

**DRAFT REPORT OF THE 12<sup>TH</sup> MEETING  
OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS**

Note: Paragraph numbering will continue from the Draft Report of Day 3.

**Day 4 – Thursday 26 October 2017**

<b>Committee of the Whole 09.50–12.30</b>
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**INTERIM AND FINAL REPORT OF THE CREDENTIALS COMMITTEE (ITEM 28)**

329. The Chair of the Credentials Committee (Uruguay) reported that the Committee had held its third meeting on 26<sup>th</sup> October. The credentials of an additional four Parties had been examined and found to be in order.

**REPORTS FROM COW COMMITTEES AND WORKING GROUPS**

330. The Chairs of the six Committees and Working Groups established on 23 October presented brief updates on the progress of discussions in their respective groups. The Chairs of the Review of Decisions and Aquatic Working Groups reported that their groups had completed their work. Deliberations in the other four groups was continuing, with all potentially able to conclude their agendas by the end of the day. The Chair of the two ad hoc Working Groups covering the Strategic Plan and national reporting, and climate change, reported excellent progress in the work of both groups.
331. The Chair thanked the groups for their hard work and requested that revised documents (Conference Room Papers – CRPs) should be submitted as soon as they became available, the deadline being midnight on Thursday 26 October at the latest.

**CONSERVATION ISSUES (ITEM 24 CONTINUED)**

(j) Action Plan for the Americas Flyways (Item 24.1.10)

332. The Secretariat introduced document UNEP/CMS/COP12/Doc.24.1.10, the draft resolution contained in Annex 1, and the Action Plan contained in Annex 2. A Task Force composed of Range State representatives had been established to work on implementation of the Action Plan and all other aspects related to the Americas Flyways. The first meeting of the Task Force would be held in 2018, thanks to a generous invitation from Brazil.
333. The Chair opened the floor to comments
334. Ecuador called on all Parties to support the draft resolution and undertook to prepare a final version of the text, taking into account points raised during the present discussion. Ecuador looked forward to working together, within the CMS, for the Americas Flyways.
335. India, supported by Sri Lanka, proposed amending the draft resolution through an additional operative paragraph 8 addressing the willingness of India to revitalise the Central Asian Flyway (CAF) Action Plan process and to develop a holistic CAF Action Plan with support from WWF-India.
336. In response to a point raised by the Chair, the Secretariat clarified that the first part of the draft resolution was global in scope, thereby providing a suitable context for the

amendment proposed by India.

337. There being no objections to the amendment proposed by India, the Chair invited India to transmit a specific text proposal to the Secretariat.
338. Brazil acknowledged the contribution of Ecuador in progressing this agenda item, and confirmed that Brazil would host the first meeting of the Americas Flyways Task Force.
339. In response to a question raised by Norway, Ecuador and the Secretariat confirmed that the Avian Working Group was addressing the question of how and when the Action Plan for the Americas Flyways should be formally adopted. The outcome of these discussions would be reflected in the CRP version of the document.
340. Further to points raised by Argentina and the United Kingdom, the Chair confirmed that Annex II to the Action Plan would be corrected to include text agreed between the two Parties.

### **AMENDMENT OF CMS APPENDICES (ITEM 25)**

#### **(a) Proposals for Amendment of Appendices I and II of the Convention (Item 25.1)**

341. The Chair confirmed that he would give the floor to the proponent(s) of each listing proposal to make a brief introduction. He would allow for statements of support, but urged that, in the interests of efficiency, these be brief and limited in number. It would be especially important to hear about concerns or objections that Parties might have in relation to any of the proposals. In the case of two or more listing proposals for the same species, each proponent would be invited to make a brief introduction and comments on all related proposals would then be taken together.
342. The representative of the EU and its Member States indicated that while he would intervene further in relation to some species or groups of species, the EU supported all of the listing proposals and thanked all those involved in preparing them.

#### **25.1.11 Proposal for the inclusion of the Christmas Frigatebird (*Fregata andrewsi*) on Appendix I of the Convention**

343. The Philippines briefly introduced the draft listing proposal contained in UNEP/CMS/COP12/Doc.25.1.11.
344. Australia fully supported the proposal.
345. There being no further requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

#### **25.1.12 Proposal for the inclusion of the Black Noddy (*Anous minutus*) on Appendix II of the Convention**

346. The Philippines briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.12.
347. There being no requests for the floor, the Chair concluded that the COW had endorsed the proposal, and that it would be forwarded to plenary for adoption.

#### **25.1.13(a) and 25.1.13(b) Proposal for the inclusion of the Steppe Eagle (*Aquila nipalensis*) on Appendix I of the Convention**

348. Mongolia briefly introduced the proposal contained in document UNEP/CMS/COP12/Doc.25.1.13(a)
349. Saudi Arabia briefly introduced the proposal contained in document UNEP/CMS/COP12/Doc.25.1.13(b).
350. There were no requests for the floor.
351. There being no requests for the floor, the Chair concluded that the COW had endorsed the proposal, and that it would be forwarded to plenary for adoption.

**25.1.14 Proposal for the inclusion of four vulture species occurring in Asia on Appendix I of the Convention**

352. Pakistan briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.14.
353. Statements of support were made by the EU and its Member States (in support of all of the listing proposals for vulture species), and Peru.
354. There being no further requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

**25.1.15 Proposal for the inclusion of five vulture species occurring in Sub-Saharan Africa on Appendix I of the Convention**

355. Kenya briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.15.
356. Statements of support were made by Ecuador and Peru.
357. The statement of support made by the EU and its Member States under item 25.1.14 also applied to this proposal.
358. In response to a question from the Secretariat of the Raptors MOU, Kenya confirmed that it had accepted the minor amendments recommended by the Scientific Council, as listed in Addendum 1.
359. The Chair concluded that the COW had endorsed the proposal, subject to inclusion of the minor amendments recommended by the Scientific Council, and that it would be forwarded to plenary for adoption.

**25.1.16(a) and 25.1.16(b) Proposal for the inclusion of the Lappet-faced Vulture (*Torgos tracheliotos*) on Appendix I of the Convention**

360. Israel briefly introduced the proposal contained in document UNEP/CMS/COP12/Doc.25.1.16(a) and urged vigilance to ensure that the exceptions allowed for under Article III 5 (c) of the Convention text did not undermine listing on Appendix I.
361. Saudi Arabia briefly introduced the proposal contained in document UNEP/CMS/COP12/Doc.25.1.16(b). Saudi Arabia appreciated the comments of the Scientific Council contained in Addendum 1, but requested that the proposal be endorsed as submitted.
362. There were no requests for the floor.

363. The statement of support made by the EU and its Member States under item 25.1.14 also applied to this proposal, as did the statement of support made by Peru under item 25.1.15.

364. The Chair concluded that the COW had endorsed the proposal, and that it would be forwarded to plenary for adoption.

**25.1.17 Proposal for the inclusion of the Yellow Bunting (*Emberiza sulphurata*) on Appendix II of the Convention**

365. The Philippines briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.17.

366. There being no requests for the floor, the Chair concluded that the COW had endorsed the proposal, and that it would be forwarded to plenary for adoption.

**25.1.18 Proposal for the inclusion of the Great Grey Shrike (*Lanius excubitor*) on Appendix II of the Convention**

367. The EU and its Member States briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.18.

368. There being no requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

**25.1.19 Proposal for the inclusion of the Lesser Grey Shrike (*Lanius minor*) on Appendix II of the Convention**

369. The EU and its Member States briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.19.

370. There being no requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

**25.1.20 Proposal for the inclusion of the Whale Shark (*Rhincodon typus*) on Appendix I of the Convention**

371. The co-proponents Philippines, Israel and Sri Lanka, briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.20

372. Peru stated its support for all of the listing proposals for aquatic species.

373. Additional statements of support were made by Ecuador, The EU and its Member States, India, and Senegal.

374. The following statement was made by Greenpeace, speaking also on behalf of Blue Resources Trust, Defenders of Wildlife, Humane Society International, the International Fund for Animal Welfare, the Pew Charitable Trusts, Pro Wildlife, Project AWARE and the Wildlife Conservation Society, Save Philippine Seas, Marine Wildlife Watch of the Philippines, and Large Marine Vertebrates Research Institute Philippines.

“We are delighted to see that action is continuing here at COP12 to further establish CMS as an international convention fundamental to the comprehensive global effort needed to better manage and conserve the world’s sharks and rays. It is hugely encouraging to see that this vulnerable and largely unmanaged group of species has again become a priority here in Manila. We applaud the leadership shown by our hosts the Philippines, along with Honduras, Israel, Mauritania, Monaco, Samoa, Senegal, Sri Lanka, and Togo

to propose listings of shark and ray species on the convention's appendices. Also of note is the momentum behind the CMS Shark MOU, back in the city where the agreement was finalized. We commend Benin, Brazil, Ecuador and Sri Lanka for their further commitment as new Signatories to the MOU, to ensure these species survive and thrive, and continue to fulfil their key roles in the ocean ecosystems of the world. As the Scientific Council clearly noted, all of these species meet the CMS listing criteria and are recommended for adoption. We call upon all Parties present to adhere to the scientific advice and adopt these important proposals.”

375. There being no further requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

#### **25.1.21 Proposal for the inclusion of the Dusky Shark (*Carhcarhinus obscurus*) on Appendix II of the Convention**

376. Honduras briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.21.

377. Statements of support were made by Argentina, Ecuador and Israel. Israel drew attention to the risk of confusion between this species and Sandbar Shark *C. plumbeus*.

378. There being no further requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

#### **25.1.22 Proposal for the inclusion of the Blue Shark (*Prionace glauca*) on Appendix II of the Convention**

379. Samoa, and co-proponent Sri Lanka, briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.22.

380. Statements of support were made by Brazil, Cook Islands, Ecuador, Fiji, and India.

381. New Zealand made the following statement:

“New Zealand has concerns relating to the proposal to list blue shark on Appendix II of CMS.

New Zealand is an advocate for effective, science-based species conservation and management. In the case of blue shark, we recognise the potential value of this listing for some regions such as the Mediterranean. However, it is unclear how a CMS Appendix II listing will significantly benefit the conservation status of global blue shark populations. Regional Fisheries Management Organisations have conducted stock assessments in the Pacific and Atlantic Oceans that indicate that those blue shark stocks are healthy. While there are currently no catch limits for shark species in these RFMOs, measures are in place, including those to ensure data collection to support stock assessments. We therefore have some concerns regarding the rationale for the global listing proposal. It is important to carefully and objectively consider the case for each listing proposal in order to maintain the credibility of CMS. Not to do so risks undermining CMS appendix listings, potentially diverting attention from more deserving or ‘at risk’ species, especially those for which there are no existing management mechanisms. We are concerned also that the listing of blue sharks may create a disincentive for large fishing nations to join either CMS or the MOU on Sharks. Inclusion of such states was an aim discussed at the MOU Sharks Meeting of Signatories in Costa Rica last year. While we do not intend to block consensus on agreement to this proposal, we would like our concerns to be noted.”

382. Norway associated itself with the remarks of New Zealand. It was important that CMS followed its own science-based criteria for listing. Some proponents seemed to have turned this upside down. As was recognized by the proponents for this proposal, there

was often a lack of data. As mentioned by New Zealand, a number of other species would also qualify, and that could undermine Parties' relationships with Regional Fisheries Management Organizations. Norway believed that this listing proposal was premature, especially in relation to the text submitted by the proponents, which was simply lacking data. While Norway would not block any consensus, it wished to see its statement included in the record of the meeting.

383. There being no further requests from the floor, the Chair concluded that the COW had endorsed the proposal, and that it would be forwarded to plenary for adoption. The reservations contained in the statements made by New Zealand and Norway were noted.

#### **25.1.23 Proposal for the inclusion of the Angelshark (*Squatina squatina*) on Appendix II of the Convention**

384. The Principality of Monaco briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.23.

385. Statements of support were made by Morocco and Senegal.

386. There being no further requests from the floor, the Chair concluded that the COW had endorsed the proposal, and that it would be forwarded to plenary for adoption.

#### **25.1.24(a) Proposal for the inclusion of the Common Guitarfish (*Rhinobato rhinobatus*) on Appendix II and the Mediterranean Sea population of the same species on Appendix I of the Convention**

#### **25.1.24(b), (c) & (d) Proposal for the inclusion of the Common Guitarfish (*Rhinobato rhinobatus*) on Appendix II**

387. Israel briefly introduced the Mediterranean component of the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.24(a), and again drew attention to potential risks associated with the provisions of Article III 5 (c) of the Convention.

388. Senegal, supported by Mauritania and Togo, briefly introduced the listing proposal contained in documents UNEP/CMS/COP12/Doc.25.1.24 (b), (c) & (d).

389. Monaco supported the proposal.

390. Australia recalled that it had commented on the pre-COP draft, ahead of the official deadline, and had requested a factual correction, given that Australia had been erroneously included in the list of Range States for Common Guitarfish. However, Australia still appeared in the list of Range States in the current text.

391. The Secretariat confirmed that the document had now been corrected.

392. The Chair concluded that the COW had endorsed the proposal tabled by Israel (inclusion of the species on Appendix II and inclusion of the Mediterranean population on Appendix I), subject to inclusion of the correction tabled by Australia, and that it would be forwarded to plenary for adoption.

#### **25.1.25 Proposal for the inclusion of the White-spotted Wedgefish (*Rhynchobatis australiae*) on Appendix II of the Convention**

393. The Philippines briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.25.

394. Statements of support were made by Bahrain, Cook Islands, Fiji, India, Sri Lanka, and Haribon Foundation, the latter speaking also on behalf of NGOs for Fisheries Reform

(NFR), Tubbataha Management Office (TMO), Communities Organized for Resources Allocation (CORA), Coastal Conservation and Education Foundation (CCEF), Project Sharklink, Large Marine Vertebrates Research Institute Philippines (LAMAVE), Reef-World, Reef Check Philippines, Oceana Philippines, WWF-Philippines, Save Philippine Seas, Marine Wildlife Watch of the Philippines, and Greenpeace.

395. Australia thanked the Philippines and participants in the Aquatic Working Group for constructive discussion of this proposal. A further revision of the document would contain an updated distribution map and list of Range States. Australia was not questioning that the species had an unfavourable conservation status, but rather whether it met the first test for inclusion on either CMS Appendix, concerning regular and predictable migration. Australia would be making a short statement during the plenary session on 28 October.
396. The Chair concluded that the COW had endorsed the proposal, and that it would be forwarded to plenary for adoption, taking note of Australia's statement.
397. The Chair confirmed that listing proposals for mammals would be dealt with at the beginning of the afternoon session of the COW.

(b) Revision of the Template and Guidelines for the Drafting of Proposals for the Amendments of the Appendices (Item 25.2)

398. The Secretariat introduced document UNEP/CMS/COP12/Doc.25.2, including the Format for Proposals to Amend CMS Appendices, as adopted by the Standing Committee at its 45<sup>th</sup> Meeting, contained in Annex 1. COP12 was invited to confirm the use of the template and guidelines for submission of proposals to subsequent meetings of the COP and to approve the revised template and guidelines as an annex to Resolution 11.33 (Rev.COP12).
399. Proposals to amend the Explanatory Note contained in Annex 1 were tabled by Brazil (in relation to paragraph 5) and Israel (in relation to paragraph 9).
400. Following discussion, with contributions from Australia, the EU and its Member States, New Zealand, South Africa, Uganda and the Secretariat, the Chair concluded that the COW had endorsed the document to be forwarded to plenary, subject to: replacement of the word "should" with "shall" in the first line of paragraph 9 of the Explanatory Note; and amendment of the title of section 5 of the format and Explanatory Note to clarify that conservation status and threats should be considered at both global and Range State levels.

## **FUTURE SHAPE AND STRATEGIES OF CMS AND THE CMS FAMILY (ITEM 16)**

(a) Enhancing Synergies and Common Services among CMS Family instruments (Item 16.1)

401. The Secretariat briefly introduced document UNEP/CMS/COP12/Doc.16.1. COP12 was invited to take note of the report it contained.
402. The Chair opened the floor for comments.
403. The AEWA Secretariat underlined that the Joint Communications Unit had been a great success and had, for example, undertaken tremendous work to raise the profile of the present COP.
404. There being no requests for the floor, the Chair concluded that the COW had noted the document with appreciation.

**INTERIM AND FINAL REPORT OF THE CREDENTIALS (ITEM 28)**

405. The Chair of the Credentials Committee (Uruguay) reported that the Committee had met again on 26 October and had accepted the credentials of one further Party, The Netherlands.

**CONSERVATION ISSUES (ITEM 24 CONTINUED)**

406. The Chair confirmed that the Terrestrial Working Group had concluded its work and that the listing proposals for mammals were now ready for discussion by the COW.
407. With the permission of the Chairman, the International Council for Game and Wildlife Conservation (CIC) delivered the following general statement in relation to listing proposals under this agenda item:

“Whereas the CIC, as Intergovernmental Observer of the CMS, is a committed partner and implementing organization of CMS decisions, we express concern over clarity in responsibilities of the Convention. A number of listing proposals concern species under threat in some regions or even overall or not at all, but these species are not migratory species. There is a clear need for developing some clear, well-thought out guidance on how the term "migratory" as defined in the Convention should be interpreted, in order to avoid the widespread perception that the CMS is simply listing anything. A ruling of the distinguished CMS Scientific Council – no offence – does not make them more migratory. Yes, there is a strong transboundary aspect in connection with some species listings. Yet is that justification enough? So are these species to be dealt with under CMS at all or does the Convention need considerable adjustment or do we need yet another convention? We would like to suggest to the Parties that the proposed review process of the CMS Convention addresses this crucial issue of interpretation.

We have serious reservations with some listing proposals, as they have been insufficiently consulted with range states and stakeholders, who are crucial for implementation. There are even voices that some Parties and Observers of the Convention in connection with some listing proposal are behaving in a manner, which has “neo-colonial” character. Should we postpone the decisions on these proposals until sufficient consultations and negotiations have taken place with range states and stakeholders?

Rather than celebrating an up-listing or listing as a success, we should be mourning and we strongly recommend to concentrate rather on developing and implementing action and cooperation among Parties than on discussing dividing listing proposals.

Let me reassure the commitment of the CIC to cooperate in the common goal to conserve migratory species. Each General Assembly of the CIC (once a year) has since 2 years again a continuous programme element on the theme of conservation of migratory species with special emphasis on migratory birds. In this context may I thank both the Secretariats of CMS and AEWA for active participation in our work on migratory species.. Finally, entrusted by the Hungarian Government, I have the pleasure to draw your attention to a large-scale event in preparation for the year 2021. From the 21<sup>st</sup> of August to the 22<sup>nd</sup> of October 2021, Hungary will be organizing a large-scale world exhibition on “One with Nature”. The world will be invited to celebrate the cultural and spiritual heritage as well as merits of conservation through sustainable use. You will be kept informed and updated in the coming years.”

408. The Chair thanked CIC for its statement.

409. The Chair invited the COW to consider listing proposals for mammals, beginning with item 25.1.3 (Lion), given that the proponent of the proposal contained in item 25.1.1 (Chimpanzee) was not yet available.

### **25.1.3 Proposal for the inclusion of the Lion (*Panthera leo*) on Appendix II of the Convention**

410. Togo briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.3 submitted jointly by Chad, Niger and Togo.

411. South Africa presented the following statement:

“South Africa would like to thank Chad, Niger and Togo for the presentation of the proposal.

Chair, the 2016 regional IUCN Red list assessment (South Africa, Lesotho and Swaziland) list the African lion as Least Concern. South Africa has implemented various actions to secure the conservation of the species, including a Biodiversity Management Plan for the African lion to complement the regional strategy adopted in 2006. South Africa supports initiatives aimed at maintaining or where required, improving the conservation status of the African lion and appreciates the support received to date from CMS and CITES in this regard.

South Africa does however not support the proposed listing of the African lion in Appendix II.

The reasons why this proposed listing is not supported are as follows:

- First and foremost, the African lion is not a migratory species as defined in the Articles of the Convention. A significant proportion of the South African population of African lion does not cyclically and predictably cross one or more national jurisdictional boundaries.
- South Africa is of the view that sound scientific information must inform decision-making. Unfortunately the proposal fails to support the assertion that the African lion is a migratory species. Information relating to home range utilisation of lion, dispersal and responses to drought is used to justify the perceived migratory nature of the species. None of these arguments validates the assertion that the lion is a migratory species.
- In the proposal, reference is made to transboundary African lion populations that occur in Trans Frontier Conservation Areas (TFCAs). These areas were established by the respective countries to create a large ecological region that straddles the boundaries of two or more countries, encompassing one or more protected areas, as well as multiple resource use areas. The proponents consider the African lion in these populations migratory, but South Africa is of the view that these populations are not migratory.
- Chair, It is clear that there are divergent views and interpretations of the term migratory species, especially in terms of transboundary populations and South Africa would like to use the opportunity to highlight this interpretation challenge.
- The second key concern about the proposed listing relates to the key threats to the African lion. African lion range States re-confirmed the main threats to lion at the range States meeting in Entebbe, Uganda. These include (1) Unfavourable policies, practices and political factors (in some countries); (2) Ineffective lion population management; (3) Habitat degradation and reduction of prey base; (4) Human-lion conflict; (5) Adverse socio-economic factors; and institutional weaknesses. The question is how a CMS listing would assist in addressing these threats that require first and foremost national interventions.

- Last, but not least Chair, as mentioned before the African lion population of South Africa does not have an unfavourable population status and is currently listed as Least Concern.

Chair, South Africa therefore does not support the listing of its population of African lion in the Appendix II of CMS.”

412. United Republic of Tanzania presented the following statement:

“The United Republic of Tanzania strongly objects to the listing of the Lion, Leopard and Giraffe on the CMS Appendices as:

- The proposed species for listing are not Migratory Species;
- Most of the species are transboundary;
- In this proposal, cyclical and predictable movements are “suspected” in a number of Lion populations;
- For the Leopard, dispersal is without exception assumed as being migration, as well as their “highly variable home ranges”, so is the case for the Giraffe;
- For the Leopard and Lion, the populations that might be subject to transboundary movement are listed, but do not give a proportion of the population that is migratory;
- Countries proposing (Chad, Togo and Niger) the listing of Lion are not range states for the species, though they are historic range states except Chad;
- The proposal for Leopard and Lion listing is made out of intuition, with least data;
- The species fail to meet the test of the migratory criteria of CMS:

*“Migratory species” means the entire population or any geographically separate part of the population of any species or lower taxon of wild animals, a significant proportion of whose members cyclically and predictably cross one or more national jurisdictional boundaries.*

The United Republic of Tanzania identifies areas of concentration of CMS for non-migratory species (lions, leopards and giraffe) that are however threatened and of transboundary nature, and require:

- Technical advice through the Scientific Council on the probable measures to improve the conservation of the species;
- Forging implementation of MoAs-MoUs between range states;
- Collaboration in landscape management, policy reviews and national framework development and enforcement, and prioritization of the funding to the non-migratory species which are threatened and needing international concerted efforts;
- Supporting range state to improve their landscape management capacity;
- Reviewing the concept of synergies between the conventions and develop a simplified guidance on how synergies can be effected between with CITES and other MEAs;
- Review and align definitions of migratory species to avoid listing any species contrary to the articles of the convention; and
- Confirming that cross-border cooperation between range states does not necessarily need CMS-listing of a species.”

413. Zimbabwe emphasized its support for wildlife conservation at national, regional and global scales. The statements by South Africa, and the United Republic of Tanzania in relation to African Lion and the earlier CIC statement in relation to mammal listing proposals, echoed those of Zimbabwe, which therefore strongly opposed listing on the same grounds.

414. Uganda presented the following statement:

“Uganda would like to thank the proponents of African Lion listing proposal for highlighting the conservation plight of the African Lion. Indeed Uganda agrees that there is need to support conservation efforts to improve the conservation status of Lion species.

Uganda has carefully examined the proposal, the Scientific council opinion and the CMS Agreement text and attendant Resolutions. Uganda is convinced beyond reasonable doubt that the African Lion is not a migratory species within the meaning of Article I paragraph 1 a) of the Agreement. We respectfully remind the proponents of this proposal that migration within CMS does not mean cross-border movement alone.

We wish to bring to the attention of this meeting that, Article I paragraph 1 a) requires that for a species to be regarded as migratory, a significant proportion of it must move across borders cyclically and predictably. In the instant case, Uganda as a range state with one of the most health Lion populations that is on the positive growth trajectory is convinced that this proposal is not in the best interest of the species and indeed not in the best interest of CMS Convention.

Uganda wishes to call upon the proponents to consider withdrawing this proposal to avoid the COP breaching the provisions of the CMS text that establishes legitimacy of the process of listing.

We have given our legal and scientific reasons for our strong objections, and we remain optimistic that the proponents will consider withdrawing this proposal in the interest of the spirit of the convention and in the best interest of the species.

We wish to reiterate that CMS is a Convention on migratory species and not a Convention on all endangered species. We respectfully request that proponents take into account this fundamental principle to ensure that we do not lose focus on the purpose for which this convention was established.

As observed by the International Council for Game and Wildlife Conservation, We are deeply concerned that politically motivated determination of species for listing without due regard to science and biology of species will significantly dent the image and integrity of CMS as a science based Convention.

We once again call upon the range states to stick to the Lion range states consensus arrived at in Entebbe, Uganda.”

415. Kenya presented the following statement.

“Kenya would like to thank the proponent for this proposal to enhance the conservation of one of Africa’s iconic species.

In our view, the African lion meets the criteria of migratory species as outlined in Article IV.

The available data clearly shows the species is currently facing unfavourable conservation status in most of its current range. Its range has been shrinking and overall population has declined significantly.

(1) population dynamics data indicate that the migratory species is not maintaining itself on a long-term basis as a viable component of its ecosystems;

(2) the range of the migratory species is currently being reduced, and is likely to be reduced, on a long-term basis;

(3) there is, and will be in the foreseeable future, no sufficient habitat to maintain the population of the migratory species on a long-term basis;

(4) Potentially suitable ecosystems do not exist and to the extent consistent with wise wildlife management;

There is therefore an urgent need for an international agreements for the species conservation and management, and many of the sub-populations will significantly benefit from the international co-operation.”

416. Senegal concurred with Kenya. The status of lions in Africa was highly alarming. Current data showed that the population was about 400 lions for the whole region of West Africa, and in Central Africa, fewer than 500. At continental level the situation required immediate listing on CMS Appendix II. The CMS Scientific Council, which included a number of carnivore specialists, had determined that the species indeed met the relevant CMS criteria for listing. Senegal requested all Parties to consider supporting the proposal.

417. The EU and its Member States presented the following statement:

“The EU and its Member States welcome this proposal submitted jointly by Chad, Niger and Togo. The lion is classified by IUCN globally as Vulnerable due to its population decline of 43%. Yet, across the majority of its range the IUCN suggests that lion qualifies for an Endangered listing by virtue of an inferred decline in numbers exceeding 50%. Threats to lions identified include habitat loss and conversion, prey base depletion, human-lion conflict, unfavourable policies, practices and political factors, ineffective lion population management, poorly managed trophy hunting operations for some populations, and the use of lion bones and other body parts in legal and illegal trade. CMS Resolution 11.32 on the Conservation and Management of *Panthera leo* notes that *Panthera leo*, as defined by Wilson & Reeder (2005), and all its evolutionarily significant constituents, including *Panthera leo persica*, satisfy the Convention’s definition of ‘migratory species’. Furthermore, the Resolution ‘Invites the Range State Parties to work towards an Appendix II listing proposal to be presented to the 12th Meeting of the Conference of the Parties’. Participants at the CITES/CMS African Lion Range State Meeting which took place in Entebbe, Uganda, in May 2016 and was supported by Germany, the Netherlands and the United Kingdom recognized the need for transboundary cooperation and management systems in light of the high number of transboundary lion populations. With its unfavourable conservation status and 23 transboundary populations requiring international cooperation for their conservation, the species qualifies for an Appendix II listing. Like the CMS Scientific Council, we strongly support acceptance of this proposal.”

418. Angola supported the proposal, giving examples of regular and predictable transboundary movements of Lions between Angola and Botswana in response to seasonal rains. If this was not considered migration, then everything being discussed was in vain.

419. Peru presented the following statement:

“The Republic of Peru, together with Honduras, Ecuador, Costa Rica, Paraguay, Panama, Argentina, Bolivia, and Uruguay are grateful for the proposal to include *Panthera leo* “african lion” presented by the governments of Togo, Nigeria and Chad, which we support as fulfilling the migration criteria foreseen in the CMS, considering the threats that this species currently faces, such as habitat loss, illicit hunting, and disease that threaten its populations.”

420. Ethiopia presented the following statement:

“Like the case of other range states, the present range of African lion in Ethiopia is limited to certain wild areas though recent studies conducted in collaboration with Born

Free Foundation & IUCN SSG show that its distribution extends further to the western and NW Ethiopia as well as Eastern Sudan. In general, Ethiopia believes the lion is no longer playing its pivotal role in the prey-predator relationship in most ecosystems of East Africa. The fact that the incidence of human-lion conflict is increasing at an alarming rate reveals the existing imbalance in the region's wild habitats.

Despite this fact, some countries in different regions argue that their population of African Lion is increasing. We applaud the effort of the parties whose lion population shows significant increase. We however commend that their reports need to base on scientific study and reliable data and thus should be free of individuals or groups interest.

Besides, what so ever the general truth is, we need also to take into consideration, as a party, the synergies between CITES & CMS as well as other MEAs. In this regard, we recall the Resolution 11.32 of CMS which i) invited Range State Parties, subject to the findings of consultations among Range States and relevant stakeholders, to work towards an Appendix II listing proposal to be presented to the 12th Meeting of the CMS COP; and also ii) called an examination of the regional conservation strategies in the light of the latest IUCN assessment.

Chair, Our position in this regard more or less steaks to the consensus reached during the Joint CITES-CMS Lion Range State Meeting, that was held in May, 2016., Entebbe, Uganda as it discussed the contentious issues and *recognized* the main threats to and the status of African lion. The joint meeting acknowledged that there is a need to improve the collection of scientific information and data. It called upon CITES, CMS and IUCN to actively support the conservation endeavours in this regards and inclusion of African Lion In appendix II is in line with this and Ethiopia is in support of the proposal.”

421. Wildlife Conservation Society (WCS) delivered the following statement:

“WCS appreciates the submission of this proposal by the governments of Niger, Chad and Togo. WCS works in the wild and with our government partners on the conservation of lions and their habitats in seven African countries—Cameroon, DRC, Nigeria, Mozambique, Tanzania, Uganda, and South Sudan. We appreciate the productive discussions in the Terrestrial Working Group, we regret the lack of consensus, and congratulate those countries with excellent lion conservation programs.

WCS is concerned about the threats to African lions, including habitat loss and degradation, reduction of wild prey, human-wildlife conflict, illegal killing, unsustainable or unregulated hunting, and disease. More effort is needed to support a broader land use and management framework that addresses threats within and outside protected areas. More research is also needed to inform the conservation of lions across their range, along with further transboundary cooperation and prioritization. All of the aforementioned, vital to lion conservation, could benefit from an Appendix II listing. Although we respect the concerns of those Parties who oppose the proposal, and agree that in future more consultation on proposals is desirable, we recommend that Parties adopt the proposal today. We also encourage participation by range states in the African Carnivores Initiative, and we encourage governments and donor agencies to provide sufficient resources for implementation of CMS Decisions related to African lions.”

422. Born Free Foundation, speaking also on behalf of Animal Defenders International, Animal Welfare Institute, Born Free USA, Center for Biological Diversity, Humane Society International, International Fund for Animal Welfare, Natural Resources Defense Council , Pro Wildlife, and World Animal Protection, presented the following statement:

“We would like to thank the proponents for this important proposal.

The European Union has already highlighted that CMS Resolution 11.32, adopted by consensus at CoP11, noted that the species satisfies the Conventions definition of 'migratory species', and invited Parties to work towards an Appendix II listing at CoP12, which led to the development of the proposal currently under consideration.

The proposal lays out in detail the alarming situation facing this species across much of its remaining range.

In its assessment of this proposal, which is available as Doc.25.1.3/Addendum 1, the Scientific Council agreed that the lion "*satisfies the listing criteria of the Convention*", and noted that – *and I quote* - "*International cooperation is required to implement the 2006 IUCN regional conservation strategies for African lions, which are still valid today. CMS is well placed to support and monitor this*".

Furthermore, in a recently published peer-reviewed scientific paper on International Law and Lions, which is available as inf doc 31, researchers concluded – and again I quote - "*The CMS holds particular potential [in regard to lion conservation] and our analysis provides strong support for listing the lion in its Appendices*"

Mr Chairman, CMS is clearly well placed to deliver improvements to the implementation of lion conservation efforts by encouraging and facilitating collaboration among range States and wider partners.

The listing of lions on Appendix II will also provide CMS with the mandate to devote resources to the fulfilment of the proposed Decisions on the Conservation and Management of the African Lion in document 24.3.1.3. This could potentially be achieved via the proposed joint CMS/CITES African Carnivores Initiative so as to bring the complementary strengths of the two conventions to bear for the sake of the future of this iconic, and beleaguered, species.

We strongly endorse this proposal and urge Parties to support its adoption.

423. The Chair noted that some Parties were in favour of the listing proposal, and some against. He asked Parties, especially those against the proposal, if they would object to the meeting endorsing the proposal by consensus and, if so, how the meeting should proceed.
424. Uganda suggested that, for the purposes of moving forward and not blocking consensus, the Ugandan population of African Lion be excluded from the listing proposal.
425. South Africa, Tanzania and Zimbabwe took similar positions for their respective Lion populations.
426. The Chair invited Togo, as a proponent of the listing proposal, if amending the proposal as suggested by South Africa, Tanzania, Uganda and Zimbabwe was acceptable.
427. Togo stated that it would remain firm with its original proposal.
428. The Chair confirmed that the original proposal stood. He invited the Parties objecting to the original proposal to indicate whether they would block consensus.
429. Uganda confirmed that it was prepared to block consensus if its offer for consensus building was not accepted.
430. Zimbabwe took the same position.
431. The Chair stated his intention to move to a vote.

432. Referring to the interim report of the Credentials Committee earlier that afternoon, which had mentioned the Committee's approval of the credentials of The Netherlands, Israel enquired how many votes the EU would have. It was important to know overall how many Parties were accredited as present and eligible to vote.
433. The EU and its Member States explained why they had concerns about excluding Lion populations of some countries and why they understood that the proponents had not changed the original proposal. The populations in the countries concerned were not biologically distinct, in contrast to populations of other species excluded in the past.
434. Uganda, responding to the point raised by Israel, considered that the Rules of Procedure were not explicit with regard to how the EU exercised the rights of its Member States. It was Uganda's understanding that the EU should exercise votes according to the number of Member States present with verified credentials.
435. The Secretariat referred to the second sentence of Rule 13 of the Rules of Procedure. This provided for the EU, as a regional economic integration organization, to exercise its right to vote with 28 votes, equal to the number of its Member States that were Parties. It did not say equal to the number of its Member States that were Parties "present and voting". The Conference of Parties had adopted this Rule as a proper exercise of its authority as the decision-making body for the Convention under Article VII, paragraph 1, of the Convention.
436. The Chair confirmed his ruling that the EU was entitled to vote on behalf of the 28 Member States that were Parties.
437. Uganda challenged the Chair's ruling, as provided for within the Rules of Procedure (Rule 10.1).
438. The Chair noted that under Rule 10.1, one Party would be permitted to speak in support of Uganda's challenge and two other Parties could speak against the challenge.
439. Zimbabwe supported Uganda's challenge to the Chair's ruling.
440. The EU and its Member States, and Cameroon spoke against the challenge, and in support of the ruling made by the Chair.
441. The Chair moved to a vote on his ruling, noting that in accordance with Rule 10.1 a majority of two-thirds of the Parties present and voting would be required to overturn the ruling. He advised Parties that they should vote either 'Yes' to overturn his ruling, or 'No' to agree to his decision.
442. A Point of Order was raised requesting clarification about the decision that Parties were being asked to vote on.
443. The Chair stated that his decision was that the EU, as a regional economic integration organization, had the right to exercise its vote on behalf of all 28 EU Member States. He called for a show of hands.
444. Uganda raised a Point of Order, noting that it was not clear who was entitled to vote.
445. The Secretariat read the list of Parties whose credentials the Credentials Committee had found to be in order.
446. The Chair reiterated that a 'Yes' vote would be in support of the challenge, and that the EU was not entitled to vote for all of its 28 Member States; a 'No' vote meant the challenge was not valid.

447. Uganda requested a roll-call vote under Rule 13.3 of the Rules of Procedure.
448. The Secretariat explained that the Chair would read out the name of each Party alphabetically and ask each Party to vote 'Yes', 'No', or Abstain.
449. Israel recommended that since it was not yet clear how many votes the EU was entitled to exercise, the EU's vote should be held until all other votes had been tallied, so it would be clear whether the number of votes cast by the EU would have made a material difference to the overall outcome of the vote.
450. The Chair proceeded with the roll-call vote, following the procedure explained by the Secretariat. He reiterated that a 'Yes' vote meant the EU could not vote for its 28 Member States; a 'No' vote meant that the EU could vote for its 28 Member States.
451. The Secretariat announced that the totals of votes cast were 17 'Yes', 25 'No' (not counting any votes from the EU) and 8 'Abstain'. The ruling of the Chair therefore stood, since even without the EU votes, the required two-thirds majority to overturn the Chair's ruling had not been reached.
452. The Chair reconfirmed his earlier ruling that the EU was entitled to vote on behalf of all 28 of its Member States.
453. Brazil enquired whether proceeding with a vote on the listing proposal now, would avoid the need to vote again in plenary.
454. The Secretariat advised that a vote by the COW would not preclude a further vote in plenary.
455. Brazil suggested that in order to avoid duplication of voting, the discussion should be adjourned and taken up in plenary.
456. The Chair confirmed that Rules of Procedure permitted a request for adjournment to be made, but that this would then require inviting one Party to support the proposal, inviting two Parties to oppose, and then voting on the proposal.
457. Brazil stated that its intention had been to save procedural burden, rather than add to it. If a further vote in plenary could be avoided, that would be appreciated by everyone. Brazil withdrew its suggestion to adjourn the debate.
458. The Chair confirmed his intention to move to a vote on the listing proposal. A 'Yes' vote would be in favour of the inclusion of African Lion on Appendix II of the Convention; a 'No vote' would oppose the inclusion of African Lion on Appendix II of the Convention
459. Uganda requested a roll-call vote under Rule 13.3 of the Rules of Procedure.
460. The Chair moved to a roll-call vote, following the same procedure as during the earlier roll-call vote. He reiterated that a 'Yes' vote was in favour of listing African Lion on Appendix II, while a 'No' vote was against inclusion of African Lion on Appendix II.
461. The Secretariat announced that the totals of votes cast were 72 'Yes', 4 'No' and 3 'Abstain'.
462. The Chair concluded that the COW had endorsed the proposal for inclusion of African Lion on Appendix II of the Convention, to be forwarded to plenary for adoption.

463. Brazil suggested that the Standing Committee and Secretariat should consider clarifying interpretation of Rule 13.1, since, in Brazil's view, only accredited Parties should be included in the block vote of regional economic integration organizations.
464. The EU and its Member States considered that Article 13.1 was already very clear, and it was therefore unnecessary to spend further time on this matter.

#### **25.1.1 Proposal for the inclusion of the Chimpanzee (*Pan troglodytes*) on Appendix I and II of the Convention**

465. The Republic of Congo briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.1, submitted jointly by Republic of Congo and United Republic of Tanzania.
466. The Chair opened the floor for comments, requesting that delegates should make their interventions as brief as possible.
467. Côte d'Ivoire supported the proposal.
468. Senegal, also supporting the proposal, underlining that listing of Chimpanzee on the CMS Appendices was warranted by the adverse conservation status of populations throughout Africa, and continuing habitat loss.
469. Uganda presented the following statement:

“Uganda would like to thank all nations and organizations that support conservation of Chimpanzees. Indeed Uganda as an ardent champion and host of high proportions of global populations of great apes, fully agrees that we must double our efforts to improve the conservation situation of Chimpanzees and indeed all great apes.

Uganda has carefully examined the proposal, the Scientific Council opinion and the CMS text and attendant Resolutions. Uganda is convinced beyond reasonable doubt that chimpanzees are not migratory species within the meaning of Article I 1 a) of the Convention. We respectfully remind the proponents of this proposal that migration within CMS does not mean cross-border movement alone.

Uganda has an established long-term monitoring program for Chimpanzees and Mountain Gorillas in the Bwindi Impenetrable National Park. We have a ranger-based routine monitoring program but also a scientific research-based monitoring program managed by the Institute of Tropical Forest Conservation, which is actually based in the very landscape.

From our long-term monitoring program dating back to 1965, we confirm with scientific certainty that the chimpanzee population of Uganda is not migratory within the meaning of Article I 1 a) of the Convention. We are indeed deeply concerned that a proposal is being made to list a species which is clearly not a migratory species.

It is our considered view, that cross-border movement alone is not sufficient to qualify a species as migratory within the meaning of Article I 1 a) of the Convention text. For any cross-border movement to qualify as migratory, it must be cyclical, predictable and must involve a significant proportion of the global population of the species.

We call upon all CMS loving nations and stakeholders to protect and guard the sanctity of the agreement by not setting a wrong precedent of flagrant breach of Article I 1. a) of the agreement by listing species which are not migratory.

Uganda therefore on legal and scientific grounds strongly objects to the listing of the species and respectfully requests the proponents to consider withdrawing this proposal in the spirit of protecting the integrity of CMS Convention.

Uganda remains steadfast and fully committed to global and regional efforts for the conservation of the species. Our firm commitment to conservation of wildlife is not derived from listing of species but rather the conviction of the need to pursue sustainable development.

In the event that the withdrawal is not tenable, Uganda will, in the interest of not blocking consensus, enter a reservation to exclude her population from the listing.”

470. Peru supported the listing proposal, recalling that Chimpanzees were categorized as Endangered on the IUCN Red List of Threatened Species. As Chimpanzees regularly and predictably crossed boundaries, the species qualified as migratory under the CMS criteria.
471. The EU and its Member States supported the listing proposal for the reasons given by Peru and other Parties speaking in favour of listing.
472. Gambia supported the listing proposal.
473. Burundi was fully aware of the importance of protecting wildlife, but without repeating points already made, did not support the proposal.
474. The Chair asked those Parties objecting to the proposed listing to indicate whether they were prepared to block consensus.
475. Uganda did not want to block consensus and therefore requested that its population be excluded from the listing. A reservation would be entered accordingly.
476. The Chair invited Republic of Congo as a proponent of the listing proposal to respond to Uganda’s position.
477. Republic of Congo could live with making an amendment to accommodate Uganda’s wishes if that was what was required under the Rules of Procedure, but sought advice from the Secretariat
478. The EU and its Member States understood that Uganda had indicated its intention to enter a reservation, not to amend the proposal. Clarification was therefore needed.
479. The Chair invited Uganda to respond.
480. Uganda stated that it would opt for an amended proposal, as offered by Republic of Congo, to go forward by consensus.
481. Senegal urged that the original proposal should go forward unamended. The Ugandan population of Chimpanzee had no biologically distinguishing features that supported its exclusion. For this objective reason, Senegal was against amending the proposal to exclude the population of Uganda.
482. The Chair sought the view of United Republic of Tanzania as co-proponent of the proposal, given that any amendment would have to be made by the proponents themselves.
483. The United Republic of Tanzania indicated its acceptance of Uganda’s intention to enter a reservation.

484. The Chair stated that there were two possibilities for accommodating the wishes of Parties objecting to the proposal. Either the listing proposal could be amended, or the objecting Parties could enter reservations.
485. The Secretariat further clarified that proponents of a proposal could amend their proposal at any time. If the present proposal was amended to exclude the Ugandan population, the listing of Chimpanzee on CMS Appendices would not cover the population in Uganda. The second option would be to go forward with the original, unamended proposal. Uganda could then enter a reservation and would not be considered a Party for the purposes of the Appendix I and II listings of Chimpanzee.
486. The Chair requested the United Republic of Tanzania to indicate its preferred option for accommodating Uganda's position.
487. The United Republic of Tanzania responded that it would join the Republic of Congo in allowing the amendment proposed by Uganda.
488. The Chair confirmed that the COW was now considering an amended proposal, excluding the Chimpanzee population of Uganda.
489. Burundi stated that its position was the same as that of Uganda.
490. The Chair enquired whether Republic of Congo and United Republic of Tanzania were willing to further amend the proposal to exclude the Chimpanzee population of Burundi.
491. Republic of Congo stated that it could accept the amendment if this was required under the Rules of Procedure.
492. The Chair clarified that acceptance of any amendment was up to the proponents of the proposal; there was no requirement to do so.
493. The United Republic of Tanzania felt that it had no option but to accept the wishes of Burundi and to engage in bilateral discussion ahead of the next COP.
494. The Chair concluded that it was clear the proposal had been amended and he was putting the amended proposal to the COW for consideration.
495. Kenya recalled that during earlier discussion of the listing proposal for African Lion, concerns had been raised about creating a precedent by excluding populations from an Appendix listing when there was no biologically valid reason for doing so. Excluding the populations of Uganda and Burundi from the current listing proposal would create a bad precedent for the Convention. Kenya had furthermore understood that Republic of Congo had requested guidance from the Secretariat.
496. Senegal concurred with Kenya; what had not been accepted previously for African Lion, should not be accepted now for Chimpanzee. Since populations overlapped and moved freely across borders, how could the species be protected if some populations were included and others excluded? Even if accepting the proposed amendments did not break the Rules of Procedure, it would not be good scientifically or for Chimpanzees.
497. The EU and its Member States supported Kenya and Senegal, and wished to retain the unamended text of the listing proposal. The EU and its Member States could not accept a precedent through which populations that were not biologically distinct were excluded from a listing. It would be easier to reach consensus if those countries objecting to the original listing proposal would enter reservations.

498. Uganda recalled that under Rule 21 of the Rules of Procedure, once a proposed amendment had been accepted by the proponents, the amendment stood and could not be debated again.
499. The Chair concurred and indicated that this was the procedure he was following. However, he wished to confirm that the Republic of Congo, as a proponent, was content to amend the proposal, which would therefore exclude the populations of Uganda and Burundi.
500. Republic of Congo observed that Uganda was a sovereign country and that Uganda's premise that Chimpanzees did not migrate had been discussed in the Terrestrial Working Group. As a last resort, maybe it would be necessary to withdraw the proposal.
501. The Chair sought further clarification of whether Republic of Congo accepted the amendments to exclude the two populations.
502. Republic of Congo felt it had to go along with Burundi's proposed amendment, but noted that the population of Burundi had not been discussed by the Terrestrial Working Group.
503. The Chair reiterated that there was no requirement for proponents to accept amendments. He asked once more for Republic of Congo to state whether it accepted the amendment proposed by Burundi.
504. Republic of Congo indicated its acceptance of the amendment.
505. The Chair enquired whether there was consensus on the listing proposal as amended to exclude the populations of Burundi and Uganda.
506. United Republic of Tanzania felt trapped between a rock and a hard place. Since the United Republic of Tanzania considered Chimpanzees to be migratory, it was doubtful whether the proposal should go forward if the populations of Burundi and Uganda were excluded. Looking at the biology of the species, these populations were interlinked with others.
507. The Chair asked one final time if both Republic of Congo and United Republic of Tanzania agreed to amending their proposal to exclude the populations in Burundi and Uganda.
508. The Republic of Congo observed that the discussion had been fast-moving and rather confusing. Congo had presented the listing proposal at the very beginning of the agenda item and wished to proceed with the original text. If it were to be amended, the meeting would never arrive at a decision.
509. The Chair noted that since any amendment had to be accepted by both proponents of the listing proposal, the proposed amendments to exclude the populations in Uganda and Burundi did not stand. The original text of the listing proposal was now under consideration.
510. Uganda stated for the record its view that the manner in which business had been conducted under this item was neither acceptable nor in the good interests of the Convention. Uganda considered that the original proposal had been amended and that the amendment should stand unless further amended.
511. The Chair stated his ruling that, following clarification from Republic of Congo, the original proposal had not been amended. The COW would proceed to consider the original proposal. He asked if the meeting could accept the original text by consensus.

512. Uganda stated that it would not challenge the ruling of the Chair, though respectfully disagreed with it. Uganda objected to the original proposal.
513. The Chair proceeded to call for a vote by a show of hands.
514. At the request of Uganda, the Chair initiated a roll-call vote. All Parties in favour of the original listing proposal should vote 'Yes'; those against the listing proposal should vote 'No'
515. The Chair announced the result of the roll-call vote as recorded by the Secretariat. Of those Parties accredited to vote and present, 71 Parties had voted 'Yes', 3 Parties had voted 'No' and 4 Parties had abstained. The proposal to list Chimpanzee on Appendices I and II of the Convention had therefore been endorsed by the COW to be forwarded to plenary for adoption.
516. The Chair reminded those Parties that had voted against the proposal of the possibility to enter a reservation.
517. Uganda confirmed its intention to enter a reservation within 90 days of the COP concerning the Ugandan populations of Chimpanzee and African Lion.

**25.1.2 Proposal for the inclusion of the Hoary Bat (*Lasiurus cinereus*), Eastern Red Bat (*Lasiurus borealis*), Southern Red Bat (*Lasiurus blossevillii*), and Southern Yellow Bat (*Lasiurus ega*), on Appendix II of the Convention**

518. Peru briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.2, noting that the four species were widely distributed in the Americas, highly migratory, and highly susceptible to mortality through collision with wind turbines.
519. Norway enquired whether there was an Action Plan for these species.
520. Rodrigo Medellin (Scientific Councillor, Mexico) replied that an Action Plan was being drafted, but that it remained unfinished.
521. Ecuador supported the proposed listing on behalf of the Central and South America and Caribbean region, noting the seed dispersal and other ecological services provided by bats.
522. The Philippines also expressed support for the proposal
523. The AEWAS Secretariat, speaking on behalf of EUROBATS, also welcomed the proposal.
524. The Chair concluded that the meeting had endorsed the proposal and that it would be forwarded to plenary for adoption.

**25.1.4 Proposal for the inclusion of the Leopard (*Panthera pardus*) on Appendix II of the Convention**

525. The Islamic Republic of Iran introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.4. Ghana, Kenya and Saudi Arabia were co-proponents.
526. The Chair enquired whether there were any objections to the proposal.
527. South Africa raised an objection. They did not consider the Leopard to be a migratory species, and the proposal did not provide sufficient scientific evidence for this.
528. The Chair enquired whether South Africa was willing to block consensus.

529. South Africa responded affirmatively.
530. Zimbabwe and Uganda also opposed the proposed listing, noting that they did not believe the Leopard met the necessary criteria to be considered a migratory species.
531. Note by the Secretariat: Although it did not take the floor under this agenda item, the written statement tabled by United Republic of Tanzania following its intervention under agenda item 25.1.4 (the listing proposal for Lion), also contained an objection to the listing proposal for Leopard.
532. The representative of Senegal responded to the objections, giving examples of the migratory character of the Leopard, and pointing out that experts in the Scientific Council had approved the proposal. He considered that a vote would be preferable to excluding the populations of the objecting countries from the listing.
533. South Africa presented the following statement explaining its objection to the listing:

“The reasons why this proposed listing is not supported are as follows:

- The leopard is not a migratory species as defined in the Articles of the Convention. A significant proportion of the South African population of leopard does not cyclically and predictably cross one or more national jurisdictional boundaries.
  - South Africa would like to re-emphasize the need to base decision-making on sound scientific information. Unfortunately scientific information relating to the purported migration of leopard does not exist. The proponents themselves state in the proposal that the scientific evidence for transboundary movements and long-range dispersal of leopards is only of anecdotal character.
  - In terms of the interpretation of sub-adult dispersal, as the so-called “migratory stage”, South Africa would like to point out that various assumptions are made in an attempt to substantiate this statement. This includes an assumption that a significant proportion of the sub-adults will disperse across an international border. There is no scientific information to substantiate these assumptions. South Africa would like to express concerns about decision-making based on unsubstantiated assumptions and anecdotal information and the lack of scientific rigour.”
534. Humane Society International delivered the following statement, also on behalf of the Born Free Foundation, Center for Biological Diversity, International Fund for Animal Welfare, Natural Resources Defense Council, Pro Wildlife, World Animal Protection, Wildlife Conservation Society, and Wild Migration:

“The 2016 IUCN Red List assessment of the leopard demonstrates the precipitous deterioration of the status of the species over the past 15 years: in 2002, the species was considered Least Concern; in 2008, Near Threatened; and in 2016, Vulnerable. 78% of the leopard range is transboundary and there are 26 transboundary populations in Africa and at least 14 in Asia. Leopards cyclically and predictably cross national boundaries as part of their territorial movements and dispersal. Due to significant habitat fragmentation, continued transboundary movement in key habitat along country boundaries is essential. The Scientific Council regards the leopard as fulfilling the listing criteria of the Convention and recommended the proposal for adoption.

An Appendix II listing will facilitate in the development of leopard conservation strategies and their implementation; will offer greater access for financial and institutional support; encourage increased sharing of data and best practices, among other benefits. Therefore our organizations strongly encourage the Parties to adopt this proposal.”

535. The Chair proceeded to call for a vote by a show of hands. All Parties in favour of the original listing proposal should vote 'Yes'; those against the listing proposal should vote 'No.'
536. The Chair announced the result of the vote as recorded by the Secretariat. Of those Parties accredited to vote and present, 68 Parties had voted 'Yes', 8 Parties had voted 'No' and 4 Parties had abstained. The proposal to list Leopard on Appendix II of the Convention had therefore been endorsed by the COW to be forwarded to plenary for adoption.
537. Referring to Rule 22.5 of the Rules of Procedure, the Chair advised the COW that the draft resolution mentioned in document UNEP/CMS/COP12/Doc.25.1.4 was not admissible since it had been circulated as an information (Inf.) document only and therefore had not been translated. Consideration of the draft resolution was therefore liable to unduly hinder the proceedings of the COP.
538. Uganda and Zimbabwe confirmed their intention to enter reservations within 90 days.

#### **25.1.5 Proposal for the inclusion of the Gobi Bear (*Ursus arctos isabellinus*) on Appendix I of the Convention**

539. Mongolia briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.5, noting that this was a distinctive species of which fewer than 50 individuals remained in Mongolia, and which undertook a 200 km migration to China.
540. There being no requests for the floor, the Chair concluded that the meeting had endorsed the proposal and that it would be forwarded to plenary for adoption.

#### **25.1.6 Proposal for the inclusion of the Caspian Seal (*Pusa caspica*) on Appendix I and II of the Convention**

541. Islamic Republic of Iran briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.6, noting that this was an endangered species that migrated to the north Caspian Sea to breed each year.
542. Peru supported the proposal, and recommended inclusion of the species under CITES if it was subject to international trade.
543. The Chair concluded that the meeting had endorsed the proposal and that it would be forwarded to plenary for adoption.

#### **25.1.7(a) and 25.1.7(b) Proposal for the inclusion of the African Wild Ass (*Equus africanus*) on Appendix I and II of the Convention**

544. Eritrea and Ethiopia briefly introduced the listing proposal contained in documents UNEP/CMS/COP12/Doc.25.1.7(a) and UNEP/CMS/COP12/Doc.25.1.7 (b), noting that this was the most threatened equid in the world, with a population estimated at 150 individuals being confined to Ethiopia and Eritrea.
545. Senegal supported the proposal.
546. The Chair concluded that the meeting had endorsed the proposal and that it would be forwarded to plenary for adoption.

#### **25.1.8 Proposal for the inclusion of the Przewalski's Horse (*Equus przewalskii*) on Appendix I of the Convention**

547. Mongolia briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.8.
548. Switzerland supported the proposal.
549. There being no further requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

#### **25.1.9 Proposal for the inclusion of the Chinkara (*Gazella bennettii*) on Appendix II of the Convention**

550. Islamic Republic of Iran confirmed that it was withdrawing the proposal contained in document UNEP/CMS/COP12/Doc.25.1.9, pursuant to the advice of the Scientific Council contained in Addendum 1.

#### **25.1.10 Proposal for the inclusion of the Giraffe (*Giraffa camelopardalis*) on Appendix II of the Convention**

551. Angola briefly introduced the listing proposal contained in document UNEP/CMS/COP12/Doc.25.1.10.
552. The Chair opened the floor for discussion.
553. Zimbabwe opposed the listing, stating that it was not clear that the Giraffe met the necessary criteria to be considered a migratory species.
554. South Africa also noted that it did not support the listing, and presented the following statement:

“The South African population of Giraffe does not have an unfavourable conservation status. In fact, the 2016 regional Red List status is Least Concern and the species is widespread throughout southern Africa. In fact, we observed a population increase of 54% over three generations in 13 protected areas.

The giraffe is not a migratory species as defined in the Articles of the Convention. A significant proportion of South Africa’s giraffe population does not cyclically and predictably cross one or more national jurisdictional boundaries.

The proponent states in the proposal that the predictability and/or cyclical nature of giraffe migrations and transboundary movements has never truly been quantified across their range and as such greater research is required to better understand this. This research should be undertaken before a proposal to list the species can be considered.

The proponent also does not provide information relating to the proportion of the population that migrate, because the species does not migrate”.

555. Uganda supported Zimbabwe and South Africa, and presented the following statement:

“Uganda would like thank the proponents of Giraffe listing proposal for highlighting the conservation plight of the giraffe. Indeed Uganda agrees that there is need to support conservation efforts to improve the conservation status of giraffe species.

Uganda has carefully examined the proposal, the Scientific council opinion and the CMS Agreement text and attendant Resolutions. Uganda is convinced beyond reasonable doubt that giraffes are not migratory species within the meaning of Article I paragraph 1 a) of the Agreement. We respectfully remind the proponents of this proposal that migration within CMS does not mean cross border movement alone.

We wish to bring to the attention of this meeting that, Article I paragraph 1 a) requires that for a species to be regarded as migratory, a significant proportion of it must move across borders cyclically **and** predictably. In the instant case, Uganda as a range state with one of the most healthy giraffe populations that is on the positive growth trajectory is convinced that this proposal is not in the best interest of the species and indeed not in the best interest of CMS Convention.

Uganda wishes to call upon the proponents to consider withdrawing this proposal to avoid the COP breaching the provisions of the CMS Agreement text that establishes legitimacy of the process of listing.

We have given our legal and scientific reasons for our strong objections, and we remain optimistic that the proponents will consider withdrawing this proposal in the interest of the spirit of the convention and in the best interest of the species.

We wish to reiterate that CMS is a Convention on migratory species and not a Convention on all endangered species. We respectfully request that proponents take into account this fundamental principle to ensure that we do not lose focus on the purpose for which this convention was established”.

556. Senegal responded to Zimbabwe, South Africa and Uganda, pointing out that most Giraffe populations in West Africa were now extinct, but that historically, there had been seasonal migrations to Chad, and that the extant population of *peralta* in Niger also migrated seasonally, and now numbered fewer than 200 individuals.

557. United Republic of Tanzania also objected to the listing, and provided a written statement (summarizing its position on the listing proposals for African Lion and Leopard as well as that for Giraffe). The parts of the statement applicable to the Giraffe read as follows:

“on the listing of the ... giraffe, the United Republic of Tanzania strongly object the listing of the species on the CMS appendices as;

- The proposed species for listing are not Migratory Species;
- Most of the species are trans boundary;”

558. Kenya strongly supported the listing, and presented the following statement:

“Giraffe species have been recently uplisted to Vulnerable on the IUCN Red List assessment, having declined by an estimated 40% in the last 30 years, increasing the need to protect them. Giraffe occur in 21 sub-Saharan African countries, where they travel transboundary in a number of countries. Giraffe migrations are largely driven by habitat availability, forage resources, search for mates and/or in minimizing conflict/predation, has been observed in many parts of its range.

Importantly, many of the giraffe populations found in Africa cross international boundaries within the definition provided by the Bonn Convention in Article I, paragraph 1 (a) and CMS Resolution 11.33 on Guidelines for Assessing Listing Proposals to Appendices I and II of the Convention.

Giraffe currently face a number of direct and indirect threats throughout their range but different countries have varying levels of protection for giraffe in their policies. It is envisaged that listing giraffe on the CMS appendix II will raise awareness for giraffe conservation, promote collaboration between giraffe range states for better conservation and management practices and increase fundraising opportunities to support giraffe conservation across Africa. Kenya therefore support the Angola to list the Giraffes on Appendix II of CMS.”

559. The EU and its Member States expressed strong support for the proposed listing, for the reasons given in the statement of Kenya.
560. Burkina Faso, Cape Verde, Gambia, Liberia, and Togo also expressed strong support for the proposed listing.
561. Pro Wildlife, speaking also on behalf of Born free, Humane Society International, Center for Biological Diversity, International Fund for Animal Welfare, Natural Resources Defence Council, and World Animal Protection, delivered the following statement:
- “We would like to highlight one particular aspect of this debate: Over the last several years, giraffes have been experiencing what many experts are calling a “silent extinction”.
- While various conventions have focused on other important species, giraffe populations have declined an estimated 40 percent in the last 30 years, a situation that the international community has yet to address. Currently, giraffes are not protected under any international treaty and, in some cases, lack sufficient protections at national level. The parties here today have the unprecedented opportunity to be the first to fill this gap and begin the process of recovery for the species. The CMS Scientific Council agreed, and recommended adoption of the proposal to list Giraffes on Appendix II, having determined that they meet the definition of a migratory species under the Convention. Therefore, we urge the parties to support the proposal to list the giraffe on Appendix II of CMS.”
562. The Chair enquired whether those Parties that had opposed the listing were prepared to block consensus.
563. Zimbabwe requested an amendment to exclude Southern African Giraffes from the listing. If the proponent did not wish to amend its proposal, Zimbabwe would block consensus.
564. The Chair enquired whether Angola was willing to make the requested amendment.
565. Angola did not accept the proposed amendment to the proposal.
566. The Chair proceeded to call for a vote by a show of hands. All Parties in favour of the original listing proposal should vote ‘Yes’; those against the listing proposal should vote ‘No.’
567. The Chair announced the result of the vote by a show of hands as recorded by the Secretariat. Of those Parties accredited to vote and present, 68 Parties had voted ‘Yes’, 4 Parties had voted ‘No’ and 6 Parties had abstained. The proposal to list Leopard on Appendix II of the Convention had therefore been endorsed by the COW to be forwarded to plenary for adoption.

#### **RULES OF PROCEDURE (ITEM 4)**

##### **(a) Establishing a COP Presidency (Item 4.2)**

568. The Philippines introduced document UNEP/CMS/COP12/Doc.4.2, including a draft resolution, which it intended to discuss further with the Secretariat.
569. The EU and its Member States indicated readiness to join these discussions and had some proposals for taking the document forward.

570. The Chair asked the Philippines, the EU and its Member States, and the Secretariat to consult, and to come back to the COW with an updated proposal.

## **IMPLEMENTATION OF THE CONCERTED ACTION PROCESS (ITEM 26)**

b) Designation of species for Concerted Actions for the triennium 2018-2020 (item 26.2)

### **26.2.1 Proposal for Concerted Action for the European Eel (*Anguilla anguilla*) already listed on Appendix II of the Convention**

571. The Principality of Monaco briefly presented document UNEP/CMS/COP12/Doc.26.2.1.

572. The EU and its Member States welcomed the proposal and the announcement of a second meeting of the Range States.

573. Morocco supported the proposal, and expressed regret that it had missed the first Range State workshop in Ireland in 2016 due to conflicting commitments.

574. IUCN supported the proposal, noting that its Anguillid Eel Specialist Group would continue to cooperate with CMS.

575. There being no further requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

### **26.2.2 Proposal for Concerted Action for the Eastern Tropical Pacific Sperm Whales (*Physeter macrocephalus*)**

576. The Appointed Councillor for Aquatic Mammals briefly presented the proposal contained in document UNEP/CMS/COP12/Doc.26.2.2, noting that this proposal focussed on four clans of Sperm Whales with unique vocalization patterns.

577. The Chair opened the floor for comment.

578. Peru and Ecuador welcomed and supported this proposed Concerted Action.

579. There being no further requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

### **26.2.3 Proposal for Concerted Action for the Atlantic Humpback Dolphin (*Souza teuszi*)**

580. The Appointed Councillor for Aquatic Mammals briefly presented the proposal contained in document UNEP/CMS/COP12/Doc.26.2.3.

581. Senegal supported all initiatives which would provide Concerted Action on this species, having contributed to work on its listing on CMS Appendix I and Appendix II.

582. Sea Shepherd Legal formally offered its services to the Secretariat in performing a gap analysis of Range State legislation.

583. The Chair thanked Sea Shepherd Legal for this helpful offer.

584. There being no further requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

#### **26.2.4 Proposal for Concerted Action for the Arabian Sea Humpback Whales (*Megaptera novaeanglia*)**

585. The Appointed Councillor for Aquatic Mammals presented the proposal contained in document UNEP/CMS/COP12/Doc.26.2.4, noting that this was a threatened population numbering about 250 individuals, with no connections to other populations of the species.
586. Statements of support were made by Ecuador, India, Islamic Republic of Iran, Oman, Pakistan, Saudi Arabia, and United Arab Emirates.
587. IWC stated that its Scientific Committee had recommended this population for a Conservation Action Plan.
588. There being no requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

#### **26.2.5 Proposal for Concerted Action for the Angelshark (*Squatina squatina*)**

589. The Principality of Monaco presented the proposal contained in document UNEP/CMS/COP12/Doc.26.2.5, noting that this proposal was conditional on the adoption of the proposal to list the species on Annexes I and II of the Convention contained in document UNEP/CMS/COP12/Doc.25.1.23.
590. There being no requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

#### **26.2.6 Proposal for Concerted Action for Mobulid Rays (*Mobulidae*)**

591. The Manta Trust briefly introduced the proposal originally contained in document UNEP/CMS/COP12/Doc.26.2.6, as submitted by the Manta Trust and Wildlife Conservation Society. This document had been discussed in the Aquatic Working Group and circulated as document UNEP/CMS/COP12/CRP15 'Proposal for the designation of all species of the Mobulid rays (*Mobulidae*) for Concerted Actions'.
592. The Chair asked the COW to consider document UNEP/CMS/COP12/CRP15 for forwarding to plenary.
593. Statements of support were made by Ecuador, the EU and its Member States, Fiji, India, and the Philippines.
594. There being no further requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

#### **26.2.7 Proposal for Concerted Action for the Whale Shark (*Rhincodon typus*)**

595. The Philippines briefly introduced the proposal contained in document UNEP/CMS/COP12/Doc.26.2.7
596. Ecuador, the EU and its Member States, and Madagascar expressed support for the proposal.
597. There being no further requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

#### **26.2.8 Proposal for Concerted Action for the Asian Great Bustard (*Otis tarda*)**

598. Mongolia briefly introduced the proposal contained in Document UNEP/CMS/COP12/Doc.26.2.8.

599. The Islamic Republic of Iran supported this opportunity to better conserve the Great Bustard and cooperate with other Range States.
600. IUCN welcomed the proposal, noting that Concerted Actions between Range States would greatly benefit the conservation of this species.
601. There being no further requests for the floor, the Chair concluded that the COW had endorsed the proposal and that it would be forwarded to plenary for adoption.

**CONSIDERATION OF CONFERENCE ROOM PAPERS (CRPs)  
TO BE FORWARDED TO PLENARY**

602. The Chair announced that the COW would proceed to considering those CRPs that had been prepared by the Working Groups and which were now available in three languages.
603. The COW endorsed the following documents for forwarding to the plenary for adoption: CRP 1–5, CRP 7 & 8, CRP 10–19, CRP 101–105, and CRP107–112 (see full listing below).
604. All of these documents were endorsed without further amendment, with the exception of CRP 7, for which the EU and its Member States noted that a previously agreed amendment was missing; and CRP 102, where a minor correction was required to clarify that the document had been produced by the Review of Decisions Working Group, not the Aquatic Working Group.

UNEP/CMS/COP12/CRP1	Concerted Actions (UNEP/CMS/COP12/Doc.26.1)
UNEP/CMS/COP12/CRP2	Aquatic Wild Meat (UNEP/CMS/COP12/Doc.24.2.3)
UNEP/CMS/COP12/CRP3	Live Capture of Cetaceans from the Wild for Commercial Purposes (UNEP/CMS/COP12/Doc.24.2.4)
UNEP/CMS/COP12/CRP4	Community Participation and Livelihoods (UNEP/CMS/COP12/Doc.24.4.13)
UNEP/CMS/COP12/CRP5	Conservation and Management of Whales and their Habitats in the South Atlantic Region (UNEP/CMS/COP12/Doc.24.2.6)
UNEP/CMS/COP12/CRP7 /Rev.1	Conservation of African-Eurasian Vultures (UNEP/CMS/COP12/Doc.24.1.4)
UNEP/CMS/COP12/CRP8	Important Marine Mammal Areas (IMMAs) (UNEP/CMS/COP12/Doc.24.2.1)
UNEP/CMS/COP12/CRP10 Rev.1	Recreational In-Water Interaction with Aquatic Mammals (UNEP/CMS/COP12/Doc.24.2.5)
UNEP/CMS/COP12/CRP11	Energy and Migratory Species (UNEP/CMS/COP12/Doc.24.4.6)
UNEP/CMS/COP12/CRP12	Conservation Implications of Animal Culture and Social Complexity (UNEP/CMS/COP12/Doc.24.4.3 and UNEP/CMS/Doc.21.1.32)
UNEP/CMS/COP12/CRP13	Sustainable Boat-based Marine Wildlife Watching (UNEP/CMS/COP12/Doc.24.4.5)

- UNEP/CMS/COP12/CRP14 Proposal for a Concerted Action for the European Eel (*Anguilla anguilla*) already Listed on Appendix II of the Convention (UNEP/CMS/COP12/Doc.26.2.1)
- UNEP/CMS/COP12/CRP15 Proposal for the Designation of All Species of the Mobulid Rays (Mobulidae) for Concerted Actions (UNEP/CMS/COP12/Doc.26.2.6)
- UNEP/CMS/COP12/CRP16 Proposal for the Designation of the Whale Shark (*Rhincodon typus*) for Concerted Actions (UNEP/CMS/COP12/Doc.26.2.7)
- UNEP/CMS/COP12/CRP17 Management of Marine Debris UNEP/CMS/COP12/Doc.24.4.1)
- UNEP/CMS/COP12/CRP18 Joint CMS-CITES African Carnivores Initiative (UNEP/CMS/COP12/DOC.24.3.1.1)
- UNEP/CMS/COP12/CRP19 Transfrontier Conservation Areas for Migratory Species (UNEP/CMS/COP12/Doc.24.4.12)
- UNEP/CMS/COP12/CRP101 Consolidation of Resolutions: National Reports (UNEP/CMS/COP12/Doc.21.2.1)
- UNEP/CMS/COP12/CRP102 Consolidation of Resolutions: Wildlife Disease and Migratory Species (UNEP/CMS/COP12/Doc.21.2.9)
- UNEP/CMS/COP12/CRP103 Resolutions to Repeal in Part - Resolution 3.1, Listing of Species in the Appendices of the Convention (UNEP/CMS/COP12/Doc.21.1.1)
- UNEP/CMS/COP12/CRP104 Resolutions to Repeal in Part - Resolution 7.2, Impact Assessment and Migratory Species (UNEP/CMS/COP12/Doc.21.1.8)
- UNEP/CMS/COP12/CRP105 Resolutions to Repeal in Part - Resolution 7.5, Wind Turbines and Migratory Species (UNEP/CMS/COP12/Doc.21.1.10)
- UNEP/CMS/COP12/CRP107 Resolutions to Repeal in Part - Resolution 11.8, Communication, Information and Outreach Plan (UNEP/CMS/COP12/Doc.21.1.26)
- UNEP/CMS/COP12/CRP108 Consolidation of Resolutions: Marine Turtles (UNEP/CMS/COP12/DOC.21.2.5)
- UNEP/CMS/COP12/CRP109 Resolutions to Repeal in Part - Resolution 10.15, Global Programme of Work for Cetaceans (UNEP/CMS/COP12/Doc.21.1.28)
- UNEP/CMS/COP12/CRP110 Resolutions to Repeal in Part - Resolution 11.27, Renewable Energy and Migratory Species (UNEP/CMS/COP12/Doc.21.1.33)
- UNEP/CMS/COP12/CRP111 Resolutions to Repeal in Part (UNEP/CMS/COP12/Doc.21.1.13 and UNEP/CMS/COP12/Doc.21.1.17)
- UNEP/CMS/COP12/CRP112 Improving Ways of Addressing Connectivity in the Conservation of Migratory Species (UNEP/CMS/COP12/ Doc24.4.11)

## **STATEMENT FROM THE CENTRAL AND SOUTH AMERICA AND CARIBBEAN REGION**

605. Prior to the closing of the session, Argentina presented the following statement on behalf of the Central and South America and Caribbean region:

“Argentina, representing the Central and South America and Caribbean region, wishes to express its position with respect to the lack of availability of translation in several areas, including: documents, working programme and website pages, among others. We understand that producing translations requires, time, money, and human resources, but the Convention text and Rules of Procedure (Part VI, Article 18) establish and state that the work must be done in the three official languages. Therefore, we wish to respectfully request compliance with the provisions of the Convention. We ask the Secretariat to make a greater effort so that the countries of our region can properly contribute, in a fair and equitable way, to the CMS.”

606. The Chair thanked Argentina for the region’s statement.