



**CONVENTION ON
MIGRATORY
SPECIES**

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Agenda Item 28.9

CUMULATIVE EFFECTS ASSESSMENTS

(Prepared by the Secretariat)

Summary:

This document reports on progress to implement Decision 14.204–14.206 *Impact Assessment and Migratory Species* and Resolution 7.2 (Rev.COP14) *Impact Assessment and Migratory Species*. It proposes amendments to Resolution 7.2 (Rev.COP14), which are presented in UNEP/CMS/COP15/Doc.28.10 *Infrastructure Development and Migratory Species*, together with additional amendments from the Working Group on Infrastructure. It also proposes new draft Decisions and the deletion of Decisions 14.204-14.206.

The attached draft Resolution and Decisions would support the achievement of Targets 3.1–3.5 and 4.1 of the Samarkand Strategic Plan for Migratory Species 2024–2032.

Rev.1 merges draft Decision 15.AA and 15.BB as they were both directed to Parties, and corrected the Decision numbering accordingly.

CUMULATIVE EFFECTS ASSESSMENTS

Background

1. [Resolution 7.2 \(Rev.COP14\) Impact Assessment and Migratory Species](#) emphasizes the importance of cumulative effects as part of good quality environmental impact assessments and strategic environmental assessments.
2. COP14 adopted the following Decisions on this issue:

Decision 14.204 Directed to the Parties

Parties are requested to:

- a) *through the Secretariat, inform the Scientific Council at the 7th meeting of the Sessional Committee about national policies regarding cumulative effects assessments from Environmental Impact Assessments (EIAs) and Strategic Environmental Assessments (SEAs), including any experiences and lessons learned, as well as indicating whether there is a need for guidance on cumulative effects assessments for marine mammals; and*
- b) *if a need for guidance on cumulative effects assessments for marine mammals is identified, support the Secretariat in securing the external expertise required to develop it.*

Decision 14.205 Directed to the Scientific Council

The Scientific Council is requested, subject to the availability of external resources, to consider the information submitted by Parties regarding the application of cumulative effects assessments and the need for further guidance, to prepare a report on how such assessments are undertaken and the relevance for migratory species conservation, and to develop guidance on cumulative effects assessments for marine mammals if required, with a view to presenting any outputs to the 15th meeting of the Conference of the Parties.

Decision 14.206 Directed to the Secretariat

The Secretariat shall:

- a) *request information from Parties about national policies regarding cumulative effects assessments, including any experiences and lessons learned, as well as indicating whether there is a need for guidance on cumulative effects assessments for marine mammals, in time for consideration by the 7th meeting of the Sessional Committee of the Scientific Council; and*
- b) *support the development of the report on cumulative effects assessments and of guidance, as required.*

Information submitted by Parties and development of report on cumulative effects

3. On 3 June 2024, the Secretariat issued [Notification 2024/016 Cumulative Effects Assessments](#) to all Parties, requesting them to submit information about national policies regarding cumulative effects assessments from environmental impact assessments (EIAs) and strategic environmental assessments (SEAs), including any experiences and lessons learned. Parties were also asked to indicate whether there is a need for guidance on cumulative effects assessments for marine mammals.
4. The responses were compiled and presented to ScC-SC7 as Inf.16 *Responses to Decision 14.204 on Cumulative Effects Assessments* ([UNEP/CMS/ScC-SC7/Inf.16](#)). Two submissions were received from Parties, from New Zealand and the Dominican Republic.

5. In order to fulfil the request in Decision 14.205, the Secretariat supplemented the information received from Parties with additional resources, including academic literature and national and international policy and guidance documents identified through desktop research. The full report is available as [UNEP/CMS/COP15/Inf.28.9](#) and a summary and key recommendations are attached as Annex 1.
6. The report provides a comprehensive overview of the current state of cumulative effects assessments (CEA) with a focus on marine migratory species and examples from various geographic regions. It outlines 1) how Parties apply CEA and where there is a need for further guidance, and 2) how CEAs are undertaken and the relevance to migratory species. Best practices and key challenges are identified, which are used to make recommendations on how to improve the inclusion of migratory species in CEAs.
7. The report identifies a need for guidance on including migratory species in cumulative effects assessments. It offers recommendations that could inform the development of such guidance, should Parties require it. The ScC Infrastructure Working Group was offered the opportunity to review the report; no substantive comments were received.

Adoption of the BBNJ Agreement and Synergies with CMS Work on EIA

8. The [Agreement under the United Nations Convention on the Law of the Sea on the Conservation and Sustainable Use of Marine Biological Diversity of Areas beyond National Jurisdiction](#) (BBNJ Agreement) was adopted on 19 June 2023 by the Intergovernmental Conference on Marine Biodiversity of Areas Beyond National Jurisdiction convened under the auspices of the United Nations.
9. The BBNJ Agreement operationalizes the provisions on environmental impact assessment for areas beyond national jurisdiction by establishing processes, thresholds and other requirements for conducting and reporting assessments by Parties (PART IV Environmental Impact Assessment, article 27-39). As CMS provisions also apply to areas beyond national jurisdiction, once the BBNJ Agreement enters into force, this has immediate implications for CMS Parties undertaking activities requiring EIA.
10. The consideration of cumulative effects is explicitly mentioned in the BBNJ Agreement. It notes that when a planned activity may have more than a minor or transitory effect on the marine environment, or the effects of the activity are unknown or poorly understood, the Party with jurisdiction or control of the activity shall conduct a screening, including an initial analysis of the potential impacts, and consideration of cumulative impacts. When determining whether planned activities under their jurisdiction or control meet the threshold for an EIA, the potential cumulative impacts of the activity need to be considered at the screening, scoping and impact assessment, and evaluation stages.
11. The Scientific and Technical Body of the BBNJ Agreement will develop standards or guidelines for the assessment of cumulative impacts in areas beyond national jurisdiction and for how those impacts should be taken into account in the environmental impact assessment process. Developing guidance meeting the specific needs of migratory species could be a very timely contribution to this process.

Using social impact assessment (SIA) methodologies for impacts on animal culture

12. Social impact assessments are sometimes also part of EIA, SEA or CEA, and are used to analyse, monitor and manage the intended and unintended social consequences of planned interventions (policies, programmes, plans, projects) and any social change processes invoked by those interventions, in order to bring about a more sustainable

and equitable biophysical and human environment.¹ However, SIA have received comparatively little attention in the CMS framework. The International Institute for Sustainable Development lists the following examples of social impacts:²

- *People’s way of life – that is, how they live, work, play and interact with one another on a day-to-day basis.*
 - *Their culture – that is, their shared beliefs, customs, values and language or dialect.*
 - *Their community – its cohesion, stability, character, services and facilities.*
 - *Their political systems – the extent to which people are able to participate in decisions that affect their lives, the level of democratization that is taking place, and the resources provided for this purpose.*
 - *Their health and well-being – health is a state of complete physical, mental, social and spiritual well-being and not merely the absence of disease or infirmity.*
13. Incorporating SIA in EIA, SEA and CEA is an important step to improve impact assessments, including proposed mitigation measures, to consider the lives of (local) communities. However, the use of SIA possibly extends beyond impacts on human culture. The growing understanding of social learning and culture in many animal species implies that many of these impacts can also be experienced by animal societies, and therefore should be taken into consideration in impact assessment processes – something which has not yet been done. Accordingly, while SIA traditionally focus on human communities, the growing understanding of animal culture, defined in CMS as information or behaviour shared within a community which is acquired from conspecifics through some form of social learning, is increasingly recognized as a factor that can be affected by human activities³ and should therefore be considered in any kind of impact assessment.
14. The potential usefulness of SIA methodologies in relation to animal culture and integration of such considerations in impact assessments might benefit from investigation, in line with provisions in Resolution 11.23 (Rev.COP12) *Animal Culture and Social Complexity*, which highlight the importance of:
- considering culturally transmitted behaviours when determining conservation measures;
 - assessing anthropogenic threats to socially complex mammalian species on the basis of evidence of interactions of those threats with social structure and culture;
 - applying a precautionary approach to the management of populations for which there is evidence that influence of culture and social complexity may be a conservation issue;
 - gathering and publishing pertinent data for advancing the conservation management of these populations and discrete social groups.

Discussion and analysis

15. Due to limited capacity, the report on CEAs and migratory species contained in [UNEP/CMS/COP15/Inf.28.9](#) depended primarily on publicly accessible English-language sources or, where needed and possible, machine translations of documents in other languages. This may have resulted in stronger representation of regions with English-speaking countries and a longer history of CEA practice, such as North America,

¹ International Agency for Impact Assessment (IAIA). *Social Impact Assessment*. <https://iaia.org/social-impact-assessment/>

² International Institute for Sustainable Development (IISD). <https://www.iisd.org/learning/eia/wp-content/uploads/2016/05/SIA.pdf>

³ Brakes et al. (2025). Animal culture: conservation in a changing world. *Philosophical Transactions of the Royal Society B*. <https://royalsocietypublishing.org/toc/rstb/2025/380/1925>

Oceania and Europe. While every effort was made to ensure a balanced global overview, further engagement from less represented regions, including South and Central America, Africa and Asia, is essential both to share existing CEA experiences and to foster the development of such practices where they are still absent. The conclusion reveals a need for harmonization of the many different existing guidelines for CEA. CMS can provide the needed expertise specifically on migratory species, as they are particularly vulnerable to cumulative effects but critically underrepresented in CEA policies and guidelines.

16. The report thus confirms the importance of the development of guidance on integration of migratory species in CEAs, making recommendations to this end, which are reflected in the draft Decisions contained in Annex 2. Furthermore, additional activities could be undertaken by Parties, the Scientific Council and the Secretariat. These are included in the draft Decisions in Annex 2 of this document and the proposed amendments to Resolution 7.2 (Rev.COP14). The CMS Working Group on Infrastructure also reviewed Resolution 7.2 (Rev.COP14), proposing amendments. All amendments to Resolution 7.2 (Rev.COP14) and relevant Recommended Actions are presented in Annex 1 of [UNEP/CMS/COP15/Doc.28.10](#) *Infrastructure Development and Migratory Species*.
17. CEA also relate to many other issues addressed under the Convention. Specifically, two new developments require further attention:
 - The BBNJ Agreement is expected to enter into force shortly. This has implications for conducting EIAs in areas beyond national jurisdiction. It is proposed that the Scientific Council considers this topic further seeks to support Parties, the Council and the Secretariat in providing migratory species-related input to the processes under the BBNJ Agreement. This also offers an opportunity to strengthen the guidance available to Parties on impact assessments, including relating to cumulative effects.
 - The importance of comprehensive impact assessments is also becoming clear in the context of the emerging awareness of the effects human activities can have on animal culture and social learning, thereby affecting conservation outcomes. Until now, SIA methodologies have only been applied to human communities, and have received little attention within the CMS framework. By investigating the applicability of SIA methodologies to animal culture, the CMS Expert Working Group on Animal Culture and Social Complexity can provide important guidance on this emerging issue.

Recommended actions

18. The Conference of the Parties is recommended to:
 - a) note the summary and recommendations of the report *Cumulative Effects Assessment and Migratory Species* contained in Annex 1 of this document;
 - b) adopt the proposed amendments to Resolution 7.2 (Rev.COP14) contained in Annex 1 of UNEP/CMS/COP15/Doc.28.10;
 - c) adopt the draft Decisions contained in Annex 2 of this document; and
 - d) delete Decisions 14.204–14.206.

CUMULATIVE EFFECTS ASSESSMENT FOR MIGRATORY SPECIES REPORT: SUMMARY AND RECOMMENDATIONS

The full report can be found in [UNEP/CMS/COP15/Inf.28.9](https://www.unep.org/cms/cop15/inf289)

Summary

The Convention on the Conservation of Migratory Species of Wild Animals (CMS) recognizes that migratory species face increasing threats from cumulative environmental pressures such as climate change, habitat degradation, pollution, and industrial development. Traditional Environmental Impact Assessments (EIA) often fail to capture the cumulative impacts from multiple activities over time and space, especially across national borders, making Cumulative Effects Assessment (CEA) a critical tool for understanding and mitigating impacts on migratory species.

In response to CMS COP14 Decision 14.205, this report:

1. Evaluates how CMS Parties apply CEA within EIA and Strategic Environmental Assessments (SEA).
2. Identifies best practices and challenges.
3. Recommends guidance for better inclusion of migratory species in CEAs.

The report reviews global best practices and methodological frameworks for conducting CEAs. Although the report focused on CEAs and migratory species in the marine environment, most recommendations are applicable to CEAs in general as well as for other taxa of migratory species.

Key findings

➤ **Migratory species are underrepresented in CEAs**

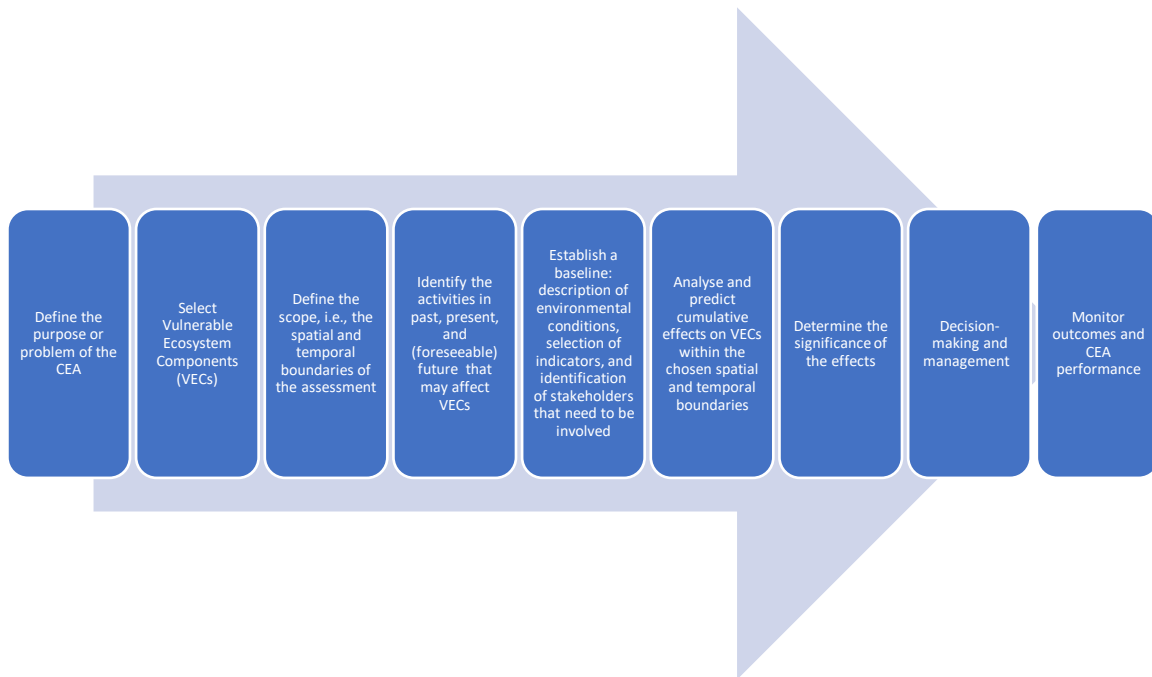
Despite their vulnerability, migratory species are rarely explicitly considered in CEAs, CEA legislation or CEA guidelines. Marine migratory species are especially at risk due to overlapping pressures due to increased activity in marine environments related to renewable energy development, transport and deep-sea mining, compounded by the intensifying impacts from climate change such as ocean warming and ocean acidification. Challenges include data scarcity, difficulty in tracking species across jurisdictions, and lack of international coordination.

➤ **CEA practices vary widely**

CEAs are inconsistently implemented across CMS Parties. Only two Parties (New Zealand and the Dominican Republic) responded to CMS's request for information, with New Zealand providing detailed guidance and tools. Many countries lack national legislation or guidance on how to conduct CEAs, especially in developing regions. Where CEA is part of legislation, there is no information on the implementation and effectiveness of CEAs and the resulting mitigation measures.

➤ **Common CEA methodology steps**

Despite variability, most CEAs follow a similar structure, depicted in the figure below.



➤ **Key challenges for CEAs and migratory species include:**

- Lack of standardized definitions and methodologies
- Limited data availability and sharing
- Difficulty in assessing synergistic and non-linear effects
- Inadequate monitoring and follow-up on CEAs and mitigation measures
- Weak integration of CEAs into decision-making processes
- Historical effects not known or not included
- Acknowledging and evaluating uncertainty
- Little reporting on implementation and effectiveness of CEAs

➤ **Best practices for CEAs and migratory species include:**

- Clearly defined scope and purpose
- Appropriate temporal and spatial scales
- Explanation of which effects, pressures and activities are considered, and which are scoped out
- Agreement on a common baseline against which impacts from pressures are assessed
- Use of quantitative and predictive models for assessing cumulative effects
- Incorporation of traditional and local knowledge in CEAs
- Use of GIS and spatial tools to visualize cumulative impacts
- Development and consistent use of thresholds
- Transparent documentation of assumptions and uncertainties

While CEAs are increasingly recognized as essential for environmental management, their application to migratory species remains limited. CMS is well-positioned to lead efforts in integrating migratory species into CEAs through guidance, capacity-building and international cooperation.

Recommendations

The recommendations below do not fully address all gaps and challenges identified in the report, as they focus only on areas where CMS and its Parties have a mandate and can contribute.

(1) Terminology and methodology

- Parties should establish common guidelines or standards for undertaking CEA, including when and how migratory species should be assessed.
 - Specifically, Parties should give guidance on appropriate methodologies for assessing cumulative effects for migratory species, for example in the form of a technical guidance document.
 - Where unique challenges exist or appear in undertaking CEAs, such as for marine migratory species, Parties should develop specific CEA guidance for particular migratory species groups.
- Parties should share any existing guidelines and standards that provide guidance for including and assessing migratory species in CEAs.
- Parties should determine a common terminology for CEAs, including a definition of cumulative effects, cumulative effects assessment and other key terms.

(2) Legislation and policy

- Parties that have not incorporated CEA into legislation can learn from Parties that have already implemented CEA in national legislation, and should develop a national policy on undertaking CEAs, with particular attention to migratory species.
- Parties that have included CEA in their national legislation are encouraged to provide capacity-building materials and support the development of CEA legislation and policy in countries that have not yet done so, paying particular attention to migratory species.

(3) Implementation

- Parties that have already incorporated CEA into national legislation should assess the extent to which CEAs are implemented, and evaluate and, where necessary, improve the assessment of migratory species in CEAs.
- Parties should monitor implementation of CEA in national policy and practice, especially the inclusion of migratory species and any challenges hindering implementation.

(4) Research

- Parties should address the lack of understanding of cumulative effects assessment by researching the interactions between pressures and receptors, in particular the non-linear (e.g. antagonistic, synergistic, additive) ways in which cumulative effects manifest.
- Parties should conduct research on the legislation, policy and methods employed to undertake CEA by all 133 CMS Parties to give detailed insights into regional challenges, gaps in legislation and policy, and the inclusion of migratory species in CEAs, and share this research with other Parties.
- In order to expand on this report, which is primarily concerned with CEAs in the marine environment, Parties should conduct research into CEAs in unique or specific environments, ecosystems or habitats relevant to migratory species.

- Parties should research technological advances in CEA methods and data collection, including but not limited to artificial intelligence and machine learning approaches to support CEAs.

(5) Data and information sharing

- To alleviate the burden of collecting data and the challenges of data scarcity, Parties should share data and information needed to inform CEAs, including but not limited to species data (population, rates, migratory routes), baseline ecosystem and habitat data, thresholds, pressures, sources and effects, particularly if it relates to CMS Appendix I and II listed species.
 - As a first step, Parties that are Range States to the same species and Parties that have a common border should share regional data on migratory species, and local and regional CEAs that have been and will be conducted.
- Parties should monitor the status and condition of vulnerable ecosystem components (VECs) over time, particularly those that relate to migratory species, and share this data to inform other and future CEAs, to help maintain a favourable conservation status for migratory species.

(6) Reporting

- Parties should provide information on how they undertake CEAs, including but not limited to adding a question specifically on CEAs as part of the existing EIA and SEA section in the National Report questionnaire. This can be used to assess the current state and, thereafter, progress in incorporating migratory species in CEAs as part of EIAs and SEAs and implementation of actions.

(7) Collaboration

- To move away from a siloed approach to CEA and build on the work already undertaken by other institutions, Parties should consult with industry, academia and other Parties to keep informed of state-of-the-art practices, and incorporate fragmented information on a strategic or government-led level.
- Parties should collaborate with organizations such as the International Council for the Exploration of the Sea (ICES) and IUCN to engage in current and future developments of CEA guidelines and promote the explicit inclusion of migratory species therein, and monitor and participate in the implementation thereof.

DRAFT DECISIONS

CUMULATIVE EFFECTS ASSESSMENTS

Directed to Parties

15.AA Parties are requested to:

- a) integrate provisions for cumulative effects assessments (CEA) into relevant national environmental legislation, with specific consideration for migratory species, particularly those listed in CMS Appendices I and II;
- b) develop and implement national policy and guidance on the application of CEAs, ensuring that the impacts on migratory species are systematically assessed and addressed;
- c) assess the effectiveness of CEA implementation in practice, including the extent to which impacts on migratory species are considered and addressed;
- d) support the development of robust, modern and uniform environmental impact assessments for activities with potential impacts on migratory species in areas within and beyond national jurisdictions under the Agreement under the United Nations Convention on the Law of the Sea on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ Agreement);
- e) collaborate and share information to jointly develop and implement CEA frameworks for local, national, regional or international application, and to collaborate and share information with intergovernmental and non-governmental organizations in support of these efforts; and
- f) strengthen methodologies and criteria for identifying, evaluating and mitigating cumulative impacts on CMS-listed migratory species and their habitats, including cross-border cumulative effects and effects in underrepresented ecosystems.

Directed to the Scientific Council

15.BB The Scientific Council is requested to:

- a) develop, subject to the availability of resources, guidance for the assessment of cumulative effects on migratory species, including the establishment of common standards and methodologies suitable for application across CMS Parties, which should include:
 - i. an assessment of the current terminology used in the context of CEAs and recommendations for a harmonized vocabulary, including clear definitions of 'cumulative effects', 'cumulative effects assessment', 'pressures' and other key terms, for use across CMS guidance and other international frameworks;

- ii. advice on when and how migratory species should be assessed within CEAs, and best practices, including those specific to challenging contexts such as marine environments, or species- or sector-specific challenges;
 - iii. consideration of technological advances relevant to CEA methodologies, including the potential use of artificial intelligence, machine learning and other innovative tools to support the assessment and interpretation of cumulative effects, as well as advice on the applicability and limitations of such technologies, outlining potential use cases and associated data or capacity requirements;
 - iv. recommendations for adapting existing CEA frameworks to better accommodate the needs of migratory species;
- b) in collaboration with its Expert Working Group on Animal Culture and Social Complexity, investigate the potential of social impact assessment methodologies for understanding impacts of human activities on social structure and culture of migratory species.

Directed to the Secretariat

15.CC The Secretariat shall, subject to the availability of resources:

- a) support the development of guidance materials on the implementation of CEA for migratory species, in collaboration with relevant stakeholders and expert bodies;
- b) promote and facilitate collaboration between Parties and relevant organizations such as the International Council for the Exploration of the Sea (ICES), the International Union for Conservation of Nature (IUCN), and other scientific or technical bodies engaged in the development or implementation of CEA frameworks;
- c) engage in processes to operationalize the BBNJ Agreement [once entered into force], in order to promote coherence and ensure consideration of migratory species, and explore ways for the Scientific Council to contribute to such processes.