

**5<sup>th</sup> Meeting of the Sessional Committee of the  
CMS Scientific Council (ScC-SC5)**

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**IMPLEMENTATION OF THE CONCERTED ACTIONS PROCESS**

*(Prepared by the Secretariat)*

**Summary:**

This document includes an analysis of Resolution 12.28 (Rev.COP13) on Concerted Actions, and make proposals for its revision.

The Sessional Committee is invited to consider the analysis and the issues it raises, to review the proposals for the amendment of the Resolution, and to make a decision on the submission of a proposal for the revision of Res.12.28 (Rev.COP3) to COP14.

## IMPLEMENTATION OF THE CONCERTED ACTIONS PROCESS

### Background

1. Concerted Actions were established by Resolution 3.2 in 1991, which instructed the Secretariat and the Scientific Council to encourage and assist Parties to take actions to benefit selected Appendix I-listed species.
2. Cooperative Actions were established by Recommendation 5.2 in 1997, in response to the practical limits to the number of Agreements<sup>1</sup> that could be developed and implemented simultaneously for the long list of species on Appendix II.
3. The 10<sup>th</sup> and 11<sup>th</sup> meetings of the Conference of the Parties to CMS (COP10 and COP11) reviewed the Concerted and Cooperative Actions processes (see documents [UNEP/CMS/Conf.10.36](#) and [UNEP/CMS/COP11/Doc.22.4](#) ). In [Resolution 10.23](#)<sup>2</sup> and [Resolution 11.13](#)<sup>2</sup>, the Conference of the Parties adopted a number of changes aimed at enhancing the effectiveness of these processes. In particular, COP11 decided that the two processes of Concerted Actions (normally for selected Appendix I species) and Cooperative Actions (normally for selected Appendix II species) be consolidated within one process for Concerted Actions.
4. Significant progress in the consolidation of the Concerted and Cooperative Actions processes was achieved at the 12<sup>th</sup> meeting of the Conference of the Parties to CMS (COP12), with the repeal of all previous resolutions and recommendations concerning Concerted and Cooperative Actions, and the consolidation of their components still in effect into a new resolution on Concerted Actions ([Resolution 12.28](#)); the adoption of a list of species designated for Concerted Actions during the triennium 2018-2020 including species previously designated for Cooperative Actions and some newly designated species; and the adoption of guidelines for the implementation of the Concerted Actions process, annexed to Res. 12.28. Through Decision 12.103, COP12 requested the advice of the Scientific Council for the further consolidation of the processes, in particular in relation to the situation of species previously designated for Cooperative Actions.
5. The 13<sup>th</sup> meeting of the Conference of the Parties to CMS (COP13) finalized the consolidation of the Concerted and Cooperative Actions processes, reviewed and extended, where appropriate, proposals for Concerted Actions approved by COP12 and approved several new proposals.

### Role of the Scientific Council in the Concerted Actions process

6. Resolution 12.28 recognizes important functions to the Scientific Council in the Concerted Actions process, notably in the assessment of proposals for Concerted Actions, and in the monitoring and evaluation of the implementation of Concerted Actions approved by the Conference of the Parties.

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<sup>1</sup> In line with Resolution 12.8, the term "Agreement" is used to refer to AGREEMENTS, agreements and Memoranda of Understanding.

<sup>2</sup> Now consolidated in Resolution 12.28 *Concerted Actions*

7. In the application of the guidelines for the implementation of the Concerted Actions process adopted by COP12, some practical challenges have however emerged, that have led the practice to diverge in some instances from the letter of Res. 12.28. This has concerned in some cases the roles and functions of the Scientific Council in the process. As an example, while the guidelines foresee that proposals for Concerted Actions should be submitted first to the Scientific Council at its meeting preceding the meeting of the COP, and then transmitted by the Scientific Council to the COP, in practice the Rules of Procedure of the COP in relation to document submission and the scheduling of the meeting of the Scientific Council in the runup to COP require that proposals are submitted directly to the COP, with the Scientific Council evaluating and commenting on them as COP pre-session documents.
8. The time appears appropriate for a reassessment of the process, with a view to identify elements of it still to be fully implemented, and situations where adjustments of the process might be required or desirable.
9. In particular, the language of Res. 12.28, which is the result of the consolidation of all previous resolutions and recommendations on Concerted and Cooperative Actions, in some cases still reflect the previous practice.

#### Discussion and analysis

10. As a basis for discussion, the Secretariat has produced an analysis of Res. 12.28 (Rev.COP13), included as an Annex to this document, identifying those aspects that appear not to have been fully implemented, and those for which the practice has not been fully in line with the letter of the Resolution.
11. A possible amendment of the text is already proposed for certain elements as a basis for discussion. In a few other cases the analysis simply identifies provisions of the resolution that have been challenging to implement, and that the meeting is invited to consider how to improve. These include in particular the roles and functions of the Scientific Council in the monitoring and assessment of the implementation of Concerted Actions.

#### Recommended actions

12. The Sessional Committee is recommended to:
  - a) Consider the analysis of Resolution 12.28 (Rev.COP13) annexed to this document;
  - b) Consider the proposals for the amendment of the Resolution, revising them as appropriate;
  - c) Decide on the submission of a proposal for the revision of Res.12.28 (Rev.COP3) to COP14.