



# Convention on the Conservation of Migratory Species of Wild Animals

*Secretariat provided by the United Nations Environment Programme*



## Report of the 40<sup>th</sup> Meeting of the CMS Standing Committee

*Bonn (Germany), 7-8 November 2012*

### Opening Remarks and Organizational matters

#### 1. Opening Remarks and Introductions

1. The Chair, Alfred Oteng-Yeboah (Ghana) opened proceedings, welcoming participants to the 40<sup>th</sup> meeting of the CMS Standing Committee and thanking the Host Government, Germany, for its continuing generosity towards the Convention. He also thanked Bert Lenten, the Officer in Charge, and Elizabeth Maruma Mrema, the Acting Executive Secretary, who was keeping an eye on the Convention from afar while also discharging the duties of her new post. He said that he had been involved in the procedure to recruit Ms Mrema's successor and he expected some news of developments to emerge from UNEP soon.

2. One year into the new triennium, the Secretariat was making progress in fulfilling the tasks assigned to it by the Conference of the Parties (COP), and the Meeting could expect to receive reports on a wide range of activities, such as capacity building, synergies and partnerships. The activities should be seen against the background of the decisions coming from Rio+20 set out in "The Future We Want" and in the context of CMS being the recognized lead partner of CBD with regard to migratory species. The recent CBD COP in Hyderabad, India had made a call for "biodiversity champions" and CMS was well placed to fulfil that role for migratory species. Similarly, the CMS Strategic Plan, which was in the process of being drawn up, could make a contribution to wider global objectives for biodiversity conservation. A report from the Working Group dealing with the CMS Strategic Plan would be given during the course of the Meeting.

3. Bert Lenten (Secretariat) relayed the good wishes of Ms Mrema, who, he informed the meeting, had just become a grandmother. This being the first meeting of the Standing Committee since the COP, the Secretariat would be reporting on progress regarding the four-page long list of tasks that had been assigned to it in Bergen. Major developments included the elaboration of a Handbook for National Focal Points and the drafting of the Strategic Plan 2015-2022. There was an emerging consensus that a primary task was to lift the political profile of the Convention.

#### 2. Adoption of Agenda and Schedule

##### 2.1 Provisional Agenda

4. The Chair introduced the 25-point provisional agenda (Doc UNEP/CMS/StC40/2.1) and asked the Meeting for comments.

5. Andrew Bignell (New Zealand) proposed that a report from the Chair of the Finance and Budget Sub-Committee be taken as a new sub item under Agenda Item 10 (Financial and Human Resources). In response to a question from Gerhard Adams (Germany) regarding when the recruitment of the new Executive Secretary would be discussed, the Chair felt that Agenda Item 8 (Report from UNEP) would be the most appropriate place.

6. There being no other comments, the agenda was adopted as amended.

## **2.2 Annotated Agenda and Schedule**

7. There were no comments on the schedule which was therefore adopted as presented.

## **3. Adoption of the Rules of Procedure**

8. Mr Lenten (Secretariat) introduced Doc UNEP/CMS/StC40/3 rev.1 explaining that the Rules of Procedure (ROP) for the Standing Committee had last been reviewed in 2009, when it had been decided that the Rules would remain in place until such time as they were changed and would not therefore have to be adopted at each Meeting.

9. However, when the Secretariat had examined the Rules, a number of inconsistencies and oddities had come to light. It was therefore proposed that an intersessional working group be established to review the Rules, which could nonetheless be used for the present Meeting.

10. Mr Bignell (New Zealand), welcoming the adoption of the revised numbering system, which aligned documents to the relevant Agenda Item, suggested that a further Rule be added requiring Standing Committee documents to be posted in all three languages at least thirty working days in advance of Meetings (see also the Resolution reproduced under Agenda Item 24 “Any Other Business”).

11. The Chair sought one Party from each region to serve on the Working Group.

A Working Group consisting of Chile, Germany, New Zealand, Pakistan and Uganda was established to review the proposed changes to the ROP of the Standing Committee. In the course of the Meeting, the Working Group’s remit was extended to cover Organizational Changes for the COP (Agenda Item 11.2.1), the ROP for the COP (Item 11.2.2) and the Retirement of Resolutions and Recommendations (Item 19)<sup>1</sup>

## **4. Adoption of Reports of CMS Standing Committee Meetings**

12. The Committee was required to adopt formally the Reports of the two Meetings of the Standing Committee that had taken place either side of COP10. Mr Lenten explained that drafts of both reports had been circulated to Parties and all comments received accommodated.

### **4.1 38<sup>th</sup> Meeting of the Standing Committee**

13. There being no further comments on the draft report of the 38<sup>th</sup> Meeting, the report was adopted.

### **4.2 39<sup>th</sup> Meeting of the Standing Committee**

14. There also being no further comments on the draft report of the 39<sup>th</sup> Meeting, this report too was adopted.

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<sup>1</sup> Editorial note: the Terms of References of the working group have been approved by the members and attached to the report as Annex 3

## Reports

### 5. Depositary

15. Elaborating on the information provided in the Document UNEP/CMS/StC40/Doc.5, Mr Adams (Germany) reported that the two most recent accessions had been Burundi (July 2011) and Zimbabwe (June 2012) bringing the total number of Parties to 117. Germany actively tried to recruit new Parties and during the visit of a delegation from the Chinese CITES Authority, a meeting had been arranged with the CMS Secretariat. Although China did not seem inclined to accede to the Convention at the moment, it was participating in some regional CMS activities in Central Asia.

16. Domestically, Germany was in the process of undertaking a change of energy policy, moving away from nuclear power towards more renewable sources. The greater use of wind turbines presented a challenge to conservation because birds and bats collided with the rotor blades. Efforts were also being made to reduce the electrocution of birds on overhead power lines.

17. Mr Adams concluded his intervention by reminding the Meeting that the German Ministry would be hosting a reception that evening, to which all participants were cordially invited.

18. Francisco Rilla (Secretariat) added that a number of other countries were well advanced with their accession procedures. Swaziland had submitted its accession documents to the German Foreign Office, which served as Depositary. Brazil, Colombia and the Dominican Republic were also interested in joining CMS, so the Convention might expect to have at least five more Parties before the next COP.

19. The Chair called on all members of the Standing Committee to help with recruitment within their regions, especially targeting countries active in CBD. He also noted that there were no Parties from the North America region, a state of affairs that needed to be remedied.

### 6. Standing Committee

20. The Chair invited Members and Observers to make oral statements to complement their written reports. Written reports (see documents UNEP/CMS/StC40/Doc.6.1.a-d) had been received from South America, the European Union, Central America & the Caribbean and Central & Eastern Europe.

#### 6.1 Standing Committee Members

##### Chair

21. The Chair reported that he had been directly involved in the recruitment process for the new Executive Secretary including participation in the face-to-face interviews. He was serving on the Strategic Plan Working Group as an *ex officio* member and had held several informal bilateral meetings with the Working Group's Chair, Ines Verleye, in the margins of other meetings, most recently the CBD COP.

22. The Chair had represented Ghana in the meetings that decided the modalities of IPBES and he congratulated Germany on its successful bid to host the IPBES Secretariat (see also Agenda Item 14). This presented a great opportunity for CMS, as IPBES would be housed in the same building. At the CBD COP, he had stressed the importance of migratory species as an element of biodiversity and the role of the Convention, and in Africa he was serving as the vice-chair of the Satoyama

Initiative promoting the sustainable use of landscapes and seascapes, many of which were important habitats for migratory species.

#### South and Central America and the Caribbean

23. For South America, Nancy Céspedes (Chile) outlined a number of activities relating to albatrosses and petrels, bats and the Striped Dolphin. Bilateral cooperation was being undertaken between Chile and Peru and also Chile and Argentina, and a further MOU was in the pipeline. Uruguay had now made a databank of bird observations available online. A project to ring flamingos was being carried out and in October 2012 a meeting on marine turtles had been held in Chile.

24. For Central America & the Caribbean, Lourdes Coya de la Fuente (Cuba) reported that Costa Rica had banned the practice of shark finning and other countries in the region were considering signing the Sharks MOU. Numerous research, public awareness and monitoring activities were being undertaken, while Cuba had enacted a new legal instrument concerning biodiversity conservation, including all CMS-listed species occurring in the country.

#### Europe

25. Øystein Størkersen (Norway) reported on activities concerning the Svalbard population of the Pink-footed Goose (*Anser brachyrhynchus*) for which overgrazing in the tundra was a main issue, and on the forthcoming meeting in Greece concerning the Lesser White-fronted Goose (*Anser erythropus*), whose population declines had been arrested but still numbered just 15-18 pairs in the western part of its range. Each year, €800,000 was being spent on the conservation of this species, much directed at Kazakhstan and the Russian Federation. Norway was also collaborating with - though not directly benefitting from - a LIFE + project. Norway had also opened a bat information centre having earlier established a bat rescue facility. Other activities concerned a report on birds of prey that would be presented at the MOU meeting in Abu Dhabi in December, a study of seabird bycatch related to ACAP, for which Norway was funding a researcher and investigating chemicals and their effects on wildlife.

26. Monika Lesz (Poland) referred to the comprehensive 17-page report that had been posted. She added that France had hosted the 5<sup>th</sup> MOP of AEWa and had made a three-year commitment to fund the African Initiative. France had also hosted the Standing Committee of EUROBATS. The UK had hosted the 7<sup>th</sup> MOP of ASCOBANS.

27. France had signed the Bird of Prey (Raptors) MOU, while the UK had signed the Sharks MOU. Germany was undertaking research into sharks, disturbance to bats arising from the energy sector and electrocution of birds in Africa. Romania had imposed restrictions on the taking of Spiny Dogfish (*Squalus acanthias*). The UK had funded research investigating the PBC exposure of stranded specimens of Harbour Porpoises (*Phocoena phocoena*). Poland had worked on aquatic mammals in the Baltic and ghost fishing nets. Poland had also completed one project on the Aquatic Warbler (*Acrocephalus paludicola*) and was about to start another. The UK had also examined the interactions of bats and wind turbines and had supported the creation of a web portal on bats in Eastern Europe. France had prepared CD-ROMs on waterbirds in Arabic and had prepared an atlas of waterbirds in Libya.

28. Volodymyr Domashlinets (Ukraine) mentioned the actions coordinated under AEWa for the Lesser White-fronted Goose, an EU-supported census of marine mammals in the Black Sea, a regional meeting for ACCOBAMS partners in Istanbul, activities related to EUROBATS and the

National Action Plan on Environmental Protection adopted by the Ukrainian Government in 2011 where actions for migratory species were foreseen.

### Oceania

29. Mr Bignell (New Zealand) said that the main highlight had been the recent meeting of the Pacific Islands Cetacean MOU held in conjunction with SPREP, and the MOP of ACAP together with related scientific work, including close liaison with the fisheries sector regarding bycatch. A number of countries had banned shark finning and several huge marine protected areas had been declared. The partners to the East Asian Australasian Flyway had met and the issue of habitat degradation had been addressed at the IUCN World Congress in Jeju, Republic of Korea. He concluded by describing the planning conditions attached to the consent to a new wind farm, which included mitigation measures to be undertaken at another site, to offset any casualties caused by the turbines. If monitoring identified an unacceptable environmental impact caused by the turbines, then the wind farm would have to cease operation.

### Asia

30. Abdul Munaf Qaimkhani (Pakistan) in the absence of the representative from India reported on behalf of the entire Asia region. He said that he had had little feedback from other Parties to his requests for information. However, two Ramsar sites had been declared in the region – one in India and the other in Kazakhstan – which were important areas for migratory birds and sturgeons. A Ramsar Advisory Mission had taken place in Pakistan at the end of October/beginning of November 2012 to examine the effects of climate change and global warming. Pakistan had assumed the vice-chairmanship of the Saker Falcon Task Force, attended the Sharks MOU Meeting and initiated the establishment of local groups concerned with the conservation of cranes. A national committee for marine turtles had also been set up in July 2012 under the leadership of a renowned expert on the species. This committee would identify key sites for turtles in Pakistan.

### Africa

31. Akankwasah Barirega (Uganda) said that both Burundi and Zimbabwe had acceded to the Convention and Uganda had hosted the African Parliamentary Colloquium on MEAs as well as a workshop on the Single Species Action Plan (SSAP) for the Shoebill (*Balaeniceps rex*). The draft SSAP had been elaborated and would be passed to a consultant for finalization. The United Republic of Tanzania had hosted the pan-African Ornithological Conference and the report would be issued in due course. A new sub-regional treaty on the management of biodiversity was under consideration; this would be relevant for elephants, gorillas and some bird species.

32. Khaled Zahzah (Tunisia) had received no information from other Parties so confined his comments to activities within his own country, where workshops had been held with veterinarians and on human populations and migratory species. Tunisia had attended the Sharks MOU Meeting in Bonn in September and would be attending the Birds of Prey MOU Meeting in December. Survey work had been conducted in the mountains with regard to the Concerted Action on Sahelo-Saharan Antelopes.

33. Nana Kofi Adu-Nsaih (Ghana) reported that 12 priority projects had been identified in connection with transboundary efforts to conserve elephants. Ghana was working with Burkina Faso, Côte d'Ivoire and Togo. Ghana had hosted the AEWA Technical Committee in conjunction with the workshop on migratory landbirds. World Migratory Bird Day had generated considerable interest. Similar problems of communication seemed to exist in Africa as were experienced by

Pakistan in Asia – West Africa being a mix of anglophone and francophone countries. The Chair felt that this problem needed to be addressed.

## 6.2 Observers

34. Nicola Crockford (BirdLife International) read a statement provided by Margi Prideaux of the Migratory Wildlife Network, who was listening to the meeting via Skype but who, due to technical problems, was unable to be heard. The statement complemented the written report (Doc UNEP/CMS/Stc40/6.2a “Natural Affiliations”, which focused on the relationship the NGOs had with the CMS as a whole, to help guide building the relationship in the future). The statement also noted that there was another review underway about the relationship that NGOs had with the CMS Agreements, MOUs and concerted actions. In response, the Chair warmly welcomed the commitment of the NGOs to collaborate with the Convention to help secure its goals.

## 7. Chairman of the Scientific Council

35. Fernando Spina (Italy - Chair, CMS Scientific Council) gave a brief résumé of his activities since being elected as the Chair of the Scientific Council at its 2011 meeting in Bergen. This report complemented Document UNEP/CMS/StC40/7.

36. He had had a very fruitful meeting with the Secretariat in Bonn in January when he had also taken the opportunity to speak with staff of the other CMS instruments.

37. With the assistance of the AEWA Secretariat, the AEWA Technical Committee Workspace had been adapted and similar platforms were being developed for other CMS and Agreement bodies, including the Scientific Council; this would do much to compensate for there not being a full physical meeting of the Council before 2014.

38. One of his tasks as Chair was to identify focal point experts for species listed on Appendix I and II of the Convention. The response rate had been disappointing, with only Dr Bill Perrin (Appointed Councillor for Aquatic Mammals) providing the names of candidates. The Chair would persevere and work on drafting terms of reference for the experts.

39. In lieu of a full intersessional meeting of the Council, Mr Spina had been seeking funding to enable a smaller group of key Councillors to gather to discuss key issues, and promising contacts had been made with the municipality of Gaeta. Attendance might have to be restricted to the Council’s officers, the Appointed Councillors, convenors of taxonomic and geographical groups and some regional representatives. Further ideas on how the Council might be run differently were contained in Document UNEP/CMS/StC40/11.3.

40. In his capacity as the Chair of EURING, Mr Spina had contacted Nick Williams of the Birds of Prey MOU Secretariat and had facilitated making millions of items of data available to the MOU. A presentation would be made during the December meeting in Abu Dhabi. Also related to raptors, Mr Spina was serving on the Saker Falcon Task Force.

41. For World Migratory Bird Day 2012, Mr Spina had contributed a statement of support and thinking ahead to 2013, he suggested contacting Professor Theunis Piersma of Groningen, an expert in animal ecology.

42. Mr Spina had attended the Strategic Plan Working Group as an *ex officio* member. He had also attended the workshop on African-Eurasian Migratory Landbirds in Ghana, had helped draft some of the documents and served as chair of the working group on knowledge gaps.

43. With regard to other MEAs, he had attended the Fifth Meeting of the Chairs of the Scientific Advisory Bodies of the Biodiversity-related Conventions (CSAB) in Dublin, accompanied by Borja Heredia of the Secretariat. One of the issues discussed was the difficult subject of taxonomy. At the Panama meeting concerning IBPES he had made a presentation on CMS and together with Council Vice-Chair, Malta Qwathekana, had made the case to other MEAs to enhance cooperation through organizing joint regional meetings on capacity building. The first plenary meeting of IPBES, which would provide a further opportunity to decide how MEAs could best contribute and benefit from IPBES, was scheduled to take place in Bonn in January 2013. Consideration was also being given to greater collaboration with the UN Convention to Combat Desertification (UNCCD) particularly with regard to barriers to migration and soil degradation.

44. Mr Spina had attended two meetings of the ICARUS project, one in Rome and one in Ringsberg, Germany. Viable satellite transmitters weighing less than one gram now seemed within reach, which could be deployed on smaller migratory species.

45. In September, Mr Spina chaired the first Meeting of the Signatories to the Sharks MOU, held in Bonn.

46. Mr Spina was congratulated for the dynamic way that he had approached his new role and was asked how he was prioritizing the many tasks he had been assigned. He realized that he could not manage all the work himself and would rely on the active support of the Council, especially the appointed members. He believed that the Workspace facility would prove to be very useful.

47. In response to the comment that the response to requests for input had been sparse, Mr Bignell (New Zealand) said that he was unaware of any communication seeking information and asked that Secretariat ensure that the contact was up to date. Ms Lesz (Poland) suggested that such requests in future be copied to the National Focal Points. Ms Céspedes (Chile) asked whether the Workspace would be open to experts serving on the advisory bodies of other forums.

48. Mr Bignell recalled that the discussions at CBD regarding interactions with IPBES had become mired in details of how the preeminent role of the Parties would be maintained. He therefore suggested that the Standing Committee give the Scientific Council the task of considering how CMS should channel its input and requests to IPBES. Mr Spina said that a letter had been received from IPBES with some initial ideas of how the platform would work with MEAs. The letter had been forwarded to the Secretariat and after brief consultation with some members of the Council, an initial response had been sent. Mr Lenten (Secretariat) said that CMS was assisting IPBES with a number of practical tasks regarding accommodation and equipment and he expected day-to-day contacts with IPBES staff to be frequent.

49. The Chair sought more details about the proposed restricted meeting of the Council in 2013. Mr Spina said that he hoped that funds would be found to allow as many Councillors to attend as possible, but it was not realistic to expect that a full Council meeting would be feasible.

50. Mr Zahzah (Tunisia) asked whether any more donors other than UNEP had been found for the Small Grants Programme. Mr Spina agreed that this was important as science was the basis of the Convention's work, that the quality of the applications was encouragingly high and that as a result some excellent proposals had not been awarded a grant.

The list of contact details of Scientific Councillors would be circulated to verify its accuracy

Scientific Councillors would be invited to sign up to assist with key activities

## 8. UNEP

51. Mamadou Kane (UNEP) presented a brief overview of UNEP involvement in the business of CMS since the last COP. He also referred Committee members to the written report which was available as document UNEP/CMS/StC40/8. Key aspects of activity included the provision of MEA Focal Points who helped promote CMS from the UNEP Regional Offices. UNEP was also coordinating the InforMEA project and was involved in GRASP and with the development of online reporting in conjunction with WCMC, CMS and AEWA.

### Delegation of Authority

52. The Delegation of Authority (discussed at COP10) had been concluded and signed in August, and from the 13 per cent PSC administrative charge levied on CMS expenditure, all members of staff in the CMS Administration and Fund Management Unit were paid.

### Recruitment of the Executive Secretary

53. Mr Kane described the process for recruiting the new Executive Secretary. The initial vacancy announcement had been published on 23 February 2012 with a deadline for applications of 30 April. The deadline was extended to 30 May to try to ensure a better gender balance of candidates. Rather than 300 candidates as might have been expected, only 95 people (80 men and 15 women) had applied. Based on a number of criteria, including educational background, managerial experience and expertise on international environmental policy, a shortlist of 10 candidates was interviewed by telephone and six of these were called to face-to-face interviews in Nairobi. A list of three recommended candidates had been forwarded to the Central Review Panel (CRP), whose task it was to ensure that the procedure was fair and conducted in accordance with UN Rules. The CRP was an independent body, which met monthly and UNEP had no influence over the speed of its decision making. It was also impossible to estimate when the new Executive Secretary would enter on duty as it was not known how much notice he or she would have to serve in his or her current position.

54. Ms Céspedes (Chile) asked whether a preferred candidate had been identified in the recruitment process for the Executive Secretary, and it was confirmed that the Panel's recommendation contained three names, and it would be for the Executive Director to choose one after the Central Review Panel had cleared the list. Ms Lesz (Poland) regretting that it was not possible for the new Executive Secretary to be presented to the current Meeting, asked how it was proposed to introduce the successful candidate to the Parties. Mr Kane said that the Chair of the Standing Committee would be informed and it would be for him to relay the information further.

### UNEP/CMS Memorandum of Understanding

55. Mr Kane went on to explain that UNEP wanted to enter into a Memorandum of Understanding with the Standing Committee, similar to arrangements already in place with the Executive Secretary of CBD and the Chairman of the Standing Committee of CITES. Such an MOU would be useful in pre-empting misunderstandings over the roles of UNEP, the Secretariat and the Parties.

56. Ms Lesz (Poland) asked whether there would be any financial implications from having an MOU with UNEP. Mr Kane said that the MOU would cover administrative matters and would set out the basic principles of the relationship between UNEP and CMS and the Executive Director, the Executive Secretary and the Parties, and therefore no costs would arise.

57. Mr Bignell (New Zealand) was concerned that Mr Kane had alluded to problems in an MEA when making the case for having an MOU. Mr Bignell said that he had experienced the process under CBD where an MOU now existed between the UNEP Executive Director and the Executive Secretary of CBD. He asked what role there was for the Standing Committee and questioned whether the Committee had a mandate to enter negotiations in the first place.

58. Mr Kane agreed that there had been no problems in the CMS Secretariat recently, but nonetheless advised that it would be preferable to have the MOU in place before any difficulties arose and especially in view of the forthcoming move (in January 2014) to a new UN accounting system.

59. Marianne Courouble (France) welcomed the idea of having an MOU and Mr Størkersen (Norway), drawing on his experiences within CITES where he chaired the Standing Committee, also endorsed the proposal. He recalled, however, that the whole process had taken three years, so he felt that the negotiations could commence and a mandate could be sought from the COP to conclude the MOU.

In the absence of any opposition, it was agreed that the groundwork for establishing an MOU with UNEP should continue.

## **9. Secretariat Report on Key Activities since COP10**

60. Mr Lenten (Secretariat) said that at COP10 it was clear that the Secretariat was doing a great deal of work but the Parties were not always aware of the details. To rectify this, he had started to issue quarterly activity circulars, and sought confirmation that these were being received and were considered useful additions to the regular reports presented to the Standing Committee meetings. As many issues would be dealt with under specific items of the agenda, this overview would be kept brief.

61. Highlights included: the start of a Capacity Building initiative which formed part of an EU grant<sup>2</sup> to UNEP and which would see the production of a Handbook for Focal Points of the CMS Family and workshops in Africa and Latin America; a costed work programme, which had been discussed at the Finance and Budget Sub-Committee; the posting on the website in all three languages of the COP10 Proceedings; the first tranche of projects under the revitalized Small Grants Programme; the designation of the Termit Tin Toumma reserve in Niger under the Sahelo-Saharan Antelope project; and twenty or so other meetings organized or attended by the Secretariat.

62. Olivier Biber (Switzerland) welcomed the regular flow of information from the Secretariat and suggested that the quarterly circulars be continued. He asked also, considering the amount of time dedicated to the “Future Shape” process in the last triennium and at the last COP, where short-, medium- and long-term actions had been identified, what efforts had been made to secure voluntary contributions to fund the short-term priorities and whether the Secretariat was on track. Ms Courouble (France) pointed out that the March circular had not mentioned Future Shape, despite its prominence at COP10, and other members supported this view. Mr Adams (Germany) said that the reports were useful and he had found all the information he had needed without difficulty and questioned whether it would be worth spending much time reviewing the format of the quarterly circulars. Mr Bignell (New Zealand) said that the Secretariat should report specifically against the mandate provided by the COP, and this more structured approach would show more clearly that the Secretariat was making progress with the tasks assigned to it. Ms Qwathekana (South Africa)

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<sup>2</sup> The Thematic Programme for Environment and Sustainable Management of Natural Resources including Energy (ENRTP) Strategic Cooperation Agreement (SCA) between the European Commission - DG Environment and UNEP

added that at the Strategic Plan Working Group it had also been noted that there was a lack of alignment between the National Reporting format and the Strategic Plan; she concurred that the Secretariat should report more directly against the tasks it was assigned.

63. Both Ms Céspedes (Chile) and Mr Zahzah (Tunisia) urged that the Secretariat ensure that all regions should be fully covered in the report, and Mr Zahzah added that perhaps the Sahelo-Saharan Antelope initiative should be turned into an MOU.

64. Mr Lenten said that the financial climate was unfavourable for fund-raising for any projects at the moment, but the actions identified under Future Shape were the Secretariat's priorities. Some funds had been found to start work on the website, and the Strategic Plan Working Group probably required €100,000. In response to the proposal of Mr. Zahzah to turn the Sahelo-Saharan Antelope initiative into an MOU, Mr Lenten said that CMS lacked the resources to implement all the existing MOUs and therefore in line with the discussion that had taken place at COP10, the Secretariat was reluctant to develop more MOUs at this stage.

## **10. Financial and Human Resources**

### **10.1 Secretariat Manpower and Organization**

65. Mr Lenten (Secretariat) presented details of the number of staff in the Secretariat and how they were financed. Some were funded through the core budget, others through voluntary contributions and those working in the Administration and Fund Management Unit (AFMU) through the 13 per cent PSC charges.

66. The Staff in Bonn were all assigned to one of six units (Management, Information & Capacity Building, Agreements, Science & Marine, Inter-Agency Liaison and AFMU). In addition, there was a team in the Abu Dhabi Project Office, funded through the voluntary contribution of the United Arab Emirates (UAE), two staff in Bangkok dealing largely with the IOSEA Marine Turtles MOU (80 per cent of the P5 was paid from the CMS budget), one staff member in Apia, Samoa based at the Secretariat of the Pacific Regional Environment Programme (SPREP) and another in Washington D.C. at the UNEP Regional Office for North America (RONA). The Executive Secretary, the Science Officer and the Marine Mammals Officer were paid jointly by ASCOBANS, whose share of the salary costs was respectively 3 per cent, 15 per cent and 75 per cent.

67. As well as the Executive Secretary post, there were some other casual vacancies. An appointment was imminent with regard to the P5 post in Abu Dhabi. The P2 post in the Science Unit had become vacant temporarily as the incumbent had taken leave of absence for a year and a part-time G4 post in Agreements Unit had to be filled as the incumbent had left the Secretariat.

68. In summary, barely half of the Secretariat's contingent of staff was funded through the core budget, with many posts dependent on voluntary contributions, the duration of which was uncertain. Several members of the Committee asked that the Secretariat provide a list of all posts together with the names of the people occupying them.

69. Mr Qaimkhani (Pakistan) asked whether the UAE had made any undertakings to extend its support of the Abu Dhabi Project Office and whether any progress had been made with the proposed Agreement for the Houbara Bustard (*Chlamydotis undulata*). Ms Qwathekana (South Africa) raised some concerns about the post in Washington D.C. asking what benefits the Convention gained and whether it would be better to have a presence in other regions with developing countries rather than North America. She added that some of the funding for the Sharks MOU had been promised some time ago and could not be attributed to the post in Washington. She

reiterated that a condition for the post to be continued was the success of the fundraising effort and the information provided by the Secretariat was insufficiently clear. Ms Lesz (Poland) noted that 95 per cent of the budget allocated to the post had been spent in the first six months of the year and Parties had not received a satisfactory explanation. Ms Céspedes (Chile) also sought clarification of the long-term viability of the presence in Abu Dhabi and pointed out that a condition for the continuance of the post in the USA was that it raised twice as much in additional funds as it cost.

70. Mr Lenten explained that the UAE had paid US\$3.6 million for the period 2009-2012 and that under the new agreement for 2013-2015, they had committed to provide \$4 million with a further \$500,000 in the event of the Houbara Bustard Agreement being concluded. No further undertakings to fund the office beyond 2015 had yet been made, and if support from the UAE were discontinued, the office would have to close.

71. With regard to the post in the USA, the presence of Monika Thiele in Washington had contributed greatly to closer relations both with various agencies of the US Administration and with NGOs. In addition to the first grant of \$100,000 announced and paid in 2011, a further grant of \$100,000 had been provided in 2012 by the USA for the Sharks MOU. Furthermore, the USA had increased its contributions to IOSEA and signed the Pacific Island Cetacean MOU. The USA was the driving force behind the Western Hemisphere Migratory Species Initiative, of which CMS was a member of the board. It was expected that under this Initiative funds might become available in due course to support CMS-related activities in Central and Latin America and the Caribbean.

72. Mr Lenten said that the Secretariat was increasing its profile in the regions, in line with the outcomes of the Future Shape Process, when opportunities presented themselves in conjunction with other UN Offices as had been the case in Oceania through SPREP and North America through RONA. It was thought that Fiji was close to acceding to CMS, which could in part be attributed to the officer based in Apia. CMS would like to increase its worldwide presence, and Parties might like to offer JPOs and secondees for this purpose.

73. In answer to Pakistan Mr Lenten explained that the Houbara Bustard Agreement was yet to be concluded. Considerable progress had been made under the leadership of Saudi Arabia, but responsibility was now being passed to the UAE, which had promised additional funding when the Agreement entered into force. Mr Lenten undertook to raise the issue when he next met the UAE Authorities.

74. Ms Courouble (France) sought clarification of where responsibility lay in the Secretariat regarding fundraising for the Sharks MOU, with the officer in Washington, as the Standing Committee was being told, or with the Associate Fundraising Raising Officer in Bonn, as had been explained at the Sharks meeting in September. Mr Lenten explained that fundraising was a team effort – with the officer in Washington making all important initial contact in person, which could be followed up with formal written requests from the Secretariat in Bonn. There was now a proposal before the US Congress to confirm the \$100,000 per annum payment towards the Sharks MOU, and CMS also had access to another \$3 million fund dedicated to species conservation, particularly in Africa. He was sure that the prospects of CMS continuing to benefit from close relations with the US Government and NGOs - and the potential funds that they could offer - were considerably increased by having a presence in the USA.

75. Mr Bignell (New Zealand) thanked the Secretariat for the additional information, and while not doubting the advantages of having the post in Washington, was nevertheless adamant that the COP had set clear criteria and a timescale to determine whether it should continue. To make such a decision, the Standing Committee needed a proper assessment and report from the Secretariat, but

to his disappointment, it had not received one. He therefore formally requested that the Secretariat provide the requisite information. This opinion was also supported by Ms Lesz (Poland).

The Secretariat would provide a list of staff posts with the names of the incumbents
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The Secretariat would provide a full assessment of the Washington D.C. post as soon as possible
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## **10.2 Update on the status of the CMS Trust Fund 2011-2013 (taken after 10.5)**

76. Bruce Noronha (Secretariat) reported that at the end of 2011 the Trust Fund balance stood at €698,000 (excluding the operational reserve). Annex I showed that €391,000 of contributions had not been received at the end of September, equating to 18 per cent of the year's budget, but this was in line with the pattern for previous years.

77. Annex II showed how the budget was being spent, and by and large, expenditure was on course, with a surplus of €230,000 on staff costs attributable to vacancies and the fact that posts were budgeted using average costs and some CMS staff members received fewer entitlements than typical officers of their grade. On the whole, there were more budget lines with surpluses than deficits. While staffing costs were linear and easy to predict, non-staff costs were more irregular and more difficult to forecast.

78. The Secretariat proposed that surpluses from staff budget lines be used to extend the contracts of the JPOs responsible for the CMS family website and for Central Asia be extended for 16 months and 15 months respectively.

79. Annex III showed the voluntary contributions received during 2012 amounted to approximately €2.5 million but noted that approximately €1.2 million were attributable to the contribution from the UAE for the Abu Dhabi Project Office.

80. Ms Courouble (France) read from a statement provided by the United Kingdom, which could not be represented in person at the meeting. The statement pointed out that no forecast had been provided for non-staff costs, that the travel budget was nearly fully spent, that the allocation for the production information materials was already overspent and that the IT budget would be used in full. Although the staff budgets were likely to end in surplus, the UK did not feel that this was a secure basis upon which to fund other posts, and therefore opposed the creation of two temporary P2 positions. In general, the documentation was not sufficiently clear and at a time when national governments were facing cuts, CMS too should stay within budget.

81. Mr Noronha said that while the accounts reflected actual expenditure, forecasts could only be based on informed opinion and not definite fact. The Secretariat was aware of the fact that the travel budget was almost exhausted and therefore participation in missions for the rest of the year would be kept to a minimum. The statement provided to the Meeting took account of all expenditure to the end of September but forecasting non-staff costs was difficult due to the complexity of ascertaining pending bills and accrued liabilities. However, based on expenditure patterns in previous years, overall non-staff costs were expected to remain within budget.

82. Mr Lenten said that the Secretariat representing an international organization needed to attend meetings worldwide. He gave the example of the Pacific Islands Cetaceans MOU Meeting which required the presence of the responsible member of staff. Even though this Staff member had flown the cheapest route, the total amount of travel and subsistence costs had used up 10 per cent of the total travel budget. Regarding the comments on extension of both JPOs, Mr Lenten said that the assertions that there was leeway to redeploy staff within the current contingent were unfounded;

there would be no-one, for instance, to take forward the new website. Over the last few years dormant MOUs had been revitalized through the activities of the JPO responsible for Central Asia. In the event of this position not continuing, those MoUs would become dormant again and this would have a negative impact on the reputation of CMS in that region. He therefore urged that the Standing Committee agree to the proposed extensions of the two existing JPO posts and let COP decide what to do thereafter.

83. Ms Qwathekana (South Africa) asked whether there was in accounting terminology a way of showing pending expenditure for services received where no invoice had been sent. She was also concerned at the level of arrears in Parties' assessed contributions and assumed that ministers were not aware of the fact that their country had not paid.

84. Mr Bignell (New Zealand) welcomed the further explanations from the Secretariat, but expressed surprise that the Secretariat had said that the provision of forecasts was an innovation in the presentation of the Convention's finances as he wondered how the Convention could have ever planned its budget. Recognizing that projections of staff costs were easier given their linear nature, he said that with regard to more irregular expenditure, project managers should be able to advise the Finance Officer of what payments were likely to fall due within their portfolios. He also commented that some projects had been subject to delays and had therefore been pushed back into the following year; the associated funding could not be regarded as having been freed. In conclusion, he thought that by the end of September the Secretariat should have a reasonably clear idea of how the annual budget would turn out and he asked that the Secretariat review the presentation of figures for next year's Standing Committee.

85. The Chair noted that the concerns raised by France on behalf of the UK had been addressed by the Secretariat to the satisfaction of the Parties present and therefore concluded that the Meeting agreed that the two JPO posts (website and Central Asia) should be extended for the period proposed by the Secretariat.

The Committee welcomed the innovation of including projections in the budget figures but requested that the Secretariat consider including projections for non-staff costs as well.

The two JPO posts (website and Central Asia) should be funded for 16 and 15 months respectively.

### **10.3 Costed Programme of Work and Budget for 2012-2013**

86. Bruce Noronha (Secretariat) said that action had been taken to create a Costed Programme of Work (POW) as requested by the Parties at COP10. The original draft had been an ungainly document consisting of approximately 250 different activities described, with the revised version reduced to a more manageable 60 activities that were grouped according to the CMS organizational structure. While the 60 activities still required further refinement, the Secretariat was presenting an approved sample of the activities relating to Information, Communication, Outreach and Capacity-Building in order to receive feedback from the Committee regarding the format and level of aggregation before further work was expended on costing each of the activities. The Secretariat mentioned that the purpose of the Costed Programme of Work warranted further consideration as other organizations (e.g. UNEP and CITES) would normally present a work programme as a complement to the preparation of the budget and was used by budget negotiators to allocate resources to priority activities. In this regard, it was noted that only 13 per cent of CMS resources were available for activities and that 77 per cent of resources were used on staff with typically one or two professional staff per organizational unit. It was also necessary to consider linkages to the Strategic Plan and whether the Costed Programme of Work should include voluntarily funded activities which may be subject to the priorities of donors.

87. Ms Courouble (France) asked whether the Strategic Plan Working Group had asked for an audit of staff costs to be undertaken, stating that there had never been an objective assessment made of the real needs of the Secretariat; other MEAs did this, and she suggested that COP11 allocate the funds to enable an independent audit to be carried out. Ms Céspedes (Chile) agreed and said that the Budget Sub-Committee should oversee the process. She asked whether a donor country was likely to come forward to fund the exercise. Ms Qwathekana (South Africa) said the draft format should also include more sections for reporting.

88. Mr Lenten (Secretariat) agreed that it would be better for any such audit to be undertaken by an outside consultant and suspected that the outcome would be a recommendation for more resources. Ms Courouble also expressed doubts about conducting the audit internally but was wary of using the Convention's limited resources on such studies. Ms Céspedes (Chile) doubted that such an exercise would fall within the remit of the Administration and Fund Management Officer or whether the Secretariat had the capacity to carry it out. Mr Bignell (New Zealand) said that the mandate would have been contained in the COP Resolution, and if it asked for an external review, that so be it; he too questioned the impartiality of an in-house audit. Ms Lesz (Poland) had no objection in principle to an external audit, but was concerned that there were no funds in the core budget and whether any donors would be identified that might make a voluntary contribution.

89. The Chair suggested that, as hiring external auditors had financial ramifications, the decision on whether and when to engage them should be deferred.

90. Mr Lenten referred to Resolution 10.9 (Future Structure and Strategies of the CMS and CMS Family) which called for a global gap analysis and resource assessment covering CMS and the MOUs. There had been no funds allocated for this exercise and it was difficult to estimate what it might cost. He suggested therefore that the Secretariat and the Finance and Budget Sub-Committee work together on the specification of the work and then seek voluntary contributions. Mr Lenten reiterated his view that the likely outcome would be recognition of the need for more resources and he compared the two MOUs run from Abu Dhabi which receive six-figure sums each year with those run from Bonn on much more meagre resources.

91. Mr Kane (UNEP) felt that the work required by the Resolution would not require a large amount of money. A desk study and gap analysis could be done at reasonable cost and recently the Chemicals Convention had engaged the UNEP Office of Internal Oversight Services in Nairobi to undertake a similar exercise. The terms of reference would need to be elaborated further. Mr Bignell (New Zealand) pointed out that CBD had just undertaken an exercise to cost the implementation of the Aichi Targets, which might give an indication of how much the CMS review would be. He also suggested that it would be premature to start the analysis before the detailed content of the Strategic Plan to be set out in the companion document was known. He added that the regional assessment would be part of the current work of the Strategic Plan Working Group. The Strategic Plan would probably start to crystallize in the course of 2013. Ms Verleye's report included a timeline suggesting the first draft of the Plan would be available in the second quarter of 2013 allowing sufficient time for consultations before the autumn. Mr Biber (Switzerland) pointed out that this timetable depended on there being funding to continue to engage the consultant.

92. Elsa Nickel (Germany) agreed that it was important to spell out the next steps and stressed the need to integrate the medium- and long-term objectives of the Future Shape process into the Strategic Plan, so that COP11 could make informed decisions. She also announced that Germany had found some further funds which could be earmarked for this process.

93. The Chair proposed deferring a decision given that the Standing Committee would meet again in 2013 and that the Strategic Plan Working Group would be actively carrying out its tasks.

The Standing Committee, at its next meeting would consider the progress made by the SPWG, and decide whether and how to proceed with the global gap analysis and resource assessment covering CMS and the MOUs, called for in Resolution 10.9.

#### **10.4 Resource Mobilization**

94. Laura Cerasi (Secretariat) gave a presentation in which she reported that a total of €1,731,000 had been raised in voluntary contributions (excluding the UAE funding of the Abu Dhabi Office) with the main donors being Australia, the EC, Finland, Germany, Monaco, Norway, Switzerland, UNEP (DELCO and ROE), the UK and the USA. This included the €500,000 promised by the EC over the next three years for capacity building, granted under the ENRTP<sup>3</sup> strategic agreement with UNEP. In the past twenty-four hours news had reached the Secretariat of a further US\$100,000 from the EC under the same arrangement with UNEP for the Saker Falcon (*Falco cherrug*). In addition further sums had been pledged by Germany towards other activities during the meeting. Germany had also provided in-kind assistance by providing venues and interpretation for meetings (such as the Sharks MOU meeting and the current Standing Committee); Ghana had provided personnel and administrative support to assist with the Landbirds Workshop.

95. Examples of future funding needs were given: the Sharks Meeting, for instance, had agreed to a budget funded through voluntary contributions, and the pledges received so far had covered all but €70,000 of the 2013 requirements.

96. Further top immediate priorities were the Strategic Plan Working Group (a specific letter would be issued seeking funds shortly) and the revamp of the CMS website. Here the parent Convention was working closely with the other Bonn-based Agreements, another example of how the CMS Family was cooperating along with joint initiatives on capacity building and the online workspaces. The Secretariat in Bonn and Abu Dhabi Project Office were working together on the Saker Falcon Task Force, with Abu Dhabi in the lead. Staff in Bonn were assisting with the preparations of the Birds of Prey meeting of signatories.

97. It had to be noted that the number of countries making voluntary contributions was reducing, and those that were still donating were giving less. The Secretariat was therefore working to broaden the base of donors, and Monika Thiele in Washington D.C. was opening doors for CMS in the USA and had provided a number of promising leads to follow up.

98. Ms Cerasi said that the Secretariat would adopt the dual approach that was mentioned earlier by providing donors with a list of priorities as well as by keeping the “matchmaking” function. As Ms Verleye said (see agenda item 12), it should be possible to ensure that migratory species benefited from the funding streams foreseen under CBD for the Aichi Targets.

99. A number of Committee members including the Chair, Ms Qwathekana, Ms Céspedes and Ms Lesz, expressed their gratitude to the donor countries, without whose generous support many of the Convention’s activities would not be possible.

The Secretariat would issue a letter seeking funds for the Strategic Plan Working Group

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<sup>3</sup> The Thematic Programme for Environment and Sustainable Management of Natural Resources including Energy (ENRTP) Strategic Cooperation Agreement (SCA) between the European Commission - DG Environment and UNEP

## **10.5 Report of the Finance and Budget Sub-Committee (taken after Item 10.1)**

100. Ms Céspedes (Chile), Chair of the Finance and Budget Sub-Committee, gave a report of the meeting held on 6 November, which had also been attended by the Islamic Republic of Iran, New Zealand and Tunisia and supported by the Secretariat. It was noted that in general expenditure was on track with some items overspent and others underspent. The level of arrears was not considered to be troubling, and Tunisia had sought clarification from UNEP about the status of its payments.

101. The Secretariat had been asked to explain the process for funding sponsored delegates, which brought to the fore the fact that some members of the Sub-Committee were not members of the Standing Committee<sup>4</sup>. Mr Bignell (New Zealand) pointed out the impracticality of expecting the Philippines, currently a member of the Sub-Committee but not the Standing Committee, to travel half way across the globe to attend a morning's meeting. He asked the Secretariat to draft a recommendation to present to the next COP that would require the Sub-Committee members to be drawn from the members of the Standing Committee.

102. Ms Lesz (Poland) said that the Sub-Committee should be alerted when the Secretariat believed that a budget line was about to go into the red. Mr Lenten pointed out that Resolution 9.14 already contained a provision requiring the Secretariat to report deviations of over 20 per cent in the quarterly reports and asked whether this was not sufficient. Mr Bignell (New Zealand) agreed with Poland pointing out that Document UNEP/CMS/StC40/10.2 contained a number of instances where budgets had been overspent expenditure, but for which explanations had not been provided.

Secretariat to ensure that quarterly reports to the Sub-Committee include explanations when budget lines are expected to exceed the budget provided by more than 20 per cent.

Secretariat to draft a proposal to restrict membership of the Sub-Committee to members of the Standing Committee.

## **11. Institutional Matters**

### **11.1 Arrangements with the Host Government**

103. Mr Lenten (Secretariat) said that attempts had been made to contact Paraguay following the expression of interest to host COP11 made at the end of COP10. No response had been received from the Focal Point, the Minister or the Embassy. The Secretariat sought the Meeting's guidance on what to do as time was beginning to run out.

104. The Chair recalled that the offer from Norway to host COP10 had been received at approximately this stage of the previous triennium. He thought that other countries from the same region, where CMS had never held a COP before, should also be asked to approach Paraguay. Ms Lesz (Poland) supported by Mr Schall (Germany) felt that fresh offers should be sought for a host. Mr Schall added that he had spoken informally to the Chilean representative at the Sharks Meeting, who had said that a formal request from CMS would be seriously considered. Ms Céspedes (Chile) said she was unaware of this but would make enquiries when she returned home. She remarked that

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<sup>4</sup> CMS StC 35: Paragraph 10. There was a discussion to determine whether Parties which were not members of the Standing Committee were eligible to serve on the Sub-Committee. The Rules of Procedure were not absolutely clear, but several members stated that it was the intention of the Working Group to draft the Terms of Reference of the Sub-Committee to allow as wide a membership as possible. It was agreed to accept nominations from each region irrespective of whether the nominee was a Standing Committee member or not. The Meeting also noted that there was only provision in the budget to pay travel costs to Members of the Standing Committee.

there had been a change of government in Paraguay within the past few months which had probably complicated matters but she would ask contacts in the region.

It was agreed that the Secretariat should invite offers to host the next COP setting a deadline of March 2013.

### **11.2.1 COP Organizational Changes**

105. Mr Lenten (Secretariat) explained that a questionnaire had been circulated by the Secretariat following COP10 seeking suggestions for how the arrangements could be improved. Document UNEP/CMS/StC40/11.2.1 contained a summary of the feedback received.

106. It was noted that 25 of the 29 Resolutions adopted at COP10 had emanated from the Secretariat and only four from the Parties – those relating to marine noise, bird poisoning, landbirds in Africa and arrangements for recruiting the Executive Secretary. It was suggested that Parties should be more involved in the development of policy resolutions. It was also noted that the deadline for publishing draft resolutions had to be adhered to and in the run-up to COP10, a Working Group of the Standing Committee, operating via e-mail, had vetted draft resolutions but few substantive comments had been received. Ms Céspedes (Chile) who had served on the Working Group said that she thought it had worked well but was open to suggestions on how it might improve.

107. On the eve of COP10, an informal meeting of Heads of Delegation had been convened, to run over the schedule, pre-empt any problems and make initial soundings for nominations for Committee and Working Group officers. The meeting had no formal agenda and no interpretation was provided. It was suggested that the Heads of Delegation meeting should in future have an agenda and that interpretation be provided, as some delegations had difficulty operating in English.

108. It was generally felt that having two opening ceremonies – first on Sunday and then again on Monday – was excessive and that there had been too many speeches. A single two-hour ceremony would suffice, even at the cost of losing some media attention.

109. The Secretariat proposed a one-day excursion for delegates towards the end of the Conference. This would allow the Secretariat more time to prepare final documents; at COP10 the Secretariat had been working until four in the morning. The agenda at COP10 was also very full, so it was proposed to extend the COP by one or two days to allow for the excursion and more business sessions, at an estimated extra cost of €32,000 for funding staff, eligible delegates and interpreters. The additional time would also mean that there would be fewer timetabling clashes between Working Groups and side events and might even allow a dedicated half-day session for NGOs to make presentations.

110. The Credentials Committee had held four sessions with much of its time taken up dealing with documents that did not meet the criteria. It was also suggested that the Secretariat should have sight of credentials in advance of the COP and, in the case of sponsored delegates, before tickets were issued to ensure that the Convention's resources were being spent on delegates authorized to represent their countries at the Conference.

111. Mr Bignell (New Zealand) said that he welcomed the paper and agreed with most of what it proposed. He stressed however that the prime purpose of the COP was to transact the Parties' business and other considerations should be secondary. He suggested that meeting documents should be available online and accessible through an in-house *wi-fi* system. He also said that drafting Resolutions was a core task of the Secretariat, which helped with terminological and

linguistic consistency, and also ensured that they were within mandate. He added that the Secretariat could ask Parties to support voluntarily the development of COP documents.

112. Ms Lesz (Poland) said that Parties should be more engaged in the process and read from a text prepared by the United Kingdom, which proposed that draft resolutions should be sponsored by a Party to ensure that the topic was of interest. Mr Bignell intervened to suggest that administrative resolutions such as the budget should not require a Party sponsor. He also advocated a system of sifting and reviewing documents, which would require initial drafts to be submitted 150 days in advance of the COP with final drafts, scrutinized by the Standing Committee and the expanded Bureau, published on line in all three Convention languages 42 days before the Conference started. This would have to be harmonized with the decision to decouple the Scientific Council from the COP. The Chair feared that Parties might use CMS to promote their esoteric interest, and suggested that more than one Party should have to sponsor each resolution. Ms Lesz was concerned that a small group would be pre-empting the negotiations and that the other Parties might feel excluded. She also suggested that the Secretariat prepare a list of possible subjects for resolutions which could be taken up by interested Parties. The Chair said that in his experience, draft proposals put before the Scientific Council led to a wide ranging debate and that the Convention benefited from the scientific input. Ms Qwathekana (South Africa) said that at COP, the Scientific Council had reviewed all technical documents, but Parties had had no time to digest the changes proposed or to consult stakeholders at home about the implications. Mr Spina (Chair, CMS Scientific Council) said that there were distinct advantages in not holding the Scientific Council immediately before the COP, but documents would have to be made available sooner.

113. The Chair did not wish to pre-empt the discussion concerning arrangements for the Scientific Council which was to be discussed under item 11.3 but felt that there was agreement on the idea proposed by the UK and relayed to the meeting by Poland that Parties should sponsor resolutions, which would then be drafted by the Secretariat for review and comment by the Standing Committee and the Scientific Council.

114. In view of the limited amount of time available to the meeting, the Chair decided to curtail further discussion on this item and to refer all unresolved issues to the Working Group dealing with the Rules of Procedure for the Standing Committee.

The Working Group dealing with the Rules of Procedure for the Standing Committee would consider all outstanding issues related to changes to the organization of the COP.

### **11.2.2 COP Rules of Procedure**

115. In view of the limited time available to the meeting, it was agreed that this item should be referred to the Working Group examining the Rules of Procedure and the arrangements for COP11.

### **11.3 Scientific Council Organizational Change**

116. Mr Heredia (Secretariat) gave a brief summary of the recommendations included in the Future Shape process affecting the work of the Scientific Council aiming to improve the Council's efficiency. COP10 had allocated €50,000 towards the costs of a Planning process, Assessment and Gap Analysis (PAGA) to be undertaken by external consultants and submitted to the Scientific Council in 2014. It was likely that a resolution concerning the operation of the Council would be needed at COP11.

117. The major change being proposed was to decouple the Scientific Council from the COP. The Council in Bergen had been rushed and the COP had not been able in the time available to

digest the advice given. The Council should therefore meet several months before the COP. Other changes included the introduction of regional representatives (along the lines of the Standing Committee) and bringing in more experts on specific issues.

118. There were insufficient funds to cover the cost of a full inter-sessional meeting of the Scientific Council in this triennium. The Council would not meet in 2012 but it was important that a meeting of some description be organized for 2013. The funds earmarked for the PAGA might be diverted to fund an experimental small-scale meeting of the Council, where the evaluation could be discussed in more detail.

119. Mr Bignell (New Zealand) confirmed that his region supported the idea of decoupling the Council from the COP but voiced concerns over transparency and was insistent that the process should be Party-driven, and accordingly he said that the terms of reference for the PAGA should be signed off electronically by the Committee.

120. Mr Qaimkhani (Pakistan) pointed out that the consequences of decoupling would be that the Council would have a meeting of some sort in September 2013 and another in early 2014, if CMS followed the same pattern as CBD where the SBSTTA met six months before the COP. He suggested deferring any changes until after COP11.

121. Ms Coya de la Fuente (Cuba) generally supported the proposed changes but was unclear about the aspect of regional representation and wanted to know whether the regions would have the same number of members as they had on the Standing Committee. Given that it was proposed to hold a meeting of the Council under the new arrangements in September 2013, Parties would need to know how many regional representatives had to be elected and by what method. She also pointed out that the requirement for proposals to amend the Appendices were subject to a strict timetable which had a bearing on when the full Council should meet. Ms Céspedes (Chile) stressed the importance of timely production of documentation. Mr Heredia said that nothing had been decided concerning either the number of regional representatives (which would not necessarily be the same countries that served on the Standing Committee) or the timing of the pre-COP session of the Council.

New Zealand proposed some redrafting to the planning process, assessment and gap analysis (PAGA) in paragraph 3 of document 11.3<sup>5</sup>

## 12. Progress of the CMS Strategic Plan Working Group

122. The Chair of the Strategic Plan Working Group, Ms Verleye (Belgium) briefed the Committee on the outcome of the meeting of the Working Group which had taken place 5-6 November which complemented the written report contained in Document UNEP/CMS/StC40/12 (A written version of the update was provided which is reproduced at Annex 2). The Working Group established under Resolution 10.5 had the task of preparing for consideration at COP11 a draft Strategic Plan for the period 2015-2023 and was working in conjunction with a consultant, Dave Pritchard.

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<sup>5</sup> 3 a) An initial draft of the Terms of reference for the PAGA will be produced by the Secretariat in co-operation with the Council.

a bis) The Standing Committee will intersessionally review and approve the TOR for the proposed PAGA by electronic means /.../

d) A final report will be submitted to the full meeting of the Scientific Council in 2014 for its consideration and input into options for a draft resolution

new e) The Gap Analysis Report and the recommendations from the Scientific Council will then be submitted to the StC/Bureau meeting in 2014. The StC/Bureau will be tasked with considering the report, options provided and approving the content of the draft Resolution for submission to the COP.

123. The 5-6 November meeting had made good progress and had decided that CMS should emulate CBD, which had adopted an outward-looking Strategic Plan for Biodiversity addressing the key issues rather than an introspective one concentrating on the Convention as an institution. The CMS Strategic Plan would therefore be a Strategic Plan for migratory species, reinforcing the Convention's role as CBD's lead partner in this policy area. A twin-track approach was to be adopted – with a higher-level Strategic Plan with concise goals aimed at appealing to a political audience accompanied by a more detailed set of actions aimed at addressing the shortcomings in the implementation of the existing Strategic Plan identified in the consultant's reports.

124. Developing a Strategic Plan of this nature would require intense consultations with CMS Parties, the other members of the CMS Family, biodiversity-related MEAs and a wide range of other partners and stakeholders. A process with a high level of participation would help facilitate buy-in but would also involve some cost, and given the fundamental importance of the process to the Convention, Ms Verleye urged the Standing Committee to encourage Parties and partners to provide all necessary assistance.

125. Two immediate priorities had been identified: the integration of the conservation of migratory species into NBSAPs as they were currently being reviewed to take account of the Aichi Targets and for which guidance had been published (UNEP/CMS/Conf.10.27 "Draft Guidance on the Integration of the Conservation of Migratory Species into NBSAPs"); and the full participation of CMS in the UN Decade of Biodiversity and securing the optimum benefit from Aichi Target 20, which concerned the mobilization of resources, which included migratory species.

126. Mr Størkersen (Norway) relayed a request from the UK that the Strategic Plan be developed hand-in-hand with implementation of the Future Shape recommendations and asked what steps had been taken to ensure that the short-term priorities were being actioned. Ms Verleye said that implementing Future Shape lay outside the direct remit of the Working Group, but in drafting the Strategic Plan and the accompanying technical volume, relevant elements from Future Shape and the shortcomings identified by Mr Pritchard would be included.

127. Mr Bignell (New Zealand) thanked Ms Verleye for her energetic leadership of the Working Group and for the clear reports on a complex subject.

### **13. Future Structure and Strategies of CMS and CMS Family**

128. Mr Lenten (Secretariat) explained that Document UNEP/CMS/StC40/13 detailed the 16 areas of activities identified through the Future Shape process and proceeded to highlight some of the key areas. Estimates of the costs of the initiatives had been made and in some cases allocations made in the core budget; shortfalls would have to be made good through voluntary contributions from Parties, grants from UNEP and other sources. Among the main short-term priorities were the new CMS Family website, work on which had started but which required a further €100,000, the Strategic Plan, for which ideally the services of the consultant should be retained, and the analytical tool to accompany the Online Reporting System, for which the estimates circulated at COP10 of €75,000 had been revised upwards to €200,000. In light of the amount of work already being undertaken, the Secretariat suggested that the global gap analysis should be postponed.

129. Ms Qwathekana (South Africa), referring to paragraph 5 of Resolution 10.9 which required the Secretariat to report back on progress on Annex II activities, felt that the information provided to the Committee was too scattered. Ms Courouble (France) agreed saying that it was difficult not only to navigate through the Secretariat's document but also to see which activities were being undertaken and at what cost. She suggested a more structured approach showing timelines, costs

and sources of funding and asked why the Secretariat had not made any approach to donor Parties for funding for the short-term priority actions. She also said that at COP10 the prime concern of the Future Shape Working Group had been the audit of staff and financial resources. Ms Céspedes (Chile) who chaired the Finance and Budget Sub-Committee and had served on the COP Working Group, said that, while recognizing that the financial climate was not favourable at the moment, it was important nevertheless for CMS to have a reliable source of funding.

130. Mr Lenten said that the activities had been comprehensively addressed, citing references to CMS involvement in the Environmental Management Group (using staff time from the core budget), more intense liaison with UNEP Regional Offices through which funding for the Central Asian Flyway had been secured, and grants and voluntary contributions that had allowed work to start on the website (Germany) and capacity building in Africa (EC). The actions set out in the Resolution were not accompanied by measurable indicators by which to assess success – some tasks had a clear conclusion (e.g. the creation of a new website) while others were more nebulous (e.g. improving relations with other bodies). With the new Administration and Fund Management Officer in place, work had started on the costed programme of work, from which it was apparent that most staff worked a considerable amount of unpaid overtime to cope with their workloads.

131. Mr Biber (Switzerland) said that the presentation of the document made it difficult to identify suitable projects that could be presented to Finance Ministries or Departments as possible candidates for funding through a voluntary contribution. He suggested that the Secretariat should circulate a list of priority projects, preferably in advance of the end of the financial year. Ms Verleye (Belgium) agreed suggesting that the Secretariat adopt a dual approach with general appeals coupled with individual potential donors being contacted in a more targeted way.

132. Mr Lenten said that he would continue to issue general appeals and make more targeted approaches. In his experience, the personal touch tended to be more fruitful. He also said that any audit of staffing and resource requirements should be contacted by a third party as an in-house analysis might be perceived as not being impartial enough.

The Secretariat to note the recommendations from the floor that a more systematic approach to reporting on and seeking funding for Future Shape activities should be developed

## **14. Other International Policy Matters**

### **14.1 Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES)**

133. Mr Heredia (Secretariat) gave a brief summary of developments regarding the relations between CMS and IPBES, the Secretariat of which would be established in Bonn shortly. The issue had been the subject of a Resolution at COP10 which set out the foundations for possible cooperation.

134. The Chairs of the Scientific and Advisory Bodies of the biodiversity-related MEAs had met in Dublin earlier in the year and discussed how the MEAs could best help IPBES achieve its aims and vice versa. In a document adopted at the meeting, the MEAs had declared their preparedness to collaborate on behalf of IPBES. In April in Panama it had been agreed that IPBES should be established as an independent agency and Bonn was chosen as the location. The meeting had also considered the main tasks and the composition of the Steering Committees and the Bureau. CMS National Focal Points had been consulted but the response rate was not high and there was still time for CMS to position itself to best effect.

135. A further meeting was planned in January 2013 where final decisions regarding the overall concept would be made. Meeting documents were not yet available but the Standing Committee was invited to provide guidance and strategic orientation to the Chair of the Scientific Council so that he could give coordinated input from the Convention's perspective.

136. The Chair commented that as the nature of IPBES was scientific it seemed more appropriate for the Chair of the Scientific Council to represent the Convention, which should continue to be visible and active as IPBES developed. Mr Spina (Chair, CMS Scientific Council) requested a mandate to continue to promote the Convention's interests and report back to the Council, the Standing Committee and the COP.

Mr Spina was empowered to continue to participate in the IPBES processes to promote the interest of CMS

## **15. Capacity Building**

137. Sofia Chaichee (Secretariat) referred to the COP10 Resolution on Implementing the CMS Capacity Building Work Plan 2012-2014 and in particular the progress made in developing learning tools for National Focal Points (NFP), which included the development of CMS Family Manual and the NFP e-community which would guide and help to facilitate the day-to-day work of NFPs. The Manual and the e-community, aimed at NFPs of all CMS instruments, were being made possible thanks to a large grant under the Thematic Programme for Environment and Sustainable Management of Natural Resources including Energy (ENRTP) Strategic Cooperation Agreement (SCA) between the European Commission - Directorate General Environment and UNEP.

138. Consultants, Ecologic Institute, had conducted a survey to assess the further capacity building needs of CMS Family NFPs, achieving a 20 per cent response rate. They had then developed the learning tools on the basis of the feedback received with a close consultation with the working group and CMS Family Secretariats. The questionnaire responses led to the e-community concept replacing the original idea of having a conventional online training course. A workshop with 14 out of the 25 working group members had been held to further develop the draft Manual and the e-community with very positive feedback. There were plans to test the learning tools and hold training sessions, initially in Africa and in other regions if funds became available. Preparatory workshops similar to those held before the CMS COP and AEWA MOP were also being planned, with one scheduled for the third quarter of 2014 in Latin America.

139. Ms Céspedes (Chile) said that she had participated in the CMS Family Manual workshop which she had found helpful. She also welcomed the prospect of there being a training session in Latin America. Ms Lesz (Poland) requested that the responses to the questionnaire be published. Ms Qwathekana (South Africa) hoped that the development of training tools was being coordinated with the African Initiative and stressed the importance of the correct people being invited to receive the training; they should be those attending the COP or MOP. Mr Bignell (New Zealand) expressed his gratitude to the European Commission for providing the resources and asked whether the material could be made available online for the benefit of those not attending the training sessions. Mr Barirega (Uganda) hoped that participation in the training would lead to better involvement in the business of the COP. In response to a question from Mr Qaimkhani (Pakistan), it was explained that priority was initially being given to Africa and Latin America, but in future the Asian region would also be considered for the activities.

140. Ms Crockford (BirdLife International) emphasized the importance of implementation on the ground for all MEAs and pointed to the Resolution calling for the institutionalization of implementation. She felt such capacity building was a task that could be carried out in conjunction

with other biodiversity-related MEAs facing similar problems. She also stressed that it was important that individuals that had received training passed their knowledge on and shared it. The forthcoming meeting on NBSAPs in Harare would be an opportunity for CMS to interact with other MEAs.

## **16. Outreach and Communication**

141. Mr Rilla (Secretariat) acknowledged the support provided by Ms Chaichee, Ms Epler, Ms Lenarz and Mr Vagg in accomplishing considerable progress. The Strategic Plan called for the dissemination of information and the Secretariat achieved this through regular updates to the website. He realized that the website was rather tired as it was twelve years old and used outdated technology and he welcomed suggestions for how to make it and the new website more attractive and useful. The Convention now had 900 followers on *Facebook* and over twenty videos had been posted on *Youtube*. Press releases were issued regularly, as was the Bulletin which now appeared every two months. The booklet on Flyways had been revised and the second edition had recently been printed courtesy of a voluntary contribution from Germany.

142. Rio +20 had presented another opportunity to promote CMS in the wider biodiversity context, while the Year of the Bat, which had started in 2011 with a focus on Europe, had gone global in 2012 with responsibility for the campaign passing from EUROBATS to CMS. Much still had to be done to change the image of bats around the world, where they were associated with disease, and their role in controlling pests such as mosquitoes was not recognized. World Migratory Bird Day (WMBD), launched in 2006, had gone from strength to strength and was now established in the global environment calendar with most events happening on the second weekend in May. Usually it was led by AEWA with support from CMS, but the roles were reversed in 2012 because of the pressures on the AEWA Secretariat arising from the organization of MOP5. The presentation concluded with a showing of the 2012 WMBD trailer.

143. Ms Céspedes (Chile) said that her ministry was approached by members of the public seeking information on conservation. It would be useful to have direct access to information compiled by the Secretariat. She said that efforts were being made by the Natural History Museum of Chile to improve the image of bats. Mr Størkersen (Norway) suggested that as the technology was new and undergoing rapid changes, websites need thorough revision every five years. He also suggested a clear split between public information sections and the more functional pages of use to Parties such as lists of meetings documents. Ms Lesz (Poland) said that the website was good for delegates to meetings looking for documents but disappointing for children who wanted to see pictures of animals. Ms Qwathekana (South Africa) cited the IPBES website which had dropdown menus and was easy to navigate. She also pointed out that francophone users would have more difficulty with the site than English-speaking ones.

144. Florian Keil (AEWA) thanked the CMS Secretariat for its support in running the 2012 WMBD campaign, pointing out that interest and registered events had broken all previous records. He also thanked the Government of Germany for the voluntary contribution that had enabled all the promotional materials to be produced and despatched.

145. He added that AEWA was also involved in the CMS Family website project and confirmed that many of the suggested improvements and additions mentioned by Committee members had already been discussed in the Secretariats.

## **17. Information Management**

146. Natalie Epler (Secretariat) said that the Strategic Plan required the Convention to gather the best available scientific information. This information, once gathered, had to be marshalled effectively. If the funding could be found, a major overhaul of the CMS website would be carried out in conjunction with other secretariats of the Bonn-based CMS Family. The first step in redeveloping the website had been to restructure a number of key databases so that the information could be shared more easily, using a uniform system compatible with InforMEA, rather than having items in different formats compatible with InforMEA. This had been made possible because of a voluntary contribution from Germany. The next step would be to hire web design consultants.

147. The AEWA Technical Committee had been using an online workspace to great effect for some time. It was a password protected area for electronic communication providing a single, central place for discussions and drafting, reviewing and archiving documents. Enhancement of the original system had been made possible by a voluntary contribution from Switzerland and the facility would be made available to subsidiary bodies of any Bonn or Abu Dhabi-based CMS instrument wanting to make use of it. Ms Epler gave an on-screen demonstration of the workspace, explaining that the first users had been set up on the system and background documents were in the process of being loaded.

148. Ms Courouble (France) sought assurances that CMS was in contact with WCMC who were developing something similar for CITES. CMS was aware of the other project and steps were being taken to ensure that the two systems were compatible. Mr Bignell (New Zealand) welcomed the development acknowledging that it could be a complex process having just steered a similar project through a government agency. He said that the web was a powerful tool allowing the almost instantaneous transmission of information and stressed the importance of recognizing the different needs of different segments of the target audience. Mr Domashlinets (Ukraine) also welcomed the initiatives.

149. Mr Keil (AEWA) was particularly pleased that the online workspaces for CMS Family subsidiary bodies, an idea started by AEWA, had been taken up and enhanced by CMS. He thanked Switzerland for having made the upgrade possible through a voluntary contribution to CMS. He stressed that migrating the vast content of the existing AEWA Technical Committee Workspace to the new version had involved some considerable work.

## **18. Synergies and Partnerships**

150. Anne Sutton (Secretariat) said that the Secretariat was focussing on strengthening existing partnerships, as required by Resolution 10.21 and practicalities. Partnerships took time and effort, as did maintaining relationships and making progress on joint activities, so the Secretariat had to be realistic about what it could do. Further formal partnership arrangements would be entered into for only highly strategic purposes or to formalize joint activities where there were financial considerations.

151. Within the UN, the UNEP Regional Biodiversity MEA focal points based in UNEP regional offices had visited CITES and Ramsar in Geneva, and CMS and the co-located agreements in Bonn in June. Each focal point was now developing a work plan to provide the framework for their assistance, and the visit had done much to increase the focal points' awareness of CMS activities and needs, and vice versa. Thanks were expressed by the Secretariat to UNEP for this assistance.

152. The biodiversity sub-group of the Environment Management Group (EMG) had mapped the objectives of each of the MEAs to the Aichi targets, which would be used to identify areas for

cooperation among the agencies. CMS was conducting a similar exercise in drafting its Strategic Plan.

153. The importance of enhancing cooperation amongst the biodiversity MEAs was being heard in many fora, including Rio +20 and the resulting document “The Future We Want”. To promote protection of animal species in CBD processes, CMS presented a side event at CBD COP11 on reconnection of species with ecosystems and why species mattered. CMS also presented the CMS Family online reporting system at a side event at the CBD COP and at the Ramsar COP, and had attracted some interest. The CITES Standing Committee had endorsed the CMS/CITES Joint Work Plan 2012-2014 and areas of common interest where the two Conventions would cooperate included the Saiga antelope, sharks and the Saker falcon. The MOU and Joint Work Plan with Ramsar had been updated and contact renewed with UNESCO, UNFCCC and UNCCD. CMS had contributed to a joint publication by UNCCD/IUCN/UNEP “Conserving Dryland Biodiversity”<sup>6</sup>.

154. At COP10, civil society dialogue had made clear their desire to work more closely with CMS and that this contribution should be effectively reported to Parties and acknowledged. As a follow-up to this dialogue, the Migratory Wildlife Network and a group of NGOs had submitted a document to the Standing Committee (UNEP/CMS/StC40/6.2.a) outlining their review of the relationship the NGOs had with the CMS. CMS benefitted in many ways from the involvement of NGOs – for example, BLI was funding the post of the coordinator of the African-Eurasian Migratory Landbird Action Plan and the International Crane Foundation coordinated the Siberian Crane MOU. CMS was simplifying its joint work plans with other NGOs, such as IFAW, to focus on achievable collaborative projects. A new strategic partnership was in the offing with the International Renewable Energy Agency (IRENA), with whom the Secretariat and AEWAs were developing a project to ensure migratory species requirements were taken into account when establishing and operating renewable energy technologies. Another example of work towards a new strategic partnership was the Secretariat’s liaison with the Arctic Council’s Conservation of Arctic Flora and Fauna (CAFF) Programme, as required by Resolution 10.10 and by the board of CAFF.

155. In the private sector, the German multinational building materials company, HeidelbergCement had prepared a travelling information display highlighting its work on conservation and had added panels relating to CMS and bats. CMS was also working with CBD on the Global Platform on Business and Biodiversity to find new ways for the private sector to integrate species conservation into their decision-making.

156. There were no comments from the floor and the Secretariat’s report was duly noted.

## **Implementation of the Convention**

### **19. Retirement of Resolutions**

157. In view of the limited time available to the meeting, it was agreed that this item should also be referred to the Working Group examining the Rules of Procedure and the arrangements for COP11.

### **20. National Reporting**

158. Mr Rilla (Secretariat) gave a brief presentation on developments concerning the online reporting system. The system had been under development with the UNEP-WCMC and the CMS

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<sup>6</sup> Available on the CMS Website at [http://www.unccd.int/Lists/SiteDocumentLibrary/Publications/drylands\\_bk\\_2.pdf](http://www.unccd.int/Lists/SiteDocumentLibrary/Publications/drylands_bk_2.pdf)

Family, and AEWA had successfully used the system for the first time for its national reporting process prior to its MOP5 in May 2012. The system had also been demonstrated at side events at a number of MEA conferences and there was considerable interest in adopting it on the part of CITES, the Ramsar Convention and possibly CBD in the future. The old electronic CMS National Reporting form had been adapted and updated to take account of changes to the CMS Appendices and then transposed onto the online system, which would be ready for use of the reports to be submitted to COP11.

159. Mr Bignell (New Zealand) was reassured that no major changes had been made to the reporting form but was concerned that the associated analytical tool was estimated to cost €200,000. He asked whether this development cost would be born by CMS alone or shared by the entire CMS Family. Mr Lenten (Secretariat) replied that he had met colleagues from WCMC at the CBD COP in Hyderabad and they were looking at ways of incorporating the needs of the CMS Family within a much larger project. It was therefore possible that the analytical tool might become available to CMS at much reduced or even no cost. Mr Schall (Germany) reported that his experience of using the online reporting system for AEWA had been positive, but he was not sure of the financial implications of maintaining the system. Ms Cerasi (Secretariat) pointed out that as other MEAs were showing keen interest in the online reporting system, they would also require the analytical tool, which might broaden the potential base for financing its development.

The meeting endorsed the use of online reporting for the forthcoming COP.
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## **21. CMS Instruments**

160. Melanie Virtue (Secretariat) introduced Document UNEP/CMS/StC40/21 which reported on activities since the COP and how the mandate contained in Resolution 10.16 was being implemented. Given the semi-autonomy of the MOUs, the report did not enter great details, and the Agreements with their own Secretariats were not covered at all, as they had been invited to submit separate accounts of their activities; those received had been posted.

161. Of the 19 MOUs, two were handled bilaterally by Chile and Argentina, two were run from Abu Dhabi and one from Bangkok. The remaining 14 were the responsibility of the Agreements Unit, which also administered the Gorillas Agreement.

162. On the implementation of existing MOUs, the following highlights were presented:

### Dugongs

163. The Meeting of Signatories scheduled for December had been postponed to February 2013. This would allow more time to prepare the GEF-funded project concerning Dugongs and Seagrass beds.

### Pacific Islands Cetaceans

164. The third meeting of the signatories had taken place in Noumea, New Caledonia in September 2012. It had been attended by the Marine Mammals Officer, and while travel costs were high, the expense of the rest of the meeting was minimal as it was held back-to-back with a meeting of SPREP.

### IOSEA (Marine Turtles)

165. A network of key sites was in the process of being created. The sixth meeting of the signatories had taken place in January 2012 (postponed from 2011 because of the floods in Thailand). The Agreements Officer had attended the meeting with costs minimized by attending on the return leg of the journey from home leave.

### Sharks

166. The first meeting of signatories to the Sharks MOU had been held in September 2012 in Bonn and had been attended by 100 participants from 40 countries. The Conservation Plan had been adopted after years of negotiations under the chairmanship of the USA. The meeting had also established the Advisory Committee and agreed procedures for listing species. It was also agreed to continue with the interim secretariat arrangements with CMS providing the administrative support from Bonn.

### Birds of Prey (Raptors) MOU

167. The Saker Falcon Task Force met in early 2012 and the first meeting of signatories was due to take place in December, back-to-back with the Central Asian Flyway meeting. The MOU had forty signatories, the most recent being France and Slovakia.

### Saiga Antelope MOU

168. There had been another mass die-off incident in May 2012 in Kazakhstan and CMS was heavily involved in the response. Guidelines were being formulated regarding fences and other barriers to migration, such as transport infrastructure.

169. Regarding instruments under development, the following updates were provided:

### Central African Elephants

170. A gap analysis had been presented at COP10 and in keeping with Resolution 10.6, the Secretariat was waiting for a clear indication that the Range States wanted to proceed. One Party would have to serve as “champion” and while there had been an expression of interest from Cameroon, no firm offer had been made. Following the massacre of 400 elephants by foreign militias in the north of Cameroon, the government there had developed a detailed action plan to protect the National Parks.

### Central Asian Flyway

171. Proposals concerning the Central Asian Flyway (CAF) were first presented to COP in 1997. Two Range States meetings had taken place and the Action Plan had been adopted but no definitive decision had been taken with regard to the administrative arrangements. The next meeting, being held back-to-back with the Raptors MOU meeting in December 2012, would choose between two options: an extension to AEWA, or a stand-alone Action Plan outside of CMS.

### Argali Sheep

172. Christiane Röttger (Secretariat) reported that the conservation of this species (added to the CMS Appendices at COP10) was attracting interest from Range States and the German Development Agency (GIZ). Two workshops had taken place – one in 2011 and the other in 2012

– and a website in English and Russian had been launched. GIZ had funded an analysis to ascertain whether a CMS instrument would be viable and recommended that the Argali Action Plan become part of the wider Central Asian aridland initiative. In light of the positive reactions of the Range States, a further meeting was being planned to take place in Bishkek, Kyrgyzstan to develop the Action Plan further.

173. Recommendation 9.1 on Central Asian Aridland Mammals was a reaction to threats such as barriers to migration, poaching and habitat degradation. The draft Action Plan had been tabled at the most recent meeting of the Scientific Council, but would have to be aligned with other regional initiatives and mandates. If funds allowed, the process of consulting Range States and organizing a meeting to conclude the Action Plan would be continued.

174. Ms Courouble (France) welcomed the report, but asked how the viability of future instruments would be assessed and whether any work had been done. She also asked about the West African Turtle MOU, saying that the expert on the ground was keen to secure progress. France had made a voluntary contribution to this MOU and if any funds were leftover, there was an NGO that could make use of them. She also asked for a status report on the West African Elephant MOU.

175. Mr Qaimkhani (Pakistan) said that his country was benefitting from the GIZ involvement in Argali conservation. He proposed that every MOU should contain provisions for emergency actions to respond to incidents such as mass die-offs and a mechanism to alert Scientific Councillors. This suggestion was in line with the COP10 Resolution on emergencies.

176. Mr Bignell (New Zealand) welcomed both the reports indicating positive progress and the confirmation that CMS was following the guidance of Resolution 10.16 and not embarking on new instruments when the existing MOUs were more than enough for the Secretariat to manage. He looked forward to seeing the criteria for new instruments in due course.

177. Ms Virtue replied to France that the West African Elephant Range States had met in mid-2011 where it had been agreed to seek assistance from the CITES MIKE programme. Unfortunately, in the meantime, MIKE had experienced a hiatus in funding and its West Africa office had closed. CITES and the European Commission were however in the midst of negotiating a new funding stream and the Commission was keen to widen the remit beyond CITES and elephants to include great apes and rhinoceroses. With regard to turtles, the expert referred to by France had been under contract to CMS and the final report was awaited. Diverting any residual funds to related work by an NGO would be considered favourably.

#### ASCOBANS

178. Mr Heredia (Secretariat) reported that ASCOBANS MOP7 had recently taken place in Brighton, UK where a budget increase of 3.45 per cent had been agreed, an action plan for Harbour Porpoise (*Phocoena phocoena*) in the Western Baltic, the Belt Sea and the Kattegat had been adopted and the cycle between Meetings of the Parties provisionally changed from three to four years, pending written approval from two Parties not present in Brighton (Belgium and Lithuania). It was also the 20<sup>th</sup> anniversary of the signing of the Agreement.

#### EUROBATS

179. Ana da Silva (EUROBATS) said that the 17<sup>th</sup> meeting of the Advisory Committee had taken place in Dublin with representatives from the new Range States attending for the first time. The Standing Committee had met in Paris and agreed to the establishment in 2013 of a part-time P2 scientific post. Two new Parties were in the process of acceding to the Agreement: Cyprus and Switzerland. The accession documents were being processed by the Depositary, the British Foreign and Commonwealth Office. EUROBATS was also involved in the development of a workspace

and the CMS Family website project and five conservation projects had been funded by the projects initiative.

## AEWA

180. Mr Barbieri (AEWA) reported that AEWA MOP5 had taken place in La Rochelle, France in May 2012 where 27 Resolutions had been adopted, many relevant also to CMS. He drew the attention of the meeting in particular to Resolutions 5.9 and 5.23. Resolution 5.9 on the implementation of the African Initiative included a comprehensive Plan of Action for Africa 2012-2017 which foresaw many activities expected to be developed jointly with CMS. Resolution 5.23 dealt with the contribution of AEWA towards delivering the Aichi 2020 Biodiversity Targets, setting an approach that the CMS Strategic Plan Working Group was considering. The AEWA Parties had been kept fully informed of developments concerning the CMS Central Asian Flyway Initiative, and the MOP had already given mandate to the AEWA Standing Committee and the Secretariat to follow up on any decisions made at the forthcoming CAF Range States meeting that would foresee an extension of AEWA as the preferred option for CAF legal and institutional arrangements. Mr Barbieri concluded by stating the AEWA and CMS Secretariats were enjoying excellent day-to-day collaboration in areas such as fundraising, recruitment of new Parties, mutual representation at meetings, holding meetings back to back and mutual support in organizing and servicing meetings. He invited the participants to refer to the written report (UNEP/CMS/StC40/21.c) for details on other activities.

## Gorilla Agreement

181. Mr Barirega (Uganda) asked for a progress report on the Gorilla Agreement. Ms Virtue responded by saying that MOP2 had been held immediately after CMS COP10 and had agreed to the nomination of three further experts to the Technical Committee (TC). There were however no plans to convene a meeting of the TC at this stage because of the lack of funds, in part because of the fact that the six Parties among the 10 Range States had in total only paid €6,000 of the assessed contributions. This lack of interest from the Parties was a disincentive for the Secretariat to press ahead. Norway had however provided funds for a project currently being carried out on the Nigeria-Cameroon border to benefit the rare Cross River Gorilla (*Gorilla gorilla diehli*).

## **22. Conservation Issues**

182. Mr Heredia (Secretariat) gave an account of numerous activities directly related to species conservation, including progress achieved in implementing COP Resolutions, the work of Scientific Council Working Groups and developments regarding the Small Grants Programme (SGP).

183. At COP10, UNEP had pledged US\$300,000 over the triennium to revive the dormant SGP, an initiative which over the years had proved invaluable as a catalyst for actions. A call for applications had been made in 2012, and 75 proposals received, of which 12 had been selected. In awarding grants, totalling \$200,000, a fair balance of geography and taxonomy was struck. Details of the successful applications would be posted on the CMS Website in due course. All applicants had been informed of the outcome of the grants round and it was proposed to issue another tender towards the end of 2013 to allocate the \$100,000 remaining.

184. The long-running Sahelo-Saharan Antelopes initiative funded by the EU would conclude in 2013. Activities were focused in Chad and Niger and a notable success had been achieved with the designation of a 97,000 km<sup>2</sup> nature reserve at Termit Tin Toumma, a biodiversity hotspot for the Dama Gazelle (*Nanger dama*), Addax (*Addax nasomaculatus*) and Cheetah (*Acinonyx jubatus*). The next phase of the project would be funded through the *Agence Française de Développement*,

AFD. Unfortunately, news had reached the Secretariat of a large increase in the volume of poaching in the region due to the power of the social networks to disseminate information about the location of the animals.

185. A voluntary contribution from Norway had allowed work using satellite tracking on the migration of the White-eared kob (*Kobus kob leucotis*) to be undertaken in Ethiopia and South Sudan in accordance with Resolution 10.3. A more comprehensive report of the results should be available in 2013.

186. The Secretariat had participated in a number of meetings related to marine issues, including marine debris (Resolution 10.4) and bycatch (Resolution 10.14). Regarding bycatch, the Friends of CMS had funded research into a new type of acoustic deterrent which aimed to stop Harbour Porpoises (*Phocoena phocoena*) becoming entangled in fishing nets. The German Ministry responsible for Fisheries would be funding trials to test the new mechanism.

187. Invasive alien species, a topic discussed by the Scientific Council in Bergen, would be the subject of research funded by Italy and undertaken by the IUCN Invasive Species Specialist Group through the University of Auckland, New Zealand and the IUCN. The results should be published in spring 2013 and would be discussed by the Scientific Council.

188. The Flyways Working Group had its mandate extended at COP10 and new terms of reference had been discussed by the Scientific Council. The membership of the group would be reviewed and its work plan agreed. A meeting would be convened in 2013 if funds allowed. In accordance with Resolution 10.26, a working group on poison had been established, and funding had been received from the UK and the Raptors MOU Secretariat. A meeting would be scheduled for 2013 in conjunction with the Bern Convention's working group on illegal killing of birds in the Mediterranean.

Details of the successful projects submitted to the SGP would be published on the CMS website

#### **22.a. Report on African Eurasian Migratory Landbirds Workshop**

189. Mr Heredia (Secretariat) and Mr Biber (Switzerland, Chair of the Workshop) reported that thanks to funding from Switzerland and BirdLife International, it had been possible to hold a workshop, hosted by Ghana, and appoint a coordinator, based at the Ghana Wildlife Society. The draft Action Plan was being revised by the Coordinator in the light of the discussions held during the workshop and a new version would be ready in early 2014. The report of the meeting had been made available as Document UNEP/CMS/StC40/22.a. The Working Group sought and received the approval of the Standing Committee to engage with the Bern Convention, in particular its working group on illegal killing of birds in the Mediterranean to start filling certain identified knowledge gaps even before the draft Action Plan was completed.

190. Mr Bignell (New Zealand) stressed the importance of documents being made available to the Committee well in advance of its meetings and Ms Céspedes (Chile) pointed out that relatively modest amounts of money dedicated to the landbirds initiative were achieving significant results.

The Report of the Landbirds Workshop was noted.

The Landbirds Working Group was mandated to approach the Bern Convention on matters of common concern and commence work on addressing gaps in knowledge.

## Concluding items

### 23. Date and Venue of the 41<sup>st</sup> Meeting of the Standing Committee

191. It was proposed to hold the 41<sup>st</sup> Meeting of the Standing Committee in late 2013 in Bonn and the German Government had again offered to provide interpretation. The precise dates would be set when the international environment calendar had been consulted.

### 24. Any Other Business

192. Immediately following the Secretariat's report on CMS Instruments (Item 21) a short video was played showing how Amur falcons (*Falco amurensis*) were being hunted in Nagaland, India. Mr Qaimkhani (Pakistan) commented that the Indian Authorities had a good record in implementing conservation legislation and he undertook to contact the Indian Focal Point. He thought that a fact finding mission including representatives of the Indian Central Government and NGOs might be advisable. Ms Crockford (BirdLife International) said that falcon trapping was a centuries old tradition but the scale seemed to have increased and plastic nets were now deployed. The Amur falcon was estimated to have a population of one million pairs and was considered "Least Concern" on the IUCN Red List at the moment, but the hunt might account for as many as 100,000 animals each year. The BirdLife partner in India, the Bombay Natural History Society, was contacting the national and state authorities to offer help. Ms Crockford also noted that in neighbouring Assam hunts had ceased to be replaced by bird watching tourism. Mr Spina (Chair, CMS Scientific Council) concurred with Ms Crockford and expressed his severe concern that hunting at current levels was probably unsustainable and he reported that he had already contacted the Appointed Councillor for Birds, Leon Bennun. Nick Williams at the Abu Dhabi Office was also involved in preparing a response.

The Standing Committee's concerns about the hunt would be conveyed to the Indian Authorities
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193. A Resolution was proposed by New Zealand, seconded by Poland and adopted by the Meeting:

*Recognizing the unsatisfactory manner in which papers were made available for its 40<sup>th</sup> meeting, the Standing Committee resolves that, until such time as its new Rules of Procedure are adopted, all papers for meetings of the Standing Committee be available on the web in three languages at least 30 working days in advance of the Standing Committee meeting.*

### 25. Concluding Remarks

194. After the customary expression of thanks to all those who had contributed to the success of the meeting – the Chair, the Secretariat, the participants, the interpreters, the Host Government, which had also organized the evening reception on Wednesday - the Chair closed proceedings at 17:19.

## PROVISIONAL AGENDA AND DOCUMENTS

<b>Opening Remarks and Organizational matters</b>	
1. Opening Remarks and Introductions.....	No document
2. Adoption of Agenda and Schedule.....	
2.1. Provisional Agenda.....	StC40/2.1
2.2. Annotated Agenda and Schedule .....	StC40/2.2
3. Adoption of the Rules of Procedure.....	StC40/3
4. Adoption of Reports of CMS Standing Committee Meetings.....	
4.1. 38 <sup>th</sup> Meeting of the Standing Committee .....	StC40/4.1
4.2. 39 <sup>th</sup> Meeting of the Standing Committee .....	StC40/4.2
<b>Reports</b>	
5. Depositary.....	StC40/5
6. Standing Committee	
6.1. Standing Committee members.....	StC40/6.1.a to 6.1.z
6.2. Observers.....	StC40/6.2.a to 6.2.z
7. Chairman of the Scientific Council .....	StC40/7
8. UNEP .....	StC40/8
9. Secretariat on Key Activities since COP10 .....	StC40/9
<b>Administrative, Budget and Institutional Matters</b>	
10. Financial and Human Resources.....	
10.1. Secretariat manpower and organization .....	No Document
10.2 Update on the status of the CMS Trust Fund 2011-2013 .....	StC40/10.2
10.3. Costed programme of work and budget for 2012-2013 .....	StC40/10.3
10.4. Resource mobilization.....	StC40/10.4
11. Institutional Matters.....	
11.1 Arrangements with the Host Government.....	No document
11.2.1.COP Organizational Changes.....	StC40/11.2.1
11.2.2.COP Rules of Procedure.....	StC40/11.2.2
11.3 Scientific Council Organizational Change	StC40/11.3

## Strategic Matters

12.	Progress of the CMS Strategic Plan Working Group.....	StC40/12
13.	Future Structure and Strategies of CMS and CMS Family .....	StC40/13
14.	Other International Policy Matters	
	14.1. IPBES.....	StC40/14.1
15.	Capacity Building.....	StC40/15
16.	Outreach and Communication.....	StC40/16
17.	Information Management.....	StC40/17
18.	Synergies and Partnerships.....	StC40/18

## Implementation of the Convention

19.	Retirement of Resolutions.....	StC40/19
20.	National Reporting.....	StC40/20
21.	CMS Instruments.....	StC40/21.a to 21.z
22.	Conservation Issues.....	StC40/22
	22.a. Report on African Eurasian Migratory Landbirds workshop	StC40/22.a

## Concluding items

23.	Date and Venue of the 41 <sup>st</sup> Meeting of the Standing Committee .....	No document
24.	Any Other Business .....	No document
25.	Concluding Remarks .....	No document

## **Conclusions of the Strategic Plan Working Group Bonn, 5-6 November 2012**

The Strategic Plan Working Group identified the following approach for the further development of the draft Strategic Plan 2015-2023. This will be turned into a Concept Note to support outreach activities by SPWG Members, Parties, Secretariat(s) and other stakeholders.

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It should be a Strategic Plan (SP) for Migratory Species

- To allow focusing on the issue, not the instrument(s)
- supporting the entire CMS Family

The SP should be strategic ....

- To define expected long-term/high-level outcomes for migratory species as a framework for assessing progress and results
- To generate political support at national, regional and global level for migratory species considerations
- To increase visibility

but there is a need to look at the shortcomings of the previous SP. These relate in particular to issues such as lack of

- Guidance for the implementation of the CMS instruments
- Support needed by Parties in terms of resources, capacity building, technical assistance, etc.

Both issues (strategic and on implementation) can be addressed through a twin-track approach by developing two complementary parts:

### 1. A 'strategic' Strategic Plan for Migratory Species

This would be a short, focused document that would provide overall guidance for migratory species, can be easily communicated at the political level and would facilitate both high-level and country-level buy-in to enhance political status/engagement/funding. It would be developed by:

- Using the SP for Biodiversity and the Aichi Targets as a basis, in order to benefit from existing political visibility and support at national and global level
- Plugging into existing supporting mechanisms (e.g. on capacity building, the NBSAP revision, Target 20 on resource mobilization, activities in the UN Decade, etc.)
- Identifying explicitly how migratory species contribute to the Aichi Targets and how the Targets in turn will contribute to the objectives for conservation of migratory species.
- Developing targets specific for migratory species, using the Aichi Targets as a framework but without being restricted by them so as to retain own identity and added value.

Note: More specific targets for some of the Agreements could then be further developed by their individual governing bodies to underpin the overall targets for migratory species (cfr. what AEWA did with the Aichi targets)

## 2. A 'technical' Companion volume for implementation

The Companion Volume could be an Annex to the Strategic Plan, cross-referenced within the SP itself to provide more technical guidance/support for the implementation of the Strategic Plan. It could serve, among others, to:

- Remedy shortcomings in implementation of the previous SP (cfr. Report1)
- Connect with and guide future COP and/or MOP decisions
- Provide guidance for enhanced and coherent implementation of the CMS Family in support of the SP and identify clearly the possible role of individual agreements in this regard (including of the CMS itself),
- Identify and take on board the individual contributions and responsibilities of National Focal Points, the Secretariats, civil society, etc.
- Support priority setting for the development of future instruments
- Further develop specific provisions on indicators, monitoring & evaluation, reporting, capacity building, etc.

The SPWG Members confirmed their commitment to play a key role in mobilizing their regions in the development of the Strategic Plan but stressed the need for support to do so. The SPWG therefore agreed to develop an enhanced consultation process to support regional involvement as well as outreach at global level. It further requested the Secretariat to actively engage in fundraising to support this process and raise awareness of its importance. A detailed breakdown of steps to take and a timetable are attached.

Finally, the SPWG also stressed the need to highlight to the Standing Committee the importance not to wait until the development of the new Strategic Plan to reinforce the integration into NBSAPs of the issue of migratory species in support of the Aichi Targets.

Along the same line, the CMS should already now engage actively in the UN Decade on Biodiversity and benefit from the relevant Aichi Targets, in particular Target 20 on resource mobilization as this is for biodiversity in general, including migratory species.

**Provisional Timetable for development of the CMS Strategic Plan 2015-2023 @ 6 Nov 2012**

<b>Due date</b>	<b>Task</b>
<b>2012 Preparatory Work – Assess current Plan and context of future Strategic Plan 2015-2023</b>	
5 - 6 Nov 2012	WG meeting to discuss Draft Report 1 (implementation of SP 2006-11) and Draft Report 2 (scoping for SP 2015-23) (plus the summary of comments already received by then) and make further comments on them.
7 - 8 Nov 2012	WG reports on progress to CMS StC40.
As of November 2012	Outreach by SPWG Members, Secretariat, other stakeholders on basis of concept note Fundraising by the Secretariat (develop fund raising strategy)
By end of year	Consultant finalizes Reports 1 and 2 in consultation with the Secretariat and WG.
<b>2013 - Drafting the future Strategic Plan 2015-2023</b>	
By 28 February 2013	Consultant, in close cooperation with the Secretariat and the WG, compiles a first draft of the SP 2015-23, focused on goals and targets
March 2013	<ul style="list-style-type: none"> <li>➤ Consult SPWG on first draft SP</li> <li>➤ Translate draft as agreed by SPWG</li> <li>➤ Start consultations based on draft SP</li> </ul>
1 April – 30 Sept 2013	<ul style="list-style-type: none"> <li>➤ Comments and revision of draft SP 2015-23</li> <li>➤ Engage all Parties and Agreements in the consultations on the draft SP through among others written consultations, regional/expert meetings, etc</li> </ul>
October 2013	<ul style="list-style-type: none"> <li>➤ Integrate comments to develop a second draft SP</li> <li>➤ Add remaining chapters + recommendation on the Companion Volume</li> <li>➤ Send to SPWG members for review</li> </ul>
Late 2013	<ul style="list-style-type: none"> <li>➤ 2<sup>nd</sup> SPWG meeting prior to StC41 to review &amp; discuss the 2nd draft SP and decide on further steps</li> <li>➤ Report to the StC meeting</li> </ul>
Late 2013	Scientific Council and StC41. Draft SP 2015-23 tabled for input ScC and StC meetings to provide guidance to SPWG on the 2nd draft SP
December 2013	<ul style="list-style-type: none"> <li>➤ Adjust 2nd draft SP with the comments received</li> <li>➤ Translate 2nd draft</li> <li>➤ Restart consultations</li> </ul>
<b>2014 - Finalizing the future Strategic Plan 2015-2023</b>	
1 Jan – 31 July 2014	<ul style="list-style-type: none"> <li>➤ Revision and finalization of draft SP 2015-23</li> <li>➤ Engage all Parties and Agreements in the consultations on the draft SP through among others written consultations, regional/expert meetings, etc</li> </ul>
August 2014	<ul style="list-style-type: none"> <li>➤ Integrate comments into the second draft SP to produce a final draft</li> <li>➤ Send to SPWG members for review</li> <li>➤ Send to StC the SPWG recommendations to COP (on the draft SP + on further work)</li> </ul>
Late 2014	CMS COP11: SP 2015-23 adopted
After COP11	Launch of adopted SP 2015-23

## **TERMS OF REFERENCE OF THE WORKING GROUP ON COP AND STANDING COMMITTEE ISSUES AND THE RETIREMENT OF RESOLUTIONS**

### **Objectives**

1. The tasks of the Working Group assigned at its creation by the 40th Meeting of the Standing Committee of CMS (November 2012) are:

- To review the Rules of Procedure of the CMS Standing Committee (including the election and composition of the Finance and Budget Sub-Committee) and to present a revised draft for consideration at the 41st Meeting of the Committee
- To consider the proposed changes to the arrangements for organizing the CMS COP and make recommendation to the 41st Meeting of the Committee
- To review the Rules of Procedure of the CMS COP and to present a revised draft for consideration at the 41st Meeting of the Committee for possible adoption at COP11
- To review the back catalogue of CMS Decisions (Resolutions and Recommendations) and determine:
  - Which are still valid and should be retained, and which are not and should therefore be retired
  - Whether a system should be adopted to review at regular intervals the body of decisions
  - Whether some or all future Resolutions should include an expiry mechanism

2. To this end, the Working Group might wish to take into account the following:

- UNEP/CMS/StC40/3/Rev.1 - Adoption of the Rules of Procedure and the Resolution passed at StC40 regarding the timing of the production of meeting documentation<sup>7</sup>
- COP Res 9.14 (Annex IV) – Terms of Reference of the Finance and Budget Sub-Committee
- UNEP/CMS/StC40/11.2.1 - COP Organizational Changes
- UNEP/CMS/StC40/11.2.2 - COP Rules of Procedure Amendments
- UNEP/CMS/StC40/19 - Retirement of Resolutions and the associated Annex

### **Composition of the Working Group**

3. The Working Group was established with the following composition: Chile, Germany, New Zealand, Uganda and Pakistan
4. The Working Group will elect its own officer(s) as appropriate.
5. The Working Group shall operate through electronic communication.
6. The Secretariat will provide administrative support to the Working Group as required.

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<sup>7</sup> See paragraph 193 of the report

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