

Agenda Item 14.1

Relations with Other Bodies

Reports by the Secretariat, Parties and  
Partners

Document 14.1.b

**A Natural Affiliation:  
Developing the Role of NGOs in the  
CMS Family**

**Action Requested**

- Take note
- Comment

Submitted by

Wild Migration



**NOTE:  
DELEGATES ARE KINDLY REMINDED TO BRING THEIR OWN COPIES OF DOCUMENTS  
TO THE MEETING**



# A Natural Affiliation:

## Developing the Role of NGOs in the CMS Family

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As a response to discussions held in the margins of 10<sup>th</sup> Convention on Migratory Species (CMS) Conference of the Parties (CoP), Wild Migration\* has recently completed an international Review - *A Natural Affiliation: Developing the Role of NGOs in the CMS Family* - to explore Non-Governmental Organisation (NGO) relationships with the CMS Family†, including perspectives on CMS as a mechanism, CMS's influence and implementation‡ and NGO contributions to this influence and implementation. The Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS) was included in this Review as one of the 21 CMS agreements.

During the 7<sup>th</sup> ASCOBANS Meeting of the Parties (MoP) there was a general discussion surrounding *Agenda Item 8. Administrative and Budgetary Issues* where NGOs felt that, as contributors to the Agreement's work, they could benefit the discussions of the Administrative Working Group. A view was expressed that perhaps NGO contributions were not well understood or quantified. As a response, Wild Migration offered to facilitate the development of:

*"... a report to forthcoming Advisory Committee meetings of the work undertaken by NGOs with an assessment of their financial and in-kind contributions to the implementation of the Agreement."*

This following summary of *A Natural Affiliation* is offered as a foundation contribution towards this commitment. The second stage of the work offered during the 7<sup>th</sup> ASCOBANS MoP has also now commenced and will be reported to a forthcoming meeting.

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## A Natural Affiliation: Summary Findings

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*A Natural Affiliation* was conducted over a twelve month period drawing in data and perspectives through more than 100 interview and survey responses from individuals across the world, including both NGOs and CMS Family Secretariats. The full Review is initially intended as a contribution to the CMS Strategic Plan Working Group.

The Review found that NGOs have historically demonstrated a considerable commitment to the CMS Family, but the continuation of this commitment is being constantly weighed and contrasted to other multi-lateral environmental agreements (MEAs). They understand that commitment has a cycle; that they must commit to participate before and during the CMS processes to raise the profile of species issues (threats, species conservation status, linkages to other MEAs, the impacts of other decisions etc) and to influence these discussions and accords. They know that they may be needed for on-ground implementation support, and many of them prepare for this by developing close working relationships with governments and seeking funding to facilitate work; before, during and after meetings. These are the ways NGOs currently measure their involvement, but their long-term commitment is always hinged on an assessment of how much conservation progress is made between meetings. They hope that Party or Signatory implementation will be reported and assessed, but often find that it is not. Therefore, their judgement is based on their own simple assessment- have threats been reduced and/or has the species conservation status been improved?

Where they voice frustration with continuing their involvement in the CMS agenda it is because they perceive a lack of government commitment to engage in implementation, for instance on-ground conservation work or necessary legislative changes to follow through with the accord. In these cases they

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\* Wild Migration was originally introduced to ASCOBANS as the Migratory Wildlife Network.

† The term CMS Family refers to the parent convention and its formal bodies as well as all Agreements, Memorandum of Understanding and their formal bodies, and any Action Plans developed with voluntary association, as outlined in the CMS Family Guide

‡ Implementation means 'the process by which intent gets translated into action'. It includes the myriad of events and activities that occur in response to a public policy directive that have the intent of accomplishing that directive.

begin to reassess their 'involvement'. This is exacerbated when the work they do between meetings is either invisible to the process, or not used to progress the next set of priorities.

*A Natural Affiliation* also interviewed individuals from many of the CMS Secretariats and found that, as Secretariats, they measure their implementation in terms of the number of meetings or working groups held and on the timely production of documents and reports. They have an understandable emphasis on the administration of the agreement they are responsible for. Consequently, when they consider levels or types of NGO commitment they see it through this lens, measuring the number of NGOs attending meetings or assisting in the production of documents or contributions to working groups that facilitate government deliberations.

NGOs see themselves as a resource that the CMS Family can actively draw upon but developing a structured process for their deeper involvement is eluding everyone.

The result is that what NGOs perceive as their contribution to implementation is mostly reflected through Party or Signatory reports, if at all, and mostly as a part of a list of activities without any objective assessment about the Party or Signatory's implementation progress. NGOs find most agreement reporting processes ad hoc and unstructured and are understandably wary of committing to formalised reporting if their contributions are not then taken seriously as genuine and valued commitment to an agreement.

Clearly, both NGO involvement and actual implementation progress depends on many factors, not the least of which is the political dynamic of a particular region or an issue, as well as the relationship that NGOs have with governments in a given circumstance or region.

However, the NGO community believes the CMS Family still holds promise. The majority of NGOs who contributed to *A Natural Affiliation* would be interested to increase their involvement if conservation implementation was stronger in the CMS Family. Therefore, the perspective and views articulated through *A Natural Affiliation* are important to consider.

### ASCOBANS Compared to other CMS Agreements

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As a part of the Review, data was captured through an online survey, which specifically focused on the 21 CMS agreements. 50 NGO responses were received in total. Parts of the online survey responses are woven into the general *A Natural Affiliation* assessment, but the following agreement-specific details are worthwhile highlighting.

Most respondents to the online survey reported having focused on specific CMS agreements for a long period of time, many since the agreement was first formed. They all indicated a level of ongoing and detailed commitment that included delivering conservation activities, using the forum for political influence, using the forum for scientific communication, and for some agreements providing support to the Secretariat in various forms. This was certainly the case for ASCOBANS, and variously the case for the:

- Agreement on the Conservation of Albatrosses and Petrels (ACAP),
- Agreement on the Conservation Of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS),
- African-Eurasian Waterbird Agreement (AEWA),
- Memorandum of Understanding Concerning Conservation and Restoration of the Bukhara Deer (Bukhara Deer),
- Memorandum of Understanding on the Conservation and Management of Dugongs and Their Habitats Throughout Their Range (Dugong),
- Agreement on the Conservation of Populations of European Bats (EUROBATS), Agreement on the Conservation of Gorillas and Their Habitats (Gorilla),
- Memorandum of Understanding Concerning Conservation Measures for the Eastern Atlantic Populations of the Mediterranean Monk Seal (Monk Seal),
- Memorandum of Understanding for the Conservation of Cetaceans and Their Habitats in the Pacific Islands Region (Pacific Cetaceans),
- Memorandum of Understanding Concerning the Conservation of Migratory Birds of Prey in Africa and Eurasia (Raptors),
- Memorandum of Understanding on the Conservation of Migratory Sharks (Sharks),
- Memorandum of Understanding Concerning Conservation, Restoration and Sustainable Use of the Saiga Antelope (Saiga Antelope),
- Memorandum of Understanding Concerning Conservation Measures for the Siberian Crane (Siberian Crane),
- Memorandum of Understanding Concerning Conservation Measures for the Slender-Billed Curlew (Slender Billed Curlew),

- Memorandum of Understanding Between the Argentine Republic and the Republic of Chile on the Conservation of the Southern Huemul (South Andean Huemul),
- Memorandum of Understanding Concerning the Conservation of the Manatee and Small Cetaceans of Western Africa and Macaronesia (West African Aquatic Mammals),
- Memorandum of Understanding Concerning Conservation Measures for the West African Populations of the African Elephant (West African Elephants).

NGOs reporting their length of involvement with the Memorandum of Understanding on the Conservation and Management of Marine Turtles and Their Habitats of the Indian Ocean and South-East Asia (IOSEA) indicated their involvement was on an 'as needs basis', but these respondents also indicated a level of ongoing and detailed commitment to IOSEA.

While it must be acknowledged that ASCOBANS has a strong track record of scientific deliberation, respondents felt that the actual conservation implementation by ASCOBANS Parties, such as the reduction of threats, adequately protecting key habitat or securing the conservation status of key species, could be better. AWEA, Bukhara Deer, IOSEA and Raptors were highlighted by some as being strong and effective, whereas Gorilla, West African Aquatic Mammals and West African Elephants were identified as not delivering much conservation progress, with some comments expressing disappointment.

Respondents felt that, in the main AEWA, ACCOBAMS, IOSEA, Raptors and Saiga Antelope were adaptive to new and emerging threats. Whereas ASCOBANS was amongst the group identified as less flexible in relation to new and emerging threats, although ASCOBANS was not alone in this. This group also included Bukhara Deer, Dugong, EUROBATS, Monk Seal, Pacific Cetaceans, Sharks, Siberian Crane, South Andean Huemul. Once again, Gorilla, West African Aquatic Mammals and West African Elephants were each identified as inflexible to new and emerging threats.

Implementation by Parties and Signatories was considered acceptable, but could be better for ACAP, AEWA, Bukhara Deer, EUROBATS, IOSEA, Monk Seal, Raptors, Sharks, Saiga Antelope, Siberian Crane, South Andean Huemul, West African Aquatic Mammals, and was considered low for ASCOBANS as well as ACCOBAMS, Dugong, Gorilla, Pacific Cetacean and West African Elephants. It should be noted that this is a subjective assessment and based on the impression of the NGO respondents, not an objective analysis of data. However, it indicates an area that ASCOBANS Parties may wish to look at more specifically - consistent, transparent and objective assessment of reporting on implementation progress.

## A Natural Affiliation: Recommendations

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A series of initial Recommendations born of *A Natural Affiliation* are proposed further consideration by the CMS Family, and specifically as a contribution to the CMS Strategic Plan Working Group. These Recommendations can serve as an important indicator of the pulse of the NGO community concerning the CMS Family. They reflect the depth of consideration that NGOs are giving to the CMS agenda, and provide insight into how much more might be possible. While these Recommendations are not specifically about ASCOBANS, they do have some relevance to the Agreement and are worth considering.

### Gaining Traction for the CMS Agenda

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Developing a means for the CMS Family agenda to be more seriously taken on board by governments would greatly assist CMS's development. This includes active measures to attend to and promote the CMS Family's track record of implementation.

NGO Recommendations include: increasing the CMS Family profile in other international processes, including as part of National Biodiversity Strategy and Action Plan (NBSAP) implementation; hosting a regular high level CMS Family ministerial meeting; developing a CMS budget that provides core funding to pursuing implementation strategies; providing education and support of government officials in key regions to understand the CMS agenda as well as increasing implementation; promoting activities in the field and on-ground that are designed to increase CMS's relevance; and ensuring that there is profile for both CMS related species and habitat activities so that CMS can be readily acknowledged as an implementing agent of biodiversity policy.

### Making the Most of the Unique CMS architecture

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The CMS Family offers a unique architecture by providing for high level policy discussions (through the CMS CoP) as well as detailed and region specific species actions plans and activities coordinated through agreements.

NGO Recommendations include: strengthening the CMS agenda to influence and contribute to key components of the Convention on Biological Diversity (CBD) and Convention on International Trade in Endangered Species (CITES) plans; consolidating the reporting of CMS Family activities to highlight the important CMS architecture; making better use of taskforces or technical expert panels; investing in more strategic presentation of the website; and establishing a Geneva based CMS presence.

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### Better Involvement of NGOs

There is significant scope for NGOs to provide specific types of implementation activity (scientific, technical, practical, local, popular, capacity-related, etc) especially where priority taxonomic or geographical gaps are identified or capacity building is needed in developing regions. NGOs would welcome a more structured and systematic long-term approach to joint planning (and evaluation) of their contribution to CMS Family implementation.

This will require NGOs to develop mechanisms to inform/report on their activities so that CMS can profile their work better, as well as CMS and CMS agreement Secretariats communicating the value of this work to their Parties and Signatories so that efforts made by NGOs are seen as relevant and respected. It is important that NGO contributions are codified and accepted as a contribution against an agreed plan, so that Parties or Signatories can recognise the value, and build this work more fully into the progression of the CMS agenda. At present, only a fraction of NGO CMS-related activities get reported back into CMS processes.

NGO Recommendations include: CMS convening a regular NGO forum; developing a dialogue to foster strong and lasting relationships between governments and NGOs that is focused on implementing conservation priorities decided by CMS; developing a mechanism to enable NGO funded or facilitated work to be formally and consistently reported across the CMS Family; codifying key advisory roles in the Scientific Council and inviting NGOs to fill these roles; exploring formalised models for NGO involvement in CMS processes; making processes, meetings and information more accessible through better use of web and communication technologies; and allowing national NGOs the same access to CMS processes as international NGOs (CMS Article VII, 9).

NGO have also urged: better utilization of the close cooperation that exists between many international and national NGOs; considering strategic engagement with the CMS agreement Partners to act as informal surrogates for regional representation on broader CMS issues; considering strategic engagement with local NGOs to provide capacity building expertise in key regions; and reviewing the NGO Partner agreements to ensure there is reciprocal benefit.

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### Increasing Implementation

Implementation was a priority issue for most NGOs that participated in the Review. Many NGOs highlighted that the CMS Family needs a monitoring and evaluation process that defines and tracks the main benchmarks for the convention's work. Some organisations suggested that CMS needs a legally enforceable compliance regime.

NGO Recommendations include: streamlining the reporting of CMS and CMS agreements into one system and developing an evaluation process that draws information from the whole CMS Family, including NGO contributions; building the culture of evaluation of government obligations to strengthen CMS; and exploring the creation of a compliance mechanism for CMS.

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### Developing Priority Activities

A number of NGOs felt that a strategic appraisal of where the CMS Family can make the most difference is needed to identify and highlight priority work areas. Some NGOs commented that they would like to see CMS messaging more overtly encompass habitat, including the development and management of transnational wildlife corridors, to clearly articulate CMS's role in the context of other conventions such as CBD, CITES and the various Regional Fisheries Management Organisations (RFMOs). NGOs, especially those with established research programmes, are also interested in engaging in work that it is directly relevant to CMS and CMS agreements. However, this requires CMS to identify priority activities that institutes and researchers are able to draw upon for setting their priorities and seeking funding. Similarly, if short, medium and long term policy priorities were set and NGOs were invited into the planning process for how to take issues forward, it would increase the NGO buy-in to CMS and CMS processes.

NGO Recommendations include: conducting a series of strategic assessments about how well CMS objectives and targets are being met; developing a series of priority activities that draw upon these three

assessments; establishing processes and a culture of more frequent interactions with technical or scientific experts on research progress; and planning for agreements or action plans to be developed for each of the listed species so that appropriate conservation focus and detail can be maintained where it is needed.

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## ASCOBANS NGOs: Reporting Implementation Contributions

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The Review process had just started at the time of the 7<sup>th</sup> ASCOBANS MoP, and in context of the discussions surrounding item *8.4 Financial, Budgetary and Administrative Matters 2013-2015/16*, Wild Migration offered to present *A Natural Affiliation's* findings to this forthcoming Advisory Committee meeting as a foundation contribution.

The second stage of the work offered during the 7<sup>th</sup> MoP has also now commenced and Wild Migration has opened discussions with the ASCOBANS NGO community about how their financial and in-kind contributions are assessed as an implementation of the Agreement.

As was reflected during *A Natural Affiliation's* interviews and surveys, NGOs are understandably wary of committing to formalised reporting if these are not then taken seriously as genuine and valued commitment to an agreement. The first stage of the ASCOBANS NGO discussion is therefore to understand how much reporting they are currently doing, and where they see this reporting reflected. If this NGO community still feels it is worthwhile to engage, then we will proceed to developing either an indicative report of the NGO work in the ASCOBANS region or else a report on the discussion we have had and decisions we have reached in time for consideration by a forthcoming meeting.

**Wild Migration recalls that the offer for NGOs to be able to quantify the value of their contributions to ASCOBANS implementation was warmly received by ASCOBANS Parties with supportive interventions from Germany, the United Kingdom and the Netherlands and we look forward to being able to report the next phase of this work in the forthcoming period.**

**Wild Migration welcomes the opportunity to present *A Natural Affiliation's* findings and Recommendations, as well as the opportunity of a future report of the work undertaken by NGOs as a contribution to ASCOBANS implementation.**