



Convention on the Conservation of Migratory Species of Wild Animals

Secretariat provided by the United Nations Environment Programme



45th Meeting of the Standing Committee

Bonn, 9 - 10 November 2016

UNEP/CMS/StC45/Inf.1

INPUTS TOWARDS ENHANCING THE RELATIONSHIP BETWEEN THE CMS FAMILY AND CIVIL SOCIETY

Recommendations provided by the Government of Australia

Australia pay particular attention to “mechanisms to enable CSO- and NGO-facilitated work to be formally and consistently reported across the CMS Family”. Australia would note that all Parties have the opportunity to report on relevant activities every three years for consideration at the Conference of the Parties. It may be appropriate to extend the invitation to provide a written report to those non-government organisations that regularly attend CoPs. This would be beneficial in a number of ways:

- written reports can be made available online, as with Party reports, for information;
- negates the need for civil society to provide verbal statements at CoPs, thereby allowing for the wise use of time;
- provides a cost-effective mechanism to allow civil society work to be formally and consistently reported to CMS.

We would emphasise that any mechanisms or modalities for further involvement in CMS processes by civil society should not contain any financial ramifications for the Convention. The CMS already provides a number of opportunities for non-Parties to participate as observers in various forums and we appreciate the strong relationships that have been formed over the years. We believe that the above option is both suitable and cost-effective.

Courtesy translation into French - traduction en français de courtoisie

L'Australie accorde une attention particulière aux «mécanismes qui permettent que le travail des ONG et OSC soit officiellement et systématiquement signalé dans la Famille CMS”. L'Australie tient à souligner que toutes les parties ont la possibilité de faire rapport sur les activités pertinentes à la Conférence des Parties tous les trois ans. Il peut être approprié d'étendre l'invitation à fournir un tel rapport écrit aux organisations non-gouvernementales qui participent régulièrement à la COP. Cela serait bénéfique dans un certain nombre de façons:

- Les rapports écrits peuvent être mis à disposition en ligne, avec les rapports des Parties, à des fins d'information;
- Nie la nécessité pour la société civile de fournir des déclarations verbales à la COP, permettant ainsi l'utilisation rationnelle du temps;
- Fournit un mécanisme rentable pour permettre que le travail des ONG et OSC soit officiellement et systématiquement signalé au CMS.

Nous tenons à souligner que tous les mécanismes ou les modalités pur renforcer la participation de la société civile dans les processus de la CMS ne doivent pas avoir de conséquences financières pour la Convention. Le CMS fournit déjà un certain nombre de possibilités pour les non-Parties à participer en tant qu'observateurs dans divers forums et nous apprécions les relations solides qui ont été formés au cours des années. Nous croyons que l'option ci-dessus est à la fois appropriée et rentable.

Courtesy translation into Spanish - traducción de cortesía en español

Australia presta especial atención a los "mecanismos que permitan al trabajo de las CSO- y las ONG sea reportado de manera formal y sistemática en toda la familia de la CMS.....". Australia desea señalar que todas las Partes tienen la oportunidad de informar a la Conferencia de las Partes sobre actividades pertinentes cada tres años. Puede ser conveniente ampliar la invitación a presentar un informe escrito a aquellas organizaciones no gubernamentales que participan regularmente en las COP. Esto sería beneficioso de diversas maneras:

- Los informes escritos pueden estar disponibles en línea a título informativo, como los informes de las Partes;
- Evita la necesidad que la sociedad civil proporcione declaraciones verbales en las COP, permitiendo así el uso racional del tiempo;
- Proporciona un mecanismo rentable para permitir que el trabajo de la sociedad civil sea reportado de manera formal y sistemática en toda la familia de la CMS.

Nos gustaría evidenciar que cualquier mecanismo o modalidad para facilitar una mayor participación de la sociedad civil en los procesos de la CMS no debe tener ramificaciones financieras para la Convención. La CMS ya ofrece una serie de oportunidades para los que no son Partes a participar como observadores en diversos foros y apreciamos las estrechas relaciones que se han formado a lo largo de los años. Creemos que la opción descrita arriba sea a la vez conveniente y rentable.

Recommendations provided by the Government of Togo

- Créer une plateforme nationale regroupant les autorités nationales de la CMS, les ONG et la société civile pour les échanges d'information et d'expérience ;
- Appuyer les Parties dans l'élaboration et la mise en œuvre des plans stratégiques nationaux en lien à la CMS ;
- Signer les conventions de partenariat avec les OSC et les ONG devant contribuer à la mise en œuvre de la CMS;
- Demander à chaque Parties de mettre en place les points focaux au niveau national permettant de relayer les informations sur le terrain ;
- Renforcer les capacités des points focaux et les gestionnaires nationaux des Centres d'échange d'Information sur la Biodiversité (CHM) à mieux prendre en compte les activités de la CMS ;
- Assurer la participation des responsables des consortiums des ONG et des OSC nationaux aux réunions internationales de la CMS ;
- Renforcer les capacités des réseaux nationaux des oiseaux migrateurs pour qu'ils puissent prendre en compte les autres espèces dans leur mission (Certains OSC et ONG font déjà partie de ces réseaux).

Courtesy translation into English

- Create a national platform bringing together the national authorities of the CMS, NGOs and civil society for exchanging information and experience;
- Support Parties in the development and implementation of national strategic plans related to CMS;
- Sign partnership agreements with CSOs and NGOs to contribute to the implementation of CMS;
- Request each Party to establish focal points at national level to relay information in the field;
- Strengthen the capacity of national focal points and managers of the Clearing-House Mechanisms (CHM) to better reflect the activities of CMS;
- Ensure the participation of leaders of consortia of NGOs and national CSOs in international meetings of CMS;
- Strengthen the capacity of national networks of migratory birds so that they can take into account other species in their mission (Some CSOs and NGOs are already part of these networks).

Courtesy translation into Spanish - traducción de cortesía en español

- Crear una plataforma nacional que reúne a las autoridades nacionales de la CMS, las ONG y la sociedad civil para el intercambio de información y experiencias;
- Apoyar a las Partes en el desarrollo e implementación de planes estratégicos nacionales relacionados con la CMS;
- Firmar acuerdos de colaboración con las OSC y las ONG para contribuir a la aplicación de la CMS;
- Pedir a cada Parte de establecer puntos focales a nivel nacional para transmitir información en el campo;
- Fortalecer la capacidad de los puntos focales nacionales y los administradores de los Centros para el intercambio de información sobre la biodiversidad (CHM) para reflejar mejor las actividades de la CMS;
- Garantizar la participación de los líderes de los consorcios de ONG y OSC nacionales en las reuniones internacionales de la CMS;
- Fortalecer la capacidad de las redes nacionales de aves migratorias para que puedan tener en cuenta las otras especies en su misión (Algunas OSC y ONG que ya son parte de estas redes).

Input provided by Wild Migration - Summary of the Firebird Project Proposal (the full proposal is attached to the present document)

The Firebird Project proposes to develop comprehensively discussed and consulted options for furthering the relationship between the CMS Family, non-governmental organisations (NGOs) and civil society organisations (CSOs). The Project will also build the capacity of local NGOs and CSOs from Africa, Asia and Latin America to fully participate, collaborate and support their CMS Focal Points from their regions within the CMS Family.

Working in close cooperation with the CMS Secretariat, the project will:

- 1) Develop formal proposals for consideration at CMS COP12 to discuss how NGO facilitated work can be formally and consistently reported and for further NGOs/CSOs involvement in CMS processes;
- 2) Develop formal proposals for consideration at CMS COP12 to discuss how CMS Parties could request the support of NGOs to provide implementation and capacity building expertise;
- 3) Increase the capacity and involvement of NGOs/CSOs in Africa, Asia and Latin America to engage with the CMS Family agenda;
- 4) Establish a broad dialogue with NGOs and CSOs around the world about the CMS Family agenda;
- 5) Build the capacity of six Regional Representative NGOs/CSOs from Africa, Asia and Latin America for meaningful participation in CMS COP12;
- 6) Host a full day civil society workshop directly prior to the CMS COP12. This workshop will:
 - Profile the Firebird Project and the submitted recommendations with presentations and discussions led by the NGOs Regional Representative;
 - Explain the CMS COP process and the rule of procedure relating to NGOs;
 - Discuss each of the draft resolutions and species listing proposals, to develop a shared understanding;
 - Negotiate a joint civil society statement for presentation to the COP.Both NGOs and CMS Focal Points will be invited to participate

As the Firebird Project extends beyond the financial reach of any individual NGO currently working with the CMS Family, it requires funding support. The Wild Migration and the CMS Secretariat have already identified areas where the Secretariat is able to provide in-kind support. Wild Migration is

also prepared to make an in-kind contribution to the project. Wild Migration formally requests that the Standing Committee considers options for providing funding.

Courtesy translation into French - traduction en français de courtoisie

Le « Projet Firebird » propose d'élaborer des options discutées et consultées au niveau global pour favoriser les relations entre la famille de la CMS, les organisations non-gouvernementales (ONG) et les organisations de la société civile (OSC). Le projet permettra également de renforcer la capacité des ONG et les OSC locales en Afrique, Asie et Amérique latine à participer pleinement, à collaborer et à soutenir les points focaux CMS de la région au sein de la famille CMS.

Travaillant en étroite coopération avec le Secrétariat de la CMS, le projet:

- 1) Élaborera des propositions formelles pour l'examen de la CMS COP12 pour discuter des moyens permettant que le travail des ONG et OSC soit officiellement et systématiquement signalé et pour intensifier la participation des ONG et OSC dans les processus CMS ;
- 2) Élaborera des propositions formelles pour l'examen de la CMS COP12 pour discuter des moyens permettant aux Parties de la CMS de demander le soutien des ONG à fournir expertise pour la mise en œuvre et le renforcement des capacités;
- 3) Augmentera la capacité et la participation des ONG / OSC en Afrique, en Asie et en Amérique latine à coopérer avec l'agenda de la Famille CMS;
- 4) Mettra en place un large dialogue avec les ONG et les OSC au niveau mondiale à propos de l'agenda de la Famille CMS;
- 5) Renforcera les capacités des six représentants régionaux des ONG / OSC d'Afrique, d'Asie et d'Amérique latine pour une meilleure participation dans le CMS COP12;
- 6) Organisera un atelier d'une journée pour la société civile directement avant la réunion de la CMS COP12. Cet atelier:
 - Délinéera le projet Firebird et les recommandations soumises avec des présentations et des discussions menées par les représentatives régionales des ONG;
 - Expliquera le processus de la CMS COP et la règle de procédure relative aux ONG;
 - Discutera chacun des projets de résolution et des propositions d'inscription des espèces pour développer une compréhension commune ;
 - Négociera une déclaration de la société civile conjointe pour sa présentation à la COP.
 Les ONG et les points focaux nationaux de la CMS seront invités à participer.

Comme le Projet Firebird étend au-delà de la portée financière du travail actuel de toute ONG avec la famille CMS, il nécessite un soutien financier. Wild Migration et le Secrétariat de la CMS ont déjà identifié des domaines où le Secrétariat est en mesure de fournir un soutien en nature. Wild Migration est également prête à apporter une contribution en nature au projet. Wild Migration demande officiellement que le Comité permanent examine les options pour fournir des fonds.

Courtesy translation into Spanish - traducción de cortesía en español

El Proyecto Firebird propone el desarrollo de opciones para fomentar la relación entre la familia de la CMS, las organizaciones no gubernamentales (ONG) y las organizaciones de la sociedad civil (OSC). Estas opciones han sido discutidas y consultadas ampliamente. El proyecto también fortalecerá la capacidad de las ONG y OSC locales de África, Asia y América Latina a participar plenamente, y a colaborar y apoyar a los Puntos Focales CMS de sus regiones dentro de la familia CMS.

Trabajando en estrecha colaboración con la Secretaría de la CMS, el proyecto:

- 1) Desarrollará propuestas formales para su consideración en la COP12 CMS para discutir cómo al trabajo de las CSO- y las ONG sea reportado de manera formal y coherente en toda la familia de la CMS y para intensificar la implicación de las ONG / OSC en los procesos de CMS;

- 2) Desarrollará propuestas formales para su consideración en la COP12 CMS para discutir cómo las CMS Partes puedan solicitar el apoyo de las ONG para proporcionar experiencia en la aplicación y el desarrollo de capacidades;
- 3) Aumentará la capacidad y la participación de las ONG / OSC en África, Asia y América Latina a comprometerse con la agenda de la familia CMS;
- 4) Establecerá un amplio diálogo con las ONG / OSC de todo el mundo acerca de la agenda de la familia CMS;
- 5) Fomentará la capacidad de seis representantes regionales de ONG / OSC de África, Asia y América Latina para una mejor participación en la CMS COP12;
- 6) Realizará un taller de un día para la sociedad civil directamente antes de la reunión de la CMS COP12. Este taller:
 - reseñará el Proyecto Firebird y las recomendaciones propuestas con presentaciones y discusiones dirigidas por los representantes regionales de las ONG;
 - Explicará el proceso de la COP de la CMS y las reglas de procedimiento relativas a las ONG;
 - discutirá cada uno de los proyectos de resolución y de propuestas de inclusión de especies, para desarrollar una comprensión compartida;
 - Negociará una declaración conjunta de la sociedad civil para su presentación a la COP. Se invitarán a las ONG y los dos puntos focales nacionales de la CMS.

Como el Proyecto Firebird se extiende más allá de las posibilidades financieras de cualquiera ONG que trabaja actualmente con la familia de la CMS, se requiere apoyo financiero. Wild Migration y la Secretaría de la CMS han ya identificado áreas en las cuales la Secretaría está en condiciones de proporcionar apoyo en especie. Wild Migration también está preparada para hacer una contribución en especie al proyecto. Wild Migration solicita formalmente que el Comité Permanente considere opciones para proporcionar financiación.



The Firebird Project: Increasing involvement of NGOs and CSOs in the CMS Family

Revised: 16 September 2016

With the adoption of a new strategic plan and an ever increasing list of priorities to tackle, the Convention on Migratory Species (CMS) and the 20 CMS agreements (the CMS Family) are in serious need of resource and support. Many global south CMS Parties have inadequate financial and human capacity to progress their conservation commitments. Conservation work is often heavily reliant on donors. Other sources of support must be found.

In 2012 the Convention on Migratory Species (CMS) civil society community commenced a formal review of their relationship with CMS and the CMS agreements. Over 100 nongovernmental organisations (NGOs) and civil society organisations (CSOs) input to the review; bringing forward perspectives from around the world.

They developed core recommendations for the CMS Family to consider, including developing opportunities for NGOs and CSOs to provide implementation support for this work, under formal oversight of a CMS process. This could greatly increase the resource and capacity available to many CMS Parties as well for local NGOs and CSOs within these countries. This was seen as especially relevant where species or regional gaps had been identified or where capacity building was needed. In return, NGOs from the global north hoped for a more structured and systematic long-term approach to joint planning and evaluation. All NGOs and CSOs hoped that in the future they could formally report on their activities, as recognised contributions to the CMS Family.

In November 2014, the report was presented to the CMS 11th Conference of the Parties (CoP) by Wild Migration and the Government of Ghana. The report findings were received well and in response, the CMS Parties adopted *CMS Resolution 11.11 – Enhancing the Relationship Between the CMS Family and Civil Society*. This decision marks a significant step for the growing relationship between the CMS Family and the NGO/CSO community.

CMS Resolution 11.11 agrees to formally explore options for furthering the relationship including *inter alia*:

1. Mechanisms to enable NGO and CSO facilitated work to be formally and consistently reported across the CMS Family and to be considered by the Parties and CMS Family agreement bodies;
2. Models for further NGO and CSO involvement in CMS processes; and
3. Modalities for further strategic engagement with NGOs to provide implementation and capacity building expertise.'

These options will be discussed through the formality of CMS process – first through the CMS Standing Committee and then for presentation and discussion during CMS CoP12.

It is very important that NGO and CSO involvement in this process is genuinely representative. **To ensure this, the voice of the global south civil society needs facilitation to be heard. Broad, culturally and regionally diverse input must come forward.**

Wild Migration exists to build the participation capacity of wildlife scientists, wildlife policy experts, and civil society around the world to secure international wildlife conservation. We believe the diversity of life is made up not only of the diversity of plants and animal species,

Building participation capacity of wildlife scientists, wildlife policy experts and NGOs to secure international wildlife conservation

habitats and ecosystems found on the planet, but also of the vast diversity of human and non-human cultures. When local communities are treated with respect and empowered with information they can be guardians of their biological heritage and the wildlife they live with.

Working in close cooperation with the CMS Secretariat, the Firebird Project proposes a process for facilitating the discussion and building options to underpin these important discussions. We will do this by investing in capacity and deeper engagement of NGOs and CSOs from Africa, Asia and Latin America to capture as broad an input as possible from the civil society community.

To maximise participation—in addition to strategic regional work—the project will use teleconference, videoconference and online platforms to equitably and transparently engage with a world-wide NGO and CSO community.

Project Coordinator:	Dr Margi Prideaux Wild Migration Policy and Negotiations Director
Project timeframe:	10 months (January 2017 – October 2017)
Total project budget:	€101,808
Wild Migration contribution:	€11,200
CMS Secretariat in-kind contribution	€15,700
Funding sought:	€74,908

Project Goal

The Firebird Project goal is to develop options for furthering the relationship between the CMS Family, NGOs and CSOs while building the capacity of local NGOs and CSOs from Africa, Asia and Latin America to fully participate and collaborate with the CMS Family.

Working in close cooperation with the CMS Secretariat, the project will lead to:

- Options being formally considered at CMS CoP12 for:**
 - Greater NGO and CSO involvement in CMS processes;
 - NGO and CSO facilitated work to be consistently reported in CMS processes; and
 - CMS Parties requesting support of NGOs to provide implementation and capacity building expertise.
- Increased capacity and involvement of local NGOs and CSOs in Africa, Asia and Latin America to engage with the CMS Family agenda and to support CMS Focal Points from these regions.**

The intention is to build a network of genuinely local NGOs and CSOs that understand and have strong commitment to the CMS Family. The Firebird Project does not propose to provide an extension to international NGOs who already have a region presence.

Theory of a solution

Studies of the past two decades have verified the real world application of collaborative governance can increase the potential for long-lasting conservation and community outcomes. Collaboration doesn't just automatically occur. It often must be fostered and facilitated.

Moving to a situation where local NGOs and CSOs can contribute more systematically, consistently and transparently to the work of the CMS Family will need the right dynamic to be created. This will require active, culturally diverse dialogue, trust building, mutual transparency and accountability and a commitment to shared understanding to be developed.

Local NGOs and CSOs, supported by coordinating actors such as Wild Migration, need to be empowered to be involved. They will strengthen government initiatives by gathering different types of ecological and social knowledge as well as building moral, political, legal and financial support from various institutions and organisations.

The decision of the CMS Parties during CMS CoP11 marks a significant step in the relationship between CMS Parties and the civil society community. By working towards collaborative governance future where all participants are invested in policy, discourse and

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negotiation, there can be a future with increased human resources and financial effort for the CMS Family.

Logical framework

The following objectives and activities have been developed in close collaboration with the CMS Secretariat.

Please note: Reference to ‘NGOs’ within this table should be understood to represent NGOs and CSOs.

Objective 1: Develop formal proposals for consideration at CMS CoP12 to discuss how NGO facilitated work can be formally and consistently reported and for further NGO involvement in CMS processes	
Activity 1.1a	Submit a projected timeline and expected outcomes report to the CMS Secretariat for consideration by the CMS StC44, identifying funders and forward commitment
Activity 1.1b	Utilizing the online platform (Activity 3.1a), develop a series of questionnaires for NGOs and CMS Focal Point input to develop options for NGOs reporting and increased involvement
Activity 1.1c	Review engagement and reporting formats currently in use in other forums, especially ECOSOC and UNEA (UNEP) Consultative Status NGOs and Major Groups processes and Ramsar International Organisation Partners
Activity 1.1d	Develop draft options and facilitate broad NGO and CMS Focal Point comment
Activity 1.1e	Draft recommendations to submit to the CMS Secretariat for consideration by the CMS StC45 and CMS CoP12
Objective 2: Develop formal proposals for consideration at CMS CoP12 to discuss how CMS Parties could request the support of NGOs to provide implementation and capacity building expertise.	
Activity 2.1a	Develop CMS NGO Partner Working Group to explore options for how CMS Parties could request the support of NGOs to provide implementation and capacity building expertise
Activity 2.1b	Review NGO support modalities currently in use in other forums, especially ECOSOC and UNEA (UNEP) Consultative Status NGOs and Major Groups processes and Ramsar International Organisation Partners
Activity 2.1c	Explore ideas and existing modalities with the CMS NGO Partner Working Group (Activity 2.1b) through a series of videoconference workshops
Activity 2.1d	Develop draft options and facilitate broad NGO and CMS Focal Point comment
Activity 2.1e	Draft recommendations to submit to the CMS Secretariat for consideration by CMS CoP12
Objective 3: Increase the capacity and involvement of NGOs in Africa, Asia and Latin America to engage with the CMS Family agenda	
3.1: Establish a broad dialogue with NGOs around the world about the CMS Family agenda	
Activity 3.1a	Establish an online platform to facilitate the dialogue with as culturally and regionally broad a group of NGOs as possible <i>This will be developed in close cooperation with the CMS Secretariat, and may utilize the CMS Family eCommunity structure.</i>
Activity 3.1b	Develop formal outreach agreements with: <ul style="list-style-type: none"> • World Wetland Network (NGOs focused on Ramsar wetlands) • Species Survival Network (NGOs focused on wildlife trade), • The CBD Alliance (NGOs focused on CBD) • NGOs Major Group (NGOs working through ECOSOC and UNEA) to communicate the objectives of the project to NGOs around the world. Also, establish effective connections to:

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	<ul style="list-style-type: none"> • Africa Biodiversity Network • SEARICE • Third World Network • Asian Indigenous Peoples Pact
Activity 3.1c	Utilising existing materials (CMS Family Manual and CMS Family eCommunity) develop NGO specific e-learning materials in English, Spanish and French about the CMS Family (including each of the agreements), as well as the existing and potential for local NGO involvement. <i>This will be developed in close cooperation with the CMS Secretariat.</i>
Activity 3.1d	Establish the 'Migratory Wildlife Advisory Group' comprising of NGO representatives from each of the 28 CMS agreements and interested NGOs from Africa, Asia and Latin America. Commence bi-monthly teleconference discussions (rotating through time zones) about CMS agreement activities and the Firebird Project. As CMS CoP12 approaches these discussions will turn to reviewing the CMS documentation, the Firebird project recommendations and making contacts with CMS Focal Points
Activity 3.1e	Utilising existing materials (CMS Family Manual and CMS Family eCommunity) develop NGO specific briefing notes on the major discussion topics being developed for CMS CoP12 and circulate to the Migratory Wildlife Advisory Group (Activity 3.1d) and through the online platform (Activity 3.1a) <i>This will be developed in close cooperation with the CMS Secretariat.</i>
Activity 3.1f	Prepare and circulate briefing materials ahead of CMS CoP12 and host a full day civil society workshop directly prior to the CoP meeting. This workshop will: <ol style="list-style-type: none"> 1. Profile the Firebird Project and the submitted recommendations (Activity 1.1e and 2.1.e) with presentations and discussions led by the Regional Representative NGOs (Activity 3.2b) 2. Explain CMS CoP process and the rule of procedure relating to NGOs 3. Discuss each of the draft resolutions and species listing proposals, to develop a shared understanding 4. Negotiate a joint civil society statement for presentation to the CoP Both NGOs and CMS Focal Points will be invited to participate
3.2: Build the capacity of six Regional Representative NGOs from Africa, Asia and Latin America for meaningful participation in CMS CoP12	
Activity 3.2a	Seek expressions of interest from NGOs in each of the regions - Africa, Asia and Latin America - that have an interest, appropriate local representativeness and capability to increase their engagement in CMS Family agreements. Commence one-on-one capacity building with these local NGOs via teleconference and videoconference workshops in the lead up to CMS CoP12
Activity 3.2b	Seek applications from NGOs (identified in 3.2a) to attend CMS CoP12 and (in consultation with a selection group involving Wild Migration, the CMS Secretariat and the project funders), select six NGOs with regional coverage
Activity 3.2c	Facilitate the six selected NGOs (six Regional Representative NGOs) to develop regional briefings to circulate to other NGOs in their regions for comment and input. This should culminate in formal position statements and recommendations from each region, for presentation at CMS CoP12
Activity 3.2d	Facilitate the six Regional Representative NGOs to make contact with the CMS Focal Points to discuss key matters being raised by NGOs from their region and to offer support, as appropriate, for the priorities of the CMS Focal Points
Activity 3.2e	Facilitate the six Regional Representative NGOs to attend and fully participate in CMS CoP12

Project progress reports will be submitted to the CMS Secretariat and the project funders at three monthly internals, commencing in month 6.

A full report will be finalised and circulated to the CMS Secretariat and project funders by month 30. This report will serve as a published record of the process and will include the Firebird Project recommendations, a reflection of the CMS CoP12 response to these

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recommendations and also proposals for forward activities and sustainability options. A fully acquitted budget will also be circulated at this time.

Proposed project budget

The proposed project budget, against each of the objectives and activities, is as follows:

	Description	Travel/Costs	Materials/ Stipends	Professional Services	Total
Objective 1: Develop formal proposals for consideration at CMS CoP12 to discuss how NGO facilitated work can be formally and consistently reported and for further NGO involvement in CMS processes					
1.1a	2 days			800	800
1.1b	4 days			1,600	1,600
1.1c	4 days			1,600	1,600
1.1d	4 days			1,600	1,600
1.1e	4 days			1,600	1,600*
Objective 1 total					€7,200
Objective 2: Develop formal proposals for consideration at CMS CoP12 to discuss how CMS Parties could request the support of NGOs to provide implementation and capacity building expertise.					
2.1a	2 days			800	800
2.1b	4 days			1,600	1,600
2.1c	2 days			800	800
2.1d	5 days			2,000	2,000
2.1e	3 days			1,200	1,200
Objective 2 total					€6,400
Objective 3: Increase the capacity and involvement of NGOs in Africa, Asia and Latin America to engage with the CMS Family agenda					
<i>3.1 Establish a broad dialogue with NGOs around the world about the CMS Family agenda</i>					
3.1a	Develop and launch platform, 15 days		1,200	6,000	7,200*
3.1b	2 days			800	800*
3.1c	Writing, 10 days and translation		2,500	4,000	6,500*
3.1d	12 days			4,800	4,800*
3.1e	Writing, 10 days			4,000	4,000*
3.1f	2 days, venue hire and materials		1,200	800	2,000*
Objective 3.1 total					€25,300
<i>3.2 Build the capacity of 6 Regional Representative NGOs from Africa, Asia and Latin America for meaningful participation in CMS CoP12</i>					
3.2a	2 days			800	800*
3.2b	5 days			2,000	2,000*
3.2c	80 days (facilitators in Latin America (1),			28,800	28,800

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	Africa (1), Asia (2) for 10 months @ 2 days/mth)				
3.2d	6 days and stipend for 6 NGOs		7,200	2,400	9,600
3.2e	Travel and accommodation for 7 attendees	21,000			21,000
Other	Teleconference/ videoconference facilities (recording) x 10 months		708		708*
Objective 3.2 total					€62,908
Project total					€101,808

♦ CMS Secretariat in-kind contribution

♣ Wild Migration contribution

Proposed project timeframe

The project timeline presents the log frame activities across the 10 month project period

	Prep	1	2	3	4	5	6	7	8	9	CMS CoP	11
1.1a												
1.1b												
1.1c												
1.1d												
1.1e												
2.1a												
2.1b												
2.1c												
2.1d												
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3.1d												
3.1e												
3.1f												
3.2a												
3.2b												
3.2c												
3.2d												
3.2e												
Progress Report												
Final Report												

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The Wild Migration team

Wild Migration is an international conservation organisation that builds the participation capacity of wildlife scientists, wildlife policy experts, and NGOs around the world to secure international wildlife conservation. We are built on the foundation of a small team of experienced mid- to late-career professionals, who are committed to giving their time and energy to build the capacity of wildlife orientated civil society in the global south.

In addition to our regular communication with the Migratory Wildlife Network, Wild Migration has recently facilitated two focused projects on civil society engagement with intergovernmental processes. Together these projects have incorporated the views of more than 300 NGOs, from 52 countries.

- **A Natural Affiliation:** Developing the Role of NGOs in the Convention of Migratory Species Family
- **Ramsar and Wetland NGOs:** A Report of the World Wetland Network for Ramsar CoP12

Wild Migration is a Partner Organisation to CMS.

Core project team

Project Coordinator: Margi Prideaux

Dr Margi Prideaux is a specialist in wildlife policy development. She has a PhD in the development of wildlife policy & law. Margi's professional focus is on international policy relating to international species conservation, regional agreement development, marine protected areas and the role of global civil society in 'track one' and 'track two' international diplomacy. Over a period of 25 years, she has participated in 20 different international wildlife conservation processes, including CMS, CBD, CITES and Ramsar and has facilitated CSO and NGO voices to come forward through these processes.

Margi was a lead author of *A Natural Affiliation: Developing the Role of NGOs in the Convention of Migratory Species Family* and *Ramsar and Wetland NGOs: A Report of the World Wetland Network for Ramsar CoP12*.

Margi has a particularly long standing involvement with, and deep understanding of, CMS processes.

Margi is the Policy and Negotiations Director with Wild Migration and a Research Associate with the Indo-Pacific Governance Research Centre, as well as a number of IUCN and WCPA Specialist Groups.

Latin America Facilitator: José Truda Palazzo, Jr.

José Truda Palazzo Jr is an environmental activist, writer and explorer who has dedicated himself to the environmental cause continuously for almost 40 years. He has coordinated NGOs efforts in Latin America around the wildlife debates while leading conservation volunteers to discover a breeding population of Southern Right Whales in Southern Brazil and a 27 year programme that has ensured the recovery of the species.

José also served for some twenty years as official Brazilian representative at the International Whaling Commission, having acted as Alternate Commissioner, Acting Commissioner and Head of Scientific Delegation for Brazil. He has worked to coordinate Latin American NGO efforts focused on World Heritage, CBD and CITES and has recently begun similar efforts focused on CMS in Brazil, Argentina, Uruguay, Chile.

He is the Chair of the Brazilian Marine, Coastal and Water Resources Network (REMA), leads Divers for Sharks and serves as Vice President of the Augusto Carneiro Institute, one of the few Brazilian NGOs working with international marine conservation policy.

As the Latin American Firebird Facilitator, the primary focus for José will be building the capacity of CSOs and NGOs in at least three of the following countries (CMS Parties): Argentina, Brazil, Bolivia, Chile, Colombia, Ecuador, Paraguay, Peru and Uruguay.

West Africa. Facilitator: Maximin K. Djondo

Maximin K. Djondo is the Director for the Benin Environment and Education Society (BEES NGO) in charge of the conservation of three biodiversity hotspots (Lama, Nokoué and

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Ouémé Valley). Maximin's professional focus has been to facilitate wildlife research and conservation and the development of alternative income generating opportunities in West Africa.

Maximin has extensive experience in planning, executing, and monitoring projects, with a strong focus on supporting communities with more accessible, relevant and quality information to facilitate their participation in decision making. He has strong experience with Ramsar and CBD and has recently also turned his attention to CMS.

As the West African Firebird Facilitator, the primary focus for Maximin will be building the capacity of CSOs and NGOs in Benin, Burkina Faso, Ghana and Togo (CMS Parties). He will also seek to build initial interest in some of the following (CMS Parties): Cape Verde, Gambia, Guinea, Guinea-Bissau, Mali, Mauritania, Niger, Nigeria, Rwanda and Senegal.

Southeast Asian Facilitator: Lee Tan

Lee Tan has over 25 years of campaigning and advocacy experience in Asia, having coordinated activities and efforts for the Australian Conservation Foundation Asia Pacific Unit and for Friends of the Earth in Malaysia, Singapore, Indonesia, Timor Leste and Papua New Guinea. Lee has extensive experience with CBD processes and the Asian region. She has a deep commitment to social and environmental justice leading civil society empowerment for biodiversity conservation.

As the Southeast Asian Firebird Facilitator, the primary focus for Lee will be building the capacity of CSOs and NGOs in the Philippines (CMS Parties), where CMS CoP12 will be held.

Lee will also focus effort on creating greater engagement with CSOs and NGOs in Malaysia, Indonesia and Papua New Guinea in anticipation of one or more of these countries joining CMS as a Party in the near future.

South Asian Facilitator:

The South Asian Facilitator is still to be appointed.

The primary focus for this role will be building the capacity of CSOs and NGOs in Bangladesh, Bhutan, Pakistan and Sri Lanka (CMS Parties). Additional attention will be given to also building capacity in India (CMS Party), because of its important role in the region.

Firebird

In Slavick folklore the Firebird is a magical glowing bird from a faraway land. The Firebird gives hope to those in need and is a positive force while it remains free. Some legends say that when the Firebird flies around, its eyes sparkle and pearls fall from its beak. The pearls are gifts to be used by others, to trade for things they need. We have called this project 'Firebird' to encapsulate the spirit of a hopeful, cooperative future between NGOs and the CMS Family.

Supporting research

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Annexes

Contained as Annexes to the full Firebird Project proposal are the following documents:

1. CMS Resolution 11.11 – Enhancing the Relationship Between the CMS Family and Civil Society
2. Prideaux M. 2015. Wildlife NGOs: From Adversaries to Collaborators, *Global Policy*, 3, 4: 379-388

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CONVENTION ON MIGRATORY SPECIES

Distribution: General

UNEP/CMS/Resolution 11.11

Original: English

ENHANCING THE RELATIONSHIP BETWEEN THE CMS FAMILY AND CIVIL SOCIETY

Adopted by the Conference of the Parties at its 11th Meeting (Quito, 4-9 November 2014)

Appreciative of the sustained commitment to the CMS Family that has been consistently demonstrated by civil society, including Civil Society Organizations (CSOs), Non-Governmental Organizations (NGOs), scientific institutions, independent scientists and independent policy experts in many parts of the world, a commitment recognized in key Resolutions and Recommendations since CMS COP4;

Aware that the United Nations Environment Programme (UNEP) Governing Council at its First Universal session in February 2013 adopted Decision 27/2 on institutional arrangements, inter alia, to explore new mechanisms to promote transparency and the effective engagement of civil society in its work and that of its subsidiary bodies including: developing a process for stakeholder accreditation and participation; explore mechanisms and rules for stakeholders expert input and advice; and consider working methods and processes for informed discussions and contributions by all relevant stakeholders towards the intergovernmental decision-making process;

Recalling the Convention preamble, which states that the States are and must be the protectors of the migratory species of wild animals that live within or pass through their national jurisdictional boundaries; and that conservation and effective management of migratory species of wild animals require the concerted action of all States within the national jurisdictional boundaries of which such species spend any part of their life cycle;

Noting the findings and recommendations of 'A Natural Affiliation: Developing the Role of NGOs in the Convention of Migratory Species Family' (UNEP/CMS/COP11/Inf.15) that responds to a number of activities highlighted in CMS Resolution 10.9 Future Structure and Strategies of the CMS and CMS Family and also mirrors the directions of Decision 27/2 of the UNEP Governing Council;

Noting also the report of the Chair of the CMS Strategic Plan Working Group (UNEP/CMS/COP11/Doc.15.2) and CMS Resolution 11.2: Strategic Plan for Migratory Species 2015-2023;

Conscious that many of the CMS Family agreements benefit greatly from a respectful and collaborative relationship with civil society, including CSO and NGO involvement in implementation of conservation activities and also from support of the Governmental processes; and

Conscious also that the collaborative relationship could be enhanced to further benefit the CMS Family programme of work;

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

1. *Invites* the CMS Secretariat, Parties, other Governments, CSO and NGO Partners to review options for furthering the relationship between the CMS Family and civil society including, inter alia:
 - 1.1 Mechanisms to enable CSO- and NGO-facilitated work to be formally and consistently reported across the CMS Family and to be considered by the Parties and CMS Family agreement governing bodies;
 - 1.2 Models for further CSO and NGO involvement in CMS processes; and
 - 1.3 Modalities for further strategic engagement with CSOs and NGOs to provide implementation and capacity-building expertise;
2. *Requests* the Secretariat to present a review of progress and to invite contributions from the 44th and 45th Meetings of the Standing Committee;
3. *Invites* the CMS Secretariat, Parties, other Governments, CSO and NGO Partners to draft recommendations and requests the Secretariat to consolidate those recommendations, and submit them to the 45th Meeting of the Standing Committee for further consideration at the 12th Meeting of the Conference of the Parties; and
4. *Invites* Partners and donors to consider providing financial assistance to support the review process.

Wildlife NGOs: From Adversaries to Collaborators

Margi Prideaux

Indo-Pacific Governance Research Centre

Research Article

Abstract

Many governments perceive a 'contested ground' between Non-governmental Organisations (NGOs) and governments in multilateral environmental agreements (MEAs). Governments have asserted a concern that increasing NGO involvement is an erosion of their sovereignty.

The other side of this coin is that wildlife related MEAs including the Convention on Migratory Species (CMS) are a low order political priority and government budgets for these environment issues are stretched. Many governments lack even basic implementation budgets, let alone capacity for progressive work. MEA secretariats are funded so minimally that there is insufficient facility to really progress implementation.

A recent review of wildlife related NGOs associated with the work of the CMS family has found that NGOs will commit to increase implementation efforts if the right dynamic is created.

Moving beyond the impression of 'contested ground' to a 'collaborative governance' future, where all participants are invested in policy, discourse, negotiation and arbitration could increase human and financial resource and in turn increase implementation for the CMS family.

Policy Implications

- Wildlife MEAs have minimal financial resource available to them.
- There is significant scope for NGOs to provide specific types of implementation activity within the CMS family, especially where taxonomic or geographical gaps are identified or capacity building is needed.
- Increasing NGO implementation efforts will require the right dynamic to be created. This could be delivered through a 'collaborative governance' model that includes mechanisms for the NGO community to contribute more systematically, consistently and transparently to the work of the CMS.

A recent review to better define the existing and potential relationship between wildlife Non-governmental Organisation (NGOs) and the Convention on Migratory Species (CMS) was conducted in 2013–14 as a formal contribution to the *CMS Strategic Plan 2015–2023 Working Group* process. While similar research has investigated the role of civil society in a range of other international policy spaces, including land mines, nuclear disarmament, human rights, global finance and especially the European Union's processes, this review was the first to focus specifically on CMS.

Unlike most multilateral environmental agreements (MEAs), the CMS family is more than one convention. It has an additional layer of complexity, as it is comprised of a parent convention and 29 separate species-focused agreements,¹ Memorandum of Understanding² and Special Species Initiatives,³ each with their own structures and processes, parties and signatories, meetings and action plans. This complication is also CMS' inherent strength as it facilitates CMS parties to focus on detailed

conservation priorities for specific species migrating between national jurisdictions within the agreement structures, as well as overarching policy directions through the parent convention.

The new CMS Strategic Plan was being developed, in part, to assist parties to prioritize the CMS family agenda in the future, acknowledging that financial resources and implementation capacity are already stretched (CMS, 2008d).

The CMS budget fares poorly compared to other inter-governmental organisations (IGOs). In 2011, many of the specialized agencies including the United Nations Educational, Scientific and Cultural Organization (UNESCO), the Food and Agriculture Organization of the United Nations (FAO) and the World Health Organisation (WHO) had annual budgets ranging from \$300 million to over \$2 billion. The United Nations Environment Programme (UNEP) annual budget was US\$217 million (Ivanova, 2011).

These dwarf several recent MEA budgets. For 2014, the Convention on Biological Diversity (CBD) annual budget (including voluntary contributions) was around US\$28 million (CBD, 2014). The Convention on Wetlands of International Importance (Ramsar), the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and CMS are an even lower-order political priority, with budgets for the work of these MEAs approximately US\$5 million, US\$6 million and US\$4 million respectively, with each seeking approximately the same again in voluntary contributions (Ramsar, 2012; CITES, 2013; CMS, 2014). While some CMS agreements are separately funded, the majority of the CMS budget focuses on the parent convention, leaving little financial resources for agreements and implementation support.

Acknowledging the financial constraint, the wildlife NGO review investigated if NGOs would be prepared to commit to increasing implementation efforts, including financial commitments to specific work, if the right dynamic between NGOs, CMS parties and secretariats was created. It also became apparent that wildlife NGO contributions might build a bridge across the 'contested ground' that exists in parts of the international community between sovereign and nonstate actors, by consciously recognising and attributing the implementation delivery of NGOs to the CMS family.

This paper will chart this potential by briefly reflecting the emergence of NGOs as new actors in international affairs, touching on the efficacy of the contested ground thesis, reviewing the history of NGO involvement in the CMS agenda and finally introducing that a new collaborative governance model, including mechanisms for the NGO community to contribute more systematically, consistently and transparently to the work of the CMS could be a solution for the CMS family to consider.

1. NGOs: the emergence of new actors in an old system

The current world order has been gradually evolving as an international system of sovereign states since the 17th century (Bull, 1977; Elias and Sutch, 2007). While civil society has been emerging over a similar period, NGOs have been a serious part of international conservation work since the 1960s, when conservation was projected onto the world stage. These NGOs have grown on the foundations of older national NGOs such as the Royal Society for the Protection of Birds, the Sierra Club and the World Wide Fund for Nature and the quasi-NGO the International Union for the Conservation of Nature (IUCN), but there was a marked increase in internationally focused conservation NGO activity in the latter half of the century.

The Stockholm Conference (United Nations Conference on the Human Environment) in 1972 reported the attendance of over 400 representatives from IGOs and NGOs,

although conservation or environment NGO influence emerged in a more obvious way during the first Earth Summit (United Nations Conference on Environment and Development) in 1992. Before the meeting NGOs marshalled a significant international awareness campaign to help set the conference agenda. Around 2,400 NGO representatives attended the summit with an additional 17,000 representatives taking part in the parallel NGO 'Global Forum' (WCED, 1987; Wapner, 1996, 2000; Karns and Mingst, 2004; Hajer, 2005).

In the period between the Stockholm Conference and the Earth Summit, NGOs were also a driving force in the development of key MEAs including Ramsar in 1971, CITES in 1976 and CMS in 1979.

Much has transpired since the 1960s and 70s, including gradual grouping of conservation or environment NGO styles and focus. While issues being addressed by these NGOs remain interwoven and constantly overlapping, an NGO community that concentrates on wildlife conservation has emerged as quite distinct from the NGO communities that focus on sustainable development issues, urban landscapes, chemical pollution or broader biodiversity conservation for instance (Wapner, 1996; Dryzek, 1997; Hunold, 2001; Schlosberg and Dryzek, 2002).

In this time the conservation policy agenda has also grown considerably. The sheer number of individual instruments and accords has emerged as a complicated policy field that places pressure on states to encompass and implement an expanding range of international environmental issues (Biermann et al., 2009). The contemporary density of intergovernmental interaction, interplay and overlap has contributed to the rescaling of politics (Young, 1999; Chambers, 2008; Andonova and Mitchell, 2010).

The world order of sovereign states was never designed for such complexity (Philpott, 2001; Elias and Sutch, 2007). International discussions are increasingly focused on the availability of financial resource from states and the United Nations (UN) system to implement the array of commitments made. Many developing country governments lack even basic implementation budgets to meet their CMS family commitments, let alone have sufficient capacity for progressive work. CMS family secretariats are funded so minimally that they can barely keep up with administration, and are without sufficient capacity to really progress implementation. A number of CMS family agreements have no distinct secretariat at all and instead are managed by the parent convention as a cost saving exercise (Prideaux, 2014). Yet, governments continue to express their desire to engage with the CMS family agenda, most recently reflected by the development of a new strategic plan (CMS, 2011c).

To date the potential for civic contribution (beyond corporate involvement) has not been systematically explored. Given that human and financial resources are scarce, it seems prudent that the CMS family carefully

considers the deployment of all resources – governmental, inter-governmental and non-governmental – to ensure the greatest gain. Wildlife NGOs working with and around CMS could provide more if the process could expand to better include them (Prideaux, 2014).

2. From contested ground to collaboration

Global civil society is now a well established transnational domain where people engage with and support ideas, objectives and goals surrounding issues of mutual interest (Anheier, 2004). In our modern and globally connected society, it has emerged as a self-organising system that collects expertise and, like its domestic counterpart, supports activities that shape widespread behaviour and influences how public policy issues are addressed (Ruiz, 2000; Wapner, 2000; Anheier, 2009).

Governments have variously voiced concern about the growth of the civil society sphere, much of which operates beyond the control of the traditional political systems. Questions of civil society responsibility and accountability, as well as the accountability they demand, are frequently raised (Brown, Khagram et al., 2000; Anheier, 2009; Scholte, 2004) as are concerns that global civil society is eroding sovereignty (Conca, 1993; Keck and Sikkink, 1998; Karns and Mingst, 2004).

To be fair, civil society does present governments with a messy policy landscape of differing interests and perspective that governments are often ill-equipped to navigate (Dimitrov, 2005; Gale, 2014). NGOs, as a component of civil society have the capacity to marshal transnational pressure on inter-governmental negotiations and so it is not surprising that many governments perceive NGOs as operating on contested ground (Florini, 2001). It would be spurious to suggest that all elements of civil society are entirely benign, but tarnishing every aspect of this new sphere with distrust misses an opportunity that may be important to consider.

The term NGO is a post-Second World War expression that was initially coined by the UN to describe a specific subset of civil society. Martens (2002) provides a succinct definition: 'NGOs are formal (professionalized) independent societal organizations whose primary aim is to promote common goals at the national or the international level'. NGOs are neither part of government nor conventional for-profit activities. They originate from the private sphere and are formal organizations because they have – at the least – a minimal organizational structure which allows them to provide for continuous work. International NGOs are composed of members from at least two countries in which no country is dominant. Most often they exercise their activity in more than one country (Martens, 2002; Charnovitz, 2006).

Importantly, NGOs do not gain their influence from delegation by states. Any influence they have is achieved

through the attractiveness of their ideas and values – influence that must constantly be earned. However, NGOs do not have the power to override public policy any more than government bureaucracies do. The 'power to decide' remains with elected officials, representing the polis that has elected them (Nowrot, 1998; Charnovitz, 2006; Anheier, 2009).

Where NGOs participate in UN or MEA negotiations – which comprise nearly all of the most important environmental negotiations – they must be formally accredited against a series of 'checks and balances'. To this extent their participation is well defined and understood.

Many specialist NGOs contribute considerable work and effort to policy agendas between and during meetings, but their work in many processes is not officially reported and invariably sits outside of the formal agenda (Prideaux, 2014) unless a government delegation sponsors it as their own. This is the area which needs more careful consideration.

Many NGOs recognise the need to work with the system and not against it and already choose to adhere to norms, codes of conduct and to be bound to the protocols and the culture of the international diplomatic community, as willing participants in the traditional vertical governance structure. This increases trust and builds important relationships. They consciously nest themselves within the process in which they are working (Young, 1989; 1999; Young, 2008). Much of their diplomacy is focused on leveraging trans-boundary or 'borderless' information into the essentially state-based system of international governance.

Some NGOs deliberately operate within and engage with established global policy networks that include governments, IGOs and individual experts on a range of issues. Other NGOs maintain a focus on raising public awareness on specific issues (Chayes and Chayes, 1998; Karns and Mingst, 2004). Many of NGOs operate across national boundaries, cultures and language. They offer a flexibility that could be used to great advantage by government bureaucracies. They can draw connections between national policies in ways that are often difficult or undiplomatic for government officials to do. Their conception of public diplomacy is more in tune with the social reality of vanishing borders between domestic and international. They have the capacity and the time to focus on the detail of specific issues between and during meetings in ways government delegations, especially those that are small and under-resourced, struggle to match (Chayes and Chayes, 1998; Keck and Sikkink, 1998; Clark, 2003; La Porte, 2012). While NGOs will always seek to hold processes accountable for the delivery of agreed policies, they do not all need to be cast as adversaries. With appropriate transparency and involvement they can be constructive collaborators.

Such suggestions are not novel. Two recent projects have highlighted such opportunities: 'Transforming governance and institutions for global sustainability: key insights' from the Earth System Governance Project and The Stakeholder Empowerment Project. The messages and recommendations from these studies are that a transformative structural change in global governance is required; that strengthening international environmental treaties, managing conflicts among international treaties, strengthening national governance and strengthening accountability and legitimacy are important goals that NGOs can contribute to (Benson, 2009; Biermann et al., 2012).

NGOs as 'collaborators' is already being trialled in the arena of development and humanitarian aid. NGOs in this policy community have become involved participants in policy implementation as 'extension agents' or partners in 'service delivery' (Anheier, 2004; Anheier, 2009).

3. The history of wildlife NGO involvement with CMS

Like their counterparts elsewhere, wildlife NGO diplomacy in the CMS family has become coordinated, effective and consistent. Many of these NGOs employ skilled negotiators and diplomats that understand the pulse and process of international policy (Prideaux, 2014). Many NGO diplomats have a longer history of direct experience with key environment conventions and more technical knowledge about the issues being discussed than some of their government counterparts. In other policy networks NGOs have coordinated their efforts to become more effective and consistent in their approach (Betsill, 2008) building a relationship with processes through time. The NGOs who have maintained a long-term involvement with CMS can certainly be characterized this way.

The official relationship between CMS and NGOs

The official relationship between CMS and NGOs has been iteratively articulated through the Conference of the Parties (CoP) to the convention since the early days of CMS.

In 1974 the German government was mandated by UNEP to prepare an appropriate draft text of what would become CMS. The government of Germany enlisted the legal experts of the IUCN's Environmental Law Centre to produce the text which formed the basis of negotiation. The final version was signed in June 1979 and CMS was born (Vagg, 2011).

The text of the convention articulates that states are the primary actors, but acknowledges the desire for NGOs to participate in the work of the convention (CMS, 1979). The first few CMS CoPs concentrated on establishing

the convention's work programme, but by 1994 CMS parties recognised that '... nongovernmental organizations can represent influential movements in society and that – through their expertise – they can play an active role in the conservation of migratory species of wild animals' specifically '...by providing scientific advice, assisting in promotional activities and implementing projects for migratory species' (CMS, 1994; 1994a).

Subsequent CoPs maintained this level of recognition (CMS, 1997; CMS, 1999, 1999a–b). CMS CoP6 invited four NGOs to participate in the meetings of the Scientific Council and to '... consider establishing close working cooperative arrangements on matters of common interest' (CMS, 1999c).

In 2002, during CoP7, the relationship was deepened with the secretariat urged to progress '... partnerships with interested organizations specialized in the conservation and management of migratory species for the provision of secretariat services for selected [CMS agreements]' (CMS, 2002).

The request for NGO support continued through CMS CoP8 (CMS, 2005, 2005a–e) with a number of decisions including the request for NGOs support in specific species initiatives and agreements. During CoP8 the secretariat also signed a number of partnership agreements with NGOs in a public signing ceremony, signalling that the relationship between CMS and the NGO community was to be treated seriously (author's own meeting records). This pattern continued through CMS CoPs 9 and 10 (CMS, 2008, 2008a–c; CMS, 2011; 2011a–h).

The acknowledgement and intention for inclusion is a positive signal, especially for legal scholars. However, NGOs report that the intent on paper has not translated into more direct and systematic actual involvement, nor are NGO contributions being formally and respectfully considered (Prideaux, 2014). The relationship between CMS and the NGO community is more complicated than is formally articulated through CMS CoP decisions. This is compounded over the whole CMS family.

Despite an ongoing commitment most wildlife NGOs involved with CMS still find their relationship with the CMS family to be ad hoc and superficial with significant key discussions closed to them (Prideaux, 2014). For instance, only a few CMS NGO partners have fully articulated agreed work programmes, despite CMS party instructions in 2008 that such agreements should be developed '... between CMS and partner organisations that align closely with the CMS Strategic Plan and that are regularly reviewed' (CMS, 2008b). To date only one consolidated report of a single partner's contribution (monetary, in-kind and professional) has been formally submitted into CMS processes (author's own meeting records). As a general pattern, reports of implementation activity from NGOs are routinely kept outside of formal process.

One area where NGO involvement in the CMS agenda has been valued is in specific advisory groups and task forces. This has been an important and fruitful avenue for close and effective cooperation between the CMS family secretariats and experts within the NGO community. In some instances NGOs now provide coordination and technical support of advisory groups to various agreements and again this provides ongoing cooperation between CMS agreement secretariats and regional experts within the NGO community. (Prideaux, 2014)

In the main, NGOs are welcome, invited to participate on the surface but are considered to be involved bystanders.

The unofficial relationship between CMS and NGOs

Taking instructions from the Civil Society Dialogue, held in the margins of CMS CoP10, a review was conducted in 2013–14 to better define the relationship between the NGO community and CMS in its present form in order to contribute to enhancing that relationship in the future. An early findings report was presented to the CMS Strategic Plan 2015–2023 Working Group process and a final document submitted to CMS CoP11 in support of a proposed resolution to further the review work (Prideaux, 2014).

Ninety-three wildlife NGOs participated in the review. The participants were targeted and represented a balanced cross-section of regions, perspectives, organisation size, international/regional/national/local focus and taxonomic coverage. They brought forward a wide spectrum of views ranging from those who were highly invested in the convention's work through to 'challenging critics' of CMS and its effectiveness. The views and perspectives of the CMS family secretariats, as well as relevant IGOs were also sought. A 'Review Oversight Group', drawn from NGOs with a long-standing relationship with CMS, provided consistent project oversight and feedback throughout the Review process. The following section captures the review findings (Prideaux, 2014).

NGO contributions

NGO contributions to the CMS family are similar in style to NGO contributions to other MEAs, including scientific and policy document support, delivering on-ground conservation activities, as well as traditional education and awareness activities. In many cases these contributions are provided to parties, where they are represented as a contribution from the submitting government. Sometimes the NGO is acknowledged. Often they are not. Where the contributions are not formally reported or submitted by a party, NGOs occasionally work with secretariats to include their reports as meeting documents, but these remain for 'information' rather than being for-

mal documents of the meeting. Most often NGOs seek to circulate their documents through unofficial channels. A few NGOs work through the Scientific Council process, submitting their contributions in that forum first, for discussion and inclusion in the meeting record.

Despite the unofficial status, the work conducted by NGOs is not insignificant. Nor is it irrelevant to the agreed priorities set by the CMS parties. While the precise value cannot at this point be quantified, the combined value of the NGOs working on issues that directly relate to the priorities of the CMS family likely equates to many hundreds of thousands of euros per annum.

Despite this ongoing work, NGOs reported 'chasing' officials more so than being engaged in an ongoing collaboration to deliver the commitment made by the parties through the CoP process. Almost all NGOs reported a very low level of engagement with Party Focal Points between the triennium meetings. CMS-related work was often undertaken on the NGO's own impetus. Occasionally CMS family secretariats request NGO support for activities, but this is usually ad hoc and without perceptible planning. Where these services are given the NGO usually relinquishes their NGO status, agreeing to operate as part of the secretariat or in an impartial role of an appointed adviser (such as within the Scientific Council).

However, despite expressing some negative sentiments, the review overwhelmingly found that wildlife NGOs remain committed to CMS and want to contribute in a more meaningful way. Indeed, they would consider increasing their focus on CMS if the right dynamic was created to include them. The number of NGOs who participated in the review is a measure that should not be ignored. Wildlife NGOs see promise in the CMS family, and want to see it flourish.

Level of NGO involvement

Before the review commenced a presumption existed with a number of key governments and secretariats that the level of wildlife NGO involvement in CMS agreements was aligned with the age of the agreement – a view expressed during the Civil Society Dialogue and during the review interviews (Prideaux, 2014). Many believed that there was a natural influx of NGOs at the time of the agreement's creation that steadily declined over time, leaving a smaller core group of committed NGOs involved in the longer-term. Some also suggested that low levels of NGO interest in some of the CMS agreements were linked to the emerging trend for CMS to negotiate nonbinding instruments, rather than agreements with binding provisions and stand-alone secretariats (Prideaux, 2014).

However, the review findings did not support either of these assumptions. The *African–Eurasian Waterbird Agreement* is one of CMS's oldest agreements, yet has one of the strongest records of sustained NGO involvement.

Similarly, two of the older CMS agreements – the *Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas* and the *Agreement on the Conservation of Populations of European Bats* – who each draw from a small NGO pool (i.e. NGOs focusing on small cetaceans in the Baltic, Irish and North Seas or NGOs focusing on bats in Europe) have each enjoyed consistent and strong NGO commitment over time. The new shark and raptor agreements boast some of the strongest levels of NGOs commitment of any in the CMS family. Whereas the newer agreements for elephants or gorillas have failed to attract a strong NGO showing, despite having a species focus that is very topical and attractive to the NGO community.

Certainly, some wildlife NGOs did indicate a bias towards focusing their efforts on binding instruments, especially those NGOs with long-standing involvement in the work surrounding CITES, but this view did not dominate the responses. Indeed, one of CMS's more successful initiatives from an NGO perspective is for Sahelo-Saharan antelopes, which is not an agreement but instead a Special Species Initiative with no legal standing whatsoever.

What does seem true is that CMS agreements are most attractive to NGOs when they offer something progressive – for instance, global coverage of a species or an active and engaged political process where conservation implementation is apparent or possible. Also, NGOs see more promise where there is solidity of processes and are more inclined to be involved where an agreement secretariat is apparent. NGO respondents expressed concern about the trend for CMS to negotiate agreements, without establishing the framework (dedicated secretariat staff, meetings, science process, action plans and budgets). Their view is that without an established framework inter-governmental agreements can easily flounder and NGO investment would not be well spent.

NGO respondents understood that they must commit to participate before and during the CMS processes to raise the profile of species issues (threats, species conservation status, linkages to other MEAs, the impacts of other decisions etc.) and to influence these discussions and accords. They accepted and expected that they may be needed for on-ground implementation support, and many of them consciously prepared for this by seeking funding and close working relationships with governments – even though they knew they would not be acknowledged for it.

Another important preconception by some government and secretariat was also explored – that NGOs focused more on CMS compared to other MEAs. The review found that CMS attracted only on a small proportion of NGO organisational effort. The overwhelming majority of NGO respondents indicated that their organisations spent more time and resources on other MEAs or

resource use instruments. Their reasons for this time allocation or prioritization related to CMS's implementation performance and that work they contributed to the CMS family was either invisible to the process or not used to progress the next set of priorities.

Their long-term commitment was hinged on an assessment of how much conservation progress has been made between meetings. They hoped that progress would be reported and assessed, and were often disappointed that it was not. In some cases, they remarked that meetings seemed focused on administrative process rather than conservation progress.

This finding gives an insight into the potential financial and human capacity that might be possible if the CMS family becomes more attractive.

The change needed to increase NGO commitment

The tacit agreement for any increase in wildlife NGO commitment is that conservation progress must be made – that once policies are established by governments, implementation will follow.

NGOs speak of their commitment being tied to conservation results. Meetings and plans are the vehicles for actions – they must be in place, but are not the end goal. NGOs judge the value of CMS and CMS agreements based on conservation implementation. When meetings are held they want to see discussions about conservation priorities, including the necessary structure and budget to facilitate the implementation as well as a tangible assessment of the implementation progress.

A series of initial, recommendation clusters were developed through the review process. Two clusters relate to how NGOs are involved in the work of CMS and the extent to which their involvement is formally recognised:

1. Increasing implementation: implementation should be a priority issue. CMS needs a monitoring and evaluation process that defines and tracks the main benchmarks for the convention's work. This should be supported by a compliance regime.
2. Better involvement of NGOs: there is significant scope for NGOs to provide specific types of implementation activity (scientific, technical, practical, local, popular, capacity-related, etc.) especially where priority taxonomic or geographical gaps are identified or capacity building is needed. NGOs wish for a more structured and systematic long-term approach to joint planning and evaluation so they can contribute to CMS implementation. This will require NGOs being able to formally report on their activities, as codified and accepted contribution against an agreed plan. Parties or signatories need to be able to recognise the value, and build this work more fully into the progression of the CMS agenda.

4. Opening a door to a collaborative governance future for the CMS family

To accommodate these recommendations the CMS family will need to consider NGOs as partners at the governance table. It will require genuine official collaboration.

To be successful, collaborative governance must construct an institutional framework that facilitates all participants to be involved in policy, discourse, negotiation and arbitration. It must consider variables such as prior history of conflict or cooperation, the incentives for stakeholders to participate, power and resource imbalances, leadership and institutional design (Fung and Wright, 2001; Reddel, 2004; Ansell and Gash, 2008; Emerson et al., 2012).

There is a compelling reason to consider this. Collaborative governance arrangements can and do extend governmental resources, develop new solutions and enable decisions that go beyond compliance (Rogers and Weber, 2010). They tap a broad range of resources from government and NGO stakeholders. Coordination is achieved by the commitment by all participants to act in accordance with an agreed, though always evolving, plan devised and periodically revised by all those involved (Karkkainen, 2004).

The preconditions for this type of collaboration already exist. The CMS family is growing accustomed to using the services of NGOs for certain activities, such as task forces and advisory groups. Moving to a situation where the NGO community is able to contribute more systematically, consistently and transparently to the work of CMS is the dynamic requested by NGOs. Success factors such as active dialogue, trust building (which includes mutual transparency and accountability) and the development of commitment and shared understanding become paramount (Benner et al., 2004; Ansell and Gash, 2008; Bernauer and Betzold, 2012)

CMS Resolution 11.11 – enhancing the relationship between the CMS family and civil society

The wildlife NGO review that began at the CMS CoP10 Civil Society Dialogue was presented to CMS CoP11 in late 2014. It was, in effect, a first tentative step taken by the wildlife NGOs towards a closer working relationship with the CMS family.

The CMS parties reciprocated, with an agreement to formally explore options for furthering the relationship including inter alia:

1. Mechanisms to enable NGO-facilitated work to be formally and consistently reported across the CMS family and to be considered by the parties and CMS family agreement bodies;
2. Models for further NGO involvement in CMS processes; and

3. Modalities for further strategic engagement with NGOs to provide implementation and capacity building expertise.

These options are to be developed through the formality of CMS process, through the CMS Standing Committee and then for presentation and discussion during CMS CoP12 (CMS, 2014a).

Conclusions

Given that human and financial resources for MEA commitments are scarce, it seems prudent to carefully consider the deployment of all resources – governmental, inter-governmental and non-governmental – to ensure the greatest gain. The CMS parties have wisely acknowledged this.

The CMS family has grown accustomed to informally using the services of NGOs for certain activities, but these services have been offered or asked for on an ad hoc basis. There is little or no conscious recognition of NGO contributions at this stage.

Moving to a situation where the NGO community is able to contribute more systematically, consistently and transparently to the work of CMS will require the right dynamic to be created. Active dialogue, trust building (which includes mutual transparency and accountability) and a commitment and shared understanding will all need to be developed. Importantly, NGO contributions need to be formally recognised as implementation delivery. NGOs should be able to represent their work in their own stead.

Consciously recognising wildlife NGO contributions to agreed commitments within the CMS family can build a bridge across government concerns about 'contested ground' – moving perceptions about NGOs from one of 'adversaries' to 'collaborators'.

The decision of parties during CMS CoP11 marks a major turning point in the relationship between CMS parties and the wildlife NGO community. With recognition of wildlife NGO contributions to agreed commitments within the CMS family, and working towards a collaborative governance future where all participants are invested in policy, discourse, negotiation and arbitration, there may be a future with increased human resources and financial effort for the CMS family.

Notes

- 1 These are:

African–Eurasian Waterbird Agreement
 Agreement on the Conservation of Albatrosses and Petrels
 Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area
 Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas

Agreement on the Conservation of Populations of European Bats
 Agreement on the Conservation of Gorillas and their Habitats
 Agreement on the Conservation of Seals in the Wadden Sea

2 These are:

High Andean Flamingos
 Memorandum of Understanding between the Argentine Republic and the Republic of Chile on the Conservation of the Southern Huemul (*Hippocamelus Bisulcus*)
 Memorandum of Understanding between the Republic of Argentina and the Republic of Chile on the Conservation of the Ruddy-headed Goose
 Memorandum of Understanding concerning Conservation and Restoration of the Bukhara Deer (*Cervus Elaphus Bactrianus*)
 Memorandum of Understanding concerning Conservation Measures for the Aquatic Warbler (*Acrocephalus paludicola*)
 Memorandum of Understanding Concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa
 Memorandum of Understanding Concerning Conservation Measures for the Eastern Atlantic Populations of the Mediterranean Monk Seal (*Monachus Monachus*)
 Memorandum of Understanding Concerning Conservation Measures for the Siberian Crane (*Grus Leucogeranus*)
 Memorandum of Understanding Concerning Conservation Measures for the Slender-Billed Curlew (*Numenius Tenuirostris*)
 Memorandum of Understanding Concerning Conservation Measures for the West African Populations of the African Elephant (*Loxodonta Africana*)
 Memorandum of Understanding Concerning Conservation, Restoration and Sustainable Use of the Saiga Antelope
 Memorandum of Understanding Concerning the Conservation of the Manatee and Small Cetaceans of western Africa and Macaronesia
 Memorandum of Understanding for the Conservation of Cetaceans and Their Habitats in the Pacific Islands Region
 Memorandum of Understanding on the Conservation and Management of Dugongs (*Dugong Dugon*) and Their Habitats Throughout Their Range
 Memorandum of Understanding on the Conservation and Management of Marine Turtles and Their Habitats of the Indian Ocean and South-East Asia
 Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia
 Memorandum of Understanding on the Conservation of Migratory Sharks
 Middle-European Great Bustard
 Southern South American Grassland Birds

3 These are:

Central Asian Flyway
 Central Asian Mammals Initiative
 Sahelo-Saharan Megafauna

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