

**5th Meeting of the Sessional Committee of the
CMS Scientific Council (ScC-SC5)**

Online, 28 June – 9 July 2021

UNEP/CMS/ScC-SC5/Outcome 14

**TERMS OF REFERENCE FOR THE INTERSESSIONAL WORKING GROUP ON THE
DEFINITION OF THE TERMS “RANGE STATE” AND “VAGRANT”**

The Fifth Meeting of the Sessional Committee of the Scientific Council (ScC-SC5) held from 28 June to 9 July, decided to establish an Intersessional Working Group on the above subject.

1. Background

At its thirteenth meeting the Convention on Migratory Species Conference of the Parties recognised a need to provide guidance on how to establish whether or not a Party should be considered a Range State for a species and addressed this with [Decision 13.140](#): Definition of the Terms "Range State" and "Vagrant". The decision is as follows:

‘The Scientific Council, subject to the availability of resources, is requested to:

- a) develop, as practical guidance for CMS Parties, interpretations for when the terms ‘Range State’ and ‘vagrant’ apply;*
- b) report to the Conference of the Parties at its 14th meeting on the progress in implementing this Decision.’*

This work arises both from a recognition of the impacts of climate change on species’ migration patterns and distributions, but also a recognition that with Range State status come obligations under the Convention. At its 5th Meeting the Sessional Committee of the Scientific Council considered a Document ([UNEP/CMS/ScC-SC5/Doc.7](#)) supported by an Information document ([UNEP/CMS/ScC-SC5/Inf.6](#)). In order to take forward Decision 13.140, the Intersessional Working Group will undertake further elaboration of this work to produce a discussion paper for the 6th meeting of the Sessional Committee.

2. Purpose

The intersessional Working Group should:

1. Further review the material in [UNEP/CMS/ScC-SC5/Doc.7](#) and [UNEP/CMS/ScC-SC5/Inf.6](#) considered by the Sessional Committee at its 5th meeting together with interventions made both in Plenary and in the Cross-cutting Issues Working Group, and other considerations raised by the Intersessional Working Group to identify how Parties might, in practice and to aid the response to rapid environmental changes, determine if they are a range state or not for a particular species, and thereby provide the interpretations requested in Decision 13.140.
2. Consider the potential to form guidance on the use of the term ‘vagrant’, for use by the Convention.
3. Consider developing links to a set of global online data resources to help inform Range State status decisions.
4. Elaborate a document for discussion at the 6th Meeting of the Sessional Committee.

3. Organisation, Membership and Duration

- a) Membership of the Working Group can include both members of the Scientific Council and Observers.
- b) Experts external to the Working Group may occasionally be invited to join meetings or to support specific tasks.
- c) The Working Group will be chaired by a Member of the Scientific Council. The Chair of the Working Group will report on progress to the 6th meeting of the Sessional Committee.
- d) The Working Group will mainly operate electronically; communicating via email and possibly making use of a dedicated workspace. Meetings will be virtual unless it is possible to hold a discussion in the margins of a Sessional Committee meeting.
- e) The CMS Secretariat will support and facilitate the coordination of the activities and the organization of meetings of the Working Group.
- f) The Working Group will continue until at least the 6th meeting of the Session Committee of the Scientific Council.