

## 48<sup>th</sup> Meeting of the Standing Committee

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### **PROPOSALS FOR A REVISED FORMAT FOR NATIONAL REPORTS**

*(Prepared by the Secretariat)*

**Summary:**

Decision 12.4 instructs the Secretariat to develop a proposal to be submitted to the Standing Committee at its 48th meeting for a revision of the format for the national reports to be submitted to the 13th meeting of the Conference of the Parties and subsequently.

The present document includes as Annex proposals for a revised format for national reports for the consideration of the 48<sup>th</sup> Meeting of the Standing Committee.

Rev.1 of the document was issued to incorporate adjustments to the original proposals and raise issues for further consideration that were discussed during two preparatory teleconferences of the advisory group on the revision of the national report format held after the publication of the original document.

## PROPOSALS FOR A REVISED FORMAT FOR NATIONAL REPORTS

### Background, context and mandates

1. Monitoring and reporting on activities to implement the Convention (and on the outcomes of those activities) are essential for tracking progress, learning lessons from experience to guide future action, and forming the necessary international view about both the status of the Convention and the status of migratory species. When related to the obligations, goals and targets agreed by the Contracting Parties, this allows a cycle of feedback and adaptive management, at both national and international levels.
2. Article VI, paragraph 3 of the Convention requires Parties that are Range States of migratory species listed in Appendices I and II to inform the Conference of the Parties, through the Secretariat, of the measures they are taking to implement the provisions of the Convention for those species.
3. The national reports are provided as public documents on the CMS website: they can be directly consulted as an official reference for CMS implementation and for information on migratory species for the individual countries. This is an invaluable resource for all stakeholders who play a part in implementation of the Convention at national and local levels, and it supports an integrated approach by State Authorities across all sectors, together with non-governmental organizations, community groups, academia and the private sector. As well as illuminating the results of efforts to date, the reports help to guide future action, research and investment priorities. The common approach taken to reporting also assists with cooperation between countries in transboundary and regional contexts.
4. In addition, the periodic compilation by the Secretariat of an international overview of the data allows general patterns and trends to be seen, *inter alia* on progress with implementation of COP decisions, on notable successes and on challenges needing to be addressed. This includes a reflection on progress towards the achievement of goals and targets in the Strategic Plan for Migratory Species 2015-2023 (SPMS), which in turn relates to progress in delivering aspects of the Strategic Plan for Biodiversity 2011-2020 and the UN 2030 Agenda for Sustainable Development (Sustainable Development Goals). The overview therefore helps to inform new decisions being taken by the COP, while also feeding into wider processes of international environmental governance.

### *Assessing progress towards the targets in the Strategic Plan*

5. In 2014, the results of an analysis of national report information submitted to COP11 were presented in document UNEP/CMS/COP11/Doc.19.3. The document made a general recommendation for the future to tailor all the questions in the National Report Format (NRF) so that they would relate to specific objectives in the SPMS. The equivalent analysis presented to COP12 in document UNEP/CMS/COP12/Doc.19.1 reinforced the same conclusion, as did the document on implementation and monitoring of the SPMS, UNEP/CMS/COP12/Doc.15. Within the CMS Family, AEWA has updated its NRF in a way that takes the AEWA Strategic Plan into account and includes cross-references to Strategic Plan targets; although without going as far as a structural alignment.

6. In CMS COP Resolution 11.2 on the Strategic Plan for Migratory Species 2015-2023, the Parties requested the Secretariat to “consider amendments to the format for National Reports, where necessary, in respect of assessing implementation of the Strategic Plan and those indicators for which such reports are identified as a potentially important source of information, and the scope for streamlining existing reporting processes to reduce reporting burdens, and to submit any proposed amendments to the Standing Committee [...]”. This request was reconfirmed by COP12 in Resolution 11.2 (Rev.COP12).
7. Following this two-part mandate, the overall aim of a revision of the format for National Reports is to generate information that will be useful for making assessments of the experience of CMS implementation and progress towards achieving the goals of the Strategic Plan, while also being as efficient as possible by ensuring that the reporting burden on Parties is limited to those items that are most meaningful. This should therefore produce:
  - the essential picture of Convention implementation;
  - sufficient information to allow learning/adaptation;
  - the essential picture of progress towards objectives in the Strategic Plan;
  - maximum efficiency and usefulness.
8. Work on this advanced during the 2015-17 triennium, including by the Strategic Plan Working Group in its work on indicators for the Plan, which took input also from discussion in the CMS Scientific Council and Standing Committee and from two public consultations undertaken during April-August 2016 and April-June 2017.
9. The resulting indicator proposals in several cases involved indicators to be based on information to be provided by Parties in their national reports. In many of these cases a question or questions in the existing NRF touch at least partly on the issue concerned; but in most cases, to align properly with the relevant target in the Plan and to provide information that will help in assessing progress, some reformulation of the question(s) concerned was seen as being required. The proposals that were made for this mostly do not consist of additional questions but are instead modifications or replacements of the existing ones. In some places the proposed new questions are shorter and less elaborate than the existing ones, hence suggesting already where some streamlining might be achieved.
10. COP12 duly agreed an overall list of indicator titles (not the detail) in Annex B to Resolution 11.2 (Rev.COP12) on the Strategic Plan for Migratory Species 2015-2023, with the Resolution noting also that Parties were “mindful of the need to avoid creating additional reporting burdens that risk diverting action from implementation”. Evolving background detail for each of the indicators, including initial proposals for reporting questions, was provided (for information only) in Indicator Factsheets compiled for each target and presented in document UNEP/CMS/COP12/Inf.26.
11. Annex B to the Strategic Plan defines 29 different indicators in total for the 16 targets in the Plan. It emphasises that the selection of appropriate measures is not simply a matter of identifying issues on which data can be generated but involves careful thought as to the ability ultimately to generate adequate “storylines” on the success or otherwise of the Plan in securing genuinely strategic outcomes and real impacts for migratory species, rather than just indicators of process implementation.
12. Eight of the indicators are to be based on data to be collected through questions in a revised National Report Format, as follows:

1.2 Simple qualitative assessment by CMS Parties in triennial national reports. (1 of 3 indicators for Target 1: *“People are aware of the multiple values of migratory species and their habitats and migration systems, and the steps they can take to conserve them and ensure the sustainability of any use”*).

2.2 CMS National Report Format question. (1 of 2 indicators for Target 2: *“Multiple values of migratory species and their habitats have been integrated into international, national and local development and poverty reduction strategies and planning processes, including on livelihoods, and are being incorporated into national accounting, as appropriate, and reporting systems”*).

3.1 CMS National Report Format question. . (1 of 2 indicators for Target 3: *“National, regional and international governance arrangements and agreements affecting migratory species and their migration systems have improved significantly, making relevant policy, legislative and implementation processes more coherent, accountable, transparent, participatory, equitable and inclusive”*).

4.1 CMS National Report Format question. (Sole indicator for Target 4: *“Incentives, including subsidies, harmful to migratory species, and/or their habitats are eliminated, phased out or reformed in order to minimize or avoid negative impacts, and positive incentives for the conservation of migratory species and their habitats are developed and applied, consistent with engagements under the CMS and other relevant international and regional obligations and commitments”*).

5.2 CMS National Report Format question. (1 of 2 indicators for Target 5: *“Governments, key sectors and stakeholders at all levels have taken steps to achieve or have implemented plans for sustainable production and consumption, keeping the impacts of use of natural resources, including habitats, on migratory species well within safe ecological limits to promote the favourable conservation status of migratory species and maintain the quality, integrity, resilience, and ecological connectivity of their habitats and migration routes”*).

9.2 CMS National Report Format question. (1 of 2 indicators for Target 9: *“International and regional action and cooperation between States for the conservation and effective management of migratory species fully reflects a migration systems approach, in which all States sharing responsibility for the species concerned engage in such actions in a concerted way”*).

12.1 CMS National Report Format question, in two parts. (Sole indicator for Target 12: *“The genetic diversity of wild populations of migratory species is safeguarded, and strategies have been developed and implemented for minimizing genetic erosion”*).

14.1 CMS National Report Format question. (Sole indicator for Target 14: *“The traditional knowledge, innovations and practices of indigenous and local communities relevant for the conservation and sustainable use of migratory species, their habitats and migration systems, and their customary sustainable use of biological resources, are respected, subject to national legislation and relevant international obligations, with the full and effective participation of indigenous and local communities, thereby contributing to the favourable conservation status of migratory species and the ecological connectivity and resilience of their habitats”*).

13. The Annex notes in respect of these report-based indicators that their operation will be “subject to adoption of amendments to update and streamline the format for National Reports, in line with CMS Decisions 12.4 and 12.5 [see below] and paragraph 10 of Resolution 11.2, aiming to take the least burdensome approach for Parties and only using reporting when necessary, and while using as much as possible the existing information and institutions”.

### *Lessons from analysis of recent reporting rounds*

14. For each CMS COP, the Secretariat prepares a thematic synthesis of the information provided by Parties in their National Reports. At COP12 this was provided in document UNEP/CMS/COP12/Doc.19.1, "Analysis and synthesis of national reports". The analysis focuses on certain priority areas of Convention implementation which offer an insight into progress towards agreed objectives and lessons learnt from experience, including on the reporting process itself. The document then presents a series of recommendations derived from this, taking account also of suggestions provided by UNEP-WCMC following the COP11 reporting cycle. The recommendations are as follows (the rationale for each of these is discussed in the document):

(On Convention implementation)

*Recommendation 1:* It would be worth investigating any difficulties that Parties have experienced that may be the cause of the observed lack of alignment between positions on Appendix listing revealed in national reports, compared with those revealed by formal listing proposals.

*Recommendation 2:* Consider the possible scope for further streamlining/rationalization of the way in which options for constructing cooperative frameworks available under the Convention (Agreements, transboundary arrangements, Concerted Actions etc.) are presented to Parties, including in the structure of related reporting processes.

(On reporting)

*Recommendation 3:* Every encouragement should be given to Parties to submit their national reports for the next triennium by the deadline agreed in advance of COP13, and to endeavour to provide information in every section of the report that is relevant to them. Where advice or other support is needed to assist in making this possible, such needs should be clearly identified and discussed with the Secretariat at the earliest opportunity.

*Recommendation 4:* If "pre-filling" of data is undertaken again in future reporting cycles, some method should be found to enable such pre-filled data to be readily distinguished from new data in the final submitted reports. In general, it would help also for Parties to provide more specificity in all report sections concerning the time-period to which a given response relates, making a particular effort to focus on information about status, events and activities during the most recent triennium (since the last COP).

*Recommendation 5:* Parties should be encouraged to pay particular attention to providing good report information on the implementation of the priority COP Resolutions, Decisions and Recommendations identified in the report format, since this is a key area for sharing lessons learnt.

*Recommendation 6:* Options should be explored for undertaking some more in-depth analysis of aspects of the information provided in national reports on the implementation of individual COP Resolutions, Decisions and Recommendations.

(On the report format)

*Recommendation 7:* Options for acting on the thirteen specific recommendations made in the full analysis document concerning possible adjustments to the future format for national reports should be considered and addressed, either in conjunction with any wider strategic review of the format mandated by COP, or in their own right if no such review is mandated.

15. The document referred to in Recommendation 7 above is the full detail of the COP12 national reports analysis that was provided in Information Document UNEP/CMS/COP12/Inf.30. The thirteen recommendations made in this document which more specifically address the report format (again with a rationale for each of them set out in the document) are as follows:

*Recommendation 1:* It would be helpful for more of the questions to specify explicitly that the information to be reported should relate to the reporting period concerned, i.e. the triennium since the last COP. Any information that relates to previous triennia should be clearly distinguished as such. Ambiguities/internal contradictions concerning the inclusion of past/present/future status of activities (for example in the section on telemetry) should be addressed by reformulating those questions.

*Recommendation 2:* There may be a case for modifying the questions that ask about “positive outcomes”, to allow Parties to report actions that were attempted but that turned out not to be successful (i.e. not only outcomes that are “positive”), since this can be an equally useful area of lesson-learning. Scope should also be allowed for Parties to comment on the relative balance between positive and negative results.

*Recommendation 3:* The wording of questions could usefully be adjusted to improve consistency/reduce ambiguity as to whether they are asking about actions undertaken “by the country” (i.e. the Party government) or “in/in relation to” the country (i.e. including actions by others, such as NGOs).

*Recommendation 4:* It would be advisable to rationalize the way in which questions are asked about threats affecting Appendix I species, in order to avoid bias in prompting the priorities expected, and to have greater consistency in these questions across the different taxonomic sections. A revised approach to this could perhaps draw on the categorization of threat types devised for the present analysis.

*Recommendation 5:* The error in the English version of the format should be corrected, where in the question which asks whether the responding Party is a Range State for migratory species “which are classified as endangered but which are currently listed in Appendix I”, the word “not” should be inserted before the words “currently listed”.

*Recommendation 6:* The question which asks about candidate species for adding to Appendix II should accommodate answers based on analyses undertaken by countries on species/species groups for which they are not necessarily a Range State, but in respect of which they may nevertheless have led the relevant international research.

*Recommendation 7:* Consideration should be given to the possibility of adding advice on the interpretation of the phrase “development of new Agreements” (or re-wording the questions on this subject), to clarify whether it includes actions to develop the application of newly-concluded Agreements, or only the development of proposals for concluding Agreements that do not yet exist.

*Recommendation 8:* Consideration should be given to the possibility of adding advice on the interpretation of the phrase “taken into account” in the questions on protected areas (or re-wording the questions on this subject), to encourage a greater focus on aspects specifically related to the needs of migratory species.

*Recommendation 9:* It would be worth re-examining the usefulness of attempting to ask for a disaggregation of information about aquatic, terrestrial and marine situations respectively, in questions relating to protected areas.

*Recommendation 10:* If a distinct section on telemetry projects is retained, it may be helpful to remove the restriction to “satellite” telemetry, so that other relevant telemetry projects (that are not satellite-based) can also be reported.

*Recommendation 11:* If a distinct section on telemetry projects is retained, it would be helpful to clarify whether the questions are intended to embrace habitat/landscape-based projects, or to be restricted only to animal-based projects.

*Recommendation 12:* In the section on COP Resolutions and Recommendations, the presentation of the sub-heading “Other Resolutions/ Recommendations” and the section for “Other remarks” should be adjusted to address the apparent confusion discussed in the main analysis above.

*Recommendation 13:* It would be useful to discuss further (and to be more transparent about) the rationale for the choice of decisions to include in the section on Resolutions and Recommendations, considering inter alia the areas of overlap between them, and the overlap with some of the other sections of the report format. The relationship between this section and possible future report format questions focused on targets in the Strategic Plan for Migratory Species also needs to be considered.

#### *Other input provided by Contracting Parties prior to COP12*

16. Prior to COP12, a series of preparatory meetings took place in the different regions of the world, and at these, discussions of the national reporting process generated some points of feedback from Parties for the future. These included:
- The inability to work with an off-line version of the format caused difficulties for some.
  - It proved difficult for multiple compilers to work jointly with the On-line Reporting System (ORS).
  - Some compilers had difficulties logging in to the ORS.
  - General observations that the template could be more user-friendly.
  - Encouragement to align more with other MEAs.
  - Interest in exploring opportunities for GEF funding to support the process.
  - A recommendation to delete the outdated/superfluous section on satellite telemetry.
  - Significant concerns about a large quantity of unnecessary information, eg lists of species that were inapplicable to given countries.
  - Errors noted in the identification of Range States for several species, and issues concerning the distinction between regular occurrence and vagrant occurrence of species.

#### *Initial proposals tabled at COP12*

17. In response to the call in Resolution 11.2, and taking account of the points set out above, COP12 document UNEP/CMS/COP12/Doc.19.2 on “Revising the format for National Reports” reported on the work done to address this issue and proposed a draft Decision by which the COP would mandate the Secretariat and the Standing Committee to produce a revised and streamlined format for use by Parties in future reporting cycles.
18. Supporting this proposal was an Information Document, UNEP/CMS/COP12/Inf.27 on “Principles and initial suggestions for a possible revision of the National Report Format”. This discussed the background and offered initial detailed illustrations of modifications that could be made to the existing format to give effect to the recommendations emerging from the work of the Strategic Plan Working Group and the analysis of Party reports, while also achieving an overall streamlining of the format and hence helping to reduce the reporting burden for Parties.

### Comments made during COP12

19. Discussions at COP12 on the materials and proposals described above generated some further views to be taken into account, including the following:

- Concerns were expressed about the timeframe for provision of the format, for report compilation and submission in advance of COP. It is important for Parties to have the format sufficiently far in advance, and for reports to be submitted in time for the analysis to be undertaken and in turn to be provided well in advance of the COP so that the findings can be digested.
- Opportunities for harmonisation and synergies should be sought where possible, both with other MEAs (including links with NBSAPs) and with the reporting processes of CMS Family instruments.
- The proposed use of national report information as part of the indicators process for the Strategic Plan is a cost-effective approach.
- Streamlining is important, but information on core Convention obligations (eg protection of Appendix I species) must not be lost.
- It would be useful to include more coverage of transboundary cooperation issues.
- It will be important to take account of views from a selection of Parties from all regions during the process of revising the format.

20. A side-event on national reporting was also held, and additional points made at this event included the following:

- Integrating information in national reports on the implementation of key COP Resolutions is important (and some Resolutions contain specific reporting requirements themselves), although the narrative nature of much of this information does not lend itself well to systematic global analysis.
- There was much discussion of ways of making greater use of the information provided in reports, including by extracting topic-specific sub-sets of the data, *inter alia* to feed back actively into adaptive management for implementation. Reporting in this way becomes a “planning tool” as much as a retrospective documenting of past action. The elements that have the greatest potential to be used in this way are perhaps the most important ones to retain in the format. Feedback and practical forward utility in turn help to strengthen motivation for timely completion of reports; as does being able to communicate positive progress.
- Inter-operability can be aided by easier multi-point access to different datasets, without necessarily requiring measures for centralised harmonisation.

### The way forward agreed by COP12

21. The Parties at COP12 adopted two texts specifically on the subject of national reporting (in addition to the clause in the Resolution on the Strategic Plan that has already been referred to above). The first of these is Resolution 12.5 (“National Reports”), which addresses the reporting *process*, and includes *inter alia* the following:

1. *Requests* the Secretariat to make the format for the next National Report available to Parties at least 15 months in advance of the deadline for submission of that National Report;
2. *Urges* all Contracting Parties, in accordance with the provisions of Article VI of the Convention, to submit national reports to the Secretariat at least six months before each ordinary Meeting of the Conference of the Parties;



3. *Requests* the Secretariat to send a reminder to Parties well in advance of the deadline for submission of reports, which is six months before the meeting of the Conference of the Parties and to issue reminders if the reports are not received by the said date;
  4. *Calls upon* the Parties to nominate focal points for correspondence, including national reporting, and to nominate contacts in other national authorities, as appropriate, for other issues;
  5. *Encourages* national focal points and their Scientific Councillor counterparts to liaise on the preparation of national reports before they are submitted to the Secretariat through official channels;
  6. *Directs* the Secretariat to compile the information received from Parties in a database, to be updated intersessionally with any new information that may be made available by Parties;
  7. *Urges* the Secretariat to identify, in cooperation with Parties, possible obstacles and/or constraints in preparing national reports;
  8. *Recommends* that the Secretariat develop mechanisms to support countries in submitting their national reports, including assistance for developing countries to help gather the required information;
  9. *Instructs* the Secretariat to perform an analysis of the reports received and to make the results available to the Parties, consistent with the rules for submission of documents to meetings of the Conference of the Parties so that the findings can help inform their activities and decision-making;
  10. *Further requests* the Secretariat to advance harmonization of reporting with other international biodiversity agreements through the development of common reporting modules, via the framework of the Biodiversity Liaison Group and in consulting with UNEP-WCMC;
  11. *Requests* the CMS Secretariat to continue to liaise with the CBD Secretariat and the other biodiversity-related conventions and relevant institutions with a view to adopting suitable indicators to measure the achievement of relevant Aichi targets;
  12. *Also requests* UNEP to continue to seek opportunities to support the Convention through the Knowledge Management and related projects.
22. The second text is a pair of Decisions (12.4 and 12.5) on “Revising the Format for National Reports”, which together provide the main mandate for the current phase of work on the Format, and which read as follows:
- 12.4. The Secretariat shall:*
- a). Convene an informal advisory group immediately after the close of the 12th meeting of the Conference of the Parties for the intersessional period to the 13th meeting of the Conference of the Parties, to provide constructive yet robust feedback on the proposal(s) made by the Secretariat for revision of the national report format. The informal advisory group shall be composed of Parties to the Convention on the basis of the same regions as the Standing Committee, with a maximum of two representatives per region while the Chairs of the Standing Committee and the Scientific Council shall be ex-officio members of the informal advisory group. Partner organizations and relevant MEA Secretariats will also be invited to participate in the informal advisory group discussions;
  - b). Taking account of advice from the informal advisory group, develop a proposal to be submitted to the Standing Committee at its 48th meeting for a revision of the format for the national reports to be submitted to the 13th meeting of the Conference of the Parties and subsequently, which shall as a minimum seek to achieve the following:

- i Improve the ability of national reports to provide information on progress towards implementation of the Convention and to serve as one of the sources of information for the review mechanism established by UNEP/CMS/Resolution 12.9 on the Establishment of a Review Mechanism and a National Legislation Programme;
- ii Address the request in paragraph 10 of UNEP/CMS/Resolution 11.2 (Rev.COP12) on the Strategic Plan for Migratory Species 2015-2023 as well as the recommendations emerging *inter alia* from the Strategic Plan Working Group concerning improved alignment of the national report format with the Strategic Plan for Migratory Species 2015-2023, and improving the ability of national reports to provide information on assessing progress towards the achievement of the targets contained in that Plan, without creating additional reporting burdens for Parties;
- iii Take account of the lessons learned and recommendations arising from the analyses presented of the national reports submitted to the 11th and 12th meeting of the Conference of the Parties respectively;
- iv Take account of the other suggestions for improvements to the National Report Format contained in document UNEP/CMS/COP12/Inf.27;
- v Take account of the views of a representative selection of Parties (ideally from all UN Regions) convened to provide constructive yet robust feedback on the proposal(s) made;
- vi Resulting in an overall shortening and simplification of the format; and
- vii Where feasible and to the extent appropriate, achieving improved synergies with the reporting processes of instruments within the CMS Family and with those of other Multilateral Environmental Agreements.

*12.5 The Standing Committee is requested to:*

- a). Consider and, if appropriate, endorse the proposals produced by the Secretariat further to Decision 12.4, paragraph b) above for a revision of the National Report Format, so that it can be issued at least a year (preferably more) in advance of the deadline for submission of reports to the 13th meeting of the Conference of the Parties and make any appropriate recommendations to the 13th meeting of the Conference of the Parties concerning the National Report Format, including on its subsequent use; and
- b). Consider whether it may be desirable, subject to the availability of resources, to develop and produce guidance to accompany any revised National Report Format and/or any other related capacity-building support to assist Parties in compiling their reports according to the revised format.

*Elements to incorporate from the CMS Review Mechanism and National Legislation Programme*

23. As mentioned in Decision 12.5 (b) (i) referred to above, one further matter arises from Resolution 12.9 on the “Establishment of a review mechanism and a national legislation programme”. This resulted from intersessional work by a Working Group on the Development of a Review Process under the Convention on Migratory Species, which *inter alia* considered national reports to be an important component in obtaining information for review in this context (document UNEP/CMS/COP12/Doc.22 contains further details).

24. The Resolution provides *inter alia* the following:

*Review Mechanism for Specific Implementation Matters*

*Decides* to establish a review mechanism to facilitate compliance with the obligations set out in Articles III.4, III.5, III.7, and VI.2 of the Convention (“implementation matters”);

The bases for initiating the review process shall be:

1. The triennial review of National Reports by the Secretariat; or
2. Information submitted to the Secretariat, when an implementation matter arises [...].

*National Legislation Programme*

2. Parties are encouraged to submit information to the Secretariat regarding their legislation and other domestic measures relating to implementation of Article III, paragraphs 4(a) and (b) and 5.
3. The Secretariat shall identify those Parties that have not implemented Article III, paragraph 5.

25. Clearly therefore there is a need to ensure that the future National Report Format will include questions that elicit the necessary information for this. The Articles of the Convention referred to in the Resolution are as follows:

*Art III.4:*

4. Parties that are Range States of a migratory species listed in Appendix I shall endeavour:
  - a) to conserve and, where feasible and appropriate, restore those habitats of the species which are of importance in removing the species from danger of extinction;
  - b) to prevent, remove, compensate for or minimize, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of the species; and
  - c) to the extent feasible and appropriate, to prevent, reduce or control factors that are endangering or are likely to further endanger the species, including strictly controlling the introduction of, or controlling or eliminating, already introduced exotic species.

*Art III.5:*

5. Parties that are Range States of a migratory species listed in Appendix I shall prohibit the taking of animals belonging to such species. Exceptions may be made to this prohibition only if:
  - a) the taking is for scientific purposes;
  - b) the taking is for the purpose of enhancing the propagation or survival of the affected species;
  - c) the taking is to accommodate the needs of traditional subsistence users of such species; or
  - d) extraordinary circumstances so require; provided that such exceptions are precise as to content and limited in space and time. Such taking should not operate to the disadvantage of the species.

*Art III.7:*

7. The Parties shall as soon as possible inform the Secretariat of any exceptions made pursuant to paragraph 5 of this Article.

*Art VI.2:*

2. The Parties shall keep the Secretariat informed in regard to which of the migratory species listed in Appendices I and II they consider themselves to be Range States, including provision of information on their flag vessels engaged outside national jurisdictional limits in taking the migratory species concerned and, where possible, future plans in respect of such taking.

Guidance and support for compilers of the National Reports

26. As mentioned above, COP Decision 12.5 asks the Standing Committee to consider whether it may be desirable to develop guidance and/or any other capacity-building support to assist Parties in compiling their reports according to the revised format. The Parties to the CBD in their Decision XIII/27 (COP13, December 2016) requested the finalisation of a “resource manual” for the sixth round of CBD national reports, addressing for example guidance on common data sources, indicators and other relevant information provided by the Secretariats of other biodiversity-related Conventions. An analogous guidance resource might be one way of providing assistance to compilers of the CMS national reports. This might be linked in some way with the existing *Manual for National Focal Points for CMS and its instruments*, which currently (dated 2013) gives general advice about the reporting process (Chapter 6; see <http://www.cms.int/en/activities/capacity-building/tools> ) but not about the interpretation of reporting questions.
27. Alternatives to a standalone “manual” however might also be considered. It could be possible for example to incorporate “help” pages or “tool tips” into the structure of the Online Reporting System itself, embedded in individual sections of the format and viewable by a “click to open” or “hover” action rather than crowding the visible page.
28. As indicated in Decision 12.5, this question is perhaps also a broader one about the nature of support and capacity-building which some or all Parties may require more generally to assist them in compiling complete reports. In addition to written guidance or help tips, therefore, targeted personal support, perhaps for example as a component of training workshops or other events being convened for other purposes in the framework of the CMS, may be worth considering; subject to the availability of resources.

Development of proposals for the revision of the format during 2018

29. Thanks to savings on the 2015-2017 budget and additional resources from UNEP, the Secretariat was able to contract the UNEP World Conservation Monitoring Centre to assist with the development of a proposal for the revision of the National Report Format. Additional resources to support the activities of the advisory group and additional consultancy services for the development of the format have been pledged by the Government of Switzerland to the extent of 22,600 EUR.
30. A request to appoint members of the advisory group was sent to the regional representatives of the Standing Committee in July 2018. A meeting of the advisory group has been convened on 22 October 2018, back-to-back to the 48<sup>th</sup> meeting of the Standing Committee. A first draft of a proposal for the revision of the National Report Format was sent by the Secretariat to the members of the advisory group appointed thus far for comments and advice. Based on the comments received, a new proposal for the revision of the format was produced, which is submitted to the 48<sup>th</sup> meeting of the Standing Committee as an annex to this document.

31. As anticipated in the original version of this document, consultation with the advisory group has continued after the document was published. In particular, two teleconferences of the group were convened by the Secretariat on 23 and 28 September, with the main purpose of reviewing the existing proposal for the revision of the format in preparation of the meeting of the group on 22 October. Discussions during the teleconferences led to a series of proposed adjustments to the original proposals, which have been incorporated in a revised version of the annex in tracked changes. Discussions also raised a series of issues and suggestions that were considered appropriate for consideration by the meeting on 22 October. These are incorporated in the revised version of the annex as comments to the side of the document.
32. The meeting of the advisory group on 22 October is expected to make recommendations to the Standing Committee on any adjustment to the Secretariat's proposal included in this document.

### Recommended actions

33. The Standing Committee is recommended to:
  - a) Review, amend as necessary and approve the proposed revised format for CMS National Reports annexed to this document;
  - b) make any appropriate recommendations to the 13th meeting of the Conference of the Parties concerning the National Report Format, including on its subsequent use;
  - c) Consider whether it may be desirable, subject to the availability of resources, to develop and produce guidance to accompany any revised National Report Format and/or any other related capacity-building support to assist Parties in compiling their reports according to the revised format.