



**CONVENTION ON
MIGRATORY
SPECIES**

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Agenda Item 21.1.25

RESOLUTIONS TO REPEAL IN PART

RESOLUTION 11.6, REVIEW OF DECISIONS

(Prepared by the Secretariat on behalf of the Standing Committee)

Summary:

This document repeals in part [Resolution 11.6, Review of Decisions](#).

DRAFT RESOLUTION
RESOLUTION 11.6 (REV. COP12)
REVIEW OF DECISIONS

NB: Proposed new text is underlined. Text to be deleted is ~~crossed-out~~.

Paragraph	Comments
<i>Recognizing</i> the need for the consistent use of terminology for decision-making within the Convention;	Retain
<i>Recognizing</i> also that implementation of the Convention can be improved by repealing Resolutions and Recommendations and parts thereof that are no longer in effect; and	Retain
<i>Noting</i> the previous work of the Standing Committee (UNEP/CMS/StC41/11/Annex IV) and the Secretariat (UNEP/CMS/Conf.10.24/Rev.1) to establish a process for the repeal of Resolutions and Recommendations no longer in force;	Retain
<i>The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals</i>	
1. <i>Adopts</i> the following definitions for the submission of documents: <i>Resolution:</i> Resolutions represent a decision of Parties, adopted at a Meeting of the Conference of the Parties, regarding the interpretation of the Convention or the application of its provisions. Resolutions are generally intended to provide long-standing guidance with respect to the Convention. Resolutions include decisions on how to interpret and implement the provisions of the Convention, establishing permanent committees, establishing long-term processes, and establishing the budgets of the Secretariat. <i>Decision:</i> Decisions represent a decision of the Parties, adopted at a Meeting of the Conference of the Parties, containing recommendations to Parties or instructions to a specific committee or the Secretariat. They are typically intended to remain in effect for a short period only, usually until a particular task has been completed. Decisions may, for example, request a report to be submitted to the Meeting of the Conference of the Parties following that at which they were adopted, and so would remain in effect from one Meeting of the Conference of the Parties to the next.	Retain
2. <i>Recommends</i> that: (a) when preparing a new Resolution or Decision, the proposer examine all relevant Resolutions and Decisions in effect to identify elements that may require modification or may be made redundant and recommend which parts to repeal and which to incorporate in the new Resolution; (b) when drafting a Resolution that is intended to treat a subject comprehensively or that makes significant changes in the way in which a subject is dealt with, a Party prepare the draft so that, if adopted, it will replace and repeal all existing Resolutions (or, as appropriate, the relevant paragraphs) on the same subject;	Retain

Paragraph	Comments
<p>(c) when a draft Resolution is adopted that merely adds elements to the recommendations (or other decisions) in existing Resolutions, or makes minor amendment thereto, the existing Resolutions be replaced by revised versions with the agreed changes;</p> <p>(d) when drafting a Decision, specify the body (e.g., the Standing Committee) that is charged with implementing the Decision and the date by which the body should complete its task; and</p> <p>(e) unless practical considerations dictate otherwise, draft Decisions, and not draft Resolutions, include:</p> <ul style="list-style-type: none"> i) instructions or requests to committees, working groups or the Secretariat, unless they are part of a long-term procedure; ii) decisions on the presentation of the Appendices; iii) “year of” events; and iv) recommendations (or other forms of decision) that will be implemented soon after their adoption and will then be obsolete; 	
<p>3. <i>Directs</i> the Secretariat:</p> <p>(a) to establish registers, by relevant Meeting of the Conference of the Parties and by theme (e.g., “Concerted Actions” and “Agreements”) on the CMS website of Resolutions in force and Decisions in force, as well as a register of all Resolutions, Recommendations, and Decisions adopted by the Parties (for historical purposes);</p> <p>(b) when revising its register of Resolutions in force after each meeting of the Conference of the Parties, to correct the texts of already existing Resolutions to ensure that all references to other Resolutions are accurate;</p> <p>(c) to revise the register of Decisions in force after each meeting of the Conference of the Parties, to contain all recommendations (or other forms of decision) that are not recorded in Resolutions and that remain in effect. The Decisions shall be sorted according to subject, using the subjects of the Resolutions for guidance, and within the section for each subject they shall be divided according to the body to which they are directed. The Secretariat shall distribute to the Parties a copy of the updated Decisions soon after each meeting of the Conference; and</p> <p>(d) when revising the register of Decisions in force for the purpose of suggesting amendments, deletions or continuity, the Secretariat shall provide justification of any proposed changes to a Decision at each meeting of the Conference of the Parties;</p>	Retain
<p>4. <i>Directs</i> the Secretariat:</p> <p>(a) to prepare a list of (1) Resolutions and Recommendations that should be repealed and (2) parts of Resolutions and Recommendations that should be repealed;</p>	Repeal; work completed

Paragraph	Comments
<p>(b) when preparing these lists, to state the reason for repealing the Resolution or Recommendation or part thereof (Work Completed, Superseded, Incorporated Elsewhere);</p> <p>(c) when recommending only a part of a Resolution or Recommendation to be repealed, to indicate clearly the parts of a Resolution or Recommendation to be repealed;</p> <p>(d) when preparing these lists, to recommend renaming Recommendations as Resolutions or Decisions, as appropriate; and</p> <p>(e) to submit these lists to the Standing Committee for its 45th Meeting;</p>	
<p>5. <i>Directs</i> the Standing Committee to examine the content of the lists described in paragraph 4, determine its agreement or disagreement, propose any desired modifications to the lists, and submit its recommendations to the 12th Meeting of the Conference of the Parties;</p>	<p>Repeal; work completed</p>
<p>6. <u>4.</u> <i>Directs</i> the Standing Committee, assisted by the Secretariat:</p> <p>(a) to continuously review Resolutions and Decisions with a view to proposing their timely repeal (or repeal of elements), providing justification for any proposed changes; and</p> <p>(b) to make recommendations for proposed changes to each Meeting of the Conference of the Parties (but the Standing Committee may decide, by vote, that in exceptional circumstances this may be deferred by one Meeting of the Conference of the Parties); and</p>	<p>Retain</p>
<p>7. <u>5.</u> <i>Decides</i> that the recommendations contained in Resolutions and Decisions adopted by the Conference of the Parties shall come into effect 90 days after the meeting at which they are adopted, unless otherwise specified in the relevant Resolution or Decision.</p>	<p>Retain</p>

ANNEX 2

RESOLUTION 11.6 (REV. COP12)

REVIEW OF DECISIONS

Recognizing the need for the consistent use of terminology for decision-making within the Convention;

Recognizing also that implementation of the Convention can be improved by repealing Resolutions and Recommendations and parts thereof that are no longer in effect; and

Noting the previous work of the Standing Committee (UNEP/CMS/StC41/11/Annex IV) and the Secretariat (UNEP/CMS/Conf.10.24/Rev.1) to establish a process for the repeal of Resolutions and Recommendations no longer in force;

*The Conference of the Parties to the
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Adopts* the following definitions for the submission of documents:

Resolution: Resolutions represent a decision of Parties, adopted at a Meeting of the Conference of the Parties, regarding the interpretation of the Convention or the application of its provisions. Resolutions are generally intended to provide long-standing guidance with respect to the Convention. Resolutions include decisions on how to interpret and implement the provisions of the Convention, establishing permanent committees, establishing long-term processes, and establishing the budgets of the Secretariat.

Decision: Decisions represent a decision of the Parties, adopted at a Meeting of the Conference of the Parties, containing recommendations to Parties or instructions to a specific committee or the Secretariat. They are typically intended to remain in effect for a short period only, usually until a particular task has been completed. Decisions may, for example, request a report to be submitted to the Meeting of the Conference of the Parties following that at which they were adopted, and so would remain in effect from one Meeting of the Conference of the Parties to the next.

2. *Recommends* that:

- a) when preparing a new Resolution or Decision, the proposer examine all relevant Resolutions and Decisions in effect to identify elements that may require modification or may be made redundant and recommend which parts to repeal and which to incorporate in the new Resolution;
- b) when drafting a Resolution that is intended to treat a subject comprehensively or that makes significant changes in the way in which a subject is dealt with, a Party prepare the draft so that, if adopted, it will replace and repeal all existing Resolutions (or, as appropriate, the relevant paragraphs) on the same subject;
- c) when a draft Resolution is adopted that merely adds elements to the recommendations (or other decisions) in existing Resolutions, or makes minor amendment thereto, the existing Resolutions be replaced by revised versions with the agreed changes;

- d) when drafting a Decision, specify the body (e.g., the Standing Committee) that is charged with implementing the Decision and the date by which the body should complete its task; and
- e) unless practical considerations dictate otherwise, draft Decisions, and not draft Resolutions, include:
 - i) instructions or requests to committees, working groups or the Secretariat, unless they are part of a long-term procedure;
 - ii) decisions on the presentation of the Appendices;
 - iii) “year of” events; and
 - iv) recommendations (or other forms of decision) that will be implemented soon after their adoption and will then be obsolete;

3. *Directs* the Secretariat:

- a) to establish registers, by relevant Meeting of the Conference of the Parties and by theme (e.g., “Concerted Actions” and “Agreements”) on the CMS website of Resolutions in force and Decisions in force, as well as a register of all Resolutions, Recommendations, and Decisions adopted by the Parties (for historical purposes);
- b) when revising its register of Resolutions in force after each meeting of the Conference of the Parties, to correct the texts of already existing Resolutions to ensure that all references to other Resolutions are accurate;
- c) to revise the register of Decisions in force after each meeting of the Conference of the Parties, to contain all recommendations (or other forms of decision) that are not recorded in Resolutions and that remain in effect. The Decisions shall be sorted according to subject, using the subjects of the Resolutions for guidance, and within the section for each subject they shall be divided according to the body to which they are directed. The Secretariat shall distribute to the Parties a copy of the updated Decisions soon after each meeting of the Conference; and
- d) when revising the register of Decisions in force for the purpose of suggesting amendments, deletions or continuity, the Secretariat shall provide justification of any proposed changes to a Decision at each meeting of the Conference of the Parties;

4. *Directs* the Standing Committee, assisted by the Secretariat:

- a) to continuously review Resolutions and Decisions with a view to proposing their timely repeal (or repeal of elements), providing justification for any proposed changes; and
- b) to make recommendations for proposed changes to each Meeting of the Conference of the Parties (but the Standing Committee may decide, by vote, that in exceptional circumstances this may be deferred by one Meeting of the Conference of the Parties); and

5. *Decides* that the recommendations contained in Resolutions and Decisions adopted by the Conference of the Parties shall come into effect 90 days after the meeting at which they are adopted, unless otherwise specified in the relevant Resolution or Decision.