



**52<sup>nd</sup> Meeting of the Standing Committee**

*Online, 21 – 29 September 2021*

UNEP/CMS/StC52/Report

**REPORT OF THE MEETING**

**1. Opening remarks and introductions**

1. The Chair of the Standing Committee, Soumitra Dasgupta, India, opened the meeting and welcomed participants to what he said was an historic moment for CMS, being the first entirely virtual meeting of the Standing Committee (StC). To date, there were some 159 registered participants from 59 countries, including 11 of the 13 StC Members and 10 of the 11 Alternate Members.
2. The requirement for the StC to meet online had been a consequence of the COVID-19 pandemic, which had made the past 18 months challenging to say the least. Nevertheless, the CMS Secretariat had worked painstakingly to ensure that StC52 was able to go ahead. Mr Dasgupta expressed gratitude for the able leadership of the Executive Secretary and the efforts of her dedicated team during a turbulent period. He also thanked the CMS family for entrusting India and he himself with the responsibility of chairing the StC.
3. Mr Dasgupta briefly reviewed the main items on the agenda for StC52, noting that plenary sessions were planned for 21 & 22 September and again for 28 & 29 September, with provision made for contact groups to organized for 23, 24 & 27 September to enable more detailed discussion, as required, for specific items. He wished all participants a fruitful meeting.
4. The Executive Secretary, Amy Fraenkel, added her welcome on behalf of the CMS Secretariat. It had been just over a year and a half since the StC had met in person at the 13<sup>th</sup> Conference of Parties (COP13) in Gandhinagar, India, in February 2020. For many in the global biodiversity community this had been their last international meeting before the pandemic had unfolded. The ensuing period had been a difficult time for everyone, including the CMS family and its partners. Despite the many challenges, the Secretariat had been able to function and deliver on its mandates extremely well and a key task for StC52 would be to review the progress to date in implementing the Programme of Work 2020–2023. Other important items on the agenda included discussion and provision of advice on implementation of the CMS budget, and development of a new template for National Reporting.
5. The Executive Secretary thanked her Secretariat colleagues for their hard work in organizing StC52 and acknowledged with gratitude the German Federal Ministry of Environment, Nature Conservation and Nuclear Safety (BMU) for its in-kind provision of interpretation facilities for the meeting.
6. In closing, she recalled that since COP13 the Secretariat had gained new members but had also sadly lost two dear colleagues and friends, namely Robert Vagg and Nick Williams. Both had been incredibly passionate about the work of CMS and were held closely in the hearts of the CMS family. She also extended condolences and best wishes to CMS Ambassador, Sacha Dench, whose colleague, Dan Burton, had died in a recent accident, in which Ms Dench herself had been seriously injured.

### **1.1. Guidance on the application of the rules of procedure to the 52<sup>nd</sup> Meeting of the Standing Committee**

7. The Secretariat presented technical guidance on how to make the most effective use of the online platform for the meeting and referred participants to document UNEP/CMS/StC52/Doc.1.1 'Guidance on the application of the Rules of Procedure in the 52<sup>nd</sup> Meeting of the Standing Committee', which was to be read in conjunction with the Rules of Procedure for the Standing Committee (as adopted by StC46) contained in document UNEP/CMS/StC52/Inf.1.
8. The representative of Germany questioned an apparent discrepancy in the stipulations made in the two documents concerning the quorum for StC meetings. The Rules of Procedure stated that a quorum consisted of at least five Members from at least three regions. The new guidance indicated a quorum of seven Members and did not mention regional balance.
9. The Secretariat noted that the new guidance would be corrected to reflect the quorum as stated in the Rules of Procedure (i.e. at least five Members from three regions).
10. The representative of Germany also questioned the practical application of Rule 3, paragraph 7, of the new guidance, which made provision for handling situations where a Member was unwillingly disconnected from the meeting during adoption of decisions by the StC. The guidance currently indicated that a Member finding themselves in this situation would not be able to make their views known until the adoption of the meeting report. This seemed to be rather too late.
11. The Secretariat proposed that Rule 3, paragraph 7, be amended to read: "*A Member who is unwillingly disconnected from the meeting during adoption of decisions by the Standing Committee will be able to make their views known as soon as they are reconnected.*"
12. The Chair thanked the Secretariat for clarifying the issues raised by Germany.

### **2. Adoption of the Agenda and Meeting schedule**

13. The Chair referred participants to meeting documents UNEP/CMS/StC52/Doc.2.1/Rev.3 'Provisional Agenda and documents' and UNEP/CMS/StC52/Doc.2.2/Rev.1 'Provisional Annotated Agenda and Meeting Schedule'. He invited comments, questions and proposed additions to the agenda.
14. There were no requests to speak and so both documents were adopted by StC52 as tabled.

### **3. Report of the Depositary**

15. The representative of the Depositary (Germany) presented in full the report contained in document UNEP/CMS/StC52/Doc.3.
16. Since COP13 the Governments of Central African Republic and Turkmenistan had notified the Depositary of either their ratification of accession, or their accession, to CMS, with effect from 1 December 2018 and 1 January 2021, respectively. This had brought the total number of Parties to CMS to 132 (comprising 131 States, plus the European Union).

## 4. Reports from Standing Committee

### 4.1 Reports from Standing Committee members

17. The representative of New Zealand, on behalf of the Oceania region, briefly summarized selected points from the full report contained in document UNEP/CMS/StC52/Doc.4.1.1. She concluded by recalling that the main focus of the template for regional reports was on the Convention's subsidiary Agreements and MOUs, as well as implementation of CMS COP decisions; it would be helpful to have clarification of where the obligation to provide regional reports to the StC originated and how the reports were used, with a view to reconsidering their usefulness.
18. The representative of Monaco, on behalf of the Europe region, apologized that the region had not been able to prepare a report to StC52. Europe echoed the comments made on behalf of Oceania and also wanted to hear from the Secretariat about how the regional reports were used. The StC might usefully look into this issue in the future, as the regional reports did represent an additional workload.
19. The representative of Uruguay, on behalf of the region Latin America and the Caribbean, presented highlights of the regional report contained in document UNEP/CMS/StC52/Doc.4.1.2.
20. In response to the questions raised by Oceania and Europe, the Secretariat clarified that Resolution 9.15, concerning composition and organization of the StC, stated in operative paragraph 5.c that the duties of Regional Representatives included "*to report on their activities and communications at meetings of the Committee, and at any regional meetings that take place during the COP or inter-sessionally*". In terms of precisely what that meant, there could indeed be discussion about the focus and about the template currently in use. The regional reports were not intended to be a compilation of what each Party in the region was doing at national level, but rather to focus on key regional developments and activities. This was a common practice in other MEAs, including the Convention on Biological Diversity.

### 4.2 Reports from Standing Committee Observers

21. The representative of the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS) presented highlights of the full report contained in document UNEP/CMS/StC52/Doc.4.2.1.

## 5. Report of the COP Presidency

22. The representative of India highlighted several initiatives that India had undertaken in line with the Gandhinagar Declaration and taking up the cause of migratory species and connectivity in its various forms. These included:
  - Work to ensure safe transboundary movement of elephants, including a new protocol signed by India and Bangladesh;
  - Work to implement CMS Resolution 12.26 on improving connectivity through conclusion of an MOU with Myanmar on the conservation of tigers and other components of biodiversity;
  - An MOU with Bhutan in the field of environment;
  - Planned strengthening of relations with Nepal with regard to Ganges River Dolphin and other conservation matters;
  - Establishment of a common platform for capacity building for the Central Asian Flyway;
  - Pledges made by India under the CMS Champions Programme;

- Project Dolphin (covering both riverine and marine dolphin species) announced by the Prime Minister of India on 15 August 2020;
- An Action Plan for marine turtles, launched by the Ministry of Environment, Forests and Climate Change in January 2021;
- A five-year action plan for vulture conservation launched in November 2020; and
- Measures taken by India to integrate development needs and wildlife conservation, in relation to specific protected areas.

## **6. Report of the Chair of Scientific Council**

23. The Chair of the CMS Scientific Council (ScC), Narelle Montgomery, presented her report. The 5<sup>th</sup> Meeting of the Sessional Committee of the ScC had been held virtually from 28 June to 9 July 2021. All regions were represented and there were also many observers, bringing the total number of participants in the online meeting to more than 100. Work programmes were agreed for avian species, aquatic mammals, terrestrial species, as well as cross-cutting issues, including bycatch, climate change and pollution. Among other key items covered were:
- The contribution of CMS to the CBD Post-2020 Global Biodiversity Framework and the approach to associated monitoring;
  - Endorsing the way forward for a new flagship report providing the first-ever global assessment of the conservation status and trends for migratory species;
  - Creating a new expert working group on migratory species and health, including zoonotic diseases that have been linked to the exploitation of wild animals and destruction of natural habitat;
  - Establishing a multi-stakeholder working group to address the significant risk to migratory species from linear infrastructure development;
  - Discussing the impact of plastic pollution on migratory species, especially the contribution of CMS to the CounterMEASUREII project in the Asia-Pacific region;
  - Finalising an intersessional work programme for the Working Group on Climate Change;
  - Reviewing proposals for interpreting the terms 'range state' and 'vagrant' and deciding to establish a dedicated intersessional working group to further progress this work;
  - Agreeing to establish an intersessional working group, in close cooperation with the Agreement on the Conservation of Albatrosses and Petrels (ACAP), on the deliberate illegal killing and mutilation of seabirds at sea in the South West Atlantic;
24. Finally, the ScC Chair reported on her attendance at a number recent and upcoming workshops and meetings, the latter including the 17th Meeting of Multidisciplinary Expert Panel of IPBES, scheduled for mid-October 2021.

## **7. Report of the United Nations Environment Programme**

25. The Report of the Executive Director of the United Nations Environment Programme (UNEP) is contained in document UNEP/CMS/StC52/Doc.7.

## **8. Report from the Secretariat**

26. The Executive Secretary confirmed that there was no document for this item. She noted that several of her Secretariat colleagues would be reporting later in the agenda on specific activities implementing the CMS Programme of Work (POW) 2020–2023. Her presentation would highlight areas of strategic and high-level policy engagement, as well as work to address the internal functioning of the Secretariat. Much of this work had been aimed at raising the profile of the Convention and strengthening its implementation, linking it with relevant global policy processes and initiatives. Her report covered nine areas of work, as follows:

**(a) Work relevant to engaging in relevant global processes and initiatives**

27. The Secretariat had been very actively engaged in the development of the post-2020 Global Biodiversity Framework (GBF), analysing documents, preparing position papers, liaising with the dedicated CMS Working Group, Parties and partners, and participating in all relevant events to promote the CMS priorities set out in the Gandhinagar Declaration adopted by COP13. Collective efforts had been paying off, with many CMS priorities now reflected in the draft GBF. CMS would continue to be strongly engaged in the next steps of the process.
28. The Secretariat had also been involved in contributing to various events and processes of the UN system, including the UN Food Summit, the Common UN Approach to Biodiversity, the Environment Management Group, and the UN Decade on Ecosystem Restoration, all of which provided opportunities to highlight CMS priorities and roles. CMS had also engaged in other key events, including the recent IUCN World Conservation Congress, World Wildlife Day and a ministerial meeting on marine litter and plastic pollution.

**(b) Work on the issue of zoonotic diseases**

29. The Secretariat engaged on this issue immediately after COP13, recognizing that many of the human activities that increase the risk of zoonotic diseases are the same as those driving the decline of migratory species – namely habitat destruction and fragmentation, encroachment of human activities on wilderness areas and over-exploitation.
30. The CMS Secretariat drew attention to the ill-placed practice of culling bats, highlighted risks to animals such as gorillas from human contact and contributed to UNEP's excellent report 'Preventing the Next Pandemic'. The Scientific Council of CMS had also re-established an intersessional Working Group on the issue of animal health and disease at the recent Sessional Committee meeting.

**(c) Organizing meetings of governing bodies of CMS and family agreements**

31. In common with others throughout the world, CMS was confronted with the challenge of not being able to hold in-person meetings. The entire CMS family of secretariats had quickly become proficient in the use of online platforms and had successfully held many virtual meetings of governing bodies, including the 4<sup>th</sup> Meeting of Signatories to the Agreement on Pacific Cetaceans, the ninth Meeting of Parties to ASCOBANS, and the Sessional Committee of the CMS Scientific Council.

**(d) Partnerships and joint work planning**

32. The Secretariat had been strengthening cooperative efforts with both new and existing partners. These included UNEP and its Regional Offices, the International Whaling Commission, the UNCCD Secretariat, the CBD Secretariat, and the CITES Secretariat (including work on the CITES/CMS Joint Work Programme and the Joint African Carnivores Initiative that were before StC52 for endorsement). The Secretariat had also held excellent meetings with UNDP and the World Bank on areas of potential collaboration and cooperation.

**(e) Global Environment Facility (GEF)**

33. The Secretariat had been following the development of the GEF-8 replenishment very closely and had met with both the CBD and GEF Secretariats. CMS had also provided inputs to the latest draft of the GEF-8 Programming Directions and was pleased to see CMS priorities and the role of CMS reflected, particularly in respect of the proposed Integrated

Programme on Wildlife Conservation for Development included in the draft of that document.

#### **(f) Communications**

34. Among very active communications activities, highlights had included: World Migratory Bird Day, which remained a flagship campaign for both CMS and AEWA and which was the subject of a strategic review by the Secretariats to identify means of using it even more effectively; key reports on wild meat consumption and on the impacts of plastic pollution on terrestrial and freshwater animals in the Asia-Pacific region; and major upgrading of the websites of the CMS family, with improved content and functionality.

#### **(g) Accessions**

35. In spite of the negative impact of the pandemic on some aspects of the Secretariat's ability to promote the Convention among non-Party states, CMS had welcomed the Central African Republic and Turkmenistan as new Parties since COP13. Several other countries had expressed an interest in joining the Convention in the near future.

#### **(h) Filling vacancies and updating positions within the Secretariat**

36. The following positions had been filled:
- Legal Officer P4 (Maria Jose Ortiz)
  - Avian Officer P4 (Iván Ramirez)
  - Avian Officer P2 (Tilman Schneider)
  - Raptors MOU Coordinator P4 (Umberto Gallo Orsi)
  - CAMI Officer P2 (Polina Orlinskiy)
  - Multiple G staff positions

#### **(i) Internal strategic discussion on the work of the Secretariat**

37. Since COP13, the Executive Secretary had initiated internal strategic discussions on ways to improve the impact of the Secretariat's work, taking account of the very ambitious Programme of Work adopted by the COP. This initiative fitted well with work on the Conservation Status Report, and the discussions on a follow up to the CMS Strategic Plan.
38. In closing, the Executive Secretary underlined her pride in the Secretariat team and thanked all her colleagues, as well as Parties and donors that had made all of this work possible.
39. The Chair thanked the Executive Secretary and invited comments from delegates.
40. The representative of Monaco and the representative of World Conservation Society (WCS) thanked the Secretariat for its hard work in successfully keeping up momentum in difficult times during the pandemic.

### **9 Financial and human resources**

41. This item was discussed and concluded in plenary on 21 September.

#### **9.1 Implementation of the CMS Budget**

42. The Chair referred participants to document UNEP/CMS/StC52/Doc.9.1/Rev.1 'Implementation of the CMS Budget'.

43. The Secretariat made a presentation summarizing key elements of the document, which had been revised to take account of the latest information on the status of the payments made by the Parties as of 31 August 2021 and with respect to Umoja costs.
44. As of 31 August 2021, some EUR 1.8 M of assessed contributions for 2021 had been received from Parties, with EUR 885 K outstanding. The total contributions owed by 58 Parties in arrears for the 2018-2020 triennium and earlier years, was just under EUR 1.25 M, making an overall total for outstanding contributions at the end of August 2021 some EUR 2.1 M.
45. Concerning expenditure, the document reflected two periods, showing actual expenditure for January to June 2021 and the Secretariat's best estimate of forecast expenditure for July to December 2021. Overall expenditure for the year was expected to be EUR 2.4 M versus a budget of EUR 2.7 M, with savings due mainly to reduced staff costs from unfilled vacancies, and reduced travel resulting from the COVID-19 pandemic.
46. The estimated Trust Fund balance for 31 December 2021 was nearly EUR 1.5 M, but the majority of this would be needed to cover running costs in the first quarter of 2022, given that many Parties do not normally pay their assessed contributions until later in the year. Furthermore, the forecast Trust Fund balance for December 2023 was only EUR 297 K, based on assumptions of full budget expenditure in 2022 and 2023 but receipt of only 80% of assessed contributions from Parties, in line with recent experience. This meant that only modest resources would be available for the first quarter of 2024, making prompt payment of dues even more important.
47. Umoja costs for the CMS Family had risen due to changes in the methodology applied by UN Headquarters. From 2019 onwards, Umoja costs had been based on Programme Support Costs income and, since 2021, had been calculated on a staff head-count basis, resulting in an increase from USD 32,100 in 2020, to USD 88,770 in 2021 and a projected shortfall for the CMS Family of USD 29,000 by the end of 2023. From 2024, Umoja costs could be included under Operational Costs in the CMS core budget proposal for 2024-2026, but there was a need to agree on a means of covering the expected shortfall for the current triennium.
48. The StC was invited to take note of the report on the implementation of the budget in 2021, particularly in relation to assessed contributions in arrears and to provide advice on how to address arrears; and to take note of the increase in Umoja costs and to provide guidance on funding these costs to the end of the current triennium and beyond.
49. The Chair thanked the Secretariat for its report and invited comments.
50. The representative of Germany said that Germany was willing to use diplomatic channels to seek on behalf of CMS, a further deferral of payment of Umoja costs but doubted that this would be successful as one such extension had already been granted.
51. The representative of Australia asked to hear a report on the deliberations of the StC Finance and Budget Sub-Committee at its meeting on 20 September 2021. With regard to Umoja costs, it was unclear if the suggestion for inclusion of a core budget line item in the CMS budget for 2024 onwards was the amount that would be apportioned to the CMS Secretariat itself, or for the CMS family as a whole.
52. The Secretariat clarified that for the CMS budget for 2024 onwards, it was the apportioned cost for the CMS Secretariat, not the entire CMS family.
53. The representative of New Zealand supported the request of Australia to hear a report from the Finance and Budget Sub-Committee.

54. The Secretariat reported that the Chair of the Finance and Budget Sub-Committee appeared to be having difficulties in joining the current meeting and presented a summary of the Sub-Committee's deliberations on the topics of arrears and Umoja costs. With regard to arrears, recommendations made by the Sub-Committee included: consideration of restricting the right of Parties three or more years in arrears to submit documents or proposals to meetings of the Conference of Parties, and urging the Secretariat to undertake more frequent and more proactive contacts with Parties in arrears; and continuing to seek alternative means of payment for Parties whose contributions were relatively small sums and where bank transfer was not a viable option due to disproportionate transaction costs. In relation to Umoja, the Sub-Committee members recognized that these costs had almost tripled in 2021; recommended that the CMS Secretariat should be authorised to use the Trust Fund to cover these costs through 2023, and only pay the portion of CMS family costs that was directly relevant for the CMS Secretariat (with other Secretariats paying their own apportioned amounts); and that apportioned CMS Secretariat costs for beyond 2023 should be included in the core budget proposal for 2024-2026. A draft Sub-Committee meeting note reflecting the above recommendations had been prepared on the same day of the meeting and sent to members of the Finance and Budget Subcommittee for review and comment. No comments had been received.
55. The representative of the United Kingdom sought an update on the Secretariat's discussions with UNEP on alternative methods of dues payment for Parties struggling with bank transfers.
56. The representative of the Corporate Services Division of UNEP responded that discussions had been held with headquarters in New York, and that there was indeed a possibility for credit card payments to be made, though the modalities for this currently only applied to additional voluntary contributions and did not yet extend to assessed contributions. There was a need to develop a policy to ensure that the necessary secure system and corresponding IT platform, or offline alternative, were in place for this. A unit had been designated to prepare this policy and would submit a draft to management for consideration. Upon their response, UNEP would inform Parties through the CMS Secretariat at the earliest opportunity.
57. The representative of Australia enquired whether sanctions applicable to Parties three years or more in arrears applied when a Party fell into that category during a triennium. For example, were there implications for a Party two years in arrears at the time of a COP which was elected to serve on one of the bodies of the Convention, but which then fell three years in arrears the following year.
58. The Executive Secretary noted that this issue had been raised during the meeting of the Finance and Budget Sub-Committee. There was no formal guidance on the topic and, it was ultimately up to Parties to determine how relevant provisions should be applied.
59. As no further comments were received from StC members, the Chair closed this agenda item with an understanding that the StC concurred with the recommendations made by the Finance and Budget Subcommittee.

## 9.2 Resource mobilization

60. The Secretariat introduced document UNEP/CMS/StC52/Doc.9.2 'Resource Mobilization'.
61. In the margins of COP13, several Parties had announced generous pledges under the Migratory Species Champion programme and had received recognition at the CMS Awards ceremony. Following the adoption of the Programme of Work (POW) 2020-2023 at COP13, the Secretariat had undertaken significant efforts to raise funding for implementation, by: submitting tailored requests to potential donors; making grant applications; and preparing a

Notification to Parties identifying a shortlist of POW funding priorities for 2021. These priorities had been selected based on POW ranking, urgency, timing, pandemic-related travel restrictions and other practicalities.

62. The Secretariat briefly introduced examples from the six areas of POW funding priorities and reported that financial and in-kind resources received had enabled a number of these activities to proceed. The total value of voluntary contributions received or pledged in 2020 and 2021 for POW implementation was approximately EUR 4.06 M, of which more than half had been allocated to the continuation of activities in 2022 and 2023. These contributions had been received from the Governments of Australia, Germany, India, Japan, Monaco, Sweden and Switzerland, as well as from UNEP and the Mava Foundation. In addition, significant amounts had been pledged by the Environment Agency – Abu Dhabi on behalf of the Government of the United Arab Emirates to continue hosting the CMS Office – Abu Dhabi for the period 2020-2023. Further resources had been secured by the Raptors MOU, the Sharks MOU and the IOSEA Marine Turtles MOU for their operations. The Secretariat wished to thank all those who had contributed financially or in kind.
63. In conclusion, the Secretariat identified several key funding priorities that continued to require support, including the following:

Cross-cutting issues

- Assessment of the implementation of the Strategic Plan for Migratory Species 2015–2023, in conjunction with an analysis of national reports (EUR 130,000).
- Further development of a report on the conservation status of migratory species, notably the assessment of the impact of direct use and trade on species listed on CMS Appendix I (EUR 200,000).

Aquatic species

- Guitarfish (Rhino Rays) Concerted Action: Development of regional strategies and Action Plans for the regions: Americas and Mediterranean/Atlantic coast of Africa (EUR 280,000).

Avian species

- Vulture Multi-species Action Plan: Support to Coordination arrangements and implementation of the Action Plan focusing on addressing Poisoning (Non-steroidal Anti-inflammatory Drugs) and Power Line collision (EUR 120,000).

Terrestrial Species

- Giraffe Concerted Action: Development of a continent-wide strategy for conservation of the species involving Range States and experts (EUR 120,000).

64. The Chair thanked the Secretariat for its presentation. There were no comments or questions from participants.

**10. Assessment of the implementation of the Strategic Plan for Migratory Species 2015-2023 and development of options for a follow-up**

65. This item was discussed and concluded in plenary on 22 September.
66. The Chair referred the meeting to document UNEP/CMS/StC52/Doc.10 ‘Assessment of implementation of the Strategic Plan for Migratory Species 2015-2023 and options for follow up.’ The StC was invited to take note of the document, to confirm the approach proposed by the Secretariat and to provide advice. He asked the Secretariat to introduce the document.

67. The Secretariat recalled that COP11 had adopted the Strategic Plan for Migratory Species 2015-2023 (SPMS). A progress report on implementation of the SPMS had been submitted to COP13, which had taken note of the report and given instructions and guidance on further assessment of implementation of the Strategic Plan. Decision 13.1 requested the Secretariat, subject to the availability of resources, to undertake a series of corresponding activities and to report on progress to the StC at its intersessional meetings.
68. Unfortunately, due to a lack of resources, the Secretariat had been unable to make significant progress with the work foreseen by Decision 13.1. Resource-mobilization efforts would continue, with the aim of enabling a proper assessment of the implementation of the Strategic Plan to be presented to COP14. The Secretariat recommended that such assessment work be focused on those activities mandated under Decision 13.1 that were still achievable in the time remaining before COP14. These included assessment of indicators that were already fully operable, and identification of available case studies.
69. The current Strategic Plan would come to an end in 2023. Through Decisions 13.4 and 13.5, COP13 had called for development of options for following up the Strategic Plan in the post-2023 period, for the Secretariat to make recommendations to the Standing Committee intersessionally, and for the Standing Committee to consider these recommendations and take a decision on the next steps. Key to those next steps would be the outcomes of the Fifteenth Meeting of the Conference of Parties to the Convention on Biological Diversity (CBD COP15) in 2022, notably decisions concerning the post-2020 Global Biodiversity Framework. Other important considerations included the results of major environmental assessments, emerging issues such as zoonotic diseases, and developments under the 2030 Agenda for Sustainable Development, the United Nations Framework Convention on Climate Change (UNFCCC), and the United Nations Convention to Combat Desertification (UNCCD). In addition, recent work under CMS itself would also need to be considered, including development of the report on the Conservation Status of Migratory Species, as well as assessments relating to the impacts of pollution from plastics, noise and light, and other threats to migratory species.
70. Taking into consideration the calendar of relevant international processes, the Secretariat had drafted a suggested timeline for development of a follow up to the SPMS. The proposed timeline, displayed as an online graphic for the convenience of StC52 participants, is shown in the table below:

<b>Activity</b>	<b>Time frame</b>
1. Compilation and analysis of information on approaches adopted by other biodiversity-related MEAs in defining strategic objectives and strategic planning	Jan-June 2022
2. Compilation and analysis of information on other relevant processes and developments, such as <ul style="list-style-type: none"> <li>- Major assessments (e.g. IPBES Global Assessment)</li> <li>- emerging issues such as zoonotic diseases</li> <li>- 2030 Agenda for Sustainable Development</li> <li>- UNFCCC</li> <li>- UNCCD</li> <li>- GEF8 replenishment discussions</li> </ul>	Jan-June 2022
3. Analysis of relevant reports and developments under CMS, including <ul style="list-style-type: none"> <li>- Assessment of implementation of SPMS 2015-2023</li> <li>- report on conservation status of Migratory Species</li> <li>- assessments of key threats to migratory species</li> </ul>	Jan-June 2022
4. Analysis of the post-2020 global biodiversity framework	May-June 2022
5. Evaluation of strategic implications for CMS of compilations and analyses under 1-4 above – Initial proposal on options for follow up to SPMS	July-Sept. 2022
6. Consultation with Parties and stakeholders of analysis and initial proposal on options for follow up	Oct-Dec 2022
7. Preparation of options for follow up for submission to StC	Jan-Feb 2023
8. Consideration of options by StC	Mar-May 2023
9. Preparation of COP14 document on follow up to SPMS 2015-2023	June-July 2023
10. COP14	Oct 2023

71. This timeline assumed the holding of CMS COP14 in October 2023, which currently seemed to be realistic. Should there be any change, the timeline could be adjusted accordingly.
72. The StC was asked to confirm the approach proposed by the Secretariat, or to advise otherwise; to encourage Parties to provide financial and technical support for the assessment of the implementation of the SPMS and the development of options for its follow up; and to advise the Secretariat on developing such options for follow up to the Strategic Plan and their submission to COP14, notably on the proposed timeline.
73. The Chair invited comments from participants.
74. The representative of Germany referred to the resource requirements highlighted by the Secretariat. Germany had striven to provide an additional Junior Professional Officer (JPO) for the CMS Secretariat and recommended that other Parties should consider similar in-kind support as a means of strengthening implementation of the SPMS.
75. The representative of New Zealand, on behalf of the Oceania Region, appreciated the effort made by the Secretariat to be involved with the GBF and noted that pandemic-related delays in finalizing the GBF would have impacts on the development of follow-up to the SPMS. Oceania also noted the challenges associated with lack of resources that had been highlighted by the Secretariat.

76. Concerning Decision 13.1, the region agreed with the recommendation of the Secretariat to focus on those activities that remained realistically achievable. In relation of Decision 13.4, Oceania supported the approach of the Secretariat for progressing work on follow up to the SPMS and appreciated the detailed timeline proposed. It would be helpful to have clarification on four points:
- Who was expected to undertake the work of developing options for follow-up to the SPMS, and was recruitment of a consultant, as had been done for drafting of the SPMS, being considered?
  - How would that work be resourced and was any resource yet allocated?
  - Steps 6 & 7 of the timeline referred to “options”. Did this mean a draft of a new Strategic Plan, or something else?
  - Step 8 showed consideration of these options by StC in 2023. Would this be done by electronic consultation, or at a meeting of the StC?
77. The representative of the UK supported aligning the revision of the SPMS with the GBF and was pleased to hear the call for resources made by the Secretariat and supported by Germany. The UK had some concerns about timeframe in relation to enabling timely input from Parties, considering that the GBF was unlikely to be finalised until mid-2022. It could be helpful to convene a Contact Group to examine these considerations in a bit more detail.
78. The representative of the Wildlife Conservation Society (WCS) recalled that the next CITES COP had a deadline for submission of proposals of June 2022 and advised that this be a consideration in the SPMS timeline, particularly with respect to ongoing CMS-CITES collaboration.
79. The Chair asked the Secretariat to respond to the points raised.
80. Replying to New Zealand, the Secretariat anticipated securing support in the form of consultancies to help with the work of compilation, analysis and developing options for SPMS follow up. How far that work could go would depend on the financial and human resources raised, but some limited support had been secured already. The Secretariat had identified an indicative budget of EUR 30,000 and was fundraising accordingly. Additional voluntary support, including human resources as mentioned by Germany, would be very welcome. It was not yet clear what form a proposal to COP14 would take. The Secretariat did not necessarily expect it to be a new Strategic Plan in the form of the current SPMS, this was an open question on which guidance from the StC had a key role. Similarly, no decision had been taken about whether StC feedback on eventual options should be in the form of a meeting or virtual consultations. This was also open for StC consideration and advice. Concerning the proposal from the UK that a Contact Group be established on this issue, this was a matter for the Chair to determine.
81. The Chair considered that the Secretariat had addressed the questions raised, that there appeared to be broad consensus, as well as support for the Secretariat’s approach and proposals, and that the StC could confirm these without the need for forming a Contact Group.

## **11. Revision of the national report format**

82. This item was dealt with in plenary on 21 September, discussed in a Contact Group on 23 September and concluded in plenary on 28 September.

### Plenary of 21 September

83. The Chair referred participants to document UNEP/CMS/StC52/Doc.11 ‘Revision of the National Report Format’ and asked the Secretariat to introduce it.

84. The Secretariat recalled that through Decision 13.14, COP13 had instructed the Secretariat to develop a proposal for a revision of the National Report Format (NRF) to be submitted to COP14. The same decision instructed the Secretariat to submit the draft proposal to StC52, for its consideration and endorsement, as appropriate.
85. In addition, COP13 had addressed the need to improve collection of information on Parties' actions to fulfil commitments under the Convention through, *inter alia*, the National Reporting process in several other decisions, referenced in document 11.
86. Pursuant to Decision 13.14, the Secretariat had developed a proposal for the revision of the NRF and the associated guidance document. These were contained in Annex 1 and Annex 2 to document 11, which further explained the main principles and rationales applied in developing the proposal.
87. The Secretariat had also prepared an example of 'extra guidance' in relation to reporting on the implementation of the Programme of Work on Climate Change and Migratory Species. This was contained in Annex 3 to document 11. Should this concept of 'extra guidance' be found useful, the approach could be expanded to other topics.
88. The Chair invited comments, reminding delegates who wished to propose specific amendments to submit these in writing to the Secretariat.
89. The representative of New Zealand, speaking on behalf of Oceania, stated that the region was comfortable with the proposed revisions to the NRF, but would be submitting editorial amendments to improve clarity. As the NRF closely followed the structure of the Strategic Plan, it would be desirable to keep changes to the format to a minimum. The proposed extra guidance in Annex 3 was quite useful and Oceania supported the approach but was interested to know which other topics might be covered.
90. The representative of France thanked the Secretariat for its work on this issue and underlined the importance of avoiding duplication or unnecessary overlap in reporting requirements under CMS and other MEAs.
91. The representative of Croatia felt that the utility of revisions to the NRF would only become clear once the form was in use. She enquired whether the extra guidance on climate change implied that extra work was needed from Parties in filling in the National Report on this topic. A degree of overlap between MEA reporting requirements was a given, made more challenging by the late running of some national reporting processes due to the COVID-19 pandemic.
92. The representative of the United Kingdom supported the comments made by New Zealand. The right balance needed to be struck to find a format that was beneficial and not overly burdensome; simplicity was the key and the UK wondered if all the Secretariat's proposals were proportionate or not.
93. The Chair confirmed that a Contact Group would be convened to discuss in more detail the issues raised. He nevertheless invited further remarks from the Secretariat in relation to these points.
94. The Secretariat recalled that several COP13 decisions required provision of information from Parties on the status of implementation; climate change had been selected as an example. The point of the 'extra guidance' on climate change was not to expand the questionnaire, but rather to offer advice on the type of information to provide in replying to existing questions, with a view to obtaining more coherent and comparable reports. If the approach being proposed was considered valuable and helpful, similar guidance could be prepared on other topics for which COP13 had requested improved collection of

information, through the national reporting process, on action by Parties to fulfil their commitments under the Convention. A list of relevant decisions was provided in paragraph 5 of document 11. The intention was to assist those filling in the reporting format to better understand what was required, not to increase the reporting burden. Concerning alignment of reporting under CMS and other MEAs. The approach used had been to point out to Parties where relevant information might exist in reporting under other instruments with the aim of avoiding duplication and helping to ensure consistency. It was advisory only, but that was why those references were there. The Secretariat was not in a position to express a view on the general helpfulness of the current template as requested by the UK, but it had provided a comprehensive analysis to COP13, which was probably the best point of reference. The Secretariat had understood that the template for COP13 had been supported and that no radical re-design was required. Adjustments had therefore been limited. The Secretariat had tried not to increase the reporting burden but to restrict any revision to necessary updates following COP13 decisions, plus improvements to clarity in a few places.

Plenary of 28 September:

95. The representative of New Zealand, speaking as Chair of the Contact Group that had met on 23 September, reported that the Contact Group had been well attended, with 54 participants, representing all StC regions. The Group had reviewed the version of the National Report Format (NRF) contained in Annex 2 to document UNEP/CMS/StC52/Doc.11, with the addition of the comments from the Oceania region tabled during the plenary discussion on 21 September. The Group had then proceeded through the NRF section by section. Suggestions were made for: (a) editorial changes to improve clarity; (b) the elaboration of guidance tips to make it clearer what was required by way of responses; and (c) the addition of references to relevant resolutions. The Group had particularly worked on Section X 'Threats and pressures affecting migratory species', seeking to ensure that topics were placed under the most logical headings, and that guidance tips contained enough detail.
96. Following conclusion of the Contact Group discussions, the Secretariat amended the NRF document to reflect the Group's conclusions. The revised document had been emailed to Contact Group participants, giving them the opportunity to make further comments should they wish to do so. Comments had been received from three participants and these were reflected in a subsequent draft which had now been uploaded to the in-session documents section of the StC52 webpage as CRP11. Following the posting of CRP11, two further comments on section X had been submitted by the representative of Australia. These comments were minor and sought to improve clarity. Once the document had been finalised by StC52, the Secretariat planned to undertake a further editorial and consistency check, meaning that further minor amendments might be made at that time.
97. The Contact Group had also been asked to review UNEP/CMS/StC52/Doc.11/Annex 3 'Reporting on the implementation of the Programme of Work on Climate Change and Migratory Species'. Annex 3 was an example of the 'extra guidance' – in that case relating to climate change – that would form part of the overall guidance for completion of National Reports. The Group had considered this document but had no further comments.
98. Finally, the Chair of the Contact Group extended thanks to all who had participated.
99. The Chair invited comments on CRP11.
100. The representative of the United Kingdom suggested that the lengthy list of Resolutions and Decisions at the end of Section X of the questionnaire might be wholly or partly redundant, since all or most of these were now mentioned in the guidance tips that had been integrated into the document.

101. The Secretariat confirmed that this was the case and agreed that the list could be deleted. As part of its final checks the Secretariat would also ensure that no particularly relevant Resolution or Decision had been omitted inadvertently.
102. The representative of Germany requested the Secretariat to make available to Parties the Excel spreadsheets containing the information from National Reports submitted to COP13. This would facilitate preparation of reports to COP14.
103. The Secretariat confirmed that this would be done, with some adjustments to take account of decisions taken by COP13.
104. In response to a question from the representative of Australia, the Secretariat confirmed, as mentioned by the Chair of the Contact Group, that two additional amendments submitted by Australia were not included in CRP11 but that these were relatively minor and simply improved the clarity of the guidance tips.
105. On the proposal of the Chair, StC52 adopted the revisions to the National Report Format contained in CRP11, taking account of the clarifications made by the Secretariat.

## **12. Implementation of the Concerted Actions process**

106. This item was initially discussed in plenary on 22 September and concluded on 28 September.

### Plenary of 22 September

107. The Chair referred participants to document UNEP/CMS/StC52/Doc.12 'Implementation of the Concerted Actions process' and invited the Chair of the Scientific Council to introduce it.
108. The Chair of the Scientific Council recalled that the process associated with Concerted and Cooperative Actions had been the focus of discussions at several CMS COPs. Significantly, COP11 had decided that Concerted Actions (normally for selected Appendix I species) and Cooperative Actions (normally for selected Appendix II species) should be rolled into one group and referred to as Concerted Actions only.
109. Furthermore, the process for proposing, amending, approving, and reporting on Concerted Actions had been consolidated into a single decision – Resolution 12.28 – at COP12. That same Resolution had also adopted guidelines for the implementation of the Concerted Actions process. However, experience since COP12 had highlighted a degree of divergence between the procedures set out in Resolution 12.28 and the procedures followed in practice. As such, the 5<sup>th</sup> Meeting of the Sessional Committee of the Scientific Council had reviewed Resolution 12.28 in its entirety and had agreed to proposed revisions for better aligning the procedures set out in the Resolution with standard practice. The Sessional Committee believed that it would be appropriate for StC52 to review these suggestions, as Resolution 12.28 concerned both procedural and policy matters.
110. The proposed amendments to Resolution 12.28 (Rev.COP13) and its integral Annex 1, clearly marked as either suggested deletions or suggested insertions, were contained in Annex 1 to UNEP/CMS/StC52/Doc.12. The Sessional Committee Chair wished to propose one additional amendment, namely deletion of paragraph 5) under Step 1. This paragraph was now redundant due to the Sessional Committee's proposed modifications to paragraph 1) of Step 1.
111. StC52 was invited to consider and endorse the ScC recommendations, including the additional deletion of the specified paragraph.

112. The Chair invited comments from participants.
113. The representative of New Zealand stated that the Oceania Region was comfortable with the proposed amendments put forward by the Sessional Committee, including the deletion of Step 1 para 5).
114. The representative of the Born Free Foundation broadly supported the proposed amendments to Resolution 12.28 (Rev.COP13) but wished to table some additional suggestions. These were read out in full and concerned operative paragraph 3 of the Resolution and four paragraphs of its Annex 1.
115. The Chair enquired if there was any objection to going ahead with the deletion of Step 1, paragraph 5 in Annex 1 to Resolution 12.28 (Rev.COP13). There being no such objection, the Chair confirmed that this amendment was approved.
116. The representative of Germany supported this specific amendment but requested an opportunity to study the suggestions from Born Free Foundation in writing before making decisions about the remainder of the document.
117. The representative of the United Kingdom supported the request made by Germany.
118. The Chair requested the Born Free Foundation to submit its proposals in writing so that the Secretariat could prepare a Conference Room Paper (CRP) for further consideration by plenary.

Plenary of 28 September:

119. The Chair recalled that during the plenary of 22 September, delegates had made suggestions for modifying the proposal for the amendment of Resolution 12.28 (Rev.COP13). These suggestions had now been made available as CRP12.
120. The Secretariat noted that CRP12 also incorporated a consistency edit undertaken by the Secretariat. Amendments that had been proposed by Parties, and consistency edits made by the Secretariat, were shown as integral tracked changes, whereas suggestions from observers were reflected as side comments and not yet included as text changes. Since the CRP had been finalised and posted online, the Secretariat had noticed a few additional minor editorial points. These hadn't necessitated issuing a further revision, but the Secretariat would draw attention to these additional proposed edits, and seek StC endorsement accordingly, when the relevant sections were under consideration.
121. The Chair invited participants to review CRP12 section by section and requested the Secretariat to display the text electronically for the benefit of all participants.
122. The meeting supported all tracked changes and proposed amendments included within CRP12, except for the suggestions of Born Free Foundation to retain Step 1.2) that was marked for deletion in CRP12, and to amend Step 5.4) by including a reference to joint reporting by Parties to the Scientific Council. Step 1.2) was therefore confirmed for deletion, and Step 5.4) remained as drafted in CRP12.
123. The meeting endorsed the further minor editorial amendments proposed by the Secretariat.
124. The representative of Saudi Arabia felt that Step 1.1) might be clearer if it specified the submission deadline of 150 days, instead of using the formulation "by the same deadline applicable to listing proposals".

125. The representative of Saudi Arabia proposed an amendment to the beginning of Step 5.2) to include mention of non-Party Range States (as also shown in the relevant section of CRP12 as a suggestion from Born Free Foundation).
126. Various possible drafting alternatives for Step 5.2) were discussed, with contributions from Saudi Arabia, the United Kingdom, Born Free Foundation and Wildlife Conservation Society.
127. The meeting approved the following formulation read out by the Secretariat: "Requests Parties and invites non-Parties that are Range States of species...". but noted that consequential editorial adjustments were required later in the same sentence.
128. The Chair confirmed that all proposed revisions to Resolution 12.28 (Rev.COP13) had now been considered by the StC and that agreement had been reached on those to be included in a proposal for submission to COP14 and that the Secretariat would be entrusted with making any editorial adjustment needed.

### **13. Improving the listing proposal process and outcomes**

129. This item was dealt with initially in plenary on 22 September, discussed in a Contact Group on 24 September and concluded in plenary on 28 September.

#### Plenary of 22 September

130. The Chair referred participants to document UNEP/CMS/StC52/Doc.13/Rev.1 'Improving the listing proposal process and outcomes'. The Standing Committee was invited to provide guidance and to take any decision that may be appropriate. He invited the representative of New Zealand to introduce the document.
131. The representative of New Zealand, speaking on behalf of the Oceania Region, confirmed that the document had been prepared jointly with the Latin America and the Caribbean Region. The proposal had been developed in light of concerns that there had been insufficient consultation with Range States and inadequate consideration of ScC recommendations during the process of listing of species on CMS Appendices. This could result in the COP making decisions on proposals that were not necessarily based on the best scientific evidence available or that were incomplete or incorrect. This risked undermining the listing process and potentially the Convention itself. The aim of the present discussion document was to improve the listing proposal process so it could be as effective as possible in helping to achieve the objectives of the Convention. The document highlighted the importance of robust consultation with Range States. It also sought to reinforce the importance of ScC recommendations and to underline CMS obligations and guidance with respect to listing proposals, especially in relation to consultation with Range States, recognizing that improvements had been made over time. Finally, the paper recommended that the Standing Committee should agree to establish an intersessional working group which would be tasked with identifying any suitable options for improving the listing proposal process to encourage and enhance consultation. Draft Terms of Reference for the proposed working group were included as an annex, with a view to the group working intersessionally to provide draft recommendations to StC53.
132. In conclusion, the representative of New Zealand noted that a paper on this topic had been submitted to the 5<sup>th</sup> Meeting of the Sessional Committee of the Scientific Council for its consideration. Discussions had focused on the mandate of the Sessional Committee to provide the best available scientific advice on listing proposals. Because the issue involved governance and administrative dimensions, the Sessional Committee had referred the matter to the StC for further consideration.

133. The Chair invited comments and questions.
134. The representative of Italy recognized that consultation had not always been ideal in the past. However, the decision taken at COP13 ensured that provision for wider consultation was now in place. The position of the EU Member States was that the present rules on listing were fit for purpose and that there was no sound indication they need to be changed. Furthermore, there was no need to establish a working group before verifying whether the newly adopted procedures were working.
135. The representative of Monaco concurred there was not necessarily a need to revise the whole listing proposal process, but rather to emphasize the need for better coordination among Range States and between Range States and those submitting listing proposals. Perhaps additional guidance on this point might be helpful.
136. The representative of Germany believed that consultation was an essential part of the listing proposal process, and it was helpful that the discussion document emphasized this point. Germany was aligned with the view of the EU Member States expressed by Italy, having reservations about the necessity for creation of a working group. This was premature, given that strengthened rules had only been adopted at COP13. The Secretariat was already stretched for time and resources to implement many of the decisions taken by COP13 and this should be kept in mind before reopening something already decided on. This would not be a wise use of scarce resources.
137. The representative of France supported the comments made by Italy and Germany. The rules had only been updated 18 months ago and there was first a need to assess their effectiveness in practice.
138. The representative of Brazil welcomed the discussion document, which highlighted the importance of robust consultation processes. Brazil supported establishment of a working group. However, despite the many challenges, the listing process should not be so burdensome that it inhibited listing proposals or the autonomy of States. The working group therefore needed to reflect the different circumstance of Parties and to be regionally balanced.
139. The representatives of Portugal, Senegal and Sweden aligned themselves with the positions of Germany, Italy and France, underlining the need for evaluation of the rules adopted at COP13 prior to establishment of a working group to consider further changes. There was general support of the need for better consultation, but this also didn't require a working group.
140. The representative of Senegal observed that, in his experience as a member of the ScC for more than 15 years, every ScC recommendation relating to listing proposals had been founded on scientific fact alone.
141. The representative of the United Kingdom agreed on the desirability of effective consultation. Given the range of views expressed, it would be beneficial to convene a Contact Group to discuss the issue in a bit more detail.
142. The representative of Australia agreed with a lot of what had been said, especially the observation of Monaco that it was not necessary to revise the entire listing procedure to enhance consultation. That was the point of the discussion paper. Analysis showed that only 18% of listing proposals submitted to COP13 had been the subject of consultation with all Range States. It was largely a matter of tweaks to the process to encourage greater consultation with Range States before listing proposals were submitted. The paper was not proposing a whole new process but simply any measure that would be helpful to encourage exchange of information and improved consultation about listing proposals. This would

make it more likely that listing proposals could secure unanimous support from the ScC and from the COP. The premise of CMS was founded on the need for countries to come together to conserve species that travel around the world. This required collaborative and collegiate work, which was why the document proposed forming a working group to see if there were simple things that could be done to improve this aspect of the listing proposals process. She supported the UK's proposal to convene a Contact Group to consider the matter in a bit more detail during StC52.

143. The Chair consulted with the Secretariat and confirmed that he would convene a Contact Group on this agenda item.

#### Plenary of 28 September

144. The Chair reported that a Contact Group had met on 24 September to exchange views and ideas on the listing proposal process. He invited Ms. Tilotama Verma, Chair of the Contact Group (India), to report on the discussions held.
145. She reported that 54 participants had attended the virtual Contact Group meeting.
146. The Contact Group had emphasized the importance of Range State consultations as a necessary step in the development of listing proposals at all stages of the process. While the administrative process implemented prior to COP13 encouraged consultation on listing proposals, it was specifically focused on consultation following the submission of a listing proposal. The importance of consulting Range States prior to submission was recognized as a significant gap.
147. The Contact Group had also: reiterated the importance of careful planning to allow sufficient time for consultations in advance of submitting a listing proposal; supported joint development of listing proposals by Range States; and encouraged making greater use of the scope afforded by CMS for listing proposals applicable to identified regional populations as a means of enhancing focus and targeted actions.
148. While noting that responsibility for consulting with the Range States lay with the proponent(s) of the listing proposal, the Contact Group recommended a number of practical actions for the Secretariat to undertake in support of Parties intending to submit listing proposals. These were:
1. Provision of additional information and supporting materials on the CMS website, such as:
    - a. An indicative timeline for the development and submission of listing proposals, including consultation with other Range States, both before and after submission of listing proposals;
    - b. Best-practice example(s) of listing proposals; and
    - c. A template letter for seeking information from other Range States, to be sent either directly to identified Range States or to the Secretariat for incorporation into a notification.
  2. Provision of assistance in the identification of Range States for the species concerned, notably in cases for which this may not be straightforward, such as marine species in international waters, by:
    - a. Circulating a notification to inform all Parties about the development of listing proposals on certain species, with a request for Range States to identify themselves to the proponent(s); and
    - b. Providing outreach support on the best ways to engage with other Parties concerned.

149. The Contact Group further recommended that the Standing Committee should:
- Take note of the discussions held;
  - Re-affirm the importance of Range State consultation in the process of developing of listing proposals;
  - Re-affirm the importance of Parties complying with the process established in Resolution 13.7, particularly the paragraphs regarding Range States consultations;
  - Re-affirm the usefulness of the administrative process agreed at StcC48, which was focused on consultation after a listing proposal had been submitted, and provided an opportunity for proponents of listing proposals to respond explicitly to comments and recommendations provided by the ScC and interested Parties, before the listing proposals were discussed by the COP; and
  - Request the Secretariat to continue supporting Parties during the development and submission stages of the listing proposal process and to implement the action points mentioned above.
150. The representative of the United Kingdom welcomed the open and constructive discussion in the Contact Group and supported the Group's recommendations. The UK was ready to assist with further development of any of the guidance mentioned if that would be helpful.
151. The representative of Germany concurred that it had been a fruitful discussion and that the Contact Group had come to a very good outcome. It should be clear, however, that the Contact Group's recommendations did not shift responsibility for listing proposals to the Secretariat; the intention was to find simple ways for the Secretariat to assist. Germany would not wish to see any significant additional burden on the Secretariat, but otherwise fully supported the recommendations.
152. There being no further comments, and upon the proposal of the Chair, the StC endorsed the recommendations made by the Contact Group.

#### **14. Appointment of COP-appointed Councillor**

153. This item was discussed and concluded in plenary on 22 September.
154. The Chair referred to Document UNEP/CMS/StC52/Doc.14 'Appointment of COP-appointed Councillor'. He advised the meeting that since Doc.14 had been finalised and posted by the Secretariat, Brazil had withdrawn its nomination for the position of COP-appointed Councillor. He requested the Secretariat to summarize the main points of the document.
155. The Secretariat recalled that, following a recommendation by the Sessional Committee of the Scientific Council, COP13 had agreed on the establishment of a COP-appointed Councillor position within the Sessional Committee to cover the subject areas of invasive species, disease, feral animals, insects, and marine pests and weeds. However, COP13 had been unable to make an appointment to this position, due to the late submission of nominations, and had tasked the StC, in consultation with the Sessional Committee, to conclude the process.
156. Nominations of suitable candidates had been sought from Parties, via a CMS Notification specifying the information required in each nomination. A total of seven nominations had been received, as listed in the annex to document 14. On behalf of the Chair of the ScC, the Secretariat transmitted the nominations to the members of the Sessional Committee, inviting them to express their preferences concerning the candidate to be appointed. Based on these preferences, three candidates had been recommended to the StC for its consideration. In preference-ranking order, these were:

1. Dr. Ruth Cromie
2. Prof. Ursula Höfle
3. Dr. Tatiani Elisa Chapla

157. However, as already mentioned by the Chair, the Government of Brazil had withdrawn its nomination of Dr. Tatiani Chapla. Therefore, only two candidates recommended by the Sessional Committee remained for the consideration of the StC in making an appointment for the intersessional period between COP13 and COP14.
158. The Chair of the Scientific Council confirmed the process that had been followed by the Sessional Committee. At its 5<sup>th</sup> Meeting, the Sessional Committee had concluded that in view of current global priorities, preference should be given to candidates with expertise in wildlife disease to enable CMS to garner the best scientific advice in relation to this topic. The two remaining candidates were both excellent in their fields and either would provide CMS with the expertise and proactive leadership needed.
159. The Chair invited comments from participants.
160. The representative of Germany supported the remarks of the Chair of the Scientific Council and agreed that the Sessional Committee had identified the best two candidates.
161. The representatives of Italy, Monaco and United Kingdom supported the candidacy of Dr. Ruth Cromie for the position of COP-appointed Councillor.
162. The Chair noted the statements of support for the candidacy of Dr. Cromie and asked if there was any objection to her appointment. There being no such objection, the Chair confirmed that Dr. Ruth Cromie had been unanimously selected as the COP-appointed Councillor for invasive species, disease, feral animals, insects, and marine pests and weeds.

## **15. Implementation of the Programme of Work (2020-2023)**

163. This item was discussed and concluded in plenary on 21 September.
164. The Chair referred participants to document UNEP/CMS/StC52/Doc.15 'Implementation of the Programme of Work (2020-2023)'. He confirmed that the StC was being asked to take note of the document and to provide comments and guidance to the Secretariat.
165. The Secretariat presented a summary of document UNEP/CMS/StC52/Doc.15. The programme of Work (POW) 2020-2023 had proven to be an important tool for guiding the work of the Secretariat and its fundraising efforts. However, the POW was very ambitious and, so far, the Secretariat had secured only a portion of the total budget required for the intersessional period (excluding staff costs and other items covered by the CMS budget agreed at COP13). The document provided a detailed account of the status of implementation of the POW and comprised two sections: a narrative report, including the challenges the Secretariat had been facing and the steps planned for carrying out each activity; and a table giving a brief overview using a traffic-light rating system with an indication of the funds raised and donors concerned.
166. Among the specific activities detailed in the document, the presentation highlighted the status of work on:
- Development of an Atlas on Animal Migration;
  - Reviewing the Conservation Status of Migratory Species;
  - Wildlife diseases and migratory species;
  - Light pollution;

- A wide range of initiatives – among them conservation action plans, MOUs, task forces and threat-specific measures – being taken to improve the conservation status of aquatic, terrestrial and avian migratory species;
  - Information management, communications and outreach; and
  - Capacity building.
167. Further details on all of this work could be found in document 15.
168. The representative of Wildlife Conservation Society (WCS) thanked the Secretariat for an excellent report and welcomed new staff to the extended CMS family. She noted that the issue of linkages between wildlife and human disease had not been a high priority at COP13. In taking forward the POW it was important to highlight the issue of zoonotic spill-over at the human-wildlife interface.
169. In response to a question from the representative of Saudi Arabia, the Secretariat pointed out that the responsibility for amendment of CMS Appendices lay with Parties and the Secretariat did not take direct initiatives on that issue. However, some activities mandated by COP13 were relevant. By COP14, several Appendix I species would have been assessed in detail to provide advice to Parties on species that could be the subject of future delisting proposals that Parties might wish to bring forward.
170. The representative from the Preventing Poisoning Working Group of the Scientific Council emphasized that work on preventing poisoning should not only focus on lead in wetlands; the impacts of other toxins, such as pesticides and mercury, should also be taken into account.
171. The Secretariat took note of this comment and recalled that Resolution 11.15 made extensive reference to pesticides and avoiding their detrimental use.

## **16. Terms of Reference for the Intergovernmental Task Force on Phasing out the use of Lead Ammunition and Lead Fishing Weights**

172. This item was dealt with initially in plenary on 22 September and concluded on 28 September.

### Plenary of 22 September

173. The Chair referred participants to Document UNEP/CMS/StC52/Doc.16 'Terms of Reference for the Intergovernmental Task Force on Phasing out the use of Lead Ammunition and Lead Fishing Weights' and asked the Secretariat to introduce the agenda item.
174. The Secretariat recalled that CMS COP13, through Resolution 11.15 (Rev.COP13), had reaffirmed the Guidelines to Prevent the Risk of Poisoning to Migratory Birds adopted by COP11 and had asked the Parties to implement these Guidelines. The same Resolution had instructed: (a) the Secretariat, subject to availability of resources, to convene an Intergovernmental Task Force on Phasing Out the Use of Lead Ammunition and Lead Fishing Weights to take forward the implementation of the Guidelines; and (b) the Standing Committee to develop and approve Terms of Reference (ToR) for the Task Force at its second meeting after COP13, building on those adopted by COP12 for the Lead Task Force Group. In addition, COP13 Decisions 13.39 and 13.40 had encouraged Parties and other organizations to provide financial and technical support to the Secretariat for the operations of the Intergovernmental Task Force and instructed the Secretariat to convene the Task Force as early as possible, following StC approval of its ToR. StC52 was therefore asked to review, revise as appropriate, and approve the draft ToR.

175. The Chair invited comments from participants.
176. The representative of Germany considered establishment of the Intergovernmental Task Force to be a welcome step forward. He confirmed the readiness of Germany to participate in the Task Force and drew attention to the related work of the European Commission in the framework of the REACH Regulation. Germany recommended that a representative of the Commission be invited to give a presentation to the Task Force and offered to take up contact with the Commission with a view to arranging this.
177. The representative of Australia thanked the Secretariat for its work in preparing the establishment of the Intergovernmental Task Force on this important issue. Australia wished to propose an additional sentence under the heading 'Role and Scope' in the ToR for the Intergovernmental Task Force to reflect a similar provision contained in section 3.2.1 of the Guidelines to Prevent the Risk of Poisoning to Migratory Birds. The sentence would read: "It should be noted that the scope of this Task Force is focussed on promoting nontoxic alternatives in areas where migratory birds have been shown to be particularly at risk, i.e. freshwater habitats, and specifically excludes fishing weights used in coastal areas where there are significant knowledge gaps and further research needed."
178. The representative of the European Federation of Hunting Associations (FACE) proposed inserting "potential" before "population level impacts" and replacing "non-toxic" with "non-lead".
179. The Chair asked if the meeting was ready to approve the ToR, incorporating the amendments tabled by Australia and FACE.
180. The representative of Germany asked to see in writing the amendments tabled by FACE so that they could be properly considered.
181. The Chair of the AEWA Technical Committee commented on the first amendment tabled by FACE. There was good evidence for population-level impacts on some species, so addition of the qualifier "potential" was not recommended. She also considered that it was more appropriate to retain "non-toxic" in paragraphs 3 e and 3 f.
182. The representative of Germany thanked the Chair of the AEWA Technical Committee for these remarks. Germany had also been particularly concerned by the proposal to add "potential" and reiterated its wish to see the other amendments tabled by FACE in writing.
183. The Chair asked those delegates that had tabled proposed amendments to submit these in writing to the Secretariat, so that a Conference Room Paper (CRP) could be prepared for final discussion and adoption during the closing plenary of StC52.
184. In response to an enquiry from the representative of the United Kingdom, the Chair confirmed that he would not be convening a Contact Group on this agenda item.

#### Plenary of 28 September

185. The Chair recalled the discussions during the plenary of the 22 September, which had resulted in several suggestions for modifications to the text of the Terms of Reference for the Intergovernmental Task Force. These suggestions were now reflected in CRP16, which would be introduced by the Secretariat.
186. The Secretariat noted that proposed amendments tabled by Parties were reflected as integral tracked-change edits in CRP16, whilst those proposed by Observers were reflected as side comments and not yet included as edits. Two additional proposals tabled by FACE during the plenary of 22 September (referring to insertion of the qualifier "potential" before

- “population level impacts” at the end of the first full paragraph, and replacement of the phrase “non-toxic” with “non-lead” in paragraphs 3 e and 3 f), had not been supported by Parties and so were excluded from CRP16.
187. The Chair invited the meeting to review CRP16 section by section and requested the Secretariat to display the text for participants to view on screen.
  188. With regard to section 2 (Role and scope), the Chair recalled that Australia had suggested the insertion of an additional paragraph with the following text: “It should be noted that the scope of this Task Force is focussed on promoting nontoxic alternatives in areas where migratory birds have been shown to be particularly at risk i.e. freshwater habitats, and specifically excludes fishing weights used in coastal areas where there are significant knowledge gaps and further research needed.” He invited comments on this proposed amendment.
  189. The Chair of the AEWA Technical Committee felt that highlighting specific habitats in this way could be problematic. It might be better to use more inclusive wording, such as, “The scope of substantive matters to be addressed by the Task Force is defined as described in the Guidelines to Prevent the Risk of Poisoning to Migratory Birds”. Those Guidelines clearly incorporated the point raised by Australia.
  190. The representative of Germany supported the proposal made by the Chair of the AEWA Technical Committee, so as not to overlook those circumstances where lead did pose a risk to waterbirds using coastal habitats.
  191. The representative of Australia stated that the more inclusive text proposed by AEWA was acceptable but the Report of StC52 should specify that the scope of the Intergovernmental Task Force specifically excluded the phasing out of fishing weights used in coastal areas, as covered in paragraph 3.2.1 of the Guidelines adopted under Resolution 11.15 (Rev.COP13).
  192. The representative of Saudi Arabia suggested that the scope of the Task Force and the role of the Task Force could be more clearly distinguished in section 2 of the document.
  193. On the proposal of the Chair, the StC agreed to amend section 2 to address the point raised by Australia and using the modified text proposed by the Chair of the AEWA Technical Committee.
  194. Turning to section 3 of the document (Remit) the Chair invited comments on the proposed amendment from FACE to insert “in Accordance with CMS/Resolution 11.15”. There were no comments or objections, and the proposed amendment was agreed by the StC.
  195. The Chair invited comments on the amendment proposed by FACE to insert “including on firearms and ammunition as well as other relevant fields” after “experts” in the last bullet point of section 4 of the document (Membership).
  196. The representative of Germany considered that it would be better not to mention any specific group of experts, but rather to state in the Report of StC that “independent experts” included firearms and ammunition specialists, among others. Germany therefore did not support the proposed text insertion.
  197. The representative of FACE returned to the proposal that it had tabled in plenary on 22 September to replace the phrase “non-toxic” with “non-lead” in sub-paragraphs e and f of section 3 (Remit). In his view, retaining “non-toxic” would effectively exclude the only viable alternative to lead ammunition. FACE was therefore asking why it was felt so important to include “non-toxic” rather than “non-lead”.

198. The Chair of the AEWA Technical Committee recalled that “non-toxic” was the term used throughout the Guidelines to Prevent the Risk of Poisoning to Migratory Birds and, in her view, this made the Guidelines more easily understood by all stakeholders. However, this was a matter for CMS Parties to decide.
199. The representative of FACE stated that was important for CMS to move forward with good recommendations using correct terminology. FACE believed that “non-lead” was the more appropriate term. “Non-toxic” could be misunderstood and could result in the loss of the only alternative to lead for use in rifles.
200. The representative of Germany stated Germany’s preference for “non-toxic”, which covered the risks that could be associated with other toxic elements, such as cadmium.
201. The Chair concluded that as there was no Party support for the proposals of FACE in relation to paragraphs 3 e and 3 f, no amendment would be made. He confirmed that, as indicated in CRP16, there were no suggestions for amendments to sections 5 (Governance) or 6 (Operation).
202. On the proposal of the Chair, the StC adopted the Terms of Reference for the Intergovernmental Task Force on Phasing Out the Use of Lead Ammunition and Lead Fishing Weights contained in CRP16, as amended by discussion during the plenary session of 28 September.

## **17. CMS and CITES Joint Work Programme**

203. This item was discussed and concluded in plenary on 22 September.
204. The Chair asked the Secretariat to introduce document UNEP/CMS/StC52/Doc.17 ‘CMS-CITES Joint Work Programme.’
205. The Secretariat recalled that the CMS and CITES Secretariats had undertaken joint activities since 2005. The report on the implementation of the Joint Work Programme (JWP) 2015-2020 demonstrated the growing number of specific conservation activities that the two conventions had pursued over the past five years. The increase in joint activities had been made possible through the establishment of a joint CMS-CITES Officer, funded by Germany, from 2015 to 2017. Based on the JWP 2015-2020, the Secretariats had now put together a new JWP extending until 2025, which provided the basis for activities relating to elephants, marine turtles, vultures, and many others. StC52 was invited to take note of the implementation report for the JWP 2015-2020 and to endorse the JWP 2021-2025, which had already been endorsed by the 73<sup>rd</sup> Meeting of the CITES Standing Committee in May 2021.
206. The Chair welcomed the Secretary General of CITES (Ivonne Higuero) to the meeting and invited her to take the floor.
207. Ms Higuero recalled the long history of cooperation between the CMS and CITES Secretariats under their complementary mandates, and this cooperation was planned to continue very strongly in the coming years. Recent COPs of CITES and CMS had confirmed a trend whereby for species listed under both Conventions, complementary recommendations and calls for collaboration were agreed in Resolutions and Decisions. Examples covered sharks, saiga antelopes, African carnivores, great apes, African elephants, and vultures. The CITES Secretariat considered this is a welcome development that resulted in more coordinated approaches for States that were Party to both Conventions and illustrated practical and tangible cooperation between the two Secretariats on activities they were directed to implement jointly. The new JWP described priorities such

as joint conservation and management activities for species shared between the two Conventions, as well as joint implementation, outreach, and capacity-building. It provided a very good example of concrete collaboration between two MEAs and would be a solid basis mutually supportive synergies in the years ahead. As indicated, the CITES Standing Committee, at its 73rd meeting held online in May earlier this year, had already reviewed the new JWP and unanimously endorsed it.

208. The Chair invited comments, reiterating that the StC was invited to take note of the document and to endorse the JWP that had already been endorsed by the CITES Standing Committee.
209. The representative of Germany expressed satisfaction in seeing this kind of cooperation between the two MEAs. It was an outstanding example of effective synergies between MEAs, and Germany very much congratulated the two Secretariats on deepening their cooperation. Germany was pleased to support the new JWP within CMS as it had already done under CITES.
210. The Born Free Foundation broadly supported the endorsement of the new JWP but noted that CMS was not listed as an observer member of the CITES Standing Committee working group on the role of CITES in reducing zoonotic disease risk. The CMS Secretariat should consider approaching the Chair of the CITES working group to seek observer status, particularly given the agreement at the 5<sup>th</sup> Sessional Committee of the CMS Scientific Council to form a working group on migratory species and health. CMS should also encourage consideration of the incorporation of CMS progress on the topic of animal culture and social complexity into the JWP. Finally, the phrase in Annex 2 paragraph B “encouraging... non-detrimental trade and use” implied that CMS was committing itself to encouraging trade, which Born Free Foundation did not believe was the intention and was therefore recommending an amendment to read “ensuring trade and use are conducted in a way that is ecologically and biologically sustainable”, or similar.
211. The representative of the Wildlife Conservation Society (WCS) supported the proposed amendment to Annex 2, paragraph B.
212. The representative of New Zealand, speaking on behalf of the Oceania Region, welcomed the close links and synergies between CMS and CITES and supported the JWP 2021-2025 as drafted, noting it had already been endorsed by the CITES Standing Committee. The JWP did not appear to make specific reference to CMS COP13 Decisions 13.16 and 13.17 but it would nevertheless be helpful to have confirmation that the corresponding activities were being addressed. Finally, Oceania also requested that a progress report on implementation of the JWP 2021-2025 be presented to COP14.
213. In response to the observation by Oceania that Decisions 13.16 and 13.17 appeared not to be referenced in JWP 2021-2025, the Executive Secretary clarified that the JWP could only include those items that both Secretariats were explicitly mandated to implement. She assured the Oceania region that the CMS Secretariat would implement the mandates given to it, even if they were not covered by the JWP.
214. The Chair noted that remarks had been made by the Oceania Region and Born Free Foundation, but that there appeared to be general support for the JWP 2021-2025. He asked if there were any objections to endorsing it. There being no such objections, he confirmed that the CMS-CITES JWP 2021-2025 had been endorsed by StC52.

## 18. Joint CITES-CMS African Carnivores Initiative

215. This item was discussed and concluded in plenary on 22 September.

216. The Chair asked the Secretariat to introduce document UNEP/CMS/StC52/Doc.18/Rev.1 'Joint CITES-CMS African Carnivores Initiative'
217. The Secretariat recalled that CMS Decision 13.87 had requested the StC to review and approve a revised draft Programme of Work (POW) for the Joint CITES-CMS African Carnivores Initiative (ACI). A draft had therefore been prepared by the two Secretariats, working in close cooperation with IUCN. The draft ACI POW had been based on the Resolutions and Decisions adopted by the COPs of both CMS and CITES, as well as relevant species-specific conservation strategies and guidelines. It had been circulated among ACI Range States in late 2020 and feedback had been integrated into a revised draft. This was reviewed by the 73rd Meeting of the CITES Standing Committee in May 2021, which had formed an intersessional Working Group to discuss the incorporation of comments made by CITES Parties. The Working Group submitted a further revised draft to the CITES Standing Committee, which approved the document by postal procedure. A notification to that effect had been circulated by the CITES Secretariat on 14 September 2021. Document 18/Rev.1, now before StC52, incorporated the revisions made by the CITES Standing Committee. StC52 was invited to review and approve the revised draft, taking into consideration that the current text had already been the subject of wide consultation and that any amendments requested would need the document to be resubmitted to the CITES Standing Committee for its further consideration and approval.
218. The Secretary General of CITES confirmed that the 73<sup>rd</sup> Meeting of the CITES Standing Committee had established an intersessional process to further develop the ACI POW prepared in collaboration with Range States, the CMS Secretariat and IUCN. The revised POW, with a few amendments to Objectives 6 and 10, had been adopted by the CITES Standing Committee on 13 September 2021 and those amendments were reflected in the document now before the CMS Standing Committee. The ACI aimed to bring coherence and greater efficiency to the implementation of resolutions and decisions of both CITES and CMS relating to the African Lion, Leopard, Cheetah, and Wild Dog, and to corresponding recommendations of African Carnivore Range States. The POW would guide the CITES and CMS Secretariats' activities on the ACI in the context of their JWP 2021-2025. In this regard, Ms Higuero was pleased to inform the meeting that funding had been secured through the CITES MIKES+ programme for organizing the second ACI Range State meeting during 2022.
219. There being no comments or questions from participants, the Chair invited the Executive Secretary of CMS to make brief remarks.
220. The Executive Secretary expressed her pleasure in welcoming the CITES Secretary General to the meeting and extended thanks to Ms Higuero and the whole CITES Secretariat, with whom the CMS Secretariat enjoyed a very good and collaborative working relationship. It was particularly heartening to hear support from Parties for the Secretariats' joint efforts.
221. The Chair enquired whether there was any objection to the approval of the Programme of Work for the Joint CITES-CMS African Carnivores Initiative, as annexed to Document 18/Rev.1. There were no objections and the Chair confirmed that the Programme of Work had been approved by StC52.

## **19. Hosting of COP14**

222. The Chair invited the Executive Secretary to speak to this item.
223. The Executive Secretary recalled that, during COP13, there had been some initial expressions of interest in hosting COP14. However, the pandemic had since made things more difficult, and the Secretariat had not yet received any firm expressions of interest.

224. In terms of timing, it had been suggested that CMS should get back to its regular COP cycle, with COP14 to be scheduled for October 2023. This timeframe would give sufficient opportunity for the necessary planning and organization.
225. COP14 was expected to be one of the most important meetings in the history of CMS and would be positioning the Convention in a very strategic way. The post-2020 Global Biodiversity Framework would have been adopted by then and COP14 would be the opportunity for addressing the fit between the GBF and CMS. COP14 would also be considering the forthcoming Conservation Status Report for Migratory Species, and other key discussions, including in relation to climate change, were anticipated. The Secretariat stood ready to provide information to any government interested in hosting the COP. Although India, as host of COP13, had left big shoes to be filled, she was confident that other countries would rise to the challenge.
226. There being no questions or comments, the Chair concluded that the Executive Secretary's remarks had been noted and that the StC was consequently informed about the status of COP14.

## **20. Dates and Venues of future meetings of the Standing Committee**

227. The Chair requested the Secretariat to take the floor.
228. The Secretariat recalled that StC51 had originally proposed that StC53 should take place in late- 2022. Given that it was normal practice for the StC to meet one year prior to the COP, and taking into account that COP14 could be scheduled for October 2023, the Secretariat proposed that StC53 should be held in Bonn in October 2022.
229. There were no comments or objections in relation to this proposal, which the Chair confirmed had been noted and agreed by the StC.

## **21. Any other business**

230. No items of other business were tabled.

## **22. Concluding remarks**

231. The Executive Secretary thanked all those involved in making StC52 a successful meeting, particularly given the special challenges of organizing it as an online event. She reflected on a truly collaborative, but also very productive meeting at a time when CMS was becoming more and more recognized for its relevance to the issues facing the world. Among many other items of business, StC52 had:
- Adopted the Revised National Reporting Format to be used by Parties for COP14;
  - Endorsed the new CMS-CITES Joint Work Programme and African Carnivore Initiative;
  - Agreed the Terms of Reference for the Intergovernmental Task Force on phasing out lead;
  - Appointed a new Scientific Councillor; and
  - Provided important and necessary budgetary authority to deal with the unexpected costs associated with Umoja.
232. The Chair delivered personal remarks noting that he might shortly be leaving his current position. He thanked CMS and the two Executive Secretaries that he had worked with for the support given to India in hosting COP13 and as Chair of the StC. He would be carrying some wonderful memories with him, and CMS would be etched in his heart forever. Having formally thanked Members, Observers, the Secretariat and all those supporting the meeting, he declared StC52 closed.

**ANNEX 1**

**LIST OF DOCUMENTS ADOPTED AT STC52**

Revised national report format	<a href="#">StC52/Outcome 1</a>
Revised resolution on the Concerted Actions process	<a href="#">StC52/Outcome 2</a>
Terms of reference of the Intergovernmental Task Force on Phasing out the use of Lead Ammunition and Lead Fishing Weights	<a href="#">StC52/Outcome 3</a>
CMS - CITES Joint Work Programme 2021 - 2025	<a href="#">StC52/Outcome 4</a>
Programme of Work for the Joint CITES-CMS African Carnivores Initiative	<a href="#">StC52/Outcome 5</a>

## ANNEX 2

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