



**CONVENTION ON
MIGRATORY
SPECIES**

UNEP/CMS/COP15/Inf.23a

08 December 2025

Original: English

15th MEETING OF THE CONFERENCE OF THE PARTIES
Campo Grande, Brazil, 23 to 29 March 2026
Agenda Item 23

GLOBAL WORKSHOP ON CMS LEGISLATION

SUMMARY OF DISCUSSIONS

(Prepared by the Secretariat)

Global Workshop on CMS Legislation

Bonn, Germany, 3 – 5 June 2025

UNEP/CMS/GWL/Summary of Discussions

SUMMARY OF DISCUSSIONS



The European Union was recognized as Champion Plus for its generous support and commitment towards strengthening national legislation for migratory species for the period 2020 - 2025. This activity has been funded with the contribution granted by the European Commission under the Migratory Species Champion Programme and through the Global Public Goods and Challenges (GPGC Programme) Cooperation Agreements with UNEP.



Table of Contents

DAY 1 – Tuesday, 3 June 2025	4
Opening of the Workshop	4
Session 1: Article III.5 – “Take Prohibition”	4
Session 2: Article III.5 – Exceptions to the “Take Prohibition”	6
Session 3: Breakout Group – Implementation of Article III.5	7
Session 4: Rapporteurs Report Back and Plenary Discussion	7
DAY 2 – Wednesday, 4 June 2025	9
Session 5: Article III.4 a) and b) – Habitats, Activities and Obstacles.....	9
Session 6: Breakout Group – Implementation of Article III.4 a) and b).....	10
Session 7: Rapporteurs Report Back and Plenary Discussion	10
Session 8: Other Relevant CMS Work & Partnerships.....	12
DAY 3 – Thursday, 5 June 2025	15
Session 9: Known & Emerging Threats to Migratory Species	15
Session 10: Identification of Priorities for the National Legislation Programme and other areas of work.....	17
Closing of the Workshop.....	18
ANNEX	19
List of Participants	19

DAY 1 – Tuesday, 3 June 2025

Opening of the Workshop

1. The workshop was opened by Ms. María José Ortiz, Legal Officer and Head of Conference Services Team at the CMS Secretariat, who welcomed participants to the first Global Workshop on CMS Legislation. The CMS Executive Secretary, Ms. Amy Fraenkel, delivered her opening remarks.
2. Ms. Fraenkel welcomed participants to the first global workshop on CMS legislation, emphasizing the importance of national legal frameworks in implementing the Convention. She highlighted the historical roots of CMS in international environmental law and underscored that effective national legislation is essential for prohibiting the taking of Appendix I species, conserving critical habitats, maintaining ecological connectivity, and addressing emerging threats such as pollution and unsustainable use. She noted that the workshop was framed as a key part of the CMS National Legislation Programme’s capacity-building efforts, with outcomes intended to inform future work, and encouraged participants to actively engage, share experiences, and collaborate. Ms. Fraenkel expressed sincere thanks to the European Union for its generous support of the CMS National Legislation Programme over the past six years, which also made the workshop possible. She also thanked the United Kingdom for funding the participation of additional delegates.
3. Ms. Nyasha Mutyambizi, Director of Legal and Corporate Services at Zimbabwe Parks and Wildlife Management Authority, was elected as Chair. Ms. Mutyambizi accepted the nomination and assumed the role (referred to as the Chair hereinafter).
4. The Chair invited the participants to adopt the provisional workshop agenda and schedule. The workshop agenda and schedule was adopted without objection.
5. Ms. Ortiz then provided an overview of the agenda and logistical arrangements, after which the Chair proceeded to the first session.

Session 1: Article III.5 – “Take Prohibition”

6. The Chair introduced the session, which focused on the obligation under CMS Article III.5 to prohibit the “taking” of CMS Appendix I-listed species, and gave the floor to UNEP World Conservation Monitoring Centre (UNEP-WCMC) to present on the importance of the CMS prohibition on taking.
7. Mr. Andrew Szopa-Comley, Scientific Officer at UNEP-WCMC, presented online on the scientific and conservation-based rationale for the prohibition on taking. Drawing on findings from the *State of the World’s Migratory Species* report, Mr. Szopa-Comley highlighted that overexploitation is one of the most pervasive threats to CMS-listed species, affecting 89% of Appendix I species. He emphasized that direct use and trade—particularly for domestic consumption—pose significant risks to terrestrial mammals, birds, and aquatic species. The presentation concluded by underscoring the critical role of Article III.5 implementation and enforcement in mitigating these pressures and supporting the survival and recovery of endangered migratory species. The presentation is available at the workshop website [here](#).

8. The Chair then proceeded to give the floor to Ms. Ortiz and Mr. Nikola Besek, Coordinator of the CMS National Legislation Programme, to present on Article III.5 “take prohibition” and the findings of the National Legislation Programme (NLP).
9. Ms. Ortiz outlined the establishment of the NLP under CMS Resolution 12.9 *Establishment of a Review Mechanism and a National Legislation Programme* and the mandate for the interessional period under COP14 Decisions 14.28-14.29. She highlighted the objectives of the Programme as a facilitative, non-adversarial, Party-driven process, which helps Parties develop or improve national legislation and supports their long-term compliance with Articles III.4 a) and b) and III.5. Ms. Ortiz then gave an overview of the legal obligations under Article III.5, including the overview of the definition of “taking”, listing of species, geographical scope of application and exceptions to the prohibition, while providing some suggestions for consideration for each. Finally, Ms. Ortiz explained the NLP implementation and the workstreams of the Programme, consisting of the National Legislation Profiles, legislative guidance and model laws, and technical assistance and capacity building.
10. Mr. Besek continued by presenting the findings from national legislation of 70 Parties participating in the Programme, which were gathered within the context of the Programme. The presentation highlighted some observations and common gaps found in national legislation, such as the omission of the prohibition of “harassing” and “attempt”, limited geographical scope and varying degrees of interpretation of the exceptions under CMS Article III.5. Mr. Besek concluded by emphasizing the importance of legislative compliance and the observed window of opportunity for strengthening national legislation, and underlined the continued support to the Parties by the National Legislation Programme through guidance and technical assistance. The presentation is available at the workshop website [here](#).
11. At the end of the presentation, a question was posed to participants on how their countries are implementing CMS Article III.5 in national legislation. Participants shared updates on national legislative frameworks and implementation efforts. Several country representatives noted that CMS is implemented through multiple laws, as there is no CMS-specific legislation. They noted that sometimes such legal frameworks result in loopholes and varying definitions across different laws, as well as in challenges in inter-ministerial coordination. A couple of country representatives stated that in their countries, revisions of national legislation are underway. They highlighted that in the redrafting process, they used recommendations from their National Legislation Profiles, prepared by the CMS National Legislation Programme, to improve some areas which were overlooked in previous laws, and noted the usefulness of the recommendations.
12. The Chair thanked the participants for their contributions and gave the floor to Mr. João Loureiro, the CMS National Focal Point of Portugal, to present on the Portuguese approach to the protection of migratory species.
13. Mr. Loureiro joined online and gave a presentation on the national implementation of CMS obligations through Decree-Law No. 38/2021. He noted that the law fully incorporates the CMS definition of “taking” and prohibits all relevant actions, including attempts and harassment. The law also automatically incorporates new species listed in CMS appendices. Mr. Loureiro highlighted that Portugal allows exceptions for scientific purposes, species propagation, and extraordinary circumstances, excluding the exception to accommodate the needs of traditional subsistence users and for public display. The presentation further explained the geographical scope of application of the “taking” prohibition in Portugal’s national legislation, which includes all national territory, overseas territories, EEZs, and flagged vessels operating beyond national jurisdiction.

Mr. Loureiro concluded by describing enforcement mechanisms and sanctions in Portuguese legislation. The presentation is available at the workshop website [here](#).

14. Participants commented on Portugal's approach of automatically incorporating new species in the national legislation as they are added to CMS Appendices, finding it useful and practical as there is no gap in national law between the time a species is included in the Appendices and when the take prohibition is implemented for those species. One observer also noted the importance of internal communication between different authorities within the country as one authority often deals with, e.g. CMS species, the other with CITES species, or one with terrestrial and the other with marine.

Session 2: Article III.5 – Exceptions to the “Take Prohibition”

15. The Chair thanked the participants for their comments and moved on to introduce the session on exceptions to the take prohibition, which focused on the four exceptions to the prohibition on taking of Appendix I-listed species under Article III.5 of the Convention and the overarching conditions applicable to all four exceptions, as required by Article III.5. The Chair then invited Ms. Ortiz to present the newly published *Legislative Guidance Document: Exceptions to the Prohibition on Taking of Appendix I-listed Species under CMS Article III.5*.
16. Ms. Ortiz shared that the Secretariat under the National Legislation Programme, and with the help of Lewis&Clark Law School, produced the *Legislative Guidance Document: Exceptions to the Prohibition on Taking of Appendix I-listed Species under CMS Article III.5*. She explained that the guidance document provides a legal analysis of the exceptions allowed under Article III.5. It looks at each exception, as well as some related legal issues that may arise in the implementation of the exceptions. The document attempts to identify what might be considered “best practices,” drawing on examples from national legislation reviewed as part of the National Legislation Programme. Ms. Ortiz stated that, with this guidance document, the Secretariat aims to provide clarity and support for Parties to aid in decisions regarding the use of exceptions in implementing the Convention. The document is available at the workshop website [here](#).
17. The Chair then proceeded to give the floor to Ms. Erica Lyman, Professor of Law at Lewis&Clark Law School, to present on the four exceptions of Article III.5.
18. Ms. Lyman provided a detailed explanation of the four exceptions permitted under Article III.5: a) scientific purposes, b) enhancing the propagation or survival of the species, c) accommodating the needs of traditional subsistence users, and d) extraordinary circumstances. She outlined key considerations for each exception, such as the likely contribution to scientific inquiry, the benefit of propagation activities, and the importance of clearly defining “traditional” and “subsistence” users. For extraordinary circumstances, examples included self-defense, pathogen control, and aviation safety, with an emphasis on the urgency and rarity of such situations. She concluded with drafting tips for national legislation, recommending precise definitions and criteria to ensure exceptions are narrowly and appropriately applied. The presentation is available at the workshop website [here](#).
19. Participants posed a couple of questions on the nuances in the interpretation of exceptions, concretely on the exception for scientific purposes, when it also has a commercial aspect, and on the exception if extraordinary circumstances so require, in case of property (crop) damage. Ms. Lyman and the Secretariat referred to the treaty text, as well as highlighted the importance of interpreting exceptions narrowly and to the benefit of the concerned species. In the case of crop damage, they also pointed at other

possible modalities of addressing issues other than “taking”, such as compensation.

20. The Chair then gave the floor to Mr. Chris Wold, Professor of Law at Lewis&Clark Law School, to present on the limitations on the use of the Article III.5 exceptions.
21. Mr. Wold addressed the three cumulative legal conditions that must be met for any exception under Article III.5: the exception must 1) fall within one of the four enumerated situations, 2) be precise in content, limited in space and time, and not operate to the disadvantage of the species, and 3) be reported to the CMS Secretariat. He elaborated on how national legislation can operationalize these conditions, including through enforceable permit requirements. He presented possible legislative text that would require applicants and competent authorities to justify the necessity, scope, and impact of any proposed take. He also emphasized the importance of revoking permits if conditions are violated or if the take proves detrimental to the species, and recommended that permits be non-transferable. The presentation is available at the workshop website [here](#).

Session 3: Breakout Group – Implementation of Article III.5

22. Participants then, based on their preference, signed up for the two breakout groups facilitated by Mr. Wold (Breakout Group 1) and Ms. Lyman (Breakout Group 2). Each group addressed seven facilitation questions, focusing on legal frameworks, geographical scope, exceptions, strengthening domestic frameworks and identifying best practices. The discussions aimed to identify legislative gaps, share lessons learned, and explore opportunities to strengthen national legislation. All facilitation questions for Session 3 were contained in *UNEP/CMS/GWL/Doc.4* and are available at the workshop website [here](#).

Session 4: Rapporteurs Report Back and Plenary Discussion

23. In plenary, rapporteurs from each breakout group presented their findings.

Breakout Group 1

24. Group 1 first reported on the benefits and challenges of regulating CMS-listed species under one or multiple laws. They highlighted the benefits of a single law, as such approach provides clarity, efficiency and avoid inter-agency conflicts. On the other hand, the “multiple laws” approach allows for sector-specific expertise and flexibility. As potential challenges they noted that inter-agency coordination is often weak or competitive and that implementation gaps can occur due to overlapping mandates and regulatory conflicts.
25. Answering the breakout group question on how to ensure consistency, group 1 participants underlined the usefulness of centralized permit systems, clear legal mandates assigning authority to a single agency, having standardized checklists and criteria and established scientific and administrative protocols.
26. The participants then answered the question on how to ensure that the exceptions are precise as to content and limited in space. The participants noted that content precision can be achieved by having clear methodology requirements, by outlining conditions in permit documents and by requiring reporting and audits post-activity. As for the spatial limits, some countries noted that they restrict exceptions to specific geographic zones, such as protected areas.

27. The group also discussed how to ensure that exceptions are not issued in amounts that would come to the disadvantage of the species. They pointed to the risk-based approach, that decisions are based on the up-to-date data on population status and ecological impact. Some countries also noted that they do not allow exceptions for pregnant, nesting or juvenile individuals, and put limits or bans on commercial use of captured individuals. The participants pointed, however, at the challenge of monitoring “take” levels in real time.
28. A question of additional measures that could be provided in the legislation to further strengthen the prohibition on taking of CMS Appendix I species was also the subject of discussion in group 1. The group suggested the possibility of explicit prohibitions on landing, processing and possession, and mandatory reporting obligations, as well as incorporating the prohibition into broader legal frameworks – environmental crime laws and biodiversity action plans.
29. As for the top three challenges that the participants face in their work when dealing with the “take prohibition” and exceptions to the “take prohibition”, the group participants specified identification of species and assessment of population impacts; staffing capacities and coordination among agencies with differing mandates; and ensuring data availability and expert input. They also identified the needs for capacity building for law enforcement and judiciary; regional cooperation and data sharing; and better communication between conservation and development agencies.
30. Finally, the group shared some of the success stories of granting and successfully managing exceptions that resulted in a positive outcome for both species and the activity in questions. The general theme of shared stories was that success often came from combining legal enforcement with education and community empowerment.

Breakout Group 2

31. The group first reported on the biggest obstacles in enforcing the take prohibition against flagged vessels operating in areas beyond national jurisdiction. They noted that often different national ministries are responsible for environment and for fisheries and the challenges in coordination between them. They also raised the point of strengthening enforcement controls along the trade chain, including the demand side, to enforce the take prohibition.
32. As for the question on how to balance the need for flexibility in applying exceptions with the need for legal certainty and predictability, the participants agreed that to find the balance is difficult – mostly the exceptions are granted on a case-by-case basis and with interpretation that will sometimes differ. However, granting exceptions could depend on the criteria and justifications established at the national level.
33. The group also answered the question on how to ensure the exceptions are limited in time and do not operate to the disadvantage of the species. The participants noted that in their countries exceptions are limited in time – if the permit is not consumed in certain timeframe, it expires. Often they are also limited so as not to be allowed during breeding periods. The participants noted the difficulties of issuing exceptions limited in time when it comes to traditional subsistence users. To ensure that the exceptions do not operate to the disadvantage of the species, it was also noted that often the opinion of a scientific authority is requested on how many takes could be permitted and to what timelimit.
34. Regarding what specific metrics could be used to monitor the impact of granted exceptions on the affected species, the group discussed that the statistics on the granted exceptions and the impact on population numbers are useful. Reporting requirements

are also important to gain an understanding of what happens in the neighbouring countries, as this is concerning migratory species. Usefulness and importance of monitoring at the local level was also underlined.

35. As for the additional measures that could be provided in the legislation to further strengthen the prohibition on taking of CMS Appendix I-listed species, on top of what was raised in group 1, the participants in group 2 noted the need for higher penalties, both criminal and administrative, as well as prohibiting the sale and possession of illegally taken Appendix I species. The group noted that these would all serve as a strong deterrent for taking of Appendix I species.
36. The group also discussed some of the challenges in implementing the “take prohibition”. They noted the gap in keeping up with the advanced technology that the violators use. Moreover, the slowness of the criminal justice system was raised, where sentences for environmental crimes are rarely handed down and if they are, then often with low penalties. The need for sentencing guidelines and capacity building of prosecutors and judiciary was encouraged.
37. Finally, the group highlighted factors they considered essential to ensure CMS Appendix I species “take prohibition” is well implemented: well-defined terms, awareness raising and education of population, coordination between departments both internally and internationally, and the need for stronger legal working groups between and within countries, in order to share experiences and coordinate the implementation.
38. The Chair thanked the group rapporteurs and the participants for the engaging breakout group session. The Chair closed the session and announced the end of Day 1.

DAY 2 – Wednesday, 4 June 2025

39. The Chair welcomed participants to Day 2 and gave the floor to Mr. Besek, who provided a brief summary of the previous day. Participants were then invited to reflect on key takeaways and share with each other before moving on to the next session.

Session 5: Article III.4 a) and b) – Habitats, Activities and Obstacles

40. The Chair introduced Session 5, which focused on the obligations under Article III.4 a) and b) of the Convention, which requires Parties to conserve and, where feasible, restore habitats of Appendix I-listed species, and to prevent or mitigate obstacles to their migration. The Chair then proceeded to give the floor to UNEP-WCMC to present on the importance of addressing habitat loss, degradation and fragmentation.
41. Ms. Frances Davis, Senior Programme Officer at UNEP-WCMC, provided a scientific overview of the threats posed by habitat loss, degradation, and fragmentation to migratory species. Drawing on data from the *State of the World’s Migratory Species* report, Ms. Davis noted that 86% of Appendix I species are affected by these pressures. Key drivers include agricultural and aquacultural expansion and intensification, infrastructure development, energy production and mining, and human disturbance. The presentation highlighted the diverse impacts on species such as the Far Eastern Curlew, Whale Shark, and Dama Gazelle, and emphasized the importance of protecting Key Biodiversity Areas (KBAs). It also addressed how linear infrastructure, dam construction, and legal and institutional barriers disrupt ecological connectivity, and recommended the use of spatial planning tools, tracking data and CMS guidelines to mitigate these impacts. The presentation is available at the workshop website [here](#).

42. The Chair then gave the floor to Ms. Ortiz to say a few words on the *Draft Legislative Guidance for Maintaining, Improving and Restoring Ecological Connectivity*.
43. Ms. Ortiz shared that the Secretariat, under the National Legislation Programme, is in the process of finalizing another Legislative Guidance document – on Maintaining, Improving and Restoring Ecological Connectivity. She explained that this document articulates an initial approach for countries to enhance ecological connectivity through targeted legal frameworks and aims to provide countries with actionable recommendations to ensure long-term compliance with Articles III.4 a) and b), ultimately contributing to global biodiversity conservation efforts. Ms. Ortiz noted that the Secretariat published this resource document as a draft, in order to receive any input or suggestions from the participants on the guidance itself and the recommendations it contains.
44. The Chair encouraged the participants to look at the draft and share comments. To present in detail on the *Draft Legislative Guidance for Maintaining, Improving and Restoring Ecological Connectivity*, the Chair gave the floor to Ms. Lyman.
45. Ms. Lyman introduced the draft legislative guidance developed to support Parties in implementing Article III.4 a) and b). The guidance defines ecological connectivity as in CMS Resolution 14.16 *Ecological Connectivity*, as “the unimpeded movement of species, connection of habitats without hinderance and the flow of natural processes that sustains life on Earth”, and aligns with CMS Resolution 14.16. It outlines legal tools across various spatial scales and governance levels, including land-use and zoning laws, area-based legislation, environmental impact assessments, and both market and non-market tools. Ms. Lyman noted that in the guidance special considerations that national legislation should take into account were marine, hydrological, and transboundary connectivity, as well as the roles of Indigenous Peoples, and climate change impact on ecological connectivity. The presentation emphasized the need for integrated legal frameworks that support connectivity across public and private lands and across national borders. The presentation is available at the workshop website [here](#).
46. Participants commented emphasizing the importance of ecological connectivity, which is broader than habitat connectivity. They mentioned the critical importance of ecological integrity of different ecosystems and habitats and highlighted the necessity of regional and transboundary cooperation when it comes to addressing ecological connectivity for migratory species.

Session 6: Breakout Group – Implementation of Article III.4 a) and b)

47. Breakout groups reconvened to discuss how countries address ecological connectivity in national legislation, as well as to provide input to the *Draft Legislative Guidance for Maintaining, Improving and Restoring Ecological Connectivity*. Facilitated by Mr. Wold and Ms. Anouska Kinahan, Coordinator of the Global Partnership for Ecological Connectivity, (Breakout Group 1), and Ms. Erica Lyman (Breakout Group 2), the groups explored legal frameworks for ecological connectivity, how to strengthen them and tried to identify best practices in their national legislation. Topics included, among others, environmental impact assessments, land-use planning, marine connectivity, and legal mechanisms for habitat corridors. All facilitation questions for Session 6 were contained in *UNEP/CMS/GWL/Doc.6/Rev.1* and are available at the workshop website [here](#).

Session 7: Rapporteurs Report Back and Plenary Discussion

48. In plenary, rapporteurs from each breakout group presented their findings. Both breakout groups had the same questions.
49. Responding to the question on what role do environmental impact assessments play in their countries to maintain and/or improve ecological connectivity, the groups reported that environmental impact assessments allow for the discussion on connectivity, but they do not always require it. It was noted that EIAs are often mandated only at the certain threshold, with smaller-scale projects with cumulative impacts often not requiring EIAs. Some examples were mentioned where the required EIAs resulted in changing the original placement of an infrastructure project which was harmful to migratory species. Moreover, the complexity of addressing connectivity needs which are different for each species was raised.
50. The groups also addressed the question of how their national legislation balances competing land-use priorities, including infrastructure, with the need to maintain ecological connectivity. The participants mainly referred to the use of buffer zones and protected areas, and maintaining them despite developmental pressure. The lack of inter-agency coordination was also raised as it makes addressing connectivity challenging across a range of projects affecting land use.
51. The groups reported that for marine connectivity, it is important to address not only horizontal but also vertical migration (from the depth to the surface). Emphasis was placed on marine protected area networks, to ensure the safe migration of species and connection between individual marine protected areas. As for the hydrological connectivity, the failure to consider this type of connectivity and its adverse impacts on fish populations was raised. A minimum water flow was presented as one of the best practices example. The participants agreed that hydrological connectivity requires international cooperation to manage transboundary riverbeds.
52. As for the main challenges for the effective implementation of existing legislation addressing ecological connectivity, the groups reported the lack of scientific certainty and data concerning connectivity. They also noted the lack of regional cooperation and interagency consultations, as well as the difficulty of monitoring ongoing impacts on connectivity, and financial and capacity constraints for effective implementation.
53. The groups also came up with some additional measures that could be provided in the legislation to improve ecological connectivity. They suggested more stakeholder engagement and community engagement through monitoring; clear, legally defined terms connected to connectivity; including restoration among sanctions in penal codes; and including mandatory provisions in the legislation to allocate funding for monitoring, so as to ensure post-construction monitoring.
54. As for the factors considered essential for legislation to effectively ensure ecological connectivity, the groups highlighted a couple: integrated management of protected areas, prioritization of spatial management restoration, land use planning that considers ecological connectivity, mapping of protected areas, engagement of communities and the public, and the importance of transboundary cooperation.
55. Finally, the groups agreed that public engagement, working closely with local communities, and raising awareness among the private and financial sector are often crucial for maintaining and improving ecological connectivity.
56. Both breakout groups also gave input to the *Draft Legislative Guidance on Maintaining, Improving and Restoring Ecological Connectivity*. Participants reported that in varying degrees they are already indirectly implementing many or all of the recommendations

contained in the document, largely under the guise of biodiversity conservation. Generally, area-based management, followed by EIAs and climate change considerations were identified as the general areas of recommendations most countries are already implementing. As for what they deem the most important recommendations, participants singled out recommendations on protected areas, buffer zones and ecological corridors, environmental impact assessments, negative incentivization, and amending legislation when needed. The groups reported these as the easiest to implement, too. Finally, the guidance was well-received and seen as a useful document, especially in helping to identify the multiple areas that need to be considered in connectivity-related legislation. As a next step, it was suggested to look at practical modalities for their effective implementation.

57. The Chair thanked the group reporters and participants for their contributions and a productive session and closed the session, suggesting moving on to Session 8.

Session 8: Other Relevant CMS Work & Partnerships

58. The Chair introduced Session 8, which focused on other relevant CMS work, as well as those of partners, that support national legislation review for migratory species, showcasing collaborative mechanisms, tools and strategies to strengthen national legislation.
59. Starting with the relevant CMS work, the Chair gave the floor to Ms. Kinahan to present on the Global Partnership on Ecological Connectivity.
60. Ms. Kinahan introduced the Global Partnership on Ecological Connectivity, launched at CMS COP14 in Samarkand, Uzbekistan. The partnership aims to maintain, enhance, and restore ecological connectivity by supporting informed, evidence-based decision-making, promoting effective implementation of connectivity conservation on the ground, raising awareness and disseminating information to increase public understanding of ecological connectivity. Ms. Kinahan underlined that GPEC operates through four focus areas: 1) data, research, and monitoring; 2) policy and legislation; 3) uptake and implementation; and 4) awareness raising and outreach. The presentation also emphasized the role of core and collaborating partners and highlighted the importance of integrating science, policy, and public engagement to support connectivity conservation. The presentation is available at the workshop website [here](#).
61. One observer inquired on the process of joining the partnership. Ms. Kinahan shared that they are in the final stages of developing an information pack on how to join the partnership and the requirements, which they will share as soon as it is ready. Until then, they recommend reaching out to them.
62. The Chair then gave the floor to the CMS Executive Secretary, Ms. Fraenkel, to present on the Global Initiative on Illegal and Unsustainable Taking of Migratory Species.
63. Ms. Fraenkel introduced the Global Initiative on Illegal and Unsustainable Taking of Migratory Species (GIUST), established in response to the growing threat posed by domestic taking of migratory species. Drawing on findings from the *2019 IPBES Global Assessment* and the *CMS State of the World's Migratory Species* report, Ms. Fraenkel emphasized that overexploitation is now the leading threat to many CMS-listed species, often surpassing habitat loss. The Initiative aligns with the Kunming-Montreal Global Biodiversity Framework, particularly Targets 4, 5, and 9, and is mandated by CMS Resolution 11.31 (Rev.COP14) and Decisions 14.182–185. It aims to identify legal, policy, and enforcement gaps for addressing illegal and unsustainable taking of

- migratory species. Ms. Fraenkel concluded with activities of the Initiative that will complement the National Legislation Programme.
64. An observer welcomed the Initiative and commented on its importance and timeliness, in respect to the implementation of Target 5 of GBF. An example from one country on illegal taking of birds and the development of a national IKB action plan was also shared.
 65. The Chair proceeded to give the floor to Mr. Iván Ramírez, Head of Avian Species Team at the CMS Secretariat, to present on the Intergovernmental Task Forces on Illegal Taking of Migratory Birds and the CMS Energy Task Force.
 66. Mr. Ramírez highlighted the work of the Mediterranean IKB Task Force (MIKT), the Asia-Pacific ITTEA, and the newly launched South-West Asia ITB Task Force. He outlined the objectives of the Rome Strategic Plan on IKB (2020–2030), which include improving legislation, enforcement, and justice systems. An example of a Scoreboard tool was presented, as a means to assess national progress across five areas: monitoring, legislation, enforcement, prosecution and sentencing, and prevention. In addition, examples of national support and legislative reform were shared, and key legal insights were presented, such as the need for clear species listings and regulation of hunting and its methods. Mr. Ramírez noted that, within the task forces, they observed that when countries adapt the national legislation tackling IKB, then they can have the tools they need to implement it. As for the next steps, Mr. Ramírez noted the seeking of opportunities to launch the task forces in Africa and the Americas, and enhancing coordination with the CMS Global Initiative on Illegal and Unsustainable Taking of Migratory Species. The presentation is available at the workshop website [here](#).
 67. Participants shared some examples from their countries on how they are tackling illegal taking of birds in their respective countries. They further inquired about why total ban on hunting proved inefficient in some countries, with the explanation being given that it was often due to the lack of capacities in the enforcement and monitoring and due to the lack of delivering concrete fines when cases come before courts. Participants also pointed at the need to have same or similar levels of regulation, so that within regions, legislation on illegal taking can be implemented more efficiently. Participants also inquired about the possibility of using the Scoreboard for other taxonomic groups protected by CMS, not just birds, with the explanation being given that there is no reason not to do it, but under the National Legislation Programme, a questionnaire is used that was adopted by the CMS Standing Committee. It was also noted that under the Scientific Council, a working group addressing illegal and unsustainable taking will meet soon.
 68. Mr. Ramírez proceeded to present on the CMS Energy Task Force, which addresses the impacts of renewable energy infrastructure on migratory species. He outlined the CMS mandates under Resolutions 11.27 (Rev.COP13) and 7.2 (Rev.COP14), and Decisions 14.207 and 14.209. Mr. Ramírez explained that the ETF functions as a multi-stakeholder platform involving over 200 stakeholders, including governments, NGOs, and the private sector. He noted some of the key activities, which include developing guidance materials, and working within working groups on multiple topics, such as mortality databases and analysing offshore renewable energy impacts on marine species. The ETF's 2025–2032 workplan focuses on building synergies, promoting research, and mainstreaming biodiversity into energy policy and finance. As for the key legal challenges, Mr. Ramírez noted, among others, fragmented national legal frameworks, challenges in inter-ministerial coordination and a lack of mandatory monitoring during post-construction phase. The presentation is available at the workshop website [here](#).
 69. Responding to the comment, Mr. Ramírez noted that the membership of the CMS

Energy Task Force is open to both CMS Parties and non-Parties, and welcomed any new members that wished to join.

70. The Chair suggested moving on to the partners facilitating national legislation review, giving first the floor to Ms. Renée Gift, Legal Officer at the UNEP Law Division, to present on UNEP's Montevideo Environmental Law Programme.
71. Ms. Gift introduced the Montevideo Environmental Law Programme, a 10-year intergovernmental programme designed to promote environmental rule of law, build related capacities, and contribute to the achievement of the environmental dimensions of the Sustainable Development Goals. She noted that the programme focuses on three thematic priorities—climate change, pollution, and biodiversity—and cross-cutting areas such as access to environmental justice and capacity-building. Through its workstreams, it contributes to the implementation of multilateral environmental agreements (MEAs), including CMS, by aligning national legal frameworks with international obligations. As regards to biodiversity, the thematic areas covered are management of zoonotic diseases, strengthening national biodiversity legislation, and environmental crimes. The programme supports countries via legal toolkits, technical assistance, and platforms like the Law and Environment Assistance Platform (LEAP), where all the information of the Montevideo Programme is housed. An example of a Legislation Explorer in the Law and Climate Change Toolkit was shown. The presentation is available at the workshop website [here](#).
72. Participants commented on the usefulness of the Legislation Explorer presented and the multiple features it offers, such as comparing two laws side-by-side. Responding to the question, Ms. Gift stated that Montevideo Environmental Law Programme's technical assistance is available to all countries that are member states to UNEP, upon the technical assistance request that they send. The Programme then inquires into the nature of the request and the support the country would like. The capacity building that the Programme offers is based on the Programme's mandate - environmental rule of law, and the priorities of climate, pollution and biodiversity.
73. The Chair then gave the floor to Ms. Sofie Flensburg from the CITES Secretariat to present on CITES National Legislation Project.
74. Ms. Flensburg joined online and provided an overview of the CITES National Legislation Project, which, among others, assesses whether Parties' domestic laws meet four minimum requirements: designation of authorities, prohibition of illegal trade, penalization of violations, and authorization to confiscate specimens illegally traded or possessed. She explained how legislation is categorized into three levels based on analysis and outlined key provisions of the Convention that must be reflected in national law. Ms. Flensburg noted that tools such as model laws, the CITES virtual college, and technical support are available to assist Parties in strengthening their legal frameworks. The presentation is available at the workshop website [here](#).
75. One country example was shared that raised the issue of confiscation and seizure of live specimens when there is a lack of sanctuary or similar facilities in the country. Ms. Flensburg noted that there are some decisions that mandate the Secretary to work on further guidance for these situations. An observer also noted the successfulness of the CITES National Legislation Project in enhancing national legislation compliance with CITES requirements.
76. For the final presentation of the day, the Chair gave the floor to Ms. Francesca Coli, International Legal Consultant at FAO, working on the Sustainable Wildlife Management (SWM) Programme, to present on the SWM Legal Hub.

77. Ms. Coli presented the SWM Legal Hub, an online platform developed under the FAO-led Sustainable Wildlife Management Programme. The Hub provides access to legal texts, country legal profiles, and sector-specific legal analyses related to wildlife management and agri-food systems. It promotes participatory legal reform processes and integrates customary norms and principles from MEAs. Ms. Coli noted that the updated diagnostic tools used to develop country profiles now incorporate CMS principles, helping assess national compliance with Articles III.4, III.5, and III.7, and support the CMS National Legislation Programme. The presentation is available at the workshop website [here](#).
78. The Chair closed the session and announced the end of Day 2.

DAY 3 – Thursday, 5 June 2025

79. The Chair welcomed the participants and opened the final day, suggesting to proceed with Session 9.

Session 9: Known & Emerging Threats to Migratory Species

80. The Chair introduced Session 9, which addressed a range of threats to migratory species listed under CMS Appendices I and II, with a focus on international trade, unsustainable use of Appendix II-listed species, lead poisoning, and the effectiveness of national legal frameworks in enforcing the prohibition on taking.
81. The Chair gave the floor to Ms. Ortiz to present on the risk posed to Appendix I species by international trade.
82. Ms. Ortiz started by reflecting on the COP13 mandate that the Secretariat was requested to assess the impact of international trade on the conservation status of relevant Appendix I species, including but not limited to, international trade regulated by CITES. She presented on the findings of the report *Assessment of the risk posed to CMS Appendix I-listed species by direct use and trade*, which revealed that 40% (48 taxa) of the 122 CMS Appendix I taxa listed in CITES were reported in direct, wild-sourced or ranched trade. Ms. Ortiz also noted that the report considered four criteria to determine whether the CITES trade in CMS Appendix I taxa could be in *potential* contravention of CMS. Lastly, she outlined the Secretariat's COP14-mandated action to follow-up with the Parties on these instances of potential contravention and noted the current status of responses. The presentation is available at the workshop website [here](#).
83. The observers commented encouraging Parties to ensure that in their legislation they consider CMS Appendix I species when they are making their legal acquisition findings, and when they are making their non-detriment findings under CITES. Countries noted the challenge that they try to strike the balance between the implementation of the two conventions, as well as the difficulty of differentiating between wild and captive-bred species outside of captive-breeding environments. It was noted that CMS Appendix I "take prohibition" obligation needs to be considered when issuing CITES permits for species listed in CMS Appendix I.
84. The Chair proceeded to give the floor to the CMS Executive Secretary, Ms. Fraenkel, to present on the unsustainable use of CMS Appendix II-listed species.
85. Ms. Fraenkel explained that Appendix II includes species with an unfavorable

conservation status that require international agreements for their conservation and management, as well as those that have a conservation status which would significantly benefit from the international cooperation that could be achieved by an international agreement. The presentation emphasized that many of these species are subject to unsustainable use, which undermines biodiversity and ecosystem services. Ms. Fraenkel noted that ensuring sustainable use means having, among others, robust population monitoring, a comprehensive legal and regulatory framework and an effective permit and quota system. Some of the recommendations presented included revising national hunting legislation, improving enforcement and monitoring, engaging Indigenous Peoples and local communities and increasing systematic national and international efforts for monitoring hunting offtakes and populations of species.

86. Participants commented on the issue of ensuring the sustainability of any use in CMS Appendix II-listed species. They noted that most of the assessments at government levels tend to be focused on numbers of the species in that particular jurisdiction at any one time, whereas when discussing migratory species, there is an added challenge of how they are being used or not used elsewhere on its migratory range and the impacts that has overall for that species across its range and across those multiple jurisdictions. Participants noted that CMS could potentially help Parties with solutions on how to think about the sustainability across the range of the species, not just within the considerations of the particular jurisdiction where that assessment is going on at any given time.
87. The Chair then gave the floor to Mr. Ramírez to present on the threat of lead poisoning to migratory species.
88. Mr. Ramírez addressed the ongoing threat of lead poisoning to migratory species, particularly from lead ammunition and fishing weights. He reviewed the history of CMS resolutions and task forces on this issue, noting that both the Preventing Poisoning Working Group and the Lead Task Force have been inactive due to resource constraints. He discussed recent developments under the EU REACH regulation, including a 2021 ban on lead shot in wetlands and a proposed 2025 ban on lead ammunition across all EU land. Mr. Ramírez noted that the Secretariat is considering a strategic review and potential relaunch of the Lead Task Force at COP15. Some of the key messages coming out of the presentation were the need for embedding biodiversity safeguards in hunting regulations with regards to lead ammunition, increasing monitoring and enforcement, and promoting non-lead ammunition in coordination with sport federations and hunters' associations. The presentation is available at the workshop website [here](#).
89. Participants discussed the challenges of moving from lead to non-lead ammunition, and Mr. Ramírez encouraged active participation in the Lead Task Force to tackle the challenges collaboratively and learn from each others' experiences. He also noted that alternatives to lead ammunition are already being used and some guidance is already available.
90. For the final presentation of Session 9, the Chair gave the floor to Ms. Ortiz to present on the need for effective and deterrent laws for the implementation of the taking prohibition.
91. In the presentation, Ms. Ortiz posed the question of the effectiveness of national legal frameworks in deterring illegal take of Appendix I species. While many Parties have laws in place, the National Legislation Programme's review found limited information on how penalties are structured or enforced. Preliminary findings suggest that penalties are often too lenient to serve as effective deterrents. Legal tools beyond fines and

imprisonment—such as administrative sanctions, corporate liability, and injunctive measures—were discussed as means to strengthen compliance. Innovative legal approaches, such as treating tampering with trackers as destruction of public property or using decoys as fraud, were also highlighted. Ms. Ortiz also stated that a study on penalties and deterrence is proposed for COP15, subject to available resources. The presentation is available at the workshop website [here](#).

92. Participants noted the usefulness of other measures, such as the prohibition of sale, transport, possession of illegally taken specimens, as well as confiscation of instrumentalities of crime. They also noted that importance of regional cooperation and aligning the approaches to sanctions, and suggested having legal working groups to better coordinate such matters.

Session 10: Identification of Priorities for the National Legislation Programme and other areas of work

93. The Chair then invited Ms. Ortiz to present on the next steps of the National Legislation Programme.
94. Ms. Ortiz presented the final presentation of the workshop, focusing on identifying next steps and strategic priorities for the CMS National Legislation Programme (NLP) in the lead-up to CMS COP15, scheduled for March 2026 in Campo Grande, Brazil. Based on the outcomes of the workshop and points raised, Ms. Ortiz noted that these would inform the COP document on National Legislation Programme and the new Decisions for COP15. She also noted potential organization of a side event dedicated to national legislation at the COP if any Party or partners would be interested.
95. Based on what was discussed during the workshop and raised as important and useful, the Secretariat compiled a list of next steps and possible activities for the NLP going forward. These were the following:
- Continuing the analysis of national legislation and launching a fifth call to Parties for updated information;
 - Providing legal advice during national legislative reform processes and revising National Legislation Profiles accordingly;
 - Publishing the findings of the NLP and finalizing the CMS Legislation Explorer tool;
 - Commissioning a study on deterrence and penalties related to the taking prohibition under Article III.5;
 - Exploring the expansion of the NLP's scope to include enforcement, prosecution and judiciary;
 - Finalizing the draft legislative guidance on ecological connectivity, and supporting the practical implementation of connectivity-related laws;
 - Continued collaboration with existing initiatives such as UNEP's Montevideo Environmental Law Programme, CITES National Legislation Project, and Sustainable Wildlife Management Programme led by FAO;
 - Capacity-building activities/materials, e.g. guidance on CMS considerations for CITES trade, on compensation for the loss of property/crops or on application of MEAs at the national level; and
 - The possibility of forming a CMS Legal Task Force, which could be multistakeholder, ensuring intergovernmental cooperation.
96. The Chair thanked Ms. Ortiz for the presentation, which is available at the workshop website [here](#), and invited participants for their feedback on the proposed next steps and activities, and for any possible additional suggestions.

97. Participants welcomed the Secretariat's suggestions for possible next steps and activities. In particular, the participants welcomed the initiative of potentially forming a legal task force, which could ensure a coherent approach to share experiences, good practices, challenges and goals. Moreover, the study on deterrence and penalties as well as the expansion of the Programme to enforcement and prosecution also gained a lot of positive feedback.

Closing of the Workshop

98. The workshop concluded with closing remarks from the CMS Secretariat and the Chair. Participants, presenters and facilitators were thanked for their active engagement and contributions, as well as the Secretariat for the organization of the workshop.
99. The Chair closed the workshop.



List of Participants

	Participant	Position/ Institution/ Organization	Email
Party			
Argentina	Maria Marta Tonelli	Subsecretaria de Ambiente	tonelli.maria@gmail.com
Brazil	Verônica Alberto Barros	Ministry of Environment and Climate Change	veronica.barros@mma.gov.br
	Lilian Costa	Department of Conservation and Sustainable Use of Biodiversity/Ministry of Environment and Climate Change	lilian.costa@mma.gov.br
Chile	Maria Patricia Miranda Cerda	Ministro de Agricultura	patricia.miranda@sag.gob.cl
Costa Rica	José Gregorio Gómez Hernández	Asesoría Legal del Área de Conservación Marino Coco	gregorio.gomez@sinac.go.cr
Dominican Republic	Pedro Julio Araujo	Viceministerio de Áreas Protegidas y Biodiversidad / Dirección de Biodiversidad	pearaujo@ambiente.gob.do
	Eusebio Castro Salcedo	Treaties and Conventions Directorate	eusebio.castro@ambiente.gob.do
Ethiopia	Fanuel Kebede Gorfu	Ethiopian Wildlife Conservation Authority	fanuel.kebede@gmail.com
Germany	Berit Gewert	Federal Ministry for the Environment, Nature Conservation, Nuclear Safety and Consumer Protection	berit.gewert@bmu.bund.de

Ghana	Joseph Boakye	Executive Director, Wildlife Division of Forestry Commission	boakyej1@gmail.com
Jordan	Bilal Qteshat	Nature Protection Directorate	bqtishat@yahoo.com
Kenya	Simon Agunja	State Department for Wildlife/Wildlife Conservation Unit	simonagunja@gmail.com
Maldives	Fazeela Ahmed Shaheem	Ministry of Environment, Legal section	fazeela.shaheem@environment.gov.mv
Malta	Paula Axiak	Environment and Resources Authority, Malta	paula.axiak@era.org.mt
	Bonnie Farrugia	Environment and Resources Authority, Malta	bonnie.farrugia@era.org.mt
Montenegro	Aleksandar Perović	Environmental Protection Agency - EPA	aleksandar.perovic@epa.gov.me
Morocco	Mohamed Noaman	Agence Nationale des Eaux et Forêts	noaman_md@yahoo.fr
North Macedonia	Isuf Fetai	Ministry of Environment and Physical Planning	i.fetai@moepp.gov.mk
Portugal (online)	João Loureiro	Institute of Nature Conservation and Forests, ICNF	joao.loureiro@icnf.pt
Saudi Arabia	Mohammed Alshamlan	National Center for Wildlife	alshamlan@ncw.gov.sa
Zimbabwe	Lisberty Chadenga	Parks and Wildlife Management Authority	lchadenga@zimparcs.org.zw
	Padgewell Tapfuma Mazoyo	Parks and Wildlife Management Authority	pmazoyo@zimparcs.org.zw
	Nyasha Mutyambizi	Parks and Wildlife Management Authority	nyayasha@gmail.com
Non-Party			
Zambia	Sandra Mulenga Ponde	Ministry of Tourism Department of National Parks and Wildlife	Sandra.ponde@mot.gov.zm
UN			
CITES (online)	Sofie Flensburg	Chief, Legal Unit	sofie.flensburg@un.org

FAO	Francesca Coli	Development Law Service (SWM Programme)	francesca.coli@fao.org
UNEP	Renée Gift	Law Division	renee.gift@un.org
UNEP-WCMC (online)	Frances Davis	UN Environment World Conservation Monitoring Centre	frances.davis@unep-wcmc.org
	Andrew Szopa-Comley	UN Environment World Conservation Monitoring Centre	andrew.szopa-comley@unep-wcmc.org
NGO/Academia			
Fauna and Flora	Tatiana Ivannikova	Technical Specialist, Policy Engagement	Tanya.Ivannikova@fauna-flora.org
IFAW	Matthew Collis	Senior Director, Policy, International Fund for Animal Welfare	mcollis@ifaw.org
Lewis & Clark Law School	Erica Lyman	Professor of Law	ejt@lclark.edu
	Chris Wold	Professor of Law	wold@lclark.edu
The Lyell Centre, Heriot-Watt University	Valentina Dacosta	PhD Candidate	vd2002@hw.ac.uk
Whale and Dolphin Conservation (online)	Philippa Brakes	Centre for Ecology and Conservation	p.brakes2@exeter.ac.uk
Wildlife Conservation Society	Susan Lieberman	Vice President, International Policy	sliberman@wcs.org
CMS Secretariat			
	Amy Fraenkel	Executive Secretary	amy.fraenkel@un.org
	María José Ortiz	Legal Officer	Maria.jose.ortiz@un.org
	Nikola Besek	Consultant (CMS National Legislation Programme Coordinator)	nikola.besek@un.org
	Zakiah Emilie Doucet	Intern	zakiah.doucet@un.org
	Heidrun Frisch-Nwakanma	Programme Management Officer / IOSEA Marine Turtle MOU Coordinator	heidrun.frisch-nwakanma@un.org

	Yong June Kim	Intern	yongjune.kim@un.org
	Anouska Kinahan	Consultant	anouska.kinahan@un.org
	Tine Lindberg-Roncari	Conference Services	tine.lindberg-roncari@un.org
	Foteini (Clairie) Papazoglou	Consultant	foteini.papazoglou@un.org
	Andrea Maria Pauly	Programme Management Officer	Andrea.pauly@un.org
	Federica Pisano	Intern	federica.pisano@un.org
	Fernando Iván Ramírez	Head of Avian Team	ivan.ramirez@un.org
	Melanie Virtue	Head of Aquatic Team	melanie.virtue@un.org