



## Convention on the Conservation of Migratory Species of Wild Animals

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### HARMONIZATION OF THE REPORTING SYSTEM UNDER CMS AND RELATED AGREEMENTS

#### I. Background

1. A number of global and regional conventions are concerned directly or indirectly with migratory species, defined in terms of species (e.g. waterfowl in the case of the Ramsar Convention on Wetlands) or according to the geographical area of the convention (e.g. Bern Convention on European Wildlife). The Convention on Biological Diversity (CBD) covers all species of fauna and flora, thus including all migratory species worldwide.
2. According to the UNEP/CMS Secretariat's interpretation, Article 5 of CBD means that CMS – being the only specialized instrument concerned with migratory species at the global level – is the appropriate international organization through which the Parties to CBD should co-operate for the conservation and sustainable use of migratory species. Further, Article 23.4 (h) of CBD calls upon its Conference of the Parties to “keep under review the implementation of [the Convention on Biological Diversity] and, for this purpose”, to ... “contact, through the Secretariat, the executive bodies of conventions dealing with matters covered by this Convention with a view to establishing appropriate forms of co-operation with them.”
3. According to the UNEP/CMS Secretariat's understanding, the Convention on Migratory Species should contribute, in the normal course of its implementation, to the implementation of CBD as regards migratory species. For this purpose, the reporting system of the Convention and its related Agreements should be reviewed. This has basically been accepted already by the fourth meeting of the Conference of the Parties (“COP4”, Nairobi, 1994) through the adoption of the “Strategy for the Future Development of the Convention” (Document UNEP/CMS/Conf..4.11, chapter II.3., paragraphs 99-103, chapter II.6.3, paragraph 142).
4. In its decision II/13, the Conference of the Parties to CBD at its second meeting (Jakarta, 1995) requested the Executive Secretary of CBD to liaise with the Secretariats of relevant

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biodiversity-related conventions with a view, *inter alia*, to

“(b) exploring the possibility of recommending procedures for harmonizing, to the extent desirable and practicable, the reporting requirements of Parties under those instruments and conventions;”

5. Based on the wish of the CMS COP4 (Resolution 4.4, Action Point 1) that CMS should establish a partnership with the secretariat of the Convention on Biological Diversity, the UNEP/CMS Secretariat has concluded a Memorandum of Co-operation with the CBD Secretariat (see Annexes of document UNEP/CMS/Conf.5.5.1). In Article 3, paragraph b, it is noted that “the Secretariats will explore the possibility of harmonizing the reporting requirements of Contracting Parties of both conventions”.

6. The World Conservation Monitoring Centre (WCMC) presented, at the sixth coordination meeting of convention secretariats (Nairobi, 25-26 January 1997), a proposal to carry out a feasibility study on the harmonization of reporting requirements under the various biodiversity-related conventions.

## **II. Possible Action**

### **A. Harmonization of the Reporting System within CMS/relevant Agreements**

7. In order to be in a position to contribute to a harmonized reporting system of the biodiversity-related conventions in the future, it is necessary first to harmonize, as far as appropriate and feasible, the reporting system of CMS and its relevant Agreements and Memoranda of Understanding. Such an exercise would serve not only to contribute to the overall harmonized reporting system which is likely to be established under the umbrella of the CBD, but it would also improve the evaluation of the work undertaken to implement CMS and to identify areas requiring attention. This approach might be advantageous for two reasons: first, to improve implementation of the Convention and, second, to give the possibility of incorporating, at a later stage, reports on migratory species covered by conventions, agreements or programmes unrelated to CMS. Further, it could lead to the rationalization and hence reduction of the work of the responsible authorities of the Parties to the various conventions.

8. The Secretariat suggests that the following approach be considered by the COP:

- the development of a “modular” system whereby the Parties to CMS and the respective Agreements attach, to their CMS national report, the reports submitted to the Meeting of the Parties of the respective Agreements (as regards MoUs, the latest status reports could be attached by the Secretariat).
- thereafter, the comprehensive report, including the contributions concerning Agreements, would be submitted to a specialized non-profit organization which would evaluate the report and incorporate findings on the biological status of the different species (mainly in relevant non-Party Range States) from other sources, and finally prepare a synthesis for the Convention Secretariat.
- the specialized organization should be authorized to use the data received from CMS and Agreement Parties to compile a global report on the conservation and sustainable use of migratory species for submission to the CBD COP. This report would constitute a module

for an overall report on the conservation and sustainable use of the world's biological diversity, and could replace the reports of the CBD Contracting Parties in that contribution.

9. Many technical and some legal questions have to be discussed in order to develop a system which meets both the requirements set out above and legal aspects laid down in the Convention and the respective Agreements. Therefore the Secretariat proposes that a small working group of experts from the CMS Parties which are also Parties (or, in the case of AEWA, signatories) to Agreements under the Convention be established to discuss the issue and to give guidance to the Convention and Agreements secretariats. The aim should be, first, to create a basis for CMS' future contribution to a harmonized reporting system of all, or the majority of, the biodiversity-related conventions; second, to facilitate the work of the experts and institutions charged with compiling national reports; and, finally, to benefit the further implementation of the relevant conventions and Agreements.

10. The Secretariat contacted WCMC in late autumn 1996 in order to find out whether they would be interested in co-operating in the development of the collective reporting system for migratory species with a view to becoming the organization which would, under the supervision of the Secretariat, carry out the work after the necessary decisions have been taken. It is the view of the Secretariat that WCMC would be the appropriate organization for several reasons: it has the necessary experience; it has been involved from the start in the considerations on a harmonized reporting system of all biodiversity-related conventions; it is one of the lead organizations for the development of the Biodiversity Conservation Information System (BCIS); and, finally, it already has a good working relationship with CMS.

11. WCMC submitted, at the request of the Secretariat, a "Proposal for development of a CMS Information Strategy" with a budget and timetable (see Annex). The Secretariat considers that the proposal needs careful review and discussion between WCMC and the relevant bodies of the Convention and associated Agreements. In order to do this properly, the Secretariat is seeking advice from the Conference of the Parties. In light of the results of that discussion, WCMC's cost estimate, which amounts to GB£ 22,000 would have to be reviewed.

12. The matter was discussed in a consultation meeting between the UNEP/CMS Secretariat and the Agreement secretariats (ASCOBANS, EUROBATS, AEWA Interim Secretariat) on 13 March 1997. All three noted that the Agreements have very specific reporting requirements, however, the basic approach of the CMS Secretariat outlined in paragraphs 8 and 9 above was not opposed. The representatives of the ASCOBANS and EUROBATS secretariats agreed that, as all current Parties to their Agreements are also CMS Parties, the discussion and conclusions of COP5 might meet with the approval of their respective Meetings of the Parties. The AEWA interim secretariat abstained as that Agreement is not yet in force.

B. Possible contribution of CMS to the feasibility study of WCMC concerning the harmonization of the reporting system of biodiversity-related conventions

13. In order to start work on the harmonization of the reporting system of six biodiversity-

related conventions (CBD, World Heritage, CITES, Ramsar, CMS), WCMC submitted a proposal for a feasibility study to the sixth meeting on the Co-ordination of Secretariats of Environment Conventions (Nairobi, 25-26 January 1997). In the absence of a CMS Secretariat representative, the representatives of the other convention secretariats and UNEP agreed to share the costs, estimated at GB£ 35,500 (ca. US\$ 60,000) on an equal basis. This would have meant a contribution of US\$10,000 for CMS. Subsequently, in a letter of 26 February 1997, WCMC suggested a contribution in proportion to the number of Parties to each treaty – which would decrease the contribution of CMS to US\$ 5,000.

14. The proposed revision of the reporting system of CMS and related Agreements, with the objective *inter alia* of contributing to a harmonized overall reporting system, therefore has financial implications that warrant consideration by the Conference of the Parties. Of relevance to the discussion is whether CMS's contribution to the WCMC's feasibility study should be borne either by UNEP, in the framework of its co-ordination exercise, or by one or more Parties through voluntary contributions.

### **III. Summary**

15. The Secretariat requests guidance on whether it should continue consultations with WCMC, the Agreement secretariats, UNEP and the above mentioned convention secretariats on:

a) the harmonization and evaluation of reports of the Parties to CMS and related Agreements; and

b) the contribution of CMS to a harmonized reporting system of the relevant biodiversity-related conventions, including the financial implications.