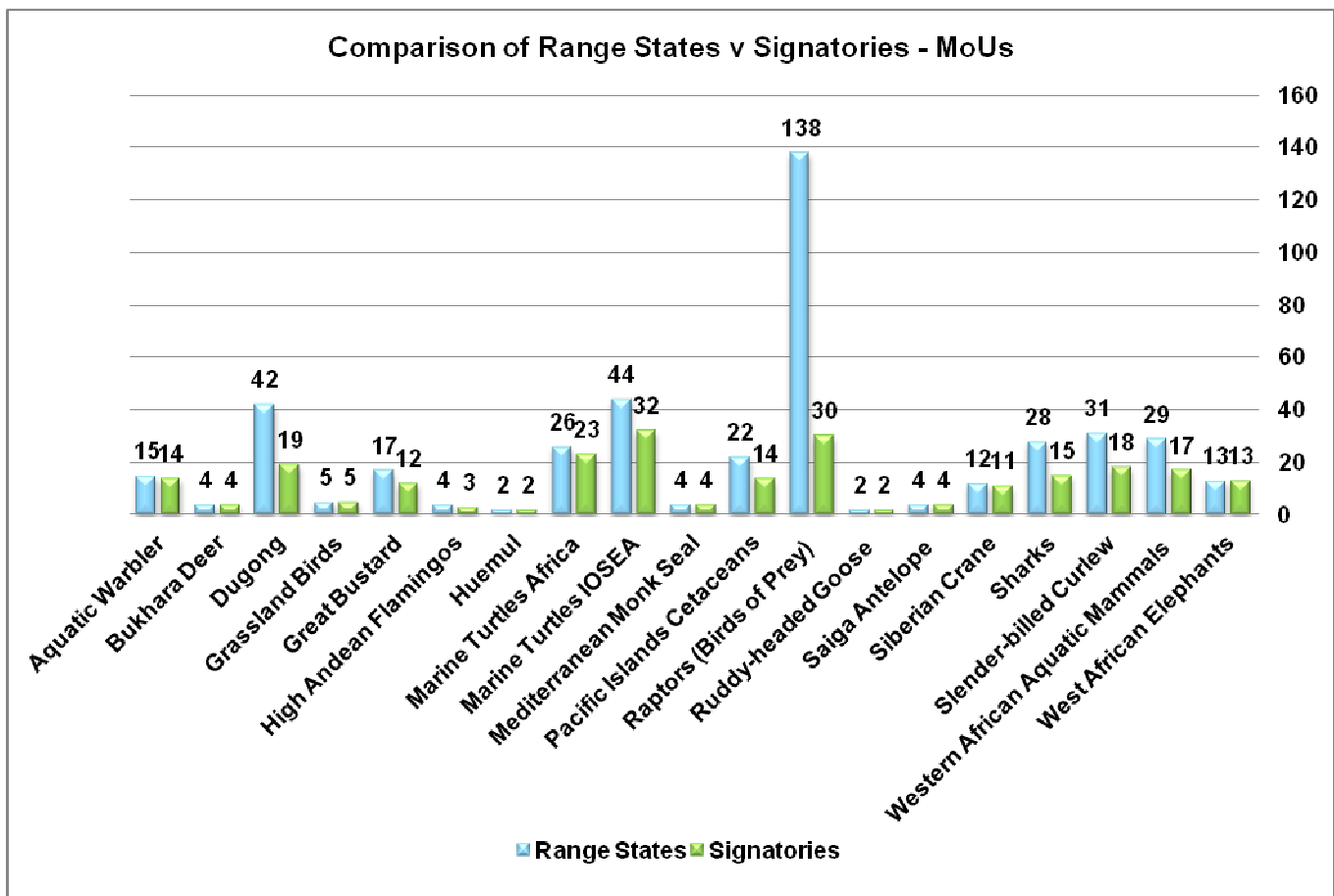


Figure 7: Comparison of Range States v Signatories of MoUs.

Figure 8 compares Range States and existing Parties to the legally binding agreements (Agreements).

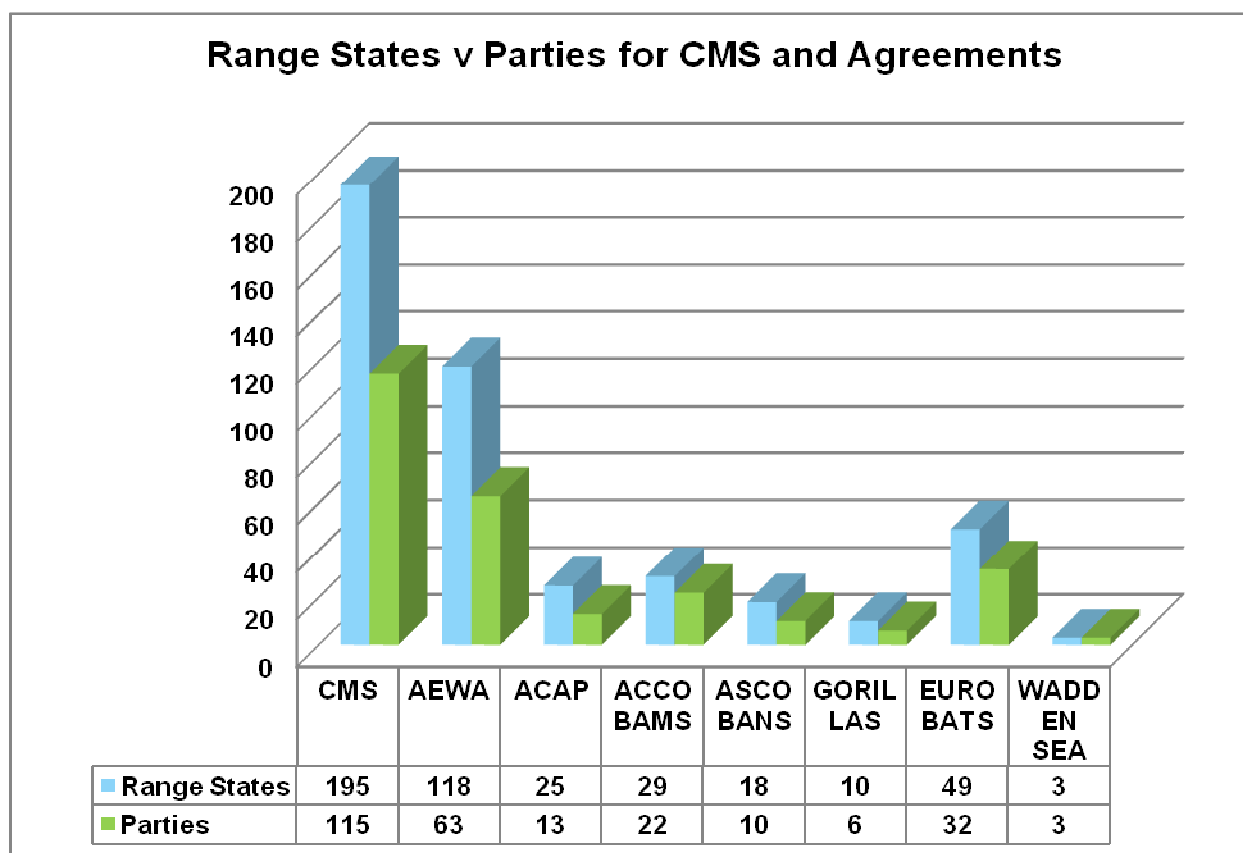


Figure 8: Comparison of Range States v Signatories for the CMS and daughter Agreements.

2.1.3.6. Reporting

ERIC found that there was a large reporting burden on Parties who did not always have the resources or time to deliver what was required. This is due to the volume of reports required (being sometimes Party to more than one CMS agreement, as well as other MEA and related institutions) and a lack of harmonized reporting. Although a number of instruments have provided a mandate for working on such harmonization (e.g. the CMS and AEWA), there is no CMS Family wide coordination of reporting periods or CMS Family wide standardized reporting system.

Other issues raised by Parties were that questions asked in reports were sometimes duplicated across agreements, leading to inefficiencies and duplication of work. Where different national focal points have been identified by Governments for different agreements, this problem is compounded for example when national focal points do not communicate with one another or due to differences between decisions taken by the Parties/ Signatories to the various instruments on what to report and the degree of information to provide. All of this also means that it is difficult for Secretariats to easily consolidate individual reports into a single report that summarizes the collective position of all Parties/Signatories.

We would also like to point out that there is no harmonization of reporting across biodiversity-related Conventions¹³, which further increases the burden on Parties also members of other international agreements who find that they have ever growing reporting requirements.

2.1.3.7. Technical data

Access to technical data across the CMS Family is variable, whilst some agreements have developed advanced systems, e.g. the IOSEA MoU's Marine Turtle Interactive Mapping System (developed by UNEP-WCMC), other agreements have linked in with other organizations, e.g. AEWA to produce the Critical Site Network tool for the Wings over Wetlands projects. However, this knowhow is not used across the CMS Family.

In relation to the CMS Information Management system, the implementation of linking data related directly or efficiently to knowledge and information generated within the CMS with other sources has not been fully achieved¹⁴.

2.1.3.8. Activity rate

The CMS Family has been hugely successful at signing agreements, with 7 legally binding agreements and 19 MoUs in existence at May 2011. This shows awareness of the need to protect biodiversity, the important role played in national ecosystems by migratory species, Government goodwill towards CMS and the excellent negotiating ability of the CMS Family. However, rapid growth without consolidation can mean that limited resources are further stretched, risking patchy implementation of all, newer and older, agreements. Opportunities for consolidation may also be being missed.

Figure 9 below shows rate of growth for both legally and non-legally binding agreements for the last 20 years. The majority of the CMS Family's growth has taken place in the last 10 years (2001-2010) with 19 agreements coming into existence in that period, compared to 7 in the previous decade (1991-2000). The last 5 year period (2006-2010) has shown exponential growth of the CMS Family with the creation of 12 new agreements, with 11 of these only receiving only voluntary contributions and being by and large supported by the CMS, ScC and Secretariat Policy and Agreements Unit (currently staffed directly by a Head of Unit, a Junior Professional Officer (JPO) a Programme Assistant and a part time Secretary). The CMS Secretariat has stated that two new posts are scheduled to commence at the aforementioned Unit in 2011, namely a part-time JPO and a P2 Officer secondment.

¹³ UNEP is working on this and in 2008 produced a report *'Joint core reporting elements of biodiversity-related conventions and agreements'* prepared by UNEP Division of Environmental Law and Conventions and UNEP-WCMC.

¹⁴ UNEP/CMS/Conf.9.18/Rev.1

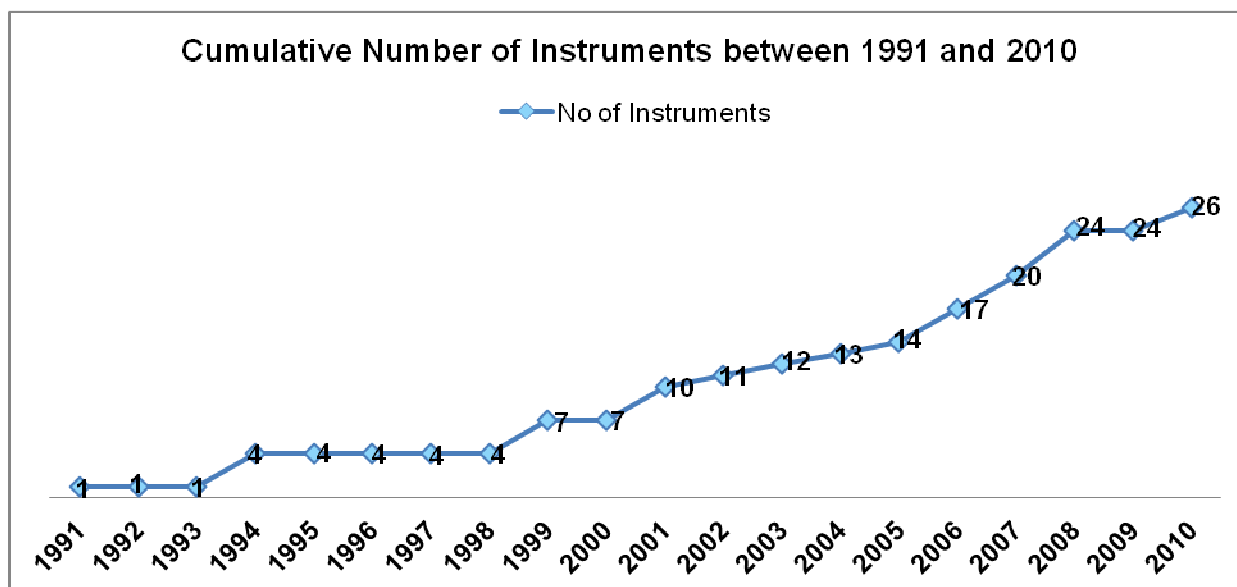


Figure 9: Year on year growth of legally binding and non-binding instruments.

2.1.3.9. Regionalization and localization

The CMS does have a presence in the Regions through its Parties but it is an organization that works in the main from its administrative centre in Bonn. There was also a perceived need by some of the Parties for more on the ground conservation work and local presence of the CMS, whether via the Secretariat or through greater engagement by a Regional Party or Parties. We would like to clarify that regionalization here does not refer to decentralizing the activities of the CMS. It signifies having a regional and/or local presence with assistance and coordination from a centralized CMS presence in Bonn in order to exploit local synergies and opportunities.

As noted previously CMS is currently advertising to recruit an Associate Programme Officer (P2) for the North America Region and does have a presence in Abu Dhabi and Bangkok.

2.1.3.10. Synergies

Seeking synergistic working requires clear high level policies to drive best results, alignment of goals, division of labour, maintaining long-term relationships and on the ground coordination of conservation actions.

The CMS Family has made efforts to work synergistically with other international organizations and partners. Initiatives, such as the March 2011 meeting with CITES on joint collaboration, the joint biodiversity convention retreat and Statement to the High-Level Segment of CBD-COP 10 on collaboration, current analysis of Convention on Biological Diversity's (CBD) Strategic Plan by the CMS Secretariat and the work on Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), are all good examples.

The CMS is currently advertising to recruit a consultant to work on interagency liaison, including setting up policies and working on the joint collaboration with CITES, leading to COP 10.

2.2. Phase 2: Development of Activities

2.2.1. Objective

For each of the issues mentioned in point 3 of Resolution 9.13 and in the light of the outcome of the assessment of the CMS' current situation, the ISWGoFS proposed a number activities that could improve current operations and, as appropriate, solve any difficulty encountered and foreseen in the functioning of the CMS and the CMS Family.

2.2.2. Methodology

The Second Step or Phase II of this process builds on ERIC's Phase I Report of the FS Process, responses to Phase II questionnaires for Parties/Signatories to CMS instruments, MEAs and partners (drafted by the ISWGoFS) addressed to CMS Parties, MEAs, and other CMS partners (e.g. NGOs and Scientific institutions), and the results of the ISWGoFS meeting on the 1-2 July 2010. At that meeting an exciting workshop was held where the ISWGoFS' members proposed a large number of activities to improve the CMS and its Family by taking into account the issues raised in Resolution 9.13 paragraph 3 and ERIC's paper for the meeting.

2.2.3. Activities

Following the 1-2 July 2010 meeting, ERIC was asked to provide detailed costing for implementing activities which addressed the issues identified in Phase I, and information on impacts of the activities in terms of the legal effect, institutional effect, conservation effect, integration within the CMS Family and synergies with external organizations.

ERIC then prepared a number of papers with Options for the ISWGoFS which grouped these activities by a common theme. However, due to time constraints the Chair of the ISWGoFS mandated grouping the activities in four Options – namely Concentration, Decentralization, Ideal and Low Cost; the first two having also been proposed for consideration by ERIC.

The ISWGoFS later accepted the development of the activities but rejected the four Options. However, the Phase II and the resulting Report was used as a key basis for developing the Phase III Report.

As the relevant detail is now also contained in the next Phase we shall proceed to discuss Phase III.

2.3. Phase 3: Development of 3 Options

2.3.1. Objective

On the basis of the hypothesis developed as a result of Phase II through the implementation of activities that address the issues raised in Phase I, the ISWGoFS proposed three different Options for the future organization and the strategic development of the CMS and the CMS Family. The pros and cons of each option in relation to their impact on the institutional, organizational, legal and financial impacts on the CMS and the CMS Family are outlined in Tables 3, 5 and 6 of this Report. (See Annex 1 for further details on the impacts of each activity on these four issues raised in Resolution 9.13).

2.3.2. Methodology

Given the large number of activities proposed in Phase II, with many of these activities having a common theme but by and large distinguished on a temporal basis, ERIC grouped these activities thematically and then differentiated them in terms of short, medium and long-term implementation. Short-term means final implementation of the activity within one COP (e.g. by 2014), medium-term within two COPs (e.g. by 2017) and long-term within three COPs (e.g. by 2020). This timeframe allows for implementation of activities to be commenced immediately but with realistic timeframes for completion. For information purposes a table grouping all activities by option and timeframe is included at Annex 4.

Given the current financial climate, costs were at the forefront of the ISWGoFS' mind. However, the WG did not want the consideration of any of the options or activities identified by the FS exercise to be excluded on the basis of costs and therefore asked ERIC to provide detailed costings for implementation of the activities on a range of costs basis (low, medium and high).

The final results of this estimated costing exercise are contained at Annex 2 of this Report. However, without a better understanding of the implementation of current Strategic and Action Plans and reassessing management priorities to fit in with the chosen option and therefore understanding resulting savings, actual costs for the options cannot be stated with certainty¹⁵. The costs were calculated for a three year budgetary period and have at this stage identified potential additional costs to the CMS and the CMS Family over and above the current core budget contributions, as well as providing a financial estimate for the time contribution of existing staff members, which is already covered by core budgets.

The 3 options are described and then presented in tabular format with each option assessed against the headings below:

- a) Brief Description of Option;
- b) Aims and objectives of the Option;
- c) Organizational Impacts;
- d) Legal Impacts;
- e) Financial Impacts and Strategies;
- f) Institutional Impacts;
- g) Phase I Issues Addressed.

2.3.3. The Options

The ISWGoFS chose 3 options which contain activities that deal to different extents with all the issues raised in Phase I. The options are cumulative in that the activities included in Option 1 are also included in Option 2 and those activities included in Option 2 are also included in Option 3 (as illustrated in Figure 10 below). The purpose behind the options is to enhance the role of the CMS in contributing to the improvement of conservation necessary to conserve migratory species.

¹⁵ Annex 2 is a summary of the costings exercise as there was a very large amount of data in the full costing exercise. However the full data will be available as an information document from the CMS's website.

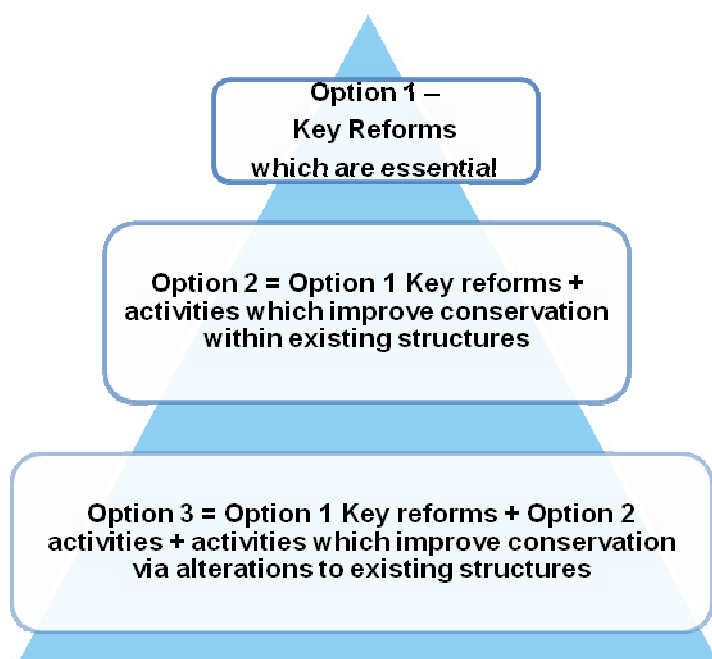


Figure 10: Pyramid of options.

The options are:

Option 1 – Key Reforms - Contains all activities that essentially improve the CMS and its Family's efficiencies by addressing concerns identified in Phase I. Option 1 includes opportunities which can be achieved in the short-term, may result in organizational change, but do not require any institutional change.

Option 2 – Improve Conservation within Existing Structures - In addition to the essential activities contained in Option 1, this Option also includes desirable activities that improve the CMS' capability to address the conservation of species and address threats without any alteration to the CMS or its Family's existing institutional structures.

Option 3 – Improve Conservation by Altering Existing Structure - In addition to essentials in Option 1 and desirables in Option 2, this Option also includes desirable activities that improve the CMS' capability to address the conservation of species and address threats, alter one or more of the CMS or its Family's existing institutional structures and which may require legal changes to the Convention and/or its subsidiary agreements.

2.4. ISWGoFS Recommendation

The ISWGoFS decided not to recommend one rather than any other of the three options and wished to leave it up to the Parties to make their choice.

2.5. Next steps

This report will be communicated to the CMS Standing Committee members six months before COP 10. The StC members are expected to respond providing their coordinated comments and suggestions four months before COP 10.

After review, and two months before COP 10, this Report will be made available to the Parties to the CMS and to other related Agreements, UNEP, as well as to the multilateral environmental agreements and other international organizations concerned.

It is then for the COP to choose, or not, part or all of one of the Options as they appear in this paper, or to choose to implement a number of activities from the Options.

3. Options

3.1. Option 1: Key Reforms (Essential)

Option 1 deals mainly in the short-term¹⁶, and thus to a limited extent, with all the issues raised in Phase I: staffing and integration, implementation monitoring, capacity building, the CMS Family coverage, reporting, technical data, the Family's rate of growth, regionalization/localization and synergies. Some have viewed this Option as the one that offers picking from low hanging fruit. However, because something is more attainable it does not mean that it is less valuable, but perhaps that it provides the first stepping stone to achieving full realization of longer-term goals.

Of the 12 activities falling under this Option, four activities can be fully implemented across the three time-frames (short, medium and long-term) as all of their sub-activities are included within Option 1. The other 8 activities have sub-components or sub-activities contained within either Options 2 or 3; as such these 8 activities will only be partially implemented if Option 1 is the ultimate preferred option.

The four activities, which are fully implemented in Option 1, are:

- “*Alignment with International Environmental Governance Reforms*” (IEG) – which involves a longer time scale and the results of which are as yet unknown;
- “*Enhance communication and seek opportunities to develop awareness of the CMS and the CMS Family*” – has a large number of activities attached to it which lead to better integration across the CMS Family, aims to raise the CMS’ profile and may lead to global coverage. This activity is almost fully implemented, the only sub-activity not covered in Option 1 is translation of guidance documents by Parties which appears in Option 2;
- “*To carry out a global gap analysis at the Convention level and to assess resources (financial and human) appropriateness*” – which will allow a clear understanding of the CMS’ added value, identification of inefficiencies and of conservation gaps that need to be plugged; and
- “*Coordinated strategic plans for the CMS Family*” – would allow for full integration of conservation action plans across the Family, identification of gaps and work on cross cutting issues.

When analyzing the pros of the four activities above, they all lead to greater integration, less duplication of work, implementation monitoring and resource evaluation - all in all a more efficient use of limited

¹⁶ See Annex 3 for Phase III Option Implementation by Time Frame.

resources by working in a more integrated and synergistic way, which is in fact the greatest theme of Option 1.

Figure 11 below sets out two types of estimated costs for Option 1, namely total Option costs and new Option costs. Total Option costs include those relevant costs from existing CMS and Family staff, which are not new costs and which would already be included in the core budgets (mandatory Party contributions). These total Option 1 costs range from €2,025,129, €3,421,843 to €5,665,449 (depending how the activities are implemented) based upon a three year budgetary period¹⁷. The real new or additional estimated costs to the CMS and CMS Family for this Option (excluding cost for time of existing staff) range from €1,341,135, €2,769,869 to €4,931,395.

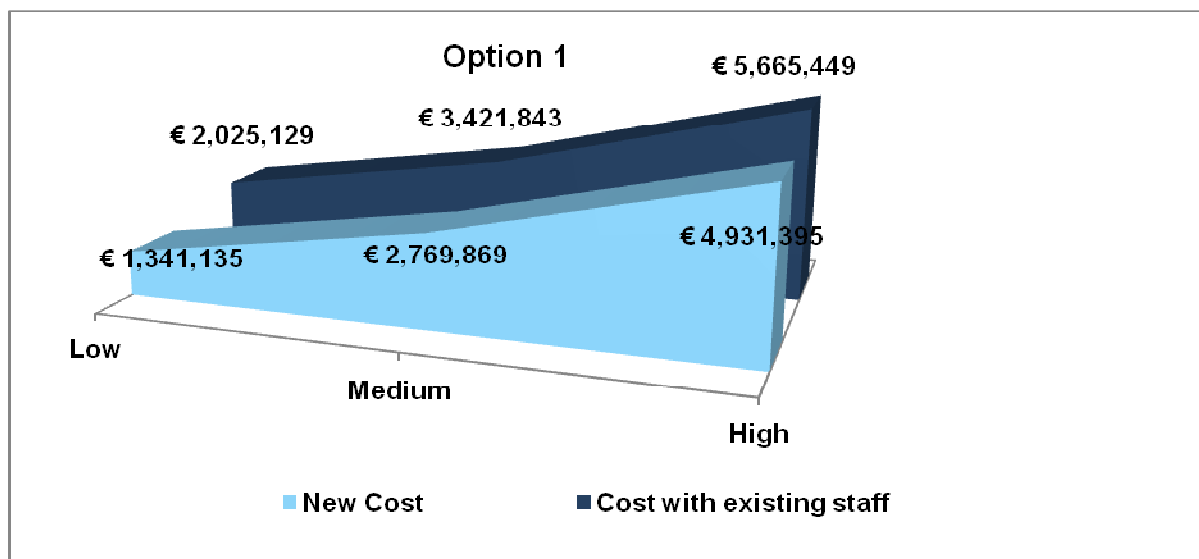


Figure 11: Option 1 costs.

However, there are a number of activities included in this Option 1 which are likely to lead to organizational savings and also to greater fundraising opportunities: raising CMS' profile globally amongst MEAs and other international institutions; understanding what the CMS can offer in terms of synergies; understanding CMS' added value; and avoiding duplication of work across the CMS Family through gap analysis and resource evaluation.

Potential areas for savings under Option 1 that can be identified at this stage include:

- Undertaking a gap analysis and financial and human resource assessment may require additional funding but once procedures are established, it can assist in achieving potential savings through prioritization of available funds, and from not pursuing ineffective programmes or projects;
- Harmonizing data is likely to reduce costs for bringing together national reports and would free time of staff spent on this task;
- Seeking to continue to expand opportunities for coordinating meetings within the CMS family can lead to financial savings relating to travel, venue and ancillary costs. Centralized services

¹⁷ It should be noted that a precise calculation or identification of all new costs (including savings) cannot be provided until a full resource evaluation of the CMS Family's work has been undertaken.

can allow for the negotiation of volume discounts and coordinated use of personnel for the same tasks releases expertise and resource; and

- Prioritizing growth of the CMS and the CMS Family can provide savings by targeting the use of resources and greater sharing of resources across the CMS Family.

We have tried to minimize increasing CMS staff due to the higher cost and longer recruitment period, relying instead where possible on the use of consultants, NGO and other external support and Party support. In fact the lower cost version of Option 1 relies on greater Party support to improve the staffing complement, e.g. using JPOs and local coordinators to be based with Parties.

However, there is still a number of new CMS staff in this Option depending on which range of costs is chosen. Some CMS roles in-house are new, such as the CMS Implementation Officer and the Communication Officer, whilst other staff increases look at further supporting areas which can be viewed as understaffed when compared to their workload, such as the Policy and Agreement Unit.

There will also be organizational challenges within this Option as (like others) it relies on current staff time (estimated value between €737,054, €651,974 and €638,994 based on percentage of time over a three year budgetary period) which is not a new cost but may require reprioritization of work agendas.

Table 2 provides a summary of estimated new staffing required under this Option. The higher range of costs for Option 1 relies more heavily on new CMS internal staff. We note that this is merely a provisional evaluation which will require a full evaluation of current resources and the utilization of these resources.

	Low	Medium	High
New Staff	1 x F/T JPO for 1 year minimum P1	1 x P/T Communications Officer P2	1 x F/T Communications Officer P2
	Consultant (External Staffing source)	Consultant (External staffing source)	1 x F/T Implementation Officer (P2)
	1 x F/T MoU Coordinator based in Bonn (P2)	2 x F/T MoU Coordinators based in Bonn (P2)	3.5 x F/T MoU Coordinators based in Bonn (P2)
	4 x F/T Local MoU Coordinator based within MoU Range State	7 x F/T Local MoU Coordinators based within MoU Range State	14 x F/T Local MoU Coordinators based within MoU Range State

Table 2: Potential new staffing requirements for Option 1.

Table 3 provides a summary of Option 1, including an overview of the organizational, legal, financial and institutional impacts of the Option and how it addresses the issues identified in Phase I.

Table 3: Summary of Option 1

OPTION 1: KEY REFORMS						
Description of Option	Aims and Objectives of Option	Organizational Impacts	Legal Impacts	Financial Impacts	Institutional Impacts	Phase I issues addressed
<p>Option 1 seeks to address the weaknesses within the CMS and the CMS Family highlighted in Phase I of the Future Shape programme of work.</p> <p>It identifies those actions and activities that are essential and which improve efficiencies within the CMS and the CMS Family.</p>	<p>To address the major disadvantages and problems within the CMS and the CMS Family.</p> <p>To contribute to and play a key role in the IEG reforms.</p> <p>To improve and augment communication across and within the CMS Family and to the wider biodiversity community.</p> <p>To apply a strategic approach to prioritizing work through identifying gaps and resource effectiveness as well as the coordination of strategic plans for the CMS Family.</p> <p>To achieve a strategic presence within the regions and enhance the development of partnership working whilst maintaining consistency of agendas.</p> <p>To achieve the harmonization and interoperability of information management across the CMS Family where practicable.</p> <p>To achieve operational efficiencies through economies of scale (e.g. through strengthened coordination and servicing of MoUs and prioritizing meetings).</p>	<p>Pros</p> <p>Lead to greater economies of scale, enhances cooperation and coordination within the CMS Family leading to greater integration.</p> <p>Improves capacity building, which can assist in delivering conservation measures.</p> <p>Assists with prioritizing resources and reduction of duplication of efforts therefore leads to greater resource efficiency.</p> <p>Increases exchange and quality of data and assists with implementation.</p> <p>Reduces administrative and reporting burden.</p> <p>Raises awareness of the CMS both globally and at a local level.</p> <p>Strengthens subsidiarity, ensuring decisions are taken at the correct level.</p> <p>Provides for an increase in staffing and for the MoUs at a local level.</p>	<p>The majority of the activities listed under Option 1 do not lead to any legal changes to the text of the Convention or of any of the Agreements.</p> <p>Some of the activities will require Resolutions from the COP.</p> <p>May require Memorandums of Co-operation with NGOs and other third parties.</p> <p>Intellectual property rights could be an issue in relation to e.g. software ownership.</p> <p>Will require contractual arrangement with external bodies.</p> <p>Costs of legal staff required to write memorandums, which need to be clearly defined to ensure no misunderstandings in the roles and responsibilities of the different parties.</p> <p>Extending the scope of agreements will require Parties to agree to the change of the scope of the agreement.</p> <p>Time required for renegotiation period may be lengthy.</p> <p>Perceived risk of losing some of the provisions when the negotiations of an agreement are re-opened.</p>	<p>Pros</p> <p>Depending on the level of implementation (low, medium or high cost) organizational institutional saving should be achieved and agreement implementation improved.</p> <p>Greater opportunities for fundraising through improved partnership working and improved opportunities to engage with the private sector.</p> <p>Cons</p> <p><i>Additional financing</i> would have to be found for this Option. The amount will depend on how the Option is implemented, with estimated total Option cost ranging :</p> <p>Low Cost €2,025,129 Medium Cost €3,421,843 High Cost €5,665,449</p> <p>This Option relies heavily on current staff time and consultants therefore a redistribution of work would have to be undertaken.</p> <p>Some of the main costs relate to increased promotional and publicity campaigns and costs range from a 50% to a 10% increase on the 2009-11 budget for this item.</p> <p>Also contributions to</p>	<p>Pros</p> <p>Assist institutions to identify gaps in implementation.</p> <p>Assists in a more integrated approach to agreement development.</p> <p>Assists institutions to achieve greater implementation of agreements.</p> <p>Greater assessment of resources at an institutional level.</p> <p>Improves integration within CMS Family and assists institutions to achieve greater impact at regional and local levels.</p> <p>Synergies across the CMS Family and increased synergies with both biodiversity and non-biodiversity MEAs, NGOs, parastatal organizations and other stakeholders.</p> <p>Promotes greater communication amongst CMS Family and institutions and raises profile globally.</p> <p>Enhances synergistic relationships and integration within the CMS Family.</p> <p>Increased ability to address cross cutting issues through integrated data and science,</p>	<p>Integration and staffing</p> <p>Capacity building</p> <p>Synergies</p> <p>Technical data</p> <p>Reporting burden</p> <p>CMS Family coverage</p> <p>Implementation monitoring</p> <p>Regionalization/ Localization</p> <p>CMS Family's growth</p>

	<p>To prioritize the growth of the CMS Family.</p> <p>To achieve increased implementation of agreements' action plans.</p>	<p>Cons</p> <p>Increased staffing results in an increase in budget.</p> <p>Extension of agreements could lead to reassignment of staff.</p> <p>Possible conflict of priorities between the CMS and its Family and organizations with which it collaborates.</p> <p>Impinging on current staff thus a resource evaluation required.</p> <p>Disparity in level of expertise.</p> <p>If centralized potential to be detached from data – e.g. ability to analyze where analyst is detached from the local realities.</p> <p>May be difficult to get Party consensus in setting criteria for growth of agreements.</p> <p>Expertise and resource gaps (regionalization localization).</p> <p>Not all short-term but medium to long-term fruition.</p>		<p>conservation projects or to assist partnership building (varying from €120,000 to €60,000).</p> <p>Significant costs are also included for upgrades in data management systems and improved software (varying from €422,000 to €150,000). Where practicable the use of freely available software has been identified¹⁸.</p> <p>Other costs relate to the increased publication of guidance documents and the possible costs required for any necessary working group meetings.</p>	<p>understanding of common issues, threats and problems.</p> <p>Cons</p> <p>Risk of institutional dilution.</p> <p>There may be a lack of willingness of scientific bodies to collaborate and share knowledge.</p> <p>There may be a lack of willingness amongst institutions and instruments to share.</p> <p>There may be a difficulty in achieving institutional and/or Party consensus.</p> <p>May be a risk of lack of ownership if Parties are not encouraged to coordinate agreements.</p> <p>Could cause confusion amongst potential Parties who may be familiar with existing structures.</p>	
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¹⁸ Internal security must be taken into account before any free software is downloaded.

3.2. Option 2: Improve Conservation within Existing Structure

There are no activities in Option 1 that are not in Option 2. However, Option 2 includes a number of new activities considered by the ISWGoFS to be desirable rather than essential (see activities 7, 13, 14 & 15, Annex 1 from page 57). One of the distinguishing features of Option 2 is that it takes a longer-term approach to achieving the aims and objectives set out for Option 1. For example Option 1 sets out to improve current partnership working to achieve synergies and thus improve resource efficiencies. However, it does this by the CMS extending its hand out to the UNEP Family, an organization to which the CMS is already intrinsically linked to, where it has many contacts and allies and to which it is aligned in its aims and goals. This type of partnership working can be achieved in the short-term.

Option 2 seeks to go further in improving partnership working by seeking out partners with whom it has less of a relationship, seeking a greater local presence with the goal of setting joint programmes to deal with common threats. It goes even further and seeks to develop regional hubs for MEA implementation by identify synergies and linkages between MEAs, an activity that takes a much deeper, wider and longer term view of collaborative working.

One of the significantly distinct activities of Option 2, in contrast to Option 1, is the reorganization of the CMS' ScC by basing its membership on species grouping or thematic cross cutting issues.

If all the activities in Option 2 (and thus in Option 1) were implemented, the CMS would be better placed to fully implement within all its different degrees and timescales the following activities:

- *“Alignment with IEG Reforms”* – representing its interests and likely increasing its presence and profile amongst the international biodiversity community;
- *“Improved partnership working”* – across the whole spectrum: within the CMS, with NGOs, other partners and across MEAs;
- *“Enhancing scientific research and information”* – providing better quality research data;
- *“Coordinated strategic plans across the CMS Family”* – achieving greater integration across the CMS Family;
- *“Identify opportunities for cooperation and coordination at a local level through the creation of synergies”* – improving conservation on the ground;
- *“Harmonization and interoperability of information management and reporting systems...”* – reducing the reporting burden and improving conservation by having better quality data;
- *“Strengthening coordination and servicing of MoUs”* – leading to greater integration;
- *“Further opportunities to coordinate meetings between institutions”* – achieving resources efficiency and greater integration within and outside the CMS Family; and
- *“Actions to prioritize the growth of the CMS and its Family”* – making long-term decisions about resource management and focused conservation.

Option 2 has the qualities which characterized Option 1, namely integrated and synergistic working, but fully developed. Option 2 would also place the CMS and its Family at the forefront of harmonized biodiversity data systems, add value to the Convention, increase its profile amongst the international Convention community and potentially increase its global reach.

Figure 12 below sets out two types of estimated costs for Option 2, namely total Option costs and new Option costs. Total Option costs include those relevant costs from existing CMS and Family staff, which are not new costs and which would be included in the core budgets. These range from €3,372,990, €5,693,233 to €9,519,460 based upon a three year budgetary period¹⁹. The real new or additional estimated costs to the CMS and CMS Family for Option 2 (excluding time of existing staff) range from €2,770,674, €5,416,095 to €8,917,030.

Because the Options are cumulative, costs for Option 2 include the costs for Option 1 plus the cost for the new activities under Option 2. Option 2 represents an increase on estimated costs for Option 1 of 61%, 57% and 59% respectively.

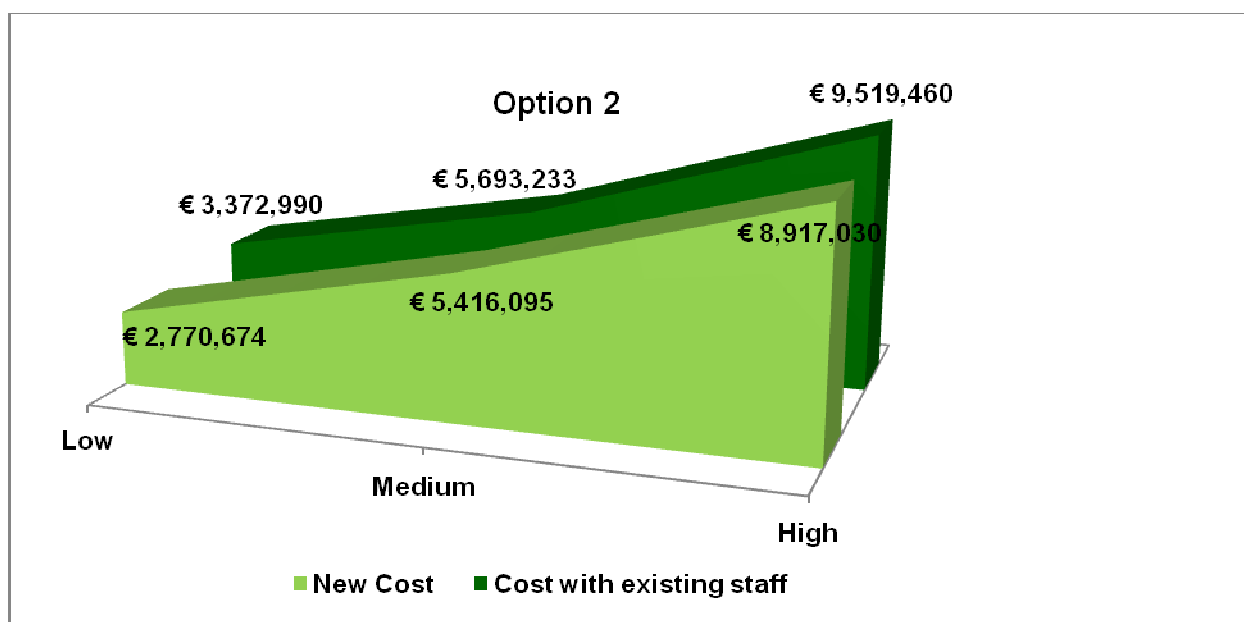


Figure 12: Option 2 costs.

Savings provided for this Option potentially include:

- In identifying opportunities for cooperation and coordination at the local and regional level through the creation of synergies based on geography, savings in relation to administrative services through the joint use of office space and utilities, staff costs and reduced programme costs by working on joint working programmes;
- With the harmonization and interoperability of information management and reporting systems where appropriate and applicable, reduction of initial development costs if technology and knowhow is shared where agreements already have it, maintenance of reduced platforms, reduced costs of updating technology through time and volume-savings with service providers;
- Further coordination of meetings could result in financial savings relating to travel, venue and ancillary costs. Centralized services can allow for the negotiation of volume discount and increased procurement power;

¹⁹ It should be noted that a precise calculation or identification of all new costs (including savings) cannot be provided until a full resource evaluation of the CMS Family's work has been undertaken.

- Enhanced collaboration between CMS agreements via projects, programmes or Secretariats based on either geography or on species clusters, produces savings from maximizing and/or combining available resources, which could liberate resources for on the ground conservation activities, may provide additional sources of funding, produce potential savings in relation to administrative services through the joint use of office space and utilities, potential savings in relation to staff costs and potential savings in relation to joint working programmes.

Again there will also be organizational challenges within this Option as (like others) it relies on current staff time (with a value of between €620,430, €547,138 to €602,316 based on percentage of time over a three year budgetary period) which is not a new cost but may require reprioritization of work agendas.

Some of these costs are for new staff, including further support for the Information, Capacity Building Unit, and a Hub Officer. Again depending on the range of costs these are either CMS paid positions, covered by Parties in the form of JPOs or by the use of interns, an alternative that can have drawbacks.

Table 4 provides a summary of the new potential new staff requirements under this Option. We note that this is merely a provisional evaluation which will require a full evaluation of current resources and the utilization of these resources.

	Low	Medium	High
New Staff	1 x F/T JPO for 1 year minimum P1	1 x P/T Communications Officer P2	1 x F/T Communications Officer P2
	Consultant	Consultant	1 x F/T Implementation Officer P2
	1 x F/T MoU Coordinator based in Bonn P2	2 x F/T MoU Coordinators based in Bonn P2	3.5 x F/T MoU Coordinators based in Bonn P2
	4 x F/T Local MoU Coordinator based within MoU Range State	7 x F/T Local MoU Coordinators based within MoU Range State	14 x F/T Local MoU Coordinators based within MoU Range State
	1 x F/T JPO for 1 year minimum P2	1 x P/T Information Management Officer P2	1 x F/T Information Management Officer P2
	1 x F/T JPO for 1 year minimum P2	1 x F/T Hub Officer P2	1 x F/T Hub Officer P3
	1 x Intern	1 x F/T JPO for 1 year minimum P1	1 x P/T Capacity Building Officer P2

Table 4: Potential new staffing requirements for Options 2 and 3.

Table 5 below provides a summary of Option 2, including an overview of the organizational, legal, financial and institutional impacts of the Option and how it addresses the issues identified in Phase I.

Table 5: Summary of Option 2

OPTION 2: Improve Conservation within Existing Structures						
Description of Option	Aims and Objectives of Option	Organizational Impacts	Legal Impacts	Financial Impacts	Institutional Impacts	Phase I issues addressed
Option 2 includes essential activities contained in Option 1, plus those desirable activities that improve the conservation of species and address threats without any alteration to the CMS or its Family's existing institutional structures.	<p>These are the same as in Option 1 but implemented to their greatest degree in the medium and long-term:</p> <ul style="list-style-type: none"> - contribute to and play a key role in the International environmental governance reforms; - improve and augment communication across and within the CMS Family and to the wider biodiversity community; - apply a strategic approach to prioritizing work through identifying gaps and resource effectiveness as well as the coordination of strategic plans for the CMS Family; - achieve a strategic presence within the regions and enhance the development of partnership working; - to achieve the harmonization and interoperability of information management across the CMS Family where practicable; 	<p>Pros</p> <p>Synergies achieved through, for example, increased sharing of expertise and know-how through lessons learnt.</p> <p>Economies of scale achieved through joint resource use and a reduction in the duplication of activities.</p> <p>Increased resource efficiencies achieved through the harmonization of systems and integration of activities e.g. the harmonization and interoperability of information systems where appropriate.</p> <p>Increased implementation through, for example, agreements working on joint programmes and projects.</p> <p>Operational efficiencies achieved through centralized systems either within the CMS or within collaborating agreements at the local level through reduced duplication of activities.</p> <p>Profile increased through working with other International institutions.</p> <p>Increased Party involvement in hosting local coordinators and/or providing office space can encourage ownership which helps implementation.</p> <p>Can lead to improved sharing of resources, in particular technical data, administrative resources which can assist in achieving greater integration.</p>	<p>The majority of the activities listed under Option 2 do not lead to any legal changes to the text of the Convention or of any of the Agreements.</p> <p>Some of the activities will require Resolutions made by the COP.</p> <p>May require Memorandums of Co-operation with NGOs and other third parties.</p>	<p>Pros</p> <p>The savings in Option 1 are compounded in this Option as efficiencies are increased and gaps are closed.</p> <p>Having streamlined high profile institutions can attract greater funding opportunities.</p> <p>Cons</p> <p>The total estimate cost for this Option are higher than for Option 1 ranging from:</p> <p>Low cost €3,372,990,</p> <p>Medium costs €5,963,233</p> <p>High Costs €9,519,460.</p>	<p>Pros</p> <p>Encouraging a greater number of Range States to become Parties (e.g. via a regional hub through promotion of the CMS' profile).</p> <p>Provides the CMS with a niche in a crowded International regulatory field (via coordinated scientific research programmes) and subsequently promotes CMS' reputation amongst other MEAs.</p> <p>Enhances the scientific expertise and knowledge base of the CMS, which can promote integration.</p> <p>Assists implementation by promoting ownership of the CMS through engagement with Governments at the regional/local level.</p> <p>Minimizes institutional overlap.</p> <p>Greater integration across institutions and agreements.</p> <p>Would promote implementation of action plans.</p> <p>Joint programmes may assist implementation without the disruption that may be caused by merging agreements.</p>	<p>Integration and staffing</p> <p>Capacity building</p> <p>Synergies</p> <p>Technical data</p> <p>Reporting burden</p> <p>The CMS Family coverage</p> <p>Implementation monitoring</p> <p>Regionalization/Localization</p> <p>The CMS Family's growth</p>

	<ul style="list-style-type: none"> - achieve operational efficiencies through economies of scale (e.g. through strengthened coordination and servicing of MoUs and prioritizing meeting); - prioritize the growth of the CMS Family; and - achieve increased implementation. <p>In addition this Option also includes the restructuring of the CMS' Scientific Council by basing membership on species grouping or thematic cross cutting issues.</p>	<p>Can develop a stronger regional focus through the development of regional hubs in areas not currently covered (e.g. Asia) and through increased cooperation and coordination amongst agreements sharing resources and where practicable office space.</p> <p>Cons</p> <p>There could be a reassignment of some personnel or experts e.g. the restructuring of the Scientific bodies may require experts to be replaced or reassigned.</p> <p>Through coordination and harmonization of activities there may be the risk of competing and conflicting priorities.</p> <p>A number of the activities require a significant amount of effort and may take a long time to be realized in practice (e.g. harmonization of data reporting).</p> <p>Different standards of capacity building from different partnerships/networks across different instruments/ geographical spreads can cause inefficiencies so need close management.</p>			<p>Cons</p> <p>Some instruments may prefer to continue on present course where they are operating effectively and see no added value in extending network with perhaps other MoUs/Agreements.</p> <p>Inequalities of expertise and knowledge across the regions and at the local level.</p> <p>Potential for data detachment.</p> <p>Potential lack of consensus on where the regional presence should be.</p> <p>Change process could be disruptive in the short-term.</p> <p>Fear of loss of independence.</p> <p>Managing the expectations of the Parties.</p>	
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3.3. Option 3: Improve Conservation via Alterations to Existing Structures

Option 3 is a more radical option. It includes all of the activities in Option 1 and 2, but then adds activities which require a structural change to the workings of the CMS Family, either through a change to its institutions or to the text of agreements.

Thus it has all the advantages and disadvantages of Options 1 and 2 but in addition:

- *“Restructuring of ScC to maximize expertise, knowledge and capacity”* – proposes here a CMS wide Scientific Institution; given that other agreements have their own scientific advisory bodies, there would be institutional change across the CMS Family;
- *“Actions to prioritize the growth of the CMS and the CMS Family”* – by creating agreements and MoUs focused only on migratory species, to exclude those species who have a migration of a more significant transboundary nature might require a redefinition of the Convention text and is directed at addressing growth rates of agreements; and
- *“Enhanced collaboration between the CMS agreements via projects, programmes or Secretariats based on either geography or on species clusters by merging the CMS Family agreements based on geography and/or ecology or species grouping”* – through merging agreements, thus this activity would require changes to a number of agreements within the CMS Family.

In addition to leading to a more synergistic, efficient and high profile CMS, this Option seeks a fully integrated CMS by bringing together institutions and merging agreements by taxonomic group and/or geography.

Figure 13 below sets out two types of estimated costs for Option 3, namely total Option costs and new Option costs. Total Option costs include those relevant costs from existing CMS and Family staff, which are not new costs and which would be included in the core budgets. These range from €3,823,454, €6,495,697 to €10,144,924 based upon a three year budgetary period²⁰. The real new or additional estimated costs to the CMS and CMS Family for this Option (excluding time of existing staff) range from €3,627,990, €6,300,233 to €9,949,460.

Because the Options are cumulative, costs for Option 3 include the costs for Option 2 plus the cost for the new activities under Option 3. Option 3 represents an increase on estimated costs for Option 2 of 13%, 9% and 7% respectively.

²⁰ It should be noted that a precise calculation or identification of all new costs (including savings) cannot be provided until a full resource evaluation of the CMS Family’s work has been undertaken.

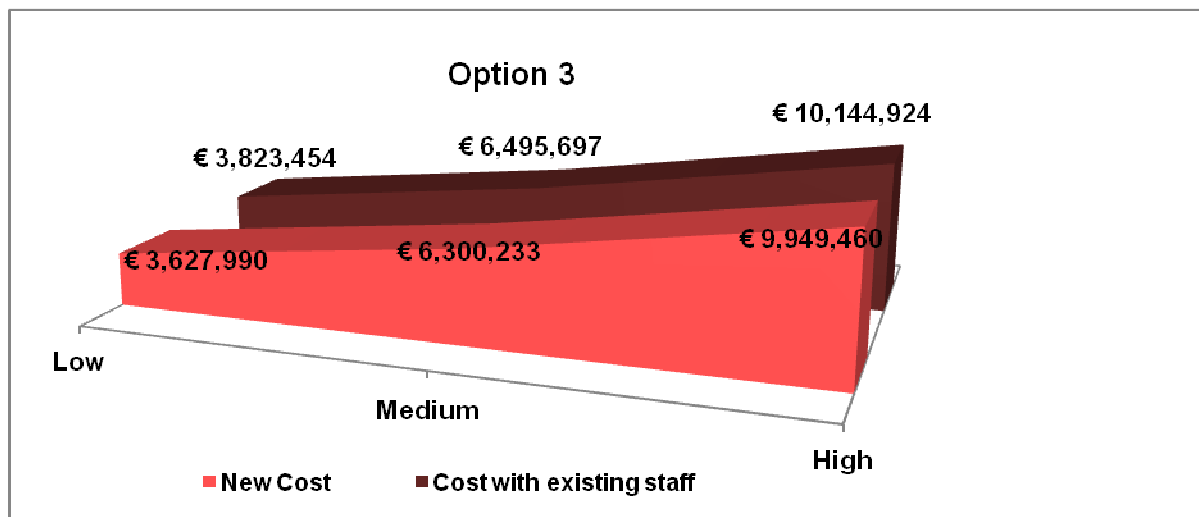


Figure 13: Option 3 costs.

The additional costs to this Option when compared with Option 2 are not necessarily high because they only make provision for the taking decisions rather than the costs of implementing the full actual institutional and management change, as it is not possible to calculate these at this stage. However, because of the longer term timescales necessary to make structural changes, this Option is likely to take the longest time to fully achieve. Option 3 arguably has the potential to offer the highest savings as it aims to present the most coordinated and integrated way of working across the CMS Family which can deliver high institutional and organizational resource efficiencies.

New potential staffing requirements under this option as are per Option 2 and thus Table 4. Again the higher cost version of this Option includes a greater amount of internal CMS staff. We note that this is merely a provisional evaluation which will require a full evaluation of current resources and the utilization of these resources.

	Low	Medium	High
New Staff	1 x F/T JPO for 1 year minimum P1	1 x P/T Communications Officer P2	1 x F/T Communications Officer P2
	Consultant	Consultant	1 x F/T Implementation Officer P2
	1 x F/T MoU Coordinator based in Bonn P2	2 x F/T MoU Coordinators based in Bonn P2	3.5 x F/T MoU Coordinators based in Bonn P2
	4 x F/T Local MoU Coordinator based within MoU Range State	7 x F/T Local MoU Coordinators based within MoU Range State	14 x F/T Local MoU Coordinators based within MoU Range State
	1 x F/T JPO for 1 year minimum P2	1 x P/T Information Management Officer P2	1 x F/T Information Management Officer P2
	1 x F/T JPO for 1 year minimum P2	1 x F/T Hub Officer P2	1 x F/T Hub Officer P3
	1 x Intern	1 x F/T JPO for 1 year minimum P1	1 x P/T Capacity Building Officer P2

Table 4: Potential new staffing requirements for Option 2 and 3 (repeated at page 34).

Table 6 below provides a summary of Option 3, including an overview of the organizational, legal, financial and institutional impacts of the Option and how it addresses the issues identified in Phase I.

Table 6: Summary of Option 3

OPTION 3: Improve Conservation with Alterations to Institutional Structures						
Description of Option	Aims and Objectives of Option	Organizational Impacts	Legal Impacts	Financial Impacts	Institutional Impacts	Phase I issues addressed
<p>Option 3 includes essentials in Option 1, desirables in Option 2, plus desirable activities that improve conservation of species and address threats by altering one or more of the CMS or its Family's existing institutional structures. This Option may require legal changes to the Convention and/or its subsidiary agreements.</p>	<p>All of those in Option 2 plus:</p> <ul style="list-style-type: none"> - concentrate efforts by integrating the Family at an institutional level; and - control agreement growth. 	<p>Pros</p> <p>Reduction of duplication of administrative efforts thus reduction of inefficiencies.</p> <p>Greater expertise brought together.</p> <p>Greater purchasing power thus economies of scale improvements.</p> <p>Providing different agreements with new points of contact and collaboration.</p> <p>Easier to identify both inefficiencies and gaps.</p> <p>Greater coordination of action plans and agendas.</p> <p>Less meetings and reduction in reporting burden.</p> <p>Agreements that have integrated systems would share their value across other agreements.</p> <p>Cons</p> <p>Staff may be unhappy about changes.</p> <p>Time and money will need to be spent in reorganizing management and administration.</p> <p>If agreements are merged there may be relocation of staff or even redundancies.</p>	<p>Merger of agreements and changes to Convention text requires a renegotiation of the Convention and of agreements.</p>	<p>Pros</p> <p>There are likely to be large institutional and organizational savings if agreements are merged given that there will be less duplication of work and less meetings.</p> <p>Cons</p> <p>There may be a cost if there is a need to relocate staff and/or redundancies are to take place.</p> <p>There may be agreement rebranding costs.</p>	<p>Pros</p> <p>Greater global coverage of individual agreements.</p> <p>Ability to have regional framework action plans.</p> <p>Stronger scientific institution with a greater pool of experts.</p> <p>Greater opportunities for capacity building.</p> <p>Greater sharing of resources.</p> <p>More comprehensive implementation across regions.</p> <p>Cons</p> <p>Institutions and agreements may fear losing their identity and autonomy.</p> <p>Those agreements that are better implemented may fear their status changing with any merger.</p>	<p>Integration and staffing</p> <p>Capacity building</p> <p>Synergies</p> <p>Technical data</p> <p>Reporting burden</p> <p>CMS Family coverage</p> <p>Implementation monitoring</p> <p>Regionalization/ Localization</p> <p>CMS Family's growth</p>

3.4. Options and Issues Raised by the ISWGoFS

The ISWGoFS raised a number of issues at their February 2011 meeting that they wished ERIC to consider against the three Options.

3.4.1. Proliferation of agreements without resources

This issue is dealt directly by an activity themed “*Actions to prioritize the growth of the CMS and the CMS Family*”. In itself there are various ways of achieving the aim of this activity. Option 1 tackles this activity full on: it creates criteria against which to assess proposed new agreements with such criteria to include the existence of resources to support the agreement; it proposes the development of a policy by which implementation monitoring is part of any future MoU; it offers where possible and feasible the extension of existing agreements rather than the creation of new ones; it offers the possibility of establishing a policy where new agreements only focus on migratory species that have more than a transboundary migration.

To control more closely proliferation of agreements and review their resource base, there is an activity that deals with monitoring implementation and requires the “*Undertaking an assessment of MoUs and their viability and where applicable to cease support*”.

Other activities that support this issue in Option 1 include:

- “*To carry out a global gap analysis at the Convention level and to assess resources (financial and human) appropriateness*” – is fully implemented in Option 1 and would support focused growth with resource planning. In the short-term it would carry out the global gap analysis, in the medium-term implement the results of the analysis, and in the long-term carry out resource assessments; and
- “*Coordinated strategic plans for the CMS Family*” – would be fully implemented in Option 1 which would allow for planning, analysis and assessment of strategic plans and thus identification of where resources could be best invested in an integrated and efficient way.

Option 2 includes those actions outlined for Option 1 but also offers the possibility of having a policy of establishing new agreements outside the UNEP Family, which one could argue would be less of a drain on the CMS’ resources, as these agreements tend to operate independently and effectively. Of course there are drawbacks such as the danger of loss of integration across the CMS Family and loss of the benefits of being part of UNEP.

Option 3 adds the offer to change the definition of “migratory” in the Convention text to only focus on migratory species that have more than a single transboundary migration and migrate according to seasons for feeding and breeding.

3.4.2. CMS’ global presence

This issue is strongly dealt with in Option 1 by implementation of the activity “*Enhance communication and seek opportunities to develop awareness of the CMS and its Family*”. This Option includes having harmonized communication systems within the CMS which would give out one message globally; running awareness campaigns to ensure that CMS is recognized by the public, academic institution, international organizations and others as a global leader in the protection of migratory species. Other MEAs such as CBD have used awareness campaigns to raise their profile very effectively.

Other activities that support this issue in Option 1 include:

- *“Alignment with IEG reforms”* – which is implemented fully in Option 1 and would ensure that CMS’ interests are represented within any reform of the wider MEA community whilst raising its profile amongst MEAs and the wider international community;
- *“Improved partnership working...”* – mainly implemented in Option 1 which increases the CMS’ profile as it will be seeking out opportunities and therefore communicating the CMS’ message more widely both amongst the local and global stage;
- *“Strengthening the coordination and servicing of MoUs”* – is in Option 1 implemented in the short-term to provide for increased staff for the Policy and Agreement Unit and in the medium-term to provide unmanned MoUs for local coordinators. Both of these actions would support existing agreements and increase the CMS’ profile locally and globally; and

Option 1 deals with the medium-term offering the regionalization of conservation efforts by having local focal points/outposts by exploiting synergies with assistance from Parties, UNEP, NGOs, MEAs and through other mediums which may appear in the future depending on the context and circumstances.

For Option 2 *“Enhancing scientific and research information”* offers the development of a migratory species data hub which would facilitate the use of migratory species data as an indicator of climate change. This would certainly raise the CMS’ profile within the wider international Convention community and give it a niche in a crowded regulatory field.

To *“Identify opportunities for cooperation and coordination at a local and regional level through the creation of synergies based on geography”* would in Option 1 and in Option 2 raise the CMS’ profile by creating a CMS presence across the world Regions by exploiting synergies with assistance from Parties, UNEP, NGOs, MEAs.

3.4.3. Role in cross cutting issues

There are a number of activities that would support this issue in all of the Options, and these are outlined below. However the role of cross cutting issue is directly dealt with in Option 2 which fully supports the coordination of research programmes on cross cutting issues across the CMS Family (see *“Enhancing scientific and research information”* - medium-term – Option 2 – Annex 1 – page 45). Further as the options are cumulative Option 2 includes Option 1 activities:

- *“Enhancing scientific and research information”* – in Option 1 (the short-term) the CMS Family would explore opportunities to improve synergies of the CMS’ science base with the development of IPBES, as well as collaborating with and learning lessons from existing data hubs (e.g. TEMATEA, UNEP-WCMC, IUCN, Wetland International) to enhance the delivery of CMS Family objectives;
- *“To carry out a global gap analysis at the Convention level and to assess resources appropriateness”* – the CMS would fully implement this activity in Option 1: in the short-term it would carry out the global gap analysis, in the medium-term implement the results of the analysis, and in the long-term carry out resource assessments. The gap analysis will allow identification of where cross cutting issues lie and the resource assessments would allow greater focus on cross cutting issues;
- *“Enhance communication and seek opportunities to develop awareness of CMS and CMS Family”* – this activity will be fully implemented in Option 1. It will allow for greater understanding of cross cutting issues across the CMS and to share best practice;

- *“Coordinated strategic plans for the CMS Family”* – would be fully implemented in Option 1 which would allow for planning, analysis and assessment of strategic plans and thus identification of cross cutting issues;
- *“Harmonization and interoperability of information data and reporting system....”* – Option 1 calls in the short-term for the harmonization of current information management systems but it is not until Option 2 that reports are fully harmonized (medium-term) and research data is centralized across the Family (long-term). Option 2’s reporting requirements would fully facilitate dealing with cross cutting – issues in a harmonized and efficient way across the CMS Family;
- *“Restructuring the Scientific Council...”* – this activity is implemented fully in Option 3 by having a Family wide ScC which would serve all of the agreements and deal in an integrated way with cross cutting issues both at CMS level and at the wider biodiversity convention level. Option 2 would allow an expertise gap analysis to be carried out and to base the ScC’s membership on cross cutting issues; and
- *“Enhancing collaboration across CMS agreements via shared projects and programmes...”* – appears in Option 2 which seeks in the medium-term for agreements to share projects and programmes on cross cutting issues and for agreement Secretariats to collaborate on these issues. Option 3 would merge agreements and therefore provide a centralized and integrated way of dealing with policies on cross cutting issues.

3.4.4. Taxonomic clustering

All Options offer an activity with a degree of taxonomic clustering. Option 3 offers the strongest as it proposes *“Enhanced collaboration between CMS agreements via projects, programmes or Secretariats based on either geography or on species clusters”* by merging agreements on the basis of species clustering. This would allow a framework agreement to be developed for different taxa which could then have regional action plans, much like the recommended Option by the Flyways Group. It will also include those activities in Option 2 and 1 below.

Option 2 also offers *“Enhanced collaboration between CMS agreements based on either geography or on species clusters”* but in the short-term by creating common programmes amongst agreements based on species clustering and in the medium-term through collaboration of Secretariats on the same basis. It is also supported in Option 2 by the *“Restructuring the Scientific Council...”* membership based on species clusters.

“Enhancing scientific and research information” in Option 2 offers the development of a migratory species data hub which would facilitate the use of migratory species data as an indicator of climate change. This would certainly raise the CMS’ profile within MEAs, the wider international Convention community and give it a niche in a crowded regulatory field.

Option 1, also included in Options 2 and 3, could offer support to taxonomic clustering by proposing *“Actions to prioritize the growth of CMS and the CMS Family”* which will extend scope of agreements on the basis of taxonomic clustering instead of creating new agreements. This also fits in with the recommended Option by the Flyways Group following the Flyways Review.

3.4.5. Strategic presence in regions (and in other MEAs)

Whilst the CMS Secretariat does have a presence in the Regions through its Parties, it is an organization that works in the main from its centre in Bonn. Options 2 and 3 offer the best opportunity to increase the CMS’ strategic presence in the regions and amongst other MEAs. There is an activity

that is fully implemented in Option 2 which deals with regionalization directly. To “*Identify opportunities for cooperation and coordination at the local and regional level through the creation of synergies based on geography*” makes provision in the short-term for having a presence in each of the CMS administrative regions in conjunction with and where possible with assistance from UNEP, NGOs, MEAs and Parties; in the medium-term for the regionalization of conservation efforts by having local outposts with assistance from UNEP, NGOs, Governments and MEAs (also included in Option 1); and in the long-term for agreements to consider enhancing collaboration and cooperation via sharing e.g. office/personnel/resources (e.g. as per Abu Dhabi for Dugongs and Birds of Prey MoUs).

“*Alignment with IEG reforms*” which is implemented fully in Option 1 and also appears in Option 2 and 3 would ensure that the CMS’ profile is high amongst MEAs and the wider international community. Option 2 takes partnership working with MEAs and regionally the furthest by encouraging the development of regional hubs for MEA implementation to identify synergies and linkages between MEAs and avoid duplication in projects and activities, e.g. SPREP. “*Enhancing scientific and research information*” in Option 1 (the short-term) would allow the CMS Family to explore opportunities to improve synergies of the CMS’ science base with the development of IPBES (also included in Option 2 and 3).

Option 3 offers no additional support to this issue.

3.4.6. Marine gaps

There is no activity that deals directly with covering marine gaps. However, “*to carry out a global gap analysis at Convention level and to assess resources appropriateness*”, which is fully implemented in Option 1, would identify marine gaps, make proposals to deal with these gaps and would support focused investment in the marine area.

3.4.7. Affecting agreements outside UNEP

Option 3 is the option that would have the greatest effect on agreements outside UNEP because it advocates the merger of agreements and consolidation of scientific bodies. However, the activity could be changed to accommodate only those agreements within the UNEP Family.

Option 2 where it requires a measure of integration of services, e.g. harmonization of data, will also affect the independent working of those agreements that may be required to work in a more integrated way across the CMS Family.



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