



Convention on Migratory Species (CMS or Bonn Convention)

Background

- Adopted in 1979 and entered into force on 1 November 1983, and currently has 133 Parties.
- Framework for conserving migratory species and their habitats through two Appendices (and joint research and monitoring activities):
 - **Appendix I:** migratory species in danger of extinction throughout all or a significant
 - **Appendix II:** migratory species that have an unfavorable conservation status or would benefit significantly from international cooperation, providing for the development of specialized regional agreements (7 agreements and 19 MOUs have been concluded, including and MOU on cetaceans in the Pacific islands region
- The COP is the principal decision-making body of the Convention and meets every three years. COP1 was held in 1985.

Key provisions of the Agreement

Article I: Interpretations

Includes definitions of:

- **Migratory species:** the entire population or any geographically separate part of the population of any species or lower taxon of wild animals, a significant proportion of whose members cyclically and predictably cross one or more national jurisdictional boundaries;
- **Conservation Status:** the sum of the influences acting on the migratory species that may affect its long-term distribution and abundance;
- **Range State:** any State or other Party that exercises jurisdiction over any part of the range of that migratory species, or a State, flag vessels of which are engaged outside national jurisdictional limits in taking that migratory species;
- **Agreement:** an international agreement relating to the conservation of one or more migratory species as provided for in Articles IV and V of this Convention;
- **Party:** a State or any regional economic integration organization constituted by sovereign States which has competence in respect of the negotiation, conclusion and application of international Agreements in matters covered by this Convention

Article III: Endangered Migratory Species: Appendix I

- Lists migratory species which are endangered
- A migratory species may be removed from Appendix I if the best scientific evidences shows that it is no longer endangered
- COP may recommend to Range States that they take further measures

Article IV: Migratory Species to be the Subject of Agreements: Appendix II

- A migratory species may be listed both in Appendix I and Appendix II
- Parties are encouraged to take action with a view to concluding agreements for any population or any geographically separate part of the population of any species

Article V: Guidelines for Agreements

- The object of each Agreement shall be to restore the migratory species concerned to a favourable conservation status or to maintain it in such a status
- An Agreement should, wherever possible, deal with more than one migratory species



Article VI: Range States

- A list of the Range States of migratory species listed in Appendices I and II shall be kept up to date by the Secretariat using information it has received from the Parties

Article XI: Amendment of the Appendices

- Appendices I and II may be amended at any ordinary or extraordinary meeting of the COP, and proposed amendments will be adopted by two-thirds majority of Parties present and voting
- The text of a proposed amendment must be communicated to the Secretariat at least 150 days before the meeting

Milestones in the implementation of the agreement

1972 Stockholm Conference on the Human Environment: Among the Conference's main outcomes was the recognition that an international instrument was needed to protect migratory species

1974: Germany was mandated by UNEP to draft an appropriate text for such an instrument

1979: the CMS was adopted in Bonn, Germany

1983: the CMS entered into force on 1 November 1983

2019: the CMS celebrated its 40th anniversary

Principles in the Rio Declaration covered by this CMS include:

- Wild animals in their innumerable forms are an irreplaceable part of the Earth's natural system which must be conserved for the good of mankind; (Principle 1)
- Each generation of man holds the resources of the earth for future generations and has an obligation to ensure that this legacy is conserved and, where utilized, is used wisely; (Principle 3 and 21)
- States are and must be the protectors of the migratory species of wild animals that live within or pass through their national jurisdictional boundaries; (Principle 2)

Ratifying the CMS: reservations and declarations

Reservations upon ratification or accession to the CMS are not provided for – however, under international law, a country ratifying or acceding to a treaty may make a declaration where they express their understanding of some matter or the interpretation of a particular provision.

Unlike reservations, declarations merely clarify the country's position and do not modify the legal effect of a treaty. Usually, declarations are made at the time of ratification or signature.

Parties to the Agreement and stakeholder interests

- There are currently 133 Parties to the CMS
- Of these, 14 are SIDS and 4 are PSIDS (Cook Islands, Fiji, Palau, Samoa)
- Many more non-Party countries, including PSIDS (Kiribati, FSM, Nauru, Niue, PNG, RMI, Solomon Islands, Tonga, Tuvalu Vanuatu) have entered into MOUs on or are considered Range States for specific migratory species
- Parties are allocated to regional groups, including Africa; Asia; Central, South America and the Caribbean; the EU; non-EU countries such as the Norway, Switzerland; and Oceania

Rules of procedure

The [rules of procedure](#) for the CMS apply to any meeting of the Conference of the Parties (COP) and sets out the duties of the COP in conducting meetings.

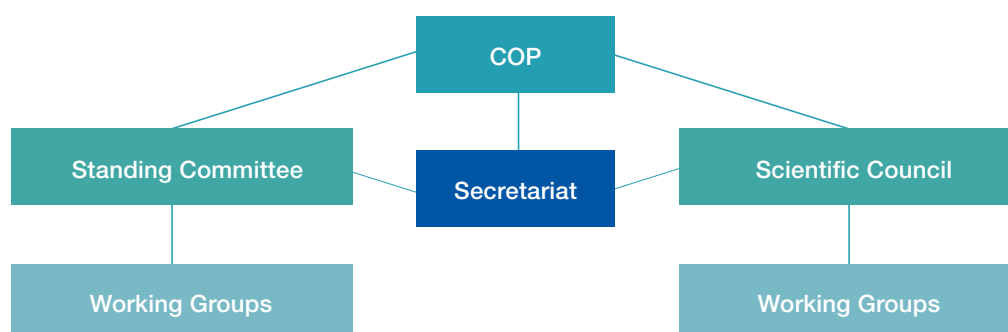




Topics covered in the rules of procedure include:

- Representatives, observers, secretariat (Rules 1 – 4)
- Arrangements of the meeting (Rules 5 – 11)
- Officers (Rules 12 – 13)
- Rules of order and debate (Rules 14 – 17)
- Submission of documents (Rules 18 – 19)
- Voting (Rules 20 – 23)
- Parties must make every effort to reach agreement on all matters by consensus
- Votes shall be taken by a two-thirds majority of votes cast.
- Amendments

Institutional structure supporting the agreement



Conference of the Parties (COP):

The decision-making body of the Convention. It meets at three-yearly intervals.

Standing Committee (StC):

Gives policy and administrative guidance between meetings.

Scientific Council (ScC):

Meets between COP sessions to offer scientific advice and identify research and conservation priorities.

Secretariat:

Develops and promotes Agreements, services meetings, supports and supervises research and conservation projects and co-operates with governments and partner organizations. The Secretariat is provided by the United Nations Environment Programme (UNEP) and is based in Bonn, Germany and has an out-posted office in Abu Dhabi, United Arab Emirates.

