

**7th Meeting of the Sessional Committee of the
CMS Scientific Council (ScC-SC7)**

Bonn, Germany, 17 – 20 September 2024

UNEP/CMS/ScC-SC7/Doc.6.1.4

INFRASTRUCTURE DEVELOPMENT AND MIGRATORY SPECIES

(Prepared by the Secretariat)

Summary:

On the basis of CMS Decision 14.202 the Scientific Council is requested to establish a working group, consisting of experts identified in cooperation with the Secretariat, to advise the Scientific Council and Secretariat on issues of infrastructure and migratory species.

This document proposes terms of reference and composition for the 7th Meeting of the Sessional Committee to consider.

INFRASTRUCTURE DEVELOPMENT AND MIGRATORY SPECIES

Background

1. Infrastructure development has been a long-standing topic of discussion for the Conference of the Parties (COP) and its subsidiary bodies. COP7 (2002) adopted Resolution 7.2 *Impact Assessment and Migratory Species*¹, which emphasizes the importance of good quality environmental impact assessments (EIA) and strategic environmental assessments (SEA) as tools for implementing the Convention. COP11 (2014) adopted Resolution 11.27 *Renewable Energy and Migratory Species*², which established the Energy Task Force as a multi-stakeholder platform that works towards reconciling renewable energy developments with the conservation of migratory species. At the same meeting, Parties adopted the *Guidelines for Addressing the Impact of Linear Infrastructure on Large Migratory Mammals in Central Asia*, outlining the application of best practices to address the impacts of linear infrastructure development at the project and national level in order to maintain connectivity for wildlife populations in the face of growing infrastructure development in Central Asia.
2. Since COP11, and within the remit of the Energy Task Force (ETF), several guidance documents have been published addressing the threat posed by power lines, wind turbines and other energy related infrastructures. These resources are available on the ETF webpage. Additionally, at COP14 (2024), Decisions 14.207 to 14.210 on Renewable Energy and Migratory Species requested Parties to integrate migratory species conservation into national planning.
3. COP13 (2020) requested the Scientific Council to establish a multi-stakeholder Working Group on linear infrastructure. At its 5th meeting, the Sessional Committee of the Scientific Council (ScC-SC5, online, 2021) established an Intersessional Working Group on linear infrastructure and migratory species. The Intersessional Working Group on linear infrastructure met in June 2022 and its findings can be found in the Meeting Report contained in [UNEP/CMS/LI-IWG/Report](#).
4. At its 6th meeting, the Sessional Committee of the Scientific Council identified dams and urban sprawl and development as types of infrastructure that have not been addressed under CMS and that are of particular relevance to the conservation of CMS-listed species and recommended that COP14 adopt Decisions calling for the establishment of a working group on infrastructure that would be mandated, among other things, to provide advice on possible actions that could be taken to address the impact of the identified types of infrastructure.
5. COP14 revised Resolution 7.2 (Rev. COP12) *Impact Assessment and Migratory Species*³, to include, among others, emphasis on the importance of information sharing on linear infrastructure developments, and the engagement of the CMS Secretariat in fora, bodies and processes related to infrastructure development to ensure considerations for migratory species are taken into account.
6. COP14 also adopted Decisions 14.201 to 14.203 on *Infrastructure Development and Migratory Species*.

¹ Now Resolution 7.2 (Rev.COP14)

² Now Resolution 11.27 (Rev.COP13)

³ Now Resolution 7.2 (Rev.COP14)

7. Decision 14.202 requests the Scientific Council to establish a working group on infrastructure and migratory species and reads as follows:

Decision 14.202

The Scientific Council is requested to establish a working group, consisting of experts identified in cooperation with the Secretariat, to advise the Scientific Council and Secretariat on issues of infrastructure and migratory species, including to:

- a) *provide advice on possible actions that could be taken to address the impacts of dams and urban sprawl and development on CMS-listed species;*
- b) *assess whether current methodologies and criteria for the definition of “critical habitat”, as used by financial institutions and the impact assessment community, are an appropriate trigger to undertake further assessment on risks to and impacts on migratory species and their habitats; and if these methodologies and criteria are deemed not appropriate, make proposals on how they can be improved, including actions to ensure ecological connectivity and restoration;*
- c) *assess whether current best practice strategic environmental assessment and environmental impact assessment methodologies, including the preparation of environmental/biodiversity management plans, sufficiently address the impact linear infrastructure projects have on migratory species throughout the infrastructure’s lifecycle;*
- d) *develop guidance, based on the above assessments, on:*
 - i. *the scoping process which includes migratory species in the tasks and scope of investigations;*
 - ii. *scientifically robust and cost-effective means of monitoring, evaluation and reporting on the effectiveness of mitigation measures in linear infrastructure developments; and*
- e) *identify reliable data on and databases containing the movements, habitats and occurrence of CMS-listed species as a body of knowledge in support of planning, assessment and decision-making, and, with the support of the Secretariat, establish relationships with institutions holding that data;*

Discussion and analysis

8. To ensure synergies amongst existing CMS Task Forces addressing common threats to migratory species, it is recommended that the ETF Programme of Work and its current operations are both considered in the establishment and operation of a new working group on infrastructure.
9. Considering the decision of COP14 to establish a working group on infrastructure development and migratory species, for the sake of consistency it is recommended that in the terms of reference of the working group its scope consistently gets expanded to cover all infrastructure and not only linear infrastructure; and to consider infrastructure types not previously addressed under CMS work beyond only dams and urban sprawl and development.

Recommended actions

10. The Sessional Committee is recommended to:
 - a) establish a Working Group on Infrastructure and Migratory Species with the terms of reference and membership as contained in the Annex of this document; and
 - b) request the Secretariat to identify members of the Working Group.

TERMS OF REFERENCE AND MEMBERSHIP OF THE WORKING GROUP ON INFRASTRUCTURE AND MIGRATORY SPECIES

1. Terms of Reference

The working group, consisting of experts identified in cooperation with the Secretariat, is to advise the Scientific Council and Secretariat on issues of infrastructure and migratory species, including:

- a) provide advice on possible actions that could be taken to address the impacts of infrastructure development (including dams and urban sprawl and development) on CMS-listed species;
- b) assess whether current methodologies and criteria for the definition of “critical habitat”, as used by financial institutions and the impact assessment community, are an appropriate trigger to undertake further assessment on risks to and impacts on migratory species and their habitats; and if these methodologies and criteria are deemed not appropriate, make proposals on how they can be improved, including actions to ensure ecological connectivity and restoration;
- c) assess whether current best practice strategic environmental assessment and environmental impact assessment methodologies, including the preparation of environmental/biodiversity management plans and cumulative effects assessments, sufficiently address the impact infrastructure projects have on migratory species throughout the infrastructure’s lifecycle;
- d) develop guidance, based on the above assessments, on:
 - i. the scoping process which includes migratory species in the tasks and scope of investigations;
 - ii. scientifically robust and cost-effective means of monitoring, evaluation and reporting on the effectiveness of mitigation measures in infrastructure developments; and
- e) identify reliable data on and databases containing the movements, habitats and occurrence of CMS-listed species as a body of knowledge in support of planning, assessment and decision-making, and, with the support of the Secretariat, establish relationships with institutions holding that data.

2. Membership

Members of the Working Group should be experts from the following categories:

- Scientific Council members;
- Environmental Ministries and Wildlife Agencies;
- Development, Energy and Transport Ministries and Agencies;
- CMS Family Working Groups and Task Forces;
- Infrastructure sector;
- Impact assessment community, including through the International Association for Impact Assessment;
- International financial institutions;
- Scientific community involved in migratory species and infrastructure issues;

- Biodiversity data portals;
- Relevant Multilateral Environmental Agreements and intergovernmental organizations;
- International NGOs; and
- Other relevant experts.

3. Governance

The Working Group will select a Chair from among its members. The Working Group will operate by seeking consensus among the Group members. The Working Group will report on its work to the 8th meeting of the Sessional Committee of the Scientific Council.

4. Operation

The Working Group should build on existing work done under CMS that is related to linear infrastructure, such as outputs of the Energy Task Force, the *Guidelines for Reducing the Impact of Linear Infrastructure on Migratory Mammals in Central Asia*, and the *CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities*.

The Working Group will generally work through electronic means. Should the need arise and subject to the availability of funding, in-person meetings may be organized.

The CMS Secretariat will assist with organizing meetings and the administration of the Group.

The Chair will coordinate the work with the Secretariat on issues such as outreach and communication.