



Convention on the Conservation of Migratory Species of Wild Animals (CMS)

# PROCEEDINGS of the Tenth Meeting of the Conference of the Parties

Bergen, Norway, 20-25 November 2011

Convention on the Conservation of Migratory Species of Wild Animals (CMS)  
Proceedings of the Tenth Meeting of the Conference of the Parties | Bergen, Norway, 20-25 November 2011



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# CONVENTION ON MIGRATORY SPECIES

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CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING  
Bergen, Norway, 20-25 November 2011

## **Proceedings of the Tenth Meeting of the Conference of the Parties Part I**

### **REPORT OF THE TENTH MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS**

#### **I. INTRODUCTION**

##### **HIGH-LEVEL OPENING CEREMONY**

1. The High-Level Opening Ceremony was held from 1400 to 1630 hrs. on Sunday, 20 November 2011 and presided over by His Highness Prince Bandar bin Saud bin Mohammad Al-Saud, Secretary General and Chairman of the Board of the Saudi Wildlife Authority, representing Saudi Arabia in its capacity as Chair of the Standing Committee.
2. Addresses were delivered by:
  - H. H. Prince Bandar bin Saud bin Mohammad Al-Saud
  - Ms. Lisbeth Iversen, Commissioner of the Municipality of Bergen
  - Ms. Amina Mohammed, Deputy Executive Director of UNEP
  - Ms. Elizabeth Maruma Mrema, Executive Secretary of CMS
3. Ms. Amina Mohammed then chaired a round-table discussion concerning cooperation and synergy among biodiversity-related conventions, including contributions from:
  - Mr. John Scanlon, Secretary General, CITES
  - Mr. Nick Davidson, Deputy Secretary General, Ramsar Convention on Wetlands
  - Mr. Shakeel Bhatti, Secretary of ITPGRFA<sup>1</sup>
  - Mr. Peter Schei, Representative of Norway and CMS Ambassador
  - Ms. Elizabeth Maruma Mrema, Executive Secretary of CMS

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<sup>1</sup> International Treaty on Plant Genetic Resources for Food and Agriculture.

4. Opening remarks were made by:
  - Mr. Fernando Spina, CMS Scientific Councillor, representing Italy, Chair and Host Government of CMS COP9.
  - H. E. Mr. Erik Solheim, Minister of the Environment of Norway, Host Government of CMS COP10.
5. The High-Level Opening Ceremony was followed by a reception at the Grieg Hall, Bergen, hosted by the Government of Norway.

#### **OPENING OF THE MEETING (ITEM 1)**

6. The Conference was opened by Mr. Mohammad Saud A. Sulayem (Saudi Arabia, Chair of Standing Committee) who welcomed all delegates. He gave special thanks to the Government of Norway for hosting the Meeting and to the people of Bergen for the warm welcome given to the delegates. He referred to the impressive opening ceremony the previous day and to the warm and generous reception that followed. He gave a special welcome to the Deputy Executive Director of UNEP, to the Executive Secretary of CMS, to the members of the Standing Committee and to the Chair and members of the Scientific Council. He extended his thanks to the Executive Secretary and her team for their hard work in preparing for the COP and associated meetings. He thanked all governmental and other organizations that had provided financial support and hoped for fruitful discussions and a successful outcome for the COP.
7. The Conference was attended by representatives of the following 75 Parties and four non-Parties:

Parties: Albania, Argentina, Australia, Austria, Belarus, Belgium, Bulgaria, Burkina Faso, Burundi, Cameroon, Chile, Congo, Croatia, Cuba, Czech Republic, Denmark, Ecuador, Ethiopia, European Union, Finland, France, Georgia, Germany, Ghana, Guinea, Hungary, India, Iran (Islamic Republic of), Israel, Italy, Jordan, Kazakhstan, Kenya, Latvia, Luxembourg, Madagascar, Mali, Mauritius, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Netherlands, New Zealand, Niger, Nigeria, Norway, Pakistan, Paraguay, Philippines, Poland, Republic of Moldova, Romania, Samoa, Saudi Arabia, Senegal, Serbia, Seychelles, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Tunisia, Uganda, Ukraine, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan and Yemen.

Non-Parties: Iraq, Kyrgyzstan, Swaziland and the United States of America.

#### **WELCOMING ADDRESSES (ITEM 2)**

##### ***Opening address by Ms. Elizabeth Maruma Mrema, Executive Secretary of CMS***

8. Ms. Mrema welcomed the Parties, the representative from UNEP, the host of the Secretariat, Germany, the host of the COP, Norway, representatives of the Secretariats of other MEAs, and partners from civil society and the private sector. She gave special thanks to Norway for its huge contribution in hosting the COP and associated meetings. She thanked

the Standing Committee and its Chair, Mr. Sulayem, who had guided the Convention through the Future Shape process. She thanked the COP10 Working Group, led by the Vice-Chair of the Standing Committee, for essential work of reviewing and finalizing documents. Ms. Mrema went on to thank the Depositary, Germany, for stalwart assistance. She then welcomed Parties that had joined the Convention in the past triennium as well as prospective Parties that were considering joining.

9. Ms. Mrema pointed out that the slogan of COP10, *Networking for Migratory Species*, implied two approaches: firstly, the conservation of critical sites and ecological networks where habitat conservation was essential, and secondly, referring to human networks, the importance of closer collaboration between the Convention and governments, IGOs, NGOs and the corporate sector.

10. A new publication entitled *Living Planet: Connected Planet - preventing the end of the World's wildlife migrations through ecological networks* had been produced by the host country, Norway, in cooperation with GRID-Arendal. It would be officially launched at a side event that afternoon. Ms. Mrema thanked Norway for generously supporting the publication and making it available to all conference participants. A keynote presentation on the same theme would also be made later in the day by Prof. David S. Wilcove.

11. With regard to staffing at the Secretariat headquarters in Bonn, Ms. Mrema said that the appointment of Mr. Bert Lenten as Deputy Executive Secretary meant that all posts were now filled. She thanked the Governments of Germany and Finland for funding the appointment of two new Junior Professional Officers (JPOs), providing crucial capacity for work in Africa and Central Asia, but pointed out that these were short-term posts. The staff of the Secretariat was highly dedicated and Ms. Mrema hoped that this was reflected in the quality of the documentation for the COP.

12. The Executive Secretary noted that the COP Agenda included a number of challenging items, the 2012-2014 Budget being one of them. It would be testing to secure the necessary levels of resourcing in the current global financial climate. She hoped that enough could be raised to ensure the necessary conservation of migratory species on the ground, and urged Parties to consider a modest increase, both to allow for inflation and to allow proper implementation of the Future Shape process, the original aim of which had been to address the issue of under-resourcing. She said that there would be a donors' meeting on the evening of 21 November, followed by a reception, and expressed the hope that pledges to support the conservation of migratory species would be forthcoming. The Secretariat was ready to embrace whatever the COP recommended concerning the Future Shape process. She stressed the amount of time the Secretariat had spent on this to date and expressed the hope that analysis could end so that the process could be implemented. Certain efficiencies included in the Future Shape recommendations were already being implemented through synergy between the different CMS instruments, particularly in relation to representation at meetings, staff recruitment and the proposed new web platform for the CMS family.

13. Finally, Ms. Mrema referred to a three-day Regional Preparatory Workshop, which had taken place in Uganda in October 2011 for African delegates to prepare for this COP and the AEWA MOP in France in 2012. This workshop had been co-hosted by UNEP, and the CMS and AEWA Secretariats with support from the Governments of Germany, Sweden and Switzerland, and BirdLife International.

14. The Chair invited representatives of countries that had joined CMS since COP9 (Armenia, Burundi, Equatorial Guinea, Ethiopia, Montenegro and Mozambique) to speak if they so wished.

15. The representative of Armenia informed the Meeting that CMS had come into force in his country on 1 March 2011. He mentioned the high biodiversity of the Caucasus region and its position on the route of many migratory species. On behalf of his Government, he welcomed participation in the COP and looked forward to working with the Convention. A copy of this statement is annexed to this report.

16. The representative of Ethiopia reported that his country had joined CMS and AEWA at the same time and that the Government of Ethiopia was committed to protecting migratory species and welcomed the opportunity to join the rest of the world in this.

17. The Chair then invited non-Party governments in the process of joining CMS to make statements about the status of their preparations for acceding to the Convention.

18. The representative of the Kingdom of Swaziland reported that all the necessary steps towards acceding to the Convention had been completed, the only outstanding requirement being a formal resolution of both Houses of Parliament. Recognizing the need for an international approach to the conservation of migratory species, Swaziland was committed to their conservation. Although a small country, Swaziland had an important international role for migratory species, and AEWA and the Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia were particularly relevant. CMS Species important in the country included Blue Swallow (*Hirundo atrocaerulea*) listed on Appendix I and African Elephant (*Loxodonta africana*), African Wild Dog (*Lycaon pictus*) and Maccoa Duck (*Oxyura maccoa*) listed in Appendix II. A transcription of this statement is annexed to this report.

19. Written statements provided in advance by non-governmental organizations (NGOs) and other institutions were available on the CMS website as information documents: *UNEP/CMS/Inf.10.13.1-13.9*. Other statements would be posted as they were received. The NGOs concerned were: the World Association of Zoos and Aquariums, Humane Society International, the Whale and Dolphin Conservation Society, the International Fund for Animal Welfare, International Council for Game and Wildlife Conservation (CIC)/ Federation of Associations for Hunting and Conservation of the EU (FACE)/ International Association for Falconry and Conservation of Birds of Prey (IAF) and the Migratory Wildlife Network. One statement was submitted jointly by 29 different organizations and reports were also received from the Council of Europe and the IUCN.

### KEY NOTE ADDRESS (ITEM 3)

20. The keynote address, *Conserving Migratory Species and their Ecological Functions: Strategies in the Face of Climate and Land-use Change*, was given by Prof. David S. Wilcove, Professor of Public Affairs and Ecology and Evolutionary Biology at Woodrow Wilson School, Princeton University.

21. Prof. Wilcove opened by stating that mankind's goal should be to protect migration as a "phenomenon of abundance", that we should acknowledge that there would always be uncertainty, both scientific and social, and that we should act boldly but intelligently in the

face of uncertainty. Scientific uncertainty included incomplete knowledge of breeding, wintering and stopover sites of migratory species, how the pieces fitted together, how adaptable migrants were to land-use changes, and climate change. However, some of these uncertainties were lessening with the technological advances being made for tracking migration, for example, the movement of huge numbers of dragonflies along the east coast of North America. Social uncertainties involved economic, social and political issues; for example, changes in government, conflict and social movements.

22. He proposed five steps to create effective ecological networks for migratory animals: (i) create a 'Red List' of declining migratory species and populations; (ii) protect high-quality breeding and wintering habitat across the entire latitudinal and longitudinal range of the species; (iii) identify and protect major stopover sites; (iv) develop and promote policies to maintain a functional, diverse and interconnected landscape; and (v) build stronger alliances to address major threats.

23. Prof. Wilcove's closing message was that the great migrations were irreplaceable, and that while we could do more to protect them, we should certainly not do less.

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

24. The Chair introduced the provisional Rules of Procedure for the Tenth Meeting of the Conference of the Parties (UNEP/CMS/Conf.10.5: *Provisional Rules of Procedure*). He confirmed that the Rules were unchanged since COP9 and invited the Meeting to adopt them.

25. The Executive Secretary reminded the Meeting of Rule 15.2 relating to non-payment of dues, especially by those Parties that were three years or more in arrears with payment of their assessed contributions. In the unlikely event of a COP decision requiring a vote, these Parties would not be able to exercise their voting rights. The relevant Parties were listed in the annex to document Conf.10.5.

26. The Rules of Procedure were adopted without amendment and attached as Annex I to this report.

#### **ELECTION OF OFFICERS (ITEM 5)**

27. The Chair recalled that Rule 5 of the Rules of Procedure provided for the election of the Chair of the COP, the Chair of the Committee of the Whole (COW) who would also serve as Vice-Chair of the COP, and the Vice-Chair of the COW.

28. The Conference elected the following officers by acclamation:

##### **Conference of the Parties**

Chair: Mr. Øystein Størkersen (Norway)

Vice-Chair: Mr. James Lutalo (Uganda)

##### **Committee of the Whole**

Chair: Mr. James Lutalo (Uganda)

Vice-Chair: Mr. Marcel Calvar (Uruguay)

**ADOPTION OF AGENDA AND SCHEDULE (ITEM 6)**

29. Mr. Sulayem handed over to the newly elected Chair of the COP, Mr. Øystein Størkersen, who invited Mr. Bert Lenten (Deputy Executive Secretary) to introduce this item.

30. Mr. Lenten reported that the Heads of Delegation Meeting held on 20 November 2011 had suggested moving Agenda items 9 *Overview of the “Future Shape” Process* and 21(b) *CMS budget 2012-2014* up the schedule, to the morning session, and to move Agenda item 10 (*Reports from Conventions, Agreement bodies and UNEP*) to the afternoon session. In addition, Agenda item 13(a) *Proposals on organization and strategic development of the CMS Family* should be merged with Agenda item 9.

31. There were no objections from the floor and the Chair confirmed adoption of the Agenda, including the amendments tabled by the Deputy Executive Secretary. The Agenda and the list of documents are attached as Annex II and Annex III to this report.

**ESTABLISHMENT OF CREDENTIALS COMMITTEE AND OTHER SESSIONAL COMMITTEES (ITEM 7)**

32. The Executive Secretary reported that Heads of Delegation had decided to suggest the establishment of four open-ended Working Groups, with each regional group to nominate representatives for the Groups.

33. The Joint Working Group on Budget and Future Shape was proposed and Plenary agreed that it should consist of Ghana – Mr. Alfred Oteng-Yeboah (representing Africa, Chair), United Kingdom (UK) – Mr. Trevor Salmon (Europe, Vice Chair for budget issues), Switzerland – Mr. Olivier Biber (Europe, Vice Chair for Future Shape issues), India and Saudi Arabia (Asia), Chile and Argentina (Latin America and Caribbean) and Australia, New Zealand and Philippines (Oceania). Several other European Parties had indicated that they would participate.

34. The Working Group on the Development of the Future Strategic Plan was proposed and Plenary agreed that it should consist of Kenya and South Africa (representing Africa), Belgium (Europe), Chile (Latin America and Caribbean) and Philippines (Oceania). Nominations for Asia were to follow. This group would meet when the COW was not in session, and would review the terms of reference for the intersessional Working Group on the Strategic Plan, due to be established later in the COP. The Chair of the Group would be elected at the first session.

35. The Working Group on Marine Species would consist of Madagascar and South Africa (representing Africa), Germany and Norway (Europe), Argentina and Ecuador (Latin America and the Caribbean) and Australia, New Zealand and Samoa (Oceania). Nominations for Asia were to follow. This group would meet when the COW was not in session. The Chair of the Group would be elected at the first session.

36. The Working Group on Saker Falcon (*Falco cherrug*) would consist of Mali and Ethiopia (representing Africa), Kazakhstan, Pakistan and Uzbekistan (Asia), and the European Union (EU). The UK offered to take the Chair in the event of no other Party coming forward to do so. This group would begin working at 1600 hrs. on Monday, 21 November 2011.

37. For the Credentials Committee, the Heads of Delegations proposed and Plenary agreed that there should be one representative from each region, and that the Chair would be elected at the first meeting, which would be held during the lunch break on 21 November 2011. Regional representation was as follows: Congo (Brazzaville) (representing Africa), Chile (Latin America and the Caribbean), New Zealand (Oceania) and Norway (as the host country, Europe).

38. The Chair announced that the COP Bureau (a closed group) would meet every day at 0800 hrs. starting on 22 November 2011.

#### **ADMISSION OF OBSERVERS (ITEM 8)**

39. The Deputy Executive Secretary read out a list of those wishing to be admitted as observers in line with the criteria set out in Article VII, paragraphs 8 and 9, of the Convention, including non-Party States, UNEP bodies, other Conventions IGOs and NGOs.

40. The representative of Argentina asked for the list of observers to be circulated in writing. This was done on 22 November 2011 and the admission of observers was confirmed by the Plenary Session held on 23 November 2011. A list of the observers admitted (document UNEP/CMS/Inf.10.42) can be found in Annex IV.

#### **OVERVIEW OF THE PROCESS REGARDING THE “FUTURE SHAPE” OF CMS (ITEM 9)**

41. Mr. Olivier Biber, Switzerland, Chair of the Future Shape Working Group, referred to document UNEP/CMS/Conf.10.2: *Future Strategies and Structures of the CMS Family* and drew special attention to its Executive Summary, as well as other information documents which provided further details (UNEP/CMS/Inf.10.14.1-10.14.11).

42. He recalled that the process had been launched at COP9 with a mandate set out in Res.9.13 and its addendum containing terms of reference for a Working Group to explore possibilities for strengthening the contributions of the CMS and the CMS Family to worldwide conservation, management and sustainable use of migratory species over their entire range.

43. The intersessional process was shaped in three phases:

- Phase 1 had assessed the concerns in detail and reviewed the organization and activities of the CMS and its instruments. The aim was to produce a critical analysis of the current situation, focusing on advantages and disadvantages of the present arrangements, and identifying issues where improvements could and should be envisaged. This work was done with the help of a consultant, the Environmental Regulation and Information Centre (ERIC).
- Phase 2 was dedicated to identifying measures that could improve the current arrangements in the CMS Family.
- Phase 3 had developed three options:
  - Option 1: Essential measures that could be largely accomplished in a single intersessional period if commenced immediately after COP10.
  - Option 2: Option 1 activities plus additional, highly desirable, measures that could be implemented within the existing structures of the CMS Family, but which

would need longer to implement, and have some additional cost implications.

- Option 3: Option 1 & Option 2 activities plus additional measures that would require more profound, long-term changes, which might require amendments to the legal texts of instruments within the CMS Family. There would also be additional cost implications.

44. Mr. Biber emphasized that the Future Shape Working Group was not recommending a preferred Option, and that this was for the COP to decide. He thanked the Chair and Vice Chairs of the Standing Committee, ERIC, the CMS Secretariat and the support unit provided by the Secretariat for facilitating the Working Group's assessment. The work had taken place in a positive spirit and friendly atmosphere throughout. He thanked the Governments of Finland, France, Germany and Switzerland for their financial and in-kind contributions.

45. He closed by expressing the hope that Parties would use the information compiled and the conclusions tabled in a constructive, far-sighted way, keeping in mind that the Convention and its instruments had a vision, mission and goal, formulated in the current Strategic Plan, that should lead beyond the figures of a budget. Investing in biodiversity meant investing in mankind's future for the air we breathed and the water we drank, we depended on functioning ecosystems and thus on biodiversity.

46. The Chair introduced the consultant from ERIC, Ms. Begonia Filgueira, who made a presentation titled: *Future Shape of CMS and the CMS Family*.

47. Ms. Filgueira began by thanking the Governments of Finland, France, Germany and Switzerland, whose support had allowed four meetings of the Future Shape Working Group to take place, with reports produced in the three Convention languages. She also thanked the members of the Working Group, in particular the Chair, Mr. Biber, for their hard work.

48. The remit of ERIC covered institutional organization, integration, strength across regions, synergies, technical data, finance and capacity building. Work had been carried out in three phases (as outlined earlier by Mr. Biber) and a number of benefits had already been felt in the areas of responsiveness, improvements to resolutions, focus on cross-cutting issues, partnerships and itemizing, all of which would improve transparency.

49. Ms. Filgueira then looked at the considerable challenges faced by CMS and the CMS Family and outlined the three options identified by the Working Group and ERIC to address them (see above under Mr. Biber's report). Ms. Filgueira concluded that there were many possible ways forward but it was up to the COP to decide. She suggested that the COP should focus on prioritising the challenges and deciding how much it was willing to invest in activities. If improvements were chosen wisely, the conservation activities of CMS on behalf of migratory species could be greatly enhanced.

50. The Chair invited short comments and questions, noting that longer interventions should be reserved for the Working Group.

51. The representative of Pakistan asked for clarification as to whether an additional scientific institution was envisaged under Option 3. Ms. Filgueira replied that this was not the case; the proposal was for a single, centralized body merging scientific expertise for all CMS instruments, rather than for creation of a new layer of expertise.

52. The representative of Egypt expressed concern in four areas: (i) the need for enhanced capacity building; (ii) the burden of reporting, which had become very heavy; (iii) the continuing gap between North and South with regard to data availability and management; and (iv) the difficulty in ensuring that decision makers accepted what was agreed by the COP. He also commented that the options presented were not really alternative choices, but rather represented a process along a timeline. The representative of Mali expressed his support for the intervention of Egypt, particularly with regard to reporting.

53. Ms. Filgueira responded that, with regard to the timeline, some important activities were fully implemented within Option 1. She deferred responses to the other points to Working Group discussions.

54. The representative of Poland, on behalf of the EU, welcomed the result of the Future Shape process, especially the Phase III Future Shape report. However, the EU was of the opinion that the outcome, in its current form, did not provide a basis to create a long-term efficient organization for the future, especially given that the options presented in the Phase III report would require additional funding; funding that in the opinion of the EU would be difficult to secure. At this time serious consideration could only be given to activities and short-term time frames that were outlined in Option 1 and that resulted in cost-neutral outcomes. The EU and its Member States proposed that key decisions regarding the Future Shape should be taken through the development of a new Strategic Plan.

55. The representative of Norway welcomed the Future Shape process and expressed agreement with Egypt about the burden of reporting, and with the EU about the need to link the Future Shape process to the Strategic Plan. She asked how CMS fulfilled its mandate in relation to other MEAs and whether this was dealt with in the ERIC report.

56. Ms. Filgueira responded that the report did look at synergies between the MEAs and showed that the best possibilities for synergy lay with reporting and with management of technical data. The existing Joint Work Plans with the Ramsar Convention on Wetlands and CITES, and the development of IPBES were steps in the right direction.

57. The representative of Switzerland responded to the interventions made by Egypt and the EU. He agreed that the options represented a process and were not really either/or options. They had been produced after consideration by many experts in the Working Group and in ERIC. It had been a considerable task to address the recommendations in Res.9.13, and short-term savings had not been a primary consideration. It was important to bear in mind that many of the proposed short-term activities would result in savings in the medium and long term.

## **II. REPORTS AND STATEMENTS ON THE IMPLEMENTATION OF CMS**

### **REPORTS FROM CONVENTION AND AGREEMENT BODIES AND UNEP (ITEM 10)**

#### **(a) Standing Committee**

58. Mr. Sulayem, representing Saudi Arabia, Chair of the Standing Committee, presented his report, contained in document UNEP/CMS/Conf.10.7: *Report of the Chair of the Standing Committee*. The Committee had met five times during the last triennium, most recently at its 38<sup>th</sup> Meeting (StC38), held in Bergen on 19 November 2011. The Standing Committee had

closely followed the process for recruiting Ms. Elizabeth Maruma Mrema as the CMS Executive Secretary. It had also provided significant input into the three-phase report of the Future Shape Working Group, the Chair and members of which he was especially grateful to. Reports of the 38<sup>th</sup> and 39<sup>th</sup> Meetings of the Standing Committee are attached as Annex V and Annex VI to this report.

59. Mr. Sulayem noted that a new Intersessional Working Group would need to be established for development of the Convention's new Strategic Plan for the period 2015-2020. The Standing Committee had also received the reports of the Budget and Finance Committee. It was pleasing to see that the Convention's finances were sound and thanks were due to the Chair and members of the Budget and Finance Committee.

60. Mr. Sulayem reported that immediately following the 38<sup>th</sup> Meeting of the Standing Committee, a closed consultative session had been held with Mr. Bakary Kante, Head of UNEP's Division of Environmental Law and Conventions (DELIC) and the CMS Executive Secretary, at which Ms. Mrema's wish, for family reasons, to step down and return to Nairobi had been conveyed to the Committee. The Standing Committee had been assured that Ms. Mrema would remain in her position until a successor had been recruited and that the process for that recruitment would be fully transparent. He wished to place on record his thanks for the professional leadership of Ms. Mrema and her contribution to the work of the Convention.

61. In closing, Mr. Sulayem recorded his heartfelt gratitude to the members of the Standing Committee for their trust, guidance, support and valuable input. He thanked in particular the Vice-Chair, Mr. Alfred Oteng-Yeboah, Ghana, as well as the Executive Secretary and her team. It had been an honour to represent the Parties, his region and his country in chairing the Standing Committee and he wished the new Standing Committee well in its work over the coming triennium.

62. The representative of India welcomed enhanced links between biodiversity-related MEAs, including CMS, CITES, CBD and Ramsar, and looked forward to much greater integration in the future. He underlined the challenges faced by developing countries, in particular, in their efforts to protect biodiversity.

63. In response to a question from the representative of Guinea, the Chair of the Intersessional Working Group on Flyways, Mr. Taej Mundkur, commented briefly on the Working Group's outputs.

64. Speaking on behalf of UNEP's Executive Director, Mr. Kante expressed UNEP's appreciation of the competence with which the Chair of the Standing Committee had fulfilled his mandate. Mr. Sulayem had never underestimated his responsibility towards the Convention. He confirmed that UNEP would speed up the process to recruit a new Executive Secretary for CMS, in full partnership with the Standing Committee. He also underlined UNEP's commitment that Ms. Mrema would continue in her position until a new Executive Secretary had been selected.

65. The representative of Norway expressed gratitude for the warm words from many participants with regard to her country's role in hosting the COP. Welcoming Mr. Kante's statement, Norway wished to underline the importance of full transparency in the recruitment of the new CMS Executive Secretary. With regard to the immediate work of the COP, the

main challenges still lay ahead. It was important to focus on reaching positive results by the close of the Meeting in just four days' time.

**(b) Scientific Council**

66. Mr. John Mshelbwala (Nigeria), Chair of the Scientific Council, presented his report contained in document UNEP/CMS/Conf.10.8: *Report of the Chair of the Scientific Council*. He also drew attention to the draft report of the 17<sup>th</sup> Meeting of the Scientific Council (ScC17), held in Bergen on 17-18 November 2011, and which was available as document UNEP/CMS/Inf.10.22. He tabled a small number of editorial amendments to the latter document, which the Secretariat noted for incorporation into the final report. Mr. Mshelbwala underlined his conviction that two days had been insufficient for ScC17 and that some important work had been rushed as a consequence. The Report of the 17<sup>th</sup> Meeting of the Scientific Council is attached as Annex VII to this report.

67. The current Chair and Vice-Chairs were stepping down with effect from COP10. At its 17<sup>th</sup> Meeting, the Scientific Council had nominated Mr. Fernando Spina (Italy) as Chair and Ms. Malta Qwathekana (South Africa) as Vice-Chair. The COP-Appointed Councillors for taxonomic and thematic issues had all indicated their willingness to continue, with the exception of Mr. Roberto Schlatter, Appointed Councillor for Neotropical Fauna, who was stepping down due to health reasons, and Mr. John O'Sullivan, Appointed Councillor for Birds, who was retiring. The Council had nominated Mr. Rodrigo Medellín (Mexico) to be the new Appointed Councillor for Neo-tropical Fauna, and Mr. Leon Bennun (Head of Science for BirdLife International) to be the new Appointed Councillor for Birds. The COP was requested to confirm these appointments. The Scientific Council was also asking the COP to give consideration to establishing an additional Appointed Councillor position as proposed by Resolution 10.19 to deal with the issue of climate change, which had been dealt with on an *ad hoc* basis by one of the Vice-Chairs during the last triennium.

68. In closing, Mr. Mshelbwala expressed his thanks to all the Scientific Councillors, especially the two Vice-Chairs, and to the Secretariat.

69. The Chair stated that the COW had taken note of Mr. Mshelbwala's report and thanked him for his efforts over the last two triennia.

70. The representative of India referred to the Central Asian Flyway Action Plan (CAF) and the urgency of establishing a legal and institutional framework for CAF through the extension of AEWA, given the lack of progress since 2005. India continued to take a strong interest in Central Asian Flyway issues and was also proposing to join the East Asian-Australasian Flyway Action Plan.

**(c) Article IV Agreements/MoUs**

71. Ms. Melanie Virtue (Acting Agreements Officer, CMS Secretariat) introduced document UNEP/CMS/Conf.10.9: *Progress in the Development and Implementation of Article IV Agreements already Concluded, and Development of New Agreements*.

72. Ms. Heidrun Frisch (ASCOBANS Coordinator/CMS Marine Mammals Officer) introduced document UNEP/CMS/Inf.10.18.2: *Report of the joint CMS/ASCOBANS Secretariat*. During the triennium the extension of the ASCOBANS area entered into force and the Agreement's title was amended accordingly to the Agreement on the Conservation of

Small Cetaceans of the Baltic, North-East Atlantic, Irish and North Seas (the acronym ASCOBANS was however retained). The Sixth Meeting of the Parties (MOP6) took place 16-18 September 2009 in Bonn. The effect of the extension of the ACCOBAMS Area into waters covered by ASCOBANS and the evaluation of the Agreement's Secretariat functions are covered in greater detail under Agenda Items 13(b) and 13(c).

73. Ms. Marie-Christine Grillo-Compulsione (Executive Secretary of the Agreement on the Conservation of Cetaceans of the Mediterranean and Black Seas and adjacent Atlantic Area - ACCOBAMS) introduced document UNEP/CMS/Inf.10.18.1: *Report on ACCOBAMS activities*. The Fourth Meeting of Parties (MOP4) took place 9-12 November 2010, when a new bureau was elected and agreement reached to extend the ACCOBAMS Agreement Area into the Atlantic. The Arab League expressed possible interest in extending the Agreement Area into the Red Sea. The Seventh Meeting of the Scientific Committee also took place in Monaco 21-31 March 2011.

74. Ms. Andrea Pauly (CMS Secretariat) introduced document UNEP/CMS/Inf.10.18.5: *Agreement on the Conservation of Gorillas and Their Habitat – Report of the Interim Secretariat*. The Agreement was still being administered directly by the CMS Secretariat and had benefited from additional support from a consultant funded by Monaco and Germany. Public awareness activities arising from the “Year of the Gorilla” campaign included a symposium at the Frankfurt Zoological Society culminating in the “Frankfurt Declaration”. The First Meeting of the Technical Committee had taken place in Rwanda in March 2011.

75. Mr. Andreas Streit (EUROBATS Executive Secretary) introduced document UNEP/CMS/Inf.10.18.4: *Report of the EUROBATS Secretariat*. Membership of the Agreement had increased through the accession of Montenegro and San Marino, while the Sixth Meeting of the Parties had agreed to extend the Agreement Area to cover the entire Western Palaearctic through the inclusion of North Africa and the Middle East. The Secretariat had collaborated with the Food and Agriculture Organization in promoting bat conservation through a series of workshops in Africa.

76. Mr. Marco Barbieri (Acting AEWA Executive Secretary) introduced document UNEP/CMS/Inf.10.18.3: *Report of the AEWA Secretariat*. The long-serving Executive Secretary of AEWA, Mr. Bert Lenten, was appointed Deputy Executive Secretary of the parent Convention in May 2011 after nearly two years covering both posts. Over the triennium nearly €1.3 million had been received in voluntary contributions with the main activities funded being the African Initiative, the Lesser White-fronted Goose project and the concluding phases of the *Wings Over Wetlands* (WOW) UNEP-GEF African-Eurasian Flyways Project. The consultant running the African Initiative had increased recruitment efforts in that continent and had held two workshops for non-Parties during the 15<sup>th</sup> Anniversary event in The Hague. The anniversary was also marked by the publication of a history of the Agreement written by AEWA's patron, Dr. Gerard C. Boere. The *Wings over Wetlands* project came to a close, but the partnership that had steered the project was to continue. The first case under the Implementation Review Process (IRP) established at the Fourth Meeting of the Parties was investigated and concerned illegal hunting of Sociable Lapwings in Syria. AEWA also participated in the Ramsar Advisory Mission (RAM) to the Marremou complex in Mozambique. Mr. Barbieri highlighted the fact that World Migratory Bird Day, a collaborative venture with CMS, had gone from strength to strength since its inception in 2006 and was celebrated in 2010 and 2011 respectively under the slogans “Save migratory birds - every species counts” (closely linked to the International Year of

Biodiversity theme) and “Land use changes from a bird’s-eye view”. AEWAs were also in the vanguard of developing a system of on-line reporting in conjunction with UNEP-WCMC. The system would be used for the next reporting cycle leading up to the Fifth Meeting of the Parties in 2012 and would be adapted for adoption by CMS.

77. Mr. Moulay Lahcen El Kabiri (Executive Coordinator of the UNEP/CMS Office in Abu Dhabi) introduced document UNEP/CMS/Inf.10.18.10: *Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia* as well as an update on the establishment and work of the UNEP/CMS Office in Abu Dhabi. The Interim Coordinating Unit of the Raptors MoU was based in the UNEP/CMS Project Office in Abu Dhabi. The process of recruiting a replacement Project Officer (Birds) was nearing its conclusion and the number of signatories to the MoU was increasing steadily.

78. Ms. Donna Kwan (Dugong Officer, UNEP/CMS Office in Abu Dhabi) introduced document UNEP/CMS/Inf.10.18.11: *Memorandum of Understanding on the Conservation and Management of Dugongs and their Habitats throughout their Range*. The UNEP/CMS Dugong MoU, which has 19 signatories and over 40 Range States, is serviced by UNEP/CMS Office - Abu Dhabi with the support of a full time dedicated Programme Officer who commenced appointment in September 2009. Since the establishment of the UNEP/CMS Office - Abu Dhabi, the Dugong MoU has secured eight new signatories. Mozambique became the 19<sup>th</sup> signatory in April 2011. More countries, including Thailand, have recently expressed an interest to sign in 2011. A series of Workshops on dugong conservation (in Phuket, Goa, Antananarivo and Abu Dhabi) has been held.

79. Ms. Virtue (Secretariat) noted that two CMS Article IV Agreements were not represented at the current Meeting but had submitted written reports, namely documents UNEP/CMS/Inf.10.18.6: *Report on Progress with Implementation of the Agreement on the Conservation of Albatrosses and Petrels 2008-2011 (ACAP)* and UNEP/CMS/Inf.10.18.7: *Implementation of the Agreement on the Conservation of Seals in the Wadden Sea*.

80. Attention was also drawn to the report submitted by the Secretariat of the Memorandum of Understanding on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia (IOSEA) contained in document UNEP/CMS/Inf.10.18.8. Six new signatures had been secured bringing total membership to 33. Development of a site network proposal was being advanced through the services of a consultant. The IOSEA Capacity Building and Technical Support concept was being elaborated as well as a Satellite Tracking Meta-database and online Bibliography Resource.

81. The Chair thanked all those who had presented reports, noting that this agenda item had clearly shown what it meant for CMS to be a framework instrument. He invited comments from the floor.

82. The representatives of Argentina, Chile and Paraguay reported on the implementation of CMS Agreements and MoUs in South America, underscoring that this had been largely achieved through resources provided from the region itself, which was a notable achievement given the scarcity of financial support available within developing countries.

83. The representatives of Congo and Senegal noted their concern at the lack of financial support for implementation of the Gorilla Agreement and the MoUs on African Elephants and Marine Turtles, which strongly compromised their implementation.

84. The representative of India expressed his country's interest in becoming a signatory to the Raptors MoU. He also urged countries in the South Asia sub-region that had yet to sign the Dugong MoU to do so as soon as possible.

**(d) UNEP**

85. The observer from UNEP presented document UNEP/CMS/Inf.10.17: *Report of Activities undertaken by UNEP*. She mentioned that UNEP had been an active player in the Future Shape process and had played a key role in the Great Ape Survival Partnership and in the Gorilla Agreement. UNEP had facilitated capacity development in 17 countries in Latin America and, in cooperation with UNEP/WCMC, had developed and tested online reporting tools. UNEP was now working towards harmonized, interoperable information management systems through a UN information portal on MEAs (InforMEA). The 2010 Biodiversity Indicators Partnership was facilitating the use of indicators to better conserve migratory species. UNEP had arranged the first plenary meeting of IPBES in Nairobi in October 2011 and was supporting seven posts within CMS from programme support costs.

**STATEMENTS FROM STATES (ITEM 11)**

**(a) Depositary & Host Country**

86. The representative of Germany presented the document UNEP/CMS/Conf.10.6/Rev.1: *Report of Depositary* covering the years 2009-2011. Since COP9, six parties had acceded to CMS, namely: Armenia, Burundi, Equatorial Guinea, Ethiopia, Montenegro and Mozambique. One additional country, Kyrgyzstan, was preparing for accession. There were now 116 Parties comprising 115 Member States and one Regional Economic Integration Organization (REIO), the EU. The Ministry of Foreign Affairs of Germany had encouraged the accession of more Parties by instructing German embassies to support countries wishing to accede to CMS.

**(b) Party States (including REIOs)**

87. Mr. Francisco Rilla (Information Officer, CMS Secretariat) introduced document UNEP/CMS/Conf.10.11: *Analysis and Synthesis of National Reports*. A total of 68 reports had been received by the deadline of 31 May 2011 and a further 11 had been received up to 21 November 2011.

88. The observer from UNEP/WCMC presented an analysis of the National Reports, which provided the best means of assessing the implementation of the Convention. Recommendations were made under the following headings: knowledge exchange and management, linkages with other international instruments and bodies, nomenclature and taxonomy, species related activities and national reporting.

89. The representative of Argentina stated that, in relation to documents UNEP/CMS/Conf.10.11/Annex 1, UNEP/CMS/Inf.10.18.6, UNEP/CMS/Inf.10.28 and UNEP/CMS/Inf.10.5, a note had been submitted to the Secretariat of the Convention. Concerning the documents in which the United Kingdom of Great Britain and Northern Ireland had referred to its national report on the implementation of the Convention (UNEP/CMS/Inf.10.12.48 and related documents), she reported that the delegation of

Argentina had presented a note to the Secretariat of the Convention. The representative of Argentina further requested that both notes be circulated as official documents of COP10 and annexed to the final report of the Meeting. Statements annexed to this report.

90. Referring to the statement made by the representative of Argentina, the representative of the United Kingdom noted that the UK was also providing a note to the Secretariat to be attached as an Annex to the Final Report of the COP. Statements annexed to this report.

91. The representative of India provided information about the implementation of the Convention in his country and expressed the need for more guidance from the Secretariat, and the Chair responded that the Secretariat would provide the necessary guidance.

92. Mr. Rilla summed up by pointing out that National Reports were the best way of assessing implementation and progress being made by the Convention. He urged all countries to recognize the need for funding for analysis of the National Reports, and to include this in the core budget of the Secretariat. He thanked those countries that had observed the deadline for submission of National Reports and urged submission of outstanding reports by 31 December 2011.

## STATEMENTS ON COOPERATION (ITEM 12)

### (a) Synergies and Partnerships

93. Ms. Laura Cerasi (CMS Secretariat) introduced document UNEP/CMS/Conf.10.28: *Report on Synergies and Partnerships*. Three types of partnership were recognized: (i) formal partnerships, such as the Biodiversity Liaison Group (BLG); (ii) *de facto* Partnerships, such as with WWF Russia concerning conservation of the Bukhara Deer; and (iii) partnerships within the UNEP and CMS Family, for example campaigns such as World Migratory Bird Day and Year of the Bat. She invited the COP to take note of the report and to make suggestions for future collaborations.

94. Mr. Rilla introduced documents UNEP/CMS/Conf.10.26: *Outcomes of the 10<sup>th</sup> Conference of the Parties to the Convention on Biological Diversity and Decisions Relevant to CMS and its Parties*, and UNEP/CMS/Res.10.18: *Guidelines on the Integration of Migratory Species into National Biodiversity Strategies and Action Plans (NBSAPs) and Other Outcomes from CBD COP10*. These documents summarized the outcomes of CBD COP10 and the decisions relevant to CMS. The UN General Assembly had declared the period 2011-2020 as the Decade of Biodiversity, and Parties were urged to participate fully in related activities. The importance of National Biodiversity Strategies and Action Plans (NBSAPs) and progress in their implementation were emphasized.

95. The representative of the EU expressed the belief that National Focal Points played a crucial role in the preparation of NBSAPs.

96. The representative of Egypt noted the need to quantify on-the-ground achievements. A recent workshop in Lebanon with the aim of improving Action Plans from the Arabian region had been useful, but had lacked quantitative outputs for presentation to decision makers.

97. The representative of Senegal expressed the need to include AEWAs in the list of organizations with which reporting should be harmonized. He also commented that the funding mechanisms for NBSAPs were unduly cumbersome.

98. The representative of India reported that India had organized a meeting of eight countries – four from Africa and four from Asia – dedicated to the conservation of elephants. India was now planning a major congress, involving 50 range states, in 2013.

99. The representative of Morocco reminded the Meeting that synergy was not efficient unless it was translated into action in countries party to the Convention. National Focal Points were often not the same for different MEAs, and support was needed to establish a functional means of synergy between convention Focal Points at national level.

100. The representative of Seychelles commended efforts to streamline international nature conservation reporting and to harmonize national action plans.

101. The observer from IUCN referred to the fourth meeting of Chairs of the Scientific Advisory Bodies of the Biodiversity-related Conventions (CSAB) which had taken place at IUCN Headquarters in February 2011. One aim of this meeting had been to ensure that strategies were aligned. He considered that CMS could contribute to a number of the targets and undertook to circulate the final report of the meeting when it was completed.

**(b) Biodiversity-related MEAs (including CBD COP10 and NBSAPs)**

102. The observer from BirdLife International supported the interventions of Egypt and Morocco and expressed the opinion that MEAs were only as good as their implementation.

103. The observer from CITES recalled that the 38<sup>th</sup> Meeting of the CMS Standing Committee had received details of cooperation between CMS and CITES over the past three years, including the Joint Work Plan agreed for 2012-2014. There had been good practical progress on species nomenclature, on Saiga antelope and on African elephants. He saluted representatives of Mongolia, China and elephant range states for their cooperation.

104. The representative of the EU and the observers from BirdLife International and the Ramsar Convention tabled amendments to Resolution 10.18.

105. The Chair requested all delegates that had proposed amendments to Resolutions to pass the texts of their amendments to the Secretariat as soon as possible. The Executive Secretary said that all proposed changes to Resolutions received in writing from Parties would be included and shown as tracked changes for the benefit of the Committee of the Whole.

**(c) Intergovernmental Science and Policy Platform on Biodiversity and Ecosystem Services (IPBES)**

106. Ms. Virtue (CMS Secretariat) introduced document UNEP/CMS/Conf.10.47: *The Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES) – Background Note for draft Resolution 10.8* and UNEP/CMS/Resolution 10.8: *Cooperation between the Inter-governmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and CMS*. She explained that IPBES had been established to meet the need for a consistent global mechanism synthesizing and analysing information on biodiversity and ecosystem

services for policy makers. The First Plenary Meeting in Nairobi in October 2011 had established principles and procedures and initiated institutional arrangements.

107. Mr. Colin Galbraith (UK), Vice-Chair of the Scientific Council, reported on his attendance at the First Plenary Meeting of IPBES in Nairobi and remarked on how struck he was by the value of IPBES to biodiversity conservation, and particularly to CMS. There was a strong potential role for CMS in assisting IPBES. Engagement with IPBES would encourage scientists to collate and analyse data and to use them to inform policy and practice.

108. Proposed amendments to draft Resolution 10.8 were tabled by the representatives of Argentina, the EU and Switzerland. The representative of the EU also tabled amendments to draft Resolution 10.21.

109. On the subject of retiring Resolutions, the Executive Secretary explained that a specific agenda item (under Formal and Concluding Business on Day 5) would be devoted to establishing a mechanism for streamlining decisions and bringing Resolutions from past COPs up-to-date by retiring those decisions or parts of decisions that had become obsolete.

**(d) Other intergovernmental bodies and  
(e) Non-governmental organizations**

110. The Chair suggested that in order to keep ahead of time, and since intergovernmental bodies and non-governmental organizations were supposed to have submitted written statements to the Secretariat in advance, he sought the indulgence of the COW for the position that reports submitted to the Secretariat were adopted.

### **III. CURRENT STATUS AND “FUTURE SHAPE” OF THE CONVENTION**

#### **PROCESS REGARDING THE FUTURE SHAPE OF CMS (ITEM 13)**

**(a) Proposals on organization and strategic development of the CMS Family**

111. This sub-item was considered jointly with Agenda Item 9, by Plenary Session on 21 November 2011 – see paragraphs 41 to 57.

**(b) Extension of the ACCOBAMS area**

112. The Executive Secretary reported that the 4<sup>th</sup> Meeting of Parties to ACCOBAMS, held in November 2010, had extended the geographical scope of the Agreement in response to a request from the Governments of Spain and Portugal (both Parties to ACCOBAMS, but non-Party range states under ASCOBANS), to include all the continental waters of both countries. The effect of this extension was an overlap with the geographical scope of ASCOBANS. The MOP had called upon the two instruments to work closely to avoid any overlap or duplication in activities. Ms. Mrema advised that the amendment would only enter into force when ratified by a sufficient number of Parties.

113. The Secretariat had received notification only after the amendment proposals had been officially submitted to ACCOBAMS. The ASCOBANS Advisory Committee, after reviewing the matter, had asked ACCOBAMS Parties to defer a decision until the outcome of the Future

Shape process was determined; this had, however, not been done. Ms. Mrema recalled paragraphs 119 to 127 of the report of CMS COP8, which had called for CMS Parties to be involved in any discussions regarding extension of an Agreement's geographical scope and noted that this had not happened in this particular case.

114. The ACCOBAMS Secretariat and the representatives of Spain and Monaco (Depository) provided further background clarification. The representative of Egypt expressed support for the process and noted his country's interest in the potential extension of ACCOBAMS to the Red Sea.

115. The representative of India reported on his country's activities at national, regional and international levels for the conservation of cetaceans, and indicated that he would be pleased to share information with other Parties.

116. The observer from ACCOBAMS emphasized that the extension had provided a wonderful opportunity to collaborate with ASCOBANS and that cooperative initiatives had already been put in place, very much in the spirit of the Future Shape.

**(c) Merger of CMS and ASCOBANS Secretariat functions**

117. The Executive Secretary drew attention to documents UNEP/CMS/Inf.10.32: *Evaluation of the Merger of the ASCOBANS Secretariat with the CMS Secretariat* and UNEP/CMS/Conf.10.34: *The Merger of CMS and ASCOBANS Secretariat Functions*. She summarized the benefits and limitations of the arrangement and spoke positively of the good working atmosphere achieved. In noting that COP10 would confirm the organizational arrangements for the coming triennium, Ms. Mrema said that the lessons learned so far needed to be taken into account as the Future Shape process evolved.

118. The representative of the Netherlands, as Chair of the Working Group that had evaluated Secretariat arrangements, reported that the CMS Secretariat had started to serve as provisional Secretariat of ASCOBANS for a trial three-year period starting in 2007. A UNEP evaluation in 2008 had concluded it was too early to assess progress, so the 2009 MOP had decided to continue the arrangement for another three years, during which a second evaluation was to be completed by a working group consisting of Belgium, Denmark, Germany and the Netherlands. This review had been completed earlier this year and the findings presented as document Inf.10.32. While the general conclusion was positive, arrangements for the longer-term depended on Future Shape outcomes.

119. The Chair asked for comments and as none were forthcoming, he declared that the COW had taken note of the outcome of the evaluation and endorsed the documents.

**CMS STRATEGIC PLAN (ITEM 14)**

**(a) Assessment of the implementation of the Strategic Plan 2006-2011**

120. Mr. Borja Heredia (Scientific Officer, CMS Secretariat) introduced document UNEP/CMS/Conf.10.21: *Contribution of the CMS Secretariat to the Implementation of the Strategic Plan 2006-2011 (Triennium 2008-2011)*, which gave an overview of activities that had been carried out in support of each of the Plan's objectives. It included financial

information, and information and comments on progress with implementation. The Strategic Plan had served the Convention's purposes well. It would be for the COP to decide on the format of the next Strategic Plan.

121. The representative of Egypt welcomed the report and emphasized the need to link the Strategic Plan with the Future Shape process.

122. The representative of the EU felt that essential information was missing, making it difficult to evaluate whether the Strategic Plan's objectives had been implemented effectively.

123. The representative of Senegal noted that document Conf.10.21 contained mention of a long-term financial strategy for Marine Turtles, but that this had not been received in his region.

**(b) Strategic Plan 2012-2014**

124. Mr. Heredia introduced document, UNEP/CMS/Conf.10.22: *Updated Strategic Plan 2006-2014*, and the associated draft Resolution, UNEP/CMS/Resolution 10.5: *CMS Strategic Plan 2015-2020*. The updated Strategic Plan for 2012-2014 would maintain the present structure and objectives, but with a revision of some activities. The Intersessional Working Group to be constituted by COP10 would take on development of the Strategic Plan 2015-2020 in light of Future Shape outcomes.

125. Referring to draft Resolution 10.5, Mr. Heredia reported that the Scientific Council had made one proposed amendment, requesting the Secretariat to facilitate the process for external assessment of the Strategic Plan 2006-2011. He recalled that the COP Working Group on the Strategic Plan had been set up on 20 November 2011 and would give further consideration to the draft Resolution.

126. Belgium, Chair of the COP Working Group on the Strategic Plan, said that the Group had discussed the terms of reference for the Intersessional Working Group (IWG) which would lead on the development of the new Strategic Plan. Several amendments were proposed to clarify the text in relation to the composition of the IWG and what should be taken into account, especially in relation to Future Shape, the CBD Strategic Plan for Biodiversity, the strategic documents of other MEAs, the role of regional representation on the IWG and the involvement of the whole CMS Family. Timing was an issue since COP10 would need to make decisions on the Chair and Vice-Chair, and it was felt that regional groups should try to present nominations for regional representatives by the close of the COP on Friday, 25 November 2011. If this presented problems for some regions, the draft Resolution could be amended so that composition could be finalized one month after closure of COP10.

127. The representative of Norway, Chair of the COP Plenary, said that the Bureau had also discussed this matter and was in agreement with the view put forward by Belgium but suggested that the IWG should be a select group of experts, with nominations from each region of a permanent member and one alternate, selection to be based on Standing Committee review of short CVs during the intersessional period. The Group would be open-ended.

128. The observer from the Migratory Wildlife Network asked for proposed amendments to the terms of reference for the IWG to be circulated.

129. The Chair of the COP Working Group, picking up on Norway's comments, said that the Group would try to come back with a revised proposal. There were three issues related to the Strategic Plan, namely extension of the current Strategic Plan, the development of the Strategic Plan for 2015-2020 and the terms of reference for the IWG; exactly what the COP Working Group was supposed to be looking at was not altogether clear.

130. Mr. Heredia, for the Secretariat, said it made sense for the COP Working Group to look at all the issues and documents relating to the Future Strategic Plan.

#### IV. CMS ACTIVITIES AND KEY ISSUES

##### MEASURES TO IMPROVE THE CONSERVATION STATUS OF APPENDIX I SPECIES (ITEM 15)

###### (a) Progress on concerted and other actions for CMS species that are not covered by an Article IV instrument

131. Mr. Heredia (CMS Secretariat), introduced document UNEP/CMS/Conf.10.12: *Progress on Concerted and Other Actions for CMS Species that are not covered by an Article IV Instrument*.

132. He referred to an emblematic project for CMS, the Sahelo-Saharan Megafauna Concerted Action, which had been funded by the Fonds Français pour l'Environnement Mondial (FFEM) and the EU, and introduced Ms. Beudels, Scientific Councillor for Belgium and convenor of the Terrestrial Mammals Working Group, who made a presentation about this initiative. She emphasized the rich and varied biodiversity of this huge region and explained that it was poorly known and under-appreciated. She described Concerted Actions in Tunisia/Morocco and in Niger/Chad that had been implemented in the previous triennium. The engagement of local communities had ensured strong commitment from pastoralists to the conservation of these animals. Important future steps were to organize a third meeting of the range states, to develop an instrument to formalize activities, to revive work in Chad, to implement the reintroduction of captive-bred Scimitar-horned Oryx (*Oryx dammah*) and to identify goals for rural development.

133. The representative of India stated that his country did not believe it was necessary to list the Tiger (*Panthera tigris*) as a CMS Appendix I species. On another point, there was a need to study the impacts of large infrastructure projects, such as mines, dams and major roads, on the routes of migratory species. This would be of great interest in India, where wildlife corridors were being adversely affected.

134. The representative of the EU noted that Concerted and Cooperative Actions were benefiting a number of migratory species. There was, however, no standardized system to measure the usefulness of these actions. She considered it important that these actions were recorded and reported. The EU had tabled amendments to draft Resolution 10.23 and would submit these to the Secretariat.

135. The representative of Senegal expressed his support for the Sahelo-Saharan Megafauna Concerted Action and gave details of a related project in Senegal in which eight captive bred gazelles had grown to a semi-captive herd of over 100 animals. Senegal was also cooperating with Spanish scientists in a study of Dama Gazelle (*Nanger dama*). He requested technical support from CMS for mitigating the impacts of human-wildlife conflicts.

136. The representative of Niger thanked partners and donors and called on the COP to continue funding for the project. He informed the Meeting that the Termit reserve would soon be listed as a protected area.

137. The representative of Guinea echoed the interest of India in the impacts of large infrastructure projects and referred to the bauxite reserves in his country, amounting to two-thirds of the world's supply, which would soon be developed on a massive scale. He invited guidance from the Secretariat to help mitigate the impacts of these developments.

138. The representative of New Zealand commended document Conf.10.36 for its clarity and standard of analysis. She was very supportive of the list of 10 key actions in paragraph 58. She proposed that for clarity, these actions should be included in draft Resolution 10.23 and that the text of the Resolution should be amended. New Zealand would forward specific proposed amendments to draft Resolution 10.23 to the Secretariat.

139. Mr. Heredia responded to the interventions, noting that they referred to documents under several agenda items. He mentioned the Central Eurasian Aridland Mammals Concerted Action. German support had allowed a Junior Professional Officer to work on migratory species in the Central Asia region. There was now a draft Action Plan that would be discussed by the Parties in the region in due course.

140. Mr. Heredia agreed with India and Guinea that it was important to discuss habitat fragmentation caused by large infrastructure projects. He mentioned that a study of the impacts of infrastructure developments on mammals had started in Mongolia, funded by the Principality of Monaco. This small pilot project could potentially be extended to other areas. He identified this topic as a priority for the next triennium. With regard to Concerted Actions, one tangible response had been the proposed inclusion of Argali (*Ovis ammon*) for listing on Appendix II.

141. The question of the Tiger raised by India was of interest and he thought it important that the Secretariat should understand the experiences of the range States. CMS had participated in the Tiger Forum in St. Petersburg and was willing to share its experiences but this depended on the interest of the Parties. There were no plans at present for work on Tigers.

**(b) Other measures to promote the conservation of Appendix I species**

142. Ms. Aline Kühl (CMS Secretariat) presented draft Resolution UNEP/CMS/Resolution 10.23: *Concerted and Cooperative Actions* and UNEP/CMS/Inf.10.28: *Activities Reported by Parties on Concerted Actions*. She reported that the Scientific Council had reviewed proposals for additions of species for concerted and cooperative action (annexes I and II to the Resolution), and had agreed to the removal of species from the annexes where the entire global range was covered by a CMS instrument. She concluded by inviting comments on draft Resolution 10.23.

143. The observer from CITES referred to annex I of the Resolution where the African Elephant was listed as two species. He suggested merging the two rows of the table under the name *Loxodonta africana*. CITES had already raised this point at the Scientific Council Meeting but the amendment had not yet been made.

144. The observer from BirdLife International supported the Concerted Action for the American sub-species of Red Knot (*Calidris canutus rufa*), as also proposed at COP8 by

Argentina. Hunting in the Caribbean appeared to be a problem for waders but little was known about it. The observer from BirdLife International suggested a study in the region to report back to Scientific Council in the next triennium.

145. The observer from BirdLife International also supported the Bristle-thighed Curlew (*Numenius tahitiensis*) for listing on Appendix I and the inclusion of the species for Concerted Action. This was a flagship species for a suite of six shorebird species wintering on the islands of the Pacific. BirdLife International proposed a Species Action Plan for this bird to include a workshop in the Pacific region, ideally back to back with a Pacific flyway meeting.

146. The observer from the Migratory Wildlife Network asked for the opinion of the Scientific Council concerning elephant nomenclature.

147. Mr. Heredia clarified that according to Wilson and Reeder (2005), the CMS taxonomic reference adopted at COP9 for terrestrial mammals, two species of African elephants were recognized, *Loxodonta africana* and *Loxodonta cyclotis*, and as such it was reflected in the CMS Appendices.

148. The representative of Chile supported BirdLife International with regard to the development of Concerted Actions for the *rufa* Red Knot sub-species, in addition to the existing Concerted Actions. There was already research targeting this population involving Argentina, Brazil, Chile and Uruguay.

149. The representative of the EU noted that BirdLife International's proposals required discussion and requested that this issue should be deferred until later in the COP, while the representative of India pointed out that many species of the Central Asia Flyway were listed on Appendix II. He urged Parties to initiate action plans for these species.

#### **MEASURES TO IMPROVE THE CONSERVATION STATUS OF APPENDIX II SPECIES (ITEM 16)**

- (a) Development of new and future Agreements and**
- (b) Other measures to promote conservation and sustainable management of Appendix II species**

150. Ms. Virtue (CMS Secretariat) introduced documents UNEP/CMS/Conf.10.9: *Progress in the Development and Implementation of Article IV Agreements Already Concluded, and Development of New Agreements*, UNEP/CMS/Res.10.16: *Priorities for CMS Agreements*, and UNEP/CMS/Conf.10.46 *Executive Summary: Analysing Gaps and Options for Enhancing Elephant Conservation in Central Africa*.

151. She said that the implicit assumption that the Secretariat would continue to service all MoUs was no longer valid because of lack of funding. The 37<sup>th</sup> Meeting of the Standing Committee had discussed matching the development of instruments with available funding, and it was clear that the existence of one or more governments willing to take a lead role was a key consideration in the development and launch of successful Agreements. She invited comments on draft Resolution 10.16 and explained that it outlined the procedure for developing new Agreements, giving details for different taxonomic groups.

152. The representative of India pointed out that his country was Party to various CMS instruments and was interested in signing additional proposed instruments, while the

representative of the EU broadly supported draft Resolution 10.16 but noted that the EU would be forwarding a number of proposed amendments to the Secretariat.

153. The observer from the Whale and Dolphin Conservation Society expressed support for CMS and its daughter Agreements and urged range states in the South and East Asia regions to implement the two Cetacean agreements.

154. The representative of New Zealand expressed support for criteria for initiating new instruments in relation to the Future Shape process.

155. The Executive Secretary of EUROBATS added that depending on the outcome and conclusions of the Future Shape process, he strongly encouraged Parties outside Europe to consider initiating instruments for bats. The Year of the Bat was receiving tremendous feedback throughout the world.

156. Mr. Colin Limpus, the Appointed Councillor for Marine Turtles, on behalf of the Scientific Council Working Group, expressed the belief that alternative solutions were better than a large number of CMS instruments. Cooperating with other instruments outside CMS in other parts of the world would increase efficiency and save costs.

157. The observer from the Humane Society International recalled that her organization had played an active role in the development of instruments and provided expertise. The Humane Society was committed to continuing its support on the Migratory Shark MoU.

158. The observer from the Migratory Wildlife Network felt honoured to be the consultant for the Central African Elephant report. She urged range Parties to meet her on the sidelines of the COP and discuss support for recommendations in Conference Document 10.46. The Chair expressed the hope that representatives of Central African countries had taken note of her kind offer.

159. The representative of Paraguay said that MoUs were important tools for the conservation of various species. She expressed concern about the volume of work involved for the Secretariat to service these instruments, especially with regard to the Grassland Birds MoU. She called for a recommendation stating that parties to MoUs could take on the role of organizing meetings.

160. The Secretariat took note of the interventions and advised that the Future Shape Working Group would take many of these issues into account.

#### **ONLINE REPORTING – HARMONIZATION OF INFORMATION (ITEM 17)**

#### **CMS OUTREACH AND COMMUNICATIONS (ITEM 18)**

##### **(a) Capacity building**

161. Mr. Rilla and Ms. Sofia Chaichee (CMS Secretariat) made presentations introducing documents UNEP/CMS/Conf.10.16: *Implementation of the Capacity Building Strategy 2009-2011*, UNEP/CMS/Conf.10.17: *Capacity Building Activities Planned for the Next Triennium 2012-2014* and the associated draft Resolution 10.6 *2012-2014 Capacity Building Activities*.

162. The representatives of Egypt and India both supported draft Resolution 10.6, the former feeling that a more holistic approach to capacity building was needed, one that viewed capacity building as the proper allocation of available resources.

163. The observer from BirdLife International suggested a new paragraph 8 to the draft Resolution, urging the Secretariat, in collaboration with the secretariats of other MEAs, to facilitate workshops to assist the establishment of national coordination mechanisms, such as National Biodiversity Working Groups, for implementation of CMS objectives, its daughter agreements and the other biodiversity MEAs.

164. The observer from FAO commented on potential synergies and encouraged CMS to reach out to other organizations with a view to strengthening joint capacity building activities. He said it was important to measure the success of such activities and to assess how effective the results were for the conservation of migratory species.

165. The Chair of the Intersessional Working Group on Flyways, emphasized the need for strong capacity at local and national level. The UNEP-GEF African-Eurasian Flyways project Wings Over Wetlands had developed training resources which were available in several languages, but roll-out of these resources still needed to be supported.

**(b) “Year of the ...” species campaigns**

166. Ms. Virtue (CMS Secretariat) introduced document UNEP/CMS/Conf.10.13: *Overview of the CMS “Year of ...” Campaigns 2009-2011*.

167. In response to comments by the representative of Egypt, the Executive Secretary of EUROBATS undertook to facilitate contact with an expert on Egyptian bats who was already involved with the “Year of the Bat” campaign, and confirmed that the EUROBATS Secretariat would provide whatever assistance it could for Egypt’s efforts to raise the profile of bat conservation nationally.

168. In reply to a separate issue raised by the representative of Egypt, the Secretariat drew attention to the evaluation of the “Year of...” campaigns which was contained in COP10 document UNEP/CMS/Inf.10.29. The Secretariat noted that it was difficult to assess the impact of such awareness-raising campaigns in terms of conservation results on the ground. The representative of India informed the COP of activities undertaken in his country under the auspices of the International Year of Biodiversity and World Migratory Bird Day.

169. With reference to the “Year of the Gorilla”, the delegate from the United States reported that the United States of America (USA) was currently working with Virunga National Park, Democratic Republic of the Congo, to establish a fund to support the families of those who had sacrificed their lives in the cause of gorilla protection. It was hoped that such a programme might be extended to other protected areas in the future.

**(c) CMS Ambassadors**

170. Ms. Virtue (CMS Secretariat) introduced document UNEP/CMS/Conf.10.25: *Report on the Activities of Ambassadors*. She recalled that the role of CMS Ambassador had been established in 2006. There were currently four Ambassadors: Ms. Kuki Gallmann, Mr. Peter Schei, Mr. Stanley Johnson and Mr. Ian Redmond. She briefly outlined their roles and activities and thanked each of them for their ongoing contribution to CMS.

171. The representative of Egypt, supported by the representative India, urged every participant to think of one person from their country who could become a National Ambassador for CMS.

**(d) Implementation of the outreach and communication plan**

172. Mr. Rilla (CMS Secretariat) introduced documents UNEP/CMS/Conf.10.14: *Report on Outreach and Communication 2009-2011* and the associated draft Resolution UNEP/CMS/Resolution 10.7: *Outreach and Communication Issues*. He summarized CMS information priorities, including the establishment of a new CMS Family web platform.

173. Mr. Florian Keil (AEWA Secretariat) and Ms. Natalie Epler (CMS Secretariat) then presented further details of the proposed new web platform.

174. The representative of Saudi Arabia remarked that the CMS website would benefit from a number of improvements, including input from daughter Agreements and other instruments, comprehensive information on species, a FAQ section, and regular updating of the information presented. He also considered it important to include at least the key links on the front page in other UN languages such as Arabic and Russian. The Secretariat agreed, but reminded the meeting that CMS had only three official languages and that extensive translation into other languages would be difficult to justify financially.

175. The representative of New Zealand, supported by the representative of Australia, noted that proposals for work on the website should be aligned with discussions on the budget and Future Shape process.

**CONSERVATION ISSUES (ITEM 19)**

**(a) Critical sites and ecological networks for migratory species**

176. Mr. Borja (CMS Secretariat) introduced documents UNEP/CMS/Conf.10.39/Rev.1: *Critical sites and ecological networks for migratory species* and UNEP/CMS/Resolution 10.3/Rev.1: *The Role of Ecological Networks in the Conservation of Migratory Species*, as well as UNEP/CMS/Res.10.3/Rev.1/Annex/Rev.1: *Amendments recommended by the Scientific Council at its 17<sup>th</sup> Meeting*.

177. Amendments to draft Resolution 10.3/Rev.1 and its Annex/Rev.1 were proposed by the representatives of Argentina, the EU, Kenya, Norway, the observers from IUCN and the Ramsar Convention, and by the Appointed Scientific Councillor for Asiatic Fauna, speaking also in his capacity as Chair of the Flyways Working Group.

178. The representative of India underlined the importance of enhancing existing ecological networks for migratory species in his region.

179. The representative of Ethiopia called on Parties and the Secretariat to place stronger emphasis on the mass migration of the White-eared Kob (*Kobus kob leucotis*), which was the second largest migration of terrestrial mammals in Africa and possibly the world.

180. Following discussion, the Chair ruled that the draft Resolution 10.3 on ecological networks should be generic in its scope, with specific site networks mentioned as examples. He asked those who had proposed amendments, as well as the Secretariat, to take this into account when preparing a further revision of this document. The Chair requested those who had made proposals relating to marine areas, to meet informally together and to bring forward a joint proposal in due course.

**(b) Barriers to migration**

181. The background to this sub-item was presented by Mr. Hein Prinsen, Bureau Waardenburg bv, the Netherlands.

182. Ms. Kühl (CMS Secretariat) introduced documents UNEP/CMS/Conf.10.29/Rev.2: *Review of the Conflict between Migratory Birds and Electricity Power Grids in the African-Eurasian Region*, UNEP/CMS/Conf.10.30/Rev.2: *Guidelines for Mitigating the Conflict between Migratory Birds and Electricity Power Grids*, UNEP/CMS/Resolution 10.11: *Power Lines and Migratory Species* and UNEP/CMS/Resolution 10.11/Annex: *Amendments recommended by the Scientific Council*.

183. Proposals for amendments to draft Resolution 10.11 were made by Australia, the EU and Norway. These would be provided to the Secretariat in writing.

**(c) Conservation emergencies**

184. Ms. Kühl (CMS Secretariat) introduced documents UNEP/CMS/Conf.10.38: *Modus Operandi for Conservation Emergencies* and UNEP/CMS/Resolution 10.2: *Modus Operandi for Conservation Emergencies*.

185. The representative of the EU recognized the importance of draft Resolution 10.2 but felt that it was not desirable to reserve core budgetary resources for this when the core budget was under pressure. The EU felt it was more appropriate to fund responses to emergencies from voluntary contributions. Proposed amendments to the draft Resolution would be provided in writing to the Secretariat.

186. The representative of Uruguay, supported by the representative of Chile, mentioned the need for the draft Resolution to reflect the role of the World Organization for Animal Health (OIE) and in particular its working group on wildlife diseases. Proposed amendments to the draft Resolution would be provided in writing to the Secretariat.

187. The observer from IUCN described the Save our Species (SOS) Rapid Action Grants, which provided a mechanism for funding responses to emergencies. He proposed to discuss with the CMS Secretariat a simple, flexible way of cooperative working.

188. The observer from FAO agreed with the intervention by Uruguay that it was important to include OIE in a list of all groups collaborating over wildlife health issues. He described the FAO crisis management mechanism and the Emergency Prevention Systems (EMPRES), and stressed the link with draft Resolution 10.22 on wildlife disease. Proposed amendments to draft Resolution 10.12 were provided in writing to the Secretariat.

**(d) Climate change and migratory species**

189. This sub-item was presented by Ms. Kühl (CMS Secretariat), who referred to documents UNEP/CMS/Conf.10.40: *Impact of Climate Change on Migratory Species: the Current Status and Avenues for Action*, UNEP/CMS/Resolution 10.19: *Migratory Species Conservation in the Light of Climate Change* and UNEP/CMS/Resolution 10.19/Annex: *Amendments recommended by the Scientific Council*.

190. The representative of Norway drew attention to the draft 'Message to Durban' that had been circulated to all participants and which Norway would be presenting at the UNFCCC COP7 in Durban, South Africa (28.11.-09.12.2011), to call for stronger integration of biodiversity concerns, specifically migratory species conservation, within climate change adaptation and mitigation.

191. The Chair noted that an informal working group would meet to discuss the draft 'Message to Durban' during the evening of 23 November 2011 and that the document would then become an annex to the COP10 proceedings (see further discussion below in paragraph 407 and Annex VIII).

192. The representatives of Burkina Faso, the EU, Norway and Senegal supported the draft Resolution, with the representative of the EU stressing the importance of collaborative programmes with other MEAs and proposed a number of amendments to the draft Resolution to this effect. A written text would be provided to the Secretariat.

193. The observer from the Wildlife Conservation Society (WCS) called for a standardized methodology for evaluating the susceptibility of migratory species to climate change, urging particular attention in marine environments. WCS also supported the recognition of the close relationship identified by CMS between Resolution 10.19 and Resolution 10.3 on ecological networks and related instruments.

**(e) Migratory aquatic species*****i. Review of freshwater fish***

194. Mr. Zeb Hogan, Appointed Scientific Councillor for Freshwater Fish, outlined documents UNEP/CMS/Conf.10.31: *Executive Summary: Review of Freshwater Fish* (Also UNEP/CMS/Conf.10.33), UNEP/CMS/Resolution 10.12: *Migratory Freshwater Fish* and UNEP/CMS/Resolution 10.12/Annex: *Amendments recommended by the Scientific Council*.

195. The representatives of Egypt and the EU, and the observer from IUCN supported the draft Resolution. The representative of Egypt noted the importance of historical literature in the quantification of decreases in fish stocks. In his country, a publication from 1907 had enabled identification of a decline in freshwater fish diversity from 115 species to just 15. Egypt suggested that Parties should consider preparing proposals for listing freshwater fish under the CMS Appendices.

196. The representative of Paraguay mentioned the importance of the fishery on the Rio de la Plata and the availability of data on which the proposed inclusion of four species under the CMS Appendices was based. Accordingly, Paraguay proposed amendments to the preambular paragraphs of the draft Resolution; these would be provided to the Secretariat in writing.

197. The representative of the EU supported the amendments of the Scientific Council and proposed further amendments to the draft Resolution. These would be provided to the Secretariat.

198. The observer from IUCN provided an update on progress with freshwater fish assessments. Forty per cent of species had now been assessed, with regard to their migratory behaviour and distribution. IUCN had identified 74 species that were threatened, migratory and occurred in at least one country, and so were of particular relevance to CMS. IUCN would welcome reference to these statistics in the preambular text of draft Resolution 10.12. Proposed amendments would be provided in writing to the Secretariat.

**ii. Assessment of bycatch in gillnet fisheries**

199. Mr. Barry Baker, Appointed Scientific Councillor for Bycatch and Chair of the COP Working Group on Marine Issues, introduced the following documents:

- UNEP/CMS/Conf.10.33: *Executive Summary: Assessment of Bycatch in Gill Net Fisheries*
- UNEP/CMS/Inf.10.30: *Assessment of Bycatch in Gill Net Fisheries*
- UNEP/CMS/Resolution 10.14: *Bycatch of CMS-listed Species in Gill Net Fisheries*
- UNEP/CMS/Resolution 10.14/Annex: *Amendments recommended by the Scientific Council*

200. The representative of Ecuador described a number of factual inaccuracies in document UNEP/CMS/Inf.10.30 and requested the Secretariat to take note of more accurate information. The representative of ACCOBAMS also referred to inaccuracies in the report with regard to the Mediterranean; she would be providing corrections to the Secretariat in due course.

201. Mr. Baker reported that both the Scientific Council and the COP Working Group on Marine Issues had some concerns about the consultant's report (UNEP/CMS/Inf.10.30), which due to the timing of delivery had not been peer-reviewed before submission. This would necessitate an intersessional review of its findings prior to COP11. Ecuador had indicated it would cooperate closely in the intersessional review process.

202. Mr. Baker confirmed that draft Resolution 10.14 had been reviewed by the Scientific Council and by the COP Working Group on Marine Issues, which had recommended it for endorsement by the COW.

203. The representative of the EU stated that the EU was broadly supportive of draft Resolution 10.14. He referred to the EU's new Common Fisheries Policy and its more sustainable approach to fisheries management. Proposed amendments to the draft Resolution would be provided in writing to the Secretariat.

**iii. Implementation of Resolution 8.22 on human-induced impacts on cetaceans and  
iv. Programme of work for cetaceans**

204. Mr. William Perrin, Appointed Scientific Councillor for Marine Mammals introduced the following documents:

- UNEP/CMS/Conf.10.35: *Implementation of Resolution 8.22 on Human-Induced Impacts on Cetaceans*
- UNEP/CMS/Resolution 10.15/Rev.1: *Global Programme of Work for Cetaceans*
- UNEP/CMS/Inf.10.31: *Towards a CMS Global Programme of Work for Cetaceans*

205. The Chair of the COP Working Group on Marine Issues noted that the Group had worked hard to prepare a revised version of draft Resolution 10.15, which was rather lengthy and complex. The revised draft Resolution would be posted on the CMS website as UNEP/CMS/Resolution 10.15/Rev.1 for participants to review. Those who wished to propose further amendments were invited to liaise with the Chair of the COP Working Group. Ms. Frisch (CMS Secretariat) provided an overview of the amendments contained in the document. The Chair invited the COW to recommend draft Resolution 10.15/Rev.1 for consideration by the COP Plenary.

206. The representative of Egypt queried the cost of implementing the Programme of Work for Cetaceans and stressed the importance of capacity building and resources for implementation.

207. The Secretariat clarified that the work programme was advisory in nature and would not necessarily have a direct additional cost implication.

**v. Underwater noise**

208. The representative of the EU introduced UNEP/CMS/Resolution 10.24/Rev.1: *Further Steps to Abate Underwater Noise Pollution for the Protection of Cetaceans and Other Migratory Species*. The Resolution was principally a response to noise generated by pile driving during the rapid development of wind turbine complexes in European offshore waters.

209. Ms. Frisch (CMS Secretariat) presented the amendments contained in Resolution 10.24/Rev.1 as a result of the deliberations of the COP Working Group on Marine Issues.

210. The representative of Egypt commented that developing countries were often faced with conflicts between development and environmental protection. The draft Resolution was good, but there was a need to consider the challenges of implementation, especially in developing countries. It was important to consider simpler, less expensive solutions.

211. The representative of Argentina suggested inserting reference to the United Nations Convention on the Law of the Sea (UNCLOS) in operative paragraph 6. The acceptability for this would need to be checked by the Working Group.

212. The Chair invited the COW to recommend draft Resolution 10.24/Rev.1 for consideration by the COP Plenary.

**vi. Marine debris**

213. Mr. Nigel Routh (Australia) gave a presentation on the threat posed for marine species by marine debris and introduced document UNEP/CMS/Resolution 10.4: *Marine Debris*.

214. The representatives of Cameroon, Congo (Brazzaville), the EU, Guinea and Senegal supported the draft Resolution. The representative of Congo (Brazzaville) described marine

debris as a serious and significant problem for coastal countries, especially with respect to marine turtles in Congo. Congo urged the use wherever possible of biodegradable materials to help overcome the problem.

215. The representative of the EU said the EU was still working on proposed amendments to draft Resolution 10.4 and would provide the amendments in writing to the Secretariat and COP Working Group on Marine Issues in due course.

216. The representative of Guinea suggested expanding the draft Resolution to cover freshwater habitats. Guinea invited development partners to support the efforts of Parties in the implementation of their national management plans for marine and freshwater debris.

217. Ms. Frisch (CMS Secretariat) introduced the changes to the draft Resolution proposed by the COP Working Group on Marine Issues. The main change was adoption of the widely used definition of marine debris used in the Honolulu Strategy.

**(f) Migratory avian species**

***i. Bird flyway conservation policy***

218. At the invitation of the Chair, Mr. Heredia (CMS Secretariat) introduced document UNEP/CMS/Conf.10.23: *Bird Flyway Conservation Policy* and the associated draft Resolution UNEP/CMS/Resolution 10.10: *Guidance on Global Flyway Conservation and Options for Policy Arrangements*.

219. Mr. Taej Mundkur, Chair of the Intersessional Working Group on Flyways, made a presentation summarizing the two documents. He noted that three reviews had resulted from the Working Group's mandate:

- Review 1: Existing CMS and non-CMS Agreements – UNEP/CMS/ScC17/Inf.4, Inf.4.1a and Inf.4.1b
- Review 2: Knowledge of flyways, threats and gaps – UNEP/CMS/ScC17/Inf.4.2a, Inf.4.2b
- Review 3: Policy options and future action – UNEP/CMS/ScC17/Inf.4.3a, Inf.4.3b

220. The reviews had led to the identification of a range of key 'issues to consider' and proposals for global coordination and streamlining that were reflected in the draft Resolution. This called for a range of global measures, underpinned by implementation of priority regional activities along each of the African-Eurasian Flyway, the Central Asian Flyway, the American Flyways, the East Asian-Australasian Flyway, the Pacific Flyway and seabird flyways.

221. The representatives of Burkina Faso, Chile, the EU, Guinea, India, Islamic Republic of Iran, Kazakhstan, Kenya, Madagascar, Mali, Niger, Pakistan, Paraguay, Senegal and Switzerland expressed their support for draft Resolution 10.10.

222. The representative of the EU indicated strong support, subject to the availability of funding for implementation. The EU considered it important that the activities of the Working Group continued, and especially supported the reference in paragraph 6 to the conservation of coastal intertidal areas, particularly in South East Asia. The EU would forward specific proposed amendments to draft Resolution 10.10 to the Secretariat.

223. The representative of India supported the strengthening of the institutional framework for the Central Asian Flyway through the extension of AEWA. Building on previous activities, a national coordination group could take this forward in collaboration with Wetlands International, WWF and the Wildlife Institute of India. India was committed to providing a continuing lead on activities related to the Central Asian Flyway, and cooperation with other range states was required. India felt there was a risk of overlap between draft Resolutions 10.10 and 10.16 with regard to measures for the Central Asian Flyway, and sought clarification from the Secretariat as to whether the wording of these two draft Resolutions would be streamlined.

224. The representative of Switzerland expressed support for the proposal in paragraph 15 of draft Resolution 10.10 to continue the work of the Intersessional Working Group on Flyways (IWGF), and confirmed Switzerland's interest in participating in the Group. Switzerland was also supportive of exploring the possibility of AEWA becoming a framework instrument in the African-Eurasian region but noted that this work should be developed in the framework of the CMS Strategic Plan 2015-2023.

225. The representative of Kenya particularly supported measures to strengthen the implementation of AEWA on the ground, as well as the proposed migratory landbirds Action Plan, while the representative of Burkina Faso reported that her country was on the verge of ratifying AEWA, and was especially supportive of paragraph 16 of the draft Resolution.

226. The representative of Mali expressed concern about the decline of landbirds. He declared his country's support for AEWA, and drew attention to the risks to migratory birds in his country from climate change and poisoning by pesticides.

227. The representative of Paraguay stressed the importance of implementing flyway strategies in the Americas.

228. The representative of Pakistan said that, as a range state of the Central Asian Flyway, Pakistan urged other Parties to support this initiative.

229. The representative of Kazakhstan requested the addition of a sentence in the preamble, acknowledging the work of the Siberian Crane GEF project. A written text would be forwarded to the Secretariat.

230. The representative of Guinea drew attention to the threat posed to migratory birds in sub-Saharan Africa by the custom of setting poisoned baits. He suggested that it would be useful for CMS to research means of reducing or mitigating this threat.

231. The representative of the Islamic Republic of Iran expressed support for the amendments to draft Resolution 10.10 adopted by the Scientific Council. She called for the IWGF to continue its work and asked whether a budget line could be provided for this. Iran would be interested in serving on the Group.

232. The representative of Chile expressed an interest in the Western Hemisphere Migratory Species Initiative (WHMSI) and other agreements in the Americas region, where Paraguay worked closely with Argentina, Brazil and Paraguay.

233. The observer from BirdLife International fully supported draft Resolution 10.10 and suggested some additional text, which had been agreed with ACAP, referring to the flyways of migratory albatrosses and petrels. She tabled amendments to draft Resolution 10.10 which would be forwarded in writing to the Secretariat.

234. The Secretariat responding to the point raised by India, confirmed that there were no contradictions between draft Resolutions 10.10 and 10.16.

**ii. *Improving the conservation status of migratory landbirds in the African-Eurasian region***

235. The representative of Ghana introduced documents UNEP/CMS/Resolution 10.27: *Improving the Conservation Status of Migratory Landbirds in the African Eurasian Region* and UNEP/CMS/Res.10.27/Annex: *Amendments recommended by the Scientific Council* and called on participants to support the draft Resolution, which had been submitted by Ghana for the COP's consideration.

236. The representatives of Cameroon, the EU, Guinea, Senegal and Switzerland supported draft Resolution 10.27. The representative of the EU also gave support to the idea of an action plan for migratory landbirds. The EU had some small modifications to propose for the draft Resolution, which would be submitted to the Secretariat in writing. The representative of Switzerland strongly supported the draft Resolution, and said that his country was ready to support the development of an action plan for migratory landbirds and the representative of Senegal called on CMS to support development of national action plans for migratory landbirds.

**iii. *Minimizing the risk of poisoning to migratory birds***

237. The representative of Switzerland introduced documents UNEP/CMS/Resolution 10.26: *Minimizing the Risk of Poisoning to Migratory Birds* and UNEP/CMS/Res.10.26/Annex: *Amendments recommended by the Scientific Council*, and called on participants to support the draft Resolution as amended by the Scientific Council. He then requested the observer from BirdLife International to present the issue of poisoning of migratory birds in more detail.

238. The observer from BirdLife International referred participants to document UNEP/CMS/Inf.10.40. She said that poisoning of wildlife was a significant and avoidable cause of mortality for a variety of wildlife across a range of taxa and geographic areas. Species affected included a significant number listed under the CMS Appendices. The draft Resolution suggested the establishment of a working group under the Scientific Council to assess suitable responses to address poisoning and highlighted the remaining significant knowledge gaps. The working group would be asked to bring conclusions and recommendations forward for consideration at CMS COP11.

239. The representatives of Ecuador, Egypt, Ethiopia, the EU, Guinea, India, Kenya, Morocco, New Zealand, Norway, Pakistan, Senegal and the AEWA Secretariat supported the draft Resolution.

240. The representative of the EU had some suggested amendments to the text and would provide these in writing to the Secretariat.

241. The representative of New Zealand had some suggested amendments to two operational paragraphs; these would be submitted to the Secretariat in writing. New Zealand also recommended that the working group discussions on this subject should be conducted primarily by electronic means to allow for better global and regional engagement.

242. The representative of Pakistan said that poisoning of migratory birds, especially in relation to migratory vultures, was a serious issue in his country. Although the chemical, diclofenac, the main cause of the problem, had been banned in Pakistan, it was still being used in some areas. The representative of India concurred.

243. The representative of Ecuador said that poisoning was sometimes used as a means of controlling invasive alien species, but this could have adverse, secondary effects on native migratory species. An additional paragraph should be inserted into the draft Resolution to deal with this point. The representatives of Egypt and Senegal supported the intervention of Ecuador.

244. The representative of Norway supported the proposed establishment of the working group and the plan to bring forward an action plan for the next COP to review.

245. The representative of Guinea referred to poisoning of migratory birds in several sub-Saharan countries as a result of agricultural activities in which poisoned baits were used. There was also the related problem of poisoned birds being used as a food source by people. Guinea asked for support from CMS in conducting more detailed studies of the impacts of poisoning on both birds and people.

246. The representative of AEWA welcomed the draft Resolution and suggested a small refinement to one paragraph, the text of which would be provided to the Secretariat.

**iv. Taxonomy and nomenclature of birds listed on the Appendices**

247. Mr. Heredia (CMS Secretariat) introduced documents UNEP/CMS/Conf.10.32: *Taxonomy and Nomenclature of Birds Listed on the Appendices of CMS* and draft Resolution 10.13: *Standardized Nomenclature of Birds Listed on the CMS Appendices*.

248. Mr. Heredia said that the Scientific Council had been very clear that adoption by CMS of revised taxonomy and nomenclature for birds should wait until the new version of Dickinson (2003, plus Corrigenda 4, 2005) had been published (this was expected during 2012), and also take into account developments in the species list and taxonomy used by BirdLife International. He reported that the Technical Committee of AEWA had expressed some concerns about the difficulties that could arise from the adoption of Dickinson. Among other matters, the Scientific Council had also discussed issues affecting the taxonomy of certain cetaceans.

249. Referring to Mr. Heredia's last point, Mr. William Perrin, Appointed Scientific Councillor for Marine Mammals, said that the Finless Porpoise (*Neophocaena phocaenoides*) had recently been split into two species: the Indo-Pacific Finless Porpoise (*N. phocaenoides*) and the Narrow-ridged Finless Porpoise (*N. asiaeorientalis*). The Marine Mammals Working Group had recommended that both should be included in CMS Appendix II according to the rule for cases of splitting that was being proposed in Resolution 10.13.

250. The observer from CITES, referring to draft Resolution 10.13/Annex, said that it was important that the names that CITES and CMS used for the same animals were standardized. He said that CMS and CITES had made great progress on harmonization of nomenclature for mammals, and that CITES would welcome the proposal to extend such work to birds. He felt that the draft Resolution would reinforce the leading role being played by CMS, and that this would be helpful to MEAs, which needed some stability of nomenclature.

251. Mr. O'Sullivan, Appointed Scientific Councillor for Birds, said that the draft Resolution did not properly reflect Scientific Council discussions. He suggested that another look be taken at the draft Resolution during the lunch break, and the matter brought back to the COW during the afternoon.

252. The representative of the EU welcomed the work of the Scientific Council and recommended the use of Dickinson (2003 and Corrigenda 8, 2008) as the CMS standard nomenclature, with the exception of albatrosses and large petrels for which the nomenclature used by the Agreement on the Conservation of Albatrosses and Petrels (ACAP) should be used. The representative of Australia strongly supported the intervention of the Appointed Scientific Councillor for Birds.

253. The Chair asked all interested Parties to get together with the Appointed Scientific Councillor for Birds to develop a consensus text.

**(g) Migratory terrestrial mammals**

254. Ms. Alison Rosser, UNEP/WCMC, introduced the following documents:

- UNEP/CMS/Conf.10.44 (summary): *Executive Summary: Review of Existing CMS Instruments and Projects on Terrestrial Mammals (including Bats)*
- UNEP/CMS/Inf.10.15: *Review of CMS Existing Instruments and Projects on Terrestrial Mammals (including Bats)*
- UNEP/CMS/Res.10.16: *Priorities for CMS Agreements*

255. Ms. Rosser outlined the 43 taxa of terrestrial mammals in the Appendices of the Convention and the eight existing instruments for their conservation. She said there were many non-CMS instruments and organizations that dealt with terrestrial mammals, and cooperation with these would improve efficiency. She summarized future priorities for this group, mentioning instruments that needed strengthening and the best approaches to achieve this.

256. The representative of Kenya mentioned the importance of a future instrument for sub-Saharan megafauna and cited Grevy's Zebra (*Equus grevyi*) and African Wild Dog (*Lycaon pictus*) as species that would benefit.

257. The representative of Mali expressed concerns about wildlife diseases. He described the ground-breaking work of two researchers from a French NGO who were making inventories of bats and their habitats in Mali, Senegal and Mauritania, and whose recommendations were being followed up in all three countries. In response, the Secretariat advised that wildlife diseases would be covered under a separate Agenda item.

258. The representative of Paraguay described the cooperation between Paraguay and Bolivia on the conservation of the Guanaco (*Lama guanicoe*). Paraguay considered that the

northern population of this species even merited inclusion on Appendix I. This was a small, isolated population separate from the main range in Argentina. Other migratory taxa that would benefit from activities in Paraguay included the Giant Otter (*Pteronura brasiliensis*) and many species of bat.

259. The representative of Congo (Brazzaville) described a recent project by the Wildlife Conservation Society which was cooperating with the Congolese Ministry of Health, Water and Forests in researching bat species in the forests of his country.

260. The representatives of Niger and Tunisia stressed the importance of making progress on an instrument for sub-Saharan Megafauna.

**(h) Migratory marine turtles**

261. Ms. Rosser, UNEP/WCMC, introduced the following documents:

- UNEP/CMS/Conf.10.45: (summary) *Executive Summary: Review of CMS Existing Instruments and Projects on Marine Turtles*
- UNEP/CMS/Inf.10.16: *Review of CMS Existing Instruments and Projects on Marine Turtles*

262. Ms. Rosser recalled that the seven species of marine turtle in the world were all globally threatened with the single exception of one, which was Data Deficient. Marine turtles in West African waters and in the Indian Ocean and South East Asia were covered by CMS instruments, but there were extensive geographical gaps in coverage under CMS, which were, however, covered by other organizations such as the South Pacific Regional Environment Programme (SPREP).

263. The representative of Seychelles commended the work that had taken place under the Indian Ocean South East Asian (IOSEA) Marine Turtle MoU. She expressed the belief that if this work continued, the goal of protecting marine turtles in the region would be accomplished.

264. The representative of Ecuador expressed the considerable interest of his country in marine turtles. He said that as well as research and conservation work at national level, there was cooperation at regional level with countries from Colombia to Chile. He considered it important that these existing initiatives should be taken into account when CMS was planning work in the region.

265. The representative of India described the measures being taken to conserve the four species of marine turtle found in his country. He said that all known threats were being addressed by national legislation and international law.

266. The representative of Senegal mentioned the existence in Dakar of URTOMA (*Unité Régionale des Tortues Marines de la Côte Atlantique de l'Afrique*), a body that was coordinating marine turtle conservation efforts along the west coast of Africa.

267. The representative from the USA explained that her country had been formally engaged in the Indian Ocean Southeast Asian Marine Turtle MoU (IOSEA), which it helped to negotiate. Since IOSEA came into force in 2001, the USA had invested significant

financial and human resources and in this regard supported efforts to strengthen work under this instrument. In 2009, the USA and Australia had worked together to draft an options paper outlining existing mechanisms and agreements, gaps in current arrangements, and the potential options for developing a CMS Pacific Sea Turtle agreement which was discussed at a subsequent meeting. The results provided no definitive answers. The USA considered it more important, however, to implement the existing SPREP Marine Turtle Action Plan and other instruments related to turtles in the Pacific basin prior to any new agreements being contemplated. The USA supported the implementation of activities listed under paragraph 5 of draft Resolution 10.16 before any new initiatives were started, in particular strengthening and improving coordination amongst the existing sea turtle agreements, including non-CMS instruments such as the Inter-American Convention for the Protection and Conservation of Sea Turtles (IAC).

268. The representative of Pakistan expressed his support for IOSEA and for draft Resolution 10.16, and confirmed that all marine turtle species were protected in Pakistan.

269. The representative of Guinea supported the intervention of Senegal and expressed the hope that additional activities could be implemented under URTOMA.

270. The Appointed Scientific Councillor for Marine Turtles urged future reviews to emphasize activities on the ground to conserve marine turtles, rather than, as in the review presented, concentrating on instruments, agreements, websites and other less crucial matters. It was important to know which countries were doing well with marine turtle conservation and which needed help. The Working Group for Marine Turtles had expressed the view that CMS should recognize and work with existing Agreements such as SPREP. If this was done, all coastal areas supporting marine turtles would be included in the two CMS MoUs, along with SPREP in the Pacific, and the Barcelona Convention and IAC. Under this arrangement, the only gap in coverage would be New Zealand. The need now was to find ways of strengthening collaboration between existing instruments, for which CMS could take the role as an umbrella organization.

271. The representative of Samoa supported the idea of cooperation with SPREP as a means of implementing conservation activities. He described how, since Samoa had signed the MoU on Cetaceans in the Pacific Islands Region, there had been more efforts in his country to conserve cetaceans and turtles.

**(i) Wildlife diseases**

272. Mr. Heredia (CMS Secretariat) introduced the following documents:

- UNEP/CMS/Conf.10.42a: *H5N1 Highly Pathogenic Avian Influenza: Situation Update October 2011*
- UNEP/CMS/Conf.10.42b: *Response to Increasing Threats to Migratory Species from Wildlife Disease*
- UNEP/CMS/Resolution 10.22: *Wildlife Disease and Migratory Species*

273. The representatives of the EU, India, New Zealand, Norway, Senegal and Uruguay supported the draft Resolution.

274. The representative of Chile regretted the late appearance of this draft Resolution and explained the concerns of Chile about the links between diseases of domestic livestock and wildlife disease. Proposed amendments to the draft Resolution would be provided to the Secretariat.

275. The representative of Norway supported the concerns expressed by Chile and suggested an amendment to operational paragraph 4 of the draft Resolution. The proposed amendment would be provided in writing to the Secretariat.

276. The representative of the EU remarked on the usefulness of the Wildlife Health Event Recorder and stressed the importance of CMS concentrating on its remit for migratory species. Proposed amendments to the draft Resolution would be provided in writing to the Secretariat.

277. The representative of New Zealand was particularly supportive of the proposal to extend the mandate of the Scientific Task Force on Wildlife Diseases beyond COP10, subject to availability of funding, and requested the Task Force to collaborate with the OIE working group of wildlife. Proposed amendments to the draft Resolution would be provided in writing to the Secretariat.

278. The representative of Senegal agreed with interventions concerning synergy with other organizations. With regard to avian influenza, since 2005 countries in the West African region had established national prevention, monitoring and screening programmes.

279. The observer from IUCN mentioned the Species Survival Commission's (SSC) Wildlife Health Specialist Group and suggested that its activities should be referred to in the draft Resolution. He also supported the EU's wish to see the draft Resolution focus more on migratory species, to lessen the risk of duplication of effort with other initiatives.

280. The observer from FAO endorsed the comments of IUCN and described the official and informal mechanisms that existed for tracking wildlife diseases. He emphasized the importance of better collaboration between the natural resource management, veterinary and public health communities. Proposed amendments to the draft Resolution would be provided in writing to the Secretariat.

281. The observer from the Wildlife Conservation Society (WCS) reminded Parties that the draft Resolution reflected and was built on the Manhattan Principles of 'One World, One Health' launched in 2004. The current framework appeared to WCS to be restricted to recognition of core affiliates and did not provide for sufficient input by a broad range of civil society experts. Proposed amendments to the draft Resolution would be provided in writing to the Secretariat.

282. The observer from BirdLife International supported the intervention by IUCN and emphasized the value of involving the SSC Wildlife Health Specialist Group. BirdLife also stressed the importance of CMS focusing on its mandate for migratory species.

**(j) Guidelines for Small Grants Programme**

283. Mr. Heredia (CMS Secretariat) introduced document UNEP/CMS/Conf.10.43: *Revised Guidelines for the Operation of the Small Grants Programme*. He confirmed that this

document had been discussed at the 17<sup>th</sup> Meeting of the Scientific Council, which had endorsed it for presentation to COP10, as noted in the draft report of the Council's Meeting contained in document UNEP/CMS/Inf.10.22. The proposal before the COW was for the Revised Guidelines to be endorsed by the COP for use in the coming triennium.

284. The representative of Congo (Brazzaville) was concerned that limiting the Small Grants Programme (SGP) to countries that were CMS Parties might be too restrictive, while the representative of Paraguay supported the endorsement of the Revised Guidelines and recommended that the SGP should provide support to projects in the scope of CMS MoUs in particular.

285. Mr. Heredia (CMS Secretariat) confirmed that the Revised Guidelines were not the subject of a COP10 Resolution and that their endorsement would be reflected through the report of the COP. The Plenary duly endorsed the Guidelines.

#### **PROPOSALS SUBMITTED BY PARTIES TO AMEND THE APPENDICES OF THE CONVENTION (ITEM 20)**

286. Mr. Heredia (CMS Secretariat) introduced document UNEP/CMS/Conf.10.15: *Proposals for Amendment of Appendices*. He reported that proposals had been received for adding seven species to the Appendices.

287. The representative of Ecuador introduced the proposal to include Giant Manta Ray (*Manta birostris*) in Appendix I and Appendix II of the Convention.

288. The proposal was supported by the representatives of Australia, Chile, the EU, Madagascar, Mozambique, Norway, Senegal, the USA and Uruguay, and the observer from Shark Advocates International, also speaking on behalf of Humane Society International (HSI), Wildlife Conservation Society (WCS), International Fund for Animal Welfare (IFAW) and the Norwegian Shark Alliance.

289. The representative of Norway pointed out that *Manta alfredi* was almost impossible to distinguish from *Manta birostris* and suggested that because it was also of conservation concern, it also merited listing in the Appendices.

290. The representative of Ecuador responded that research had demonstrated that *Manta alfredi* did not occur in her country, and while she supported its listing, it would be more appropriate for a country within the species' range to make such a proposal.

291. The representative of Kazakhstan introduced the proposal for inclusion of Argali (or Wild Sheep) (*Ovis ammon*) in Appendix II.

292. The representatives of the EU, India, Pakistan, Saudi Arabia and Uzbekistan, and the observers from the WCS and WWF supported the proposal, and there being no objections, the Chair confirmed that the COW would make the appropriate recommendation to the Plenary.

293. The representative of the EU presented the proposal of the EU and its Member States to include Saker Falcon (*Falco cherrug*), with the exception of the population in Mongolia, in Appendix I.

294. The representatives of Ecuador, Norway, Switzerland and Ukraine supported the proposal.

295. The representatives of Kazakhstan, Mali, Pakistan and Saudi Arabia supported deferring further consideration of the proposal until the COP Working Group on Saker Falcon had completed its report.

296. The representative of Saudi Arabia confirmed his country's care and concern for the conservation of Saker Falcon, and stressed that on-the-ground conservation action across the species' range was more important than listing *per se*.

297. The representative of Norway expressed sympathy for the listing proposal and, although generally supportive, felt it was important that listing proposals were based on good knowledge, which for the Saker Falcon was still partly lacking. He said that the notion of sustainable off-take (with regard to population of Saker Falcons in Mongolia) was to be respected, but this presented a dilemma for the CMS Family. Norway felt it was a case of either accepting split listing, as proposed by the EU, or deferring the decision until COP11.

298. The observer from CITES noted that in the supporting statement for the proposal and in the Working Group discussing this matter, discussions centred almost entirely on the impact of taking of birds from the wild for international trade. However, CITES already had a full mandate for these issues. Following actions undertaken by CITES Parties, legal trade was now at sustainable levels and illegal trade was being tackled through the International Consortium on Combating Wildlife Crime, involving CITES, INTERPOL, the United Nations Office on Drugs and Crime, the World Bank and the World Customs Organization. Inclusion of Saker Falcon in Appendix I of CMS would be contrary to the policy currently adopted by CITES Parties. He therefore appealed for Parties to recognize the respective responsibilities of international Conventions and for States that were Parties to both Conventions to take a consistent approach when attending meetings of these Conventions.

299. The representative of the EU pointed out that the Working Group was working actively and positively and was taking into account all possible issues for the conservation of Saker Falcon, not only the issue of trade. He said that the Working Group was still working on the proposal and would be meeting again at lunchtime on 23 November 2011.

300. The representative of the CMS Abu Dhabi Office noted that CMS was playing an active role in the Working Group, and wanted to dispel some concerns about an apparent lack of action during the current triennium on the MoU on Raptors. He called on all range states to develop an action plan for Saker Falcon.

301. The Chair announced that a decision on the proposal to list Saker Falcon would be deferred until the report of the Working Group had been presented to the COW.

302. The representative of the EU presented the proposal of the EU and its Member States to include Red-footed Falcon (*Falco vespertinus*) in Appendix I of CMS.

303. The representative of Norway, whilst supportive of the listing proposal, reported that the 17<sup>th</sup> Meeting of the Scientific Council had decided that guidelines and a format for future listing proposals should be formulated, and that the IUCN Red List criteria would have a central role to play in this. He noted that the IUCN status for Red-footed Falcon was 'Near

Threatened', so there were some concerns about potential inconsistencies. He encouraged the Raptors MoU to take up action for this species as an alternative to Appendix I listing.

304. The representative of Paraguay agreed with Norway's approach and recommended that the Secretariat should conduct a global review over the next triennium to identify species that should be added to Appendices I or II on the basis that they were generally threatened.

305. The representative of Ukraine supported the proposal for listing Red-footed Falcon on Appendix I.

306. The representative of the CMS Abu Dhabi Office reported there were 14 species of falcon in Category 1 of the Raptors MoU, two of which were assessed as Endangered. He felt that there was a risk of a two-speed approach - CMS Appendix listing and work to implement the Raptors MoU - and considered that greater coherence was needed.

307. Earlier, the representative of the EU recalled that the EU had signed the Raptors MOU during COP10. He said that the EU's listing proposal was based on one of the MoU's criteria, that Parties should recommend the inclusion of relevant species in Appendix I of the Convention. On this basis, he understood that the current proposal was completely in step with both CMS and the Raptors MoU.

308. Mr. O'Sullivan, the Appointed Scientific Councillor for Birds, summarized the proposal submitted by the Philippines for inclusion of the Far Eastern Curlew (*Numenius madagascariensis*) in Appendix I of CMS. He noted that the proposal had been endorsed by the 17<sup>th</sup> Meeting of the Scientific Council. The representative of the EU supported the proposal.

309. The Chair announced that, there being no opposition to the proposal, the listing of Far Eastern Curlew in Appendix I would be recommended to Plenary for adoption.

310. Mr. O'Sullivan summarized the proposal submitted by the Cook Islands for Bristle-thighed Curlew (*Numenius tahitiensis*) to be included in Appendix I of CMS. He noted that the proposal had been endorsed by the 17<sup>th</sup> Meeting of the Scientific Council. The representative of the EU supported the proposal.

311. The Chair announced that, there being no opposition to the proposal, the listing of Bristle-thighed Curlew in Appendix I would be recommended to Plenary for adoption.

312. Mr. O'Sullivan summarized the proposal submitted by Bolivia for Bobolink (*Dolichonyx oryzivorus*) to be included in Appendix II of CMS. He noted that the proposal had been endorsed by the 17<sup>th</sup> Meeting of the Scientific Council.

313. The representatives of Argentina, Ecuador, the EU and Paraguay supported the proposal. The representative of Paraguay encouraged Range States that had yet to join the MoU on Grassland Birds of southern South America to do so.

314. The Chair announced that, there being no opposition to the proposal, the listing of Bobolink in Appendix II would be recommended to Plenary for adoption.

## Statement by the Government of Norway

315. At the invitation of the Chair, Ms. Heidi Sørensen, State Secretary, Norwegian Ministry of the Environment made a statement to the Plenary Session on 25 November 2011 announcing the lifting of Norway's reservations relating to all species of cetaceans listed in CMS Appendix II and to Great White Shark (*Carcharodon carcharias*) listed in CMS Appendix I. This announcement was marked by applause from participants.

## V. RESOURCES OF THE CONVENTION

### BUDGET AND ADMINISTRATION (ITEM 21)

#### (a) Execution of CMS budget 2009-2011

316. Mr. Lenten, Deputy Executive Secretary, introduced document UNEP/CMS/Conf.10.18a: *Execution of the Budget 2009-2011*. Income from assessed contributions, as of 30 September 2011, showed an amount of €309,446 outstanding for 2011 and a further €150,785 outstanding for previous years. Some Parties were up to 15 years in arrears. Mr. Lenten urged all those Parties in arrears to pay their contributions, noting that in many cases the actual amount owed was relatively modest and payment would send a positive signal to donors. The second part of the document showed expenditure to 30 September 2011. The overall picture was satisfactory, with no over-expenditure and actually a small under-expenditure in comparison with the budget.

317. The representative of the EU reported that the Joint COP Working Group on the Budget and Future Shape process would be meeting during the afternoon of 22 November 2011 to discuss budget matters. The meeting would be open to all Parties, but not to Observers.

318. In response to a question from the representative of India, the Deputy Executive Secretary observed that the process for the transmission of invoices was rather complex, since the Parties' Permanent Representatives in Nairobi acted as intermediaries. This sometimes resulted in delays in the receipt of invoices by the competent authorities in national capitals. The Secretariat would liaise bilaterally with India on this matter.

319. The representative of Burkina Faso reported that her country's assessed contributions, shown in the document as still outstanding, had in fact been paid recently. The Deputy Executive Secretary welcomed this statement and confirmed that the information shown in the document was not fully up to date as it had been prepared some months ago. He undertook to liaise bilaterally with Burkina Faso to look further into this point.

320. The representative of Argentina announced that the Secretariat for Environment and Sustainable Development had passed a resolution enabling the transfer of funds for Argentina's assessed contributions for 2010 and 2011.

#### (b) CMS budget 2012-2014

321. The Chair asked the Deputy Executive Secretary to present an outline of the budget options for 2012-2014.

322. The Deputy Executive Secretary introduced document UNEP/CMS/Conf.10.18b: *Budget 2012-2014*. He outlined the rapid development of CMS and demonstrated that the budget had not increased in line with the number of activities. The situation had been especially serious since 2008, and if a budget increase was not made available by the COP, it would be necessary to make cuts. This would have to be done by lowering ambitions, or by measures such as encouraging Parties to take over MoUs.

323. He explained that the budget was divided into fixed costs and variable costs. He provided an overview of costs for 2012-2014, which were to be discussed in detail in the Joint Working Group on Budget and Future Shape. The budget presented scenarios for what could be achieved with increases in six steps between 0 per cent and 25 per cent.

324. The Deputy Executive Secretary concluded by asking the Parties if they felt ready to increase resources. If not, they should consider which instruments should be frozen, and whether the CMS Secretariat should continue to serve as the Secretariat of ASCOBANS and the Gorilla Agreement. Finally, the COP should consider whether, in light of budget constraints, this was an appropriate time to initiate new agreements. He warned that the credibility of CMS was at stake and that failing to increase the budget might put future support at risk. The Chair urged Parties to think of innovative ways forward.

325. The representative of Poland, on behalf of the EU, viewed the draft budget statement as extremely broad brush and felt that it did not show in detail if or how any of the potential savings or costs associated with the outcomes of the Future Shape work could or should be taken into account. Different scenarios for the budget should be linked to the different options of the Future Shape discussion, preferably with the cost of the different activities clearly shown separately. Considerably more work and figures were needed.

326. The representative of Madagascar suggested that the Secretariat might consider developing a new funding mechanism in parallel with the Future Shape process, while the representative of Argentina pointed out that some characteristics of the CMS funding model made contributions expensive for developing countries.

327. The Chair confirmed that the interventions had been noted and would be considered by the Working Group.

### **(c) Resource mobilization**

328. Ms. Cerasi (CMS Secretariat) presented document UNEP/CMS/Conf.10.19: *Report on Resource Mobilization*. She provided examples of where CMS had been successful in securing additional financial support, including for the Future Shape process, which had been fully funded by Parties, namely Finland, France, Germany and Switzerland.

329. COP10 had been generously supported by the host country, and Norway, alongside Finland, Germany and UNEP had also provided funding to enable the participation of representatives of developing countries. Additional support from Germany and Switzerland had assisted the work of the Intersessional Working Group on Flyways, while a number of MoUs had also benefited from voluntary contributions.

330. The United Arab Emirates had provided extremely generous support for the CMS Coordination Unit for the Raptors MoU and Dugong MoU. In-kind support from Finland and

Germany had come in the form of three Junior Professional Officers. There being no comments from the floor, the Chair confirmed that the COW had received and noted the report.

**(d) Enhancing engagement with the Global Environment Facility**

331. Ms. Virtue (CMS Secretariat), introduced document UNEP/CMS/Conf.10.41: *Enhancing engagement with the Global Environment Facility* and draft Resolution UNEP/CMS/Res.10.25: *Enhancing Engagement with the Global Environment Facility*. She explained that there was no formal way for CMS to feed directly into GEF funding. Nonetheless, two highly successful GEF Projects had been completed by CMS daughter Agreements: the Siberian Crane project under the Siberian Crane MoU, and the Wings Over Wetlands project under AEWA. These had both recently been nominated as being among the 20 best ever GEF Projects. There were six options for enhancing cooperation with GEF, four of which were immediately possible, and two of which would require changes in GEF procedures.

332. The representative of Argentina underlined the need to examine more closely the options requiring changes in GEF procedures. Argentina had a few amendments to discuss with other Parties before tabling them for consideration by the COP.

333. The representative of the EU expressed general support for the draft Resolution. She believed that the CMS Secretariat should fully engage with the GEF Secretariat and those of other MEAs, while the Parties should cooperate more closely at national level. She tabled detailed amendments for the consideration of the Secretariat.

334. The COP Appointed Councillor for Asiatic Fauna, speaking also on behalf of Wetlands International. He mentioned that the Wings Over Wetlands project had recently ended, but that its two principle outputs, the Critical Sites Network Tool and the Flyways Training Kit were available online for the use of all.

**INSTITUTIONAL ISSUES (ITEM 22)**

**(a) Elections to Scientific Council and Standing Committee**

335. The nominee for Chair of the Scientific Council, Mr. Fernando Spina (Italy) said that his nomination by the 17<sup>th</sup> Meeting of the Scientific Council (ScC17) had been an unexpected honour. He reminded the COP of the importance of the Scientific Council in providing the scientific basis for the application of CMS, and said that the Scientific Council Working Groups were a unique feature of the Convention. He ended by acknowledging the contribution made by the outgoing Chair of the Scientific Council, Mr. Mshelbwala, as well as the outgoing Vice-Chairs and all members of the Council.

336. Mr. Heredia (CMS Secretariat) announced the nomination of Ms. Malta Qwathekana (South Africa) as Vice-Chair of the Scientific Council. He also confirmed that ScC17 nominated the following COP-Appointed Scientific Councillors for reappointment for the coming triennium:

- Mr. Bill Perrin: Appointed Councillor for Aquatic Mammals
- Mr. Colin Limpus: Appointed Councillor for Marine Turtles

- Mr. Zeb Hogan: Appointed Councillor for Fish
- Mr. Barry Baker: Appointed Councillor for By-Catch
- Mr. Alfred Oteng-Yeboah: Appointed Councillor for African Fauna
- Mr. Taej Mundkur: Appointed Councillor for Asiatic Fauna

337. Mr. Heredia recalled that Mr. John O’Sullivan, Appointed Councillor for Birds, was retiring; ScC17 had nominated Mr. Leon Bennun to be his successor. In addition, Mr. Roberto Schlatter, Appointed Councillor for Neotropical Fauna was stepping down for health reasons; ScC17 had nominated Mr. Rodrigo Medellín as the new Appointed Councillor for Neotropical Fauna.

338. Mr. Mshelbwala drew attention to the recommendation, made as part of the report he had presented under Agenda item 10(b), that the COP should make provision for an additional Appointed Scientific Councillor to deal with climate change issues.

339. Mr. Heredia recalled that the Scientific Council’s ad hoc Working Group on Climate Change had been chaired by one of the Council’s Vice-Chairs during the last triennium, Mr. Colin Galbraith (UK) and that if Parties so wished, it would make sense to designate Mr. Galbraith as the additional Appointed Councillor for Climate Change.

340. At the invitation of the Chair, the Plenary endorsed the nominations for COP-Appointed Scientific Councillors as presented by the Secretariat.

341. Turning to the election of the new Standing Committee, the Chair noted that Saudi Arabia, represented by Mr. Sulayem, would be stepping down as Chair of the Standing Committee after Saudi Arabia had served two consecutive terms as a member of the Standing Committee. He thanked both Saudi Arabia and Mr. Sulayem for working diligently on the Convention’s behalf.

342. The Chair invited each region to present nominations for its Permanent and Alternate representatives on the new Standing Committee, the number of representatives depending on the number of Parties within a given region. The following nominations were made:

**Europe** (nominated on behalf of the region by the representative of the EU)

<u>Permanent Representatives</u>	<u>Alternate Representatives</u>
Norway	Georgia
Poland	France
Ukraine	Switzerland

**Africa** (nominated on behalf of the region by the representative of Uganda)

<u>Permanent Representatives</u>	<u>Alternate Representatives</u>
Ghana	South Africa
Tunisia	Mali
Uganda	Congo (Brazzaville)

**Asia** (nominated on behalf of the region by the representative of Pakistan)

<u>Permanent Representatives</u>	<u>Alternate Representatives</u>
India	Syrian Arab Republic
Pakistan	Mongolia

**South and Central America and the Caribbean** (nominated on behalf of the region by the representative of Cuba)

Permanent Representatives

Chile

Cuba

Alternate Representatives

Argentina

A Party from Central America or the Caribbean, to be confirmed after the COP<sup>2</sup>

**Oceania** (nominated on behalf of the region by the representative of the Philippines)

Permanent Representatives

New Zealand

Alternate Representatives

Australia

343. The Chair recalled that membership of the Standing Committee would be completed by the Depository and Host Government of the Secretariat, Germany, which was a permanent member, and by the Host of the current COP (Norway) and Host of the next COP (to be determined).

344. The Chair confirmed that the Chair and Vice-Chair of the Standing Committee would be elected by the new Standing Committee at its first meeting immediately following the close of the COP.

**(b) Other institutional issues**

345. The Executive Secretary, Ms. Mrema, recalled that, in accordance with Article IX of the Convention, the Executive Director of UNEP provided Secretariat services for CMS and related Agreements and MoUs. In the past, the relationship between the UNEP Executive Director and the Executive Secretaries of CMS and its daughter Agreements had been *ad hoc*. Ms. Mrema explained that the Executive Director had, in August 2011, decided to delegate in writing part of his authority to the Executive Secretary of CMS, who was also acting Executive Secretary to ASCOBANS and to the Gorilla Agreement, and to the Executive Secretaries of the other two CMS Agreements based in Bonn, namely AEWa and EUROBATS. The purpose of this Delegation of Authority was to clarify accountability, authority and responsibility, especially in the areas of programme management, financial and physical resources management and human resources management.

346. The Chair requested that a copy of the Delegation of Authority be circulated and the Executive Secretary confirmed that this would be arranged. A copy of the Delegation of Authority appears as Annex IX to this report.

## VI. FORMAL AND CONCLUDING BUSINESS

### FINAL REPORT OF THE CREDENTIALS COMMITTEE (ITEM 23)

347. The representative of New Zealand, Chair of the Credentials Committee, presented the Committee's Final Report, which appears as Annex X to this report. The Committee's interim report had been presented to Plenary at its session on 23 November 2011.

<sup>2</sup> After the COP, it was confirmed that Costa Rica would be the second Alternate Member of the Standing Committee for the South and Central America and the Caribbean region.

348. The Committee had been able to accept the Credentials of 64 Parties. In addition delegations of a further four Parties had only presented copies of Credentials, rather than the originals required. These Credentials had been provisionally accepted on condition that originals, in an acceptable form, would be sent to the UNEP/CMS Secretariat in Bonn within 30 days of the close of the COP. The Committee wished to reiterate that all credentials must be signed by a Head of State, Head of Government or Minister for Foreign Affairs.

349. The Chair of the Credentials Committee thanked the members of the Committee for their hard work and the Secretariat for its support, and there being no comments or questions from the floor, the Chair ruled that the Final Report of the Credentials Committee had been approved by Plenary.

#### REPORTS OF SESSIONAL COMMITTEES (ITEM 24)

350. Mr. Baker, Chair of the COP Working Group on Marine Issues, reported that the Group had reviewed four draft Resolutions: Res.10.4: *Marine Debris*, Res.10.14: *Bycatch*, Res.10.15: *Programme of Work for Cetaceans* and Res.10.24: *Underwater Noise*, which had also been reviewed by the Scientific Council and by the Committee of the Whole. Amended texts were now ready for approval by Plenary.

351. Mr. Galbraith, Chair of the COP Working Group on the Saker Falcon *Falco cherrug*, reported that the group had held seven meetings involving 38 participants. While existing measures had made a real impact on the conservation of Saker Falcon, draft Resolution 10.28, which had resulted from the Working Group's efforts, described a package of proposed measures that would allow a wide-ranging and strategic approach to the conservation of this species. These measures, which would require resourcing, included:

- Setting up of a Task Force;
- Preparation of an Action Plan, including a management and monitoring system covering the entire range of the species, including Africa and Central Asia;
- Cooperation by the Task Force with a wide range of other bodies, including other MEAs;
- Development of a system of exclusions;
- Listing on CMS Appendix I; and
- Preparation of a timetable for future action.

352. The text represented a compromise, but also a statement of partnership developed in a positive spirit. The draft Resolution constituted a unique and far-sighted proposal that was being tabled jointly by Croatia, Mali and Uzbekistan for consideration and adoption by Plenary.

353. The representative of the EU, speaking as Chair of the COP Working Group on the Strategic Plan, reported that the group had met twice to review the draft Resolution 10.5 and the associated Terms of Reference for the Intersessional Working Group on the Strategic Plan. The group's outputs had already been reviewed by the COW and were now ready to be considered for adoption by Plenary.

354. Mr. Oteng-Yeboah (Ghana) Chair of the COP Joint Working Group on Budget & Future Shape reported that since his interim report had been presented on 23 November 2011, the Joint Working Group had held a number of long working sessions concluding only at

0530 hrs. on 25 November 2011. He thanked the two Vice-Chairs of the Working Group, Mr. Salmon and Mr. Biber for their respective work on Budget and Future Shape issues. He also thanked representatives of the Parties for their tireless work.

355. Two draft Resolutions had been finalized. Draft Resolution 10.9 (Future Shape) listed a set of activities according to priorities assigned by the Parties, and divided into short-term and medium to long-term activities. Draft Resolution 10.1 (Budget) included estimates for fixed and variable costs based on the scenario of a 5.3 per cent increase. The budget excluded provision for new staff positions and required a reduction in expenditure on subsidiary bodies, notably through fewer full meetings of the Scientific Council. Annexes to the draft Resolution listed short-term priorities (to be covered by the Core Budget) and medium-term to long-term priorities for expenditure, to be partly covered by voluntary contributions and/or to help guide development of the Strategic Plan for 2015-2023.

356. The Chair of the Plenary Session acknowledged the exceptionally hard work of the Joint Working Group and welcomed the guidance and improved prioritization that the group had provided. He hoped that it would be easier for Parties to provide additional voluntary contributions given that a clearly prioritized list of core tasks had now been established.

#### **ADOPTION OF AMENDMENTS OF TO THE APPENDICES (ITEM 25)**

357. The Chair proposed making a bloc decision on proposals for additions to the CMS Appendices, as recommended by the Scientific Council and endorsed by the Committee of the Whole, with the exception of Saker Falcon *Falco cherrug*, which would be dealt with separately.

358. There being no comments from the floor to the contrary, the following species were approved for listing in the Appendix or Appendices indicated:

- Giant Manta Ray (*Manta birostris*) - Appendix I and Appendix II
- Red-footed Falcon (*Falco vespertinus*) - Appendix I
- Far Eastern Curlew *Numenius madagascariensis*) - Appendix I
- Bristle-thighed Curlew (*Numenius tahitiensis*) - Appendix I
- Argali (*Ovis ammon*) - Appendix II
- Bobolink (*Dolichonyx oryzivorus*) - Appendix II

359. The list of species added to the Appendices I and II is attached as Annex XI to this report.

360. The representative of Uzbekistan introduced the proposal for listing of Saker Falcon on Appendix I. The Working Group had received views for and against listing, but had eventually decided to endorse listing and this was reflected in draft Resolution 10.28.

361. The representative of Kazakhstan, and Mr. Galbraith, Chair of the Working Group on Saker Falcon, drew attention to formatting corrections to the draft Resolution that would facilitate its consideration by Plenary.

362. Mr. Galbraith introduced the draft Resolution paragraph by paragraph. He clarified that the proposal for listing of Saker Falcon on CMS Appendix I excluded the population in Mongolia. Appendix I listing would enable the immediate commencement of a Concerted Action Plan for the species. A Task Force would be established, under the auspices of the

CMS MoU on Raptors, to develop a Global Action Plan. He stressed that the draft Resolution needed to be seen as a package and commended it to Plenary as a far-sighted document that had commanded consensus within the Working Group.

363. The representative of Mali recalled that Mali and Ethiopia had been appointed to participate in the Working Group on behalf of the Africa region. Both Parties considered the outcome of the group's work to be reliable and wise and called on the Plenary Session to support the draft Resolution. The representative of Nigeria supported the statement made by the representative of Mali.

364. The representative of Croatia supported the comments made by the representatives of Uzbekistan and Mali and endorsed the corrections highlighted by the representative of Kazakhstan and Mr. Galbraith.

365. The representative of the CMS Office in Abu Dhabi confirmed his belief that the draft Resolution represented a very positive agreement. The Raptors MoU would be pleased to take forward establishment of the proposed Task Force in partnership with CMS, Range States and other interested parties.

366. The representative of Egypt indicated that, while Egypt would not block consensus on draft Resolution 10.28, it should be noted for the record that Egypt had been among the Parties and Range States not entirely convinced that Appendix I listing represented the best way forward for the conservation of Saker Falcon.

367. At the invitation of the Chair, the Plenary Session adopted Resolution 10.28 Saker Falcon *Falco cherrug* by acclamation, whereupon the Chair expressed his thanks to the Working Group and to its Chair in particular.

#### SYSTEM FOR RETIRING RESOLUTIONS (ITEM 26)

368. Mr. Robert Vagg (CMS Secretariat) introduced documents UNEP/CMS/Conf.10.24: *Proposals on the Retirement of Resolutions and Recommendations* and UNEP/CMS/Res.10.17: *Retirement of Resolutions and Recommendations taken by COP from First to Eighth Meetings*, as well as the associated background information contained in document UNEP/CMS/Inf.10.19: *CMS Resolutions and Recommendations 1985-2008*.

369. Following Mr. Vagg's presentation, the Chair observed that approving draft Resolution 10.17 would lead, *inter alia*, to the deletion of more than 40 decisions of former COPs.

370. The representative of New Zealand fully supported the background work undertaken by the Secretariat and the thrust of the draft Resolution. However, the draft Resolution was unclear as to who would undertake the formal review of COP decisions.

371. The representative of the EU cautioned that the EU continued to have questions about some of the proposals for retirement and believed that further work was needed before the COP would be in a position to adopt the draft Resolution. The proposed review was potentially valuable exercise that could result in important streamlining. While establishment of a procedure for periodic review would be acceptable, the EU doubted the usefulness of setting an expiry date for Resolutions. Written proposals would be submitted to the Secretariat.

372. The Chair concluded that the concerns raised should be referred to the Standing Committee and Secretariat to address intersessionally, with a view to bringing forward a modified proposal to COP11. Draft Resolution 10.17 was therefore not adopted and withdrawn from further consideration by COP10.

#### **ADOPTION OF RESOLUTIONS (ITEM 27)**

##### **Resolution 10.1: Financial and Administrative Matters and Terms of Reference for the Administration of the Trust Fund**

373. Draft Resolution 10.1/Rev.1 and its five annexes were introduced by the Deputy Executive Secretary, who tabled two small corrections to Annex I. He noted that the process for agreeing a text for submission to the Plenary Session had been long and difficult. Thanks were due to all members of the Joint COP Working Group on Budget and Future Shape, especially the Chair, Mr. Oteng-Yeboah (Ghana), the Vice-Chair for Budget issues, Mr. Salmon (UK), and the Vice-Chair for Future Shape issues, Mr. Biber (Switzerland).

374. Draft Resolution 10.1/Rev.1 was adopted subject to inclusion of the corrections tabled by the Secretariat.

##### **Resolution 10.2: *Modus Operandi* for Conservation Emergencies**

375. Draft Resolution 10.2/Rev.1 was adopted subject to the inclusion of amendments tabled by the representatives of the EU and New Zealand.

##### **Resolution 10.3: The Role of Ecological Networks in the Conservation of Migratory Species**

376. Draft Resolution 10.3/Rev.2 was adopted subject to the inclusion of amendments proposed by the representatives of Australia, the EU and Pakistan, and the Chair of the Intersessional Working Group on Flyways.

##### **Resolution 10.4: Marine Debris**

377. Draft Resolution 10.4/Rev.2 was introduced by the Chair of the COP Working Group on Marine Issues, who confirmed that the Working Group was commending this version to the Plenary for adoption. There were no proposals from the floor for further amendments and the Resolution was adopted as presented.

##### **Resolution 10.5: CMS Strategic Plan 2015-2023**

378. Draft Resolution 10.5/Rev.3 was introduced by the Secretariat. Attention was drawn to three minor amendments that had accidentally been omitted from Rev.3.

379. The representative of the EU, supported by the representative of Chile, stated that the COP Working Group on the Strategic Plan had been clear that the Intersessional Working Group (IWG) should be representative of the wishes of Parties. It was therefore important that selection of IWG representation should be made on a regional basis, with the participation of all Parties from each region in the selection process. It was not foreseen that the selection

would be made by the Standing Committee; regional nominations would simply be communicated to the Standing Committee.

380. The Chair confirmed that the understanding of the representative of the EU was correct. He emphasized that while the main responsibility for conducting the work of the IWG on the Strategic Plan would lie with the duly selected regional representatives, participation would be open to other interested Parties.

381. Draft Resolution 10.5/Rev.3 was adopted subject to inclusion of the amendments tabled by the Secretariat.

#### **Resolution 10.6: Capacity Building Strategy (2012-2014)**

382. Draft Resolution 10.6/Rev.2 had been distributed to participants, but it soon became clear that this omitted a number of key amendments. The Secretariat was therefore asked to re-present the document, later during the Plenary Session, as a harmonized Rev.3 text.

383. Draft Resolution 10.6/Rev.3 was later adopted subject to the inclusion of further amendments tabled by the representatives of the EU and the Islamic Republic of Iran.

#### **Resolution 10.7: Outreach and Communication Issues**

384. Draft Resolution 10.7/Rev.1 was adopted without further amendment.

#### **Resolution 10.8: Cooperation between the Inter-governmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and CMS**

385. Draft Resolution 10.8/Rev.2 was adopted subject to the inclusion of further amendments tabled by the representatives of the EU and Switzerland.

#### **Resolution 10.9: Future Structure and Strategies of CMS and CMS Family**

386. The representative of Uganda, speaking on behalf of the Africa region, and supported by the representative of Mali, welcomed the draft Resolution and called for its adoption.

387. Draft Resolution 10.9/Rev.2 was adopted subject to the incorporation of an editorial correction tabled by the representative of Switzerland.

#### **Resolution 10.10: Guidance on Global Flyway Conservation and Options for Policy Arrangements**

388. Draft Resolution 10.10/Rev.2 was adopted subject to the inclusion of further amendments tabled by the representatives of Australia, the EU, New Zealand and AEWA.

#### **Resolution 10.11: Power Lines and Migratory Species**

389. Draft Resolution 10.11/Rev.1 was adopted subject to the inclusion of an amendment tabled by the representative of Australia.

**Resolution 10.12: Migratory Freshwater Fish**

390. Draft Resolution 10.12/Rev.1 was introduced by the Appointed Scientific Councillor for Freshwater Fish and adopted subject to incorporation of minor amendments tabled by the representative of the EU and editorial corrections pointed out by the representatives of Australia and Paraguay (the latter concerning the Spanish text).

**Resolution 10.13: Standardized Nomenclature of Birds Listed on the CMS Appendices**

391. Draft Resolution 10.13/Rev.1 was introduced by the Appointed Councillor for Birds, who reported that, following deliberations by the COW, an informal working group, with participation from Australia, Croatia, the EU, Switzerland, CITES, the Appointed Councillors for Birds and for By-catch, and the CMS Secretariat, had met on 24 November 2011. Amendments agreed by the group had been incorporated into the Rev.1 text, now tabled for adoption in Plenary.

392. Draft Resolution 10.13/Rev.1 was adopted without further amendment.

**Resolution 10.14: Bycatch of CMS-listed Species in Gillnet Fisheries**

393. Draft Resolution 10.14/Rev.2 was introduced by the Chair of the COP Working Group on Marine Issues, who noted that earlier drafts had been reviewed by the Scientific Council and by the COP Working Group. Resulting amendments had been included in Rev.2, which was now recommended for adoption by the Plenary Session.

394. The representative of Ecuador expressed support for the draft Resolution but re-emphasized the position taken by Ecuador during the COW discussion of this issue, particularly in relation to document UNEP/CMS/Inf.10.30. The information relating to Ecuador that was contained in this report was inaccurate and should be discounted. Ecuador would be providing updated information in due course.

395. Draft Resolution 10.14/Rev.2 was adopted subject to the incorporation of a further amendment tabled by the representative of the EU.

**Resolution 10.15: Global Programme of Work for Cetaceans**

396. Draft Resolution 10.15/Rev.1 was introduced by the Chair of the COP Working Group on Marine Issues.

397. The representative of Norway referred to the announcement made earlier by the State Secretary for Environment, Ms. Heidi Sørensen, that Norway had lifted its reservations relating to all species of cetaceans included in CMS Appendix II and to Great White Shark (*Carcharodon carcharias*) in CMS Appendix I. The lifting of these reservations had been made possible by the best available science – the key element for Norway in management of all living marine resources.

398. The representative of Denmark, speaking on behalf of the Kingdom of Denmark including the Faeroe Islands, confirmed that the draft Resolution was acceptable to both Denmark and the Faeroe Islands.

399. Draft Resolution 10.15/Rev.1 was adopted without further substantive amendment and subject only to the inclusion of minor editorial corrections pointed out by the representatives of the EU and South Africa.

### **Resolution 10.16: Priorities for CMS Agreements**

400. The Chair requested the delegations of the EU and Norway to meet informally to resolve remaining differences of view concerning the text of draft Resolution 10.16/Rev.2.

401. Following these consultations, the representative of the EU, supported by the representatives of New Zealand, Norway and Uganda, tabled two further amendments, including the deletion of all text after the end of operational paragraph 7 (i.e. removal of all the taxonomic sections).

402. While indicating acceptance of this compromise, the representative of Cameroon referred to paragraph (xxix) of draft Resolution 10.16/Rev.2, now deleted, which had referred to elephant conservation in Central Africa. This remained a key priority for Parties in the region, who wished to confirm their desire to proceed with Option 3 of the options presented in document UNEP/CMS/Inf.10.27 and summarized in document UNEP/CMS/Conf.10.46. Option 3 was understood to be a process of facilitated consultation with Central African Parties. Cameroon, supported by Congo, would be ready to take a leading role in this process.

403. Referring to deleted paragraph (xviii), the representative of Morocco noted that the Range States for Sahelo-Saharan Megafauna had already demonstrated their interest and commitment through two regional workshops and various field actions.

404. Draft Resolution 10.16/Rev.2 was adopted subject to inclusion of amendments tabled by the representative of the EU.

### **Resolution 10.17: Retirement of Resolutions and Recommendations taken by COP from First to Eighth Meetings**

405. Draft Resolution 10.17 was withdrawn and therefore not adopted. The record of the deliberations of the plenary on this resolution can be found under the appropriate Agenda Item 26 in the present report.

### **Resolution 10.18: Guidelines on the Integration of Migratory Species into National Biodiversity Strategies and Action Plans (NBSAPs) and Other Outcomes from CBD COP10**

406. Draft Resolution 10.18/Rev.3 was adopted without further substantive amendment and subject only to the inclusion of an editorial correction pointed out by the representative of the EU.

### **Resolution 10.19: Migratory Species Conservation in the Light of Climate change**

407. Draft Resolution 10.19/Rev.2 was introduced by the Secretariat, who also drew attention to the draft "Message to Durban".

408. The representative of Norway confirmed that the “Message to Durban” would be forwarded to COP17 of the United Nations Framework Convention on Climate Change by Norway in its capacity as Chair of CMS COP10.

409. In response to a question from the representative of the Islamic Republic of Iran, the Executive Secretary suggested that a reference to regional capacity-building workshops contained in the original text of the draft Resolution may have been omitted to widen the scope of the relevant paragraph (operational paragraph 14) to cover all levels, including both national and regional.

410. Draft Resolution 10.19/Rev.2 was adopted subject to the inclusion of further amendments tabled by the representative of the EU.

#### **Resolution 10.20: Arrangements for Hosting the Tenth and 11<sup>th</sup> Meetings of the Conference of Parties**

411. Draft Resolution 10.20 was adopted without amendment.

#### **Resolution 10.21: Synergies and Partnerships**

412. The Executive Secretary of EUROBATS noted that as a consequence of discussions held on the margins of COP10, the cooperation between CMS, EUROBATS and the FAO relating to the conservation of bats in Africa would continue, and that EUROBATS would continue to support this.

413. Resolution 10.21/Rev.2 was adopted subject to the inclusion of further amendments tabled by the representative of the EU and to an editorial correction tabled by the Secretariat.

#### **Resolution 10.22: Wildlife Disease and Migratory Species**

414. Draft Resolution 10.22/Rev.1 was adopted subject to the inclusion of further amendments tabled by the representative of the EU and editorial corrections tabled by the representative of South Africa and the Secretariat.

#### **Resolution 10.23: Concerted and Cooperative Actions**

415. Draft Resolution 10.23/Rev.2 was adopted subject to the inclusion of further amendments tabled by the representative of the EU.

#### **Resolution 10.24: Further Steps to Abate Underwater Noise Pollution for the Protection of Cetaceans and Other Biota**

416. Draft Resolution 10.24/Rev.2 was introduced by the Chair of the COP Working Group on Marine Issues. The text was adopted subject to the inclusion of further amendments tabled by the representative of the EU.

#### **Resolution 10.25: Enhancing Engagement with the Global Environment Facility**

417. Draft Resolution 10.25/Rev.2 was adopted without further amendment.

**Resolution 10.26: Minimizing the Risk of Poisoning to Migratory Birds**

418. Draft Resolution 10.26/Rev.1 was adopted subject to the inclusion of an amendment tabled by the representative of New Zealand.

**Resolution 10.27: Improving the Conservation Status of Migratory Landbirds in the African-Eurasian Region**

419. Draft Resolution 10.27/Rev.1 was adopted without further amendment.

**Resolution 10.28: Saker Falcon *Falco cherrug***

420. Resolution 10.28: Saker Falcon *Falco cherrug* was adopted by acclamation. Record of the deliberations of the plenary on this resolution can be found under Agenda Item 25 in the present report.

**Resolution 10.29: Recruitment Procedures for the CMS Executive Secretary**

421. Resolution 10.29: Recruitment Procedures for the CMS Executive Secretary was adopted as presented. Record of the deliberations of the plenary on this resolution can be found under Agenda Item 30 in the present report.

422. The Tenth Meeting of the Conference of the Parties adopted 28 Resolutions, which are contained in Annex XII to the present report (one draft Resolution was withdrawn).

**DATE AND VENUE OF 11<sup>TH</sup> COP (ITEM 28)**

423. The Chair invited offers from Parties interested in hosting the 11<sup>th</sup> Meeting of the CMS Conference of Parties in 2014. Potentially interested Parties were asked to liaise with the Secretariat. Reflecting on Norway's experience as host of COP10, he stressed the need for a minimum of 18 months' detailed planning and for the timing of COP11 to be carefully coordinated, well in advance, with the calendar of other relevant international meetings.

424. The representative of Paraguay read out a letter addressed to the Chair, Parties and all COP10 participants, from H.E. Mr. Oscar Rivas, Minister in the Environment Secretariat of Paraguay, in which he stated the intention of his government to consider hosting COP11.

425. Welcoming the statement, the Chair undertook to send a reply congratulating Minister Rivas and the government of Paraguay for their initiative. He hoped that the COP could look forward to meeting in Paraguay in 2014.

**ADOPTION OF THE REPORT OF THE MEETING (ITEM 29)**

426. The Chair noted that participants had received draft Daily Reports covering the first four days of the COP. Minor, editorial corrections to the draft Reports so far circulated could be submitted directly to the report writers but any more significant comments or corrections would need to be tabled during the present Plenary session. The draft Report of the final day would be made available soon; participants would have a period of one month from the date

of posting on the CMS website to submit written comments, corrections or other proposed amendments to the Secretariat. This would also be the case with COP10 Resolutions and Parties were therefore urged to check the CMS website regularly for updates.

427. There being no comments or proposed amendments from the floor relating to the draft Daily Reports circulated to participants, the Chair concluded this Agenda item.

### ANY OTHER BUSINESS (ITEM 30)

428. The Chair noted that there was a sub-item relating to the appointment of a new Executive Secretary for CMS, following the decision of Ms. Elizabeth Mrema to step down. The COP needed to provide clear guidance and this had been provided through a draft Resolution 10.29: *Recruitment Procedures for the CMS Executive Secretary*. He read out the operative section of the draft Resolution, paragraph by paragraph.

429. Mr. Bakary Kante, Director of UNEP's Division of Environmental Law and Conventions, pledged that UNEP would abide by the terms of draft Resolution 10.29 were it to be adopted by the COP. The representatives of Chile, the EU and New Zealand expressed support for the draft Resolution and there being no comments to the contrary, and at the invitation of the Chair, the Plenary Session adopted draft Resolution 10.29.

430. Ms. Mrema, Executive Secretary, expressed her gratitude to the outgoing officers of the Standing Committee. On behalf of the CMS she extended particular thanks to Mr. Sulayem, the outgoing Chair, for his tireless efforts on behalf of the Convention and presented him with a token of appreciation.

431. The representative of Germany, speaking on behalf of the Depository and Host country for the Secretariat, as well as on behalf of the EU, thanked Ms. Mrema for her dedicated work as Executive Secretary over the past three years. She spoke warmly of Ms. Mrema's efforts to cooperate with and assist all Parties and to cooperate intensively with other biodiversity-related Convention Secretariats and other relevant International Government Organizations, and wished her well for the future.

### CLOSURE OF THE MEETING (ITEM 31)

432. In her closing statement, Ms. Mrema (Executive Secretary), reflected that much had been achieved by COP10 and that the Convention Secretariat would be leaving Bergen with a commitment to take action for implementing decisions that the Parties themselves had adopted. She referred in particular to ecological networks and recognition of the link between species and their habitats and, especially, of the need to protect stopover sites and migratory corridors. Other key issues dealt with by the COP had included - among many others - climate change, barriers to migration, marine debris and underwater noise pollution. New CMS Appendix listings included those covering Giant Manta Ray (*Manta birostris*), Argali (*Ovis ammon*), Saker Falcon (*Falco cherrug*), Red-footed Falcon (*Falco vespertinus*), Far Eastern Curlew (*Numenius madagascariensis*), Bristle-thighed Curlew (*Numenius tahitiensis*) and Bobolink (*Dolichonyx oryzivorus*). New signatories to the CMS MoUs covering Migratory Sharks, Raptors and Aquatic Warbler (*Acrocephalus paludicola*) had been welcomed. With regard to partnerships, she thanked all those CMS partners from civil society and looked

forward to even closer joint working in the future. The Convention could look forward with more certainty about the outcomes of the Future Shape process and had a clear roadmap for preparing a new Strategic Plan.

433. Ms. Mrema thanked all those who had been involved with making COP10 a success, from the hotel and conference centre staff, through interpreters and report writers, to the members of the COP Working Groups, the Scientific Council, Standing Committee, CMS Ambassadors, Parties and Observers. Special thanks were due to the Governments of Germany, Norway and Poland (representing the EU Presidency) and the City of Bergen for hosting receptions during the COP and to the Governments of Australia, Finland, Germany, Norway and the United Arab Emirates, as well as UNEP and the United States National Oceanic and Atmospheric Administration (NOAA) who had pledged donations at the donors' meeting. Particular gratitude was due to the host Government, Norway and to the City and people of Bergen, who had made COP10 possible. Hosting the COP represented a huge contribution for which the Convention was extremely grateful. Finally she expressed her personal appreciation of the hard work and dedication of her colleagues from the CMS Secretariat, including those who had worked tirelessly behind the scenes.

434. Ms. Brita Slettemark, Deputy Director General, Norwegian Ministry of the Environment, made closing remarks on behalf of H.E Mr. Erik Solheim Minister of Environment and Minister of Development Cooperation, and Ms. Heidi Sørensen, State Secretary, Ministry of the Environment.

435. The theme of COP10 had been *Networking for Migratory Species*, which implied both ecological networks between critical sites that were crucial for the conservation of migratory species, and networking among all kinds of organizations, be they NGOs, UN bodies, the private sector or intergovernmental organizations. The COP had produced important Resolutions in that respect and it also appeared that delegates had been networking nicely among themselves. However, Resolutions were just the beginning and that Parties would now have to put them into practice.

436. Ms. Slettemark hoped that the hospitality and friendliness of the City of Bergen and its citizens had been evident and encouraged all participants to make a return visit to appreciate the beauty of spring in the region. Finally, she extended thanks to the Executive Secretary and her team, to Mr. Øystein Størkersen and to Mr. James Lutalo as Chair of the Plenary and Chair of the Committee of the Whole, respectively, to Parties and non-Party States, to UN Agencies, Specialized Agencies, NGOs, interpreters, technicians, Scandic hotels, the staff of the Norwegian Directorate for Nature Management, and in particular, the volunteers who had contributed their time and enthusiasm. She wished all participants a safe journey home and declared the Tenth Conference of the Parties to CMS closed.

437. The complete list of participants appears in Annex XIII to the present report.

#### **MEMORANDUM OF UNDERSTANDING SIGNING CEREMONY**

438. The Executive Secretary invited representatives of countries ready to sign new Memoranda of Understanding under the CMS and with appropriate full powers and/or credentials to do so, to come forward to sign the relevant instruments.

439. On 21 November 2011, to applause from COP participants, the following Parties signed both the Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia, and the Memorandum of Understanding on the Conservation of Migratory Sharks: Belgium, Denmark, the EU (signed by the European Commission and the President of the European Council, Poland), Germany, Italy and Romania.

440. The representative of Romania stated that his country would be hosting Ramsar COP11 in 2012, and invited all participants to attend.

441. Ghana signed the MoU on the Conservation of Migratory Birds of Prey in Africa and Eurasia. The Netherlands signed the MoU on the Conservation of Migratory Sharks, and Switzerland signed the Memorandum of Understanding Concerning Conservation Measures for the Aquatic Warbler.

442. The Executive Secretary invited countries that had yet to join the relevant Memoranda of Understanding to do so as soon as possible.

443. On 25 November 2011 the representative of the Principality of Monaco (whom adverse weather conditions had prevented from attending the Signing Ceremony held on 21 November 2011) signed both the Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia, and the Memorandum of Understanding on the Conservation of Migratory Sharks.

#### THESIS AWARD CEREMONY

444. Mr. Rilla (CMS Secretariat) introduced the Thesis Award, presented in cooperation with Lufthansa, for students who had undertaken a doctoral thesis relating to the conservation of migratory species. Some 61 submissions had been received from 25 countries, covering diverse taxa.

445. The Executive Secretary provided further information concerning the background to the award. She conveyed sincere thanks to the individual experts who had voluntarily reviewed the theses submitted. The Award Jury had reviewed 14 short-listed theses from which to select a winner and three runner-up laureates. Thanks were due to the Alexander Koenig Zoological Museum in Bonn which had facilitated the Jury's work. Particular thanks went to Lufthansa for its ongoing support; Ms. Mrema hoped that CMS could continue to count on partnership with Lufthansa in the future. She announced that the winner of the 2011 Thesis Award was Dr. Lucy King, whose thesis dealt with the use of African honey-bees as an effective elephant deterrent to reduce human-elephant conflicts in Kenya. The three runner-up laureates were: Dr. Franziska Tanneberger - whose thesis was on habitat selection by the Aquatic Warbler (*Acrocephalus paludicola*); Dr. J. Grant C. Hopcraft - herbivores in the Serengeti; and Dr. Christiane Trierweiler - concerning the ecology of the migratory raptor Montagu's Harrier (*Circus pygargus*).

446. Dr. Lucy King expressed her thanks to both CMS and Lufthansa. She reported how her research, in which local communities had participated actively, had proven that bee-hive fences formed an effective deterrent, preventing crop damage by elephants crossing farmland areas. Details of her research were available from [www.elephantsandbees.com](http://www.elephantsandbees.com) and [www.savetheelephants.com](http://www.savetheelephants.com).

447. Mr. Axel Kleinschumacher, Director of Corporate and Internal Communications, Lufthansa Group, presented the Thesis Award to Dr. King. He noted that this was the third time that the Award was being presented since its launch in 2004 on the occasion of the 25<sup>th</sup> Anniversary of CMS. He expressed Lufthansa's ongoing commitment to maintaining biodiversity and stressed the need for dialogue and cooperation between environmental bodies and the private sector.

448. The Chair thanked Mr. Kleinschumacher and Lufthansa on behalf of the Convention and observed that Dr. King's presentation had vividly demonstrated the value of the Thesis Award for the conservation of migratory species.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/COP10/REPORT  
ANNEX I

Original: English

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CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING

Bergen, Norway, 20-25 November 2011

**Proceedings of the Tenth Meeting of the Conference of the Parties  
Part I****RULES OF PROCEDURE  
FOR THE TENTH MEETING OF THE CONFERENCE OF THE PARTIES****Part I**Delegates, Observers, SecretariatRule 1 – Delegates

- (1) A Party to the Convention (hereafter referred to as a "Party")<sup>1</sup> shall be entitled to be represented at the meeting by a delegation consisting of a Representative and such Alternative Representatives and Advisers as the Party may deem necessary.
- (2) Without prejudice to the provisions of Rule 14, paragraph 2, the Representative of a Party shall exercise the voting rights of that Party. In their absence, an Alternative Representative of that Party shall act in their place over the full range of their functions.
- (3) Logistic and other limitations may require that no more than four delegates of any Party be present at a plenary session and sessions of the Committee of the Whole established under Rule 23. The Secretariat shall notify Parties, observers and other participants of any such limitations in advance of the meeting.

Rule 2 – Observers

- (1) The United Nations, its Specialized Agencies, the International Atomic Energy Agency and any State not a Party to the Convention may be represented at the meeting by observers who shall have the right to participate but not to vote.<sup>2</sup>

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<sup>1</sup> See Articles I, paragraph 1 (k), and XVIII of the Convention. A Party is a State which has deposited with the Government of the Federal Republic of Germany its instrument of ratification, acceptance, approval or accession by 31 August 2011.

<sup>2</sup> See Convention, Article VII, paragraph 8.

(2) Any body or agency technically qualified in protection, conservation and management of migratory species which is either:

- (a) an international agency or body, either governmental or non-governmental, or a national governmental agency or body; or
- (b) a national non-governmental agency or body which has been approved for this purpose by the State in which it is located;

and which has informed the Secretariat of the Convention of its desire to be represented at the meeting by observers, shall be permitted to be represented unless at least one-third of the Parties present object. Once admitted, these observers shall have the right to participate but not to vote.<sup>3</sup>

(3) Bodies and agencies desiring to be represented at the meeting by observers shall submit the names of their representatives (and in the case of bodies and agencies referred to in paragraph (2) (b) of this Rule, evidence of the approval of the State in which they are located) to the Secretariat of the Convention prior to the opening of the meeting.

(4) Logistic and other limitations may require that no more than two observers from any non-Party State, body or agency be present at a plenary session or a session of the Committee of the Whole of the meeting. The Secretariat shall notify Parties, observers and other participants of any such limitations in advance of the meeting.

(5) The standard participation fee for all non-governmental organisations is fixed by the Standing Committee and announced in the letter of invitation. Greater contributions are appreciated.

### Rule 3 - Credentials

(1) The Representative or any Alternative Representative of a Party shall, before exercising the voting rights of the Party, have been granted powers by, or on behalf of, a proper authority, such as the Head of State, the Head of Government or the Minister of Foreign Affairs or the head of an executive body of any regional economic organisation or as mentioned in footnote 1 above enabling them to represent the Party at the meeting and to vote.

(2) Such credentials shall be submitted to the Secretariat of the Convention.

(3) A Credentials Committee of not more than five Representatives shall examine the credentials and shall report thereon to the meeting. Pending a decision on their credentials, delegates may participate provisionally in the meeting.

### Rule 4 - Secretariat

The Secretariat of the Convention shall service and act as secretariat for the meeting.<sup>4</sup>

<sup>3</sup> See Convention, Article VII, paragraph 9.

<sup>4</sup> See Convention, Article IX, paragraph 4 (a).

## Part II

### Officers

#### Rule 5 - Chairpersons

- (1) The Chairperson of the Standing Committee shall act as temporary Chairperson of the meeting until the meeting elects a Chairperson in accordance with Rule 5, paragraph 2.
- (2) The Conference in its inaugural session shall elect from among the representatives of the Parties a Chairperson and a Chairperson of the Committee of the Whole. The latter shall also serve as Vice-Chairperson of the Conference.
- (3) The Conference shall also elect, from among the representatives of the Parties, a Vice-Chairperson of the Committee of the Whole. If the Chairperson of the Committee of the Whole is absent or is unable to discharge the duties of Chairperson, the Vice-Chairperson shall deputize.

#### Rule 6 - Presiding Officer

- (1) The Chairperson shall preside at all plenary sessions of the meeting.
- (2) If the Chairperson is absent or is unable to discharge the duties of Presiding Officer, the Chairperson of the Committee of the Whole shall deputize.
- (3) The Presiding Officer shall not vote but may designate an Alternative Representative from the same delegation.

#### Rule 7 - Bureau

- (1) The Presiding Officer, the Chairperson and Vice-Chairperson of the Committee of the Whole, and the Chairpersons of the Scientific Council and the Standing Committee, and the Secretariat shall constitute the Bureau of the Conference with the general duty of forwarding the business of the meeting including, where appropriate, altering the timetable and structure of the meeting and specifying time limits for debates.
- (2) The Presiding Officer shall preside over the Bureau.

## Part III

### Rules of Order and Debate

#### Rule 8 - Powers of Presiding Officer

- (1) In addition to exercising powers conferred elsewhere in these Rules, the Presiding Officer shall at plenary sessions of the meeting:
  - (a) open and close the session;
  - (b) direct the discussions;

- (c) ensure the observance of these Rules;
  - (d) accord the right to speak;
  - (e) put questions to the vote and announce decisions;
  - (f) rule on points of order; and
  - (g) subject to these Rules, have complete control of the proceedings of the meeting and the maintenance of order.
- (2) The Presiding Officer may, in the course of discussion at a plenary session of the meeting, propose to the Conference:
- (a) time limits for speakers;
  - (b) limitation of the number of times the members of a delegation or the observers from a State not a Party, body or agency may speak on any question;
  - (c) the closure of the list of speakers;
  - (d) the adjournment or the closure of the debate on the particular subject or question under discussion; and
  - (e) the suspensions or adjournment of the session.

#### Rule 9 - Seating, Quorum

- (1) Delegations shall be seated in accordance with the alphabetical order of the names of the Parties in the English language.
- (2) A quorum for plenary sessions and sessions of the Committee of the Whole of the meeting shall consist of one-half of the Parties having delegations at the meeting. No plenary session or session of the Committee of the Whole shall take place in the absence of a quorum.

#### Rule 10 - Right to Speak

- (1) The Presiding Officer shall call upon speakers in the order in which they signify their desire to speak, with precedence given to the delegates.
- (2) A delegate or observer may speak only if called upon by the Presiding Officer, who may call a speaker to order if the remarks are not relevant to the subject under discussion.
- (3) A speaker shall not be interrupted except on a point of order. The speaker may, however, with the permission of the Presiding Officer, give way during their speech to allow any delegate or observer to request elucidation on a particular point in that speech.
- (4) The Chairperson of a committee or working group may be accorded precedence for the purpose of explaining the conclusions arrived at by that committee or working group.

#### Rule 11 - Submission of Proposals for Amendment of the Convention and its Appendices

- (1) As a general rule proposals shall, subject to any provisions of the Convention itself, have been communicated at least 150 days before the meeting to the Secretariat, which shall have circulated them to all Parties in the working languages of the meeting. Proposals arising out of discussion of the foregoing may be discussed at any plenary session of the meeting provided copies of them have been circulated to all delegations not later than the day preceding the session. The Presiding Officer may also permit the discussion and

consideration of urgent proposals arising after the period prescribed above in the first sentence of this Rule provided that they relate to proposed amendments which have been circulated in accordance with the second sentence of this Rule and that their consideration will not unduly inhibit the proceedings of the Conference. The Presiding Officer may, in addition, permit the discussion of motions as to procedures, even though such motions have not been circulated previously.

(2) After a proposal has been adopted or rejected by the Conference it shall not be reconsidered unless a two-thirds majority of the Representatives participating in the meeting so decide. Permission to speak on a motion to reconsider a proposal shall be accorded only to a delegate from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote.

#### Rule 12 - Submission of Resolutions or Recommendations

As a general rule Resolutions or Recommendations shall have been communicated at least 60 days before the meeting to the Secretariat who shall circulate them to all Parties in the working languages in the meeting. The remaining provisions of Rule 11 shall also apply *mutatis mutandis* to the treatment of Resolutions and Recommendations.

#### Rule 13 - Procedural Motions

(1) During the discussion of any matter, a delegate may rise to make a point of order, and the point of order shall be immediately decided by the Presiding Officer in accordance with these Rules. A delegate may appeal against any ruling of the Presiding Officer. The appeal shall immediately be put to the vote, and the Presiding Officer's ruling shall stand unless a majority of the Representatives present and voting otherwise decide. A delegate rising to a point of order may not speak on the substance of the matter under discussion.

(2) The following motions shall have precedence in the following order over all other proposals or motions before the Conference:

- (a) to suspend the session;
- (b) to adjourn the session;
- (c) to adjourn the debate on the particular subject or question under discussion; and
- (d) to close the debate on the particular subject or question under discussion.

#### Rule 14 - Arrangements for Debate

(1) The Conference may, on a proposal by the Presiding Officer or by a delegate, limit the time to be allowed to each speaker and the number of times delegates or observers may speak on any question. When the debate is subject to such limits, and a speaker has spoken for the allotted time, the Presiding Officer shall call the speaker to order without delay.

(2) During the course of a debate the Presiding Officer may announce the list of speakers and, with the consent of the meeting, declare the list closed. The Presiding Officer may, however, accord the right of reply to any delegate if a speech delivered after the list has been declared closed makes this desirable.

(3) During the discussion of any matter, a delegate may move the adjournment of the debate on the particular subject or question under discussion. In addition to the proposer of the motion, a delegate may speak in favour of, and a delegate of each of two Parties may speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.

(4) A delegate may at any time move the closure of the debate on the particular subject or question under discussion, whether or not any other delegate has signified the wish to speak. Permission to speak on the motion for closure of the debate shall be accorded only to a delegate from each of two Parties wishing to speak against the motion, after which the motion shall immediately be put to the vote. The Presiding Officer may limit the time to be allowed to speakers under this Rule.

(5) During the discussion of any matter a delegate may move the suspension or the adjournment of the session. Such motions shall not be debated but shall immediately be put to the vote. The Presiding Officer may limit the time allowed to the speaker moving the suspension or adjournment of the session.

(6) Whenever the Conference considers a recommendation originating from the Committee of the Whole, where the discussion of the recommendation has been conducted with interpretation in the three working languages of the session, there shall be no further discussion on the recommendation, and it shall immediately be decided upon, subject to the second paragraph.

(7) However, any delegate, if seconded by another delegate of another Party, may present a motion for the opening of debate on any recommendation. Permission to speak on the motion for opening the debate shall be granted only to the delegate presenting the motion and the secondary, and to a delegate of each of two Parties wishing to speak against, after which the motion shall immediately be put to the vote. A motion to open the debate shall be granted if, on a show of hands, one third of the voting Representatives support the motion. While speaking on a motion to open the debate a delegate may not speak on the substance of the recommendation itself.

## Part IV

### Voting

#### Rule 15 - Methods of Voting

(1) Without prejudice to the provisions of Rule 1, paragraph 2, each representative duly accredited according to Rule 3 shall have one vote. Regional economic integration organizations, in matters within their competence, shall exercise their right to vote with the number of votes equal to the number of their member States which are Parties. In such case, the member States of such organizations shall not exercise their right individually.<sup>5</sup>

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<sup>5</sup> See Convention, Article 1, paragraph 2.

(2) Representatives of Parties which are three or more years behind in paying their subscriptions on the date of the opening session of the meeting of the Conference of the Parties shall not be eligible to vote. However, the Conference of the Parties may allow such Parties to exercise their right to vote if it is satisfied that the delay in payment arises from exceptional and unavoidable circumstances, and shall receive advice in this regard from the Standing Committee.

(3) The Conference shall normally vote by show of hands, but any Representative may request a roll-call vote. The roll-call vote shall be taken in the seating order of the delegations. The Presiding Officer may require a roll-call vote on the advice of the tellers where they are in doubt as to the actual number of votes cast and this is likely to be critical to the outcome.

(4) All votes in respect of the election of officers or of prospective host countries shall be by secret ballot and, although it shall not normally be used, any Representative may request a secret ballot for other matters. If seconded, the question of whether a secret ballot should be held shall immediately be voted upon. The motion for a secret ballot may not be conducted by secret ballot.

(5) Voting by roll-call or by secret ballot shall be expressed by "Yes", "No" or "Abstain". Only affirmative and negative votes shall be counted in calculating the number of votes cast.

(6) If votes are equal, the motion or amendment shall not be carried.

(7) The Presiding Officer shall be responsible for the counting of the votes and shall announce the result. The Presiding Officer may be assisted by tellers appointed by the Secretariat.

(8) After the Presiding Officer has announced the beginning of the vote, it shall not be interrupted except by a Representative on a point of order in connection with the actual conduct of the voting. The Presiding Officer may permit Representatives to explain their votes either before or after the voting, and may limit the time to be allowed for such explanations.

#### Rule 16 - Majority

Except where otherwise provided for under the provisions of the Convention, these Rules or the Terms of Reference for the Administration of the Trust Fund, all votes on procedural matters relating to the forwarding of the business of the meeting shall be decided by a simple majority of votes cast, while all other decisions shall be taken by a two-thirds majority of votes cast.

#### Rule 17 - Procedure for Voting on Motions and Amendments

(1) A delegate may move that parts of a proposal or of an amendment be voted on separately. If objection is made to the request for such division, the motion for division shall be voted upon first. Permission to speak on the motion for division shall be accorded only to a delegate from each of two Parties wishing to speak in favour of and a delegate from each of two Parties wishing to speak against the motion. If the motion for division is carried, those parts of the proposal or amendment which are subsequently approved shall be put to the vote as a whole. If all operative

parts of the proposal of the amendment have been rejected, the proposal or the amendment shall be considered to have been rejected as a whole.

(2) When an amendment is moved to a proposal, the amendment shall be voted on first. When two or more amendments are moved to a proposal, the Conference shall vote first on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom, and so on until all amendments have been put to the vote. When, however, the adoption of one amendment necessarily implies the rejection of another amendment, the latter amendment shall not be put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon. A motion is considered an amendment to a proposal if it merely adds to, deletes or revises part of that proposal.

(3) If two or more proposals relate to the same question, the Conference shall, unless it decides otherwise, vote on the proposals in the order in which they have been submitted. The Conference may, after voting on a proposal, decide whether to vote on the next proposal.

### Rule 18 - Elections

(1) If in an election to fill one place no candidate obtains the required majority in the first ballot, a second ballot shall be taken restricted to the two candidates obtaining the largest number of votes. If in the second ballot the votes are equally divided, the Presiding Officer shall decide between the candidates by drawing lots.

(2) If in the first ballot there is a tie amongst candidates obtaining the second largest number of votes, a special ballot shall be held amongst them to reduce the number of candidates to two.

(3) In the case of tie amongst three or more candidates obtaining the largest number of votes in the first ballot, a special ballot shall be held amongst them to reduce the number of candidates to two. If a tie then results amongst two or more candidates, the Presiding Officer shall reduce the number to two by drawing lots, and a further ballot shall be held in accordance with paragraph 1 of this Rule.

## Part V

### Languages and Records

#### Rule 19 - Official and Working Languages

(1) English, French and Spanish shall be the official and working languages of the meeting.

(2) Speeches made in any of the working languages shall be interpreted into the other working languages.

(3) The official documents of the meeting shall be distributed in the working languages.

Rule 20 - Other Languages

- (1) A delegate may speak in a language other than a working language. They shall be responsible for providing interpretation into a working language, and interpretation by the Secretariat into the other working languages may be based upon that interpretation.
- (2) Any document submitted to the Secretariat in any language other than a working language shall be accompanied by a translation into one of the working languages.

Rule 21 - Summary Records

- (1) Summary records of the meeting shall be circulated to all Parties in the official languages of the meeting.
- (2) Committees and working groups shall decide upon the form in which their records shall be prepared.

Part VI

Publicity of Debates

Rule 22 - Plenary Sessions

All plenary sessions of the meeting shall be open to the public, except that in exceptional circumstances the Conference may decide, by a two-thirds majority of Representatives present and voting, that any single session be closed to the public.

Rule 23 - Sessions of Committees and Working Groups

As a general rule, sessions of committees and working groups other than the Committee of the Whole shall be limited to the delegates and to observers invited by the Chairpersons of the committees or working groups.

Part VII

Committees and Working Groups

Rule 24 - Establishment of Committees and Working Groups

- (1) In addition to the Credentials Committee, the Conference of the Parties shall establish a committee to forward the business of the meeting. This committee shall be called the Committee of the Whole. It shall be responsible for making recommendations to the Conference on any matter of a scientific or technical nature, including proposals to amend the Appendices of the Convention, as well as recommendations concerning financial, administrative and any other matter to be decided upon by the Conference.

(2) The Conference and the Committee of the Whole may establish such working groups as may be necessary to enable them to carry out their functions. They shall define the terms of reference and composition of each working group, the size of which shall be limited according to the number of places available in assembly rooms.

(3) The Credentials Committee and each working group shall elect their own officers.

#### Rule 25 - Procedure

Insofar as they are applicable, these Rules shall apply *mutatis mutandis* to the proceedings of committees and working groups; however, with the exception of the Committee of the Whole, interpretation may not be provided in sessions of the committees and working groups.

### Part VIII

#### Amendment

#### Rule 26

These rules may be amended as required by decision of the Conference.



**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/COP10/REPORT  
ANNEX II

Original: English

CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING

Bergen, Norway, 20-25 November 2011

**Proceedings of the Tenth Meeting of the Conference of the Parties  
Part I**

**AGENDA OF THE MEETING**

**I. INTRODUCTION**

1. Opening of the Meeting
2. Welcoming addresses
3. Key note address
4. Adoption of Rules of Procedure
5. Election of officers
6. Adoption of agenda and schedule
7. Establishment of Credentials Committee and other sessional committees
8. Admission of observers
9. Overview of the process regarding the “Future Shape” of CMS

**II. REPORTS AND STATEMENTS ON THE IMPLEMENTATION OF CMS**

10. Reports from Convention and Agreement bodies and UNEP
  - (a) Standing Committee
  - (b) Scientific Council
  - (c) Article IV Agreements/MoUs
  - (d) UNEP

11. Statements from States
  - (a) Depositary & Host Country
  - (b) Party States (including REIOs)
12. Statements on cooperation
  - (a) Synergies and partnerships
  - (b) Biodiversity-related MEAs (including CBD COP10 and NBSAPs)
  - (c) Intergovernmental Science and Policy Platform on Biodiversity and Ecosystem Services (IPBES)
  - (d) Other intergovernmental bodies
  - (e) Non-governmental organizations

### **III. CURRENT STATUS AND “FUTURE SHAPE” OF THE CONVENTION**

13. Process regarding the Future Shape of CMS
  - (a) Proposals on organization and strategic development of the CMS Family
  - (b) Extension of the ACCOBAMS area
  - (c) Merger of CMS and ASCOBANS Secretariat functions
14. CMS Strategic Plan
  - (a) Assessment of the implementation of the Strategic Plan 2006-2011
  - (b) Strategic Plan 2012-2014

### **IV. CMS ACTIVITIES AND KEY ISSUES**

15. Measures to improve the conservation status of Appendix I species
  - (a) Progress on concerted and other actions for CMS species that are not covered by an Article IV instrument
  - (b) Other measures to promote the conservation of Appendix I species
16. Measures to improve the conservation status of Appendix II species
  - (a) Development of new and future Agreements
  - (b) Other measures to promote conservation and sustainable management of Appendix II species
17. Online reporting – harmonization of information
18. CMS outreach and communications
  - (a) Capacity building
  - (b) “Year of the ...” species campaigns
  - (c) CMS Ambassadors
  - (d) Implementation of the outreach and communication plan
19. Conservation Issues
  - (a) Critical sites and ecological networks for migratory species
  - (b) Barriers to migration

- (c) Conservation emergencies
  - (d) Climate change and migratory species
  - (e) Migratory aquatic species
    - i. Review of freshwater fish*
    - ii. Assessment of bycatch in gill net fisheries*
    - iii. Implementation of Res 8.22 on human-induced impacts on cetaceans*
    - iv. Programme of work for cetaceans*
    - v. Underwater noise*
    - vi. Marine debris*
  - (f) Migratory avian species
    - i. Bird flyway conservation policy*
    - ii. Improving the conservation status of migratory landbirds in the African-Eurasian region*
    - iii. Minimizing the risk of poisoning to migratory birds*
    - iv. Taxonomy and nomenclature of birds listed on the Appendices*
  - (g) Migratory terrestrial species
  - (h) Migratory marine turtles
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  - (j) Guidelines for Small Grants Programme
20. Proposals submitted by Parties to amend the Appendices of the Convention

## **V. RESOURCES OF THE CONVENTION**

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- (a) Execution of CMS budget 2009-2011
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28. Date and venue of 11<sup>th</sup> COP
29. Adoption of the report of the meeting
30. Any other business
31. Closure of the meeting



# CONVENTION ON MIGRATORY SPECIES

Distr: General

 UNEP/CMS/COP10/REPORT  
ANNEX III

Original: English

CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING  
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## Proceedings of the Tenth Meeting of the Conference of the Parties Part I

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UNEP/CMS/Conf.10.15	Proposals for Amendment of Appendices I and II of the Convention

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UNEP/CMS/Inf.10.14.2	Resolution 9.13 addendum
UNEP/CMS/Inf.10.14.3	Resolution 9.2
UNEP/CMS/Inf.10.14.4 (English only)	Report of preliminary Meeting between the Secretariat and the Chair (27 February 2009)
UNEP/CMS/Inf.10.14.5 (English only)	Report of the 1 <sup>st</sup> Meeting of the Working Group (19-20 October 2009)
UNEP/CMS/Inf.10.14.6 (English only)	Report of the 2 <sup>nd</sup> Meeting of the Working Group (1-2 July 2010)
UNEP/CMS/Inf.10.14.7 (English only)	Report of the 3 <sup>rd</sup> Meeting of the Working Group (3-4 February 2011)
UNEP/CMS/Inf.10.14.8 (English and Spanish only)	Phase I Report
UNEP/CMS/Inf.10.14.9	Phase II Report

<b>Document No</b>	<b>Title</b>
UNEP/CMS/Inf.10.14.10	Phase III Report
UNEP/CMS/Inf.10.14.11 (English only)	Summary of Party Responses to Phase III Report Future Shape of CMS
UNEP/CMS/Inf.10.15 (English only)	Review of CMS Existing Instruments and Projects on Terrestrial Mammals (including Bats)
UNEP/CMS/Inf.10.16 (English only)	Review of CMS Existing Instruments and Projects on Marine Turtles
UNEP/CMS/Inf.10.17	Report of Activities undertaken by UNEP
UNEP/CMS/Inf.10.18.X	Review of Article IV Agreements already concluded
UNEP/CMS/Inf.10.18.01 (English only)	Review of Article IV Agreements already concluded: ACCOBAMS
UNEP/CMS/Inf.10.18.02 (English only)	Review of Article IV Agreements already concluded: ASCOBANS
UNEP/CMS/Inf.10.18.03 (English only)	Review of Article IV Agreements already concluded: AEWAs
UNEP/CMS/Inf.10.18.04 (English only)	Review of Article IV Agreements already concluded: EUROBATS
UNEP/CMS/Inf.10.18.05 (English only)	Review of Article IV Agreements already concluded: Gorillas and their Habitats
UNEP/CMS/Inf.10.18.06	Review of Article IV Agreements already concluded: ACAP
UNEP/CMS/Inf.10.18.07 (English only)	Review of Article IV Agreements already concluded: Wadden Sea Seals
UNEP/CMS/Inf.10.18.08 (English only)	Review of Article IV Agreements already concluded: Marine Turtles - IOSEA
UNEP/CMS/Inf.10.18.09 (English only)	Review of Article IV Agreements already concluded: Pacific Cetaceans
UNEP/CMS/Inf.10.18.10 (English only)	Review of Article IV Agreements already concluded: Raptors
UNEP/CMS/Inf.10.18.11 (English only)	Review of Article IV Agreements already concluded: Dugongs
UNEP/CMS/Inf.10.19 (English only)	CMS Resolutions and Recommendations: 1985-2008
UNEP/CMS/Inf.10.20	Reports from Partner Organizations
UNEP/CMS/Inf.10.21	Selected List of Publications
UNEP/CMS/Inf.10.22	Report of the 17 <sup>th</sup> Meeting of the Scientific Council
UNEP/CMS/Inf.10.23	Report of the 38 <sup>th</sup> Meeting of the Standing Committee
UNEP/CMS/Inf.10.24 (English only)	The Relevance of Community-Based Natural Resource Management (CBNRM) to the Conservation and Sustainable Use of Migratory Species
UNEP/CMS/Inf.10.25 (English only)	CMS Family Website Proposal
UNEP/CMS/Inf.10.26 (English only)	Status Assessment of CMS Appendix I Species
UNEP/CMS/Inf.10.27 (English only)	Gap Analysis on Central African Elephants

<b>Document No</b>	<b>Title</b>
UNEP/CMS/Inf.10.28 <i>(English only)</i>	Summary of Activities reported by Parties on Concerted Actions
UNEP/CMS/Inf.10.29	Evaluation of the Annual Global Species Campaigns: "Year of the ..."
UNEP/CMS/Inf.10.30 <i>(English and French only)</i>	Assessment of Bycatch in Gill Net Fisheries
UNEP/CMS/Inf.10.31 <i>(English only)</i>	Towards a CMS Global Programme of Work for Cetaceans
UNEP/CMS/Inf.10.32 <i>(English only)</i>	Evaluation of the Merger of the ASCOBANS Secretariat with the CMS Secretariat
UNEP/CMS/Inf.10.33 <i>(English only)</i>	Freshwater Fish
UNEP/CMS/Inf.10.34 <i>(English only)</i>	Information considered by the Standing Committee concerning the Development of New Agreements
UNEP/CMS/Inf.10.35	Cooperation between CMS and CITES
UNEP/CMS/Inf.10.36 <i>(English and French only)</i>	Cooperation between CMS and CBD
UNEP/CMS/Inf.10.37	Cooperation between CMS and Ramsar
UNEP/CMS/Inf.10.38 <i>(English only)</i>	Review on the Conflict between Migratory Birds and Electricity Power Grids in the African-Eurasian Region
UNEP/CMS/Inf.10.39 <i>(English only)</i>	Migratory Landbirds in the African-Eurasian Region
UNEP/CMS/Inf.10.40 <i>(English only)</i>	Minimizing the Risk of Poisoning to Migratory Birds
UNEP/CMS/Inf.10.41 <i>(English only)</i>	Global Waterbird Flyways Workshop 2011: Information Note for CMS 17th Scientific Council
UNEP/CMS/Inf.10.42 <i>(English only)</i>	List of Observers





# CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/COP10/REPORT  
ANNEX IV

Original: English

CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING

Bergen, Norway, 20-25 November 2011

## Proceedings of the Tenth Meeting of the Conference of the Parties Part I

### LIST OF OBSERVERS

#### Non-Party

- IRAQ
- KYRGYZSTAN
- SWAZILAND
- USA NOAA  
USFWS

#### IGO

- UNEP
- UNEP/CMS ABU DHABI OFFICE
- UNEP/AEWA
- UNEP/ASCOBANS
- ACCOBAMS
- UNEP/EUROBATS
- UNEP/GRID-ARENDAL
- UNEP-WCMC
- RAMSAR CONVENTION
- INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES FOR FOOD  
AND AGRICULTURE
- FAO
- BERN CONVENTION
- CITES SECRETARIAT
- EUROPEAN SPACE AGENCY
- IUCN-ENVIRONMENTAL LAW CENTRE
- IUCN-INTERNATIONAL UNION FOR CONSERVATION OF NATURE
- IUCN- POLAND

**NGO**

- NATURE RESEARCH CENTER, NORTH CAROLINA MUSEUM OF NATURAL SCIENCES
- URTOMA
- BIRDLIFE INTERNATIONAL
- NABU - BIRDLIFE PARTNER GERMANY
- WILDFOWL & WETLANDS TRUST (WWT)
- MIGRATORY WILDLIFE NETWORK
- MAX PLANCK INSTITUTE FOR ORNITHOLOGY
- ASSOCIATION "LES AMIS DES OISEAUX"
- WORLD ASSOCIATION OF ZOOS AND AQUARIUMS (WAZA)
- WDCS
- HAI NORGE
- IFAW-GERMANY
- INTERNATIONAL CRANE FOUNDATION, INC.
- INTERNATIONAL COUNCIL FOR GAME AND WILDLIFE CONSERVATION (CIC)
- HUMANE SOCIETY INTERNATIONAL
- VOGELBESCHERMING NEDERLAND
- APB BIRDLIFE BELARUS
- FOUNDATION NATURAMA (BIRDLIFE BURKINA FASO)
- ASSOCIATION FOR THE CONSERVATION OF BIODIVERSITY OF KAZAKHSTAN (ACBK)
- WETLANDS INTERNATIONAL (AFRICA OFFICE)
- WWF CAMEROON
- WWF RUSSIA
- FRANKFURT ZOOLOGICAL SOCIETY
- INTERNATIONAL ASSOCIATION FOR FALCONRY
- SHARK ADVOCATES INTERNATIONAL
- WILDLIFE CONSERVATION SOCIETY

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/COP10/REPORT  
ANNEX V

Original: English

CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING  
Bergen, Norway, 20-25 November 2011

**Proceedings of the Tenth Meeting of the Conference of the Parties  
Part I****REPORT OF THE 38<sup>TH</sup> MEETING  
OF THE STANDING COMMITTEE OF THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS***19 November 2011, Bergen, Norway***Agenda Item 1: Opening remarks and introductions**

1. Mr. Mohammad Saud A. Sulayem (Chair) welcomed Standing Committee Members, observers, partners, supporters, and the host, Norway, and invited the Executive Secretary of CMS to make her opening remarks. The list of participants is attached as Annex 3 to the present report.
2. Ms. Elizabeth Maruma Mrema (Executive Secretary, UNEP/CMS) extended greetings and thanks to the Standing Committee Chair, the representatives of the Host Government, Standing Committee Members and other delegates. She especially thanked Norway for their huge contribution in hosting the COP and associated meetings, and welcomed the Secretariats of other MEAs, UNEP, Partners, NGOs and colleagues. The work of the Standing Committee Working Group in screening and amending draft documents had been especially valuable.
3. Ms. Mrema went on to summarize the major achievements of CMS since COP9, giving information about Joint Work Plans with other MEAs (CITES, CBD and Ramsar), the budget and Future Shape process, staffing, COP10 preparations, the role of the Standing Committee in reviewing and amending COP documents, and the responsibility of the current Standing Committee to help find members of the new Standing Committee for the next triennium.

**Agenda Item 2: Adoption of the Agenda**

4. The Chair introduced document UNEP/CMS/StC38/Doc.2: *Annotated Provisional Agenda*. There were no proposals for amendments and the Agenda was adopted. The Agenda and the List of Documents is attached as Annex I and Annex 2 to the present report.

### **Agenda Item 3: Adoption of the Report of the 37<sup>th</sup> Meeting of the CMS Standing Committee**

5. The Chair introduced UNEP/CMS/StC38/Inf.2: *Draft Report of the 37<sup>th</sup> Meeting of the CMS Standing Committee*. No major comments on the report had been received by the Secretariat and none were added in the Meeting, which accepted and approved the document.

#### **Actions and decisions**

The Standing Committee accepted and approved the Report of the 37<sup>th</sup> Meeting of the CMS Standing Committee.

### **Agenda Item 4: Progress report on activities since the 37<sup>th</sup> Meeting of the CMS Standing Committee**

6. Ms. Mrema provided a brief oral report, noting that matters relating to this item would be covered in greater detail under Agenda items 5, 7 and 8.

### **Agenda Item 5: Cooperation with other MEA Secretariats**

7. Mr. Bert Lenten (Deputy Executive Secretary) summarized activities carried out under the Joint Work Plans with other MEA Secretariats. The new Joint Work Plans for 2012-2014 reflect the CMS Strategic Plan, the CITES Strategic Vision, the Strategic Plan for Biodiversity 2011-2020, the Aichi Biodiversity Target and the Ramsar Strategic Vision.

#### **(a) *Joint Work Plan with CITES***

8. Mr. Lenten summarized the activities under the 2008-2012 Joint Work Plan with CITES. Voluntary contributions from France and Monaco had facilitated the implementation of the Work Plan. Furthermore, France had provided additional support, allowing the employment of a consultant, Mme. Véronique Herrenschmidt.

9. Activities undertaken included the harmonization of nomenclature for marine and terrestrial mammals, joint work on the Sharks MOU and joint meetings of the CMS West African Elephant MOU and CITES/Monitoring the Illegal Killing of Elephants (MIKE) in 2009 and 2011. Further examples of joint activities were cooperation at the Saiga MOU meetings in 2010, engaging with the traditional Chinese medicine industry to support the Saiga MOU, CITES participation alongside CMS in the Gorilla Technical Committee and enforcement activities, and joint participation at a meeting in 2009 on the Saker Falcon.

10. The process for the new Joint Work Plan was as follows: in August 2011, the CITES Standing Committee commented on a draft Work Plan prepared by the Secretariat, and three CITES partners (Germany, New Zealand and the USA) provided additional comments. Once the 38<sup>th</sup> Meeting of the CMS Standing Committee had approved the Joint Work Plan, the 62<sup>nd</sup> Meeting of the CITES Standing Committee, to be held in 2012, would be invited to endorse it.

11. The Joint Work Plan for 2012-2014 included the following activities:

- Harmonization of nomenclature for marine turtles;
- Comparison of species lists with one other, and with the IUCN Red List;

- Collaborative input to the Sharks Conservation Management Plan (also with FAO);
- Discussion of collaboration over turtles and other shared marine species;
- Joint fundraising for 12 West African Elephant (*Loxodonta africana*) transboundary projects;
- Collaboration on a third Saiga Antelope (*Saiga tatarica*) MOU meeting and the medium-term International Work Plan for the Saiga Antelope; and
- Cooperation on gorilla enforcement issues.

**(b) Joint Work Plan with CBD**

12. Mr. Lenten outlined the history and process for collaboration between CMS and CBD for the period 2012-2014. Cooperation had continued under the auspices of the Biodiversity Liaison Group (BLG), reported in the document UNEP/CMS/Conf.10.28: *Report on Synergies and Partnerships*. Further collaboration had taken place with regard to the CMS Guidelines for National Biodiversity Species Action Plans. A new Joint Work Plan was requested by both CMS COP9 and CBD COP10, and once the comments of 38<sup>th</sup> Meeting of the Standing Committee had been incorporated, CBD COP11 would be invited to approve the Joint Work Plan 2012-2014, which included the following activities:

- Collaboration on bushmeat;
- Promotion of CMS *Guidelines on the Integration of Migratory Species into NBSAPs*;
- Working together on cross-cutting issues such as climate change; and
- Collaborative outreach and capacity building.

**(c) Joint Work Plan with Ramsar**

13. Mr. Lenten described the history and process for collaboration between the CMS and the Ramsar Convention on Wetlands for the period 2012-2014. CMS, AEWA and Ramsar implemented their first Joint Work Plan during the period 2003-2005 and much had continued to be achieved since then on the Task Forces on Avian Influenza and Wildlife Diseases, development of policy on flyways, a Regional Strategy for the Conservation and Sustainable Use of High Andean Wetlands, and Ramsar Advisory Missions. In addition, CMS COP9 and Ramsar COP10 called for a new Joint Work Programme. Once comments from this 38<sup>th</sup> Meeting of the CMS Standing Committee had been incorporated, Ramsar COP11 would be invited to approve the 2012-2014 Work Plan, which included the following activities:

- Support for national policy initiatives for coordinated implementation of the Conventions;
- Work to further ecological networks in relation to migratory species and wetlands;
- Research and responses to wildlife diseases;
- Proposed GEF project on Dugongs (*Dugong dugon*) in the Western Indian Ocean;
- Joint Advisory Missions;
- Science and policy work, for example, on water, wetlands and migratory species in respect of the economics of ecosystems and biodiversity; and
- Collaborative outreach and capacity building.

14. The Chair invited comments from Standing Committee participants.
15. Ms. Nancy Cespedes Lagos (Chile) remarked that extensive and intense work would be required of the Secretariat under these Joint Work Plans. She expressed concern that over-ambitious work plans could cause difficulty for Parties which may not have the capacity to respond to frequent communications from the Secretariat.
16. Mr. David Morgan (CITES), referring to UNEP/CMS/StC38/Doc.3: *Cooperation between CMS and CITES*, said that cooperation was important for reasons of efficiency and economy, and that the 2012-2014 Joint Work Plan with CITES had been prepared with this in mind. He therefore considered the Plan to be practical, deliverable and not over-ambitious.
17. Mr. Morgan then detailed minor amendments to UNEP/CMS/StC38/Doc.3 following its presentation to the 61<sup>st</sup> CITES Standing Committee in July 2011. He undertook to provide these amendments, relating to five places in Annex 2 of the document, in writing to the CMS Secretariat. Finally, he expressed satisfaction with the expansion of joint working between CITES and CMS, which was producing useful and tangible outputs; he hoped that this would continue.
18. Ms. Gunn Paulsen (Norway), expressing the support of Norway for the Joint Work Plans, said effective cooperation could improve efficiency and avoid duplication of work. She added that the appearance of a draft CMS Resolution on climate change and migratory species for consideration by COP10 suggested that the availability of scientific expertise in the United Nations Framework Convention on Climate Change (UNFCCC) could be helpful, and that more formal cooperation with this instrument might be desirable.
19. Mr. Martin Lok (Netherlands) expressed the strong support of the Netherlands for cooperation between the Conventions because of the improvements in effectiveness and economic savings that it allowed. He asked whether scientific cooperation was being discussed with the secretariats of other Conventions, particularly with regard to the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES). He also enquired about the workloads of convention secretariats, observing that cooperation usually improved effectiveness but did not necessarily reduce the volume of work to be done. He asked whether it was normal practice for workloads to be reduced through one MEA taking the lead on certain matters on behalf of others, and vice versa.
20. Mr. Lenten responded that the Secretariats had learned from the early years of cooperation when over-ambitious work plans had resulted in poor implementation. Nowadays, as explained by Mr. Morgan (CITES), work plans were more practical and achievable. Cooperation between the conventions often occurred behind the scenes; for example a CITES staff member was helping with document control at CMS COP10, to be reciprocated by CMS at the next CITES COP.
21. Responding to Mr. Lok's question about scientific cooperation, Mr. Lenten gave the example of wildlife diseases, where there had been close cooperation with FAO and the World Organization for Animal Health (OIE). He added that the Biodiversity Liaison Group (BLG) met annually and one of the current topics of discussion was cooperation over IPBES.
22. The Executive Secretary added that the BLG now provided a joint forum under CBD for all MEAs to discuss scientific matters of common interest. She mentioned the 2009 Saiga Antelope workshop in China and the recent West African Elephant meeting in Niger

undertaken in cooperation with CITES. She went on to explain that IPBES was still at an early stage of development. Finally, she recalled that a decision of CBD COP10, held in Nagoya in 2010, had recognized CMS as the lead partner for CBD's work on migratory species.

23. Ms. Marianne Courouble (France) expressed her satisfaction with the Joint Programme of Work between CMS and other MEAs, and welcomed the fact that the objectives were feasible and not over-ambitious. She expressed disappointment that the Annexes of the document were not available in French and stressed the importance of non-English speaking Parties having access to documents in the official languages of the Convention. She asked the Secretariat to ensure that all the Convention languages were treated equally. She suggested that it would be useful to have a report summarizing the activities already undertaken under the Joint Work Plans. France was interested in supporting joint work between CMS and CITES but needed information on what had already been done. She concluded by expressing the hope that the report on the recent West African Elephant Meeting would soon be posted on the website.

24. Mr. Lenten responded that the Secretariat was acutely aware of the problem with the backlog of translations. Holding so many back-to-back meetings over the coming days had led to problems of capacity which the Secretariat was working hard to minimize. He promised to work towards establishing a better pool of technical translators to work on CMS documents. He also questioned whether back-to-back meetings were desirable, since they created an unhelpful bottleneck and did not actually result in significant financial savings because there was little overlap of participants in the various meetings.

25. Ms. Melanie Virtue (Secretariat), the officer responsible for the West African Elephant MOU, added that Annex 1 of the CITES report included the activities of the last triennium. Responding to Ms. Courouble, she said that the West African Elephant Meeting report had nearly been completed and would be posted on the CMS website shortly after CMS COP10.

26. Mr. Abdul Munaf Qaimkhani (Pakistan) agreed that CMS should consider cooperating more formally with the Intergovernmental Panel on Climate Change (IPCC). As an effective and important Convention, the work of the United Nations Convention to Combat Desertification (UNCCD) in arid and semi-arid regions made it particularly relevant to CMS, and he considered formal cooperation with this Convention to be very appropriate for CMS.

27. In response, and also referring to Ms. Paulsen's earlier comment concerning UNFCCC, the Executive Secretary confirmed that there was no formal agreement of cooperation between CMS and either UNFCCC or UNCCD. However, the Conventions shared premises in Bonn and existing *ad hoc* cooperation would continue. The potential for more formal relationships would be re-examined in the light of lessons learned to date, subject to approval by the Standing Committee. If cooperative arrangements were to be formalized, capacity limitations would make a gradual start advisable.

28. Mr. Morgan, responding further to Mr. Lok's earlier intervention, added that activities under the CMS/CITES Joint Work Plan were normally only implemented if funding was in place. Annex 2 of UNEP/CMS/StC38/Doc.3 included the wording "subject to additional funding", such that the workloads of Secretariat staff would not be increased unreasonably. On the question of inputs to IPBES, Mr. Morgan said that the Chairs of scientific subsidiary

bodies of the biodiversity MEAs had produced a joint statement at the recent 1<sup>st</sup> Meeting of IPBES, and accordingly were working together at a scientific, if not at a Secretariat, level.

**Actions and decisions**

The Standing Committee accepted and approved the Joint Work Plans and the Secretariat took note of the discussion.

**Agenda Item 6: Process for the election of the new members of the Standing Committee**

29. Ms. Mrema reminded the Meeting that Rule 9 of the Standing Committee Rules of Procedure and CMS Res.9.15 dealt with the composition of the Standing Committee. Res.9.15 expanded the composition of the Standing Committee, which now included three regional representatives from Africa, three from Europe, two from Asia, two from South and Central America and the Caribbean, one from Oceania and one (vacant) from North America, as well as one each from the Depositary (Germany) and the hosts of the previous and current COPs. Each had an alternate. A member could only be re-elected once. This meant that the Chair would change after the current meeting because Saudi Arabia had served two consecutive terms on the Committee. Ms. Mrema urged the current membership to facilitate the process of electing a new Standing Committee by nominating new members and helping to identify which members were eligible for re-election.

30. The Chair encouraged members to consult and nominate Standing Committee Members. He highlighted the importance of second-term members providing continuity, experience and institutional knowledge. The Secretariat would meet Heads of Delegations on Sunday 20 November 2011 to discuss this issue among others.

31. Ms. Mrema reminded Members that the first meeting of the new Standing Committee would take place on the afternoon of Friday, 25 November 2011, immediately after the close of COP10. The main task of this meeting would be to appoint a Chair and Vice-Chair and to arrange the date of the next meeting.

**Agenda Item 7: Status of Preparations for CMS COP10**

32. Mr. Lenten confirmed that everything was ready for the COP. The opening ceremony was scheduled for Sunday, 20 November 2011 at 1400 hrs. and would be attended by His Highness Prince Bandar Al-Saud of Saudi Arabia and His Excellency Mr. Erik Solheim, the Norwegian Minister for the Environment. The ceremony would be followed by a reception hosted by the Government of Norway. The working sessions of the COP would run from Monday, 21 November to Friday, 25 November 2011, starting at 0900 hrs. each day. There would be plenary sessions on Monday morning, Wednesday afternoon and Friday afternoon, with all other sessions comprising the Committee of the Whole (COW). Working groups are envisaged to discuss the Saker Falcon (*Falco cherrug*), bycatch and marine issues, the process for the development of the new Strategic Plan, and the budget and Future Shape process. The last two were interlinked but the Budget was normally discussed by Parties only and it was not yet clear how the two topics could best be combined. It was possible that this working group would work in parallel with the Plenary and COW sessions.

33. Ms. Monika Lesz (Poland) proposed linking the discussions of the Budget and the Future Shape process by starting discussion in an open group, then closing the group for discussion of the Budget.

34. Ms. Mrema clarified that the Heads of Delegation meeting would be on 20 November 2011 at 2000 hrs. in a room to be announced.

**Actions and decisions**

The Standing Committee took note of the preparations for COP10.

**Agenda Item 8: Key Documents and Draft Resolutions: Handling and Follow-up**

35. Mr. Lenten stressed that documents relating to the Budget had been produced for detailed discussion during the COP and that the present meeting should only discuss them in general terms. He explained that the budget was presented in the form of six scenarios showing what could be done with six levels of increase ranging between 0 per cent and 25 per cent. This approach was taken in order to make it clear to Parties what they would get for their money under each scenario.

36. He added that one criticism of the Future Shape process had been that it was unclear where funding would come from at a time when the Convention's resources were already stretched. The Convention had a budget of € six million for three years, for use worldwide. If no substantial increase in the budget was possible, it should be clear what could and could not be done. The 19 MOUs (of which only three were well funded) depended on voluntary contributions. If there was no substantial increase in the budget, it needed to be made clear what would remain unfunded. It was important not to raise false expectations.

37. Mr. Biber (Switzerland) responded to Mr. Lenten's observations about the Future Shape process by suggesting that it should not only be looked at in relation to the budget. It should be thought of in terms of the future of CMS and activities to improve the conservation status of migratory species. He urged parties to look at the content and not just the cost, and to bear in mind that short-term costs could be offset by long-term savings through increased efficiency.

38. The Chair noted that a report of the present meeting would be drafted and made available as an input to the COP.

**Agenda Item 9: Report by the Chair of the Scientific Council on the outcomes of the 17<sup>th</sup> Meeting of the Council**

39. The Chair of the Scientific Council, Mr. John Mshelbwala reported on the meeting which had taken place over the previous two days. The report of the meeting would be available within the next day or two as an input to the COP. The meeting had been conducted under considerable time pressure and this had affected the quality of some of the outcomes. Important decisions were made, *inter alia*, on draft Resolutions, the Future Shape process, Marine Debris, the Small Grants Programme, and Critical Sites and Ecological Networks. The reports of the taxonomic and thematic Working Groups had suffered through lack of time. A new Chair, Mr. Fernando Spina (Italy) had been elected and the new Vice-Chair was Ms. Malta Qwathekana (South Africa).

40. Ms. Lesz (Poland) asked where and when the new and amended documents emerging from the Scientific Council would be made available.

41. Mr. Lenten responded that revised Resolutions would be annexed to the original draft Resolutions and made available through the CMS website as soon as the Secretariat had finished work on them over the coming days. The amendments to these documents would be made visible as 'tracked changes' so that delegates could easily compare the original and amended texts.

42. Mr. Trevor Salmon (UK) asked about the status of documents arising from the Scientific Council Meeting and whether they constituted official recommendations of the Council to COP.

43. Mr. Lenten responded that holding the Scientific Council meeting immediately prior to the COP was problematic, unlike the situation in AEWA where the Technical Committee met six months before the MOP. The Scientific Council meeting only ended at 2000 hrs. on the Friday of the week before the COP, which would begin at 0900 hrs. on Monday. The documents had yet to be finalized and translated and would be posted on the website, hour by hour, as they became available. The Secretariat was doing all it could to make them available over the weekend prior to the COP.

44. Mr. Mshelbwala agreed that a Scientific Council meeting immediately before the COP did not give the Convention the best value; it was not convenient and did not save much money. He recommended that the Scientific Council should meet three or six months before each COP.

#### **Actions and decisions**

The Standing Committee took note of the Report of the Chair of the Scientific Council.

#### **Agenda Item 10: Date and Venue of the 39<sup>th</sup> Meeting of the Standing Committee**

45. Ms. Mrema announced that the next meeting would be held in the same room as the current meeting, at 1700 hrs., or half-an-hour after closure of COP10 on Friday 25 November 2011.

#### **Agenda Item 11: Any other business**

46. Mr. Qaimkhani (Pakistan) presented posters produced for World Migratory Bird Day and a documentary film with the theme of bird migration to the Executive Secretary.

47. The Chair thanked Mr. Qaimkhani. He then recalled that CMS was seeking a Party willing to host the next COP. He suggested that it would be preferable to hold the COP earlier in the year if possible.

#### **Agenda Item 12: Closure of the Meeting**

48. The Chair noted that with the closure of this Meeting his term as Chair of the Standing Committee had come to an end. He concluded the Meeting with sincere thanks to all those he had worked with over the years and who had supported him in his role.

## **ANNEX 1 to StC38 Report**

### **AGENDA OF THE MEETING**

**Venue:** Salem Conference Center

**Time:** 0900-1200 hrs.

1. Opening remarks and introductions
2. Adoption of the Agenda
3. Adoption of the Report of the 37<sup>th</sup> Meeting of the CMS Standing Committee
4. Progress report on activities since the 37<sup>th</sup> Meeting of the CMS Standing Committee
5. Cooperation with other MEA Secretariats
  - (a) Joint Work Plan with CITES
  - (b) Joint Work Plan with CBD
  - (c) Joint Work Plan with Ramsar
6. Process for the election of the new members of the Standing Committee
7. Status of Preparations for CMS COP10
  - (a) Summary of Preparatory Work
  - (b) Logistical Arrangements and Procedures
    - (i) Meeting structure: Committees, Working Groups and Chairs/Vice Chairs
    - (ii) Conference timetable including Donors' meeting, MEAs roundtable, side events and other meetings
    - (iii) COP10 Rules of Procedure
    - (iv) Credentials and Eligibility to Vote
8. Key Documents and Draft Resolutions: Handling and Follow-up
  - (a) CMS Budget 2012-2014
  - (b) Overview of the "Future Shape" of CMS review and proposed options
  - (c) Report of the Standing Committee Chair to COP
9. Report by the Chair of the Scientific Council on the outcomes of the 17<sup>th</sup> Meeting of the Council
10. Date and Venue of the 39<sup>th</sup> Meeting of the Standing Committee
11. Any other business
12. Closure of the Meeting

**ANNEX 2 to StC38 Report****LIST OF DOCUMENTS**

<b>Symbol</b>	<b>Title of Document</b>
<b>Meeting Documents</b>	
UNEP/CMS/StC38/1	Provisional Agenda
UNEP/CMS/StC38/2	Annotated Provisional Agenda
UNEP/CMS/StC38/3	Cooperation between CMS and CITES
UNEP/CMS/StC38/4	Cooperation between CMS and CBD
UNEP/CMS/StC38/5	Cooperation between CMS and Ramsar
UNEP/CMS/StC38/6	List of Documents
<b>Information Documents</b>	
CMS/StC38/Inf.1	Report of the 36 <sup>th</sup> Meeting of the CMS Standing Committee
CMS/StC38/Inf.2	Report of the 37 <sup>th</sup> Meeting of the CMS Standing Committee
CMS/StC38/Inf.3	Rules of Procedure
CMS/StC38/Inf.4	Provisional List of Participants
<b>Relevant COP10 Conference Documents</b>	
UNEP/CMS/Conf.10.1	Provisional Agenda
UNEP/CMS/Conf.10.2	Annotated Agenda
UNEP/CMS/Conf.10.3	Provisional Schedule for CMS COP10 and Associated Meetings
UNEP/CMS/Conf.10.5	Provisional Rules of Procedure for the Tenth Meeting of the Conference of the Parties
UNEP/CMS/Conf.10.7	Report of the Chair of the Standing Committee
UNEP/CMS/Conf.10.8	Report of the Chair of the Scientific Council
UNEP/CMS/Conf.10.18b	Draft Budget 2012-2014
UNEP/CMS/Conf.10.20	Convention on Migratory Species: Future Shape Phase III
<b>Relevant COP10 Draft Resolutions</b>	
UNEP/CMS/Res.10.1	Financial and Administrative Matters and Terms of Reference for the Administration of the Trust Fund
UNEP/CMS/Res.10.9	Future Structure and Strategies of the CMS and CMS Family

## ANNEX 3 to StC38 Report

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**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/COP10/REPORT  
ANNEX VI

Original: English

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CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING  
Bergen, Norway, 20-25 November 2011

**Proceedings of the Tenth Meeting of the Conference of the Parties  
Part I****REPORT OF THE 39<sup>TH</sup> MEETING  
OF THE STANDING COMMITTEE OF THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS***25 November 2011, Bergen, Norway***Agenda item 1: Introductory remarks**

1. Opening the Meeting, the outgoing Chair, Mr. Mohammad Saud A. Sulayem (Saudi Arabia), expressed the honour he felt in welcoming the newly elected members of the Standing Committee. He conveyed his thanks to the Executive Secretary for her warm words during the final Plenary Session of COP10 and noted his appreciation of the friendly working atmosphere during the COP. The list of participants is attached as Annex 2 to the present Report.

2. Mr. Sulayem referred participants to document UNEP/CMS/StC39/Doc.1: *Provisional Agenda*, which was approved without amendment and attached as Annex 1 to this Report.

**Agenda item 2: Election of officials to fill the posts of Chair and Vice-Chair of the Standing Committee for the triennium 2012-2014**

3. Mr. Sulayem referred participants to document UNEP/CMS/StC39/Inf.1: *Rules of Procedure* and recalled that under Rule 12 it was the responsibility of the incoming Standing Committee to elect a Chair and Vice-Chair from among its members. He opened the floor to nominations for the position of Chair of the Standing Committee for the triennium 2012-2014.

4. The representative of Pakistan nominated Mr. Alfred Oteng-Yeboah (Ghana), as Chair of the Standing Committee.

5. This nomination was seconded by Chile, Mali, New Zealand, Poland and South Africa, and approved by acclamation.

6. Mr. Sulayem invited nominations from the floor for the position of Vice-Chair of the Standing Committee for the triennium 2012-2014.

7. The representative of Germany nominated Mr Øystein Størkersen (Norway), as Vice-Chair of the Standing Committee.

8. This nomination was seconded by Chile, Mali, New Zealand, Pakistan, South Africa, Uganda and Ukraine, and approved by acclamation.

9. Mr. Sulayem, formally handed over his responsibilities to the newly elected Chair of the Standing Committee, Mr. Oteng-Yeboah.

10. Mr. Oteng-Yeboah said that he was honoured to accept the trust and responsibility placed in him and he praised the leadership shown by his predecessor. He noted that the new Standing Committee was coming to office at a difficult time financially and that this represented an additional challenge for Parties in putting COP decisions into practice. He pledged that he would continue to operate a transparent management system and would work in pursuit of the mandate set out by the Joint COP Working Group on Budget and Future Shape.

### **Agenda item 3: Date and Venue for the 40<sup>th</sup> Meeting of the Standing Committee**

11. Mr. Bert Lenten (Deputy Executive Secretary) stated that the arrangements for the 40<sup>th</sup> Meeting of the Standing Committee would be confirmed as soon as possible, but that the Meeting would probably be held in October 2012, in Bonn, Germany.

### **Agenda item 4: Any other business**

12. Mr. John Mshelbwala (Nigeria), the outgoing Chair of the Scientific Council, introduced Mr. Fernando Spina (Italy), the incoming Chair. Mr. Spina said that he had been surprised and honoured to be elected, that he looked forward to continuing to work on behalf of CMS, and that he would seek guidance, as appropriate, from the Standing Committee during the course of his duties.

13. The newly elected Vice-Chair, Mr. Øystein Størkersen, recalled that Resolution 10.5 had established an Intersessional Working Group (IWG) to oversee the preparation of the new CMS Strategic Plan 2015-2023. He noted that the Standing Committee would need to lead the process for appointing the members of the IWG.

14. The Chair instructed the Secretariat to send a notification to Parties calling for nominations from each regional grouping for the IWG on the Strategic Plan. The same should be done for any other COP10 decisions requiring the establishment of a Working Group or Task Force.

15. The representative of Mali stressed the importance of capacity building and especially the need to train young people to take on the implementation tasks required under CMS. Many Parties currently lacked the means to optimise their capacity; it would therefore be important for the Small Grants Programme to support such initiatives.

16. Acknowledging the importance of this issue, the Executive Secretary commented that the Secretariat and Scientific Council could provide guidance on applying to the Small Grants Programme. The Secretariat was working with Parties to develop capacity building activities within the limited resources at its disposal. UNEP played an important role in environmental capacity building and would be able to provide further advice.

17. The Chair instructed the Secretariat to circulate the Terms of Reference setting out the duties and responsibilities of Standing Committee Members, as well as any other relevant information on Standing Committee procedures, so that all members could be fully prepared for future meetings.

**Agenda item 5: Closure of the Meeting**

18. There being no further business, the Chair declared the Meeting closed at 1915 hrs. on 25 November 2011.

## **ANNEX 1 to StC39 Report**

### **AGENDA TO STC39 MEETING**

1. Introductory remarks
2. Election of officials to fill the posts of Chair and Vice-Chair of the Standing Committee for the triennium 2012-2014
3. Date and Venue for the 40<sup>th</sup> Meeting of the Standing Committee
4. Any other business
5. Closure of the Meeting

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**CONVENTION ON  
MIGRATORY  
SPECIES**

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UNEP/CMS/COP10/REPORT  
ANNEX VII

Original: English

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CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING

Bergen, Norway, 20-25 November 2011

**Proceedings of the Tenth Meeting of the Conference of the Parties  
Part I****REPORT OF THE 17<sup>TH</sup> MEETING OF THE SCIENTIFIC COUNCIL\*  
OF THE CONVENTION ON THE CONSERVATION OF  
MIGRATORY SPECIES OF WILD ANIMALS***Bergen, Norway, 17 and 18 November 2011*

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**Agenda Item 1: Opening Remarks**

1. Mr. John Mshelbwala (Nigeria), Chair of the Scientific Council, welcomed all participants, including Councillors, Appointed Councillors, Observers and the Secretariat. A particular welcome was extended to Councillors attending for the first time, or rejoining after many years, including the members from Australia, Ecuador, Estonia, Finland, Israel, Kazakhstan, Montenegro, Poland, Tajikistan and Uganda. He warmly thanked the Government of Norway for its efforts in hosting the meeting.

2. Mr. Mshelbwala stressed that Council's deliberations would be key to the decisions soon to be taken by CMS COP10. He noted that the number of Scientific Councillors had not grown in line with the number of Contracting Parties, and reminded all Parties of their right to appoint a Scientific Councillor. He thanked the Vice-Chairmen, Mr. Colin Galbraith (United Kingdom) and Mr. Pierre Devillers, the Appointed Councillors for taxonomic, thematic and regional matters, and the Chair of the Standing Committee, Mr. Mohammad Saud A. Sulayem (Saudi Arabia) for their support. Unfortunately, the Appointed Councillor for Neotropical Fauna, Mr. Roberto Schlatter, had announced his intention to step down from the Council for health reasons. Thanks were due to Mr. Schlatter for his immense contribution to the work of the Scientific Council and CMS over the years.

3. Mr. Galbraith expressed concern that many migratory species and their habitats were still highly threatened, in both terrestrial and marine environments. Climate change was also

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\* Note: this report covers the Agenda Items dealt with by Scientific Council in its Plenary Sessions. Other items on the Agenda of the Scientific Council were dealt with through the Working Groups, whose reports were presented under Agenda item 20 and attached as Annexes II to IX to this report.

having a huge impact on species, habitats and people around the world. Aligning its agenda with the needs of people was a particular challenge for CMS. On the positive side, the Convention had shown that it could be hugely effective. CMS had strengthened synergies and collaboration with other Multilateral Environmental Agreements (MEAs), and the development of the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES) was promising. Given the budgetary situation faced by every government, there was a need for the Council to provide clear scientific advice with regard to future focus and prioritization.

4. Mr. Devillers thanked the Chair for his leadership during the past triennium. He nevertheless feared that the world was becoming more and more utilitarian and less and less concerned with the wider values of natural heritage. Part of the Convention's task was to rekindle public support for the conservation of nature; something that was not the priority of the Council.

5. Speaking on behalf of the Norwegian Nature Management authorities, Mr. Øystein Størkersen (Norway) welcomed all participants to Bergen. At the start of the UN Decade of Biodiversity, there were serious governance challenges to be addressed at both country and global scales. The CMS was an experienced body that had adopted many resolutions and issued extensive guidance over the years, but implementation was not doing well in many parts of the world. There needed to be drastic changes of approach; otherwise it would be too late for many species and habitats. Threats to biodiversity, such as powerlines, marine debris, unsustainable hunting, and the global impacts of climate change needed immediate action; 'business as usual' was not a way forward. Better tools and innovative solutions were needed and conservation and sustainable use had to go hand-in-hand. CMS has to focus its efforts on what it was good at. Norway was prepared to play its part, but the whole Convention needed to work together – as a network.

6. Ms. Elizabeth Maruma Mrema, CMS Executive Secretary, added her welcome to participants and thanks to the Government of Norway – as well as to all those who had been involved with preparations for COP10 and its associated meetings. She underlined her conviction that the Scientific Council had played an essential role to date; a role that would need to be further strengthened as the Convention itself continues to grow. In 2010, COP10 of the Convention on Biological Diversity (CBD) had adopted a new Biodiversity Action Plan to 2020, which confirmed the lead role of CMS in the conservation of migratory species.

7. The slogan of CMS COP10 "*Networking for Migratory Species*" was designed to shift from a traditional species-based focus to habitat conservation through ecological networks and networks of critical sites. CMS was not proposing to set up new networks of its own but to complement and fill gaps in existing networks.

8. Ms. Mrema welcomed Councillors who had joined during the last triennium, including those from new Contracting Parties, and encouraged all Parties that have yet to appoint a Scientific Councillor to do so. She noted that several Councillors would be stepping down after COP10, including some with long histories of service. Thanks were due to all of them for their support to CMS, and especially to the Appointed Councillor for Birds, Mr. John O'Sullivan, and the Appointed Councillor for Neotropical Fauna, Mr. Roberto Schlatter.

9. Speaking at the UN Conference on Science and World Affairs, held in Berlin in July 2011, the UN Secretary General had emphasized a need to bring scientists and politicians together to further the common interests of humanity. The IPBES had been set up to play an advisory role equivalent to that of the Intergovernmental Panel on Climate Change (IPCC). The CMS and other MEAs continued to follow closely the first steps of this emerging platform.

10. One of the challenges to be addressed by the Scientific Council in the coming years would be to increase its efficiency through optimizing its intersessional work and strengthening engagement of Councillors in the day-to-day work of CMS. The Future Shape process provided a framework for this and it might be time for the Council to instigate its own institutional reforms. Meetings of the Scientific Council were beginning to resemble a ‘mini-COP’. Was this the best way for the Scientific Council to continue? The Council therefore also needs to look inward and to reflect upon itself.

11. Migratory species were now at greater risk of extinction than when global targets for biodiversity were first set. The role of CMS and the advice of the Scientific Council were therefore more important than ever. Conservation success stories, for example the Vicuña (*Vicugna vicugna*) in the High Andes, or the Spanish Imperial Eagle (*Aquila adalberti*) in the Iberian Peninsula, proved that the mission was not impossible.

### **Agenda Item 2: Adoption of the Agenda**

12. The Chair invited substantive comments or proposed amendments to the Provisional Agenda and the Provisional Annotated Agenda and Meeting Schedule. As there were no comments from the floor, the Agenda was adopted as presented and is attached as Annex I to the present report.

#### **Outcomes and actions**

Documents UNEP/CMS/ScC17/Doc.1/Rev.2 *Provisional Agenda* and UNEP/CMS/ScC17/Doc.2/Rev.1 *Provisional Annotated Agenda and Meeting Schedule* were adopted by consensus, without amendment.

### **Agenda Item 3: Report on 2009-2011 Intersessional Activities**

13. The Chair referred participants to document UNEP/CMS/Conf.10.8: *Report of the Chair of the Scientific Council*, which presented a full account of the Scientific Council’s intersessional activities.

14. He invited Mr. Galbraith (Vice-Chair, UK) to present a brief update concerning his participation at the recent IPBES meeting held in Nairobi in October 2011.

15. Mr. Galbraith noted that the meeting had addressed four main issues: (i) the establishment of IPBES as a UN body or an independent body supported by the UN – a subtle distinction that had yet to be resolved; (ii) whether IPBES should be served by a centralized or dispersed secretariat and where the secretariat should be located; (iii) how the scientific assessments of IPBES would be communicated to policy makers; (iv) how MEAs and other stakeholders should work together in the framework of IPBES. A further meeting would be held in April 2012, by which time some of the policy and structural issues may have been clarified, giving the opportunity for CMS to input more to the debate on technical matters.

16. In response to a question from Mr. Devillers, Mr. Galbraith confirmed that there was a need for the Scientific Council, and CMS as a whole, to find a way of feeding information into the IPBES process in such a way that it could be blended into overall IPBES assessments.

**Outcomes and actions**

Council took note of document UNEP/CMS/Conf.10.8 *Report of the Chair of the Scientific Council* and of the oral update on IPBES provided by Mr. Galbraith (Vice-Chair)

**Agenda item 4: Information on the Intersessional Process regarding the Future Shape of CMS**

17. The Chair of the Future Shape Working Group, Mr. Olivier Biber (Switzerland) referred participants to documents UNEP/CMS/Conf.10.20: *Convention on Migratory Species: Future Shape Phase III* (summary report) and UNEP/CMS/Inf.10.14.10: *Convention on Migratory Species: Future Shape Phase III* (extensive supporting documentation). He briefly summarized the three-phase process that had been followed, namely, assessment of key issues identified by Contracting Parties; formulation of potential measures to address these issues; and development of three proposed options that COP10 would be invited to consider.

18. The three options were:

- Option 1 Essential reforms that could be largely accomplished in a single intersessional period if commenced immediately after COP10
- Option 2 Option 1 reforms, plus additional measures that would take up to two intersessional periods and have some additional cost implications
- Option 3 Option 1 & Option 2 reforms, plus additional measures that would be more long-term, since they might require amendments to the legal texts of instruments within the CMS family. There would also be additional cost implications

19. Mr. Devillers (Vice-Chair, European Union), supported by Mr. Spina (Italy), congratulated Mr. Biber and the Future Shape Working Group for the enormous amount of detailed work undertaken, but cautioned against a drive for 'efficiency' potentially resulting in a less effective Convention. The CMS had an extremely modest budget and urgently needed to be enabled to do more at a time when biodiversity was facing unprecedented threats. It was also important that the structure and functioning of the Scientific Council itself should not be hastily altered, having served the Convention well for many years. The principle of Councillors being nominated by a Contracting Party but not representing that Contracting Party, was especially important and it would be a backward step if the Council became highly politicized, as was the case with scientific bodies under some other international conventions.

20. The Chair considered that it was not so much a question of changing the Council's structure, but improving its *modus operandi*. It was becoming more and more costly to convene the Scientific Council twice intersessionally and it might be necessary to look for alternative solutions.

21. Mr. Devillers concurred that it might be possible to replace the mid-term Council meeting with a meeting of a smaller group which should also be open to Contracting Parties who wished independently to support attendance by their appointed Councillor. However, it was vital for the pre-COP meeting of the Council to remain a forum to which all Councillors were not only invited but also actively encouraged to attend.

22. Mr .Williams (United Kingdom) endorsed the Chair’s comment concerning the Scientific Council’s *modus operandi* and expressed concern that the deliberations of the Council were not always as broadly based as they ought to be.

23. Responding to requests for clarification from several participants, Mr. Biber explained that the differences between the three options arising from the Future Shape process concerned primarily issues of timescale and cost. He noted, however, that the higher short-term costs of Option 3 would be largely offset by future savings and stressed the need to take a long-term view.

24. The Chair appointed Mr. Biber (Chair of the Future Shape Working Group) to lead a small drafting group, consisting of Mr. Barirega (Uganda), Mr. Devillers (Vice-Chair, European Union), Ms. Montgomery (Australia) and Ms. Qwathekana (South Africa). The Group was tasked with preparing a concise summary of the three Future Shape Options tabled for consideration by COP10. Based on this summary, the Scientific Council would conclude this item on the second day of its meeting.

25. Mr. Biber (Switzerland) presented his condensed summary of the Future Shape process under the title “The Scientific Council has identified the following activities and sub-activities contained in Options 1 and 2 as relevant to the Scientific Council’s work and future”. The document consisted of information extracted from document UNEP/CMS/Inf.10.14.10 *Convention on Migratory Species: Future Shape Phase III*. Mr. Biber briefly explained the content of the summary document.

26. Discussion on the document included interventions from Mr. Barirega (Uganda), Mr. Galbraith (Vice-Chair), Mr. Devillers (Vice-Chair, European Union), Mr. Siblet (France), Ms. Qwathekana (South Africa), Mr. Spina (Italy), Mr. Routh (Australia and Vice-Chair of the Future Shape Working Group) and Ms. Prideaux (Migratory Wildlife Network).

27. Mr. Biber suggested that the following proposal should be presented to COP10: “The Scientific Council has identified the following Activities and Sub-activities of Options 1, 2 & 3 as relevant to the work of the Scientific Council, especially Activity 3 of Option 1 and Activities 7 and 15 of Option 2. The Scientific Council also wishes to be involved with future discussion and implementation of these Activities.”

#### **Outcomes and actions**

Mr. Biber was asked to finalize his proposal for input to COP10.

#### **Agenda item 5: Extension to 2014 of the Strategic Plan of the Convention 2006-2011**

28. Mr. Borja Heredia (CMS Scientific and Technical Officer) introduced documents UNEP/CMS/Conf.10.21 *Contribution of the CMS Secretariat to the implementation of the Strategic Plan 2006-2011 (Triennium 2008-2011)*; UNEP/CMS/Conf.10.22 *Updated Strategic Plan 2006-2014*; and UNEP/CMS/Res10.5/Rev.1 *Draft Resolution on CMS Strategic Plan 2015-2020*.

29. He explained the process to be followed for drawing up a new Strategic Plan. The need for this process has been discussed at the last Standing Committee Meeting as a result of discussion of the Future Shape process. It was also agreed at that Meeting to extend the current

plan to 2014 with certain amendments to update it. Document Conf.10.21 summarized the activities implemented by the Secretariat to fulfil the 2008-2011 Plan. Document Conf.10.22 was a proposal to extend the plan to 2014. Finally, Draft Resolution 10.5/Rev.1 covered the establishment of a Working Group and Terms of Reference for drafting a new Strategic Plan for 2015 to 2020.

30. The Standing Committee recommended that there should be no substantial changes to Document Conf.10.22, which extended the structure and objectives of the existing plan to 2014, with the addition of activities related to Resolutions to be adopted by COP10, e.g., those relating to climate change, ecological networks and wildlife diseases. The document also incorporated some pending activities from past years e.g., Invasive Alien Species. This was a crosscutting issue affecting many migratory species. Also covered were barriers to migration such as powerlines and transport infrastructure for which guidelines were needed. Draft Resolution 10.5/Rev.1 set out the process for drawing up a new Strategic Plan for approval by COP11.

31. The Chair invited comments from the Councillors.

32. Ms. Qwathekana (South Africa), referring to Operative Paragraph 4 of draft Resolution 10.5, asked if it would be possible to request the Secretariat to facilitate the external assessment. She also asked whether, in relation to the Terms of Reference of the Strategic Plan Working Group, it would be possible to submit a schedule of activities for the group.

33. Ms. Mrema (Executive Secretary) responded that it was not intended that the Secretariat should undertake the external assessment as this would need input from the Secretariat itself, from Parties and partners, on what all have done to implement the current Strategic Plan. The Secretariat would, however, support the work of the external assessment.

34. Ms. Qwathekana requested that delegation of responsibility should be made explicit in the Resolution. Mr. Mshelbwala suggested that after the paragraph beginning with the words “and further requests” in the draft resolution to add a new paragraph or sentence stating “and therefore requests the Secretariat to facilitate the external assessment”.

35. Reflecting on the intervention of Ms. Qwathekana, Mr. Størkersen (Norway) supported her suggestion for amending the Terms of Reference of the Working Group and added that it would be important for the Working Group to take on recommendations of other MEAs. He then raised the question of what kind of Working Group it should be: Open-ended? Appointed? A consultancy? It might be best to appoint members from the Standing Committee, e.g., one from each region. This would probably be preferable than to using more expensive consultants.

36. Mr. Williams (UK) voiced his concern about the future formulation and measurement of the Strategic Plan. He would like to see a more outcome-focused Strategic Plan with targets against which progress can be measured. The relation between the Strategic Plan and the Aichi Biodiversity Targets should be absolutely clear.

37. Mr. Siblet (France) questioned the need to include Invasive Alien Species in the list of most serious threats to migratory species under Target 2.6 of document Conf.10.22. He stated that the Convention cannot be active everywhere on all fronts and expressed the belief that alien species are well covered by other instruments.

38. Mr. Devillers agreed with Mr. Sibley that CMS should concentrate more on fields in which it has greater expertise, and that other bodies were covering Invasive Alien Species.
39. A number of subsequent interventions stressing that the negative impacts of Invasive Alien Species on migratory species were substantial, were made by Mr. Baker (Appointed Councillor for By-catch), Mr. Mundkur (Appointed Councillor for Asiatic Fauna speaking in his capacity as Chair of the Flyways Working Group), Ms. Agreda (Ecuador), Mr. Sivakumar (India) and Mr. Diouck (Senegal).
40. Mr. Oteng-Yeboah (Appointed Councillor for African Fauna) asked how CMS could best work with other MEAs on the issue of Invasive Alien Species to ensure synergy in dealing with the concerns of the Scientific Council.
41. Mr. Morgan (CITES) responded that CITES engages with the Ad-hoc Working Group under CBD on this issue rather than working on it separately.
42. The Chair concluded that Invasive Alien Species had considerable impacts on migratory species. Other bodies were, however, dealing with the issue through various intervention measures and he wondered whether this should be an implementation priority for the next COP to address.
43. Mr. Heredia thanked all Councillors for their comments and assured them that a good note had been taken of all interventions. He stressed that CMS would work in a targeted manner on the impact of Invasive Alien Species on migratory species. There was no intention of duplicating the efforts of other initiatives such as CBD, the Bern Convention in Europe, or the Barcelona Convention in the Mediterranean. The intention was to provide added value in studying the concrete impacts of Invasive Alien Species on migratory species. This is the process to follow for the next triennium.
44. Mr. Devillers suggested the use of wording such as addressing problems of Invasive Alien Species “within the specificities of CMS” to make the focus on migratory species clearer.
45. Mr. Heredia (Secretariat) introduced an amendment to Draft Resolution 10.5/Rev.1 that had been requested by Ms. Qwathakana (South Africa).
46. The amendment consisted of a new operative paragraph, after Paragraph 5, as follows: “*Further requests* the Secretariat to facilitate the assessment process”.
47. The Chair invited Councillors to endorse the Draft Resolution for the consideration of COP10, subject to inclusion of the amendments proposed.

**Outcomes and actions**

The Secretariat took note of the discussion on the issue of Invasive Alien Species.  
The Scientific Council endorsed draft Resolution 10.5/Rev.1 for forwarding to COP10.

**Agenda item 6: The Potential contribution of the Scientific Council to the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES)**

48. Mr. Galbraith (Vice-Chair, UK) expressed a wish to make some amendments to document UNEP/CMS/Resolution 10.8 *Cooperation between the Intergovernmental Science-policy Platform on Biodiversity and Ecosystem Services (IPBES) and CMS*. He undertook to do this in time for perusal by the Council on the second day of the Meeting (18 November).

49. Referring to draft Resolution 10.8, Mr. Galbraith (Vice-Chair, UK) reported that he had incorporated a small number of amendments arising from the IPBES meeting held in Nairobi in October. These amendments were presented for participants to review on-screen with tracked changes.

**Outcomes and actions**

Draft Resolution 10.8, as revised by Mr. Galbraith, was endorsed by the Scientific Council for forwarding to COP10.

**Agenda item 7: Review of the Conservation Status of Migratory Freshwater Fish**

Please see Annex IV attached to this Report

**Agenda item 8: Review and Guidelines on mitigating the conflict between migratory birds and electricity power grids**

Please see Annex VI attached to this Report

**Agenda item 9: *Modus operandi* in cases of emergencies for CMS species**

50. Ms. Kühl (Secretariat) introduced documents UNEP/CMS/Conf.10.38 *Modus operandi for conservation emergencies* and UNEP/CMS/Resolution10.2 *Modus operandi for conservation emergencies*. She recalled that Article V of the Convention text foresees emergency action and these documents are now calling for a corresponding mandate from COP10. There was a need to determine when the CMS Secretariat should intervene and alert Parties and relevant organizations to an emerging situation such as the recent mass mortality events of Saiga Antelope (*Saiga tatarica*) or the spread of Highly Pathogenic Avian Influenza H5N1.

51. She invited comments on the Draft Resolution and reminded Councillors that the Standing Committee had already approved a previous version.

52. Proposed amendments were suggested by Ms. Qwathekana (South Africa), Mr. Spina (Italy), Mr. Størkensen (Norway), Mr. Barirega (Uganda), Mr. Mundkur (Appointed Councillor, Asiatic Fauna), Ms. McCrickard (FAO) and Ms. Crockford (BirdLife International).

53. Mr. Devillers emphasized the need to establish a procedure to ensure that something is done if there is a real crisis, but to avoid distracting the Secretariat with less important problems. Whether and how to act were the key issues.

54. The Chair invited Councillors Ms. Qwathekana, Mr. Spina, Mr. Barirega, Mr. Størkensen and Mr. Mundkur, and Observers Ms. Crockford and Ms. McCrickard, to meet with Ms. Kühl in order to finalize their suggested amendments so that a revised version of draft Resolution 10.2 could be discussed by the Scientific Council on 18 November.

55. Ms. Kühl (Secretariat) presented proposed amendments to Draft Resolution 10.2 on-screen with track changes.

56. Mr. Baker (Appointed Councillor for By-catch) indicated the need for some language amendments in references to the High Seas.

57. Mr. Barirega (Uganda), supported by Mr. Devillers (Vice-Chair, European Union) considered that the definition of 'emergency' was rather restrictive; it ought to refer to range size, ecological integrity and animal health.

58. Mr. Baker (Appointed Councillor for By-catch) commented that it would be important to leave flexibility for working on a case-by-case basis and not to be too prescriptive.

#### **Outcomes and actions**

The revised version of draft Resolution 10.2 was endorsed by the Scientific Council for forwarding to COP10 subject to inclusion of a further amendment to address the concern flagged by Mr. Barirega.

#### **Agenda item 10: Critical sites and ecological networks for migratory species**

59. Mr. Heredia (Secretariat) introduced documents UNEP/CMS/Conf.10.39/Rev.1 *Critical sites and ecological networks for migratory species* and UNEP/CMS/Resolution 10.3/Rev.1 *The role of ecological networks in the conservation of migratory species*. He noted in particular that draft Resolution 10.3/Rev.1 called *inter alia* on the Scientific Council to carry out, during the next triennium, an evaluation of current networks, in terms of how they responded to the needs of migratory species.

60. During discussion, amendments were proposed by Mr. Ebenhard (Sweden), Mr. Limpus (Appointed Councillor for Marine Turtles), Mr. Mundkur (Appointed Councillor for Asiatic Fauna), Mr. Williams (UK), Ms. Grillo-Compulsione (ACCOBAMS), Ms. Prideaux (Migratory Wildlife Network) and Ms. Crockford (BirdLife International).

#### **Outcomes and actions**

The Meeting endorsed the draft Resolution subject to the incorporation of further amendments addressing the points raised in the discussion. The Chair invited all those who made contributions to liaise with the Secretariat to ensure that their comments were taken into account.

#### **Agenda item 11: Global bird flyways**

Please see Annex VI attached to this Report

#### **Agenda item 12: Climate change impacts on migratory species and implications for adaptation**

Please see Annex VII attached to this Report

#### **Agenda item 13: Impacts of bycatch on migratory species and best practice mitigation measures**

Please see Annex VIII attached to this Report

**Agenda item 14: Impacts of marine debris on migratory species**

61. Mr. Routh (Australia) made a presentation on the background to UNEP/CMS/Resolution 10.4 *Marine debris*. This topic had initially been introduced at ScC16, since then the draft Resolution had been reworked and reviewed by the Standing Committee at its last meeting.

62. Some 60-80 percent of marine debris was plastic and 80 percent derived from land-based sources. Marine debris was nevertheless a hidden problem with an estimated 70 percent remaining on the seabed. Volumes and impacts were therefore likely to be vastly underestimated. Global climate change was likely to exacerbate the problem, for example, through increased flood outwash. The impacts of marine debris have consequences for migratory species including CMS-listed species and groups such as Loggerhead Turtle, Green Turtle, seabirds, sharks, whales, dugongs and seals. Overall more than 250 species were affected. There were also major economic, social and cultural costs. However, marine debris was also an avoidable problem, but one requiring regional and global solutions.

63. During discussion, interventions were made by Mr. Routh (Australia), Mr. Størkersen (Norway), Mr. Kasiki (Kenya), Mr. Custodio (Philippines), Mr. Sivakumar, (India), Mr. Baker (Appointed Councillor for By-catch), Mr. Oteng-Yeboah (Regional Councillor for African Fauna), Mr. Williams (UK) and Mr. Simmonds (Observer for Luxembourg).

**Outcomes and actions**

The meeting endorsed the draft Resolution in principle, pending the incorporation of further amendments arising from the discussion. The Chair invited all those who made contributions to liaise with Mr. Routh to ensure that their comments were taken into account.

**Agenda item 15: Small Grants Programme (SGP)****Agenda Item 15.1: Report on the Small Grants Programme (SGP)****Agenda Item 15.2: Revised guidelines for the SGP**

64. Mr. Heredia (Secretariat) introduced documents UNEP/CMS/ScC.17/Doc.10 *Report on the Small Grants Programme* and UNEP/CMS/Conf.10.43 *Revised guidelines for the operation of the Small Grants Programme*.

65. The latter document contained proposed guidance on how the SGP could function over the coming triennium. Mr. Heredia emphasized that while the SGP would continue to rely on additional voluntary contributions, such donors could be found for good projects.

66. Ms. Morales Palarea (Paraguay) and Mr. Hogan (Appointed Councillor for Fish) expressed strong support for the Small Grants Programme (SGP) and the proposed guidelines.

67. Mr. Rocha (Bolivia) presented a brief report on the High Andean Flamingo project that had received support from the SGP.

68. Mr. Williams (UK) suggested where improvements could be made in three specific places within the proposed guidelines.

**Outcomes and actions**

The Meeting noted the *Report on the SGP* and endorsed the *revised Guidelines for Operation of the SGP* for forwarding to COP10.

**Agenda item 16: Conservation status of CMS Appendix I Species**

69. Ms. Kühl (Secretariat) introduced document UNEP/CMS/ScC17/Doc.7/Rev.1 *Conservation status of Appendix I species* and invited comments from participants, especially in relation to Table 1 of the document.

70. Mr. Hogan (Appointed Councillor for Fish) reported that Table 1 had been considered by the Aquatic Mammals Working Group, which had concluded that the approach and format seemed effective for meeting the information needs of Parties. Research was needed to cover species not yet assessed through the Red List or other processes. Maintaining an online database with regular updates would be the best way to allow Parties access to the data. The Working Group recommended that the Secretariat should seek the resources for the necessary IT support.

71. Mr. Limpus (Appointed Councillor for Marine Turtles) informed the Meeting that a global assessment of turtles had been carried out through IUCN's Red List. However, a weakness of the Red List was its use of the whole species approach. Finer scale approaches related to management units were needed for many species. Assessment of marine turtles was recently facilitated by the WCMC marine turtle online database. Unfortunately this had recently been decommissioned due to a change of platform. This approach could be adapted for most species. It allowed mapping of distribution, abundance, breeding sites, population trends and migration routes. It could be further enhanced by inclusion of satellite telemetry data. Mr. Limpus would be very supportive of the Secretariat making efforts to deliver something along these lines.

72. Ms. Kühl suggested that there was a need for experts in this field to meet, to establish a baseline and look for gaps in current listings of migratory species. Existing databases that would provide a clear starting point included the IUCN Red List and the Living Planet Index.

73. Mr. Devillers stressed the risk of duplicating effort. He also considered that the volume of work needed for the approach outlined by Mr. Limpus was probably excessive. The new, more detailed IUCN Red List should remain the standard reference and CMS should act only when IUCN data were considered to be insufficient. It would be important to consider species at the level of evolutionary or management units.

74. Mr. Hogan (Appointed Councillor for Fish) suggested that CMS could add value by collecting information on migratory behaviour, which was often neglected in the IUCN Red List process. It would be useful to work with IUCN to facilitate collection of this information, for example during Red List assessment workshops.

75. Further supportive interventions were made by Mr. Spina (Italy), Mr. Fouda (Egypt) and Mr. Perrin (Appointed Councillor for Aquatic Mammals).

76. Ms. Kühl concluded by mentioning that the MoveBank database project based at the Max Planck Institute for Ornithology could add considerable value by storing and analyzing

animal movement data from satellite tracking. One of the leaders of MoveBank, Mr. Martin Wikelski, would make a presentation at a side event during COP10.

#### **Outcomes and actions**

Council took note of document UNEP/CMS/ScC17/Doc.7/Rev.1 *Conservation status of Appendix I species* and endorsed the proposed format.

The Secretariat took note of the discussion on conservation status assessment and later in the session received comments improving the document from Mr. Mundkur (Appointed Councillor for Asiatic Fauna)

### **Agenda item 17: Scientific Council tasks arising from resolutions, recommendations and other decisions of the Conference of the Parties:**

UNEP/CMS/Resolution 10.23 *Concerted and cooperative actions*

#### **Agenda Item 17.1: Concerted actions for selected Appendix I species/groups**

UNEP/CMS/Conf.10.12 *Progress on concerted and other actions for CMS species that are not covered by an Article IV instrument*

UNEP/CMS/Inf.10.28 *Activities reported by Parties on the concerted action species*

#### **Agenda Item 17.2: Co-operative actions for Appendix II species/groups**

UNEP/CMS/Conf.10.36 *Enhancing the effectiveness of measures to promote the conservation and sustainable management of Appendix II species – reflections on the CMS “cooperative actions” process*

77. Ms. Kühl presented the above-listed documents, recalling that Concerted Actions relate to Appendix I species and Cooperative Actions applied to Appendix II species. Only COP8 had ever taken species off the Concerted and Cooperative Action Lists; all other COPs had added species but implementation was often lacking. Draft Resolution 10.23 sought to address this.

78. Mr. Perrin (Appointed Councillor for Aquatic Mammals) reported that the Aquatic Mammals Working Group had discussed draft Resolution 10.23 at length and endorsed it in principle with suggestions for minor changes. The Working Group had proposed the addition of Narwhal (*Monodon monoceros*) and the resident North Pacific subspecies of Killer Whale (*Orcinus orca*) to Appendix I (see document UNEP/CMS/ScC17/Doc.9 *Species of aquatic mammals for which agreements are not anticipated during the coming Triennium but which may require attention by the Scientific Council* for status summary).

79. Mr. Mundkur (Appointed Councillor for Asiatic Fauna, in his capacity as Chair of the Flyways Working Group) noted some minor points relating to listing of species within Annex 1 of document ScC17/Doc.7/Rev.1. Marbled Teal (*Marmaronetta angustirostris*), Ferruginous Duck (*Aythya nyroca*) and White-headed Duck (*Oxyura leucocephala*) were all covered by the Central Asian Flyway instrument, and so “Yes” needed to be added to the appropriate column for these 3 species.

80. Mr. Devillers clarified the circumstances under which species could be removed from the Appendices. Distinction needed to be made between Appendix I and Appendix II species.

For Appendix II, Parties would endeavour to conclude agreements. It was legitimate to remove them once an agreement was concluded, or if the Scientific Council deemed that it would not be necessary to establish an agreement. The list should be dynamic. Appendix I was a list of species for which it was considered desirable to have an instrument and species could not normally be removed. The Scientific Council was responsible for Concerted actions, but not for Agreements, MOUs and other instruments. The list of Concerted action species should not lose species over the course of time unless the conservation status of a given species improved dramatically.

81. Mr. Limpus (Chair of the Marine Turtles Working Group) expressed the support of the Working Group for Draft Resolution 10.23. He noted that there were large areas of oceans where no CMS instruments applied, but where there might be other instruments such as SPREP for Pacific island nations, functioning in parallel with CMS. The potential effectiveness of such instruments was exemplified by the Critically Endangered Kemp's Ridley Turtle (*Lepidochelys kempii*), which has benefited from concerted action by the United States and Mexico. There was a need to avoid duplication of effort and a mechanism was needed to indicate whether a species was covered by another instrument, even if it was not addressed directly through CMS. Globally, turtles were best conserved through ocean basin-level management and the Working Group therefore recommended that reporting should be by ocean basin rather than by species. For the Indian Ocean and Atlantic there were existing CMS instruments. Their secretariats could be charged with ocean basin reporting, and perhaps the Barcelona Convention could report for the Mediterranean and SPREP for the Pacific. The Working Group had drafted a number of amendments to draft Resolution 10.23, including a new paragraph on reporting by ocean basin.

82. In response to a question from Mr. Hogan, Ms. Kühl replied that document Conf.10.36 called for more prioritization, picking up those species most in need of conservation action.

83. Mr. Devillers added that Appendix II should list species in a 'waiting situation' where it was considered that their status deserves action but none is yet in the pipeline.

84. Mr. Mundkur recalled his presentation on Resolution 10.10 the previous day in the Birds Working Group where one of the priorities was the need to update Appendices with species that need to be listed.

85. Mr. Hogan asked whether the Small Grants Programme could facilitate work on some of these species. He also called for action on the 18 Sturgeon species that were listed, but which had no concerted Action and no focal point.

86. Mr. Heredia (Secretariat) added that in the revised guidelines for the Small Grants Programme, species listed for Concerted or Cooperative actions were highlighted as a priority, but there is a need for good proposals. The intention was not to do away with the concept of Concerted and Cooperative Actions, but to make them more efficient. Improved coordination and communication between existing mechanisms and initiatives were part of the key to achieving this.

87. Ms. Qwathekana (South Africa) observed that listing *per se* did not seem to effectively address the threats faced by species since most of the species on the Appendices continued to decline. She considered that species-based conservation programmes would be more effective.

88. The Chair concurred that the listing process was imperfect and the Scientific Council needed to take action when a species was further endangered due to lack of action.
89. Mr. Morgan (CITES) referred to page 10 of Draft Resolution 10.23 where the African Elephant was split into two species, *Loxodonta africana* and *L. cyclotis*, whereas CITES only recognized *L. africana*. This difference could be problematic.
90. Mr. Devillers recalled that CMS nomenclature must follow Wilson & Reeder 2005.
91. Ms. Crockford (BirdLife International) proposed that Bristle-thighed Curlew (*Numenius tahitiensis*) be considered for inclusion in Appendix I and for Concerted Action. This proposal was supported by Mr. Sibley (France) and by Mr. O'Sullivan (Chair of the Working Group on Birds).
92. At the invitation of the Chair, the Scientific Council endorsed the proposal for Bristle-thighed Curlew to be included as a Concerted Actions species.
93. Ms. Crockford reported that BirdLife International had formally offered to undertake an objective assessment of all Globally Threatened bird species in relation to CMS Appendices.
94. Mr. Galbraith (Vice-Chair, UK) noted that the Scientific Council needed formally to endorse any proposals for listing species for Concerted and Cooperative action that were to go forward for consideration by COP. This should be done through adoption by the Scientific Council of the relevant Working Group reports.

**Outcomes and actions**

Subject to the incorporation of amendments proposed by the Working Groups and further discussed in plenary, the Scientific Council endorsed draft Resolution 10.23 for consideration by COP10.

**Agenda item 18: Proposals for amendments to Appendices I and II of the Convention**

Please see Annex VI attached to this Report

**Agenda item 19: Progress on other matters requiring Scientific Council advice:****Agenda Item 19.1: Sustainable use**

95. Mr. Devillers (Vice-Chair, European Union), introduced UNEP/CMS/ScC.17/Doc.12 *Applicability of the Addis Ababa Principles to activities conducted under CMS*. He noted that this document had resulted from a process initiated at COP8 where there had been a proposal for CMS to endorse the Addis Ababa Principles. A Working Group had been established by the COP and ScC.17/Doc.12 was a report summarizing the conclusions of the Working Group.
96. The Working Group's general consensus was that the Addis Ababa Principles themselves posed little difficulty, but the text accompanying them raised numerous problems in the context of CMS. Some of the Principles, in terms of their practical application, applied to things that only CBD could do. Furthermore, some of the wording used could be interpreted in many different ways and appeared to be contradictory in some places.

97. Mr. Routh (Australia) stated that while Australia supported collaborative work between CMS and CBD, it would not accept the applicability of the Addis Ababa Principles to CMS and could not agree to the adoption or endorsement of the Addis Ababa Principles by CMS.

98. Mr. Devillers responded that Australia's position was well known and had been very much taken into account in the preparation of the document under discussion.

99. Mr. Morgan (CITES) noted that the document did not explicitly state that it was the outcome of the Working Group established by the COP. It did not reflect his recollections of discussions in Rome.

100. Mr. Biber (Switzerland) pointed out that the Scientific Council was expected to provide advice on the future work of the Convention with regard to sustainable use of CMS species. This needed to be on the agenda at the Scientific Council's next meeting.

#### **Outcomes and actions**

The Scientific Council decided that through its preparation of document UNEP/CMS/ScC.17/Doc.12 *Applicability of the Addis Ababa Principles to activities conducted under CMS*, the Working Group had fulfilled its Terms of Reference. Any further work needed would require new Terms of Reference and this issue should be taken up by Council at its 18<sup>th</sup> Meeting.

#### **Agenda Item 19.2: Criteria for listing Appendix II species**

101. Document UNEP/CMS/Conf.10.37 *Application of the IUCN Red List categories to evaluate CMS listing proposals* was introduced by Mr. Baker (Appointed Councillor for Bycatch).

102. He reported that Australia considered it would be preferable to deal with the issue intersessionally after COP10, as the document had only been made available to Parties very recently.

103. The UK had provided largely supportive, detailed comments, but had cautioned against CMS listing becoming a 'dumping ground'. The UK had also noted that not all CMS species had been assessed recently by IUCN.

104. Mr. Størkersen (Norway) expressed his regret at the late availability of the document. Norway felt that Council could only take note of it at this stage, but should recommend preparation of a draft Resolution and guidelines for adoption at COP11. The guidelines would need to be broader than as at present, for example to cover the issue of de-listing.

105. Mr. Ebenhard (Sweden) asked what should be done in cases where CMS and IUCN used differing taxonomies.

106. Mr. Baker replied that the proposal was to use the Red List categories, not the Red List itself.

107. Mr. Fouda (Egypt) felt this was a key point. In his view many IUCN assessments had not been adequately verified at national level.

108. Mr. Williams (UK) thanked those who had been involved in preparing the document. The UK agreed strongly with Norway that this was a very important issue for CMS but one that would probably require further work before a COP decision could be recommended.

109. Mr. Størkersen and Mr. Routh (Australia) concurred and recommended that the Scientific Council should conclude its work on Criteria for listing Appendix I and Appendix II species intersessionally.

110. Mr. Sibley (France) stressed the urgent need for CMS to have clear guidelines on this matter, which had been delayed for many years. He recognized that it was too late to take a decision at COP10 but the Convention needed to make certain that guidelines would come forward for adoption at COP11.

111. Mr. Morgan (CITES) observed that as both CITES and CMS dealt with endangered species it would be helpful to the outside world if the two Conventions used similar approaches.

112. Mr. Heredia said that this issue was tabled for discussion at COP and that, strictly speaking, a Resolution was not needed and the request for criteria could be reflected in the COP report.

113. Following further discussion, Mr. Størkersen suggested that Mr. Baker and other interested Councillors should draft Terms of Reference for an intersessional Working Group and that the Scientific Council should request the COP to establish such a Working Group tasked with finalizing criteria for listing.

#### **Outcomes and actions**

The proposal of the Councillor from Norway was endorsed by the Scientific Council. The Chair invited those interested to liaise with Mr. Baker to prepare Terms of Reference for the development of criteria to assist the Convention in assessing proposals to list taxa on the Appendices of CMS. This process shall bring forward a draft Resolution and guidelines for adoption at COP11.

The intersessional Working Group met and developed the following Terms of Reference:

“Develop a set of criteria to assist the Scientific Council and the COP in assessing proposals for the listing of taxa to, and the de-listing of taxa from, the Appendices of the Convention.

The proposed criteria should be developed in sufficient time for review by the 18<sup>th</sup> Meeting of the Scientific Council and subsequent consideration by the COP.”

#### **Agenda Item 19.4: Survey of expertise of Scientific Council members**

114. Ms. Kühl (Secretariat) introduced document UNEP/CMS/ScC.17/Doc.6 *Analysis of expertise of members of the Scientific Council*. She highlighted the need to address the gaps identified, such as the relatively low number of Scientific Councillors with expertise on marine species, to make CMS more effective. It was vital to engage other experts informally and to set up regional networks.

115. Mr. Devillers felt that the survey showed a remarkable balance of expertise within the Scientific Council. One of the great achievements of CMS had been to put migratory taxa other than birds on the map. It would not be very logical to change the structure of Council significantly.

116. Mr. Fouda (Egypt), Ms. Qwathekana (South Africa), Ms. Morales Palarea (Paraguay) and Ms. Agreda (Ecuador) stressed the need for Scientific Councillors to engage with national and regional expert networks and referred to relevant examples from their own countries.

117. Mr. Mundkur (Appointed Councillor for Asiatic Fauna) described how the intersessional Working Group on Flyways had reached out to other expert networks, and suggested that this approach could be applied by other taxonomic Working Groups. It would be particularly important for the Scientific Council to see how it could embrace the large body of knowledge within IUCN's Species Survival Commission more strategically.

118. Mr. Biber (Switzerland) drew attention to the Scientific Council's relative lack of expertise on migratory invertebrates.

119. Mr. Devillers suggested that the Appointed Councillor mechanism might be used to help fill gaps; for example to increase expertise on invertebrates.

120. The Chair noted that the first step was to see what expertise already existed in the Scientific Council and secondly what expertise was available to the Scientific Council. However, as fewer than half of Councillors had responded to the survey, it was impossible to come to a properly informed view.

#### **Outcomes and actions**

The Secretariat was asked to redistribute the survey questionnaire electronically to those who had not so far responded. The Councillors concerned were urged to provide completed questionnaires to the Secretariat by 19 November 2011.

#### **Agenda Item 19.5: Invasive alien species**

121. Document UNEP/CMS/ScC.17/Doc.11 *Invasive alien species and migratory species* was presented by Ms. Aguado (Secretariat).

122. The Chair noted that the Scientific Council was expected to advise the Convention on future work on this issue.

123. During discussion, interventions were made by Mr. Sibley (France), Mr. Krüss (Germany), Mr. Spina (Italy), Ms. Morales Palarea (Paraguay), Mr. Baker (Appointed Councillor for By-catch), Mr. Fouda (Egypt), Mr. Devillers (Vice-Chair, European Union), Mr. Ebenhard (Sweden), Mr. Sivakumar (India), Mr. Mundkur (Appointed Councillor for Asiatic Fauna), Mr. Rocha (Bolivia), Mr. Galbraith (Vice-Chair, UK), Mr. Diouck (Senegal) and Mr. Heredia (Secretariat).

124. While all those speaking agreed that the problem of invasive alien species was a priority for the biodiversity conservation community, there was disagreement around whether it should be a priority for CMS and on what activities should be undertaken to address the issue from a CMS viewpoint.

125. Mr. Heredia clarified that invasive species were mentioned in the text of the Convention as a major threat for CMS species.

126. Mr. Galbraith suggested that the issue should be taken forward in the framework of the Convention's Strategic Plan.

127. The Chair noted the Council's agreement with this suggestion and asked Mr. Galbraith to propose specific wording for reporting back to COP10 on this issue.

#### **Outcomes and actions**

The Scientific Council endorsed the conclusion proposed by the Vice-Chair, as follows "The Scientific Council noted the overall importance of the impact of alien species on biodiversity and on migratory species in particular. It recommended that a review of this impact, and of the priority actions required to reduce any effects, should be undertaken intersessionally".

#### **Agenda item 20: Presentation of the reports of the taxonomic and thematic working groups**

128. The Chair invited the Chairs of the taxonomic Working Groups to present their reports.

129. Ms. Roseline Beudels (Belgium, Chair of the Terrestrial Mammal Working Group, presented her report, attached as Annex II to the present report.

130. Mr. Morgan (CITES) requested clarification concerning the recommendation that CMS listing should be extended to wild native populations included under *Ovis aries*. He cautioned that CITES had run into taxonomic problems in this context. He asked whether it was being recommended that COP10 should decide on this issue, or whether it would come to a future COP.

131. Mr. Devillers considered it important to separate scientific advice of the Scientific Council as to whether listing of a given taxon was scientifically desirable, from the formal decision by COP on whether Parties found it practical to implement the scientific advice received. He concurred with Mr. Morgan that the particular case in question could raise difficulties, but all the Council needed to do was to advise whether it was scientifically desirable.

132. Mr. Størkersen (Norway) did not entirely share this view. There was a need to evaluate any proposal carefully and this particular suggestion, referring to wild populations included under *Ovis aries*, seemed hasty. The situation showed once more the urgent need for very clear criteria for listing.

133. The Secretariat highlighted that only listing proposals which had been submitted 150 days prior to the COP were eligible for adoption by Parties.

134. The Chair concluded that the report of the Working Group had simply stated that listing of wild populations included under *Ovis aries* was desirable. This did not constitute a formal submission for listing.

135. Mr. Bill Perrin, Chair of the Working Group on Aquatic Mammals, presented his report, attached as Annex III to the present report.

136. Mr. Zeb Hogan, Chair of the Working Group on Fish, presented his report, attached as Annex IV to this report.

137. Mr. Colin Limpus, Chair of the Working Group on Marine Turtles, presented his report, attached as Annex V to the present report.

138. Mr. John O’Sullivan, Chair of the Working Group on Birds, presented his report, attached as Annex VI to the present report.

139. Mr Sibley (France) and Mr. Morgan (CITES) expressed regret that the Working Group had not been able to recommend a decision on taxonomy of birds.

140. CITES had no doubt about the technical quality of the BirdLife International taxonomic checklist, but this had a level of sophistication and frequency of change that made it unsuitable for use by MEAs. Draft Resolution 10.13 should still be considered by COP10.

141. Mr. Limpus and Mr. Biber (Switzerland) underlined that the Working Group’s advice had been clear that draft Resolution 10.13 should not go forward to COP10. Mr. Biber asked the Chair of the Working Group on Birds, Mr. O’Sullivan, to read out the Group’s recommendation on this issue, as follows:

“The Working Group requests the Chair of the Scientific Council to liaise with the Chairs of Scientific Advisory Bodies of the biodiversity-related Conventions, the secretariats of relevant MEAs, and relevant international organizations including IUCN, BirdLife International, Wetlands International and UNEP-WCMC with the aim of evaluating the possible adoption of a single nomenclature and taxonomy for birds and to inform the Scientific Council at its 18<sup>th</sup> Meeting”

142. The Chair concluded that this recommendation should stand and invited the Scientific Council to adopt the reports of the Chairs of the taxonomic Working Groups.

<b>Outcomes and actions</b>
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Council adopted the reports of the taxonomic Working Groups
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143. The Chair invited the Chairs of the thematic Working Groups to present their reports.

144. Mr. Colin Galbraith, Chair of the Working Group on Climate Change impacts on migratory species and implications for adaptation, presented his report, which is attached as Annex VII to the present report.

145. Mr. Barry Baker, Chair of the Working Group on Bycatch, presented his report, which is attached as Annex VIII to the present report.

146. In response to a question from Mr. Sibley (France), regarding the source of data used for French fisheries in the sub-Antarctic region, Mr. Baker stated that the information had been submitted to CCAMLR at its meeting in October 2011. Mr. Baker undertook to engage bilaterally with Mr. Sibley to discuss the matter further.

147. Mr. Alfred Oteng-Yeboah, Chair of the Working Group on Wildlife Disease, presented his report, which is attached as Annex IX to the present report.

<b>Outcomes and actions</b>
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Council adopted the reports of the taxonomic Working Groups
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**Agenda item 21: Elections of the chair and vice-chair of the Scientific Council for the period 2012-2014 and nominations for Appointed Councillor of Birds and the Appointed Councillor of Neotropical Fauna**

148. This agenda item was chaired by the Executive Secretary. The current officers, Mr. Mshelbwala, Mr. Devillers and Mr. Galbraith, were invited to leave the room during the elections.

149. The Executive Secretary referred the Meeting to document UNEP/CMS/ScC17/Inf.2 *Rules of Procedure of the CMS Scientific Council* and specifically to Rule 8 that referred to the Chair and Vice-Chair of the Scientific Council. She noted that exceptionally there had been two Vice-Chairs during the last triennium, but that the expectation was that there would be a single Vice-Chair for the coming triennium, as specified in the Rules of Procedure. Council confirmed this expectation.

150. The Executive Secretary invited nominations for the position of Chair of the Scientific Council, which would be taken up at COP10 under the appropriate agenda item.

151. Ms. Kralj (Croatia) nominated Mr. Fernando Spina (Italy). This proposal was seconded by Mr. Fouda (Egypt) and endorsed by acclamation. Mr. Spina thanked the Scientific Council and committed to doing his best.

152. The Executive Secretary invited nominations for the position of Vice-Chair of the Scientific Council, reminding the Council of the need to take into account regional and gender balance.

153. Mr. Barirega (Uganda) nominated Ms. Malta Qwathekana (South Africa). This proposal was seconded by Ms. Beudels (Belgium) and endorsed by acclamation. Ms. Qwathekana thanked the Councillors for their trust and confirmed her readiness to accept the challenges of the role of Vice-Chair.

154. Mr. Heredia (Secretariat) noted that the Scientific Council also had to recommend new Appointed Scientific Councillors for Birds and for Neotropical Fauna. It had been traditional for the Appointed Councillor for Birds to be a person belonging to the BirdLife International family. It had been proposed that Mr. Leon Bennun, the Head of Science for BirdLife, should be recommended. This proposal was supported by the current Appointed Councillor for Birds, Mr. John O'Sullivan.

155. Mr. Rodrigo Medellín (Mexico) had been proposed as the new Appointed Councillor for Neotropical Fauna. He enjoyed wide support in the region and was well known to the CMS family in his role as Ambassador for the Year of the Bat. Mr. Rocha (Bolivia) supported the candidature of Mr. Rodrigo Medellín in the name of the Neotropical region.

156. The Scientific Council endorsed both proposals.

**Agenda item 22: Adoption of the report and action points**

157. The Chair confirmed that a draft report of the meeting, including outcomes and action points, would be made available in time for participants to review and amend where necessary,

prior to the report's submission as an input to COP10. The taxonomic and thematic Working Group reports would be annexed to the report for the plenary sessions, as done in previous Scientific Council meetings.

### **Agenda item 23: Date and venue of the 18<sup>th</sup> Meeting of the Scientific Council**

158. The Scientific Council concurred with the Executive Secretary's proposal that the Secretariat should confer with the new Chair and Vice-Chair and inform Councillors of proposed dates as soon as possible.

### **Agenda item 24: Any other business**

159. The Appointed Councillor for Asiatic Fauna recalled that the taxonomic Working Group on Birds had been mandated to review draft Resolutions 10.10 and 10.3. Many important improvements had been forwarded to the Secretariat as a result.

160. The Chair ruled that time did not permit the plenary session to further consider these amendments, but asked that the Secretariat should ensure that they were all taken into account in the revision of the draft Resolutions concerned.

161. The Chair expressed his strong conviction that two days had not been sufficient for the Scientific Council to do justice to its work; many of the draft Resolutions had not even been addressed in the plenary and there had not been time for discussion of the Working Group reports. He strongly recommended to the incoming Chair and Vice-Chair that they should insist on a three-day meeting immediately prior to COP11.

### **Agenda item 25: Closure of the Meeting**

162. The Scientific Council expressed its thanks to the current Chair and two Vice-Chairs for their efforts over the last triennium.

163. The Executive Secretary expressed her own thanks to the Chair and Vice-Chairs, as well as to all Councillors, Appointed Councillors, partners, NGOs, and the CMS extended family. She presented gifts of appreciation to the outgoing Chair, Vice-Chairs, and Appointed Councillor for Birds. (The list of participants is contained in Annex X of the present Report).

164. The Chair thanked the Council warmly, and noted his particular gratitude to the two Vice-Chairs and to the Secretariat for their invaluable support. Special thanks were once more expressed to the Government of Norway as host of the Meeting.

165. The Meeting was closed at 2000 hrs. on 18 November 2011.

## Annex I to ScC17 Report

### AGENDA OF THE MEETING

1. Opening Remarks
2. Adoption of the Agenda
3. Report on 2009-2011 Intersessional Activities
4. Information on the Intersessional Process regarding the Future Shape of CMS
5. Extension to 2014 of the Strategic Plan of the Convention 2006-2011
6. The Potential contribution of the Scientific Council to the Inter-Governmental Platform on Biodiversity and Ecosystem Services (IPBES)
7. Review of the Conservation Status of Migratory Freshwater Fish
8. Review and Guidelines on mitigating the conflict between migratory birds and electricity power grids
9. *Modus operandi* in cases of emergencies for CMS species
10. Critical sites and ecological networks for migratory species
11. Global bird flyways:
  - 11.1 Conservation of long-distance migratory landbirds
  - 11.2 Minimizing the Risk of Poisoning to Migratory Birds
  - 11.3 Draft Action Plan for the Sociable Lapwing
12. Climate change impacts on migratory species and implications for adaptation
13. Impacts of bycatch on migratory species and best practice mitigation measures
14. Impacts on marine debris on migratory species
15. Small Grants Programme (SGP)
  - 15.1 Report on the Small Grants Programme (SGP)
  - 15.2 Revised guidelines for the SGP
16. Conservation status of CMS Appendix I Species
17. Scientific Council tasks arising from resolutions, recommendations and other decisions of the Conference of the Parties:
  - 17.1 Concerted actions for selected Appendix I species/groups
  - 17.2 Co-operative actions for Appendix II species/groups
  - 17.3 Other resolutions and recommendations (not already covered under other agenda items):

- 17.3.1 Res.9.2: Review of Existing CMS Instruments and Projects on Terrestrial Mammals and marine turtles
  - 17.3.2 Res.9.8: Responding to the Challenges of Emerging and Re-Emerging Diseases in Migratory Species, Including Highly Pathogenic Avian Influenza H5N1 (paragraph 2: Scientific Task Force on Wildlife Diseases)
  - 17.3.3 Implementation of Res.9.9 on Migratory Marine Species/Conservation Status of Arctic marine species/Programme of Work for Cetaceans
  - 17.3.4 Implementation of Res.9.19 on Adverse Anthropogenic Marine/Ocean Noise and new Resolution on Underwater Noise Pollution
  - 17.3.5 Implementation of Res.9.20 on the Saker falcon (*Falco cherrug*)
  - 17.3.6 Implementation of Rec.9.1 on Central Eurasian Aridland Mammals
  - 17.3.7 Implementation of Rec.9.2 on Sahelo-Saharan Megafauna
  - 17.3.8 Implementation on Rec.9.3 on Tigers and other Asian big cats
  - 17.3.9 Implementation of Rec.9.5 on Cooperative action for the Elephant (*Loxodonta africana*) in Central Africa
- 18. Proposals for amendments to Appendices I and II of the Convention
    - 18.1 Discussion and evaluation of proposals
  - 19. Progress on other matters requiring Scientific Council advice:
    - 19.1 Sustainable use
    - 19.2 Criteria for listing Appendix II species
    - 19.3 Taxonomy and nomenclature of birds
    - 19.4 Survey of expertise of Scientific Council members
    - 19.5 Invasive alien species
  - 20. Presentation of the reports of the taxonomic and thematic working groups
  - 21. Elections of the chair and vice-chair of the Scientific Council for the period 2012-2014 and nominations for the Appointed Councillor of Birds and the Appointed Councillor of Neotropical Fauna
  - 22. Adoption of the report and action points
  - 23. Date and venue of the 18<sup>th</sup> Meeting of the Scientific Council
  - 24. Any other business
  - 25. Closure of the Meeting

## **Annex II to ScC17 Report**

### **REPORT OF THE WORKING GROUP ON TERRESTRIAL MAMMALS Bergen, 17 November 2011**

#### **Participants:**

Roseline C. Beudels-Jamar, Coordinator for Terrestrial Mammals (Chair)  
Pierre Devillers, European Union  
Zurab Gurielidze, Georgia  
Sergey Yerokhov, Kazakhstan  
Samuel Kasiki, Kenya  
Lkhagvasuren Badamjav, Mongolia  
Torbjörn Ebenhard, Sweden  
Nurali Saidov, Tajikistan  
Khaled Zahzah, Tunisia  
Akankwasah Barirega, Uganda

Observers representatives from:

Kyrgyzstan: Askar Davletbakov & Kathrin Uhlemann  
Wild Europe: Toby Aykroyd

CMS Secretariat: Borja Heredia, Aline Kühl, Christiane Röttger, Lahcen El Kabiri).

#### **1. Introduction by the Chair**

#### **2. Review of ongoing Concerted and Cooperative Actions**

##### **2.1. Sahelo-Saharan Megafauna Concerted Action (CA)**

During the last triennium, the work on the CA mostly centred on two main areas: one north of the Sahara, in Tunisia; and the other in the centre and south of the Sahara, in Niger, where the last viable populations of large Sahelo-Saharan vertebrates survive in the wild.

In Tunisia, the most significant progress of the last three years have been:

- a) continued support to meta-population management of Scimitar-horned Oryx and Addax in the six southern protected areas, and development of a mechanism for the ongoing monitoring of populations of Addax in Djebil and Senghar National Parks;
- b) permanent monitoring of populations of Scimitar-horned Oryx in Sidi Toui and Oued Dekouk National Parks;
- c) additional surveys focusing on Slender-horned Gazelle and Dorcas Gazelle in Senghar National Park; and
- e) in addition, the General Directorate of Forests in Tunisia initiated a new programme of conservation and restoration for Cuvier's Gazelle along the Tunisian Dorsale, in implementation of the Tunisian Strategy for the Conservation of Sahelo-Saharan Antelopes developed with CMS in 2002. The General Directorate of Forests has just produced an excellent set of brochures on the Tunisian Protected Areas.

Since 2009, the most significant part of the CMS Sahelo-Saharan Megafauna (SSM) programme, in terms of in-situ conservation of species, has been the major effort undertaken towards the conservation of the Termit-Tin Toumma area in Niger. There is a clear political will to see the area officially designated and effectively managed and the gazetting of the protected area is already embedded within the national programme. In Niger, the CA benefits from a very good field team, working in close association with the Ministry of Water, Environment and Fight against Desertification (MEELCD), and with the CA's main partner, the Sahara Conservation Fund (SCF). The Termit-Tin Toumma project focuses on:

- a) the development of the future Termit-Tin Toumma National Reserve (RNCNTT);
- b) the preservation of the Sahelo-Saharan fauna of the region, especially the last viable populations of Addax and Dama Gazelle in the world;
- c) the establishment of ecological inventories and monitoring;
- d) the collection of biological and socio-economic data on the area;
- e) the involvement of local pastoralist communities, including employing them as eco-guards to provide surveillance of the area; and
- f) initiating community development projects.

All this work was made possible thanks to funding from the FFEM (Fonds Français pour l'Environnement Mondial) from 2003 to 2010, and from 2007 to 2012 from the European Commission.

Next steps for the coming triennium:

- A Third Meeting of the Sahelo-Saharan Megafauna Range States is a top priority and financial resources must be identified with the assistance of the COP (as outlined in Resolution 10.16).
- At that meeting, a CMS instrument on the conservation and restoration of Sahel-Saharan megafauna is expected to be signed (see also document UNEP/CMS/Resolution 10.16 on priorities for agreements).
- Further support for existing initiatives undertaken by some of the range states such as Morocco and Senegal.
- Fundraising for the third phase of the Termit-TinToumma project.
- Initiating work in new parts of the range of Sahelo-Saharan species, especially in Ethiopia.

## **2.2. Central Eurasian Aridland Concerted Action**

The Working Group (WG) was informed of developments that have taken place during the triennium:

- Extension of the area to include the hot deserts of south-western Asia, including the Arabian Peninsula, was agreed through several informal meetings conducted during COP9, chaired by Syria and attended by Jordan and Yemen. Saudi Arabia indicated that it did not wish to participate in the Concerted Action.
- The Focal Point Councillors have not at this stage envisaged any instrument other than a CA.
- Work has been done in the preparation of an Action Plan and building up the accompanying knowledge base. In this context two presentations were made to the WG: the Focal Point Councillor for Mongolia presented a review of the barriers to migration

(a case study in Mongolia) (ScC17/Inf.23), and the Secretariat presented a draft Action Plan focused on a high priority area within the CA's scope, that of Central Asia and Mongolia (ScC17/Doc.13). The Secretariat intended to stimulate discussions on the prioritization of the geographical and taxonomic scope. The members of the WG felt that establishing priorities focused on actions, species or areas was a good way forward but that the overall scope of the CA should not be narrowed down.

- The participants to the meeting reiterated the desirability of having a first meeting of the CA Range States. They felt this was now urgent and all actors should endeavour to organize it, preferably in Mongolia in August 2012.
- The WG recommends to the Scientific Council that the CA should continue.

### **2.3 Other existing Concerted and Cooperative Actions:**

Cooperative Action for the Elephant in Central Africa: the WG considers that the conservation status of the Central African Elephant is very unfavourable. The WG encourages the Scientific Council with the help of the Secretariat, the Range States' Councillors and competent NGOs to explore ways in which the situation could be improved. Facilitating the consultations with the Central African Elephant Range States was considered to be a good option.

CA for Gorillas: the WG notes that there will be a meeting of the Gorilla Agreement on 26-27 November. The Scientific Council expects to receive the report after that meeting.

CA for Southern Huemul: the WG noted the Focal Point Councillor could not continue for health reasons. The WG thanks the Councillor for his commitment and actions over the years and wishes him well. The Secretariat reported that an agreement had been signed between Chile and Argentina, and that progress was being made on the agreement. The coordinator for Terrestrial Mammals will try to identify a new Focal Point Councillor.

### **3. Other actions to be considered by the WG:**

The Secretariat presented the *Review on Terrestrial Mammals* (Conf.10.44 and Inf.10.15). It was noted that among the top priorities identified by WCMC was a continuation of the Sahelo-Saharan Megafauna CA and the Central Eurasian Aridland CA, and also a Sub-Saharan Megafauna CA. There was an exchange of views on the last of these, and a consensus was reached that the possibility of such a megafauna conservation initiative should be seriously investigated. The Councillor for Kenya accepted to serve as Focal Point Councillor for this activity. The Central African Elephant Cooperative Action could, if this initiative materializes, be integrated in it.

Tiger and other Asian Big Cats: the Secretariat gave a short report on progress made in follow up of the aspects of Rec 9.3. which concerns tigers. Interest by CMS Parties to develop a new CMS instrument was limited. Most big cats have conservation-significant populations within the area of the Central Eurasian Aridland CA, and five endangered large cats, the Snow Leopard, the Arabian Leopard, the Persian and Caucasian Leopard, the Asian Cheetah and the Asian Lion are endemic to the area of the CA.

The WG examined Draft Resolution 10.23 on Concerted and Cooperative Actions *Species to be considered for Concerted and Cooperative Actions during the Triennium*: the WG notes that the 16<sup>th</sup> Meeting of the Scientific Council recommended the addition of the Barbary Sheep, and

further recommends the addition of *Ovis ammon*, the Argali sheep, subject to its inclusion on Appendix II.

#### **4. Proposals for amendments to Appendices I and II of the Convention:**

The WG strongly endorses the proposal to include *Ovis ammon* in Appendix II, and thanks Tajikistan and Kazakhstan for having made the proposal. The WG suggests that the listing should be extended to wild, native populations included under *Ovis aries*.

#### **5. Any other business:**

##### **Wild Europe:**

Wild Europe is an umbrella organization for a number of European conservation NGOs, and a representative attended the WG as an observer.

Wild Europe considers that Europe remains the only major region where there is no overall CMS strategy, yet there are substantial opportunities for protection and restoration of a network of large wild areas of natural habitat and process with intact ecosystems.

Wild Europe thus proposed the idea that CMS develop a strategy for Europe, involving an assessment of opportunity followed, as appropriate, by recommendations for an Action Plan. This could be undertaken in tandem with existing endeavours in this field including the Wild Europe initiative.

##### **Further notes provided by Wild Europe:**

- in 2010 the CBD identified 200,000 km<sup>2</sup> of marginal land where restoration of habitats and their species could contribute significantly to global conservation objectives. Some 30-50 million hectares of farmland is currently abandoned, and subsidies from the CAP are likely to continue falling.
- the 2011 EU Biodiversity Strategy calls for restoration of 15 per cent of degraded ecosystems by 2020.
- the European Parliament in 2009 voted by a majority of 538 to 19 for improved protection and funding for wilderness areas of natural habitat and process.
- a range of economic, social and environmental attributes from non-extractive activities in these large areas of natural ecosystems offers significant benefit to local communities and landholders as well as society in general.
- such areas can also help address the impact of climate change, through enabling mitigation and adaptation, and can offer a higher level of resilience to invasive species.
- if Europe is seen to be restoring a network of large natural areas, and doing so moreover for economic and social as well as conservation motives, this sends powerful messages to other parts of the world with much larger and more pristine ecosystems where alternative forms of land use are as yet undecided.

## Annex III to ScC17 Report

### REPORT OF THE WORKING GROUP ON AQUATIC MAMMALS

#### List of participants

Bill Perrin, Appointed Councillor for Aquatic Mammals (Chair)  
Donna Kwan, Dugong MOU Secretariat  
Heidrun Frisch, CMS/ASCOBANS Secretariat  
Humbulani Mafumo, South Africa  
Margi Prideaux, Migratory Wildlife Network  
Marie-Christine Grillo-Compulsione, ACCOBAMS Secretariat  
Mark Simmonds, Luxembourg  
Moustafa Fouda, Egypt  
Narelle Montgomery, Australia  
Nicola Hodgins, WDCCS  
Zurab Gurielidze, Georgia

#### *Agenda Item 16: Conservation status of Appendix I species*

The working group received a report on the conservation status of the Mediterranean monk seal *Monachus monachus* (ScC17/Inf.22). It was noted with appreciation that reports on the status of this species had been received by the Scientific Council on a regular basis in the last decade, a practice that should be emulated for the other aquatic mammals on Appendix I. The species now existed in two colonies, around the Madeira Islands and on the coast of Mauretania at Cabo Blanco. Interaction with fisheries had become a problem for the Madeira population of 30-40 individuals as the seals had returned to portions of their original range. However, most fishermen now no longer had a negative attitude toward the animals. Reproduction had been low in the Cabo Blanco population of around 210 (up from 180 counted in 2010) due to beach erosion by storms but was expected to increase again as the beaches were naturally restored.

The Working Group considered the long-standing issue of the preparation of fact sheets on the status of Appendix I species and discussed a report prepared by the Secretariat (ScC17/Doc.7). Efforts to have such fact sheets prepared by members of the Scientific Council had not been successful. As an alternative approach, the Secretariat had developed a database of status information on the species based largely on information on the IUCN Red List website. This approach and the format of the database seemed effective for meeting the information needs of the Parties and could eventually be extended to the Appendix II species. Some additional research would be required to cover species and populations in the Appendices that were not assessed in the Red List. Posting of the database online with regular updates suggested by members of the Scientific Council and others, and vetted by the Secretariat would be the most efficient means to make it available to the Parties, but it was noted that this would require ongoing IT support (a webmaster), and it was recommended that such support be provided (funded). A direct link to the Red List website would also be a means of providing additional information on other aspects of the species' biology.

It was noted with concern that the trends for most of the species were downward or undetermined; an increasing trend was noted for only four species.

*Agenda items 17.1 and 17.2: Concerted and Cooperative Actions*

The working group welcomed a verbal report from the Councilor from Georgia on cooperative action taken for the Black Sea bottlenose dolphin *Tursiops truncatus ponticus*. Ecological study of the subspecies along the coast of Georgia started in 2009 and was continuing. The research was being conducted by the Institute of Ecology of Iia State University (Georgia). The main objectives were research on population assessment, spatial distribution, relationship with other dolphin species, abundance of prey species and their availability, and human and natural threats. To date, the work had included annual seasonal surveys, with observations from the coast and from a boat. Two groups of bottlenose dolphins had been discovered, the first in 2009 of 35 individuals and the second in 2011 containing about 20 individuals. The estimated total population in the region was approximately 50. A database for photo-identification had been started. Aims were to define the feeding areas and map spatial distribution. Similar information had also been collected for the other species of Black Sea dolphins, *Delphinus delphis* and *Phocoena phocoena*.

Draft Resolution 10.23 was discussed at some length and was endorsed in principle by the working group with suggestions for some changes. It was noted that some of the provisions would require a considerable increase in work expected to be accomplished by the Scientific Council. In operative item 4, it was suggested that “instructs” be changed to “requests” and that assistance be solicited from the Partners as well as the Parties. It was also noted that appointment of a focal point for each species listed for Concerted or Cooperative Action (25 aquatic mammals) would call for broader expertise than presently existed in the Scientific Council and it was recommended that designated experts also be considered for appointment as focal points.

The working group agreed with the proposal in the resolution that the narwhal *Monodon monoceros* and the killer whale *Orcinus orca* be considered for cooperative action. It was further proposed that the range-state Parties be urged to consider submitting two proposals for listing. The first was the narwhal on Appendix I because of its vulnerability to the effects of reduced Arctic ice coverage caused by climate change on its physiology which was adapted specifically to classical ice coverage. The second was the North Pacific resident killer whale (un-named subspecies) on Appendix I because of its endangered status in a significant portion of its range (ScC17/Doc.9).

*Agenda item 17.3.3. Programme of work for cetaceans [to implement Res.8.22]*

*Resolution 8.22 Adverse Human Induced Impacts on Cetaceans* called for a review of the progress and intent of CMS and its agreements to date and how the CMS Family could be more effective through strong collaboration with other relevant Multilateral Environmental Agreements (MEAs) such as the International Maritime Organization (IMO), the International Whaling Commission (IWC) and its Scientific Committee (IWC SC) and Conservation Committee (IWC CC), the Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR), the United Nations Informal Consultation on Protection of the Oceans and the Law of the Sea (UNICPOLOS), the Cartagena Convention, European Union Habitats and Species Directive, the Bern Convention and the United Nations Environment Programme (UNEP) Regional Seas Programme. The resolution also required the review of

specific threats, including entanglement and bycatch; climate change; ship strikes; pollution; habitat and feeding ground degradation and marine noise. These threats were broadly assessed at a regional level. From this a draft Global Programme of Work for Cetaceans had developed that appeared both in *Inf 10.31- Towards a CMS Global Programme of Work for Cetaceans* and *Resolution 10.15 - Global Programme of Work for Cetaceans*. It should be stressed that this process had drawn upon CMS's own priorities – determined through past resolutions and recommendations – followed by assessment of what collaboration and synergies were possible with other MEAs, suggesting mechanisms that might be developed to facilitate these priorities over the period 2012-2024 and providing a means of assessing the resources that would be necessary to complete this work.

To support this programme of work, an expanded strategic role for the Scientific Council's Aquatic Mammals Working Group (AMWG) was proposed, to provide specific advice and reporting. It was noted that at present, the AMWG existed only during meetings of the Scientific Council; increased duties might require establishing it as a standing working group.

The working group endorsed draft Resolution 10.15 with some small changes recommended by CITES and Norway and minor editing (relayed to the Secretariat). However, it emphasized that increased staff and budget would be needed to carry forward the programme.

*Agenda item 17.3.3 (continued): Arctic marine species [following up on Res.9.9]*

ScC17/Inf.17 had been produced by the Secretariat and examined current and predicted conservation status of all CMS-listed Arctic marine species in relation to the possible consequences of climate change. The working group welcomed the effort put forth by the Secretariat to aid the Council in its task as set by Res.9.9.

The chair of the working group agreed to provide to the Secretariat a list of outside experts who could be contacted and asked to take on the task of expanding the database on present and predicted status of listed Arctic species of aquatic mammals based on information in the literature not available to the Secretariat. It was noted that this work would require expertise on climate change and again emphasized the need to expand the expertise of the Scientific Committee in the sphere of climate change effect. It was suggested that the database would be usefully placed on the CMS website. A suggested Arctic species appropriate for uplisting was the narwhal (discussed above). It was also suggested that the Parties be urged to consider the polar bear *Ursus maritimus* for listing on Appendix II. The range of threats that the polar bear faced and in particular its recognized extreme vulnerability to habitat loss as a result of climate change called for the participation of Range States in conservation activities as well as other countries involved in activities with an impact on migratory range of the species in the high seas (ScC17/Inf.19). The Migratory Wildlife Network emphasized that a CMS listing should complement the important work already being carried out by Range States, in particular through the Polar Bear Agreement and the Arctic Council Circumpolar Biodiversity Monitoring Programme. The listing would not have the purpose of triggering another agreement for the Arctic but to both complement existing CMS Arctic priorities and to facilitate the discussion and possible mitigation of climate change impacts by CMS Parties beyond the Arctic.

*Agenda item 17.3.4: Underwater noise pollution*

The working group noted that draft resolution 10.24 had already been extensively reviewed and redrafted and recommended its adoption, with an added recommendation that the issue be

integrated into the management plans for MPAs and that anthropogenic noise be avoided or minimized within MPAs and important cetacean habitats (relayed to Secretariat).

#### **Agenda item 18: Proposals for amendments to Appendices I and II of the Convention**

The finless porpoise *Neophocaena phocaenoides* was an Appendix II species and had recently been split into two species, the tropical *N. phocaenoides* and the temperate *N. asiakororientalis* (ScC.17/Doc.7). In accordance with the practice of the Convention, both species should now be listed in Appendix II.

*Other issues:*

#### **Priorities for CMS Agreements**

The working group reviewed Conf.10.9 and draft Resolution 10.16. It was noted that considerable interest in developing regional agreements for the Indian Ocean and Southeast Asia still existed on the part of researchers and NGOs (including CMS Partners) and therefore recommended that item *xiv* of the Resolution be deleted and that range-state Parties again be urged to come forward as potential leads for such development. It further recommended that in item *xv* the scope be expanded to potentially include the entire Indian Ocean (delete “in the western part”). It was also noted that plans existed for a third workshop on the marine mammals of Southeast Asia (SEAMAM III); the first workshop had been sponsored by UNEP and the second by CMS.

#### **Key intersessional activities of the CMS family and other organizations:**

CMS Secretariat - Two detailed reports on bycatch-related projects in the Bycatch Working Group that related to cetaceans were reported elsewhere, namely the Assessment of Bycatch in Gill Net Fisheries, paid for through voluntary contributions from Australia and the United Kingdom, and a project on an alternative to “pingers” that use D porpoise warning calls to alert porpoises to a danger, which had been funded by the German NGO, Friends of CMS.

As part of the Small Grants Programme and thanks to a voluntary contribution from Finland, a survey project in Cameroon had been financed. A detailed report was contained in ScC17/Inf.10. The working group wished to express its satisfaction with the results of the project, which had been undertaken with a very modest budget and co-funding from the Columbus Zoo Conservation Fund. The findings strongly underlined the need for more research to be undertaken in the Gulf of Guinea. Also, Parties in the region and donor countries should be urged to take up the recommendations for follow-up activities suggested in the report.

CMS, ASCOBANS, ACCOBAMS and several other partners had co-produced the print version of Boris Culik’s book “The Odontocetes”, which had been made available online in early 2010. Copies were available for all interested Councillors.

Following the selection of a Small Grants Proposal by WCS for a Western Indian Ocean Workshop as a priority by ScC16, WCS in consultation with the Secretariat had produced a revised and updated version of the proposal and agreed to fundraise jointly for it. Proposed outputs included among other things a comprehensive review on the status of and threats to coastal cetaceans in the Western Indian Ocean, Arabian Sea and Bay of Bengal, an Action Plan with recommendations for research, conservation and management of coastal cetaceans in the

region, and a proposal for a regional network of MPAs explicitly addressing the conservation needs of coastal cetaceans.

ASCOBANS (COP Inf/10.18.2) - The 6<sup>th</sup> Meeting of the Parties had taken place in September 2009 and *inter alia* had adopted a new Conservation Plan for Harbour Porpoises in the North Sea, which outlined concrete actions to be undertaken in order to protect this species in one of the most intensely used maritime areas, a revised and updated version of the Recovery Plan for Baltic Harbour Porpoises, and a set of strategic priorities for the 2009-2012 triennium to focus especially on two issues in the implementation of the Agreement's work plan: bycatch and underwater noise.

Five intersessional working groups were currently operating, the Jastarnia Group (Recovery Plan for Baltic Harbour Porpoises), the North Sea Group (Conservation Plan for Harbour Porpoises in the North Sea), a working group on bycatch and one on underwater noise, and an informal working group on large cetaceans. One further working group, which would be a joint one between ACCOBAMS and ASCOBANS, was in the process of being established. It would deal with the Marine Strategy Framework Directive (MSFD), the main goal of which was to maintain or restore a good ecological status (GES) by 2020 in all waters under EU Member States' jurisdiction. This working group would examine how ASCOBANS and ACCOBAMS could help feeding the process of MSFD and conversely how MSFD could help ASCOBANS and ACCOBAMS to reach their cetacean conservation goals. The Agreement was also able to support twelve conservation and research projects in the last three years; details and links to the reports were contained in the document.

2012 would be a busy year for ASCOBANS, with the Meeting of the Parties in addition to the annual Advisory Committee Meeting and the celebration of the 20<sup>th</sup> Anniversary of the Agreement.

The working group noted with appreciation the diverse and dynamic range of work being progressed via ASCOBANS.

#### ACCOBAMS (CMS/Inf.10.18.1)

**Underwater noise:** 1) Guidelines to address the impact of anthropogenic noise on cetaceans in the ACCOBAMS area" had been adopted by the Parties in 2010 and a working group established that would focus on the mitigation of the noise impact issues. The WG was made up of 18 members, among them Parties, scientists, NGOs and IGOs such as ASCOBANS.

The main role of the WG was to simplify and clarify the Guidelines to facilitate their implementation by the Parties and shipping operators, in particular by providing information about mitigation technologies and management measure as well as their effectiveness and cost.

Industries had been approached for awareness and distribution of the ACC Guidelines on noise.

Industries warmly welcomed the initiative and were ready to share their vision and participate to the WG. A questionnaire had been sent to the Parties to collect information about mitigation measures on marine mammals during offshore construction activities for renewable energy production. Thanks to the collaboration of Ocean Care and NRDC, a peer review on the impact of ocean noise pollution had been submitted to the United Nation Division for Ocean Affairs and the Law of the Sea (DOALOS)

**Cetacean Population Structure:** Also in the framework of the collaboration between ASCOBANS and ACCOBAMS, the 7<sup>th</sup> Meeting of the Scientific Committee suggested that a joint workshop ASCOBANS/ACCOBAMS on the population structure be organized on the occasion of the next Meeting of the ECS (2012).

Other items of collaboration with ASCOBANS included the organization of a joint workshop on the implementation of the cetacean components of the Habitats Directive in Galway on the occasion of the ECS and a joint intersessional WG on the Marine Strategy Framework Directive.

**Ship strikes:** A joint IWC/ACCOBAMS workshop on reducing collisions between vessels and marine cetaceans had been held in September 2010 in Beaulieu (France). The workshop report established a list of recommendations on research, conservation and reporting with a two-year work plan that had been adopted by the IWC and the ACCOBAMS 4<sup>th</sup> Meeting of the Parties. The 7<sup>th</sup> Meeting of the Scientific Committee strongly recommended to pursue and strengthen the collaboration with the IWC and ASCOBANS/ACCOBAMS Survey Initiative. The project had been presented to the MOP4 of ACCOBAMS. The scientists involved in its preparation had met this week in order to include a greater aerial survey component in the light of the recent successful aerial surveys done in the region. The French Agency for Marine Protected Areas offered to appoint, in collaboration with IUCN, a project manager to help in identifying sources of funding for the survey project. In this context an agreement had been signed with the French Agency for Marine Protected Areas, ACCOBAMS, IUCN and RAC/SPA (May 2011).

**Interactions with Fisheries:** The ACCOBAMS Secretariat was developing collaboration with the General Fisheries Commission for the Mediterranean (GFCM) concerning bycatch. GFCM had decided to extend their online system for collection of bycatch data to cetacean bycatch. Within two weeks a workshop organized jointly by GFCM and ACCOBAMS would take place in Turkey. On that occasion ways to start and/or expand by-catch monitoring schemes in GFCM area would be discussed. Concerning the same topic, the ACCOBAMS Secretariat was preparing a project for South Countries to evaluate and mitigate bycatch.

**Commercial whale watching activities in the Agreement area:** A label for commercial whale-watching activities prepared in collaboration with the Pelagos Sanctuary had been adopted by the 4<sup>th</sup> Meeting of the Parties. Thanks to a voluntary contribution by the French “Ministère de l’Ecologie et du Développement durable” feasibility studies on the establishment of such a label were ongoing in Morocco and Tunisia.

**Climate change:** A workshop would be held next year in cooperation with ACCOBAMS Partners and other relevant organizations taking into account the IWC intersessional workshop (Vienna, 2010). It was noted that sponsors were needed for the workshop.

**Capacity Building:** Thanks to voluntary contributions from Italy and Monaco, several training workshops had been conducted, in southern European and Adriatic countries to tutor scientists and educators on cetacean conservation and on photo-ID methodology. The Second Biennial Conference for cetacean conservation in South Countries had taken place in Morocco the previous October.

**Draft Strategy for ACCOBAMS for 2013-2023:** The Parties had mandated the Secretariat to organize a Working Group to prepare a draft strategy to be presented to the next MoP (2013).

PIC MOU (CMS/Inf.10.18.09) – The second Meeting of the Signatories to the Pacific Cetaceans MOU had taken place in New Zealand in July 2009. The Pitcairn Islands, the South Pacific Whale Research Consortium and Whales Alive had been added to the signatories at this second Meeting, bringing the number of countries and territories participating to fourteen and that of collaborating organizations to seven. An on-line national reporting format had been discussed. The proposal to appoint an officer to be based at SPREP to facilitate CMS activities throughout the region had now been implemented thanks to funding from the CMS Office in Abu Dhabi, with the officer due to start work shortly. However, funding was currently available only for one year. The Meeting also had adopted a Whale and Dolphin Action Plan 2009-2012 (based on a similar document developed by SPREP) as an Action Plan for the MoU. Further, a Technical Advisory Group (TAG) for the MoU had been formed, consisting of nine specialist experts in the science of cetacean conservation, coordinated by WDCS. The TAG had prepared a preliminary implementation report which had been made available at COP10.

Since the Second Meeting of the Signatories, the Technical Advisory Group which was supported by the Whale and Dolphin Conservation Society (WDCS) and regional technical experts, had focused for the past two years on key research programmes in Samoa and Fiji, as well as capacity support for Papua New Guinea and Federated States of Micronesia. The known diversity data for the agreement were now online in an open source database designed specifically for easy access by agreement signatories. Most recently the Technical Advisory Group had provided support to Signatories through the development of a Pacific Cetaceans MoU Implementation Report which was a comprehensive compilation of each Signatory's process in implementing the agreement.

WAMM MOU (CMS/Conf.10.9) - Only limited progress had been made with implementation of the Western African Aquatic Mammals MOU. The Secretariat had however developed a proposal for support for the MOU modelled on the encouraging example of the Pacific one. Details were to be explained at a side event during the following week's COP meeting. Also, revised and updated proceedings of the scientific symposium of the 2007 Western African Talks on Cetaceans and Their Habitats (WATCH) had been almost finalized and a preview of the publication would also be shown at the above-mentioned side event.

DUGONG MOU (CMS/Inf.10.18.11) - The focus of implementation activities of the Dugong MOU had been to: (1) update or obtain new information on the distribution and key impacts of dugongs and their habitats; (2) develop and implement pilot projects that aim to reduce the risk of bycatch of dugongs in small scale artisanal and subsistence fisheries; and, (3) raise funds for implementation of pilot projects and other activities.

The UNEP/CMS Dugong Standardized Survey Tool had been developed based on the Duke/Project GLOBAL Rapid Bycatch Assessment and was a low cost, low tech method to collect information on the spatial distribution of dugongs and their habitats as well as the key threats to dugong populations. The Standardized Survey Tool might be an important tool for addressing shared conservation synergies across species of interests to CMS including dugongs, West African manatees, marine turtles and inshore cetaceans. Since the conduct of the survey in 2010, over 2,400 interviews had been conducted in about 20 dugong range states. This information would be used to put together national, regional and global picture of hotspots which required management interventions – to be reported to the Second Signatory State Meeting scheduled for late 2012.

Three pilot projects had been selected to be developed on the basis of expression of interests submitted to the Dugong MOU Secretariat - these included Bazaruto Archipelago (Mozambique); Western Province (Papua New Guinea) and Gulf of Mannar (India & Sri Lanka). The pilot projects would trial the application of a Management Tool Kit of advisory, financial incentive and conservation tools which included low technology, low cost rapid assessment questionnaires, financial incentives, gear modifications, and monitoring methodologies. Subject to funding, the pilots would be extended to other range states.

The Secretariat was also actively fund-raising through a GEF regional concept proposal for GEF-eligible range states with available STAR Biodiversity allocations, aimed to develop sustainable financing and market opportunities, while delivering livelihood improvement and economic opportunity in exchange for dugong and seagrass conservation. In addition, a Dugong, Seagrass and Coastal Communities Initiative aimed at private/business donors would be launched in early 2012. Funds raised would be direct to implementation of the priority pilot projects described above as well as the extension/up-scaling to all interested Dugong MOU range states.

IWC Scientific Committee – The working group received but did not discuss a report on the 2011 meeting of the IWC Scientific Committee covering CMS Appendix I and II species (ScC17/Inf.14).

#### **Additional recommendations for submission of listing proposals for Appendix I**

Cuvier's beaked whale *Ziphius cavirostris* in the Mediterranean - It was noted that the Mediterranean population of the species was genetically distinct and contained fewer than 10,000 mature individuals. It was thought to be experiencing continuing decline due to a number of threats including noise from military sonar and seismic surveys (which had been linked to mass strandings), bycatch in drift gillnets and ingestion of plastic debris. A recent regional assessment by the IUCN classified the Mediterranean population as Vulnerable. It was recommended that the Parties be urged to consider developing a proposal for Appendix I listing of the population.

Resident killer whales off the coast of Ireland and the UK - Concern was raised about a likely genetically distinct group of killer whales residing in the coastal waters of Ireland and the west coast of Scotland. Ten individuals had been shown to be linked to each other by association through photo-identification, and none of these individuals had been identified in any of the 108 photo-id encounters recorded from the Northern Isles and the Northeast of Scotland 2005-2011 or matched with the large photo-identification catalogues from Iceland and Norway, suggesting a degree of reproductive as well as social isolation. It was therefore proposed that the Parties be urged to consider this population for future listing in Appendix 1.

#### **The small grants programme**

Time did not permit review of ScC17/Doc.10 or four draft proposals submitted to the Secretariat.

## **Annex IV to ScC17 Report**

### **REPORT OF THE WORKING GROUP ON FRESHWATER FISH**

**Bergen, 17 November 2011**

**14:30-16:30**

#### **1. Introduction by the Appointed Councillor for Fish**

Welcome to the working group by Dr. Zeb Hogan, CMS Scientific Councillor for Fish.

Councillors present:

Zeb Hogan, Working Group Chair, CMS Scientific Councillor for Fish

Barry Baker, CMS Scientific Councillor (By-catch)

Ana E. Agreda, Scientific Councillor for Ecuador

Marco Antonio Herrera Cabrera, Instituto Nacional de Pesca de Ecuador

Narelle Montgomery, Scientific Councillor for Australia

#### **2. Review of the Conservation Status of Migratory Freshwater Fish (ScC17 Agenda Item 7)**

The 15th Meeting of the Scientific Council (Rome, 2008) tasked the COP Appointed Councillor for Fish, Dr. Zeb Hogan, with preparation of a review of the conservation status of migratory freshwater fish to determine which species would benefit from listing on the CMS Appendices. The report, presented as document UNEP/CMS/Inf.10.33 summarizes the results of the review. The report is meant as a starting point to discussions about the value of listing additional freshwater fish species on CMS, as it identifies approximately 35 species that could potentially be listed on the CMS Appendices. An executive summary is provided as document UNEP/CMS/Conf.10.31 and a Resolution as document UNEP/CMS/Resolution 10.12.

The Working Group endorsed the draft resolution on migratory freshwater fish (document UNEP/CMS/Res.10.12) and noted the following important text:

3. Further requests Parties to improve the monitoring of freshwater fish in order to assess the level of vulnerability of populations according to IUCN Red List criteria and work collaboratively to improve knowledge of trans-boundary migratory fish in order to better identify species that would benefit from international cooperation;
4. Urges Parties to consider submitting listing proposals for those species highlighted in the review as threatened, as well as other species that would benefit from international cooperation;
5. Calls upon Parties to engage in international cooperation on migratory freshwater fish at sub-regional or regional levels.

Furthermore, the working group wished to add the word “by-catch” to document UNEP/CMS/Res.10.12 to items 2 and 5.b as follows:

“Requests Parties and invites Non-Parties to strengthen measures to protect migratory freshwater fish species against threats, including habitat destruction, habitat fragmentation, overfishing, by-catch, invasive species, pollution and barriers to migration;”

and

“identify, as appropriate, effective mechanisms to mitigate threats such as habitat degradation, barriers to migration, by-catch and overexploitation; and”.

### **3. Res.10.23: Concerted and Cooperative Actions (ScC17 Agenda Item 17.1 and 17.2)**

The working group expressed concern that no significant concerted action had been taken among freshwater fish for the last 3 years. The working group discussed the nomination of focal points for Cooperative Action species (to provide updates on Appendix I and Appendix II species). The working group suggested that Germany might be willing to serve as the focal point for all sturgeon species. Following the meeting, the Councillor for Germany indicated that, if requested by the secretariat, he could identify an expert from Germany to serve as focal point. The working group noted that there is a recently developed CMS Migratory Sharks MOU. The working group discussed lack of concerted or cooperative action on sturgeon and urges CMS parties to consider concerted or cooperative action in the near future.

Relating to both Res.10.16 and Res.10.23, the working group noted that Ecuador has a non-governmental organization called CPPS (Permanent Commission of the South Pacific) that has a regional action plan (carried out by individual countries) to protect sharks. There are three “black-listed” shark species already defined in the action plan. At the moment CPPS is organizing regional workshops (Chile, Columbia, Ecuador, Peru) and building capacity. All the parties of the treaty have obligations, as they are committed to comply with the mandate.

### **4. Res.9.9: Arctic Marine Species (ScC17 Agenda Item 17.3.3)**

Regarding document ScC17/Inf.17 “Current and Predicted Conservation Status of CMS-listed Arctic Marine Species (in follow-up to Resolution 9.09)”, the working group suggested that one solution to enhance the relevant sections of ScC17/Inf.17 could be to appoint focal points to the listed Arctic Marine Species, namely Basking shark (*Cetorhinus Maximus*), Porbeagle (*Lamna nasus*), Spiny dogfish (*Squalus acanthias*). The working group further noted that e.g. Porbeagle and Spiny dogfish were proposed for listing by the European Commission (and its member states). The working group suggested that it may be appropriate that parties that nominate species also serve as focal point. The Sharks MOU may also be willing to take on the task.

### **5. Proposals for Amendment of Appendices I and II of the Convention (ScC17 Agenda Item 18)**

Ecuador presented a proposal for the inclusion of the giant manta *Manta birostris* on Appendix I and II of the Convention on the Conservation of Migratory Species of Wild Animals. This proposal had been amended on 17 November and therefore is different from what is currently posted on the CMS COP10 website.

Ecuador proposes increasing protected offshore and inshore areas as cooperative and concerted action, and also recommends in the proposal that manta ray be included in Sharks MOU. The working group suggested Ecuador add additional documentation to the proposal. The Working Group endorsed this proposal in principle and agreed that this proposal should be presented to COP10.

## **6. Other Business**

### Assessment of migratory fish conservation status for the lower La Plata Basin

Dr. Zeb Hogan presented an informally submitted project proposal by SAyDS, Argentina. The objectives of the project are (a) recognition of those fresh-water fish species that exhibit well defined migratory patterns based on scientific literature and fishers perceptions, (b) assessment of temporal and spatial movement patterns based on scientific evidences and traditional ecological knowledge, and (c) to determine if target migratory species have showed changes in their abundance and sizes based on fisher experience and available fishing records. The proposed implementation organization is Wetlands International.

The proposal was presented in the working group to highlight that the information this project would provide, is needed. However, being an informally submitted document, the proposal cannot be handled in COP10. The working group concluded that proposal needs more detail and that CMS should consider support this project if it is re-submitted following the revised guidelines of the CMS Small Grants Programme. The working group suggested priority areas for additional regional development of listing proposals (with possible support for the CMS Small Grants Programme) to be the La Plata Basin, the Amazon Basin, Lake Chad Basin(Cameroon, Chad, Niger, Nigeria), and the Himalayan region.

### Hammerhead and Sawfish proposals

The working group was informed that an NGO called Migratory Wildlife Network is developing listings proposal for Scalloped hammerhead, Great hammerhead, Smooth hammerhead, and the family Pristidae (sawfishes). They had asked Dr. Zeb Hogan to present this information to the Working Group, so that the CMS Scientific Council would be aware of these draft proposals.

## Annex V to ScC17 Report

### REPORT OF THE WORKING GROUP ON MARINE TURTLES

Bergen, 17 November 2011, 14:30-18:30 hrs.

#### 1. Introduction by the Appointed Councillor for Turtles / Round of Introductions by Participants

Welcome to working group by Colin Limpus, Appointed Councillor for Turtles (Australia).

##### Participants:

Three countries were represented: India, Israel and Senegal

Prakiti Srivastava (India)

Eliezer Frankenberg (Israel)

Djibril Diouck (Senegal)

Donna Kwan (UNEP/CMS Office – Abu Dhabi)

The Appointed Councillor expressed disappointment that Scientific Councillors from only three countries out of 82 Scientific Councillors attending ScC17 considered it important enough to participate in the Working Group on Turtles. Such poor participation by councillors from the signatory states made it difficult to ensure that discussions were representative of national, regional and global issues. Limited participation by range states would result in inadvertent biases in the discussion.

#### 2. Conservation Status of Appendix I Species (ScC17/Doc.7/Rev.1)

- Review comments on UNEP/CMS/Res.10.23

All six Appendix I species had been red listed by IUCN. In the most recent review, IUCN had changed the red listing status for one species: Olive ridley turtle, *Lepidochelys olivacea*, which had been changed from “endangered” to “vulnerable”.

It was difficult to apply the IUCN red listing status unilaterally within each species of marine turtles for each stock throughout the global distribution. Each species, except for *Lepidochelys kempii*, consisted of multiple independent genetic stocks (management units) which did not necessarily have equal conservation status.

There were two CMS instruments with their associated conservation and management plans that addressed marine turtles:

- MOU concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa (western coast of Africa).
- MOU on the Conservation and Management of Marine Turtles and their Habitats of the Indian Ocean and South-East Asia (IOSEA) (Coastal Indian Ocean and eastern Asia from Australia and Papua New Guinea north to Japan).

There were also at least three other major non-CMS instruments which functioned to partially fill gaps in other regions:

- Inter-American Convention (IAC) (Eastern Pacific and western Atlantic countries of north, central and south America, including Caribbean countries).
- South Pacific Regional Environment Programme (SPREP) Turtle Action Plan (Pacific Island nations).
- Convention for the Protection of the Marine Environment and Coastal Region of the Mediterranean (Barcelona Convention: Mediterranean countries).

Significant gaps/deficiencies in conservation actions for marine turtles were most pronounced within the oceanic habitats of the North and South Atlantic Oceans, North and South Pacific Oceans and Indian Ocean. There was also a deficiency in countries on opposite sides of ocean basins collaborating in the conservation management of the common stocks that encompassed entire ocean basins, for example: loggerhead turtles across the South Pacific; Leatherbacks across the Atlantic. Addressing this deficiency was recommended as a priority for collaborative action among CMS signatories. Within the context of existing and proposed resolutions, there was an urgent need to reduce fisheries bycatch in coastal gill net, trawling and pelagic longline fisheries, to reduce mortality from ingestion of and entanglement in marine debris, and to undertake collaborative research and monitoring.

For green, loggerhead, hawksbill, olive ridley and leatherback turtles:

- On a global scale within each species, some management units (stocks) were severely depleted and showing no signs of recovery while some management units had increasing populations in response to strong local conservation actions.
- There was an immediate need for strong conservation within and among all signatory states bordering tropical and temperate oceans.

Loggerhead turtles:

- The North Pacific and the South Pacific management units for loggerhead turtles were under severe threat and urgent conservation action across these ocean basins was urged. The major threats included coastal development; fisheries bycatch mortality in coastal fisheries and in pelagic longline fisheries bycatch mortality and ingestion of synthetic debris.

Kemps Ridley turtles:

- While still listed as critically endangered, this species was now showing strong recovery because of long-term, collaborative actions by the American range states, particularly USA and Mexico (IAC Signatory States).

Olive Ridley turtles:

- IUCN had recently changed the Red Listing status from “endangered” to “vulnerable”, primarily because of strong recovery of the nesting populations of the Eastern Pacific. In contrast, the large Indian nesting population(s), while subject to some strong conservation management, still had significant problems with respect to fisheries bycatch mortality and loss of eggs on nesting areas. While there were reports that the large Indian population did not show signs of increasing, community participation and publicity had been effective in engaging community participation in conservation actions on small nesting populations in addition to the large nesting populations in

Orissa. Substantial scientific data were required to establish the population trend with such large nesting populations as occur with the Orissa *L. olivacea* arrabadas.

Leatherbacks turtles:

- The Eastern Pacific Ocean management units for the leatherback turtles were under severe threat and urgent conservation actions across these ocean basins are needed. The major threats included Fisheries bycatch mortality, coastal development and loss of eggs on nesting beaches.
- Within the Indian Ocean, there were strong concerns for the small remaining populations breeding in Sri Lanka, India (Andaman and Nicobar Islands) and south western Indonesia.

### **Recommendation regarding Resolution 10.16:**

As an alternative to developing additional new marine turtle conservation instruments under CMS, it was recommended that CMS explore the development of formal partnerships with non-CMS instruments, such as IAC, SPREP and other relevant instruments, to enhance information exchange and the development of collaborative, cross-ocean-basin actions for conservation of shared turtle populations. It was recommended that these partnerships be developed jointly for both CMS and for its daughter MoUs in West Africa and IOSEA.

It was recommended that the Appointed Councillor for Turtles be included in the CMS team developing and implementing these cross-ocean-basin partnerships.

### **3. Res.10.23: Concerted and Cooperative Actions (ScC17 Agenda Item 17.1 and 17.2)**

- Review and, if necessary, comment on *UNEP/CMS/Resolution 10.23* (Colin Limpus)
- Nomination of focal points for Concerted Action species
- Recommendations on further implementation of Concerted Actions

The focal point for reporting concerted actions for marine turtles was currently the Appointed Councillor, reporting collectively for all species. Each species had a global distribution with in excess of 130 range states for most species. The Working Group considered that it would be more appropriate within the context of CMS administration for there to be independent reporting for each of four regions: the Atlantic, Pacific, Indian Oceans and the Mediterranean Sea.

### **Recommendation regarding Resolution 10.23:**

While recognizing the poor representation in the Working Group from CMS Signatory States in providing this advice, it was recommended that reporting on marine turtles be prepared on a regional basis for each ocean basin and Mediterranean Sea by regional Scientific Council representatives or by the secretariats of relevant CMS MoUs and other instruments, with the Appointed Councillor providing a global collation and overview.

### **4. Briefing on Key Intersessional Activities of the CMS Family**

- Activities of IOSEA MOU (*UNEP/CMS/Inf.10.18.06*)

It was noted that no Briefing of the activities of the West African MoU was available. A briefing on IOSEA MoU has been prepared.

**Recommendation:**

CMS Secretariat was requested to produce a summary report of the status and functioning of the West African Turtle MoU.

**5. Any Other Business**

a) The Appointed Councillor reported on the negative impact of protracted and widespread extreme weather events of the 2010-2011 summer on coastal habitats of eastern Australia and the consequential impacts on marine turtle and dugong mortality and population dynamics.

b) Recommendations

1. That CMS Secretariat explore opportunities to address shared issues in marine conservation actions. For example, capitalizing on the synergies:

- within the CMS MoUs for Dugong, marine turtles and cetaceans and SPREP in the Pacific Ocean.
- within the CMS MoUs for West Africa small cetaceans and manatees, Dugong and West African Turtles.
- for cross-cutting issues such as Resolutions on sustainable use, fisheries bycatch, marine debris and marine turtle MoUs.

2. That CMS Secretariat support a project for WCMC to reactivate the global mapping tool previously developed for displaying the distribution and abundance by nesting beaches for each species of marine turtle, displaying the temporal trend in population numbers at representative index beaches and the migration data linking breeding and foraging areas.

- The database should be expanded to include the extensive existing information on breeding distribution and abundance of marine turtles throughout West African range states.
- The database could be substantially improved by inclusion of satellite telemetry data describing migratory pathways.

It was noted that this database had been structured to accommodate data for any migratory taxon with aggregated breeding, including pinnipeds, birds or bats.

c) Parties were urged to encourage turtle biologists and managers within their jurisdiction to attend annual International Sea Turtle Symposia and use these opportunities to organize regional meetings to promote and enhance international collaboration in delivery of CMS objectives.

## Annex VI to ScC17 Report

### REPORT OF THE WORKING GROUP ON BIRDS Bergen, 18 November 2011

The Birds Working Group met on Thursday 18 November 2011, from 2.30pm till 7.30pm. As agreed by the participants, a small sub-group continued to work on amendments to the Resolution on Flyways until 11pm. Several delegates commented that the two days provided for this Meeting of the Scientific Council were not enough to deal with the vital work requiring to be done.

The Appointed Councillor for Birds, in the Chair, noted that this Meeting would be very different to past Birds Working Group meetings. Because of the large amount of overarching policy work, and the lack of time available, there would be, for instance, no reporting on individual Concerted and Cooperative Action species. He asked the Focal Points who had prepared such reports, kindly to pass them to him, so that they could be attached to the report of the meeting. Also on the matter of Focal Points, it was noted that Scientific Councillor Mr. Omar Rocha (Bolivia) had offered to become the Focal Point for Andean Flamingos: this offer was accepted with thanks. A paper showing the remaining vacancies for Focal Points was circulated at the meeting, but the matter was not further pursued this time.

The notes below follow the order of the Annotated Agenda.

**8. Review and Guidelines on mitigating the conflict between migratory birds and electricity power grids.** This item was introduced by Mr. Sergey Dereliev (AEWA). He explained the background of the document, which traced its origins back to 2009 and the AEWA slogan “Barriers to migration”. Project Consultant Mr. Hein Prinsen gave an illustrated presentation of the project’s findings, with particular emphasis on the guidelines. Several comments were made. The problem was not of course only confined to the most developed countries, and the Scientific Councillor for India noted that in his country, collision with power transmission lines was a serious problem for migratory birds. The Scientific Councillor for France commented that, because bird-collisions often caused expensive disruption to power supplies, funds should be more readily obtainable to combat the problem. He also pointed out that some structures were helpful to migratory birds, for instance as nesting sites: comparative studies of this, and distribution of information about it, could certainly be valuable. The meeting took note of the Review and Guidelines. It discussed the relevant Resolution (Res.10.11). Changes to the wording of the Resolution were proposed: all were accepted and the Resolution commended to the COP.

**11. Global bird flyways.** After a short introduction from Professor Colin Galbraith who commented, for instance, on the importance of defining priorities, Dr. Taej Mundkur, as the Chairman of the Flyways Working Group, gave a presentation on the work of the Group, and its products.

Several delegates thanked and congratulated the WG for the work done. The Scientific Councillor for France suggested that the Antarctic region should also be taken into consideration, and this was agreed.

The Scientific Councillor for Paraguay suggested the concept of formally designating CMS Sites as a tool to protect key locations for migratory species, in addition to any designation as Ramsar sites or Important Bird Areas. She stressed the importance of identifying corridors at the national level to help in local land-use decision-making and management. She proposed that such initiatives should be funded with the help of the Small Grants Fund.

There was extensive and detailed discussion of related issues, and the meeting gave guidance on various policy options, as well as supporting the proposed continuation of the work of the Flyways Working Group until COP11. There was considerable debate on the associated Resolution (Res.10.10), with the need for further work after the meeting until late at night. This resulted in a considerably revised draft resolution which would be presented to the COP.

**11.1 Conservation of long distance migratory landbirds.** The Appointed Councillor for African Fauna introduced the document, which highlighted the need for the development of an Action Plan for the conservation of these migratory birds. Trans-Saharan migrants were in clear need of conservation action down the African-Eurasian flyway. The meeting supported the concept, and made various amendments to the draft Resolution (Res.10.27), recommending it to the COP.

**11.2 Minimizing the Risk of Poisoning to Migratory Birds.** The Scientific Councillor for Switzerland began the discussion by asking BirdLife International to introduce the relevant document, as BirdLife had done most of the associated work. The BirdLife delegate referred to the unique position of CMS in being able to provide guidelines on this issue, and take matters forward. The most effective way would be by means of a working group to coordinate the implementation of guidelines. Various comments were made on the paper, and much support was lent with regard to this emotive issue. With a few amendments, Resolution 10.26 was recommended to the COP.

**11.3 Draft Action Plan for the Sociable Lapwing.** Mr. Sergey Dereliev (AEWA) presented the new document, which after a necessarily brief discussion was welcomed and endorsed by the working group.

**17.3.3 Implementation of Res.9.9 on Migratory Marine Species/Conservation status of Arctic marine species.** There was little time to discuss this issue, and no suggestions were advanced on how best to take forward the Convention's work on this issue, which, it had to be said, had been somewhat neglected. The hopeful suggestion was made that we might get some further guidance from this from at least one of the other working groups.

**17.3.5 Implementation of Res.9.20 on the Saker falcon (*Falco cherrug*).** The Secretariat briefly introduced this item, the purpose of which was to review activity relating to the Resolution from Rome. The associated papers, particularly those produced by BirdLifeInternational, were briefly discussed. Debate on this item quickly led on to the next item on the Agenda.

**18. Proposals for amendments to Appendices I and II of the Convention.** The Saker was the first species to be discussed. Its listing on Appendix I had been proposed by the European Union. The appointed Councillor for Birds, on behalf of Mr. Pierre Devillers (who was needed in another working group), gave a brief introduction, after which the Scientific Councillor for Italy clarified the important point that "Mongolian population" must refer to the birds in Mongolia; it was not possible to identify birds of Mongolian origins once they had crossed the

border. A number of issues were raised, and some Councillors were in favour of listing and some against. In these well-recognized circumstances, it did not seem appropriate for the working group to make a recommendation to the COP.

As to the remaining listing proposals, these were debated and agreed comparatively quickly.

For Appendix I:

*Falco vespertinus*, the Red-footed Falcon, proposed by the European Union

*Numenius madagascariensis*, the Far Eastern Curlew, proposed by Philippines

*Numenius tahitiensis*, the Bristle-thighed Curlew, proposed by Cook Islands

And for Appendix II:

*Dolichonyx oryzivorus*, the Bobolink, proposed by Bolivia

**19.3 Taxonomy and nomenclature of birds.** An Intersessional Working Group on this issue had produced a majority, not unanimous, report which recommended that CMS adopt Dickinson (2003) as its authority on these matters. After the report had been submitted, a meeting of the AEW Technical Committee had pointed out some difficulties and other implications that this decision would have for its work. The alternative, of using the nomenclature and taxonomy of BirdLife International, had received support from some Councillors; others continued to prefer Dickinson. After considerable discussion, it was agreed, before adopting a new nomenclature and taxonomic reference, to wait until the new version of Dickinson was published, which was expected to be in 2012, as also were developments with relevant new BirdLife initiatives. Thus, we proposed to maintain the use of the *existing* CMS nomenclature for the time being, and that the matter be discussed at the 18<sup>th</sup> Meeting of the Scientific Council.

<b>Working Group on Birds – Attendance</b>	
Jelena Kralj	Scientific Councillor, Croatia
Jiri Flousek	Scientific Councillor, Czech Republic
Ivar Ojaste	Scientific Councillor, Estonia
Jean-Philippe Sibley	Scientific Councillor, France
Juha Tiainen	Scientific Councillor, Finland
Andreas Krüess	Scientific Councillor, Germany
Attila Bankovics	Scientific Councillor, Hungary
Alfred Oteng-Yeboah	Scientific Councillor, Ghana & Standing Committee
Fernando Spina	Scientific Councillor, Italy
Darko Saveyic	Scientific Councillor, Montenegro
Øystein Størkersen	Scientific Councillor, Norway
Cristina Morales	Scientific Councillor, Paraguay
Grzegorz Rakowski	Scientific Councillor, Poland
Daliborka Stankovic	Scientific Councillor, Serbia
Peter Puchala	Scientific Councillor, Slovakia
Barbara Soto-Largo	Scientific Councillor, Spain
Olivier Biber	Scientific Councillor, Switzerland
Colin Galbraith	UK, Vice-Chair Scientific Council
Taej Mundkur	CMS Appointed Scientific Councillor, for Asiatic Fauna Wetlands International

Nigel Routh	Australia, Environment Department
Narelle Montgomery	Australia, Environment Department
Paolo Paixao	European Union
Marianne Courouble	France, Ministry of Environment
K. Sivakumar	India, Wildlife Institute of India. <a href="mailto:kaiyakuma@wii.gov.in">kaiyakuma@wii.gov.in</a>
Abdul MunafQaimkhani	Pakistan, P & D Division, GoP
Malta Qwathekama	South Africa (Environmental Affairs)
PoludaAnatoliy	Ukraine, Institute of Zoology
Alexander Kozulin	Academy of Science of Belarus
Ana Apruda	Aves & Conservación – BirdLife Partner in Ecuador
Nicola Crockford	BirdLife
Hein Prinsen	Bureau Waardenburg, Consultant
David H. WMorgan	CITES Secretariat
Lindsey McCrickard	FAO
Dr Sergey Yerokhov	KAPE Kazakhstan
Jose Yeñez	Museum of Natural History of Chile
James Williams	UK, Joint Nature Cosneravtion Committee
Sergey Dereliev	AEWA Secretariat
Borja Heredia	CMS Secretariat
Bert Lenten	CMS Secretariat
Nick P. Williams	CMS Secretariat

## Annex A

Report of the Focal Point on the Aquatic Warbler for the 17th meeting of the Scientific Council,  
Bergen, November 2011

**Aquatic Warbler (*Acrocephalus paludicola*)*****General note***

- Leading role of the *Aquatic Warbler Conservation Team* (under the BirdLife International) in research and conservation efforts on the Aquatic Warbler (AW)

***Conservation level***

- Population estimate max. 12,100–13,800 singing males, nearly 95 % in three countries only (Belarus, Poland, Ukraine) (see the AWCT website [www.aquaticwarbler.net](http://www.aquaticwarbler.net))
- Major threats continue in breeding localities (especially habitat destruction due to changing hydrology, loss of traditional use etc.) and in wintering sites (especially habitat destruction)
- Central European core populations (Belarus, Poland, Ukraine) seem to be stable thanks to comprehensive conservation efforts
- Continuing decline of small peripheral populations (Pomerania (Germany/Poland), Hungary, Lithuania); most likely extinct in West Siberia
- Situation in wintering sites in Africa still potentially critical
- Four wintering sites discovered at present (Senegal, Mali, Mauritania), all of them potentially threatened by rapid development in the respective parts of Sahel (e.g. major wintering sites in Djoudj, Senegal, possibly threatened through expansion of rice fields)
- Several new projects started, submitted or developed to conserve AW breeding populations and manage their habitats in Europe (Poland, Lithuania, Belarus, Ukraine) and stopovers in Africa (Morocco)

***Scientific level***

- First confirmation of a connection between wintering sites and breeding populations: (1) AW ringed in the Inner Niger Delta, Mali (out of 12 birds ringed in February 2011) recaptured in the Supoy mire (Ukraine, distance 5100 km); (2) AW colour-ringed in the Djoudj National Park, Senegal (198 birds ringed in 2007–11, 69 of them also with colour rings) observed in the Biebrza marshes (Poland, distance 5300 km)
- Geodata-logger project not fully successful up till now (30 birds equipped in 2010 and 6 recaptured in 2011 in Supoy, Ukraine; return probability reduced by up to 20 %; obvious migration of central Ukrainian AWs south of the Alps to the W to the Atlantic coast); project continuation under discussion now
- Several scientific papers improving knowledge on AW published by the AWCT members especially, e.g. *Ekologija* 2009 (status in Ukraine), *Animal Conserv.* 2010 (diet and fuelling at stopovers), *Ibis* 2010 (habitat selection), *Acta Ornithol.* 2010 (foraging and habitat use at stopovers) and 2011 (reproductive biology), *Conservation Genet. Resour.* 2011 (microsatellite markers), *J. Avian Biol.* 2011 (feather stable isotopes), *J. Ornithol.* 2011 (threat status in Africa), *Ostrich* 2011 (potential wintering sites)
- Proper allocation of further research and conservation activities necessary  
Gaps in knowledge: What are the major staging and moulting sites of AW in West Africa and which breeding population is going where? Are different population developments of different breeding populations related to different conditions in specific African staging sites? etc. etc.

### ***Administrative level***

- AW MoU signed by 15 countries out of 22 Range States identified (2<sup>nd</sup> Meeting of Signatories held in May 2010 in Poland)
- International Species Action Plan approved in May 2010 (prepared by BirdLife International)
- Position of the International Aquatic Warbler Conservation Officer (AWCO) established under the APB-BirdLife Belarus in Minsk and coordinating the AW MoU activities
- GIS database of AW breeding sites finalised in February 2011

### ***Summary***

Focus should be to save declining peripheral populations, to improve habitat management in breeding sites in Belarus and Ukraine (including by encouraging biomass use) and to prevent habitat losses in wintering sites in Senegal (including attempts to create a new protected area in Djoudj)

Further research is needed to clarify the connectivity between breeding populations and African staging sites

### ***Status of the AW in individual countries*** (prepared by Martin Flade, AWCT)

Hungary: Population nearly disappeared from 700 males to close to zero within less than one decade (only 3–5 singing males in the early breeding season 2011, probably no breeding attempts anymore). Reasons of the latest **crash** completely unknown – possibly linked with changes in wintering grounds. The speed of crashes and recoveries of the population suggests that it is part of a metapopulation (maybe the Ukrainian), since the dimension of changes cannot be explained by population dynamics of an isolated breeding population.

Pomerania (NE Germany and NW Poland): After long-term decline, the population stagnated at a low level of 51–57 males since 2007 (in 2009 and 2011 no singing males on the German side of the border; in 2010 3–5 males only). The **stagnation** is worrying, because it has happened in spite of comprehensive conservation and management measures in the region (a German-Polish EU-LIFE Project will finish in 2011, an AW Conservation Handbook will be issued at the end).

NE Poland: Large-scale habitat management developed by the Polish-German EU-LIFE Project for Biebrza marshes was a break-through. Habitat conditions there are excellent now, and still improving and expanding through expansion of the management area (including biomass use for fuel production). A new LIFE+ project started (run by the Polish organisation OTOP) to further develop and establish a large-scale biomass use on fen mires in the region.

The AW population is **stable or increasing**. Proper and sophisticated monitoring established in Biebrza and whole Poland; comparative study on breeding success in managed and unmanaged habitats started (in Bagno Lawki marshes), coached by RSPB experts.

Lithuania: The AW population further in **decline**. A new Baltic LIFE+ project started to conserve the Lithuanian (and former Latvian) AW population, but brought no measurable success yet. The AWCT meeting in Nemunas delta held in November 2011 to discuss the status and further work of the project (however, missing personal expertise in the region probably limits ability to turn the negative trend).

Belarus: Biomass use started in autumn 2011 for vegetation management in the Sporovski Reserve, the second most important AW breeding site in Belarus (500–1000 males).

The world's largest breeding site – Zvaniets (3000–7000 males) has increasing problems with vegetation succession. Water management has largely improved (big measures implemented) but problem with large-scale vegetation management other than burning remains. APB-BirdLife Belarus submitted a new cross-border project together with Poland (Chelm marshes) in September 2011 to tackle this problem. If the project application fails, there are **serious problems** with the most important AW site!

Through initial conservation activities for AW, large-scale rewetting and restoration projects for mires started in Belarus (see a book by Tanneberger & Wichtmann 2011: Carbon credits from peatland rewetting. Climate-biodiversity-land use. Schweizerbarth, Stuttgart), covering nearly 40,000 hectares. However, AW is not directly supported by these activities, since mires need several decades or more after restoration to develop suitable sedge fen mire habitat features. Thus, these huge projects are **big progress for wetland conservation** and climate change mitigation but not yet for AW.

Ukraine: The biggest problem connected with missing sound monitoring (and no improvement expected due to lack of experts). Data from small permanent plots indicate population increase (however, representativity of plots is unknown and the results could be an artefact). Floodplain drainage, river channel regulation and rapid vegetation succession remain **big problems** in the upper Pripyat region. Fortunately, the central Ukrainian populations (E Kiev) and their habitats (Uday and Supoy valleys) seem to be stable. Some projects started in the upper Pripyat that could be beneficial for AW habitats (no clear results yet).

Stopovers on migration: It is almost clear now that the whole global AW population passes through **France** in autumn (with one or two stopovers there) and France is the key country for the species. Systematic ringing activities improved and increased enormously in the last years (from 200–300 to more than 800 captures per year). Other ringing activities have also started in **Morocco** now.

Senegal: The only known wintering site (and probably the most important) is Djoudj in the Senegal Delta. Habitat and threat status analysis (by C. Tegetmeyer, Univ. Greifswald, October 2011) shows rather **stable and suitable habitat** conditions in Djoudj, but with **potentially very dangerous expansion** of rice fields north of the Djoudj National Park. Major wintering sites there (i.e. north of the NP) with the highest density of AW are situated outside the NP and its buffer zone and thus are **not protected** (the analysis mentioned above suggests the need to enlarge the buffer zone of the NP or to create a regional nature reserve to protect the entire inundation zone of Djoudj)! AWCT ordered a study on the threat status of AW in Djoudj and asked the CMS Secretariat to send a letter to the Senegalese government to give special attention to this problem.

Mauritania: French ringers (J. Foucher et al., group ACROLA) found two more **small wintering sites** in the south (wetlands in a desert). It is unclear now, whether there are more wintering sites there and how they are threatened.

Mali: The AWCT expedition 2011 to the Inner Niger Delta (IND) in Mali was cancelled because of the problematic security situation. Despite all warnings, four ACROLA people visited the IND and succeeded in capturing 12 AWs at Mayo Dembé south of Timbuktu (February 2011). Thus, the IND is confirmed as the second biggest/most important wintering site.

However, there is not enough knowledge on AW population size and on extent of AW habitats in the IND, there is no substantial information on threat status of these habitats (it is impossible

to work there because of the security situation, thus impossible to send an expedition or PhD students). However, the knowledge is of *crucial importance* to assess the threat situation of AW there!

Compiled by Jiri Flousek, Scientific Councillor for the Czech Republic, November 2011

## Annex B

Report of the Focal Point on the Middle-European population of Great Bustard for the 17th meeting of the Scientific Council, Bergen, November 2011

**Great Bustard (*Otis tarda*)**

The Middle-European population of the Great Bustard is partially migratory; in severe winters, birds migrate from their breeding grounds in the lowlands of the Carpathian Basin to the Balkan peninsula, or sometimes to Italy. In such winters, the German population may fly westwards, reaching Belgium or Northern France.

With its migratory nature, and because of a population decline, the Middle-European Great Bustard population was made the subject of a MoU under the Bonn Convention, and this was opened for signature in the year 2000.

Thirteen of the sixteen or more Range States of this population have signed the instrument up to the present. Besides them, three participating organisations, BirdLife International, CIC and IUCN have also signed it.

This Great Bustard population, at least in Hungary, Austria and Germany, has grown slightly in the past decade. This is believed to be a consequence of the management methods employed in these countries. However, it seems that this growth has slowed down in recent years.

***A short overview on the recent situation of the Great Bustard in Range States:***

ALBANIA - Status: the Great Bustard is not a breeding bird, only a very rare wintering species.

AUSTRIA - Status: the bird has regularly used breeding grounds in two areas, wintering there as well. The population has stabilised in the last few years. There are about 200 birds in the breeding season. In winter, sometimes more than 200 birds are counted, even approaching 300 individuals, believed to be due to short-distance migrants moving across Slovakian - Hungarian - Austrian borders.

BULGARIA - Status: disappeared as a breeding bird about two decades ago. Might re-establish naturally in the future.

CROATIA - Status: extinct as a breeding bird long ago. There are some wintering or passage migration records.

CZECH REPUBLIC - Status: disappeared recently as a breeding bird, but in South Moravia, one or two individuals still occur.

FORMER YUGOSLAV REPUBLIC OF MACEDONIA – Status: no breeding population. No data, but potentially might winter there.

GERMANY - Status: a regular breeding bird, which dropped to a population of about 60 birds in the late 1980s, but in the past decade has increased again. Recently, the population exceeded 100 individuals, and in the year 2009 there were 112-114 birds.

GREECE - No data.

MONTENEGRO – Status: reports suggest that one or two passage or wintering birds occur in the country (which is not yet a signatory to the MoU).

ROMANIA - Status: we have no exact data. It might still breed somewhere near the Hungarian and Serbian borders. From that area there is some historical and recent information about its occurrence.

SERBIA – Status: according to recent information received from the Scientific Councillor for Serbia, in the Mokrin area in NE Serbia, where in the recent years about 30 birds have been counted, in 2011 only about 10-12 individuals were found. (Serbia is not yet a signatory to the MoU.)

SLOVAKIA – Status: there is a breeding site close to the Austrian-Hungarian borders. Two SPA area have been created, which are potential Great Bustard habitats. In recent years, no information confirming successful breeding has been published. In 2009, one female was seen regularly on the “Dunajska Sreda SPA” (information from the Scientific Councillor of Slovakia).

SLOVENIA - Status: has never bred in the country; a very rare passage migrant historically.

UKRAINE – Status: Ukraine has an important role for the Great Bustard, both as a breeding area and also as a wintering ground. The wintering birds originate from the Russian breeding area along the Volga river. The breeding population is around 700 birds; the number of wintering birds sometimes exceeds 1500 individuals.

HUNGARY - Status: Regular breeding bird, partial migrant. There are eight areas in Hungary important for Great Bustard protection. Most of these areas are protected. The two most important breeding grounds are in the Kiskunság NP and in the Körös-Maros NP. These two national parks have 1200 birds out of the total of 1500 birds in Hungary. Breeding success in the rainy spring of 2010 was very low. This year, in 2011, conditions were unhelpful for both the winter census (in February) and the spring census (in early April): thus not all the birds could be found. The results of winter census was less than 1300 birds counted, and the spring census gave a similar result.

A successful 4-year LIFE project ran in Hungary between 2004 and 2008. Due to this programme, a number of costly management activities could be implemented, such as burying electricity lines underground in the most important areas for Great Bustard, buying habitats that provided optimal breeding sites, and buying machines for removing snow-cover in rape-fields in order to provide access to winter food for Great Bustards.

In 2011, the Hungarian Working Group on the Great Bustard was re-launched. The leader of the group is Miklós Lóránt, who works for the Kiskunság National Park.

The two most-serious threats to this bird are still present in Hungary, namely “*cutting the alfalfa fields and other agricultural plants during the incubation and breeding time*” and thus destroying the nests, and also the “*numbers of predators, like Red Fox (*Vulpes vulpes*) and Hooded Crow (*Corvus cornix*) are too high*”.

Comparing the total *Otis tarda* population in Hungary during the most recent ten years, an increase can be seen of about 30 %.

**Year Total number of birds**

2000		1106 individuals
2002		1192
2004		1303
2009	around	1500
2010	around	1500
2011	around	1300

In the year 2010, due to the unusually cold and rainy weather, breeding success is believed to have been very low. Due to more suitable weather conditions, the breeding success in 2011 was much better.

***Enlarging the Great Bustard MoU geographically***

At the 1st Meeting of the Signatories to the MoU in Illmitz, Austria, in 2004, Parties discussed the geographical expansion of the MoU.

- There would be several possible steps in such an enlargement. Serbia and Italy should be named as Range States for the Middle-European population of the Great Bustard.
- Further enlargement might include Russia, and other countries from Central Asia and/or the Middle East.
- Furthermore, the eastern sub-species (*Otis tarda dybowski*), living in Russia, Mongolia and China could also be included.
- In case of a more wide-ranging MoU, designed to include all populations of the Great Bustard, Spain, Portugal, and also the UK (with the recent success in introducing the species), and possibly other countries, should be invited to join.

Compiled by Attila Bankovics, Scientific Councillor for Hungary, November, 2011

## Annex C

Report of the Focal Point on the Ferruginous Duck for the 17th meeting of the Scientific Council, Bergen, November 2011

**Status of Ferruginous Duck (*Aythya nyroca*)**

Four populations are recognised:

- E European, E Mediterranean, Black Sea (breeding) – wintering in Sahelian Africa > 50.000 birds INCREASING
- W Mediterranean/ N & W Africa (non-breeding) 2.400 – 2.600 birds DECREASING
- Western Asia/SW Asia & NE Africa – 5.000 DECREASING
- Central Asia- India

**E European, E Mediterranean, Black Sea population**

Countries mostly reported stable, slowly increasing or slowly decreasing populations, but population size overall is small.

Several projects are currently in place:

- Bulgaria and Romania: “Cross-border Conservation of Pygmy Cormorant and Ferruginous Duck”, launched in January 2009.
- Slovakia: LIFE+ project “Protection of Great Bittern and Ferruginous Pochard in SPA Medzibodrozie”, implemented by the Slovak Ornithological Society/BirdLife Slovakia since the beginning of 2011. The activities include national action plans for both species, restoration of the hydrological regime in the site on at least 50 ha, restoration of habitats of the species on 90 ha, management measures on breeding sites of the species on 50 ha, protection measures, and public awareness activities.
- Italy reported a decrease in the north of the country, due to habitat destruction, and an increase in the south. The restoration of habitats took place and a hunting ban was introduced in Sicily in areas where higher numbers of Ferruginous Duck were wintering.

**W Mediterranean/ N & W Africa**

The only available data came from Spain, where a marked decrease in number (from 500 to 50 pairs) was identified.

**SW Asia & NE Africa**

The most optimistic data come from Iraq. Nature Iraq discovered in the Mesopotamian marshlands a breeding population of 800-1200, pairs as well as wintering population of 3000-6000 birds. An increase of the wintering population was reported from Iran, with a recent population estimate of c. 600 birds.

No data were available for the **Central Asian** population.

Compiled by Jelena Kralj, Scientific Councillor for Croatia, November 2011

## Annex D

## Ferruginous Duck *Aythya nyroca* in Iraq: The Current Status and Conservation Potentials

**By: Mudhafar A. Salim, Ornithologist.**

Ferruginous Duck *Aythya nyroca* is globally-threatened (NT) bird species with decreasing population trend according to the IUCN redlist and evidence of rapid declines in Asia would qualify the species for uplisting to Vulnerable due to various kinds of threats. The geographic distribution of this threatened species is widespread over scattered patches in West Asia from western China to northern India, through east and central Europe.



*Ferruginous Duck, by M. A. Salim*



*Ferruginous Duck nest, by M. A. Salim*

In Iraq, ferruginous Duck is an uncommon passage migrant and winter visitor mainly to southern Iraq. It was discovered breeding in considerable numbers in some locations in the Mesopotamian marshlands during the Key Biodiversity Areas (KBA) surveys. Apparently, this bird has established new breeding grounds in Iraq where it bred successfully over a relatively short period. The old locals and hunters reported that “*they were seeing this bird only in winter in few numbers as well as before and after the cool days*”; and some of them added that “*the Ghoosi (its local name) bred recently over about less than the past two decades, so it is new breeding duck*”. The known breeding duck in the Iraqi marshes was only the Marbled Duck/Teal until the researcher documented the breeding of the

ferruginous Duck and the Red-crested Duck in considerable numbers. Further observations showed that the Ferruginous Duck and Red-crested Duck use similar breeding habitat and that’s why they are found mostly at the same locations in the marshlands. Based on the availability of the suitable habitat and the results of the current counts, the estimated wintering population of Ferruginous Duck in Iraq might range between 3000-6000 individuals, and the breeding pairs ranges between 800-1200 pair.

The breeding habitat of the Ferruginous Duck varies from rather-shallow marsh (more than 0.5m) up to rather-deep waters (up to 1.5m), but generally, requires dense reedbeds attached to open-water 'theatres' to form good landscape for breeding. All of the nests were found inside dense reedbed of *Phragmites* in very well-camouflaged shelters. The average height of the nests was 25cm above the water-level. The mean number of the eggs per nest was 8, but apparently the mortality during hatching is high as the number of the fledgling chicks was low in comparison with the observed eggs. No dedicated studies on the breeding of the Ferruginous Duck were made (however it is recommended), but it was based on our observations and after collecting the information from the locals and hunters.

The Ferruginous Duck faces serious threats in Iraq that can be summarized by the serious lack of water that caused by the upstream damming works in Turkey and Syria as well as the continuous fluctuation of water-table in the marshlands and the lack of water management over these vast areas. Hunting is a serious threat that faces this duck, and the most serious and dangerous threat than hunting are the trap-nets that enable the hunters to harvest quite large numbers of Ferruginous Duck each year, and this effects the population on the national level dramatically.

Crucial action is needed to reduce the threats that are facing this threatened duck in Iraq in order to reach a 'healthy' population that might compensate the declining in the national and local distribution, and to encourage the growth of the newly-established breeding population in Iraq due to the availability of the suitable habitat for breeding. This should be achieved through the education and environmental-awareness campaigns and by developing plans for the restoration of the marshlands of Mesopotamia; also, by writing the species national action plan to let the stakeholders and decision-maker aware of the seriousness of the current status of this threatened bird in Iraq.



*Ferruginous Duck with chicks, by M. A. Salim*

## Annex VII to ScC17 Report

### REPORT OF THE WORKING GROUP ON CLIMATE CHANGE Bergen, 18 November 2011, 12:00 – 13:40

The Chair Prof. Colin Galbraith of the working group welcomed the participants to the working group and stressed the importance of convening on the issue. Climate change was one of the primary threats to migratory species in the current century and was therefore a priority matter for CMS and its Parties. The United Kingdom had laid the foundation for CMS' work on climate change, most notably through Res.8.13 in 2005 and a thorough research review, which was also tabled at COP8.

The Secretariat had been active in facilitating the implementation of CMS' climate change mandate, specifically the Res.9.7 on Climate Change Impacts on Migratory Species during the past triennium. Climate change was one of the priority issues for the Convention.

The Chair emphasized the need for further capacity building initiatives on the issue of climate change and migratory species, by promoting regional workshops on national implementation of the CMS climate change mandate. Initiatives to improve "climate change literacy" and climate change related issues should be supported with a view to ensuring that Parties have access to the best available scientific information on which to base decisions.

The Chair gave an example of a successfully implemented technical workshop mandated by Res.9.7 on the "Impact of Climate Change on Migratory Species: the current Status and Avenues for Action" that took place at the Tour du Valat research station near Arles, France, from 6-8 June 2011. The proceedings from the workshop and the presentations provided a good overview of the current status of migratory species with regard to climate change as well as the rationale for the content of Resolution 10.19 (for further information and presentations see [www.cms.int/bodies/ScC/climate\\_change\\_wg/ccwg\\_mainpage.htm](http://www.cms.int/bodies/ScC/climate_change_wg/ccwg_mainpage.htm)).

Dr. Aline Kuehl from the Secretariat presented the past CMS decisions on Climate Change, the implementation of Res.9.7 during the past triennium and introduced Resolution 10.19.

#### **Draft "Message to Durban" from CMS COP10**

Ms. Brita Slettemark, Deputy Director General, Ministry of the Environment, Norway, presented the *draft "Message to Durban" from CMS COP10*. She reported that S.H. Mr. Erik Solheim, Minister of the Environment and International Development, Norway, suggested the Council to work on a statement on climate change and migratory species that could be presented to the UNFCCC COP17 taking place in Durban, South Africa, 28 November – 9 December 2011. This statement had been drafted by Norway and was presented to the working group. The Minister planned to attend the UNFCCC COP17 and would take the opportunity to deliver the message in order to strengthen the integration of biodiversity matters more prominently within UNFCCC processes.

**Resolution 10.19: Migratory Species Conservation in the light of Climate Change**

The Chair invited the working group to deliver comments on the Resolution. The UK raised the concern that the Resolution might be very long and this might be an issue when negotiating it at COP. He suggested identifying the key issues of that Resolution. Egypt supported the UK and said that a clearer message would help to report back to national governments. Wild Europe pointed out that funding opportunities needed to be discussed. The Chair supported this practical approach.

**The Councillors commented on the draft Resolution 10.19**

The UK highlighted that if there was a need to prioritize, the following paragraphs were of particular importance in the Resolution: 1, 4, 6, 7, 9, 16, 21 (according to the original numbering of Resolution 10.19).

The Chair thanked the Councillors for their inputs, which would be made available online in track changes as an Annex to the Resolution in the evening.

**Draft “Message to Durban” from CMS COP10**

The Secretariat welcomed the offer by Norway to take a message to UNFCCC COP17 to focus attention to biodiversity and migratory species within the UNFCCC processes.

The Working Group was invited to comment on the draft “Message to Durban”. Norway pointed out that the message should be short, if possible only one page long. Egypt said an opportunity for reviewing the message should be given to the other working groups also by discussing the document in plenary. He asked for the document to be made available in hard copy for all participants of the Scientific Council later in the afternoon.

The Councillors commented on the draft “Message to Durban”, supported the draft and welcomed Norway’s initiative.

Egypt wanted to know who would deliver the message to the UNFCCC COP17. He pointed out that decision-makers would need simple and powerful messages and suggested the use of figures/scientific results to strengthen the message. UK supported Egypt’s point of view. It was clarified that Norway would be delivering the message to UNFCCC COP17 in Durban.

**Closure of the meeting**

The Chair thanked Norway for their initiative and the participants for their valuable contributions to the dynamic 1½ hours discussion. The Secretariat thanked the Chair. The Chair closed the meeting.

**Participants:**

Chair: Colin Galbraith (UK, Vice-Chair of the Scientific Council)

Colin Limpus (Appointed Councillor Turtles)

Australia: Narelle Montgomery

Bolivia: Omar Emilio Rocha Olivio

Croatia: Jelena Kralj

Czech Republic: Jiri Flousek

Egypt: Moustafa M. Fouda

France: Jean-Philippe Sibley

India: Prakriti Srivastava

India: Sivakumar Kuppusamy

Italy: Fernando Spina

Kenya: Samuel Kasiki

Luxembourg: Mark Simmonds

Montenegro: Darko Saveljic

New Zealand: Wendy Jackson

Norway: Brita Slettemark

Paraguay: María Cristina Morales Palarea

Poland: Grzegorz Rąkowski

Senegal: Djibril Diouck

Serbia: Daliborka Stankovic

Slovakia: Peter Puchala

South Africa: Humbulani Mafumo

United Kingdom: James Williams

Migratory Wildlife Network: Margi Prideaux

Wild Europe: Toby Akroyd

UNEP/AEWA Secretariat: Sergey Dereliev

UNEP/CMS Secretariat: Aline Kuehl, Stella Reschke

## Annex VIII to ScC17 Report

### REPORT OF THE WORKING GROUP ON BYCATCH

#### 1. Introduction

The Bycatch Working Group (BWG) met to discuss progress on bycatch issues since ScC16, to review the gillnet study report (UNEP/CMS/Inf.10.30) and associated draft Resolution 10.14, and agree further work on bycatch matters.

#### 2. Progress on Bycatch Councillor Work Program

The Bycatch Councillor provided a report on progress in implementing the Bycatch Councillor's Work Program since ScC16, which is provided below:

As previously noted in reports of the BWG to the Scientific Council there is a high workload associated with addressing the bycatch issue, and the complexities associated with this threat. The Appointed Councillor needs strong support from others if significant progress is to be made. The Work Program is ambitious and progress remains slower than planned due largely to the high workload of the Appointed Councillor, the Scientific Officer and other CMS personnel working on bycatch issues. Nonetheless, some significant advances have been made with respect to Work Program Items 2, 3, 4, 5, 6 and 9, in particular through working with CMS's daughter Agreements ACAP, ACCOBAMS and ASCOBANS. Most of my work has focussed on seabird bycatch issues, and this situation is expected to continue for some time.

##### *Work with FAO and relevant RFMOs (Work Program Items 2, 9)*

FAO and RFMOs have direct management responsibility for most of the global high seas fisheries. The Scientific Council has previously agreed that attendance at key meetings of these bodies is essential to influence adoption of mitigation strategies and implementation of independent observer programs, which are considered necessary for improving knowledge of bycatch issues.

Representing ACAP the Appointed Councillor for Bycatch attended meetings of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR) IMAF Working Group (Incidental Mortality Arising from Fishing Working Group) in October 2011, and the Indian Ocean Tuna Commission (IOTC) later that month (WPEB – Working Party on Ecosystems and Bycatch).

Bycatch of seabirds and marine mammals in CCAMLR fisheries continues to be extremely low, with the exception of seabird bycatch in the French EEZs of the Kerguelen Archipelago and Crozet Island. The total extrapolated seabird mortalities due to interactions with fishing gear during longline fishing for Patagonian toothfish in the Convention Area in 2010/11 were estimated to be 220 which consisted of 82% white-chinned petrels (*Procellaria aequinoctialis*), 12% grey petrels (*P. cinerea*), 4% northern giant petrels (*Macronectes halli*) and 2% other species. While these figures represent a substantial decrease in that observed a few years ago, they are still higher than that seen elsewhere in Antarctic fisheries, and could be reduced further if France adopted the full set of mitigation measures recommended by CCAMLR, particularly extending the period the fisheries are closed.

Good progress was made at the IOTC WPEB where ACAP highlighted the importance of line-weighting used in conjunction with night-setting and bird-scaring lines (BSL) as being the most effective way of significantly reducing seabird bycatch in pelagic tuna fisheries. Use of these three measures in combination represents best-practice mitigation when vessels are operating in high risk

areas. The WPEB accepted this advice and has recommended to the IOTC Scientific Committee and Commission that the a revised seabird conservation measure incorporating this advice be adopted and applied to all vessels fishing in waters south of latitude 25 degrees South. This area is where seabirds are most at risk from interactions with fishing vessels. If the IOTC revises their existing seabird measure according, it will lead to a huge reduction in bycatch for at least 7 CMS listed species in the Indian Ocean. In a flow on effect, it is also likely that a similar measure will be adopted in other ocean basins, as tuna fishing fleets are looking to adopt consist mitigation approaches globally, or at least in the southern hemisphere where bycatch risk for albatrosses and petrels is greatest.

Particularly important is the strong working relationship that has now been established between ACAP, BirdLife International, bycatch mitigation scientists and Japanese fisheries managers, who are working collaboratively to refine mitigation measures for pelagic longline gear. Such collaborative arrangements are the most effective way of significantly reducing bycatch in any fishery, and serve as a model for other taxonomic groups and fisheries.

At the SC16 I reported that in 2010 the joint Tuna Commissions (tRFMO) had agreed to establish a joint technical Working Group, consisting of 2-3 participants from each tRFMO who could seek the assistance of expert advice from IGOs and NGOs to facilitate cooperation and coordination between the tRFMOs on bycatch issues. This working group held their first meeting in La Jolla, USA on July 11, 2011. The meeting discussed a range of bycatch issues impacting on each tRFMO, and agreed a provisional list of research priorities which include:

1. Sea turtle bycatch mitigation and distribution
2. Post-release survival of sharks, manta and devil rays, sea turtles, and seabirds
3. Best practices for handling and release techniques of all taxa listed above
4. Shark bycatch mitigation, primarily in longlines and also purse seines and gillnets
5. Seabird bycatch mitigation in artisanal fisheries
6. Sorting grids for small fish, tunas and other species
7. Economic benefits of reducing bycatch
8. Multi-taxa impacts of bycatch mitigation measures
9. Assess impacts of gillnets/driftnet fishing on bycatch species
10. Rate of marine mammal depredation and its relation to bycatch in longline fisheries
11. Review of Ecological Risk Assessment methods
12. Research to improve life history parameters, including biological parameters on all bycatch species.
13. Evaluate the feasibility of video and other electronic monitoring and technology.
14. Pursue observer coverage and adequate sampling of artisanal fisheries

Many of these issues are critical to the management and reduction in bycatch of CMS listed marine fauna. The participation of NGOs and IGOs was restricted at this first meeting to ACAP and BirdLife International, but attendance at future meetings by other IGOs will be possible. The working group is intending to work electronically to a large extent, but in view of the importance of the tuna RFMOs to CMS listed species, it is recommended that CMS and other daughter agreements seek observer status at the Tuna RFMOs Joint Technical Working Group in order to contribute to the work of the group.

***Work closely with CMS daughter agreements (Work Program Item 3)***

I continue to work with the ACAP Secretariat on a part time basis which has ensured frequent contact with a range of people actively working on seabird bycatch mitigation measures. I currently convene ACAP's Seabird Bycatch Working Group (SBWG), which has made significant progress

since its formation in building relationships with relevant RFMOs and developing best scientific advice on technical mitigation for seabird bycatch. The ACAP Secretariat remains keen to work closely with CMS, particularly with a view to sharing the costs of representing both ACAP and CMS at relevant meetings of RFMOs and other organisations.

### ***Database of relevant scientific literature (Work Program Item 6)***

A bibliographic database on published references to bycatch and mitigation research continues to be regularly updated to assist the work of the Bycatch Working Group and the Scientific Council. An updated copy of the Endnote file and associated references (pdf files) have been lodged with the Secretariat. This product is continually updated and references relevant to bycatch of marine mammals, turtles, sharks and seabirds, together with references on the biology of some of these taxonomic groups. Most of the references contained in the database relate to seabirds and seals, reflecting my current work areas, and I would appreciate electronic transmission of relevant research papers from daughter Agreements and Scientific Counsellors for other taxonomic groups to ensure the coverage is more comprehensive. I would be delighted if members of the Scientific Council with a particular interest in bycatch of small cetaceans, turtles and sharks were prepared to cover the literature on these groups and contribute to building the database.

### **3. Study on Impact of Gillnet Fishing on Migratory Species, & Res.10.14: Gill Net Bycatch**

On the recommendation of the Council, two planned reviews dealing with the impact of global gillnet fisheries on migratory species, and bycatch mitigation measures for gillnet gear, were combined and commissioned following SC16. This desk-top study, financed with the support of Australia and the United Kingdom, was conducted by Sextant Technology Ltd. (New Zealand) and contained in UNEP/CMS/Inf.10.30.

The Working Group discussed the report received and recommended that it required appropriate review by the SC Council and others. In view of the recent submittal of the report, they recommended that the report be reviewed intersessionally, ideally within the next couple of months. Working Group members and other Scientific Councillors are requested to provide comments on the Gillnet Review to the CMS Secretariat by end of January 2012 (Heidrun Frisch), so that these can be coordinated for response by the consultant.

Resolution10.14: Gill Net Bycatch was reviewed by the Group and a number of changes made, principally to remove an over-reliance on the Gillnet Study (UNEP/CMS/Inf.10.30) because it has not been peer-reviewed at this stage. Amended draft Resolution10.14 is recommended for endorsement by the Scientific Council and consideration by COP10.

### **4. Briefing on Key Intersessional Activities of the CMS Family**

Briefings on key intersessional activities of the CMS Family were provided by members of the Working Group, as appropriate. A brief summary of relevant activities is provided below:

#### **Activities of the CMS Secretariat**

**Heidrun Frisch**

As part of the Small Grants Programme and thanks to a voluntary contribution from Finland, a survey project in Cameroon had been financed. A detailed report was contained in ScC17/Inf.10. One of the objectives was to conduct a preliminary evaluation of anthropogenic threats to dolphins and whales in the country, with emphasis on fisheries-related mortality. Evidence of regular bycatch was found in the surveyed ports. Fresh carcasses obtained from such catches and from strandings

are utilized in the villages, primarily as food item. Related to this, discarded nets were also found to be a significant problem, with large quantities of various types of abandoned, lost or discarded nets found on open shores and around ports. Details on both threats and related recommendations are included in the project report.

### **Activities of ACAP**

### **ACAP Secretariat**

The Working Group noted (*UNEP/CMS/Inf.10.18.06*) which provided an update on ACAP activities. Work by the ACAP Advisory Committee's Seabird Bycatch Working Group was a response to the need to develop and maintain a program of work to address this threat. Over the last three years much of the Seabird Bycatch Working Group's work has focussed on identifying best practice mitigation advice for industrial fishing gear types, principally demersal and pelagic longline, and trawl gear. Collection of fisheries bycatch data, and engagement with RFMOs, particularly the tuna RFMO's, were also priority issues.

### **Activities of ACCOBAMS**

### **Marie Christine Grillo-Compulsione**

An International Workshop on bycatch was organised, (17-18 September 2008, Rome Italy) in collaboration with the General Fisheries Commission for the Mediterranean and Black Sea (GFCM) as part of a project for the "*Assessment and mitigation of the adverse impacts of interactions between cetaceans and fishing activities in the ACCOBAMS Area*". On this occasion a Protocol for data collection on bycatch and depredation in the ACCOBAMS Region was prepared and ACCOBAMS Parties presented data on bycatch.

In accordance with the recommendations of the Contracting Parties, the Secretariat endeavoured to strengthen coordination and collaboration with the Secretariat of the GFCM. In this context, the Secretariat attended relevant technical meetings organised within the framework of GFCM, in particular the meetings of the GFCM's Scientific Advisory Committee (SAC) and its Subcommittee on Marine Environment and Ecosystems (SCMEE). As results of this participation, the GFCM identified bycatch in cetaceans as one of the main issues to be addressed to mitigate the impact of fishing activities on endangered species

Much of the work of ACCOBAMS focuses on depredation issues, principally associated with gillnet fisheries. This is because the level of depredation being experienced is high and while cetaceans are not always entangled, their activities often lead to targeted persecution by fishers.

### **Activities of ASCOBANS**

### **Heidrun Frisch**

In 2010 the Advisory Committee (AC) created a time-bound **Bycatch Working Group**. This Working Group was re-established at the AC18 Meeting in May 2011 and new terms of reference were agreed. The Group will support approaches to address the bycatch problem within fisheries fora; report to the AC on relevant projects, scientific studies and alternative gear experiments, national initiatives, work of other fora such as OSPAR, EC, ICES and HELCOM and prepare an overview of problem areas (geographical and fishery type) and the status of knowledge of the problem, monitoring and mitigation measures in place to identify gaps. The CMS Appointed Councillor for Bycatch is a member of this correspondence working group.

ASCOBANS also funded a bycatch-related project aiming at making data of frequency and location of bycatch in the wider Baltic Sea area easily accessible, entitled: Development of a co-ordinated reporting system and HELCOM/ASCOBANS database on Baltic Sea harbour porpoise sightings, by-catches and strandings. The final report of the project is available on the ASCOBANS website ([http://www.ascobans.org/pdf/ac17/AC17\\_6-09\\_ProjectReport\\_HELCOM\\_Porpoise\\_Database.pdf](http://www.ascobans.org/pdf/ac17/AC17_6-09_ProjectReport_HELCOM_Porpoise_Database.pdf)).

Harbour porpoise data can there also be related to a wide range of other spatial information on environmental and anthropogenic factors.

### **Activities of Dugong MOU**

**Donna Kwan**

Incidental capture in small scale artisanal and subsistence net fisheries is the largest threat to dugong populations over most of its range in South West Indian Ocean, North West Indian Ocean, South Asia and South East Asia. However little reliable information exists which documents these impacts. In response to this situation, the Secretariat with the assistance of a group of specialists, has designed a standardised interview survey protocol based on the original method developed by the Duke/Project GLOBAL Rapid Bycatch Assessment. This protocol has been reviewed by a multi-disciplinary group of experts and has been developed to interview fishers and other key informants to identify 'dugong risk areas' or 'trouble spots', where the number of dugongs and the threats to their survival are high.

The UNEP/CMS Dugong Standardised Survey Tool currently contains a questionnaire, data upload file, project manual and data analyses protocols are currently being developed. The Tool is designed to be a low cost, low-tech method to collect information on the spatial distribution of dugongs and their habitats as well as the key threats to dugong populations – it also contains similar survey questions on marine turtles and cetaceans. The Dugong Standardised Survey Tool may be an important tool for addressing shared conservation synergies across species of interests to CMS including dugongs, West African manatees, marine turtles and inshore cetaceans. Since 2010, the Tool has been used to conduct over 2400 interviews in 16 dugong range states. This information will be used to put together national, regional and global picture of hotspots that require management interventions – to be reported to the Second Signatory State Meeting scheduled for late 2012.

Three pilot projects have been selected to be developed on the basis of expression of interests submitted to the Dugong MOU Secretariat - these include Bazaruto Archipelago, Mozambique; Western Province, Papua New Guinea and Gulf of Mannar (India & Sri Lanka). The pilot projects will trial the application of a Management Tool Kit of advisory, financial incentive and conservation tools which includes include low technology, low cost rapid assessment questionnaires, financial incentives, gear modifications, and monitoring methodologies. Subject to available funding, the pilots will be extended to other range states.

The Secretariat is also actively fund-raising through a GEF regional concept proposal for GEF-eligible range states with available STAR Biodiversity allocations, aimed to develop sustainable financing and market opportunities, while delivering livelihood improvement and economic opportunity in exchange for dugong and seagrass conservation. In addition, a Dugong, Seagrass and Coastal Communities Initiative aimed at private/industry donors will be launched in early 2012. Funds raised will be directed to implementation of the priority pilot projects described above as well as the extension/up-scaling to all interested Dugong MOU range states.

### **5. Review of Work Program for Bycatch Councillor**

The Work Program was reviewed and updated, and is attached for the endorsement of the Scientific Council.

### **6. Approaches to Mitigation**

A report was received on the results of a Friends of CMS (German NGO) funded project on the development of an alternative to pingers that uses porpoise warning calls to alert porpoises to a

danger, inducing them to investigate their environment. Currently employed pingers produce sounds resulting in disturbance or harassment of harbour porpoises. Porpoises maintain a large safety distance of several 100 metres to pinger-equipped nets. As a consequence, besides being excluded from fishing grounds, porpoises cannot establish a connection between the sound and the threatening nets. The newly designed Porpoise Alerting Device (PAL) generates click trains matching alarm calls recorded during porpoise communication. Results of initial tests done on both captive and unhabituated wild porpoises are very promising and a miniaturized PAL was developed for further field tests, for which funding is currently being sought. The Working Group noted with satisfaction the progress made with this initiative, and urged Parties or NGOs to give consideration to supporting further field testing of the PAL.

The Working Group also noted that development of mitigation devices and operational approaches is a complex process that involves, in simple terms, an extensive period of research and development to bring an idea from an initial concept to a stage where it can be tested in a working fishery. The Bycatch Councillor informed the Group that through involvement with a charitable trust established in New Zealand, the Southern Seabird Solutions Trust, he was aware of the R&D work carried out on two mitigation devices for pelagic longline gear that had taken the proponents over six years and between USD 500,000 to 1.0 million to develop the ideas to a stage where they were suitable for trialing at sea in a working fishery. The field testing stage is a critical component in the mitigation development pathway, as good ideas need to be tested in an experimental environment, to assess their capacity to mitigate bycatch, and to maintain or improve catch of target species. Unfortunately, it is at this stage that these ideas seem to languish because of lack of funds. The Working Group agreed that adoption of a mitigation device is unlikely to proceed until empirical evidence is available to demonstrate its efficacy in commercial fisheries. In many cases the cost to carry out such work is considerably less than that expended on getting a concept to the testing stage. It was agreed that there would be considerable benefit to CMS in achieving its mandate if it was able to assist developers at this stage, either through provision of funding from the Small Grants Programme, or providing funds from the use of Voluntary Contributions or other sources. The Working Group recommends that CMS calls for the submission of proposals to test well-developed mitigation ideas within the near future, and seeks to fund appropriate proposals from either the Small Grants Programme or other sources, such as voluntary contributions from Parties, NGOs or others.

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### WORK PROGRAM 2011-2013 FOR BYCATCH COUNCILLOR AND BYCATCH WORKING GROUP

	Topic/Task	Timeframe	Detail
1	Maintain a small informal correspondence group of interested parties and technical experts to assist the Scientific Councillor	Ongoing	A small working group will be maintained to ensure thorough coverage of faunal groups and access to technical expertise on mitigation techniques and application. Membership of the correspondence group will be expertise based and may comprise members not directly involved with the CMS Scientific Council. The working group will assist the Scientific Councillor on Bycatch in implementing the Work Program.
2	Work closely with other international competent bodies such as FAO and relevant RFMOs	Ongoing  Secretariat to request observer status at meetings of key RFMOs & FAO COFI	Implementation dependent upon funding to attend meetings, & availability/ willingness of Bycatch Working Group members or CMS daughter agreements to coordinate action for relevant RFMOs. FAO & RFMOs have direct management responsibility for global high seas fisheries. Attendance at key meetings of these bodies is essential to influence adoption of mitigation strategies and implementation of independent observer programs, necessary for improving knowledge of bycatch issues. Support of this work through collaborative arrangements with CMS daughter agreements is highly desirable, to contain costs and share workload. Priority RFMOs/groups are: Joint Tuna RFMO Bycatch WG, CCAMLR, IOTC, WCPFC. Selection of these is based on known seabird, turtle and shark bycatch issues, and the potential to influence change in fishing practices. Other RFMOs to be considered, dependent upon success in other fora, emerging issues, and availability of travelling funds, are: CCSBT, ICCAT, IATTC, General

	Topic/Task	Timeframe	Detail
			Fisheries Commission for the Mediterranean and Black Sea (GFCM). Adoption of mitigation strategies by RFMOs may lead to flow-on effects to EEZ fisheries of RFMO members.
3	Work closely with CMS daughter agreements and other relevant conservation bodies	Ongoing	ACAP, ACCOBAMS, ASCOBANS, Waddensea Seals, Marine Turtles Africa, Marine Turtles IOSEA, Pacific Islands Cetaceans, IWC Bycatch Group
4	Risk assessments. Continuously review and utilise available information on the at-sea distribution of migratory species to assess overlap with fishing operations and hence the risk of bycatch in fishing regions	Ongoing	Fishing regions include RFMO areas of competence, and national EEZs. Risk assessments carried out biennially by the Commission for the Conservation of Antarctic Marine Living Resources provide an excellent model.
5	Review information on mitigation measures for fishing methods known to impact migratory species	Ongoing. Highly desirable to work with CMS daughter agreements to achieve efficiencies.	Concise reviews of current knowledge on mitigation measures to reduce seabird bycatch in longline and trawl fishing have been produced by ACAP, but do not exist for other faunal groups or fishing methods. Work with fishery managers and RFMOs is required to comprehensively assess fishing techniques and gear used in EEZ and high seas fisheries, to identify those elements that have been shown to reduce or eliminate by-catch mortality of migratory species. Products of review are described in Item 8 (below) Initial work should focus on pelagic longline methods for seabirds and turtles. Ensure mitigation methods developed for one taxonomic group do not lead to bycatch of other taxa.
6	Maintain a database of relevant scientific literature on bycatch	Ongoing	Maintain the bibliographic database on published references to bycatch and mitigation research to assist the work of the Bycatch Working Group and the Scientific Council
7	Bycatch webpage	Ongoing	Update page on the CMS website providing information on CMS activities to ameliorate the impacts of bycatch on migratory species. <u>Implementation by the Secretariat required.</u>

	<b>Topic/Task</b>	<b>Timeframe</b>	<b>Detail</b>
8	In consultation with CMS daughter agreements, develop products to assist RFMOs and other relevant international and national bodies in reducing bycatch.	Ongoing	These could include: observer programme designs including protocols for the collection of bycatch data, analytical methods for assessing bycatch, best-practice mitigation measures
9	Develop materials and guidelines to assist CMS representatives attending RFMO & other relevant meetings to maximise effective participation and consideration of issues relevant to the minimisation of bycatch	Ongoing	These could include technical information to be delivered through: concise reports that are based on sound, scientifically supported peer-reviewed papers presentations and submission of relevant papers to meetings to support the information being conveyed, together with active participation at meetings; workshops with industry to progress uptake of mitigation in particular building relations with fishers, national fisheries managers, RFMO Secretariats and UN FAO officials
10	Assist in the preparation, adoption and implementation of FAO NPOA-Seabirds and FAO NPOA-Sharks	Ongoing	This may include: encourage adoption of best practice guidelines for IPOA-Seabirds by FAO COFI providing assistance to Parties and Range States in the development of NPOA-Seabirds and FAO NPOA-Sharks.
11	Provide report to Scientific Council on Bycatch Councillor activities	SC 16	Provide a report to 18th meeting of the Scientific Council on the activities of the Bycatch Councillor during the inter-sessional period

## Annex IX to ScC17 Report

### REPORT OF THE WORKING GROUP ON WILDLIFE DISEASES Bergen, 18 November 2011 (afternoon)

Chair: No specific chair was identified during the meeting, Alfred Oteng-Yeboah (Ghana, Vice-Chair, CMS StC) identified afterwards to present information in the Scientific Council Plenary. Participants: Alfred Oteng-Yeboah (Ghana), John Mshelbwala (Chair ScC), Marianne Courouble (France), Lkhagvasuren Badamjav (Mongolia), Øystein Størkersen (Norway), Malta Qwathekana (South Africa), Barbara Soto-Largo Meroño (Spain), Akankwasah Barirega (Uganda), David Morgan (CITES Secretariat), Lindsey McCrickard (FAO), Borja Heredia and Marie Mevellec (CMS Secretariat)

#### Scientific Task Force on Wildlife Disease

1. The background, purpose, anticipated outcomes and draft resolution were presented to the group by FAO. This Task Force was created by Res.9.8 from the CMS COP9 in 2008 and was co-convened by UNEP-CMS Secretariat and the FAO Animal Health Division.
  - a. Major purposes of the group included facilitating coordination, information sharing and communication across organizations of various disciplines to improve integration of relevant work and support international collaboration within a One Health framework.
  - b. The Task Force was launched in Beijing at the end of June 2011 and was attended by 22 people, from 12 countries, representing 15 organizations.
  - c. The main working areas of the Task Force as identified by participants in the launching meeting include: the Scientific Task Force on Avian Influenza and Wild Birds, Diseases of Priority to Core Affiliates, Bridging the Gap between Natural Resource Professionals and Public Health Professionals, Wildlife Morbidity and Mortality Event Monitoring, Human-Wildlife-Livestock-Ecosystem Interface Issues, and Migration and Disease Ecology. Please refer to the Terms of Reference for further information.
  - d. Readers are invited to refer to background documents for further information regarding the Terms of Reference of the group and different participant categories.
2. Links with other Organizations: The importance of recognizing the OIE's role in official disease reporting was noted by the group and emphasis was placed on recognizing the notification sent from the DG of the OIE to OIE delegates requesting input from OIE parties regarding the proposed CMS resolution. The version of the resolution edited by OIE was acknowledged and these edits were provided to the Working Group for discussion and potential inclusion along with other edits and comments from participants.
  - a. The group clarified that any work undertaken by the Task Force would be coordinated with related international programmes such as IUCN, OIE and other organizations to ensure work is synergistic and not duplicative.
3. Reporting System: The purpose of the reporting system mentioned in the resolution was clarified. Since many wildlife morbidity and mortality events were caused by events not-associated with pathogens including plant poisonings, environmental contaminants, natural disasters or other non-infectious causes that are of concern to CMS parties, this system creates

greater awareness about ongoing issues potentially affecting wildlife population health. By utilizing the WHER system to track these morbidity and mortality events, they could be followed up through the FAO EMPRES-i Disease Intelligence System as appropriate (in the same way that information obtained through media reports, GPHIN, Promed, and other unofficial sources is utilized) to attempt to verify the information through existing networks, for example the existing Global Early Warning System (GLEWS) between FAO-OIE-WHO that allows the three organizations to share confidential information. Information to be reported through already existing systems and mechanisms may actually enhance, contribute, and improve information provided to OIE's official reporting system – WAHIS - although this view was not shared by every participant at the meeting. The question raised by those not in agreement was whether or not the current system provides enough information about the infectious disease related and non-infectious disease related causes of wildlife morbidity and mortality events. The importance of avoiding unnecessary overlap of global reporting requirements was stressed.

4. Scope of Task Force: The importance of incorporating human health within the different areas of the Task Force was stressed and it was suggested to begin reaching out to more human-health specific organizations in addition to WHO.

5. Other International Initiatives in One Health: The One Health Central and Eastern Africa Initiative (supported by USAID) was discussed as an initiative in some countries in Africa to popularize the One Health approach by organizing a country coordinating committee that included representation from different ministries of government within each country. This was meant to increase trans-disciplinary problem solving and could be used as a potential success story that could be used in a case study by the Task Force.

6. Facilitating Workshops In-country: There was a proposal for CMS Secretariat to facilitate workshops to enhance cooperation and collaboration among different conventions/multi-lateral environmental agreements through national focal points with the financial support from parties, governments or donor groups. These could be specifically targeted at countries where conventions or multilateral environmental agreements were not managed from the same office. The importance of this was further stressed when discussing knowledge gaps especially related to public health professionals and natural resource professionals.

7. Scientific Task Force on Avian Influenza: The group acknowledged the continued good work of the Scientific Task Force on Avian Influenza. The recent identification of a new virus within the 2.3.2.1 clade of H5N1 Highly Pathogenic Avian Influenza highlighted the group's ability to respond to situations in an efficient and rapid fashion. As such, the group agreed to place the Scientific Task Force on Avian Influenza and Wild Birds structurally within the Scientific Task Force on Wildlife Disease while allowing the group to maintain its identify, work plan and current function. The structural placement would allow FAO and CMS to better organize the two co-convened Task Forces while maximizing resource management.

8. Decision to put forth the edited resolution to the CMS COP with the understanding that the WHER specific portion of the system could not reach total consensus within the working group on wildlife disease.

**Annex X to ScC17 Report****LIST OF PARTICIPANTS / LISTE DES PARTICIPANTS / LISTA DE PARTICIPANTES****Chairman / Président / Presidente**

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**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/COP10/REPORT  
ANNEX VIII

Original: English

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CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING

Bergen, Norway, 20-25 November 2011

**Proceedings of the Tenth Meeting of the Conference of the Parties  
Part I****“MESSAGE TO DURBAN” FROM BERGEN, NORWAY**

We, the representatives of 82 governments, which have come together for the 10<sup>th</sup> Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (20-25 November 2011), are concerned that climate change is already having significant adverse effects on migratory species, their habitats and the ecosystem services that they provide. In addition to climate change, mitigation and adaptation actions have the potential to result in significant negative impacts. UNFCCC and its instruments play a critical role in shaping the global management of greenhouse gas and carbon, from the atmospheric to the landscape level, and are already having a direct impact on migratory species and their habitats on a global scale. It is vital that policy decisions under both treaties are coherent, since all CMS Parties have also ratified UNFCCC.

We recall the Cancun decision on safeguards for REDD+ which established that REDD+ actions are not used for the conversion of natural forests but incentivize the protection and conservation of natural forests and their ecosystem services and to enhance other social and environmental benefits.

As Parties to CMS, we are committed to the conservation of migratory species and acting accordingly. We call for stronger attention to biodiversity conservation, especially migratory species, within UNFCCC processes. The implementation of CBD decision X.33 on biodiversity and climate change is particularly important and calls for, *inter alia*, specific measures for species that are vulnerable to climate change, including migratory species. Furthermore, we call for greater synergies between UNFCCC and the biodiversity-related Multilateral Environmental Agreements, including CMS. We request UNFCCC COP17 to take note of the CMS mandate on climate change, including Resolution 10.19 on migratory species conservation in the light of climate change, adopted in Bergen, Norway, 25 November 2011. Specifically we urge UNFCCC COP17 to:

- Maintain and restore a network of intact, carbon-rich ecosystems as an essential component in mitigating climate change.

- Clearly differentiate between natural forests and plantation forests.
- Recognize the additional climate, social and biodiversity value of natural forests.
- Reduce global greenhouse gas emissions as required by the Cancun agreement (1/CP.16 paragraph 4), secure the future of the Kyoto protocol beyond 2012.
- Agree on a shared vision for REDD+, including appropriate safeguards and supported quantifiable targets to halt and reverse the loss of forest cover and carbon.
- Establish appropriate environmental safeguards for both climate change mitigation and adaptation actions to minimize negative impacts on biodiversity, including migratory species.
- Develop guidelines to govern projects funded by the future Green Climate Fund and other potential UNFCCC financial mechanisms, thus ensuring that construction does not damage corridors and sites critical for animal migration.
- Strengthen coordination between the focal points of the climate change and biodiversity-related conventions (which include CMS) and promote consultation in the production of all relevant national strategies. Urge the scientific instruments of the climate change and biodiversity-related conventions to work closely together and to commission a study first to evaluate the impact on biodiversity of adaptation and mitigation action, and secondly to make recommendations for reducing such effects.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/COP10/REPORT  
ANNEX IX

Original: English

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CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING

Bergen, Norway, 20-25 November 2011

**Proceedings of the Tenth Meeting of the Conference of the Parties  
Part I**

**DELEGATION OF AUTHORITY**

**TO THE EXECUTIVE SECRETARIES OF**

**THE CONVENTION ON THE CONSERVATION OF MIGRATORY  
SPECIES OF WILD ANIMALS (CMS)  
THE AGREEMENT ON THE CONSERVATION OF AFRICAN-EURASIAN  
MIGRATORY WATERBIRDS (AEWA) AND  
THE AGREEMENT ON THE CONSERVATION OF POPULATIONS OF  
EUROPEAN BATS (EUROBATS)**



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## DELEGATION OF AUTHORITY

To:

The Executive Secretaries of the  
 Convention on the Conservation of Migratory Species of Wild Animals  
 (CMS)<sup>1</sup>, the Agreement on the Conservation of African-Eurasian Migratory  
 Waterbirds (AEWA) and the Agreement on the Conservation of Populations  
 of European Bats (EUROBATS)

### Preamble

The Convention on the Conservation of Migratory Species of Wild Animals (CMS) was concluded in 1979 and entered into force in 1983.

In accordance with Article IX, paragraph 2, of the Convention, the Secretariat is provided by the Executive Director of the United Nations Environment Programme (the "Executive Director").

CMS is a framework Convention which through its Article IV calls upon Contracting Parties to develop and conclude Agreements/MoUs for the conservation of certain migratory species in a specific region. So far 7 legally binding Agreements and 19 non-legally binding MOUs have been concluded<sup>2</sup>.

The UNEP/CMS Secretariat is responsible for the administration of the Secretariat of the Convention and the MOUs concluded. It is furthermore responsible for the Agreement on the Conservation of Small Cetaceans of the Baltic and North East Atlantic, Irish and North Seas (ASCOBANS) and the Agreement on the Conservation of Gorillas and their Habitats (Gorilla Agreement) as well as the implementation of relevant Resolutions and Recommendations of the Conference of the Parties (CoP) and the Meetings of the Parties (MoPs) to ASCOBANS and the Gorilla Agreement.

In its Resolution 5.5, the Conference of the Parties requested UNEP to approve the consolidation of Secretariat functions of the Convention and its Agreements. In the same Resolution the Conference of the Parties confirmed the invitation of the Meeting of Parties to ASCOBANS to relocate their Secretariat with the Secretariat of the Convention and recommended that the Parties to ASCOBANS and the Parties to the Agreement on the Conservation of Bats in Europe request the Executive Director of UNEP to become their Secretariat. This Resolution also invited Contracting Parties to ASCOBANS, the Agreement on the Conservation of

<sup>1</sup> The Executive Secretary of CMS is also the Acting Executive Secretary of ASCOBANS and the Interim Executive Secretary of the Gorilla Agreement.

<sup>2</sup> Situation as of 1 July 2011.

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Populations of European Bats (EUROBATS), the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean and Contiguous Atlantic Area (ACCOBAMS) and the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) to consider the offer to consolidate secretariat functions in the Agreements Unit of the UNEP/CMS Secretariat. Finally, this Resolution 5.5 invited contracting Parties to future Agreements to consider co-location of their Agreement Secretariats with the UNEP/CMS Secretariat.

The 5<sup>th</sup> Session of the Meeting of Parties to ASCOBANS decided, in accordance with Resolution 2d, to transfer the Secretariat functions to the UNEP/CMS Secretariat for a provisional three-year period. Resolution 5 of the 6<sup>th</sup> Session of the Meeting of the Parties reconfirmed this decision until the end of 2012. At the negotiation Meeting to conclude the Gorilla Agreement the Range States held in October 2007, France requested the UNEP/CMS Secretariat to provide the Interim Secretariat. Due to that the responsibilities for the implementation and administration of ASCOBANS and the Gorilla Agreement are also within the UNEP/CMS Secretariat.

Furthermore, at the first Meeting of Parties to AEWA it was decided through Resolution 1.1 to establish a permanent Secretariat to be integrated in UNEP and co-located with the UNEP/CMS Secretariat in Bonn, Germany. Both the Resolution and the annexed "Terms of Reference for Secretariat Arrangements" specify the mandate, authority and competencies of the Executive Secretary.

Finally, the permanent EUROBATS Secretariat was established in 1996 in co-location with the UNEP/CMS Secretariat but was self-administered under the direct supervision of the Parties until 31 December 2000. With Resolution 3.1 the Parties decided the integration of the Secretariat in UNEP administration, again in co-location with UNEP/CMS effective from 1 January 2001. Both the Resolution and the annexed "Terms of Reference for Secretariat Arrangements" specify the mandate, authority and competencies of the Executive Secretary. The Secretariats for ACCOBAMS and the Agreement on the Conservation of Albatrosses and Petrels (ACAP) are not integrated in UNEP but administered respectively by the Government of Monaco and Australia and as such not covered by this Delegation of Authority.

#### Accountability context

1. This delegation of authority aims to ensure the provision of high-quality secretariat services to CMS, AEWA, ASCOBANS, EUROBATS as well as the Gorilla Agreement and to clarify the authority, responsibility and accountability of the relevant Executive Secretaries. In this regard, the Executive Director and the Executive Secretaries acknowledge the following:

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- (i) The authority of the Parties to CMS, AEW, ASCOBANS, EUROBATS and the Gorilla Agreement and the Conferences of the Parties (CoPs) or Meetings of the Parties (MoPs) to the Convention and the Agreements established by these instruments respectively and the functions of the secretariats to the Convention and the Agreements as established by their various articles respectively.
- (ii) The Secretariats for the Convention and the agreements are provided/administered by the Executive Director. This Delegation of Authority does not affect the nature or scope of the authority entrusted to the Executive Director or the consolidated secretariats by the Convention/Agreements, but rather merely specifies those aspects of the Executive Director's authority with respect to the Secretariats that are delegated to the Executive Secretaries.
- (iii) That accountability requires a clear and hierarchical structure of delegated authority and that authority is personal: that it is not possessed solely by virtue of an individual's office and can be extended or withdrawn as and when necessary.
- (iv) That the Executive Secretary of CMS and, where applicable, the Executive Secretaries of AEW and EUROBATS are appointed by, and accountable to, the Executive Director as specified by the Secretary-General in ST/SGB/1999/21, within delegated authority, for the management and administration of the consolidated secretariats. The consolidated secretariats are accountable to the relevant CoP/MoP for the implementation of the relevant programmes of work and all other functions entrusted to it by the Convention/Agreement.
- (v) The Executive Secretary of CMS and where applicable the Executive Secretary of AEW and EUROBATS must comply, and the Executive Director must ensure compliance, with all UN regulations, rules and related administrative instructions, including directives issued by the Executive Director, pertaining to the use and management of human, financial and physical resources and to the General Procedures Governing the Operations of the Fund of UNEP (as amended by GC decision 19/25 of 7 February 1997) and the Financial Rules of UNEP, as they apply to the Environment Fund and associated trust funds and earmarked contributions, as promulgated by the Secretary General on 8 October 1998.
- (vi) All UNEP trust funds, including those pertaining to Multilateral Environmental Agreements (MEAs) have been established in accordance with Article V of the General Procedures Governing the

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Operations of the Fund of UNEP and as such are governed by the Financial Rules of UNEP. UNEP Financial Rule 201.4 states that all matters not covered by the Financial Rules of UNEP are governed by the Financial Regulations and Rules of the UN (ST/SGB/2003/7).

#### Authority and responsibility

2. This delegation of authority supersedes all previous delegations to you, if any, and any prior institutional arrangement between UNEP and the Executive Secretaries of CMS, AEWA, ASCOBANS, EUROBATS and the Gorilla Agreement. Its purpose is to strengthen accountability and ensure the efficient and effective operations of the Secretariat functions provided to CMS, AEWA, ASCOBANS, EUROBATS and the Gorilla Agreement. Its entry into force is immediate and calls for you to submit an annual workplan to the Executive Director of UNEP. This workplan shall cover the period 1 April to 31 March of the following year and comply with the format of the Executive Director's compact with the Secretary-General of the United Nations. The workplan of the Executive Secretary of CMS must be agreed with the Executive Director and that from the Executive Secretary of AEWA and EUROBATS must be agreed with the Executive Secretary of CMS as it is a requirement of the UN's mandatory Performance Appraisal System (PAS). In due course you may further delegate elements of this authority within the immediate staff serving the Secretariat for CMS, AEWA and EUROBATS as appropriate but you remain ultimately accountable for its use. Copies of such delegations of authority must be sent for monitoring and oversight purposes to UNEP's Office for Operations (OfO).

#### Programme management

3. The authority of the Executive Director to manage the implementation of the programme of work approved by the CMS Conference of the Parties (CoP) and in case of AEWA, ASCOBANS, EUROBATS and the Gorilla Agreement by their respective Sessions of the Meeting of Parties, and activities financed from the main and extrabudgetary trust funds and the allotments for the implementation of the CMS, AEWA, ASCOBANS, EUROBATS and the Gorilla Agreement from the UNEP Special Account for Programme Support Costs approved by the Executive Director, and the agreed annual workplan referred to in paragraph 2 above, is hereby delegated to you. This includes the authority to approve and sign projects and legal instruments as are required to ensure the implementation of the programme of work and budget, providing that all such projects and legal instruments fully comply with the Financial and Staff Regulations and Rules of the UN and UNEP and related administrative instructions (for guidance please refer to the UNEP's legal instruments guidelines and templates). In this context:

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- (i) A report listing all signed projects and legal instruments must be provided to OfO (for monitoring and oversight purposes) every six months (from 1 January). All potential deviations from Regulations and Rules of the UN and UNEP and related administrative instructions must be referred to OfO for prior review and clearance. When negotiating projects and legal instruments, special care must be taken to ensure that the UN's procurement, recruitment and audit policies are upheld.
- (ii) Contributions may only be accepted if they do not directly or indirectly involve additional financial liability for the UN or UNEP. If a legal instrument has potential implications for the use of the resources of UNEP's Environment Fund and/or Special Account for Programme Support Costs or entail the application of a programme support costs rate of less than 13% (unless otherwise agreed between the parties at the corporate (UN/UNEP) level – see point (iii) below), it may be accepted only with my prior approval. This approval is to be sought through OfO.
- (iii) Where standard corporate agreements exist, such as those with the European Commission, the World Bank and specific donors and UN organizations, they must be applied. If necessary, copies of these agreements can be obtained from QAS. Contribution agreements with the European Commission must comply with the Financial and Administrative Framework Agreement of 29 April 2003 between the European Commission and the United Nations.
- (iv) The financial and substantive reporting arrangements set forth in projects and legal instruments must be complied with in a timely manner; timely financial and substantive reports must also be obtained from implementing partners.

#### Financial and physical resources management

4. The authority of the Executive Director to manage the implementation of the budget approved by the CMS CoP or in case of AEWA, ASCOBANS, EUROBATS or the Gorilla Agreement the MoP and where applicable AEWA and EUROBATS budgets including those financed from trust fund (extrabudgetary) resources and the CMS, AEWA, ASCOBANS, EUROBATS and the Gorilla Agreement allotments from the UNEP Special Account for Programme Support Costs as well as the related components of the agreed annual workplan referred to in paragraph 2 above, is hereby delegated to you on the understanding that all activities must be undertaken within available funds, and in accordance with the purposes for which these funds were accepted, as confirmed by a certifying officer duly-designated as such by the Chief of CSS. In this context, you are responsible for ensuring the

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efficient and effective use of resources and for ensuring that these resources are used for the purposes for which they are provided. You must continuously review your office/operating costs and, in consultation with the relevant CoP/MoP, leverage common services where these are shown to provide cost-effective services. In addition you shall:

- (i) Request designation by the Chief of CSS of one or more certifying officer(s) for your office who will assist you in carrying out financial management delegated functions in close collaboration and consultation with CSS.
- (ii) Ensure the proper performance of the certifying function, in accordance with Financial Rule 105.5.
- (iii) Continue to adhere to the terms and conditions set forth in the delegation of procurement authority issued to all heads of UNEP offices away from Nairobi by the Chief of the UNON Division of Administrative Services on 15 October 2003.
- (iv) Maintain an inventory of property, plant and equipment and submit requests for the disposition and disposal of such assets to CSS - for onward transmission to a duly-designated Property Survey Board (UNON).
- (v) Authorize hospitality on the basis of an approved hospitality budget and in compliance with ST/AI/2000/8.
- (vi) Authorize travel of staff members of your office, including your own, on the basis of a quarterly travel plan and in compliance with ST/AI/1998/3 and ST/AI/2006/4. A copy of this travel plan must be submitted to QAS.

#### Human resources management

5. The authority of the Executive Director to manage the human resources (HR) assigned to CMS and where applicable to AEWA, ASCOBANS, EUROBATS and the Gorilla Agreement, and ensure the timely initiation and performance of related HR management actions, against the staffing tables approved by the CoP or where applicable in case of AEWA, ASCOBANS, EUROBATS and the Gorilla Agreement MoP and in other CMS, AEWA, ASCOBANS, EUROBATS and Gorilla Agreement budgets, including those financed from trust funds, earmarked contributions and the CMS, AEWA, ASCOBANS, EUROBATS and the Gorilla Agreement allotments from the UNEP Special Account for Programme Support Costs, is hereby delegated to you. In this context, you must implement the related components of the agreed annual workplan referred to in paragraph 2 above,

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including in relation to the UN's mandatory ethics and integrity initiatives and financial disclosure, and on the understanding that all HR actions are based on:

- (i) An approved quarterly consolidated staffing table for the Secretariats serving CMS, AEWA and EUROBATS and an approved HR Action Sheet signed by me and you. The signed HR Action Sheet shall accompany any HR action taken by the Secretariats.
- (ii) Prior certification by a certifying officer duly-designated as such by the Chief of CSS.

6. Pursuant to the above, and subject to clearance by the relevant services of UNON, you are authorized to:

- (i) Launch vacant posts in INSPIRA or any successor system as may be adopted by the UN.
- (ii) Recruit and select all staff up to the P-4 level, including all General Service (GS) staff and make justified recommendations to the Executive Director for the selection of all staff at grade P-5 and above.
- (iii) On the basis of acceptable performance, as reflected in UN performance appraisals, extend staff contracts for up to 2 years and make justified recommendations to the Executive Director for the curtailment and non-extension of contracts, at least 3 months prior to the expiry of these contracts.
- (iv) Recruit consultants up to 24 months within a 36-month period and individual contractors up to 6 months within a 12-month period as per ST/AI/1999/7.
- (v) Recruit interns in line with the UN procedures for the selection and engagement of interns at the United Nations.
- (vi) Make justified recommendations to the Executive Director in respect of the recruitment of gratis personnel or Junior Professional Officers as well as professional grade staff transfers, reassignments, secondments, loans, sabbaticals and special leave without pay (for periods in excess of 3 months).
- (vii) Nominate staff to participate in UN/UNEP corporate training courses.

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### Final provisions

7. You will inform me in advance of any actions, or proposed decisions, of you and your staff, or of the CoP/MoP, that compromises or complicates adherence to UN regulations, rules and related administrative instructions or that request or require any action by UNEP. The Executive Secretaries must promptly notify both the Executive Director and the CMS CoP or in case of AEWA, ASCOBANS, EUROBATS or the Gorilla Agreement the MoP, if a potential conflict is perceived between (a) UN or UNEP regulations, rules or related administrative instructions, and (b) the performance of the consolidated secretariats duties under the Convention, the 19 MOUs concluded and co-located Agreements, or the execution of those duties in accordance with direction from the Parties to the Convention, the 19 MOUs concluded and co-located Agreements or the CoP or MoP. In the event of such a conflict, it will be necessary to coordinate closely with the CoP or MoP, to decide on a mutually acceptable course of action.

8. If any difficulty is experienced interpreting or enforcing UN and UNEP regulations, rules and related administrative instructions, including this delegation of authority, I should be consulted immediately. I am also to be consulted on all matters of policy and/or concern. In this regard, please note that in accordance with UN Financial Rule 101.2 and UN Staff Rules 112.3, 212.2 and 312.2 UN staff members may be held personally and financially liable, and be required to reimburse the UN either partially or in full, for any financial loss suffered by the UN as a result of the staff member's gross negligence or of his or her having violated any regulation, rule and administrative instruction.

9. All other powers and authority vested in me as part of my responsibilities with regard to the Secretariats of CMS, AEWA, ASCOBANS, EUROBATS and the Gorilla Agreement shall remain with me unless and until specifically accorded to you in writing.

10. Failure to abide by the provisions of this delegation may result in, inter alia, its withdrawal.

11. This delegation of authority will enter into effect upon receipt of your confirmation, through your signature below, that you understand, accept and will abide by the provisions outlined above.

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Signatures:   
 (Achim Steiner)  
 Executive Director UNEP

3/08/2011  
 Elizabeth Maruma Mfema  
 Executive Secretary,  
 UNEP/CMS Secretariat

Acting Executive Secretary,  
 UNEP/ASCOBANS Secretariat

Interim Executive Secretary  
 UNEP/Gorilla Agreement

03/08/2011  
 Marco Barbieri  
 Acting Executive Secretary  
 UNEP/AEWA Secretariat

03/08/2011  
 Andreas Streil  
 Executive Secretary  
 UNEP/EUROBATS Secretariat

- cc: Amina Mohamed, Deputy Executive Director  
 Sahle-Work Zewde, Director-General, UNON  
 John Noisette, Chief, CSS  
 Christophe Bouvier, Chief, OfO  
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**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/COP10/REPORT  
ANNEX X

Original: English

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CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING

Bergen, Norway, 20-25 November 2011

**Proceedings of the Tenth Meeting of the Conference of the Parties  
Part I****CMS COP 10 CREDENTIALS COMMITTEE REPORT TO PLENARY  
(following first four meetings)**

The Credentials Committee held its four lunchtime meetings between Monday, 21 November to Thursday, 25 November 2011, attended by representatives of New Zealand, who was elected Chair, Chile, the Republic of the Congo and Norway, and assisted by the Secretariat. A further meeting was held on Wednesday afternoon with the Executive Secretary to seek guidance on legal aspects.

At the first session, the Credentials of the following 29 Parties were examined and found to be in order:

Argentina, Australia, Austria, Belarus, Belgium, Bulgaria, Chile, Croatia, Cuba, the Czech Republic, Denmark, Ecuador, Egypt, Ethiopia, the European Union, Finland, Georgia, Germany, Ghana, Hungary, Israel, Kazakhstan, Kenya, Latvia, Luxembourg, Mali, Mauritius, Mongolia and Montenegro

At the second session, the Credentials of the following 23 Parties were examined and found to be in order:

Armenia, Congo, France, Guinea, India, Madagascar, Monaco, the Netherlands, New Zealand, Pakistan, Norway, the Philippines, Poland, the Republic of Moldova, Senegal, Sri Lanka, Switzerland, Tunisia, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania and Uruguay

At the third session, the Credentials of the following 4 Parties were examined and found to be in order:

Albania, Slovenia, Spain and Sweden

At the fourth session, the Credentials of the following 5 Parties were examined and found to be in order:

Burundi, Cameroon, Mozambique, Romania and Samoa

This session also confirmed the acceptability of the Credentials of two Parties whose documentation had been received in Arabic, namely:

Syria and Yemen

The Credentials of Italy had been submitted in Italian and were provisionally accepted pending receipt of a translation into one of the three languages of the Convention, this has since been received.

A number of delegations had presented only copies of Credentials. These were provisionally accepted on condition that originals, in an acceptable form, were sent to the UNEP/CMS Secretariat in Bonn within 30 days of the close of the COP.

The countries concerned were:

The Islamic Republic of Iran, Jordan, Morocco, Paraguay, Saudi Arabia, and the Seychelles

A number of Credentials were signed by Ministers other than the Heads of State or Foreign Ministers.

As reported to the Plenary on Wednesday 23 November 2011, the Credentials Committee has found some discrepancies between the English, French and Spanish translations of the Rules of Procedure for the Conference of the Parties of CMS. The English and French versions imply more flexibility regarding the Ministers that are authorised to approve credentials on behalf of Parties.

However, taking into account the Vienna Convention on the Law of Treaties 1969, by which the CMS COP, as an international UN meeting is bound, only the Heads of State, Heads of Government and Ministers of Foreign Affairs are authorised to sign credentials unless any of them attends the conference themselves.

None the less, given the current ambiguity in the CMS Rules of Procedure, the Committee recommends a flexible approach whereby for the parties where the credentials have been signed by Ministers other than those stated above, that these be accepted for this meeting on an exceptional basis. This should not set a precedent for other future meetings of the COP.

The Committee recommends that for future meetings of the COP, the following clarifications should be made to the Rules of Procedure:

- The English, French and Spanish versions of the Rules of Procedure should be aligned and it should also be made clear that Credentials can only be accepted if issued by the Head of State or the Minister of Foreign Affairs.

- Credentials should be submitted in one of the three Convention languages (English, French or Spanish), or if the original is in a language other than those, it should be accompanied by an official translation in English, French or Spanish, Rule 19 paragraphs 1 and 3 refer.

Of the 78 Parties registered and present at this meeting, a number of delegations had presented documents signed at an officials level, and 6 parties did not present any documentation at all. Credentials signed at the officials level have not been approved.

In addition, it was noted that 4 of the Parties without credentials have been funded by the Secretariat to attend and participate meeting. The Committee has referred this matter to the Secretariat to manage.

Finally, you will recall that on Wednesday 23 November 2011, the Credentials Committee advised that, in its view, it would be possible to accept credentials signed by ambassadors. Unfortunately, based on legal advice received yesterday evening, this is not correct procedure since in accordance with the Vienna Convention mentioned above, heads of diplomatic missions can only sign credentials for the purposes of meetings between the accrediting state and the state to which they are accredited, and not to international United Nations conferences such as the CMS COP. In this respect the Committee would like to withdraw its previous advice on this issue. We apologise for any confusion or inconvenience this may have caused and reiterate, for the record, that credentials should be signed by either a Prime Minister or a Foreign Minister.

Thank you Mr. Chairman




**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

 UNEP/CMS/COP10/REPORT  
ANNEX XI

Original: English

CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING  
Bergen, Norway, 20-25 November 2011

**Proceedings of the Tenth Meeting of the Conference of the Parties  
Part I**

**SPECIES ADDED TO APPENDICES I AND II BY THE TENTH MEETING OF THE  
CONFERENCE OF THE PARTIES TO CMS\***

**CMS APPENDIX I**

Scientific Name	Common Name	Proponent
Order/Family/Species		
<b>AVES</b>		
<b>FALCONIFORMES</b>		
Falconidae		
<i>Falco cherrug</i> <sup>1</sup>	Saker Falcon	European Union
<i>Falco vespertinus</i>	Red-footed Falcon	European Union
<b>CHARADRIIFORMES</b>		
Scolopacidae		
<i>Numenius madagascariensis</i>	(Far) Eastern Curlew	Philippines
<i>Numenius tahitiensis</i>	Bristle-thighed Curlew	Cook Islands
<b>PISCES</b>		
Elasmobranchii		
<b>RAJIFORMES</b>		
Mobulidae		
<i>Manta birostris</i>	Manta Ray	Ecuador

\* Other references to taxa higher than species are for the purposes of information or classification only.

<sup>1</sup> Except the population in Mongolia.

## CMS APPENDIX II

Scientific Name	Common Name	Proponent
Order/Family/Species		
<b>MAMMALIA</b>		
ARTIODACTYLA Bovidae <i>Ovis ammon</i>	Argali Sheep	Kazakhstan, Tajikistan
<b>AVES</b>		
PASSERIFORMES Icteridae <i>Dolichonyx oryzivorus</i>	Bobolink	Bolivia
<b>PISCES</b>		
Elasmobranchii RAJIFORMES Mobulidae <i>Manta birostris</i>	Manta Ray	Ecuador



**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/COP10/REPORT  
ANNEX XII

Original: English

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CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING  
Bergen, Norway, 20-25 November 2011

**Proceedings of the Tenth Meeting of the Conference of the Parties  
Part I**

**RESOLUTIONS\***

**ADOPTED BY THE CONFERENCE OF THE PARTIES AT ITS TENTH MEETING**

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\* Please note that Resolution 10.17 was withdrawn.

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**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/Resolution 10.1

Original: English

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**FINANCIAL AND ADMINISTRATIVE MATTERS AND TERMS OF REFERENCE  
FOR THE ADMINISTRATION OF THE TRUST FUND**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

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*Recalling* Article VII, paragraph 4, of the Convention, which reads as follows:

“The Conference of the Parties shall establish and keep under review the financial regulations of this Convention. The Conference of the Parties shall, at each of its ordinary meetings, adopt the budget for the next financial period. Each Party shall contribute to this budget according to a scale to be agreed upon by the Conference”;

*Appreciating* that the financial position of the Convention has improved markedly since the previous COP as a result of the substantial increases in additional voluntary contributions in cash and kind, and careful stewardship by the CMS Secretariat;

*Giving* special thanks to the Host Government (Germany), to the Governments of Finland, France, Monaco, Norway, Spain, Sweden, Switzerland, the United Arab Emirates and the United States of America for their substantial additional voluntary contributions in support of special measures and projects aimed at improving implementation of the Convention, and other support offered to the organs of the Convention during the previous triennium;

*Acknowledging* also the financial and other services provided in 2009-2011 through the United Nations Environment Programme (UNEP);

*Recognizing* the need to provide sufficient resources, including manpower, to enable the Secretariat of the Convention to continue to carry out the Convention’s work programme set out in the Strategic Plan 2006-2011 and its updated version for the period 2012-2014, and to serve its Parties in all regions;

*Recognizing* also that several decisions taken at COP10 and in particular the outcome of the Future Shape of CMS process have significant implications for the Convention’s budget;

*Expressing* thanks to the Secretariat for producing various budget options for adoption by the Tenth Meeting of the Conference of the Parties;

*Appreciating* the importance of all Parties being able to participate in the implementation of the Convention and related activities; and

*Noting* the increased number of Parties, other countries and also organisations attending the meeting of the Conference of Parties as observers, and the resulting additional expenditure to Parties so incurred;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Confirms* that all Parties should contribute to the budget adopted at the scale agreed upon by the Conference of the Parties in accordance with Article VII, paragraph 4, of the Convention;
2. *Adopts* the core budget for 2012 to 2014 attached as Annex I to the present Resolution and the list of activities that can be implemented subject to voluntary contributions attached as Annex II;
3. *Decides* to draw from the reserve of the Trust Fund of the Convention the amount of €130,000 annually to support the budget for the next triennium, thereby reducing the assessed contributions of the Parties;
4. *Expresses* concern about recruitment of the Associate Programme Officer in Washington D.C. without prior approval by the COP, as it is not standard MEA practice, and *emphasizes* that this should not set a precedent;
5. *Instructs* the Standing Committee to review, at its 40<sup>th</sup> Meeting, fundraising income generated by the post in Washington D.C., and not renew it if it does not yield income equal to at least two times the annual salary allocated in the budget, and to transfer the 2013-2014 salary costs to the Trust Fund;
6. *Adopts* the scale of contributions of Parties to the Convention, based on the UN Scale of Assessment, as listed in Annex III to the present Resolution and *decides* to apply that scale *pro rata* to new Parties;
7. *Decides* that all contributions to the Trust Fund shall be paid in Euros;
8. *Further decides* that there should be maintained a working capital at a constant level of at least 15 percent of estimated annual expenditure or US\$500,000, whichever is higher;
9. *Urges* all Parties to pay their contributions as promptly as possible preferably not later than the end of March in the year to which they relate and, if they so wish, to inform the Secretariat whether they would prefer to receive a single invoice covering the whole triennium;
10. *Notes* with concern that a number of Parties have not paid their contributions to the core budget for 2011 and prior years which were due on 1<sup>st</sup> March of each year, thus affecting adversely the implementation of the Convention;

11. *Urges* all Parties with arrears to co-operate with the Secretariat in arranging for the payment of their outstanding contributions without delay;
12. *Requests* Parties, in particular those that are required to pay small contributions, to consider paying for the whole triennium in one instalment;
13. *Decides* to set the threshold of eligibility for funding delegates to attend the Convention's meetings at 0.200 per cent on the United Nations scale of assessment, and as a general rule furthermore to exclude from such eligibility countries from the European Union, European countries with strong economies as listed in Annex III to the present Resolution and/or countries that have payments in arrears of more than three years;
14. *Instructs* the Executive Secretary to service the implementation of the Strategic Plan (in its updated version for the period 2012-2014) within available resources;
15. *Confirms* the willingness of the CMS Secretariat to continue to provide Secretariat services to ASCOBANS and to the Gorilla Agreement in the next triennium;
16. *Invites* Parties to consider the feasibility of financing Junior Professional Officers or providing interns, volunteers and technical experts to the Secretariat to increase its technical capacity;
17. *Encourages* all Parties to make voluntary contributions to the Trust Fund to support requests from developing countries to participate in and implement the Convention throughout the triennium;
18. *Requests* the Executive Secretary to provide Parties with a detailed list of core ongoing and future activities and projects not covered by the core budget, to assist Parties to identify those they intend to fund;
19. *Decides* that Resolutions adopted by this Conference of the Parties that establish, *inter alia*, bodies, mechanisms or activities that have financial implications not provided for in Annex I, are subject to available funds from voluntary contributions;
20. *Instructs* the Secretariat to allocate the contributions of Parties that accede to the Convention after 1 January 2012 towards the funding of approved activities not covered by the core budget;
21. *Encourages* States not Parties to the Convention, governmental, intergovernmental and non-governmental organizations and other sources to consider contributing to the Trust Fund or to special activities;
22. *Takes note* of document UNEP/CMS/Conf.18a on the execution of the budget of the Convention in the triennium 2009-2011 and *expresses its concern* with regard to outstanding unpaid pledges to the Trust Fund, and *urges* the Governments concerned to pay their contributions in a timely manner;

23. *Decides* that representatives from countries with contributions in arrears three years or more should be excluded from holding office in Convention bodies and denied the right to vote; and *requests* the Executive Secretary to explore with these Parties innovative approaches for the identification of possible funding to resolve their arrears prior to the next meeting;
24. *Requests*, the Secretariat to enhance, amongst other activities listed in Annex I, regionalization of conservation efforts by having local coordinators with assistance from *inter alia* UNEP, NGOs and MEAs within the parameters of the 2012-2014 budget;
25. *Requests* the Secretariat to undertake a review of the grading of the Secretariat's posts, taking into account the outcome of the Working Group on Future Shape of CMS, to enable decisions on the grading of the posts to be taken by Parties at COP11;
26. *Requests* the Executive Director of UNEP to extend the duration of the Convention Trust Fund to 31 December 2014;
27. *Requests* the Executive Director of UNEP to continue to incorporate aspects of the Convention's programme of work into the programme of work of UNEP and consider, as appropriate, providing financial support to specific CMS activities in this context; and
28. *Approves* the terms of reference for the administration of the Trust Fund, as set forth in Annex V to the present Resolution, for the period 2012 to 2014.

**ANNEX I TO RESOLUTION 10.1****CORE BUDGET ESTIMATES FOR 2012-2014 - CMS TRUST FUND IN EURO**

Budget Line	Budget Item	2012	2013	2014	Total
		2012 - 2014			
		EUR	EUR	EUR	EUR
<b>BL</b>	<b>EXECUTIVE OFFICE (HQ)</b>				
1101	Executive Secretary (D1); 97% (3% ASCOBANS)	160,000	163,200	166,464	489,664
1102	Deputy Executive Secretary (P5)	148,000	150,960	153,979	452,939
1110	Associate Officer in Washington (P-2) - 50 %	42,500	43,500	44,217	130,217
1301	Personal Assistant to the Executive Secretary (GS-6)	78,000	79,560	81,151	238,711
1302	Secretary to the Deputy Executive Secretary (GS-4) - 50%	30,300	30,906	31,524	92,730
	<b>Sub-total</b>	<b>458,800</b>	<b>468,126</b>	<b>477,335</b>	<b>1,404,261</b>
	<b>PARTNERSHIPS &amp; FUNDRAISING UNIT (PFU)</b>				
1103	Inter-Agency Liaison Officer (P4)	135,000	137,700	140,454	413,154
1104	Associate Partnerships and Fundraising Officer (P2)	85,000	86,700	88,434	260,134
1306	Administrative Assistant (GS-4)	60,600	61,812	63,048	185,460
	<b>Sub-total</b>	<b>280,600</b>	<b>286,212</b>	<b>291,936</b>	<b>858,748</b>
	<b>INFORMATION &amp; CAPACITY BUILDING UNIT (ICBU) - SHARED WITH ASCOBANS &amp; EUROBATS</b>				
1105	Head of Unit (P4)	135,000	137,700	140,454	413,154
1303	Senior Information Assistant (GS-7)	78,000	79,560	81,151	238,711
1304	Secretary (GS-4) - Part time 50%	30,300	30,906	31,524	92,730
1305	Clerk (GS-4)	60,600	61,812	63,048	185,460
	<b>Sub-total</b>	<b>303,900</b>	<b>309,978</b>	<b>316,177</b>	<b>930,055</b>
	<b>SCIENCE, DATA AND MARINE UNIT(SDMU)</b>				
1106	Head of Unit (P4); 85% (15% ASCOBANS)	114,750	117,045	119,386	351,181
1107	Associate Scientific Support Officer (P2)	85,000	86,700	88,434	260,134
1108	Associate Marine Mammals Officer (P2); 25% (75% ASCOBANS)	21,250	21,675	22,109	65,034
1308	Secretary (GS-4), 50%	30,300	30,906	31,524	92,730
	<b>Sub-total</b>	<b>251,300</b>	<b>256,326</b>	<b>261,453</b>	<b>769,079</b>
	<b>POLICY AND AGREEMENTS UNIT (PAU)</b>				
1109	Head of Unit (P4)	135,000	137,700	140,454	413,154
1307	Programme Assistant (GS-5)	60,600	61,812	63,048	185,460

Budget Line	Budget Item	2012	2013	2014	Total
					2012 - 2014
		EUR	EUR	EUR	EUR
1309	Secretary (GS-4), 50%	30,300	30,906	31,524	92,730
	<b>Sub-total</b>	<b>225,900</b>	<b>230,418</b>	<b>235,026</b>	<b>691,344</b>
	<b>PROJECTS/PROGRAMMES</b>				
3304	Saker Falcon Taskforce	10,000	0	0	10,000
	<b>Sub-total</b>	<b>10,000</b>	<b>0</b>	<b>0</b>	<b>10,000</b>
	<b>ADMINISTRATIVE AND FINANCIAL SERVICES UNIT (refer to footnote)</b>				
1112	AFMO (P4)	-	-	-	-
1311	Finance Assistant (GS-6)	-	-	-	-
1312	Finance Assistant (GS-5)	-	-	-	-
1313	Administrative Assistant (GS-5)	-	-	-	-
1314	Administrative Assistant (GS-5)	-	-	-	-
	<b>Sub-total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
	<b>REGIONAL OFFICE IN ASIA</b>				
1111	CMS Senior Advisor and Head of IOSEA (P5) - 20%	19,200	19,200	19,200	57,600
	<b>Sub-total</b>	<b>19,200</b>	<b>19,200</b>	<b>19,200</b>	<b>57,600</b>
	<b>TOTAL SALARY COSTS</b>	<b>1,539,700</b>	<b>1,570,260</b>	<b>1,601,127</b>	<b>4,711,087</b>
	<b>HQ SECRETARIAT COSTS</b>				
1611	Travel: Staff on mission	62,500	62,500	60,047	185,047
4110	Office supplies	5,400	5,508	5,618	16,526
4210	Non-expendable equipment	10,000	10,200	10,404	30,604
5101	IT Equipment	-	-	-	-
5102	IT Services	70,000	71,400	72,828	214,228
5103	Maintenance of computers	-	-	-	-
5104	Maintenance of printers	10,000	10,200	10,404	30,604
5201	Information material and document production	12,500	12,500	12,500	37,500
5311	Communication costs (telephone, fax)	9,000	9,000	9,027	27,027
5312	Postage and courier	7,900	7,900	7,918	23,718
5313	Miscellaneous	3,100	3,162	3,225	9,487
5401	Hospitality	500	500	500	1,500
	<b>TOTAL HQ SECRETARIAT COSTS</b>	<b>190,900</b>	<b>192,870</b>	<b>192,471</b>	<b>576,241</b>

Budget Line	Budget Item	2012	2013	2014	Total
		2012 - 2014			
		EUR	EUR	EUR	EUR
<b>MEETINGS OF SUBSIDIARY BODIES</b>					
1201	Consultancies - Translation	70,000	70,000	87,000	227,000
1202	Consultancies - COP Servicing - (Salary/travel)	-	-	273,000	273,000
1612	COP 11 Travel of CMS Staff	-	-	50,000	50,000
3301	Standing Committee Meetings - Support to delegates	20,400	20,808	-	41,208
3302	Scientific Council Meetings - Support to delegates	-	95,000	-	95,000
	<b>TOTAL COST OF SUBSIDIARY BODIES</b>	<b>90,400</b>	<b>185,808</b>	<b>410,000</b>	<b>686,208</b>
<b>FUTURE SHAPE COSTS</b>					
1203	Website translation - Activity 4.1	8,000	8,000	8,000	24,000
1204	Regional coordinator- Activity 8.1	45,000	45,000	45,000	135,000
1205	Assessment & Monitoring Consultant - Activity 9.1	24,000	24,000	24,000	72,000
1206	MOU Coordination- Activity 10.1	20,000	20,000	20,000	60,000
2201	Subcontract with NGO - Activity 7.1	16,667	16,667	16,667	50,000
2202	Design, translation & publication of web-based CMS training site - Activities 13.1, 13.2	8,454	8,454	8,454	25,362
2203	Development of a new CMS Website	10,000	10,000	10,000	30,000
3303	Working group meetings (Strategic planning) - Activities 6.1, 6.2	25,000	25,000	25,000	75,000
5202	Guidance documents & online tool - Activity 14.1	5,667	5,667	5,667	17,000
	<b>TOTAL FUTURE SHAPE RELATED COSTS</b>	<b>162,787</b>	<b>162,787</b>	<b>162,787</b>	<b>488,362</b>
	<b>TOTAL</b>	<b>1,993,787</b>	<b>2,111,725</b>	<b>2,366,385</b>	<b>6,471,898</b>
	13% PSC	259,192	274,524	307,630	841,347
	<b>GRAND TOTAL</b>	<b>2,252,980</b>	<b>2,386,250</b>	<b>2,674,015</b>	<b>7,313,245</b>
	<b>PREVIOUS TRIENNIUM GRAND TOTAL</b>	<b>2,018,901</b>	<b>2,242,859</b>	<b>2,681,326</b>	<b>6,943,086</b>
	<b>INCREASE / DECREASE</b>				<b>370,159</b>
	<b>% INCREASE / DECREASE</b>				<b>5.33</b>
	Trust Fund balance utilization	(130,000)	(130,000)	(130,000)	(390,000)
	<b>TOTAL TO BE SHARED BY PARTIES</b>	<b>2,122,980</b>	<b>2,256,250</b>	<b>2,544,015</b>	<b>6,923,245</b>

Footnote: The Administrative and Fund Management Unit is paid for by UNEP out of the Programme Support Cost (PSC) hence at no cost to the Secretariat.

**ANNEX II TO RESOLUTION 10.1****ACTIVITIES TO BE FUNDED BY VOLUNTARY CONTRIBUTIONS AS PER FUTURE SHAPE**

Activity/ Budget Item	2012	2013	2014	Voluntary Total
				2012 - 2014
Publicity campaign - Activity 2.2	7,633	7,633	7,633	22,899
Support of existing systems - Activity 3.1	20,000	20,000	20,000	60,000
Translation of CMS Website - Activity 4.1	5,833	5,833	5,833	17,500
Translation of guidance documents - Activity 4.4	3,333	3,333	3,333	10,000
CMS Global GAP analysis - Activities 5.1, 5.3, 16.3	46,833	46,833	46,833	140,500
Partnerships - Activity 8.2	13,333	13,333	13,333	40,000
Implementation Monitoring- Activity 12.5	10,667	10,667	10,667	32,000
Capacity building - Activity 13.1, 13.2	35,000	35,000	35,000	105,000
JPO for Fundraising - Activity 14.1 (*)	85,000	85,000	85,000	255,000
Assessment and Monitoring - Activity 16.1	33,667	33,667	33,667	101,000
Associate Information Officer	0	86,700	88,434	175,134
Development of a new CMS Website	17,500	40,000	40,000	97,500
Development of online reporting system incl. Analytical tool	25,000	25,000	25,000	75,000
<b>TOTAL</b>	<b>303,800</b>	<b>413,000</b>	<b>414,734</b>	<b>1,131,533</b>

(\*) Indicative annual figure for the sponsorship of a JPO (two and a half years by a Party/half from other sources).

**ANNEX III TO RESOLUTION 10.1****ELIGIBILITY FOR SPONSORSHIP FOR CMS MEETINGS**

N°	Party	Proposed rules
		UN Scale in % 2011*
1	Albania	0.010
2	Algeria	0.128
3	Angola	0.010
4	Antigua & Barbuda	0.002
5	Argentina	0.287
6	Armenia	0.005
7	Australia	1.933
8	Austria	0.851
9	Bangladesh	0.010
10	Belarus	0.042
11	Belgium	1.075
12	Benin	0.003
13	Bolivia	0.007
14	Bulgaria	0.038
15	Burkina Faso	0.003
16	Burundi	0.001
17	Cameroon	0.011
18	Cape Verde	0.001
19	Chad	0.002
20	Chile	0.236
21	Congo	0.003
22	Cook Islands	0.001
23	Costa Rica	0.034
24	Cote d'Ivoire	0.010
25	Croatia	0.097
26	Cuba	0.071
27	Cyprus	0.046
28	Czech Republic	0.349
29	Democratic Republic of the Congo	0.003

N°	Party	Proposed rules
		UN Scale in % 2011*
30	Denmark	0.736
31	Djibouti	0.001
32	Ecuador	0.040
33	Egypt	0.094
34	Equatorial Guinea	0.008
35	Eritrea	0.001
36	Estonia	0.040
37	Ethiopia	0.008
38	EU	not applicable
39	Finland	0.566
40	France	6.123
41	Gabon	0.014
42	Gambia	0.001
43	Georgia	0.006
44	Germany	8.018
45	Ghana	0.006
46	Greece	0.691
47	Guinea	0.002
48	Guinea Bissau	0.001
49	Honduras	0.008
50	Hungary	0.291
51	India	0.534
52	Iran, Islamic Republic of	0.233
53	Ireland	0.498
54	Israel	0.384
55	Italy	4.999
56	Jordan	0.014
57	Kazakhstan	0.076
58	Kenya	0.012
59	Latvia	0.038
60	Liberia	0.001
61	Libya	0.129

N°	Party	Proposed rules
		UN Scale in % 2011*
62	Liechtenstein	0.009
63	Lithuania	0.065
64	Luxembourg	0.090
65	Madagascar	0.003
66	Mali	0.003
67	Malta	0.017
68	Mauritania	0.001
69	Mauritius	0.011
70	Monaco	0.003
71	Mongolia	0.002
72	Montenegro	0.004
73	Morocco	0.058
74	Mozambique	0.003
75	Netherlands	1.855
76	New Zealand	0.273
77	Niger	0.002
78	Nigeria	0.078
79	Norway	0.871
80	Pakistan	0.082
81	Palau	0.001
82	Panama	0.022
83	Paraguay	0.007
84	Peru	0.090
85	Philippines	0.090
86	Poland	0.828
87	Portugal	0.511
89	Republic of Moldova	0.002
90	Romania	0.177
91	Rwanda	0.001
92	Samoa	0.001
93	Sao Tome Principe	0.001
94	Saudi Arabia	0.830

N°	Party	Proposed rules
		UN Scale in % 2011*
95	Senegal	0.006
96	Serbia	0.037
97	Seychelles	0.002
98	Slovakia	0.142
99	Slovenia	0.103
100	Somalia	0.001
101	South Africa	0.385
102	Spain	3.177
103	Sri Lanka	0.019
104	Sweden	1.064
105	Switzerland	1.130
106	Syrian Arab Republic	0.025
107	Tajikistan	0.002
108	The FYR of Macedonia	0.007
109	Togo	0.001
110	Tunisia	0.030
111	Uganda	0.006
112	Ukraine	0.087
114	United Kingdom	6.604
113	United Rep. of Tanzania	0.008
114	Uruguay	0.027
115	Uzbekistan	0.010
116	Yemen	0.010

 Parties which are considered eligible for financial support to attend relevant CMS sponsored meetings

 Parties which are considered non-eligible for financial support to attend relevant CMS sponsored meetings

\* UN Scale of Assessment 2010-2012 as adopted by the General Assembly (doc. A/RES/64/248) on 5 February 2010

**ANNEX IV TO RESOLUTION 10.1****SCALE OF CONTRIBUTIONS BY PARTIES TO THE UNEP/CMS TRUST FUND FOR 2012-2014**

N°	Party	UN Scale in %	2012	2013	2014	Total 2012-2014
		2011	EUR	EUR	EUR	EUR
1	Albania	0.010	434	461	520	1,415
2	Algeria	0.128	5,553	5,901	6,654	18,108
3	Angola	0.010	434	461	520	1,415
4	Antigua & Barbuda	0.002	87	92	104	283
5	Argentina	0.287	12,450	13,232	14,919	40,601
6	Armenia	0.005	217	231	260	707
7	Australia	1.933	83,853	89,117	100,483	273,453
8	Austria	0.851	36,916	39,234	44,237	120,387
9	Bangladesh	0.010	434	461	520	1,415
10	Belarus	0.042	1,822	1,936	2,183	5,942
11	Belgium	1.075	46,633	49,561	55,882	152,075
12	Benin	0.003	130	138	156	424
13	Bolivia	0.007	304	323	364	990
14	Bulgaria	0.038	1,648	1,752	1,975	5,376
15	Burkina Faso	0.003	130	138	156	424
16	Burundi	0.001	43	46	52	141
17	Cameroon	0.011	477	507	572	1,556
18	Cape Verde	0.001	43	46	52	141
19	Chad	0.002	87	92	104	283
20	Chile	0.236	10,238	10,880	12,268	33,386
21	Cook Islands	0.001	43	46	52	141
22	Congo	0.003	130	138	156	424
23	Costa Rica	0.034	1,475	1,567	1,767	4,810
24	Cote d'Ivoire	0.010	434	461	520	1,415
25	Croatia	0.097	4,208	4,472	5,042	13,722
26	Cuba	0.071	3,080	3,273	3,691	10,044
27	Cyprus	0.046	1,995	2,121	2,391	6,507
28	Czech Republic	0.349	15,140	16,090	18,142	49,371

N°	Party	UN Scale in %	2012	2013	2014	Total 2012-2014
		2011	EUR	EUR	EUR	EUR
29	Democratic Republic of the Congo	0.003	130	138	156	424
30	Denmark	0.736	31,927	33,932	38,259	104,119
31	Djibouti	0.001	43	46	52	141
32	Ecuador	0.040	1,735	1,844	2,079	5,659
33	Egypt	0.094	4,078	4,334	4,886	13,298
34	Equatorial Guinea	0.008	347	369	416	1,132
35	Eritrea	0.001	43	46	52	141
36	Estonia	0.040	1,735	1,844	2,079	5,659
37	Ethiopia	0.008	347	369	416	1,132
38	Finland	0.566	24,553	26,094	29,422	80,069
39	France	6.123	265,614	282,288	318,291	866,193
40	Gabon	0.014	607	645	728	1,981
41	Gambia	0.001	43	46	52	141
42	Georgia	0.006	260	277	312	849
43	Germany	8.018	347,818	369,653	416,799	1,134,270
44	Ghana	0.006	260	277	312	849
45	Greece	0.691	29,975	31,857	35,920	97,753
46	Guinea	0.002	87	92	104	283
47	Guinea Bissau	0.001	43	46	52	141
48	Honduras	0.008	347	369	416	1,132
49	Hungary	0.291	12,623	13,416	15,127	41,166
50	India	0.534	23,165	24,619	27,759	75,543
51	Iran, Islamic Republic of	0.233	10,107	10,742	12,112	32,961
52	Ireland	0.498	21,603	22,959	25,887	70,450
53	Israel	0.384	16,658	17,703	19,961	54,323
54	Italy	4.999	216,855	230,468	259,862	707,186
55	Jordan	0.014	607	645	728	1,981
56	Kazakhstan	0.076	3,297	3,504	3,951	10,751
57	Kenya	0.012	521	553	624	1,698
58	Latvia	0.038	1,648	1,752	1,975	5,376
59	Liberia	0.001	43	46	52	141

N°	Party	UN Scale in %	2012	2013	2014	Total 2012-2014
		2011	EUR	EUR	EUR	EUR
60	Libya	0.129	5,596	5,947	6,706	18,249
61	Liechtenstein	0.009	390	415	468	1,273
62	Lithuania	0.065	2,820	2,997	3,379	9,195
63	Luxembourg	0.090	3,904	4,149	4,678	12,732
64	Madagascar	0.003	130	138	156	424
65	Mali	0.003	130	138	156	424
66	Malta	0.017	737	784	884	2,405
67	Mauritania	0.001	43	46	52	141
68	Mauritius	0.011	477	507	572	1,556
69	Monaco	0.003	130	138	156	424
70	Mongolia	0.002	87	92	104	283
71	Montenegro	0.004	174	184	208	566
72	Morocco	0.058	2,516	2,674	3,015	8,205
73	Mozambique	0.003	130	138	156	424
74	Netherlands	1.855	80,469	85,521	96,428	262,418
75	New Zealand	0.273	11,843	12,586	14,191	38,620
76	Niger	0.002	87	92	104	283
77	Nigeria	0.078	3,384	3,596	4,055	11,034
78	Norway	0.871	37,784	40,156	45,277	123,216
79	Pakistan	0.082	3,557	3,780	4,263	11,600
80	Palau	0.001	43	46	52	141
81	Panama	0.022	954	1,014	1,144	3,112
82	Paraguay	0.007	304	323	364	990
83	Peru	0.090	3,904	4,149	4,678	12,732
84	Philippines	0.090	3,904	4,149	4,678	12,732
85	Poland	0.828	35,918	38,173	43,042	117,133
86	Portugal	0.511	22,167	23,559	26,563	72,289
87	Republic of Moldova	0.002	87	92	104	283
88	Romania	0.177	7,678	8,160	9,201	25,039
89	Rwanda	0.001	43	46	52	141
90	Samoa	0.001	43	46	52	141

N°	Party	UN Scale in %	2012	2013	2014	Total 2012-2014
		2011	EUR	EUR	EUR	EUR
91	Sao Tome Principe	0.001	43	46	52	141
92	Saudi Arabia	0.830	36,005	38,265	43,146	117,416
93	Senegal	0.006	260	277	312	849
94	Serbia	0.037	1,605	1,706	1,923	5,234
95	Seychelles	0.002	87	92	104	283
96	Slovakia	0.142	6,160	6,547	7,382	20,088
97	Slovenia	0.103	4,468	4,749	5,354	14,571
98	Somalia	0.001	43	46	52	141
99	South Africa	0.385	16,701	17,750	20,013	54,464
100	Spain	3.177	137,817	146,469	165,150	449,436
101	Sri Lanka	0.019	824	876	988	2,688
102	Sweden	1.064	46,156	49,053	55,310	150,519
103	Switzerland	1.130	49,019	52,096	58,741	159,856
104	Syrian Arab Republic	0.025	1,084	1,153	1,300	3,537
105	Tajikistan	0.002	87	92	104	283
106	The FYR of Macedonia	0.007	304	323	364	990
107	Togo	0.001	43	46	52	141
108	Tunisia	0.030	1,301	1,383	1,559	4,244
109	Uganda	0.006	260	277	312	849
110	Ukraine	0.087	3,774	4,011	4,523	12,307
111	United Kingdom	6.604	286,479	304,463	343,295	934,238
112	United Republic of Tanzania	0.008	347	369	416	1,132
113	Uruguay	0.027	1,171	1,245	1,404	3,820
114	Uzbekistan	0.010	434	461	520	1,415
115	Yemen	0.010	434	461	520	1,415
	<b>subtotal</b>	<b>47.716</b>	<b>2,069,905</b>	<b>2,199,843</b>	<b>2,480,415</b>	<b>6,750,164</b>
116	EU		53,074	56,406	63,600	173,081
	<b>GRAND TOTAL</b>		<b>2,122,980</b>	<b>2,256,250</b>	<b>2,544,015</b>	<b>6,923,245</b>

**ANNEX V TO RESOLUTION 10.1****TERMS OF REFERENCE FOR THE ADMINISTRATION OF THE TRUST FUND  
FOR THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES  
OF WILD ANIMALS**

1. The Trust Fund for the Convention on the Conservation of Migratory Species of Wild Animals (hereinafter referred to as the Trust Fund) shall be continued for a period of three years to provide financial support for the aims of the Convention.
2. The financial period shall be three calendar years beginning 1 January 2012 and ending 31 December 2014, subject to the approval of the Governing Council of UNEP.
3. The Trust Fund shall continue to be administered by the Executive Director of the United Nations Environment Programme (UNEP).
4. The administration of the Trust Fund shall be governed by the Financial Regulations and Rules of the United Nations, the Staff Regulations and Rules of the United Nations and other administrative policies or procedures promulgated by the Secretary-General of the United Nations.
5. In accordance with United Nations rules, UNEP shall deduct from the income of the Trust Fund an administrative charge equal to 13 percent of the expenditure charged to the Trust Fund in respect of activities financed under the Trust Fund.
6. The financial resources of the Trust Fund for 2012-2014 shall be derived from:
  - (a) The contributions made by the Parties by reference to Annex II, including contributions from any new Parties; and
  - (b) Further contributions from Parties and contributions from States not Parties to the Convention, other governmental, intergovernmental and non-governmental organizations and other sources.
7. All contributions to the Trust Fund shall be paid in Euros. For contributions from States that become Parties after the beginning of the financial period, the initial contribution (from the first day of the third month after deposit of the instrument of ratification, acceptance or accession till the end of the financial period) shall be determined pro rata based on the contributions of other States Parties on the same level as the United Nations scale of assessment, as it applies from time to time. However, if the contribution of a new Party determined on this basis were to be more than 22 percent of the budget, the contribution of that Party shall be 22 percent of the budget for the financial year of joining (or pro rata for a partial year). The scale of contributions for all Parties shall then be revised by the Secretariat on 1 January of the next year. Contributions shall be paid in annual instalments. Contributions shall be due on 1 January 2012, 2013 and 2014.

8. Contributions shall be paid into the following accounts:

(a) Contributions in Euros:

UNEP Euro Account  
Account No. 6161603755  
J.P. Morgan AG  
Junghofstrasse 14  
60311 Frankfurt/Main, Germany  
Bank code number 501 108 00  
SWIFT No. CHASDEFX  
IBAN: DE 565011080061616 03755

(b) Contributions in US Dollars:

UNEP Trust Fund  
Account No. 485 002 809  
J.P. Morgan Chase  
International Agencies Banking Division  
270 Park Avenue 43rd Floor  
New York, N.Y. 10017, USA  
Wire transfers: Chase ABA number 021000021  
SWIFT number BIC-CHASUS33, or  
CHIPS participant number 0002

9. For the convenience of the Parties, for each of the years of the financial period the Executive Director of UNEP shall as soon as possible notify the Parties to the Convention of their assessed contributions.

10. Contributions received into the Trust Fund that are not immediately required to finance activities shall be invested at the discretion of the United Nations, and any income shall be credited to the Trust Fund.

11. The Trust Fund shall be subject to audit by the United Nations Board of Auditors.

12. Budget estimates covering the income and expenditure for each of the three calendar years constituting the financial period, prepared in Euros (with dollar equivalents), shall be submitted to the meeting of the Conference of the Parties to the Convention.

13. The estimates for each of the calendar years covered by the financial period shall be divided into sections and objects of expenditure, shall be specified according to budget lines, shall include references to the programmes of work to which they relate, and shall be accompanied by such information as may be required by or on behalf of the contributors and such further information as the Executive Director of UNEP may deem useful and advisable. In particular, estimates shall also be prepared for each programme of work for each of the calendar years, with expenditures itemized for each programme so as to correspond to the sections, objects of expenditure and budget lines described in the first sentence of the present paragraph.

14. The proposed budget, including all necessary information, shall be dispatched by the Secretariat to all Parties at least 90 days before the date fixed for the opening of the ordinary meeting of the Conference of the Parties at which they are to be considered.
15. The budget shall be adopted by unanimous vote of the Parties present and voting at that Conference of the Parties.
16. In the event that the Executive Director of UNEP anticipates that there might be a shortfall in resources over the financial period as a whole, the Executive Director shall consult with the Secretariat, which shall seek the advice of the Standing Committee as to its priorities for expenditure.
17. Commitments against the resources of the Trust Fund may be made only if they are covered by the necessary income of the Convention.
18. Upon the request of the Secretariat of the Convention, after seeking the advice of the Standing Committee, the Executive Director of UNEP should, to the extent consistent with the Financial Regulations and Rules of the United Nations, make transfers from one budget line to another. At the end of the first calendar year of the financial period, the Executive Director of UNEP may proceed to transfer any unspent balance of appropriations to the second calendar year, provided that the total budget approved by the Parties shall not be exceeded, unless specifically sanctioned in writing by the Standing Committee.
19. At the end of each calendar year of the financial period<sup>†</sup> the Executive Director of UNEP shall submit to the Parties, through the UNEP/CMS Secretariat, the year-end accounts. The Executive Director shall also submit, as soon as practicable, the audited accounts for the financial period. Those accounts shall include full details of actual expenditure compared to the original provisions for each budget line.
20. Those financial reports required to be submitted by the Executive Director of UNEP shall be transmitted simultaneously by the Secretariat of the Convention to the members of the Standing Committee.
21. The Secretariat of the Convention shall provide the Standing Committee with an estimate of proposed expenditures over the coming year simultaneously with, or as soon as possible after, distribution of the accounts and reports referred to in the preceding paragraphs.
22. The present terms of reference shall be effective from 1 January 2012 to 31 December 2014.

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<sup>†</sup> The calendar year 1 January to 31 December is the accounting and financial year, but the account's official closure date is 31 March of the following year. Thus, on 31 March the accounts of the previous year must be closed, and, it is only then that the Executive Director may submit the accounts of the previous calendar year.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: GENERAL

UNEP/CMS/Resolution 10.2

Original: English

***MODUS OPERANDI FOR CONSERVATION EMERGENCIES***

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Acknowledging* that the Convention foresees in its text, Article V.5 (m), the provision for “emergency procedures whereby conservation action would be considerably and rapidly strengthened when the conservation status of the migratory species is seriously affected”;

*Considering* that CMS has in the past addressed emergencies, such as the 1997 mass mortality in the monk seal (*Monachus monachus*) colony in the Cap Blanc peninsula on the north-west coast of Africa, the outbreak of Highly Pathogenic Avian Influenza (H5N1) affecting migratory birds in Asia, Europe and Africa, and the 2010 die-off of 12,000 Saiga antelopes (*Saiga tatarica*) in Kazakhstan;

*Noting* that in the above-mentioned cases the CMS Secretariat facilitated awareness raising, fundraising and the coordination of emergency procedures by bringing relevant stakeholders together;

*Recognizing* that successful emergency response is dependent on a fast and detailed assessment of the situation on the ground, including adequate resources, to guide follow-up activities;

*Noting* that the Secretariat continues to play an important role in bringing together authorities responsible for species management, technical experts from other disciplines and other relevant stakeholders across national borders in order to resolve conservation crises affecting migratory species;

*Acknowledging* that the CMS Secretariat is not a dedicated disaster relief agency but that it can, as appropriate, play a facilitation role, as well as a proactive role, in resolving conservation emergencies when requested by Range State Parties to assist;

*Taking note* that there are a number of relevant crisis management mechanisms, such as the one on animal disease under the FAO and the standards operated by the World Organization for Animal Health (OIE);

*Defining* an emergency in the context of CMS to be a situation that has resulted or is likely to result in an irregular or sudden reduction in numbers or range size and deterioration of ecological integrity and health of one or more populations of a CMS-listed species;

*Noting* that for a number of species there is a lack of relevant scientific information to enable decisions on emergency response;

*Recognizing* that a situation requires intervention when events such as natural phenomena (disease outbreaks, plant poisoning, or periods of exceptionally cold weather or prolonged drought); or anthropogenic disasters (environmental contamination and poisoning, including oil spills, pesticide or industrial run-off) have been observed, projected or inferred, which are known to lead to a considerable deterioration in the conservation status of migratory species; and

*Recalling* the recommendation of the 16<sup>th</sup> Meeting of the CMS Scientific Council to establish a *modus operandi* as outlined in document UNEP/CMS/ScC16/Doc.13;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Decides* that an emergency response shall be set in train only when at least one CMS Party or the High Seas are affected. Non-Parties, however, may be considered in exceptional circumstances;
2. *Instructs* the CMS Secretariat to apply the steps to emergency response outlined in the Annex, as appropriate;
3. *Calls on* Parties to contribute on a voluntary basis towards the implementation of the emergency *modus operandi*;
4. *Instructs* the Secretariat to identify UN agencies, IGOs, NGOs, industry and other relevant agencies that may be able to respond to emergencies affecting migratory species and their habitats;
5. *Requests* CMS Parties, Parties to and Signatories of CMS instruments, the Scientific Council and advisory bodies of other Multilateral Environmental Agreements to assist each other and the CMS Secretariat in coordinating emergency responses with the aim of improving the conservation status of the populations affected as outlined above; and
6. *Invites* the FAO, the Group on Wildlife Diseases of the Organization for Animal Health (OIE), the Scientific Task Force on Wildlife and Ecosystem Health and the Secretariats of relevant Multilateral Environmental Agreements to collaborate closely and make available their expertise to CMS in order to address conservation emergencies effectively, as outlined above.

## Annex

### Steps for Emergency Response

- a. Immediately review available information and contact relevant focal points, agreement contact points, Scientific Councillors, technical experts (such as FAO EMPRES Wildlife Health and Ecology Unit, Scientific Task Force on Wildlife and Ecosystem Health, IUCN Wildlife Health Specialist Group, OIE Working Group on Wildlife Disease) and other stakeholders.
- b. Report the unofficial event information to the Wildlife Health Event Reporter (WHER).
- c. Notify appointed Scientific Councillors on the specific taxonomic group, region and/or theme, the Chair of the Scientific Council, the Chair of the Standing Committee and regional representatives of the Standing Committee.
- d. Establish an emergency response group composed, as appropriate, of CMS and other relevant focal points and Scientific Councillors in the country or countries affected, appointed Scientific Councillors on the specific taxonomic group, region, and/or theme and experts in the species and/or issue, as well as other relevant stakeholders, e.g. NGOs and scientists.
- e. Engage and notify relevant crisis management mechanisms and relief agencies.
- f. Call for one or several teleconferences of the emergency response group to assess the situation and coordinate next steps.
- g. Dispatch an emergency mission team to the area upon the invitation of the Range States affected, recommendation by experts and instruction of the CMS Secretariat.
- h. Maintain regular contact with the emergency mission team in order to assess the situation further and disseminate new information, if possible.
- i. Initiate fundraising aimed at relieving the emergency by seeking support from UNEP, Parties, IGOs, NGOs and other relevant donors.
- j. Widely disseminate the results of the emergency mission team immediately after its return from the area of the emergency and follow up on resulting decisions of the emergency response group, for example by notifying Parties and relevant stakeholders (e.g. through the Standing Committee) and by assisting stakeholders in implementing mitigation measures.



## **CONVENTION ON MIGRATORY SPECIES**

Distr: GENERAL

UNEP/CMS/Resolution 10.3

Original: English

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### **THE ROLE OF ECOLOGICAL NETWORKS IN THE CONSERVATION OF MIGRATORY SPECIES**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

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*Recognizing* that habitat destruction and fragmentation are among the primary threats to migratory species, and that the identification and conservation of habitats of appropriate quality, extent, distribution and connectivity are thus of paramount importance for the conservation of these species in both the terrestrial and marine environments;

*Recognizing in particular* that opportunities for dispersal, migration and genetic exchange among wild animals depend on the quality, extent, distribution and connectivity of relevant habitats, which support both the normal cycles of these animals and their resilience to change, including climate change;

*Further recognizing* that sites that perform a critical role in a wider system, such as core areas, corridors, restoration areas and buffer zones, may be linked by strategies that, through a concept of ecological networks, address habitat fragmentation and other threats to migratory species;

*Considering* that the designation of protected areas across very large areas is not always possible and that additional wider landscape measures usually need to be applied in order to address and mitigate anthropogenic changes at the wider landscape scale;

*Acknowledging* that the practical approach to the identification, designation, protection and management of critical sites will vary from one taxonomic group to another or even from species to species, and that the flyway approach provides a useful framework to address habitat conservation and species protection for migratory birds along migration routes;

*Further acknowledging* that flyways constitute a specific type of migration corridor, that migratory birds depend on widely separated areas for their survival, and that measures designed to conserve these networks should focus on the breeding grounds, stop-over sites, non-breeding areas and feeding and nesting places;

*Noting* that the Convention text makes specific reference to habitat conservation, for example in Article III.4, Article V.5e and Article VIII.5e;

*Aware* that several initiatives aimed at promoting ecological networks are in existence already at different scales, including bird flyway initiatives, protected area programmes under the auspices of relevant Multilateral Environmental Agreements, and initiatives that extend to areas that are not protected;

*Further aware* that the success of many of these initiatives and programmes depends fundamentally on, *inter alia*, effective international cooperation, including transboundary cooperation, among governments, different conventions, Non Governmental Organizations (NGOs) and other actors;

*Considering* that migratory species merit particular attention in designing and implementing initiatives aimed at promoting ecological networks, in order to ensure that the areas selected are sufficient to meet the needs of such species throughout their life cycles and migratory ranges;

*Recalling* Target 11 of the Aichi Biodiversity Targets 2020 approved by the Convention on Biological Diversity in 2010, which states “By 2020, at least 17 per cent of terrestrial and inland water, and 10 percent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes”, is especially relevant for the conservation of terrestrial and marine migratory species;

*Acknowledging* that functional networks of habitats encompassing full regional variation can assist migratory species in adapting to climate change in line with Resolution 10.19 and can strengthen conservation strategies where the response of species to climate change is uncertain;

*Also acknowledging* that marine species habitat is not a stationary resource for many coastal species and most oceanic species listed on the CMS Appendices;

*Further acknowledging* that processes, workshops and tools are underway within the Convention on Biological Diversity that can assist in identifying habitats important for the lifecycles of migratory marine species listed under CMS Appendices;

*Aware* of the importance for the conservation of migratory species of integrating approaches to ecological networks in national environmental planning, including plans currently being developed under the auspices of other Multilateral Environmental Agreements, such as National Biodiversity Strategies and Action Plans (under the Convention on Biological Diversity), as recognized by UNEP/CMS/Resolution 10.18, and National Adaptation Plans (under the United Nations Framework Convention on Climate Change);

*Also aware* of the importance of promoting cooperation through the competent international and regional organizations where appropriate to seek the adoption of conservation measures to support ecological networks in the marine environment;

*Welcoming* the progress described in Document UNEP/CMS/Conf.10.33 on bird flyway conservation policy, as well as Resolution UNEP/CMS/10.10 on guidance on global flyway conservation and options for policy arrangements;

*Recognizing* the increasing number of national and regional migratory species-related networks globally and *welcoming* the two CMS-linked ecological networks to promote conservation of migratory waterbirds and their habitats: the Western/Central Asian Site Network for the Siberian Crane and other Migratory Waterbirds under the UNEP/GEF Siberian Crane Wetland Project to further implement the MOU concerning the Siberian Crane, as an important step to establish a network to protect migratory waterbirds in this region, and the East Asian - Australasian Flyway Partnership and its East Asian – Australasian Flyway Site Network (as recognized by Res.9.2 and UNEP/CMS/Resolution 10.10);

*Noting with pleasure* the widespread recognition of the recently developed Critical Site Network Tool under the African-Eurasian Flyways GEF Project, also known as Wings over Wetlands, as an innovative and effective instrument for underpinning the management of important sites for waterbirds in the African-Eurasian Waterbird Agreement area, and which, *inter alia*, sets those sites in their flyway context;

*Welcoming* global databases such as MoveBank which make tracking data available to conservation planners and to the public, and which are likely to assist in the identification of critical conservation sites; and

*Acknowledging* that the ability to track small animals globally will greatly enhance the knowledge base for informed conservation decision making, and that this could be achieved by new space-borne global tracking initiatives such as ICARUS (International Cooperation for Animal Research Using Space), planned for implementation on the International Space Station by the European Space Agency (ESA);

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Convention on the Conservation of Migratory Species of Wild Animals*

1. *Calls on* Parties and Signatories of CMS Memoranda of Understanding to consider the network approach in the implementation of existing CMS instruments and initiatives;
2. *Encourages* Parties and other Range States, when identifying areas of importance to migratory terrestrial, avian and aquatic species, to take into account and make explicit by description, schematic maps or conceptual models the relationship between those areas and other areas which may be ecologically linked to them, in physical terms, for example as connecting corridors, or in other ecological terms, for example as breeding areas related to non-breeding areas, stopover sites, feeding and resting places;
3. *Invites* Parties and other Range States and relevant organizations to collaborate to identify, designate and maintain comprehensive and coherent ecological networks of protected sites and other adequately managed sites of international and national importance for migratory animals while taking into account resilience to change, including climate change, and existing ecological networks;

4. *Urges* Parties and other Range States and partners to make full use of all existing complementary tools and mechanisms for the identification and designation of critical sites and site networks for migratory species and populations, including through further designation of Wetlands of International Importance (Ramsar Sites) for migratory waterbirds and other migratory wetland-dependent taxa;
5. *Highlights* the added value of developing ecological networks under CMS where no other network instruments are available, as for example with the West Central Asian Flyway Site Network and the East Asian-Australasian Flyway Site Network, and *urges* Parties and *invites* Range States to strengthen management of existing network sites and their further development through designation and management of additional sites;
6. *Further encourages* Parties and relevant organizations, when implementing systems of protected areas, and other relevant site- and area-based conservation measures, to:
  - (i) select areas in such a way as to address the needs of migratory species as far as possible throughout their life cycles and migratory ranges;
  - (ii) set network-scale objectives for the conservation of these species within such systems, including by restoration of fragmented and degraded habitats and removal of barriers to migration; and
  - (iii) cooperate internationally for the achievement of such objectives;
7. *Invites* Parties, in collaboration with other Multilateral Environment Agreements (MEAs), NGOs and other stakeholders, as appropriate, to enhance the quality, monitoring, management, extent, distribution and connectivity of terrestrial and aquatic protected areas, including marine areas, in accordance with international law including UNCLOS, so as to address as effectively as possible the needs of migratory species throughout their life cycles and migratory ranges, including their need for habitat areas that offer resilience to change, including climate change, taking into account the wider landscape and seascape;
8. *Further invites* Parties and other States as well as relevant international fora, as appropriate, to explore the applicability of ecological networks to marine migratory species, especially those that are under pressure from human activities such as over exploitation, oil and gas exploration/exploitation, fisheries and coastal development;
9. *Requests* the Scientific Council, in conjunction with the Secretariat and in consultation with relevant organizations and key stakeholders, to conduct a strategic review to:
  - (i) assess the extent to which and the manner in which existing major protected area systems and initiatives aimed at promoting ecological networks address the needs of migratory species throughout their life cycles and migratory ranges, including the issue of resilience to climate change and taking into account the significant difference in ecology and behaviour between terrestrial and aquatic species;
  - (ii) identify among CMS Agreements and other CMS instruments the current use and potential future use of ecological network concepts and approaches;

- (iii) identify opportunities for enhancing the effectiveness of and synergies between relevant initiatives and programmes on protected areas and ecological networks in respect of the conservation needs of migratory species; and
- (iv) report the results, including recommendations, to the Conference of the Parties at its eleventh Meeting;

10. *Requests* the Secretariat to compile existing case studies that are relevant to migratory species representative of the different taxonomic groups and/or groups related to major ecosystem types and report the results, including recommendations, to the Conference of the Parties at its eleventh meeting to illustrate the practical application of the approaches described in the present Resolution and to support the sharing of experience among Parties;

11. *Further requests* the Secretariat, subject to availability of resources, to work with Parties and the Scientific Council and other international and regional organizations, including the Convention on Biological Diversity, in organizing regional and sub-regional workshops to promote the conservation and management of critical sites and ecological networks among Parties;

12. *Requests* Parties and *invites* relevant funding agencies to provide adequate, predictable and timely financial support for the work of the Scientific Council and the Secretariat in pursuit of the work defined in the present Resolution;

13. *Invites* the Global Environment Facility (GEF) in making its funding disbursement decisions to give support to activities that will assist in taking forward the areas of work defined in the present Resolution, in particular, to support improved habitat management at the site level through the use of tools and resources developed specifically for the conservation of migratory species in their flyway, migratory path or ecological network context, and to support the sharing of information and experience;

14. *Calls on* MEAs, other intergovernmental organizations and relevant Non-Governmental Organizations to support the implementation of the present Resolution, including by sharing information and by collaborating in the technical work described above;

15. *Urges* Parties, the scientific community and other organizations to support the use of existing databases for research aimed at scientifically based conservation decisions within the CMS framework and other policy fora; and

16. *Urges* CMS National Focal Points and Scientific Councillors to work closely with relevant organizations such as the European Space Agency and its Focal Points to support new technology developments such as the ICARUS experiment to track the movement and fate of migratory animals globally.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: GENERAL

UNEP/CMS/Resolution 10.4

Original: English

**MARINE DEBRIS**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

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*Concerned* that marine debris negatively impacts substantial numbers of migratory marine wildlife, including many species of birds, turtles, sharks and marine mammals that are threatened with extinction;

*Aware* that mortality of migratory species may occur through ingestion, entanglement or by encountering marine debris in marine and coastal areas;

*Noting* that concerted effort needs to be made in upstream locations and estuaries and other systems where marine debris can enter the marine and coastal environment and impact upon migratory species listed under the Convention;

*Recognizing* Resolution 60/30, Oceans and the law of the sea, adopted by the United Nations General Assembly which emphasizes the importance of protecting and preserving the marine environment and its living marine resources against pollution and physical degradation;

*Further recognizing* that there are many regional and other international instruments addressing the issue of marine debris within their regions;

*Noting* the recent formulation of the Honolulu Commitment and the ongoing development of the Honolulu Strategy which aims to reduce the impacts of marine debris over the next ten years;

*Further noting* the recent adoption by the International Maritime Organization of amendments to Annex V “Prevention of Pollution by Garbage from Ships” of the International Convention for the Prevention of Pollution from Ships (MARPOL) which will prohibit the discharge of all garbage from ships into the sea from 1 January 2013, except in very limited circumstances; and

*Acknowledging* actions undertaken by States to reduce the negative impacts of marine debris in waters within their jurisdiction;

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Convention on the Conservation of Migratory Species of Wild Animals*

1. *Considers* marine debris to include any anthropogenic, manufactured or processed solid material, irrespective of its size, discarded, disposed of or abandoned in the environment, including all materials discarded into the sea, on the shore, or brought indirectly to the sea by rivers, sewage, storm water or winds;
2. *Encourages* Parties to identify coastal and oceanic locations where marine debris aggregates to identify any potential areas of concern;
3. *Further encourages* Parties to work collaboratively with regional neighbours to identify and address the sources and impacts of marine debris, acknowledging that marine debris is not constrained by sovereign borders;
4. *Requests* the CMS Secretariat to ask related agreements that may have access to data on the potential or actual impacts of marine debris on marine species to provide this information to the Scientific Council before the 11th or subsequent Conference of the Parties;
5. *Recommends* that Parties develop and implement their own national plans of action which should address the negative impacts of marine debris in waters within their jurisdiction, and which could also elaborate the benefits of establishing domestic programmes for the management of marine debris, particularly in relation to lost, abandoned, and otherwise discarded fishing gear and the problems of ghost fishing that arise from these;
6. *Requests* that Parties provide available information on the amounts, impacts and sources of marine debris in waters within their jurisdiction on marine species listed on Appendix I and II of the Convention in their National Reports;
7. *Encourages* Parties and organizations to support the efforts of Parties with limited resources in the development and implementation of their national plans of action for marine debris;
8. *Instructs* the Scientific Council to:
  - (a) identify knowledge gaps in the management of marine debris and its impacts on migratory species;
  - (b) identify best practice strategies for waste management used on board commercial marine vessels, taking into account the extensive work being undertaken by the International Maritime Organization, FAO and the International Standards Organization to avoid duplication, identify existing codes of conduct and determine the need for the improvement and/or development of new codes of conduct;
  - (c) facilitate an analysis of the effectiveness of current public awareness and education campaigns to identify gaps and areas for improvement; and
  - (d) report progress and developments to the Conference of Parties as appropriate; and
9. *Further requests* the Secretariat, subject to availability of resources, to foster linkages with relevant regional and other international instruments, such as IMO, FAO, UNEP regional seas conventions and other fora, to promote synergies, to avoid duplication, and to maximize efforts to reduce the impact of marine debris on migratory species.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/Resolution 10.5

Original: English

**CMS STRATEGIC PLAN 2015–2023**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Recalling* Res.8.2 whereby the Strategic Plan for the Convention on the Conservation of Migratory Species of Wild Animals (2006-2011) was adopted;

*Aware* that the 38<sup>th</sup> meeting of the Standing Committee decided that the Conference of the Parties at its 10<sup>th</sup> Meeting should consider updating the current Strategic Plan to cover the next three-year period (2012-2014) without making substantive changes;

*Taking into account* that this decision would allow gaining sufficient time to elaborate the Strategic Plan for 2015-2023 to be submitted to COP11 in 2014 on the basis of the final outcome of the Future Shape process and on the results and recommendations of the assessment of the status of implementation of the 2006-2011 Plan by the Contracting Parties, Partner Organizations and the CMS Secretariat;

*Noting* the draft updated version of the current Strategic Plan for the period 2012-2014 (UNEP/CMS/Doc.10.22);

*Recalling* Decision X/20 of the Conference of the Parties to the Convention on Biological Diversity in which CMS is recognized as the lead partner in the conservation and sustainable use of migratory species over their entire range;

*Further recalling* Decision X/2 of the Conference of the Parties to the Convention on Biological Diversity by which the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets were adopted, and which invited the UN Environment Management Group (EMG) to identify measures for effective and efficient implementation of the Strategic Plan across the United Nations system;

*Noting* that Decision X/2 of the Conference of the Parties to the Convention on Biological Diversity urged Parties and other governments to support the updating of National Biodiversity Strategies and Action Plans (NBSAPs) as effective instruments to promote the implementation of the Strategic Plan and mainstreaming of biodiversity at the national level, taking into account synergies among the biodiversity-related conventions in a manner consistent with their respective mandates;

*Also noting* Resolution 14.2 of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES) (The Hague, 2007), which contains the CITES Strategic Vision 2008-2013;

*Also noting* Resolution X.1 of the Conference of the Parties to the Ramsar Convention (Changwon, 2008) which adopted the Ramsar Strategic Plan 2009-2015; and

*Taking note* of the Secretariat's report reviewing the implementation of the CMS Strategic Plan (document UNEP/CMS/Conf.10.21);

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Welcomes* the updated CMS Strategic Plan 2006-2014 annexed to this Resolution;
2. *Decides* to develop a new Strategic Plan for the period 2015-2023 and *confirms* the need for intersessional work on its elaboration;
3. *Decides* to set up a Working Group with the task of drafting the next Strategic Plan 2015-2023 for consideration by the Conference of the Parties at its 11<sup>th</sup> Meeting, and *requests* the Working Group to submit a progress report to the 40<sup>th</sup> Meeting of the Standing Committee. The Terms of Reference of the Strategic Plan Working Group are annexed to this Resolution;
4. *Instructs* the Secretariat to undertake the necessary preparations, including by drawing on material prepared as part of the Future Shape process and by identifying possible elements for a new Strategic Plan, to feed in to and complement the efforts of the Working Group;
5. *Invites* the UN Environment Management Group, through its Issue Management Group on Biodiversity, to consider issues related to migratory species when identifying opportunities for cooperation and mainstreaming biodiversity into the relevant policy sectors in support of an effective and efficient implementation of the Strategic Plan for Biodiversity across the United Nations system; and
6. *Requests* UNEP, Parties and multilateral donors to provide financial assistance for the implementation of this Resolution.

## ANNEX 1

**TERMS OF REFERENCE OF THE STRATEGIC PLAN WORKING GROUP****Objectives**

1. The main objective of the Working Group will be to elaborate the CMS Strategic Plan for the period 2015-2023. The new Strategic Plan will be presented for adoption at COP11.
2. To this end, the Working Group will take into account the Strategic Plan for the period 2006-2011 and its updated version to 2014. It will also take into account the conclusions of COP10 on the Future Shape of the Convention, especially with respect to priorities chosen and the activities outlined in the option chosen.
3. The Working Group will further take into account the Strategic Plan for Biodiversity for the period 2011-2020 and in particular its Aichi targets, as adopted by the Conference of the Parties to the Convention on Biological Diversity, as well as the strategic documents of other global biodiversity-related MEAs and any other relevant documents that the Working Group may consider appropriate.
4. The Working Group will consider and propose a procedure for the assessment of the status of implementation of the Strategic Plan 2015-2023 by Parties as well as organizations which are partners of CMS.
5. The Working Group will keep the Standing Committee informed of its work through reports to each of the meetings of the Committee, and will present its initial findings to the Standing Committee in 2012.

**Composition of the Working Group**

6. The Working Group shall be composed of Parties to the Convention on the basis of the same regions as the Standing Committee, with a maximum of two representatives per region. The regional groups will select their representatives based on their experience of the subject of the **CMS Strategic Plan** and their knowledge of the CMS and its family. The Chairs of the Standing Committee and the Scientific Council shall be ex-officio members of the Working Group. Partner organizations and relevant MEA Secretariats will also be invited to be non-voting members of the Group.
7. Contracting Parties shall be consulted by their regional representatives at each step of the process.
8. To have a CMS Strategic Plan in which the work of the CMS Family is included as much as possible while respecting the mandate of each individual instrument, the Working Group will invite the views of and work in cooperation with the whole CMS Family. The Secretariats as well as the Chairs of the relevant bodies of other relevant MEAs will also be consulted.
9. The composition of the Working Group shall be agreed upon under the responsibility of the CMS Standing Committee no later than one month after the end of COP10.

10. The Chair and Vice-Chair shall be chosen among the members of the Working Group under the responsibility of the CMS Standing Committee no later than two months after the end of COP10.

11. The work of the Working Group will be facilitated by the CMS Secretariat.

**ANNEX 2**

**CONVENTION ON THE CONSERVATION  
OF  
MIGRATORY SPECIES OF WILD ANIMALS**

**UPDATED STRATEGIC PLAN 2006–2014**

This is an extended version of the Strategic Plan 2006-2011 to cover the triennium 2012-2014 until COP11

1. INTRODUCTION
2. THE ISSUE
3. THE ROLE OF CMS
4. STRATEGIC PLAN 2006–2014
5. IMPLEMENTATION
6. LOGICAL FRAMEWORK TABLE

## **1. INTRODUCTION**

1. The Convention on Migratory Species (CMS) marked its thirtieth Anniversary in 2009. As one of the first biodiversity-related Conventions, which came into force long before the more comprehensive Convention on Biological Diversity (CBD), it has played, under the auspices of the United Nations Environment Programme (UNEP), a pioneering role in promoting and initiating collaborative conservation and management action on migratory animal species of which “a proportion cyclically and predictably cross one or more national jurisdictional boundaries” (Article I). The phenomenon of those migrations is a unique part of the global natural heritage which can be conserved only through the joint efforts of all nations.

2. This Updated Strategic Plan aims to set the general goal, objectives and targets for the nine years from 2006 to 2014 to ensure a coherent and strategic approach to the Convention’s implementation at national, regional and global levels. The current Strategic Plan 2006-2011 is being extended because the outcome of the Future Shape process will not be known until COP10 and it would not be reasonable to elaborate a new Plan without that input.

3. The extended period covered by the Strategic Plan partly includes a significant target date set by the international community at the Tenth Meeting of the CBD Conference of the Parties, when, in Nagoya (Japan), Ministers responsible for CBD implementation resolved to strengthen their efforts to put in place measures to halt biodiversity loss at the global, regional, sub-regional and national levels by the year 2020. That target was also reflected in Decision X/2 which adopted “The Strategic Plan for Biodiversity 2011-2020” and the Aichi Biodiversity Targets, which include the CBD Strategic Plan’s mission statement: “to take effective and urgent action to halt the loss of biodiversity in order to ensure that by 2020 ecosystems are resilient and continue to provide essential services, thereby securing the planet’s variety of life, and contributing to human well-being and poverty eradication. To ensure this, pressures on biodiversity are reduced, ecosystems are restored, biological resources are sustainably used and benefits arising out of utilization of genetic resources are shared on a fair and equitable manner; adequate financial resources are provided, capacities are enhanced, biodiversity issues and values mainstreamed, appropriate policies are effectively implemented, and decision making is based on sound science and the precautionary approach”. The Updated CMS Strategic Plan, together with future associated implementation plans for the various CMS bodies, represents the Convention’s planned contribution to achieving the 2020 targets and seeks to ensure that the benefits of migratory species to ecosystems and human well-being will continue for present and future generations.

## **2. THE ISSUE**

### **2.1 What is special about migratory species?**

4. Migratory animals are special components of the world’s ecosystems. They range from antelopes to fish, from whales to elephants, from bats to birds and butterflies. While, like all species, they make a great variety of vital contributions to the functioning of the ecosystems in which they live, their movements over short or long distances represent a unique global ecological feature which has many implications for their value as a natural resource as well as for their conservation. Migratory animals are in principle “part-time” components of ecosystems, where they fulfil important seasonal ecological functions: they may serve as a crucial food resource for non-migratory species in those areas, they may act as pollinators and seed distributors, or they may themselves exploit seasonally abundant local food resources, thereby contributing to the biological balance of a local ecosystem.

### **2.2 The importance of migratory species for people**

5. There are also many human communities that rely on the regular influx of migratory animals. In various parts of the world they provide the basis for subsistence, recreational and commercial hunting and fishing activities, often serving as an important basis for the livelihoods of communities. In many instances, migratory animals represent a shared, seasonally predictable resource for human communities far apart. The use of that resource by one community might greatly influence its availability to people in another, distant location.

6. Because of their migratory habits and the diversity of environments that they occupy over shorter or longer periods, many migratory animals are sensitive indicators of environmental change. They may link the impact of human-induced environmental modifications in widely separate regions, such as the well known example of toxic pesticides being found in the tissues of Antarctic animals.

7. Migratory species have great significance in many cultures, in legends, stories, religions and medicine. For many people, the regular comings and goings of migratory animals are a powerful symbolic sign of the seasonality of nature and the passing of yearly cycles. More recently, spectacular gatherings of seasonal migrants have become prime attractions for nature tourists such as bird-, turtle- and whale-watchers.

### **2.3 Increasing threats to migratory species**

8. In line with its impacts on biodiversity in general, human pressure on migratory animals and their habitats is often intense. That pressure can lead to particularly strong negative impacts on the populations of migratory animals as large numbers of individuals concentrate at certain traditionally used sites. Unsustainable hunting and fishing practices, and also incidental capture in fisheries, for example, result in heavy impacts on many species. Destruction or modification of wetlands, forests and grasslands removes food and shelter vital to their life. The introduction of alien species and the harmful effects of industrial and agricultural pollutants are further risks.

9. Recent scientific work also suggests that climate change is also likely to have an impact on migratory species. Many habitats important for migratory species may be profoundly changed, with traditional migratory patterns disrupted or altered as a result. The status of certain species could be seriously affected. The ongoing desertification of semi-arid areas, most notably in the Sahelo-Saharan zone, is also believed to have an increasing negative impact on some long-distance migratory birds and some terrestrial migratory mammals.

10. Barriers to migration such as dams, fences, power lines and wind farms can disrupt migratory routes and result in significant mortality. Birds also face the danger of injuries or death caused by communication towers and electricity transmission lines and pylons. For all the above reasons, there is a growing number of migratory species with a serious risk of becoming extinct. All these threats still exist to date and hence the need to address them in the extended period of the Strategic Plan.

### **2.4 Special conservation needs for migratory species**

11. Because of their unique behaviour and particular ecological requirements, migratory species have special conservation needs. Most importantly, international cooperation between States that share populations of migratory species is absolutely essential. Those States have a joint responsibility to ensure the long-term survival of migratory animals and their migratory behaviour across and beyond their territories.

12. Concerted and coordinated actions on the ground will be needed to address the threats to migratory animals if we want to maintain their free movement across international boundaries and continents, thereby ensuring that they continue to contribute to the health and proper functioning of ecosystems and the well-being of human populations that depend on those animals for their livelihood. Such actions will require more research to understand the needs of those species; a multitude of conservation measures on the ground, directed towards both the species and their habitats throughout their ranges; greatly increased awareness of the issues; and international cooperation between relevant agencies and decision-makers.

## **3. THE ROLE OF CMS**

### **3.1 International cooperation**

13. Since migratory species, in the sense of the definition given in the text of the Convention, can be conserved only through joint international efforts in which species- and ecosystem-based approaches are linked and coordinated across the entire migratory range of a species the purpose of CMS is to catalyse, foster and support such international collaboration.

14. Through its various operational tools, CMS establishes obligations for its Contracting Parties to protect the most endangered species, listed in Appendix I to the Convention; sets a framework for developing regional or global multilateral instruments to conserve and ensure the sustainability of use of particular migratory species or groups of species listed in Appendix II; and provides funding for research and conservation projects through its Small Grants Programme.

### **3.2 Contribution to sustainable development**

15. Many migratory species provide essential ecosystem services which in turn add to human well-being in practically all countries of the world. The conservation and sustainable management of migratory species populations is an important special contribution to the wider aims of global sustainable development.

16. Ultimately, CMS is committed to assisting its Contracting Parties to move towards a truly sustainable use of natural resources. Its work is directed towards the implementation of the CBD Strategic Plan for Biodiversity 2011-2020 and the Aichi Targets, Millennium Development Goal 7 and the Plan of Implementation adopted at the World Summit on Sustainable Development in Johannesburg, South Africa, in 2002. It supports conservation programmes to bring long-term benefits to local communities while helping to reduce the rate of biodiversity loss. Many of the agreement-associated action plans developed under CMS auspices work to the common benefit of migratory species and local communities. They address issues to reduce pressures on migratory animal populations, while at the same time having regard for the livelihood needs of local communities including, where compatible with the conservation status of a species, providing for the sustainable use of such species.

### **3.3 Achievements**

17. CMS has currently 116 Parties and considering the Convention and its associated agreements, the CMS family currently extends to nearly 150 participating countries, a number which is steadily growing.

18. As of December 2008, 128 species have been listed in CMS Appendix I, and Appendix II covers, potentially, over 1,000 species. Many of those species are subjects of strict protection measures within Contracting Party Range States, of cooperative activities through CMS agreements and also of research and conservation projects funded through the CMS Small Grants Programme. Since 1990, twenty-six international instruments have been concluded under the CMS umbrella, for bats, birds, large herbivores, elephants, dolphins and whales, marine turtles and seals. Fifty-three (as of December 2008) endangered migratory species have been designated for concerted action. Since 1997, small grants for projects have exceeded \$1.5 million in value, although from 2006 resources available for small grants have decreased significantly.

### **3.4 Relationship to other conventions**

19. CMS and its instruments, while aimed specifically at benefiting migratory species, contribute to the broader objective of conserving biodiversity. They are part of an integrated approach to the implementation of other biodiversity-related international instruments and to the achievement of the Strategic Plan for Biodiversity 2011-2020, and the Aichi Biodiversity Targets, adopted at CBD COP 10. The goals and aims of CMS and other biodiversity-related conventions – particularly the Convention on Biological Diversity (CBD), the Convention on Wetlands of International Importance (Ramsar) and the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) are mutually reinforcing. The complementarity with CBD is highlighted by the recognition of CMS as the lead partner to CBD in conserving migratory species. While CBD focuses on the maintenance of biological diversity on genetic, species and ecosystem levels, CMS uses migratory species as a “living thread” to link ecosystems functionally through networks, corridors and pathways over large geographic areas, cutting across national, regional and continental boundaries.

20. CMS has entered into a number of collaborative relationships with these and other intergovernmental organizations in order to maximize synergies and avoid duplication. Joint work programmes have been developed between CMS and CITES, CMS and CBD, and between CMS, AEWA

and Ramsar. CMS work must be undertaken, where appropriate, in close coordination with the UN Convention on the Law of the Sea, in which Article 64 deals with highly migratory marine species.

### 3.5 Partnerships with other organizations

21. CMS activities are supported by strong partnerships with intergovernmental and international non-governmental organizations. First and foremost is the association with its parent organisation, UNEP, which not only provides the Convention's Secretariat but, through its regional offices, thematic programmes and headquarters, also extends financial and in-kind support to some of the Convention's specific programmes.

22. Partnerships with major non-governmental organizations help to bring conservation action into effect on the ground. They also provide a key conduit for scientific and conservation information to be brought into the Convention's decision-making processes. Great potential remains to be tapped. Attention must be given to expanding and strengthening those cooperative activities in a more formal manner, for example, through memoranda of cooperation and joint work programmes. In 2011, partnership agreements have been signed with the IUCN Environmental Law Centre and the Migratory Wildlife Network.

### 3.6 Key challenges for CMS

23. The greatest challenges for the conservation of migratory species, as reflected in the four objectives of the Strategic Plan, are to have the best available information on which to base conservation and sustainable management decisions; the need to undertake conservation measures in a coordinated and cooperative way across a migratory range; to widen awareness of the key issues among relevant target audiences; and the development and mobilization of human capacity and financial resources to implement needed conservation measures.

24. CMS provides a global platform to address the threats to migratory species through a suite of tools which can be tailored to specific situations. It will be critical for CMS to further expand its membership across the world. Also, additional financial resources – always a limitation in biodiversity conservation activities – will have to be mobilized to enable not only country-level activities but also coordinated and cooperative migratory-range-wide activities.

## 4. UPDATED STRATEGIC PLAN 2006–2014

### 4.1 Scope and structure

25. The CMS Strategic Plan provides the general framework and rationale for what the Convention – the individual Contracting Parties and the CMS institutional bodies – aspires to achieve during the next intersessional period. It is structured in the format of a hierarchical logical framework (see logical framework table in section 6).

### 4.2 Vision

➔ **A world which understands, respects and sustains the phenomenon of animal migration as a unique part of our shared natural heritage**

26. This long-term vision, expressed in relation to biodiversity conservation, was ultimately not only behind the origination of the Convention more than 30 years ago but is also still today the driving motivation behind its steady development and expansion.

### 4.3 Goal

➔ **To ensure the favourable conservation status of migratory species, thereby contributing to global sustainability**

27. In pursuing the above general goal, CMS seeks to strengthen its leading role in international efforts on behalf of migratory species. It builds the necessary partnerships between countries and many national and international institutions in order to achieve a better conservation status for migratory animals. The goal underlines the fact that CMS clearly sees itself as an integral part of a family of international legal instruments with the primary aim of biodiversity conservation, the maintenance of biospheric processes and

systems and the sustainability of the use of biological resources as an essential basis to ensure global sustainability and the long-term livelihoods of people.

#### 4.4 Objectives

28. Based on its general remit under the Convention and the expertise acquired over more than a quarter of a century, CMS pursues four main objectives. While the first three are directed towards mitigating the threats to the status of migratory species (lack of knowledge, lack of action and lack of awareness), the fourth is related to the capacity of the Convention itself and its constituent bodies.

➔ **OBJECTIVE 1: To ensure that the conservation and management of migratory species are based on the best available information**

29. In view of the complex issues relating to migratory species, the availability of good scientific information, and also of traditional knowledge, is essential for sound decision-making. Through the work of its Scientific Council, the Convention has a tradition of promoting, initiating and supporting relevant research work and will continue to do so over the next three years. **Eight targets** are to ensure that relevant data continue to be collected which document the status of species and species groups, the pressures acting on biodiversity, the development of responses and the effectiveness of these responses to manage those threats.

➔ **OBJECTIVE 2: To ensure that migratory species benefit from the best possible conservation measures**

30. The leading rationale for the Convention is the “migratory range approach”. Migratory species can best be conserved through joint international cooperative efforts, linking species- and ecosystem-based approaches at national levels, coordinated across a migratory range.

31. A series of instruments are available under the framework Convention to achieve the above objective: Agreements, memoranda of understanding and action plans. The **nine targets** of the objective are directed towards the various actions required in relation to the various categories of species recognized by the Convention: Appendix I species, Appendix II species and all migratory species. They deal with the development of integrated action plans, site-specific actions, and also some general threats which are of particular concern for migratory species.

➔ **OBJECTIVE 3: To broaden awareness and enhance engagement in the conservation of migratory species amongst key actors**

32. Cooperation between nations can be achieved only if the decision-makers and opinion-leaders involved are aware of the issues and the paramount need for concerted action. It has been a main task of the Convention in the past, and will remain so in future, to bring those problems to the attention of selected key target audiences. The identified **six targets** deal with those audiences, especially to ensure that existing Contracting Parties enhance their engagement; that identified priority countries join as new Contracting Parties; that the already large network of Partners can be further strengthened and expanded; and that dialogues can be initiated with key sectoral groups whose activities have particular impact on migratory species.

➔ **OBJECTIVE 4: To reinforce CMS’s overarching and unifying role in the conservation and management of migratory species**

33. **Eight “internal” targets** are identified under the above “enabling” objective aimed at strengthening the work of the Convention, increasing its effectiveness and efficiency and establishing a better corporate identity for the Convention and its legally independent, daughter Agreements. The Strategic Plan must also make provision for helping to develop the capacity of bodies involved in implementing the Convention and its legal instruments, especially in developing countries. Finally, with the Convention suffering from a great mismatch between available resources and the tasks conferred on its implementing bodies by the Conference of the Parties, the future financing of the Convention’s programmes and the need to diversify its sources of income are a principal challenge for the next three years.

#### 4.5 Targets, indicators and milestones

34. The targets listed in the logical framework table are the backbone of the Strategic Plan. They provide the basis for measuring the performance and achievements of the Convention over the strategic planning period. A total of 31 targets have been identified, many of them with a series of interim milestones. Where targets are not measurable in themselves, proxy indicators are provided. The individual Contracting Parties, the Secretariat and the Scientific Council are the main actors for achieving most of those targets.

#### 4.6 Operational principles

35. In addition to the targets, nine cross-cutting issues have been identified which, in the pursuit of implementing the Strategic Plan, will be adopted and applied as Operational Principles in all activities where appropriate. They reflect the Convention's fundamental working philosophy, which is:

- OP1 To respect the general principles of the United Nations Charter
- OP2 To cooperate closely with relevant multilateral environmental agreements and key partners to maximize synergies and avoid duplication
- OP3 To foster awareness of the concept of sustainable use, and of livelihoods being dependent on migratory species
- OP4 To increase the opportunities for developing countries and countries with economies in transition to contribute to the implementation of the Strategic Plan
- OP5 To spend available project funding in less wealthy countries
- OP6 To attract at least 50 per cent matching funding for project activities
- OP7 To seize opportunities for capacity-building in all activities
- OP8 To involve stakeholders in the implementation of the Strategic Plan
- OP9 To work in ever closer collaboration with the institutions and partners of all CMS Article IV Agreements

### 5. IMPLEMENTATION

#### 5.1 Implementation plans

36. The successful implementation of the Strategic Plan is dependent on contributions made by the Contracting Parties individually and by the Conference of the Parties, the Standing Committee, the Scientific Council and the Secretariat, and also by the Agreements and memoranda of understanding developed under the auspices of the Convention. Each of those constitutional players must be aware of the role which they play and the specific tasks which they must carry out if the targets are to be attained. More detailed implementation plans may be developed for some tasks to assist and guide progress towards the targets, linked to the triennial budget. The Secretariat will also develop an annual work plan for its activities. The structure and content of the plans must relate to the targets of the Strategic Plan. That structure should also be used for future reporting. Contracting Parties, Agreements and memoranda of understanding are encouraged to adopt a similar procedure for planning their own work under the Convention.

37. The Conference of the Parties will set overall programme and budgetary priorities for each triennium. The Standing Committee will provide guidance on request to the Secretariat and the Scientific Council on how to achieve the Conference of the Parties' priorities, including guidance on budgetary issues and the use of the Convention's limited financial resources. Key partners, including the Agreements negotiated under CMS auspices, will be invited to assist in the Strategic Plan's implementation.

## 5.2 The role of Contracting Parties

38. Besides participating in the work and meetings of the various Convention bodies, the individual Contracting Parties will play a fundamental role in attaining the targets of the Strategic Plan. While the Secretariat has the function of a driving and coordinating force, in relation to many targets it will have to rely on timely feedback and inputs from the Contracting Parties, such as providing national information on:

- Status of species (e.g., target 1.1), threats to migratory species (1.4), habitats of key importance (2.3), ongoing conservation actions (2.2, 2.4, 2.6 and 2.7) and success of conservation actions (2.7)
- Possible national evaluation systems for measuring conservation success (1.5)
- National impact assessment and environmental impact assessment regulations (2.8)
- Integration of migratory species considerations into national biodiversity strategies and action plans (NBSAPs) (2.9)
- Level of national funding for conservation of migratory species (indicator for Objective 3)
- Possible non-governmental and private sector funding sources (4.8)

39. The success of the Plan will also depend on actions taken by the Parties in their countries, such as:

- Following agreed standards for research and reports (1.7)
- Participating in relevant Agreements (2.5)
- Submitting comprehensive and accurate updated national reports (2.9)
- Promoting the Convention to relevant national players (3.5)
- Assisting in the recruitment of new Parties (4.1)
- Fostering and enhancing regional capacity (4.7)

## 5.3 Agreements and memoranda of understanding

40. The Agreements and memoranda of understanding negotiated under the auspices of the Convention are important extensions of CMS conservation work at regional and more specialized levels. They help to achieve the Convention's Goal and Objectives and make important contributions to the total of CMS achievements.

41. To ensure that those daughter instruments are fully integrated and strategically aligned with the Convention, the Agreements and memoranda of understanding should use similar systems for planning and reporting their work. In particular, they are encouraged:

- To develop their own strategic or implementation plans linked, as far as possible, to the Convention's Strategic Plan through a system of cascading logical frameworks which show how their work contributes to the attainment of CMS objectives and targets.
- To use an effective national reporting system fully harmonized with the system for the Convention.
- To provide, in a timely manner, whatever information and inputs are required for the targets and milestones of the CMS Strategic Plan.

## 5.4 Monitoring and evaluation

42. Recognizing that strategic planning and monitoring and evaluation are closely interlinked, and that one does not make sense without the other, provisions for monitoring and evaluation have been built into the Strategic Plan and must also be reflected in the associated implementation plans. Monitoring the Strategic Plan's implementation is to take place on three levels:

- **Performance:** measuring the success of the annual activities pursued in order to attain the target.
- **Achievement:** measuring our success in relation to reducing pressures on migratory species. This will be done in two ways: through the regular evaluation of the milestones and indicators of individual targets and through the triennial evaluation of the additional, independent key indicators identified for each of the Objectives.
- **Impact:** the ultimate, triennial measure of evaluating the status of migratory species through one or more special indices at Goal level (to be developed under Target 1.3).

43. Many of the indicators for the Objectives and Targets require the collection of baseline data at the beginning of the Strategic Plan period. They will mainly require actions by the Secretariat and the Scientific Council, but some inputs will also be needed from Contracting Parties.

### 5.5 Review of the Updated Strategic Plan 2006-2014

44. The Strategic Plan 2006-2011 recommended that the implementation of the Strategic Plan would be reviewed by the Conference of the Parties at its ninth and tenth meetings in the light of the Plan's stated targets, milestones and indicators. The first, mid-term review, would be carried out internally under the leadership of the Standing Committee with inputs from the Scientific Council and the Secretariat. Amendments to the Strategic Plan may at that stage be made in accordance with the findings of the review and any new, external circumstances which may arise. The Secretariat carried out an assessment of the activities undertaken by the CMS institutional bodies from 2006 to 2008 (UNEP/CMS/Conf.9.5 and its Addendum) and from 2009-2011 (UNEP/CMS/Conf.10.21) which implemented the objectives of the Plan; these assessments were submitted to COP9 in 2008 and will be to COP10 in 2011.

45. The second, end-of-term review foreseen in the Strategic Plan 2006-2011 will not be done at this stage because of the extension of the Plan until 2014 due to the need to take into account the results and outcome of the Future Shape process which will be presented at COP10. The process to develop a new Strategic Plan for the period 2015-2020 is outlined in draft Resolution 10.5/Rev.1.

46. The Agreements negotiated under CMS auspices will be invited to participate in the review process and to adopt complementary procedures for themselves.

## 6. LOGICAL FRAMEWORK TABLE

## STRATEGIC PLAN 2006–2014

	SUBDIVISION	TARGETS	INDICATORS, MILESTONES
<b>VISION</b> A world which understands, respects and sustains the phenomenon of animal migration as a unique part of our shared natural heritage			
<b>GOAL</b> To ensure the favourable conservation status of migratory species thereby contributing to global sustainability			<ul style="list-style-type: none"> <li>Number of App. I species whose conservation status has improved as indicated by CMS global index (→ target 1.8)</li> </ul> Aggregate measure derived from similar top status indicators for all species or species groups covered through Agreements or memoranda of understanding
<b>OBJECTIVE 1</b> To ensure that the conservation and management of migratory species are based on the best available information			<ul style="list-style-type: none"> <li>Quality improvement of listing proposals, review reports and background papers for recommendations (assessment of underpinning data: how up-to-date, scientifically credible and, where possible, independently refereed)</li> </ul>
	Status	<b>1.1</b> Review of status of and conservation actions for App I and II species published at regular intervals	<ul style="list-style-type: none"> <li>Scientific Council 14: Aquatic mammals, aquatic reptiles, terrestrial mammals, birds, bats</li> <li>Scientific Council 16 and 17: Freshwater fish</li> <li>Scientific Council 17: Report on Conservation Status of App. I species</li> </ul>
		<b>1.2</b> Up-to-date list of Range States of App I and II species presented to each Conference of the Parties	<ul style="list-style-type: none"> <li>Ninth Conference of the Parties</li> <li>Tenth Conference of the Parties</li> <li>Eleventh Conference of the Parties</li> </ul>

	SUBDIVISION	TARGETS	INDICATORS, MILESTONES
		<b>1.3</b> Indices for measuring the status and trends of migratory species at global, regional and national levels developed	<ul style="list-style-type: none"> <li>• Scientific Council 14: decision on way forward</li> <li>• Ninth Conference of the Parties: draft indicators submitted</li> </ul>
	Pressures	<b>1.4</b> Emerging and existing threats to migratory species and obstacles to migration identified and reviewed at regular intervals and guidelines for appropriate actions developed	<ul style="list-style-type: none"> <li>• Scientific Council 14: Draft guidelines for the most important pressure issues available</li> <li>• Scientific Council 15: Recommendations with respect to the most important pressure issues to ninth Conference of the Parties</li> <li>• Scientific Council 17/Tenth Conference of the Parties: Guidelines on how to avoid or mitigate impact of electricity power grids adopted</li> <li>• Scientific Council 18 and 19: Preparation of guidelines for barriers to migration and terrestrial mammals</li> <li>• Eleventh Conference of Parties: Guidelines on barriers to migration and terrestrial mammals adopted</li> </ul>
	Responses	<b>1.5</b> Criteria, indicators and guidelines for assessing the success of conservation actions for priority migratory species developed	<ul style="list-style-type: none"> <li>• Scientific Council 14: Review of available evaluation systems</li> <li>• Scientific Council 15: Draft guidelines available</li> <li>• Ninth Conference of the Parties: Guidelines adopted</li> </ul>
	Other	<b>1.6</b> Research and monitoring priorities for App I and II species identified and recommended to appropriate institutions for action	<ul style="list-style-type: none"> <li>• Scientific Council 15: terms of reference set</li> <li>• Scientific Council 18: Priorities for App I species identified</li> <li>• Scientific Council 19: Priorities for App II species identified</li> <li>• Eleventh Conference of the Parties: Priorities for App I and II species adopted</li> </ul>
		<b>1.7</b> Improved standards and effectiveness of commissioned research and CMS published reports	<ul style="list-style-type: none"> <li>• 2006: Baseline assessment of three sample reports</li> <li>• Scientific Council 14: Standard system operational</li> <li>• 2008: Quality assessment of three sample reports</li> </ul>

	SUBDIVISION	TARGETS	INDICATORS, MILESTONES
		<b>1.8</b> User-friendly information management system integrating the best available data on migratory species operational and regularly updated	<ul style="list-style-type: none"> <li>• Eighth Conference of the Parties: Decision on future development of IMS</li> <li>• Scientific Council 14: Documentation of necessary data sources</li> <li>• Proof of updating procedures from all data sources</li> </ul>
<b>OBJECTIVE 2</b> <b>To ensure that migratory species benefit from the best possible conservation measures</b>			<ul style="list-style-type: none"> <li>• Number of App. I species with improved conservation status</li> <li>• Number of App. II species with conservation status maintained or improved</li> <li>• Documentation of migratory species issues being integrated in sectoral policies (provided by national reports)</li> <li>• Number and total area of protected areas benefiting migratory species (national reports)</li> </ul>
	All species	<b>2.1</b> App. I and App. II regularly updated	<ul style="list-style-type: none"> <li>• Ninth Conference of the Parties: listing proposals</li> <li>• Tenth Conference of the Parties: listing proposals</li> <li>• Eleventh Conference of the Parties: listing proposals</li> </ul>
	App. I species	<b>2.2</b> All species in App. I fully protected throughout their range in Parties	<ul style="list-style-type: none"> <li>• 2006: baseline: legal protection status of every species in every Party Range State</li> </ul>
	App. I species	<b>2.3</b> Habitats of key importance in removing App. I species from danger of extinction conserved, restored and effectively managed	<ul style="list-style-type: none"> <li>• Scientific Council 15: Habitats (or sites as proxies) of key importance for all species identified</li> <li>• Scientific Council 16: Background document on ecological networks introduced</li> <li>• Scientific Council 17/Tenth Conference of the Parties: Resolution on ecological networks adopted</li> <li>• Scientific Council 18 and 19: Follow up of implementation of resolution on ecological networks</li> <li>• Eleventh Conference of the Parties: Adoption of progress report</li> </ul>
	App. I: Concerted Action species	<b>2.4</b> Concerted actions for App. I priority species identified by Conference of the Parties implemented	<ul style="list-style-type: none"> <li>• Scientific Council 14: Evaluation framework and baseline information available</li> <li>• Scientific Council 16: First evaluation of implementation</li> </ul>

	SUBDIVISION	TARGETS	INDICATORS, MILESTONES
	App. II species not yet covered by Agreement or memorandum of understanding	<b>2.5</b> App. II regularly reviewed and opportunities for international collaborative arrangements (incl. agreements) at appropriate scale and resulting in greatest possible conservation gain actively pursued	<ul style="list-style-type: none"> <li>• At least 15 new international collaborative arrangements in place</li> <li>• Scientific Council 14: First entries of CMS App II Agreements table</li> <li>• Scientific Council 16: Review of existing arrangements for birds</li> <li>• Scientific Council 17/Tenth Conference of the Parties: Review of existing arrangements for marine turtles and terrestrial mammals</li> <li>• 2006: Pacific Islands Cetaceans MoU; Saiga Antelope MoU</li> <li>• 2007: Monk Seal MoU; Dugong MoU; Southern South American Grassland Birds MoU</li> </ul>
			<ul style="list-style-type: none"> <li>• 2008: Gorilla Agreement; Andean Flamingos MoU; Birds of Prey MoU; Western African Aquatic Mammals MoU</li> <li>• 2010: Sharks MoU; South Andean Huemul MoU</li> <li>• 2014: Two more instruments concluded, including but not limited to the following: Asian Houbara Bustard; Sahelo-Saharan Megafauna; Central Asian Flyway (including the option of merging with AEW); Small Cetaceans of South-East Asia; Central African Elephants</li> </ul>
	All species	<b>2.6</b> Actions to mitigate the most serious threats to migratory species and obstacles to animal migration initiated or carried out, in particular relating to wind turbines, power lines, by-catch, oil pollution, climate change, disease, invasive species (within the specificities of CMS), illegal take	<ul style="list-style-type: none"> <li>• Scientific Council 14: Evaluation of implementation (baseline)</li> <li>• Scientific Council 16: Re-evaluation: at least a 20 per cent increase over baseline</li> <li>• Scientific Council 17/Tenth Conference of the Parties: Resolutions on Ecological networks; Power lines; Gillnets bycatch; Marine debris; Climate change and Wildlife diseases adopted</li> <li>• Scientific Council 18: Follow up of implementation of the above resolutions; Review on invasive species introduced</li> <li>• Scientific Council 19: Follow up of implementation of COP10 resolutions; Review on invasive species finalized</li> </ul>

	SUBDIVISION	TARGETS	INDICATORS, MILESTONES
			<ul style="list-style-type: none"> <li>• Eleventh Conference of the Parties: Resolution on invasive species adopted</li> </ul>
		<p><b>2.7</b> The most important key habitats/sites for migratory species in each Range State are protected and connected, where appropriate, through networks of protected areas and corridors</p>	<ul style="list-style-type: none"> <li>• Ninth Conference of the Parties: Guidelines developed and presented by Scientific Council</li> <li>• Tenth Conference of the Parties: Resolution on Ecological Networks adopted</li> <li>• Scientific Council 18 and 19: Assessment of the extent to which protected area systems and ecological networks address the needs of migratory species</li> <li>• Eleventh Conference of the Parties: Adoption of progress report</li> </ul>
		<p><b>2.8</b> Impact assessments (EIA, system evaluation assessment) required for all development likely to impact migratory species seriously (especially wind turbines and power lines) and special provisions for migratory species included in national EIA regulations and procedures</p>	<ul style="list-style-type: none"> <li>• 2006: First assessment of need for EIA in each Party for wind turbines and power lines and of general provisions in EIA regulations for migratory species</li> <li>• Ninth Conference of the Parties: First assessment of migratory species considerations in Party EIA regulations and procedures</li> </ul>
		<p><b>2.9</b> Issues affecting migratory species addressed in national biodiversity strategies and action plans</p>	<ul style="list-style-type: none"> <li>• Ninth Conference of the Parties: First evaluation of implementation of guidance by Parties</li> <li>• Tenth Conference of the Parties: Guidelines on the integration of migratory species into National Biodiversity Strategies and Action Plans (NBSAPs) adopted</li> </ul>
<p><b>OBJECTIVE 3</b></p> <p><b>To broaden awareness and enhance engagement in the conservation of migratory species amongst key actors</b></p>			<ul style="list-style-type: none"> <li>• Number of references to migratory species per year in global news agencies (Reuters, Associated Press, AFP, Spanish services)</li> <li>• Number of references to the Convention in same</li> <li>• Total amount of funding spent by selected countries (Parties, non-Parties, regionally representative) on migratory species conservation</li> </ul>

	SUBDIVISION	TARGETS	INDICATORS, MILESTONES
	Parties	<b>3.1</b> Levels of engagement in and commitment of existing Parties to CMS increased	<ul style="list-style-type: none"> <li>• Response to requests</li> <li>• Level of meeting attendance</li> <li>• Assessed and voluntary contributions</li> <li>• Level of implementation of resolutions and recommendations (national reporting)</li> <li>• 2006: Baseline data collected</li> </ul>
	Non-Parties	<b>3.2</b> Level of engagement in CMS work of priority target non-Parties increased	<ul style="list-style-type: none"> <li>• Proxy indicator: number of countries joining CMS or/and participating in agreements</li> </ul>
	Partners	<b>3.3</b> Number of Partners supporting and participating in the work of CMS increased	<ul style="list-style-type: none"> <li>• 2006: Baseline data (number of partners in CMS and agreements, etc.) collected</li> <li>• References to CMS and Agreements in Partners' work/materials</li> </ul>
	Media	<b>3.4</b> Awareness of key media of CMS and its leading role in the conservation of migratory species enhanced	<ul style="list-style-type: none"> <li>• References to CMS in media</li> <li>• Measuring interactions with web site</li> </ul>
	Sectoral groups	<b>3.5</b> Opinion-leaders of key sectoral groups impacting on migratory species influenced, including by expert advice, through CMS	<ul style="list-style-type: none"> <li>• CMS institutions: Number of engagements with such people</li> <li>• Parties (in national reports): legal references/EIAs referring to CMS or migratory species</li> </ul>
	All	<b>3.6</b> Key information material in appropriate UN languages disseminated to identified target audiences	<ul style="list-style-type: none"> <li>• Brochures in Chinese and Arabic</li> <li>• Measuring interactions with web site</li> <li>• Frequency of updating web site</li> </ul>
<b>OBJECTIVE 4</b> <b>To reinforce the overarching and unifying role of CMS in the conservation and management of migratory species</b>			<ul style="list-style-type: none"> <li>• Number of Contracting Parties to CMS and/or Agreements</li> <li>• Number of signatories to memoranda of understanding</li> <li>• Number of references to CMS in CBD, CITES and Ramsar national reports</li> <li>• Number of references to CMS in annual reports of key partners: IUCN, WWF, BirdLife, Wetlands International, Whale and Dolphin Conservation Society</li> </ul>

	SUBDIVISION	TARGETS	INDICATORS, MILESTONES
	Parties	<b>4.1</b> CMS membership increased by 30 Parties, particularly those that are of high importance for migratory species, and/or for which there is a high priority for securing new agreements	<ul style="list-style-type: none"> <li>• Ninth Conference of the Parties: 20</li> <li>• Double number of members in Americas and Asia</li> </ul>
	Agreements, memoranda of understanding	<b>4.2</b> Contribution of Agreements and memoranda of understanding towards delivery of the CMS Strategic Plan targets jointly reviewed and appropriate measures developed to deal with any identified gaps	<ul style="list-style-type: none"> <li>• Standing Committee pre-ninth Conference of the Parties: Gaps identified</li> <li>• Ninth Conference of the Parties: Measures developed</li> <li>• Scientific Council 16: Flyways reviews introduced</li> <li>• Scientific Council 17: Reviews on terrestrial mammals, marine turtles and gap analysis for elephant conservation in Central Africa undertaken</li> <li>• Tenth Conference of the Parties: Reviews on flyways, terrestrial mammals, marine turtles and gap analysis for Central African elephant endorsed</li> </ul>
	Multilateral environmental agreements and Partners	<b>4.3</b> Cooperative activities in pursuit of shared targets with relevant multilateral environmental agreements and key partners increased	<ul style="list-style-type: none"> <li>• Number of cooperative activities conducted</li> <li>• Financial volume of those activities</li> </ul>
	Corporate identity	<b>4.4</b> Identity and cohesiveness of the CMS family of instruments strengthened	<ul style="list-style-type: none"> <li>• Agreements as observers on Scientific Council</li> <li>• Combination of logos/branding</li> </ul>
	National networks	<b>4.5</b> CMS national liaison systems or committees established in most Parties	<ul style="list-style-type: none"> <li>• Number of national liaison systems and committees</li> <li>• Ninth Conference of the Parties: Guidelines for CMS Focal Points and Scientific Councillors on how to establish such networks</li> </ul>
	Effectiveness	<b>4.6</b> Effectiveness of CMS's own institutions reviewed and, where necessary, enhanced to ensure fulfilment of its increasing worldwide responsibilities	<ul style="list-style-type: none"> <li>• Eighth Conference of the Parties: Evaluation commissioned</li> <li>• Ninth Conference of the Parties: Decision on recommendation</li> </ul>
	Participation	<b>4.7</b> Regional capacity for participating in CMS implementation activities enhanced, particularly in those regions where CMS is underrepresented	<ul style="list-style-type: none"> <li>• Number of regional meetings and participants</li> <li>• Number of projects supported in region</li> </ul>

	SUBDIVISION	TARGETS	INDICATORS, MILESTONES
	Funding	<b>4.8</b> Extra budgetary funding from a wider range of sources secured for implementation of the CMS Strategic Plan	<ul style="list-style-type: none"> <li>• Amount of funding</li> <li>• Permanent mechanisms established for private-sector fundraising</li> </ul>
<b>OPERATIONAL PRINCIPLES</b>		<b>In pursuit of implementing this Strategic Plan, CMS endeavours to adhere, where appropriate, to the identified Operational Principles in all its programmes, projects and activities</b>	
	United Nations principles	<b>OP1</b> To respect the general principles of the United Nations Charter	
	Synergies with other Conventions	<b>OP2</b> To cooperate closely with relevant multilateral environmental agreements and key partners to maximize synergies and avoid duplication	
	Sustainable use	<b>OP3</b> To foster awareness of the concept of sustainable use, and of livelihoods being dependent on migratory species	
	Transfer of resources	<b>OP4</b> To increase the opportunities for developing countries and countries with economies in transition to contribute to the implementation of the Strategic Plan	
	Project funding	<b>OP5</b> To spend available project funding in less wealthy countries	
	Co-funding	<b>OP6</b> To attract at least 50 per cent matching funding for project activities	
	Capacity-building	<b>OP7</b> To seize opportunities for capacity-building in all activities	
	Involvement of stakeholders	<b>OP8</b> To involve stakeholders in the implementation of the Strategic Plan	
	Collaboration with Agreements	<b>OP9</b> To work in ever closer collaboration with the institutions and partners of all CMS Article IV Agreements	



# CONVENTION ON MIGRATORY SPECIES

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## 2012-2014 CAPACITY BUILDING ACTIVITIES

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Noting* that capacity building at systemic, institutional and individual level is of fundamental importance for the effective implementation of CMS;

*Underlining* the fact that financial support for capacity building is imperative in order to implement planned capacity building activities;

*Being fully aware* of the Capacity Building Strategy for 2009-2011 (UNEP/CMS/Conf.10.16) and the activities implemented during the past triennium, Online National Reporting (UNEP/CMS/Conf.10.10), Harmonization of Information and Knowledge Management for MEAs and Outreach and Communication issues (UNEP/CMS/Resolution 10.7); and

*Considering* the need both to strengthen coordination of capacity building efforts under CMS with those of UNEP, other Multilateral Environmental Agreements (MEAs) and other organizations in accordance with the Bali Strategic Plan and to avoid duplication;

### *The Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals*

1. *Adopts* the proposed activities on the Capacity Building Work Plan for the triennium 2012-2014 based on the Capacity Building Strategy presented at COP9 as document UNEP/CMS/Conf.9.30;
2. *Calls on* Parties to provide ear-marked voluntary contributions for the implementation of the Capacity Building Work Plan for 2012-2014;
3. *Invites* Parties to support the CMS Secretariat in identifying capacity building needs and in implementing the capacity building activities in accordance with document UNEP/CMS/Conf.10.17, the Capacity Building Work Plan for 2012-2014;

4. *Requests* the Secretariat to work with the Standing Committee, the Scientific Council and Secretariats of the CMS daughter Agreements and their scientific advisory bodies in developing tools that would strengthen the capacity of CMS Parties;
5. *Further requests* the Secretariat to continue to liaise with UNEP, the Liaison Group of Biodiversity-related Conventions and Secretariats of conventions relevant to the conservation of migratory species with a view to sharing lessons learned as well as developing and adopting suitable indicators to measure the impact of joint capacity building activities;
6. *Calls on* the Secretariat and UNEP to further identify possible regional, multilateral and bilateral opportunities for collaboration and to involve relevant stakeholders including other MEAs and the private sector in order to secure funding and develop further capacity building initiatives in line with Resolution 10.21 Synergies and Partnerships;
7. *Encourages* UNEP to support the Secretariat in holding regional workshops and other capacity building events in conjunction with meetings scheduled for the regions held by other relevant organizations;
8. *Encourages* Parties to establish national coordination mechanisms, such as national biodiversity working groups, for implementation of the objectives of CMS, its daughter agreements and other biodiversity MEAs as envisaged under paragraph 15 of Resolution 10.21 on Synergies and Partnerships, and *urges* the Secretariat, subject to the availability of funds, in collaboration with the Secretariats of other MEAs, to facilitate workshops; and
9. *Calls on* Parties and *invites* non-Parties and others, in strengthening local and national capacity to manage migratory species and their habitats, to make full use of available training resources, including the Flyway Training Kit developed under the aegis of AEWA under the UNEP-GEF Wings Over Wetlands project and the ecosystems and community-based climate change adaptation training kit led by Wetlands International, and *encourages* the adaptation of the AEWA training kit to support capacity building in other flyways.



## CONVENTION ON MIGRATORY SPECIES

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### OUTREACH AND COMMUNICATION ISSUES

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

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*Considering* the contribution that the Convention on the Conservation of Migratory Species of Wild Animals will make to the achievement of the revised biodiversity targets for the period 2011-2020 and beyond, significantly to reduce the loss of biodiversity by that date;

*Considering further* the need to integrate migratory species conservation and the concept of ecological networks into the revised and updated National Biodiversity *Strategies and Action Plans (NBSAPs)*;

*Underlining* the need to raise awareness of migratory species, and of the threats to their movement and CMS's activities to mitigate them;

*Recalling* Article IX, paragraphs 4 (b) and (j) of the Convention which state that it is a function of the Secretariat to liaise with and promote liaison among the Parties, the advisory and technical bodies set up under Agreements and other international organizations concerned with migratory species, and to provide the general public with information concerning this Convention and its objectives;

*Further recalling* objective 3 of the updated CMS Strategic Plan 2006-2014 adopted at the Tenth Meeting of the Conference of the Parties, to "broaden awareness and enhance engagement in the conservation of migratory species amongst key actors" and related targets; and

*Acknowledging* that the AEWA Secretariat has led on and guided the development of the CMS Family Online Reporting System implemented by UNEP/WCMC in 2010-2011, which is currently being used for the AEWA national reporting cycle to the 5<sup>th</sup> session of the Meeting of the Parties (14-18 May 2012, La Rochelle, France) and which the CMS Secretariat will be utilizing for the national reporting to COP11 in 2014;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Endorses* the annexed CMS Outreach and Communication Plan for 2012-14;
2. *Instructs* the Secretariat to undertake and implement the activities listed in Section A to D of the annex during the next triennium;
3. *Agrees to* provide adequate resources to support the implementation of the Plan in the CMS Budget for 2012-2014;
4. *Invites* CMS Parties, CMS Agreements and UNEP, and *encourages* partners to assist the Secretariat in the implementation of the Plan by providing additional voluntary contributions particularly to initiate new activities listed in Section D giving priority to mutually supportive activities to enhance synergies and strengthen communication strategies on the importance of migratory species;
5. *Encourages* Parties to make campaign-specific commitments of both financial and in-kind contributions, with a view towards ensuring the successful implementation of the campaigns;
6. *Urges* the Parties to decide on the frequency of campaigns as suggested in document CMS/StC37/20;
7. *Requests* the Parties to take note and appreciate the activities undertaken by the CMS Ambassadors and to alert or inform the Secretariat when they identify an event at which the presence of an Ambassador would enhance the cause of migratory species conservation; and
8. *Further requests* the Secretariat to develop computer-based learning materials in relevant languages including free and open access to data, information exchange and technology transfer, resources permitting.

This Resolution including the Annex supersedes Res.9.5 and its Annex.

## ANNEX

**A. Outreach and Communication Plan 2012 – 2014****Introduction**

1. The Convention on the Conservation of Migratory Species of Wild Animals is a biodiversity-related Convention with a unique expertise on migratory species. CMS has been acknowledged as the Convention on Biological Diversity's lead partner on migratory species.

2. The main outreach strengths of CMS are its unique mandate to conserve a great diversity of species and their habitats across the globe while addressing new challenges or threats. Biodiversity is essential to sustain the living networks that provide us with the health, wealth and ecosystems our lives depend on. CMS is best placed to present itself as the lead expert to address emerging conservation challenges and their impact on existing ecosystems. In this context, migratory species play an essential role as indicators for biodiversity and their importance for the preservation of healthy ecosystems.

3. Considering the need to link the new Strategic Plan with the outcomes of the Future Shape process, the Standing Committee had agreed at its 36<sup>th</sup> meeting that the current Plan be rolled forward with minor adjustments until 2012. The Secretariat then proposed that the current Plan be extended until 2014 so that an entirely revamped Plan could be tabled at COP11, taking full account of the Future Shape process.

4. The 10<sup>th</sup> Conference of the Parties to the Convention on Biological Diversity (COP10), held in Nagoya, Japan in 2010 adopted the 20 Aichi Targets for Biodiversity, including Target 17, which states that countries should have developed, adopted and commenced implementation of revised National Biodiversity Strategies and Action Plans (*NBSAPs*) by 2015. This provides a unique opportunity for countries to incorporate migratory species conservation effectively into national policies for biodiversity, including into new national targets.

5. This Outreach and Communications Plan (OCP) is intended to operate for a three-year period in conjunction with the updated Strategic Plan 2006-2014 to be adopted at COP10. It seeks to offer a strategy towards increased public understanding of the benefits of migratory species conservation to ecosystems and human wellbeing for present and future generations. The motto of COP10 "Networking for Migratory Species" emphasizes the importance of ecological networks. In order to address increasing threats to migratory species, networks of critical sites are needed in order to achieve connectivity and to protect them along their entire migration route.

6. Cooperation between nations can be achieved only if the decision-makers and opinion-leaders involved are aware of the issues and the paramount need for concerted action. It will remain a main task of the Convention to bring those problems to the attention of selected key target audiences. This includes activities undertaken in collaboration with Parties and relevant partners (NGOs, IGOs and corporate partners) towards increasing public understanding of migratory species conservation, which can raise the visibility of the Convention and enhance its impact on stakeholders.

7. The current Strategic Plan acknowledges that migratory species serve as an important basis for the livelihoods of communities. Against the background of the rise in threats such as

unsustainable use, climate change and barriers to migration, CMS is enhancing its cooperation with other conventions and partners to contribute to sustainable development and to reduce the rate of biodiversity loss in the light of Millennium Development Goal 7 of ensuring environmental sustainability.

8. The vision of the Strategic Plan can be considered as an overarching communication objective:

*“A world which understands respects and sustains the phenomenon of animal migration as a unique part of our shared natural heritage.”*

9. Its goal - *“To ensure the favourable conservation status of migratory species thereby contributing to global sustainability”* - is shared by all Contracting Parties and partners of CMS. The implementation of the Convention as reflected in the four objectives of the Strategic Plan needs to be complemented by the recruitment of new Parties. Strategic promotion of conservation achievements will help to widen awareness of the key issues among relevant target audiences. Recruitment, implementation and awareness raising are closely interlinked and constitute the pillars of an efficient communication strategy.

### **Strategic Objectives**

- Support the objectives of the Strategic Plan of securing renewed political commitment for sustainable development and catalyzing broad engagement by governments, civil society and private sector.
- Build political capital and consensus in support of the role of CMS in strengthening its leading efforts on behalf of migratory species at a global level, focusing on the themes of global sustainability, ecological networks and the need for a stronger international framework for sustainable management of natural resources that meets present and future challenges and opportunities.

### **Communication Objectives**

- Build the broadest possible awareness, understanding and support for mitigating the threats to migratory species and preserving the ecological networks they depend on.
- Establish a clear and strong leadership position for CMS among political decision makers and opinion leaders, highlighting its science-based approach to issues and solutions and its leading role in conservation issues regarding migratory species.
- Enhance the engagement process of Contracting Parties with communication tools and activities that will help increase stakeholder interest in the goals of CMS towards reducing the rate of biodiversity loss.
- Convey the CMS message to a growing network of Partners by promoting a deeper understanding of the interlinkages of species conservation, sustainable use and restoration or preservation of ecological networks.
- Create and enhance the public perception of a united CMS Family to maximize synergies and raise the profile of the Convention with its expertise in a wide range of species.

## Target Audience and Stakeholders

10. The primary audience for CMS engagement and communication initiatives will be government leaders and political decision-makers.

11. Other important stakeholders to be sensitized and provide support for CMS's vision and objectives include:

- Multilateral Environmental Agreements
- Other Intergovernmental Organizations and the public sector
- Donor Community
- Private sector
- Civil society and major groups such as NGOs, local authorities and communities, children and youth
- Scientific Community and academia
- Media

## Opportunities

12. Opportunities and priorities arise from the expertise of CMS and the uniqueness and vulnerability of migratory species and the role they play for ecosystem balance and contribute to human wellbeing. As a result, the Secretariat identifies the following opportunities:

- (i) Outreach and communication activities by the Secretariat should reflect its contribution to the revised biodiversity targets towards reducing the current rate of biodiversity loss. In order to highlight the continuing commitment towards achieving this goal, the Secretariat adopted the motto "Networking for migratory species" for COP10. The activities of the Secretariat will be embedded in the United Nations Decade on Biodiversity 2011-2020, with a view to emphasizing its role and contribution as a lead expert for migratory species conservation in this field.
- (ii) The Convention's presence needs to be further expanded in the light of increased Party membership in the regions. CMS is a Convention that works through regional cooperation. CMS's information material is tailored to feature species groups and existing conservation instruments applicable in each country. The accession of additional countries and signatories to the Convention and its related instruments will help placing migratory species conservation on the political agenda as well as raise awareness and interest among possible stakeholders.
- (iii) In the context of CMS, sustainable use of migratory species and opportunities for the Green Economy such as ecotourism and incentives should be considered as means of reducing the mortality rate of migratory species and of improving the livelihoods of local communities. The Millennium Ecosystem Assessment emphasizes the interdependency between healthy ecosystems, which are sustained by migratory species, and humanity's future.
- (iv) Further communication opportunities with the UNEP Division of Communication and Public Information, UNEP Regional Offices, the official UNEP bookshop and other Multilateral Environmental Agreements need to be explored to maximize synergies and increase outreach to different target audiences.

## Challenges

13. Efforts to recruit potential new Parties are time-consuming and require considerable resources. After CMS recruited its 100<sup>th</sup> Party in 2007, it has been difficult to maintain the same pace of accession. The rate of growth in membership has declined compared with the last triennium (2005-2008). As a result, the objective to further expand the Convention's presence becomes more and more difficult. There is no political consensus for accession in some countries, that are of major interest to CMS either due to their importance as a home to a wide array of migratory species or as a possible leading role in coordinating conservation action at a regional level.

14. Undertaking campaigns and projects with partners and Parties to raise awareness of species and important ecosystem services require substantial financial and human resources. The Secretariat has an interest in securing the mandate and financial support of the Parties before engaging in these efforts. Campaigns offer opportunities for new partnerships and corporate sponsors. Although it is advisable to take measures to continue to develop and expand upon relationships established with partners and their networks during the campaign beyond the year, it becomes increasingly difficult for the Secretariat to integrate them into existing partnership strategies.

15. Communication opportunities need to be used to their fullest extent. The CMS Secretariat might also consider taking advantage of online networking tools, such as Facebook, Twitter and RSS-Feed without limiting their use to dedicated websites of species campaigns. The dedicated website of the Year of the Gorilla was a positive example of a Web 2.0 approach to communicate with a range of target groups on gorilla conservation. The CMS Secretariat could use Web 2.0 to raise interest of visitors in the work of the Convention beyond the campaign.

16. CMS communication has been targeted to a number of audiences over a certain period of time. In order to explore its full potential, the Secretariat needs to foster a continuous dialogue with Parties, MEAs, Ambassadors, NGOs and other partners towards incorporating communication in capacity building, policy development, planning and implementation of the Convention. Eventually, the Secretariat should invite Parties to create their own Communication Education Participation and Awareness Programme.

## Key Strategies

17. In the light of given opportunities, the following strategies are proposed:

- (i) Undertake campaigns and projects with partners and Parties to raise awareness of important ecosystem services provided by migratory species including their social, economic and cultural value.
- (ii) Make use of outreach and communication as appropriate tools to support CMS objectives of conserving or sustainably using migratory species.
- (iii) Integrate targeted communication into all aspects of policy planning, developing and the implementation of the Convention.
- (v) To achieve the broadest outreach and support possible, CMS will forge strategic partnerships and identify key multipliers who will have the network, credibility and authority to add political persuasion to CMS messages.
- (v) Use capacity building to ensure participation of various stakeholders in the conservation and management of migratory species.

## Key Messages

18. These key messages will underpin communications in support of UNEP's and CMS's vision and goals for Rio+20. They will serve as a source for the Secretariat as Parties and partners engage with stakeholders. Specific messages for specific activities, as tailored to audiences, can be developed as guided by these umbrella messages in the CMS and UNEP context:

- Habitat destruction and fragmentation are among the primary threats to migratory species. Ecological networks including core areas and corridors are needed to protect migratory species along their migration routes.
- Considering the pathways for seasonal migrations, CMS needs to be involved in conserving critical sites and connecting corridors.
- Migratory species conservation and the concept of ecological networks need to be integrated in NBSAPs.
- While promoting the designation of protected areas including wetlands as critical sites and assessing their contribution in climate change mitigation, synergies with the LifeWeb initiative of UNEP and CBD as well as with Ramsar can be enhanced to strengthen financing for protected areas to conserve biodiversity, secure livelihoods and address climate change.
- Economic growth should respect natural boundaries and uphold social equity for present and future generations. The Green Economy seeks to provide diverse economic opportunities, without compromising or eroding a country's natural assets that are a key source of livelihoods for poor communities. By promoting sustainable fisheries practices to reduce bycatch of marine species, CMS makes a significant contribution to the Green Economy of small-scale and subsistence fisheries.
- Rio+20 could be a historic opportunity to transform the concept of development to one that reflects an integrated, mutually dependent relationship of the economic, environmental and social dimensions of sustainable development. Sustainable ecotourism and wildlife watching of endangered species such as gorillas and whale sharks do not only contribute to economic growth, but also raised funds for conservation action.

## Priorities

19. CMS is expanding its activities at a rapid and exciting pace. Even though accession of new Parties has been lower than in previous years, the Convention has been expanding the reach of its conservation efforts. In the light of the growth of its network and increase of activities, CMS recognizes the need to modernize and streamline its information sharing capacity. As CMS grows and cooperation with Multilateral Environmental Agreements and conservation organizations continues to increase, so should the method of sharing information among these groups.

20. Being able to share information among the environmental community is essential for biodiversity conservation as a whole. The more easily accessible and accurate information there is available, the more informed decision-makers can be, and the more effective and positive decisions can be made. CMS also sees the need to equip its Parties with the same kind of

information. The lack of concrete information provided to Parties can have a negative impact on the implementation of the Convention.

### **Assessment of new CMS information priorities**

21. The following five priority activities are designed to provide the basic infrastructure for the future information capacity of CMS. These activities will streamline and modernize the administrative aspects of CMS as well as make CMS information more easily accessible to internal and external users. The goal of these activities is to update and streamline the CMS infrastructure.

#### **Priority Activity 1 – Creating a new Website**

22. The current CMS website does not match the requirements of all Parties and users. The first issue is that CMS and other organizations belonging to the CMS family have independent websites, which differ from the general CMS website. This hampers easy access to information made available by the Convention and impedes a joint web presence. After prior consultation within the CMS Family, the CMS Secretariat would offer to develop a new website portal, which could include all CMS Agreements, MoUs and out-posted offices. This new tool would enable CMS to improve information exchange among the CMS Family, increase the visibility of CMS and present the CMS Family as an entity under the larger CMS umbrella.

23. The existing CMS website was developed in 2003. It is a static, basic HTML website without a Content Management System. It does not meet current web standards and does not make full use of currently available web technologies.

24. The second issue is that only certain information on the CMS website is translated into all three CMS languages: English, French, and Spanish. Having the CMS website available in multiple languages would not only provide better information for CMS Parties, it would also increase the accessibility of the website. A multilingual website presence would substantially increase the outreach of the Convention. However, trilingual content will mean an increase in associated translation and editing costs.

#### **Priority Activity 2 – InforMEA**

25. InforMEA, the information portal for Multilateral Environmental Agreements, was launched in July 2011 at the Information Knowledge Management Standing Committee Meeting in Geneva. InforMEA aims to be a “one stop shop” for information about all biodiversity-related conventions. CMS as well as other biodiversity conventions will post content on their respective websites available, which will feed into the information available on the portal, enabling users to compare documents from different conventions quickly and easily. The idea behind InforMEA is to take relevant information from each MEA website automatically to ensure that the MEA information presented in InforMea is always up-to-date. Unfortunately, the current CMS website setup does not allow for automated harvesting of CMS information. The CMS website does not have an underlying web database and consists of purely static HTML.

26. InforMEA will also improve the quality of available information. Not only will users have access to more information, but content, which is also relevant for the Parties, can be instantly updated and analyzed in an efficient way.

### **Priority Activity 3 – National Reporting Online and Analytical Tools**

27. National Reports are a vital source of information for CMS and a means of exchange of data and other information with and among Parties and other stakeholders. National Reports are one of the few ways that CMS can assess how countries are implementing the convention. CMS wishes to increase the number of National Reports received from Parties and simplify access to these documents.

28. CMS is in transition to an Online Reporting System. This new system developed by UNEP-WCMC in the context of a UNEP DELC funded Knowledge Management project is currently being tested in the context of the AEWA reporting cycle to MOP5. If successfully implemented, it will make it easier and more convenient for Parties to submit National Reports in one of the three CMS languages. However, funding is sought by both the CMS and AEWA Secretariats to further develop the online reporting system to include an analytical component, through which submitted national reports can be easily evaluated. CMS also plans to include Parties' National Reports in the InforMEA portal. In this portal, the reports can be compared and contrasted not only with other CMS Party reports, but with reports and decisions from other biodiversity-related conventions.

### **Priority Activity 4 –Tool Kit for Decision Makers**

29. CMS acknowledges the need to develop a guide for the Parties facilitating the implementation of the Convention at a national level. This Tool Kit in all three CMS languages would contain information relevant to the species for which the country is a Range State and, most importantly, it would offer specific recommendations for actions for the Party in conservation and management of the species. The Tool Kit would mainly focus on mitigating threats and provide recommendations for adapting to or reversing them. Potential topics covered by the Tool Kit would include: climate change, bycatch, eco-tourism, protected areas, and human induced activities.

30. The objective of the Tool Kit is to provide relevant, concise and useful information to the Party decision-makers to help them implement the Convention in their country. Countries have the capacity for conservation and CMS wants to ensure that migratory species concerns are incorporated into conservation efforts and national plans such as NBSAPs.

### **Priority Activity 5 – Ensure support of Parties and partners to run campaigns**

31. Species campaigns are an ideal tool to raise awareness of the conservation needs of a charismatic species while linking this to the expertise of CMS. They have the potential to reach out to governments, conservationists, educators and the media and sensitize the public for the issue of migratory species.

32. CMS will conduct the Year of the Bat 2012 and in the same year provide substantial input to the World Migratory Bird Day (WMBD), which is a recurrent joint activity implemented jointly with the AEWA Secretariat. Through CMS involvement, WMBD has grown from a regional campaign confined to the Agreement area to a global event.

33. Parties have the authority to put species conservation and the work of the Convention on the political agenda. Species campaigns, in particular the Year of the Bat 2012, would benefit

from explicit endorsement from the CMS Conference of the Parties including suggested activities, pledges and commitments from the Parties.

## **B. Synergies and Resources**

34. Communication and outreach activities undertaken by CMS and its Agreements and MoUs would benefit highly from a new web-based CMS Family Portal. It would raise the profile of the Convention and the link to the Agreements; Memoranda of Understanding and out posted offices.

35. In line with a comprehensive communication strategy, the CMS Family Portal would channel individual efforts so far pursued by the Agreements and emphasize the efficiency of joint conservation actions under the CMS family. CMS would assume a leading role of developing and coordinating a common information policy. A higher visibility and a better perception of conservation records of the CMS family could be achieved.

36. A new P2 post for an Associated Information Officer is required to advise on the shift to the CMS Family Portal. This person would also support the growing tasks of the CMS Secretariat in the context of running a global species campaign. As the AEWa Secretariat will be fully involved in preparing the next Meeting of the Parties in 2012, CMS will provide strong support to organizing the World Migratory Bird Day in 2012 and continue to contribute to the campaign in 2013 and 2014. The proposed CMS Budget & Manpower 2012-2014 Plan presents various options; one of which proposes a 0 per cent budgetary increase while a 10 per cent option covers a new P2 position in the Information and Capacity Building Unit: the new post of an Associate Information and Capacity Building Officer (P2) would enable the shift to a new Website Portal for the CMS Family and contribute to information and outreach activities efforts during global species campaigns of the Secretariat.

37. The Information and Capacity Building Unit would coordinate CMS Family websites, publications, press and media announcements, and the implementation of species campaigns and public events.

38. It is estimated that clustering resources for information, capacity building co-ordination, media and publications in this unit would lead to a substantial increase in efficiency. ASCOBANS, EUROBATS and other Agreements/MoUs under CMS could benefit from similar services.

## **C. Resources**

39. Current estimates suggest that the internal CMS manpower costs of implementing the Outreach and Communication Plan over the triennium 2012-2014, using existing staff posts, would amount to about €930,056. In addition, an amount of an estimated €175,134 would be required to finance a new post for 2013 and 2014. Additional funds for the development of products, campaigns and other outreach activities are to be raised from donations by Parties, partners and business sponsors.

**D. Table of activities for Secretariat, Parties and Partners****Target under objective 3 and other related targets involving the Secretariat, Parties and CMS partners**

Target under objective 3	Other related targets	Secretariat	Parties	CMS partners
3.1 Engagement and commitment of CMS Parties increased	4.7 Regional capacity enhanced particularly where CMS is underrepresented	<ul style="list-style-type: none"> <li>- Creation of a new Website with Content Management System to facilitate access to CMS information</li> <li>Coordinate a web presence in English, French and Spanish</li> <li>Introduction of an Online Reporting System and development of an analytical tool</li> <li>Development of a Decision Maker Tool Kit to further the implementation of the Convention</li> <li>Publication of Scientific Reports such as “A Bird’s Eye View on Flyways” in CMS’s working languages</li> <li>Creation of an electronic system for the prompt delivery of notifications and information notes to Parties (Focal Points)</li> <li>- Continuation of the regular coverage of CMS activities and conservation- related news on the CMS Website</li> <li>- Continuation of the production of other information material to keep Parties abreast of developments</li> <li>- Continuation of CMS newsletter in English, French and Spanish</li> </ul>	<ul style="list-style-type: none"> <li>- Translation of CMS documents into national languages</li> <li>Submit National Reports in any of the three languages</li> <li>Initiate conservation action according to recommendations</li> <li>Support outreach activities and publications on the national level</li> <li>- Support global species campaigns (World Migratory Bird Day, Year of the Bat 2012) and spread key message on a political level</li> <li>- Provide links to CMS and relevant agreements on national websites</li> </ul>	<ul style="list-style-type: none"> <li>Promote cross linkages</li> <li>Support analysis of reports (WCMC, InforMEA)</li> <li>Provide data to support recommendations towards mitigating threats</li> <li>Support and develop joint outreach activities and scientific meetings by involving national /regional authorities (NGOs, Friends of CMS, corporate sponsors), Partners/ Ambassadors of global species campaigns</li> <li>- CMS Ambassadors: facilitate contacts to key actors and decision makers)</li> <li>- Provide links to supported projects on their web sites</li> <li>- Provide the CMS Secretariat with relevant information.</li> </ul>

Target under objective 3	Other related targets	Secretariat	Parties	CMS partners
Performance Indicators:		Development and distribution of communication products in the working languages	Attention has been given to the effectiveness and information-sharing systems; Implement the Convention and support campaigns at national level	Efficiency of joint activities increased; CMS promoted by a network of partners
3.2 Engagement of CMS non-Parties increased	4.1 CMS membership to increase with regard to regional distribution	<ul style="list-style-type: none"> <li>- Produce and distribute information material targeted to non-Parties including country profile, relevance of CMS, procedures for accession, relevant projects</li> <li>- Establishment of bilateral contacts with Ministries, Embassies (letters, meetings)</li> <li>- Brochures and information directed to NGOs, universities, academic and scientific institutions of non-Parties</li> <li>- Organization of capacity building workshops</li> </ul>	<ul style="list-style-type: none"> <li>- Provide financial support to organization of workshops</li> <li>- Assist the CMS Secretariat with establishing bilateral contacts</li> </ul>	<ul style="list-style-type: none"> <li>- Provide information on their websites on the importance of CMS and Agreements for non-Parties</li> <li>- Lobbying to promote accession/implementation of conservation plans</li> <li>- Undertake joint activities for non-Parties</li> <li>- Assist with preparation and organization of regional and national workshops</li> </ul>
Performance Indicators:		Timely production and delivery of tailored information for non-Parties; capacity building workshops held in the regions; accession of new Parties	Financial and logistical support provided	Joint activities and cross linkages to CMS help promote the Convention
3.3. Number of partners supporting CMS increased	<p>4.3. Cooperative activities with MEAs and key partners increased</p> <p>4.8. Extra-budgetary funding widely secured</p>	<ul style="list-style-type: none"> <li>- Contribute content to InforMEA</li> <li>- Display exhibits at relevant meetings of MEAs and major IGOs, organize presentations/ side events and deliver statements at main biodiversity and environmental meetings</li> </ul>	<ul style="list-style-type: none"> <li>- Use InforMEA as an information portal to better implement NBSAPs</li> <li>- Exchange information between focal points of CMS and other MEAs</li> </ul>	<ul style="list-style-type: none"> <li>- Support the development of other knowledge tools among MEAs</li> <li>- Support the network of CMS Parties and involve new bilateral partners</li> </ul>

Target under objective 3	Other related targets	Secretariat	Parties	CMS partners
		<ul style="list-style-type: none"> <li>- Support the production of films and trailers to be used online and during special (media) events</li> <li>- Maintain regular briefing of corporate partners by mailings</li> </ul>	<ul style="list-style-type: none"> <li>- Support national initiatives to celebrate World Migratory Bird Day and current Global Species Campaign</li> </ul>	<ul style="list-style-type: none"> <li>- Enter into partnership agreements with CMS and contribute to Joint Programmes of Work</li> <li>- Ambassadors expected to cultivate links between CMS, science, society, politics and economy, for example through personal connections to decision and policy makers within states, NGOs, social organizations and institutions.</li> </ul> <p>Corporate Partners: Organize events to raise awareness of CMS to public and expert target groups</p>
Performance Indicators:		<ul style="list-style-type: none"> <li>- Develop communication products and activities in a timely manner to reach out to potential partners</li> </ul>	<ul style="list-style-type: none"> <li>- Opportunities used to exchange information, CMS initiatives supported at national level</li> </ul>	<p>CMS network of partners increased</p>
3.4 Key media's awareness of CMS enhanced	4.4. Enhance visibility of CMS family	<ul style="list-style-type: none"> <li>- Reinforce media aspects of web site (provide French and Spanish summaries of press releases and podcasts in "Press Room")</li> <li>- Interact with DCPI, UNEP Regional Offices, UNRIC, and Deutsche Welle (German International Radio) to enhance distribution of press releases broadcasting of special interviews</li> </ul>	<ul style="list-style-type: none"> <li>- Promote cooperation with ministerial press departments to distribute joint press releases</li> <li>- Focal points to translate press releases into national languages and pass them to national media</li> </ul>	<ul style="list-style-type: none"> <li>- Regularly provide information on CMS Family activities in their newsletters and on Websites</li> <li>- Stage joint events with CMS such as expert meetings and panels</li> <li>- Emphasize the unique role of CMS in video messages and public events</li> </ul>

Target under objective 3	Other related targets	Secretariat	Parties	CMS partners
		<ul style="list-style-type: none"> <li>- Liaise with DCPI for key press contacts, increase visibility of CMS in IGO and NGO newsletters, magazines and specialist press</li> <li>Issue press releases on CMS achievements, events, initiatives, meetings and projects on a regular basis</li> <li>Use the information channels of CMS and Agreements to highlight important CMS Family issues (coordinated web-based news releases)</li> <li>- Improve visibility of CMS in Host Country</li> <li>- Organize events to publicize CMS expertise: Thesis Award</li> </ul>	<ul style="list-style-type: none"> <li>- Improve visibility of CMS at a national level</li> <li>-Provide the Secretariat with relevant articles issued in the national press</li> <li>-Invite Parties to publicize the Thesis Award</li> </ul>	<ul style="list-style-type: none"> <li>-Invite media representatives to announce new support to CMS</li> <li>-Highlight joint activities with CMS</li> <li>-Ensure financial support for the Thesis Award and help publicize the Award through their own channels</li> </ul>
Performance Indicators:		Raise visibility of CMS achievements among target groups and stakeholders	CMS achievements published at national level	Number of references to and joint events with CMS increased
3.5 Opinion leaders of sectors that have an impact on migratory species influenced		<ul style="list-style-type: none"> <li>-Update terms of reference for CMS ambassadors at the international as well as at the national level</li> <li>-Prepare targeted brochures for decision makers and politicians</li> <li>-Inform opinion leaders about specific upcoming events to promote CMS</li> </ul>	-Facilitate contacts with national conservation bodies, politicians and decision makers also through meetings	<ul style="list-style-type: none"> <li>-Assist the CMS Secretariat with the identification of campaign ambassadors on the national and international level</li> <li>-Collaborate with the CMS Secretariat to reach out to relevant politicians and decision makers and / or initiate joint activities (Letters to ministers, joint press releases etc.)</li> </ul>
		-Work of CMS complemented by decision makers and promoted by Ambassadors	-Opinion leaders bodies that have an impact on migratory species influenced	-CMS promoted through network of partners

Target under objective 3	Other related targets	Secretariat	Parties	CMS partners
3.6 Information material in UN languages disseminated	4.4 Visibility of the CMS Family strengthened	<ul style="list-style-type: none"> <li>-Expand website presence of the CMS - - Family to the regions by providing translations of key documents in English, French and Spanish</li> <li>- Provide updated versions of the CMS Family Guide in English, French and Spanish</li> <li>-Continue the electronic newsletter to include information on Agreements</li> <li>-Provide specific information for the press, academia, NGOs and Parties on the CMS website</li> </ul>	<ul style="list-style-type: none"> <li>-Provide extra-budgetary contributions to maintain the CMS website in 3 languages</li> <li>-Provide financial assistance for updating the CMS Family Guide and other relevant publications</li> <li>-Provide official translations of CMS brochures and important outreach material</li> </ul>	<ul style="list-style-type: none"> <li>-Enhance regional presence of CMS</li> <li>-Disseminate CMS material at meetings and events</li> <li>-Prepare joint publications on issues of common interest</li> <li>-Develop publications on species groups for a large target audience based on “Conserving Cetaceans”</li> </ul>
Performance Indicators:		<ul style="list-style-type: none"> <li>-Provide and distribute key documents in English, French and Spanish; language versions of key sections of the website enhance visibility and regional capacity of CMS</li> </ul>	<ul style="list-style-type: none"> <li>-Support provided to CMS to produce documents and communication products in 3 languages</li> </ul>	<ul style="list-style-type: none"> <li>-Regional presence and visibility of CMS enhanced</li> </ul>

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: GENERAL

UNEP/CMS/Resolution 10.8

Original: English

**COOPERATION BETWEEN THE INTERGOVERNMENTAL  
SCIENCE-POLICY PLATFORM ON BIODIVERSITY  
AND ECOSYSTEM SERVICES (IPBES) AND CMS**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Recognizing* the need for regular and thematic assessments of the status of biodiversity to provide decision-makers with the necessary information basis for adaptive management and to promote the necessary political will for action addressing biodiversity loss in general and the loss of migratory species in particular;

*Further recognizing* the need to strengthen and improve the science-policy interface for biodiversity and ecosystem services for human well-being through the establishment of a science-policy platform;

*Acknowledging* the outcomes of the Paris Conference on Biodiversity, Science and Governance held in Paris, France in January 2005, highlighting that there is a need for an objective source of information on the status of biodiversity and its impact on ecosystem services and human well-being;

*Welcoming* the outcome of the third *ad hoc* intergovernmental and multi-stakeholder meeting held in Busan, Republic of Korea in June 2010, and *recalling* the following recommendations:

- a. that an Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services should be established that should be scientifically independent, should ensure credibility, relevance and legitimacy, and perform regular and timely assessments on knowledge on biodiversity and ecosystem services and their linkages;
- b. that the IPBES Plenary as a decision-making body should be open to participants of all member states of the UN, and regional economic integration organizations as well as for intergovernmental organizations and other relevant stakeholders as observers; and
- c. that the IPBES should collaborate with existing initiatives on biodiversity and ecosystem services, including multilateral environmental agreements;

*Recalling* that the Standing Committee was briefed on progress on the establishment of the IPBES process by the Secretariat through document CMS/StC37/Inf.7 at its 37<sup>th</sup> Meeting held in Bonn, Germany in November 2010;

*Recalling* the outcome of the 4<sup>th</sup> meeting of the Chairs of the Scientific Advisory Bodies of Biodiversity-related Conventions (CSAB) held in Gland, Switzerland in February 2011, where support was expressed for CSAB representation on the IPBES Advisory Panel;

*Taking note* of decision GC.26/6 of the 26<sup>th</sup> UNEP Governing Council Meeting held in Nairobi, Kenya in February 2011, endorsing the “Busan Outcome” and, based on resolution GA 65/162 of the United Nations General Assembly, requesting UNEP to convene a plenary meeting to determine modalities and institutional arrangements for IPBES in 2011;

*Recalling* the functions of the Scientific Council as set out in Article VIII of the Convention and as further elaborated in its rules of procedure, which include the provision of scientific advice to the Conference of the Parties, to the Secretariat, and, if approved by the Conference of the Parties, to any body set up under this Convention or an Agreement or to any Party and that its functions are supplemented from time to time by instructions included in resolutions or recommendations adopted by the Conference of the Parties;

*Noting* that the biodiversity-related conventions have an important role in setting the global agenda on biodiversity and ecosystem services and that the scientific processes informing policy under each of the conventions may provide useful inputs to the work of IPBES;

*Noting also* that the work of IPBES at the sub-global level can and should support the implementation of the conventions at the regional and sub-regional levels, strengthening the science-policy interface at these levels; and

*Taking note* of the outcome of the 1<sup>st</sup> Plenary Meeting which took place in Nairobi, Kenya in October 2011 to determine the modalities and institutional arrangements for the Platform, and of the need to contribute to the development of the IPBES work programme;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Urges* CMS Focal Points and Scientific Councillors to communicate and liaise regularly with the national representatives in the IPBES to ensure that the needs for research and policy guidance related to migratory species, especially those listed under CMS, are being adequately addressed by IPBES;
2. *Invites* IPBES to address science-policy linkages and the need for assessments, policy support, capacity building and knowledge generation relating to the conservation and sustainable use of migratory species of wild animals;
3. *Encourages* Parties and relevant organizations to make available funds to support the four functions of IPBES, namely assessments, policy support, capacity building and knowledge generation aimed at improving the science-policy interface related to the conservation of migratory species;

4. *Requests* the Scientific Council, subject to available funds, to undertake a review of needs and opportunities for improving the interface between science and policy in relation to the conservation and sustainable use of migratory species. This should include the use of scientific assessments, and consider the potential role of migratory species as indicators of wider ecological change and the results should be communicated to IPBES;
5. *Requests* the Scientific Council to report on the above-mentioned review to the Standing Committee and to the Conference of the Parties at its 11<sup>th</sup> Meeting;
6. *Further requests* the Scientific Council to participate in relevant processes of IPBES, in collaboration with the scientific advisory bodies of other MEAs as appropriate; and
7. *Instructs* the Secretariat to maintain cooperative working relationships with IPBES, to participate as appropriate in meetings of the Platform and to report on progress to the Standing Committee, resources permitting.



## **CONVENTION ON MIGRATORY SPECIES**

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Original: English

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### **FUTURE STRUCTURE AND STRATEGIES OF THE CMS AND CMS FAMILY**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

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*Recalling* Res.9.13 which set up an intersessional process to examine the Future Shape of the CMS Family (the Convention and its existing instruments) with the objective of strengthening the Convention's contribution to the worldwide conservation, management and sustainable use of migratory species over their entire range;

*Further recalling* the Addendum to Res.9.13 which outlined the Terms of Reference for the Working Group which was given the task of leading the process;

*Noting* that the mandate of the Working Group consisted of three phases of work, starting with the assessment of the current situation regarding the organization and activities of the CMS Family and culminating with proposing options for the future organization and the strategic development of the CMS Family to the Tenth Meeting of the Conference of the Parties;

*Considering* that the Working Group took into account the proposals presented in the CMS Secretariat's document (CMS/StC32/7) as a basis for the development of alternative options as set out in Res.9.13;

*Noting with gratitude* the work undertaken by the Working Group at its three meetings and in the periods between them;

*Acknowledging* the generous financial contributions provided by the Governments of France, Switzerland, Germany and Finland towards the drafting of reports and the organization of meetings;

*Appreciating* the considerable support provided by the Secretariat to the work of the Working Group throughout the intersessional period and the extensive contribution provided by the CMS Family Secretariats;

*Noting* the support and guidance provided by the Standing Committee and inputs provided by UNEP and partner organizations;

*Acknowledging* other contributing parallel processes undertaken within CMS such as the review on Global Flyways by the dedicated Scientific Council Working Group and the reviews on CMS existing instruments and projects by taxonomic groups (being turtles and terrestrial mammals) under Res.9.2 and the work on cetaceans under Res.8.22;

*Recalling* that Res.9.2 on the conclusion of instruments currently under development and the elaboration of new instruments under the aegis of CMS needed to be linked to the outcome of the Future Shape of CMS;

*Also recalling* that Res.9.2 and the decision of the Standing Committee at its 37<sup>th</sup> Meeting called for maintaining the momentum with regard to instruments the negotiation of which is at an advanced stage;

*Acknowledging*, in line with the provisions of Res.9.2 and with suggestions made in the context of the Future Shape process, that the Secretariat has already undertaken a gap analysis and options for identifying the most appropriate solutions to enhance elephant conservation in Central Africa;

*Further acknowledging* that the Secretariat has been working with its daughter Agreement Secretariats, in particular since the inception of the Future Shape process, to increase efficiency and enhance synergies on a number of aspects including fundraising, recruitment of Parties and organization of and representation at meetings; and

*Underlining* that the decision taken regarding the future of the merger of CMS and ASCOBANS Secretariat functions is to be linked to the outcome of the work initiated by Res.9.13 on the Future Shape of CMS;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Endorses* the set of prioritized activities in Annex 1 (based on the three options presented in document UNEP/CMS/Inf 10.14.10 as amended);
2. *Adopts* the set of activities listed in Annex 2, including their institutional, legal and organizational implications, for implementation in 2012-2014 and to be carried out with means provided by the core budget, voluntary contributions from Parties, or donations from sponsors;
3. *Requests* the Strategic Plan Working Group established by Resolution 10.5 to make use of the medium- and long-term activities in Annex 3 as an integral part of the development of the CMS Strategic Plan 2015- 2023;
4. *Urges* Parties and institutional bodies of the CMS and *invites* UNEP and relevant stakeholders to contribute to and/ or undertake activities identified in Annex 1; and
5. *Instructs* the CMS Secretariat and *invites* the Secretariats of CMS instruments where necessary to report to the Standing Committee (or equivalent institutional bodies of CMS instruments) on progress in the implementation of Annex 2 activities.

## ANNEX 1: ACTIVITIES CATEGORIZED AS SHORT-, MEDIUM- OR LONG-TERM PRIORITY FOR ACTION

N°	ACTIVITY	OPTION	DESCRIPTION	SHORT TERM: BY COP11 - 2014	MEDIUM TERM: BY COP12 - 2017	LONG TERM: BY COP13 - 2020
1	Alignment with international environmental governance reform	<b>1</b>	<ul style="list-style-type: none"> <li>- To support coherent international decision-making processes for environmental governance.</li> <li>- To catalyze international efforts to pursue the implementation of internationally agreed objectives.</li> <li>- To support regional, sub-regional and national environmental governance processes and institutions.</li> <li>- To promote and support the environmental basis for sustainable development at the national level.</li> </ul>	CMS Secretariat and Standing Committee to monitor and participate in IEG reform process. (1.1)	Discussion of reforms at COPs and Standing Committee. (1.2)	Implementation of reforms, where appropriate (1.3)
2	Improved partnership working	<b>1 and 2</b>	<ul style="list-style-type: none"> <li>- To expand partnership opportunities.</li> <li>- To share best practice.</li> <li>- To utilize common resources.</li> <li>- To share knowledge and expertise.</li> <li>- To coordinate conservation activities.</li> <li>- To identify potential synergies based on common or shared work programmes, geographies and interests.</li> <li>- To utilize local knowledge.</li> </ul>	<p>Closer collaboration with UNEP regional offices, where appropriate, to assist with capacity building and technological support by CMS and its Family. (Already in existence and builds on current mapping work) (2.1)</p> <p>Encourage more NGOs and private sector to become engaged in Agreements and MoUs. (2.2)</p>	Closer working with partner organizations (including NGOs, indigenous and local communities and States) (2.3)	Develop regional hubs for MEA implementation to identify synergies and linkages between MEAs and avoid duplication in projects and activities. e.g., SPREP (Long-term aim to build upon work undertaken over short and medium term) (2.4)

N°	ACTIVITY	OPTION	DESCRIPTION	SHORT TERM: BY COP11 - 2014	MEDIUM TERM: BY COP12 - 2017	LONG TERM: BY COP13 - 2020
3	Enhancing scientific research and information	<b>1 and 2</b>	<ul style="list-style-type: none"> <li>- Coordination of research requirements.</li> <li>- Sharing of research information and data.</li> <li>- Providing easy access to all members of CMS Family of existing and future research information.</li> <li>- Developing relevant research into common threats and issues.</li> </ul>	Explore opportunities to improve the synergies between the CMS science base with the development of IPBES, as well as collaborating with and learning lessons from existing data hubs (e.g. (utilization of existing systems such as TEMATEA, UNEP-WCMC, IUCN, Wetland International) to enhance the delivery of CMS Family objectives. (External) (3.1)	CMS to coordinate scientific research programmes based on identification of common issues/threats shared across the CMS Family to reduce duplication and overlaps and improve economies of scale. To be used to promote CMS to other Inter Conventions – administered by CMS but open to all Inter community to use – used to raise profile of CMS (Internal). (3.2)	Create a hub for scientific data on migratory species, which would facilitate the use of migratory species data as an indicator of climate change (Internal). (3.3)
4	Enhance communication and seek opportunities to develop awareness of CMS and CMS Family	<b>1 and 2</b>	<ul style="list-style-type: none"> <li>- Development of internal systems to enhance communication between working groups, Parties, agreements and institutions and to increase accessibility to information within the CMS Family.</li> <li>- Development of external systems to raise the profile of and increase awareness of the CMS and the CMS Family.</li> <li>- Where relevant improvement of existing IT systems, for example existing website system.</li> <li>- Redesign of website to include targeting specific audience groups.</li> </ul>	<p>Parties/Signatories to begin to translate guidance documents into local languages to assist implementation. (4.4)</p> <p>Produce CMS website in 3 languages. (4.1)</p>	<p>Run awareness campaigns to ensure that CMS is recognized by the public, academic institutions, international organizations and others as the global leader in the protection of migratory species</p> <p>CMS to commence coordination of communication activities (links into long). (4.2)</p> <p>CMS to coordinate communication operations and strategies as centralized services across Agreements/MoU</p>	

N°	ACTIVITY	OPTION	DESCRIPTION	SHORT TERM: BY COP11 - 2014	MEDIUM TERM: BY COP12 - 2017	LONG TERM: BY COP13 - 2020
					Coordinate press and media announcements and the implementation of species campaigns and public events. Support the development and maintenance of CMS Family websites and CMS provide centralized awareness-raising on common/shared threats through publications and online resources, where this is practicable. (4.3)	
5	To carry out a global gap analysis at the Convention level and to assess resources appropriateness	<b>1</b>	<ul style="list-style-type: none"> <li>- To prioritize resources through improved cooperation and sharing of resources.</li> <li>- To identify where appropriate potential partnerships.</li> <li>- To work with Scientific Council.</li> <li>- To share best practice and lessons learnt.</li> </ul>	<p>Global Gap and Resource Assessment, including:</p> <ol style="list-style-type: none"> <li>1. CMS Secretariat to coordinate a global gap analysis at Convention level: consider which issues are being addressed, which issues are not being addressed, if another organization is addressing these issues, scientific gap analysis and what research is required. (5.1)</li> <li>2. Resource assessment of Convention (CMS Secretariat and MoUs). (5.3)</li> <li>3. Undertake an assessment of MoUs and their viability. (16.3)</li> </ol>	Implementation of recommendations of gap analysis and resource assessment. (5.2)	
6	Coordinated strategic plans for the CMS Family	<b>1</b>	<ul style="list-style-type: none"> <li>- To coordinate the work of the CMS Family.</li> <li>- To encourage priority setting.</li> </ul>	Planning. Analysis and assessment of strategic plans. (6.1)	Implementation. (6.3)	

N°	ACTIVITY	OPTION	DESCRIPTION	SHORT TERM: BY COP11 - 2014	MEDIUM TERM: BY COP12 - 2017	LONG TERM: BY COP13 - 2020
			<ul style="list-style-type: none"> <li>- To share and maximize resources.</li> <li>- To identify potential synergies and links between programmes and projects.</li> </ul>	Development. (6.2)		
7	Restructuring of Scientific Council to maximize expertise and knowledge capacity	<b>2 and 3</b>	<ul style="list-style-type: none"> <li>- To identify potential and relevant opportunities to maximize the expertise and knowledge of the Scientific Council to best support the CMS.</li> <li>- To identify any gaps in knowledge and/or expertise exists in the current membership of the Scientific Council.</li> <li>- To expand advice and knowledge sharing across the CMS Family.</li> </ul>	Planning process, assessment, Gap Analysis. (7.1)	Implementing the review of CMS membership of Scientific Council based on species groupings or thematic issues if appropriate. (7.2)	CMS-wide Scientific Institution if appropriate. (7.3)
8	Identify opportunities for cooperation and coordination at the local and regional level through the creation of synergies based on geography	<b>1 and 2</b>	<ul style="list-style-type: none"> <li>To encourage resource efficiency.</li> <li>- To provide opportunities for improved integration and to minimize institutional overlap through the cooperation and sharing of resources allowing for mutual assistance and logistical support.</li> <li>- To develop local and/or regional synergies with stakeholders.</li> <li>- To identify common or shared work programmes.</li> <li>- To aid capacity building, fundraising and implementation at the local level at the local level.</li> </ul>	Regionalize conservation efforts by having local coordinators with assistance from UNEP, NGOs, Parties and MEAs, leading to greater presence in each of the regions if appropriate. (8.1 and 8.2)	MoUs/Agreements consider enhancing collaboration and cooperation via sharing i.e. office/personnel/resources (e.g. as per Abu Dhabi – Dugongs and Birds of Prey). (8.3)	

N°	ACTIVITY	OPTION	DESCRIPTION	SHORT TERM: BY COP11 - 2014	MEDIUM TERM: BY COP12 - 2017	LONG TERM: BY COP13 - 2020
9	Harmonization and inter-operability of information management and reporting systems where appropriate and applicable for the CMS Family	<b>1 and 2</b>	<ul style="list-style-type: none"> <li>- To reduce duplication of reporting.</li> <li>- To analyze and compare data.</li> <li>- To access to data.</li> <li>- To improve coordination of collection, storage and management systems.</li> <li>- To reduce effort and time spent on collecting and reporting information across the CMS Family.</li> </ul>	<p>Utilization of existing data collection and management systems external to CMS (for example by UNEP-WCMC) (External). (9.1)</p> <p>Build upon current practices of harmonization of data reporting and the development of current systems, probably utilizing the on-going work being undertaken by both AEWA and IOSEA. (9.2)</p>	<p>Centralization and harmonization of reporting formats and returns. Development of information technology and centralized systems and procedures in relation to data storage and analysis (Internal). (9.3)</p> <p>Coordinate access to research data as a centralized service across CMS agreements. (Internal) (9.4)</p>	CMS to centralize the development and management of mapping systems and shared management systems. (9.5)
10	Strengthen the coordination and servicing of MoUs	<b>1 and 2</b>	<ul style="list-style-type: none"> <li>- MoUs to receive coordinated service.</li> <li>- To share resources, knowledge and expertise across MoUs.</li> <li>- To utilize available resources.</li> <li>- To avoid duplication and promote consistency across MoUs.</li> </ul>	Ensure appropriate staffing levels of CMS MoU Coordination Unit. (10.1)	Ensure appropriate levels for all MoUs not currently represented. (10.2)	CMS core budget for species groups and the MoUs, where appropriate. (10.3)
11	Seek opportunities to coordinate meetings between institutions, working groups and across the CMS Family agreements	<b>1, 2 and 3</b>	<ul style="list-style-type: none"> <li>- To utilize and share resources.</li> <li>- To reduce time commitments required to attend meetings.</li> <li>- To increase attendance.</li> <li>- To improve sharing of knowledge and information.</li> <li>- To expand knowledge and information.</li> <li>- To develop synergistic relationships.</li> </ul>	Prioritizing and coordinating, meetings of Scientific Committee, technical groups, working groups etc. (Internal) (11.1)	<p>Prioritizing and co-ordination of COP and MOPs. (Internal). (11.2)</p> <p>Coordinate with international organizations common meetings relating to shared issues (e.g. IUCN) and common research conservation programmes, species action plans and capacity building activities for on the ground conservation. (External). (11.3)</p>	

N°	ACTIVITY	OPTION	DESCRIPTION	SHORT TERM: BY COP11 - 2014	MEDIUM TERM: BY COP12 - 2017	LONG TERM: BY COP13 - 2020
12	Actions to prioritize the growth of CMS and the CMS Family	<b>1, 2 and 3</b>	<ul style="list-style-type: none"> <li>- To augment the growth of the CMS Family.</li> <li>- To maximize resource efficiency.</li> <li>- To identify common threats shared across conservation programmes and relevant responses through the use of best practice.</li> <li>- To develop synergies.</li> <li>- To increase global coverage.</li> <li>- To focus the development of new agreements.</li> </ul>	<p>Encourage more Range States to become Parties/Signatories to CMS and CMS Family. (12.2) ongoing commences in short term</p> <p>Agreements and MoUs focused only on migratory species (as a policy) (12.1)</p> <p>Create criteria against which to assess proposed new potential agreements. These criteria to include scientific need, the added value of CMS involvement, existing and potential synergies (internally and externally) funding criteria and existence of a volunteer coordinator. An example of added value includes the consideration of whether the new agreement would encourage participation and extend Parties, including considering whether the proposed agreement is better served by another MEA or other initiatives. (Includes - Improving identification of priority objectives and prioritize current activities and develop a policy where implementation monitoring must be a part of any future MoUs. (Includes: Development and/or utilization of indicators to monitor effectiveness of agreements; Implementation and effectiveness of MoUs to be reviewed at COP level; After set period of time CMS Secretariat to report on MoU implementation). (12.3 and 12.5)</p>	<p>Extending the scope of existing Agreements/ MoUs rather than developing new Agreements/ MoUs (e.g., AEWA and elephants MoU). (12.4)</p>	

N°	ACTIVITY	OPTION	DESCRIPTION	SHORT TERM: BY COP11 - 2014	MEDIUM TERM: BY COP12 - 2017	LONG TERM: BY COP13 - 2020
13	Seek opportunities to expand and develop capacity building across the CMS Family	<b>2</b>	<ul style="list-style-type: none"> <li>- Expand and enhance capacity building to improve conservation efforts and implementation.</li> <li>- To include centralized workshops by region or along common thematic interests, for example the development of national policy instruments, reporting practices and species monitoring.</li> </ul>	Work with local and regional partners to develop capacity building. (13.1)		
				CMS provide centralized services relating to build capacity with the CMS Family including training and educational activities. (13.2)		
14	Seek opportunities to expand and enhance fundraising activities	<b>2</b>	<ul style="list-style-type: none"> <li>- To coordinate fundraising activities.</li> <li>- To develop synergies.</li> <li>- To identify funding opportunities.</li> </ul>	CMS coordinate fundraising activities work with partners and stakeholders to expand fundraising activities. (14.1)		
15	Enhanced collaboration between CMS agreements (for Option 2) via Secretariats or (for Option 3) via merger of agreements based on either geography/ecology or on species clusters	<b>2 and 3</b>	<ul style="list-style-type: none"> <li>- To seek opportunities to develop synergistic relationships either based on geography or species clustering.</li> <li>- To maximize resources.</li> <li>- To encourage cooperation between agreements.</li> <li>- To develop common conservation programmes.</li> <li>- To consolidate funding.</li> </ul>	Cooperation and coordination between agreement programmes and projects based on species clustering, thematic issues or geography as appropriate (15.1)	Begin considering, if appropriate, merging agreements based on geography and/or ecology or species grouping. (15.3)	
				If appropriate, cooperation and coordination between Agreement Secretariats e.g. based on species clustering or on geography. (15.2)		

N°	ACTIVITY	OPTION	DESCRIPTION	SHORT TERM: BY COP11 - 2014	MEDIUM TERM: BY COP12 - 2017	LONG TERM: BY COP13 - 2020
16	Monitoring of implementation	<b>1</b>	<ul style="list-style-type: none"> <li>- An assessment of the quality of work being undertaken, an identification of gaps in the programmes and what possible measures may be required in order to close the gaps.</li> <li>- To improve implementation across the CMS Family.</li> <li>- To measure success.</li> <li>- To share best practice.</li> </ul>	Utilization of systems of assessment and monitoring external to CMS (for example by UNEP-WCMC). (External) (16.1)	Improve mechanisms to measure implementation of CMS and its Family both from a Party and conservation perspective, quality of work, and identification of gaps and propose measures to close these gaps. Developing indicators for measuring action plans. (Internal) (16.2)	

**ANNEX 2: ACTIVITIES FOR IMPLEMENTATION IN 2012-2014**

<b>Activity</b>	
1.1	Alignment with international environmental governance reform.
2.1	Closer collaboration with UNEP regional offices, where appropriate, to assist with capacity building and technological support by CMS and its Family.
2.2	Encourage more NGOs and private sector organizations to become engaged in Agreements and MoUs.
3.1	Explore opportunities to improve the synergies between the CMS science base with the development of IPBES, as well as collaborating with and learning lessons from existing data hubs (e.g. TEMATEA, UNEP-WCMC, IUCN, Wetland International) to enhance the delivery of CMS Family objectives.
4.1	Produce CMS website in three languages.
4.4	Parties/Signatories to translate guidance documents into local languages to assist implementation.
5.1	CMS Secretariat to coordinate a global gap analysis at Convention level. To consider which issues are being addressed, what issues are not being addressed, if another organization is addressing these issues, scientific gap analysis and what research is required; Resource assessment of the Convention including an assessment of MOUs and their viability.
5.3	Resource assessment.
16.3	Undertake an assessment of MoUs and their viability.
6.1	Coordinated strategic plans for the CMS Family.
6.2	Coordinated strategic plans for the CMS Family.
7.1	Planning, assessment and gap analysis.
8.1	Regionalize conservation efforts by having local coordinators with assistance from UNEP, NGOs and MEAs.
8.2	Have a presence in each of the CMS administrative regions in conjunction with and where possible with assistance from UNEP, NGOs, MEAs and Parties.
9.1	Utilization of existing data management systems external to CMS (within Convention – CMS and MOUs).(for example by UNEP-WCMC).
9.2	Build upon current practices of harmonization of data reporting and the development of current systems, probably utilizing the on-going work being undertaken by both AEWa and IOSEA.
10.1	Endeavour to ensure staffing levels of CMS Policy and Agreements Unit to service MoUs.
11.1	Prioritize and coordinate meetings of scientific and other advisory bodies, working groups, etc.
12.1	Agreements and MoUs focused only on migratory species.
12.2	Encourage more Range States to become Parties/Signatories to CMS and CMS Family.
12.3	Create criteria against which to assess proposed new potential agreements.
12.5	Develop a policy where implementation monitoring must be a part of any future MoUs.
13.1	Work with local and regional partners to develop capacity building.
13.2	CMS provide centralized services relating to build capacity with the CMS family including training and educational activities.
14.1	CMS coordinate fundraising activities work with Parties, partners and stakeholders to expand fundraising activities.
15.1	Cooperation and coordination between agreement programmes and projects based on species clustering, thematic issues or geography, if appropriate.
15.2	Cooperation and coordination between agreement Secretariats, e.g. based on species clustering or on geography, as appropriate.
16.1	Utilization of systems of assessment and monitoring external to CMS (for example by UNEP-WCMC).

**ANNEX 3: ACTIVITIES TO BE INCLUDED IN THE DEVELOPMENT OF THE  
CMS STRATEGIC PLAN FOR 2015-2023**

<b>Activity</b>
1.2, 1.3, 2.3, 2.4, 3.2, 3.3, 4.2, 4.3, 4.4, 5.2, 6.3, 7.2, 7.3, 8.3, 9.3, 9.4, 9.5, 10.2, 10.3, 11.2, 11.3, 12.2, 12.4, 13.2, 14.1, 15.2, 15.3, 16.2.

**CONVENTION ON  
MIGRATORY  
SPECIES**

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**GUIDANCE ON GLOBAL FLYWAY CONSERVATION AND OPTIONS FOR  
POLICY ARRANGEMENTS**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Recalling* Res.9.2, which set up a global open-ended Working Group on Flyways within the framework of the Scientific Council to act as a think-tank on migratory bird flyways and frameworks;

*Recalling further* that the Working Group was given the task of reviewing scientific and technical issues concerning the conservation of migratory birds and their habitats, and relevant international instruments, initiatives and processes, as the basis for future CMS policy on flyways and contributing to work on the Future Shape of CMS;

*Noting with appreciation* the broad participation and work undertaken by the Scientific Council, the Secretariats of the Ramsar Convention and African-Eurasian Migratory Waterbird Agreement (AEWA), international NGOs (BirdLife International, Wetlands International) the Americas Waterbird Conservation Council, the Western Hemisphere Shorebird Reserve Network, the Western Hemisphere Migratory Species Initiative, the East Asian-Australasian Flyway Partnership, the Federation of Associations for Hunting & Conservation of the EU and international experts as well as a wider consultative group contributing to the work of the Working Group;

*Further noting with satisfaction* that in accordance with the terms of reference of the Working Group, three global reviews have been produced: the first one analyzing the existing CMS and non-CMS administrative arrangements (Review 1); the second regarding scientific and technical issues and priority issues related to flyways and management of migratory species and their habitats (Review 2); and the third regarding policy options (Review 3);

*Noting with gratitude* the work undertaken by the Working Group on Flyways at its meeting in Edinburgh on 20-21 February 2011 and during the whole intersessional period and *acknowledging* the generous financial contributions provided by Germany, Switzerland, the United Kingdom and Wetlands International as well as the support of Working Group members towards the preparation and organization of the meeting and the drafting of reports;

*Noting with appreciation* the support and guidance provided by the Secretariat and the Standing Committee respectively to the operation of the Working Group throughout the intersessional period;

*Acknowledging* other contributing parallel processes undertaken within CMS such as the Working Group on the Future Shape of CMS and *recalling* that, according to Res.9.2, the conclusion of instruments currently under development and the elaboration of new instruments under the aegis of CMS need to be linked to the outcome of the Future Shape process;

*Recognizing* specific threats that are of particular significance to migratory birds along flyways as identified in document UNEP/CMS/ScC17/Inf.4.3b (CMS Review 3), which may include: inland wetland reclamation; destruction of coastal and inter-tidal habitats; loss of forests and grasslands; agricultural intensification and habitat modification through desertification and overgrazing; inappropriate wind turbine development (as recognized in Resolution 7.5); collisions with power lines and electrocutions (as recognized in Resolutions 7.4 and 10.11); illegal and/or unsustainable trapping and shooting; overfishing and the bycatch of seabirds (as recognized in Resolutions 6.2, 7.2, 8.14, 9.18 and 10.14); lead shot and other poisoning (as recognized in Resolution 10.26); invasive alien species and avian influenza and other disease (as recognized in Resolutions 8.27, 9.8 and 10.22); marine debris (as recognized in Resolution 10.4) and other relevant resolutions;

*Taking note* of “The Hague Action Statement” issued on the occasion of the 15<sup>th</sup> Anniversary of AEWB in June 2010;

*Recognizing* that flyways are to be considered as ecological networks, since although there may be no direct physical links between their component parts, the populations of birds using them provide an ecological link themselves, as recognized in UNEP/CMS/Resolution 10.3;

*Recognizing also* the vital importance of the Arctic as the location of breeding and moulting areas of the world’s major flyways and that the region is undergoing rapid change driven by climate effects, development of activities of major extractive industry, land and water transportation routes and other threats;

*Acknowledging* the contributions of the UNEP-GEF Siberian Crane Wetland Project implemented by the International Crane Foundation and the governments of China, the Islamic Republic of Iran, Kazakhstan and the Russian Federation to the protection and management of an ecological site network in Asia;

*Recalling* Target 11 of the Aichi Biodiversity Targets 2020 approved by the Convention on Biological Diversity in 2010, which states “By 2020, at least 17 per cent of terrestrial and inland water, and 10 per cent of coastal and marine areas, especially areas of particular importance for biodiversity and ecosystem services, are conserved through effectively and equitably managed, ecologically representative and well connected systems of protected areas and other effective area-based conservation measures, and integrated into the wider landscapes and seascapes”, is especially relevant for the conservation of migratory birds;

*Further recalling* Target 12 of the Aichi Biodiversity Targets 2020 approved by the Convention on Biological Diversity, which states “By 2020 the extinction of known threatened

species has been prevented and their conservation status, particularly of those most in decline, has been improved and sustained”;

*Acknowledging* the relevance of the Wings over Wetlands (WOW) project, developed under the aegis of AEWA and implemented under the lead of Wetlands International and BirdLife International, as the largest initiative to date in the African-Eurasian region for the conservation of migratory waterbirds and their habitats, and in particular its associated Critical Site Network Tool – an open-access web portal providing information about waterbird populations and the Critical Sites required through their annual cycle, and designed to support conservation decision-making at site, national and international levels;

*Acknowledging with satisfaction* the extensive monitoring and conservation work by Partners of the East Asian-Australasian Flyway Partnership (EAAFP) for migratory waterbirds and their habitats;

*Considering* that policies that encourage environmentally-friendly economic growth and development would be highly beneficial for migratory birds, including bird-friendly agricultural practices that also improve local livelihoods, and that these practices should be promoted along all flyways;

*Taking note* of UNEP/CMS/Resolution 10.18 which includes guidelines on the integration of migratory species into National Biodiversity Strategies and Action Plans (NBSAPs); and

*Further taking note* of the report of the Global Waterbirds Flyways Workshop to promote exchange of Good Practice and Learning that took place in Seosan (Republic of Korea) on 17-20 October 2011, contained in document UNEP/CMS/Inf.10.41;

*The Conference of the Parties to the  
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1. *Requests* the Secretariat, Parties and all others involved with the CMS, to seek actively closer cooperation among those instruments, initiatives and partnerships within and outside the UN relating to migratory birds and the habitats upon which they depend, and as a priority to focus on and address specific threats to halt the decline in the populations of these birds;
2. *Calls upon* Parties and the CMS Secretariat to promote the collaborative conservation of migratory birds by working with other bodies whose prime objective is not wildlife conservation (governmental institutions, Multilateral Environmental Agreements, UN institutions, Non-Governmental Organizations and other organizations, including from the private sector), to ensure that the requirements of habitats of migratory birds are integrated into land-use policies, including protected areas but also especially outside protected areas;
3. *Urges* Parties, *invites* Range States and *calls upon* other partners and stakeholders, including the private sector, through formal designations and voluntary measures as appropriate, to afford high priority to the conservation of sites and habitats identified as being of importance to migratory birds (based on sound scientific information), and to carry out work to determine how best to manage landscapes, including the designation of protected trans-boundary habitat corridors and ecological networks with suitable and sufficient habitat in which to breed, forage and rest;

4. *Invites* Parties to continue taking action to mitigate the impacts of climate change on migratory bird species, including addressing immediate threats that might reduce adaptive potential, ensuring adequate environmental safeguards for renewable energy projects, monitoring the status of migratory birds and their habitats, developing indicators to identify the effects of climate change, promoting adaptive management, seeking new partnerships with other international bodies and considering how to assist species to adapt to climate change (e.g. through securing critical site networks);
5. *Requests* Parties to review the coverage and protection status of current site networks noting the need to make due allowance for any exploitation and degradation of sites, and to consider the resilience of sites to climate change, taking account of the potential for shifts in the range of species due to climate change, as well as other factors;
6. *Requests* Parties to ensure that known key migratory stop-over sites are all protected and managed and additional sites identified to form part of coherent site networks for migratory species and to continue to support the development of flyway-scale site networks, especially where they are least developed, to include the widest possible range of available habitat for migratory birds, giving particular attention to tidal flats;
7. *Urges* Parties to foster trans-boundary collaboration within flyway networks and to implement existing site management plans and develop new ones where needed at key sites, supporting the development of a Global Critical Site Network Tool modelled on the Critical Site Network Tool for the African-Eurasian region;
8. *Calls upon* the Secretariat, in collaboration with Parties and relevant international organizations, to strengthen cooperation with the Arctic Council and other bodies focused on the Arctic in order to improve understanding of the ongoing and predicted changes to the environment and impacts on breeding and moulting distributions of species, and to ensure designation and management of all critically important areas;
9. *Calls upon* the Secretariat, in collaboration with Parties and relevant international organizations, to strengthen cooperation with the private sector to promote development and inclusion of flyway considerations into their operational guidance, to take up stewardship of areas directly linked to or associated with their footprint and beyond, to consider compensation for residual impacts along flyways, to strive for Net Positive Impact, and to be pro-active in using international best practice;
10. *Recommends* that Parties enhance and strengthen monitoring of migratory bird populations and the important sites they rely upon (including surveying new sites to fill information gaps), and to increase capacity for and sustainability of such monitoring in the long term, where appropriate by institutionalizing it as an ongoing activity within government, in partnership with other organizations, in order to present to key stakeholders with up-to-date information on the distribution, status and trends of migratory birds and the sites and habitats that they need;
11. *Requests* Parties to support analyses of existing datasets on individual bird movements and to support the development and use of new tools and techniques, including geo-locators, radio and satellite tracking, remote sensing, and genetic and connectivity analyses, in order to help identify migration strategies, covering the entire life cycle of species, and including the routes taken via sites ranging from those used most regularly to those of occasional importance;

12. *Calls upon* the Secretariat, in collaboration with Parties and relevant international organizations (subject to the availability of funds) to organize regional workshops aimed at sharing best practice and lessons learnt, and to promote flyway conservation and policy options, including for American Flyways, the East-Asian-Australasian Flyway, the Central Asian Flyway, seabird flyways and birds of prey of the Americas and land birds in the African-Eurasian region;

13. *Requests* Parties, the GEF, UN and other international organizations, bilateral and multilateral donors, the private sector and others to provide financial assistance to developing and the least developed countries, countries with economies in transition, the Small Island Developing States (SIDS) and NGO partners for the implementation of this Resolution;

14. *Proposes* the continuation of the open-ended Flyways Working Group to review relevant scientific and technical issues, international initiatives and processes, and to provide guidance and input to the conservation and management of flyways at global and flyway level during the intersessional period until COP11, as a basis for CMS policy on flyways, and *requests* Parties to provide the resources to ensure the timely implementation of this work;

15. *Requests* the Scientific Council to produce guidelines and/or case studies on mechanisms to enhance the conservation of migratory birds through site networks;

16. *Requests* Parties and *invites* Range States and all others involved with the CMS to support implementation of the following priorities:

16.1. African-Eurasian Flyway:

16.1.1. Explore the possibilities for AEWA to play the role of a framework for the African Eurasian Region and stress the need to strengthen the implementation of AEWA on the ground, building on the set of guidelines, Action Plans and other tools developed within the Agreement, and in the context of the development of the CMS Strategic Plan 2015-2023;

16.1.2. Make rapid progress on the Action Plan already included in the Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia as a priority;

16.1.3. Ensure the continued activity of the single species MoUs in the region; and

16.1.4. Develop provisions for long-distance migrant land birds, especially those that spend the non-breeding season in Sub-Saharan Africa, starting with the development of an Action Plan;

16.2. American Flyways:

16.2.1. Work in close partnership with existing flyway organizations and initiatives in the Americas, and in particular the Western Hemisphere Migratory Species Initiative (WHMSI), to develop an overarching conservation Action Plan for migratory birds in the Americas, recognizing especially the established programmes of work and taking into account existing instruments;

- 16.2.2. Organize a workshop (resources permitting) to consider specific needs and possible mechanisms, involving all the appropriate CMS Parties and other interested countries and organisations in the region;
- 16.2.3. Consider the potential for an instrument covering migrants within the Neo-tropics, in particular austral migrants; and
- 16.2.4. Consider the potential for an instrument covering western hemisphere birds of prey;
- 16.3. Central Asian Flyway:
  - 16.3.1. Build on existing achievements, in particular the Central Asian Flyway Action Plan for waterbirds and the recently approved Western/Central Asian Site Network for the Siberian Crane and Other Migratory Waterbirds, and consider the potential to align with existing agreements, building on earlier discussions and considering synergies with AEWA in particular; and
  - 16.3.2. Consider the potential for new Action Plans, in order to address the key conservation priorities for passerines, and the organization of a regional-level workshop (resources permitting);
- 16.4. East Asian - Australasian Flyway:
  - 16.4.1. Build on existing achievements of the East Asian-Australasian Flyway Partnership (EAAFP) for migratory waterbirds; and further suggest the development of an overarching framework agreement as an essential step in the coordination of conservation action for all migratory birds;
  - 16.4.2. Develop Action Plans to address particular conservation issues in the region, in relation to migratory bird species using coastal and other threatened habitats such as forest areas and build on the effective groundwork already established by others; and
  - 16.4.3. Organize a workshop (resources permitting) to consider specific needs and possible mechanisms to prioritize conservation efforts, involving all the appropriate CMS Parties and other interested countries and organizations in the region;
- 16.5. Pacific Flyway:
  - 16.5.1. Organize a workshop (resources permitting) to consider specific needs and possible mechanisms to prioritize conservation efforts, involving all the appropriate CMS Parties and other interested countries and organizations in the region;

16.6. Seabird Flyways:

16.6.1. Support the enhanced implementation of the Agreement on the Conservation of Albatrosses and Petrels and the African-Eurasian Migratory Waterbird Agreement, and the development, strengthening and implementation of bycatch mitigation and monitoring measures by relevant Regional Fisheries Management Organizations;

16.6.2. Request the Secretariat to organize an initial workshop (resources permitting) to scope out options and to define the conservation needs of seabirds not covered under the Agreement on the Conservation of Albatrosses and Petrels or the African-Eurasian Migratory Waterbird Agreement; and

16.6.3. Promote actions to conserve Antarctic seabirds, including through the Antarctic Treaty system and other relevant agreements; and

17. *Calls upon* Parties to report progress on implementation of this Resolution through their national reports to the Conference of the Parties.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/Resolution 10.11

Original: English

**POWER LINES AND MIGRATORY BIRDS**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Recalling* Article III 4(b) of the Convention which requests Parties to endeavour, *inter alia*, to prevent, remove, compensate for or minimize, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of species;

*Further recalling* Resolution 7.4 on the electrocution of migratory birds, which encourages Parties to take appropriate measures to reduce and avoid the electrocution of migratory birds from medium voltage transmission lines by implementing a number of mitigation measures;

*Noting* that Res.7.4 and the “Suggested Practices for Bird Protection on Power Lines” (UNEP/CMS/Inf.7.21) are still fully valid;

*Noting with satisfaction* Recommendation No.110, which was adopted in 2004 by the Standing Committee of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) on minimizing adverse effects of above-ground electricity transmission facilities (power lines) on birds;

*Welcoming* the Report by the Governments on the implementation of Recommendation No. 110/2004 (T-PVS/Files (2010) 11), as presented to the 30<sup>th</sup> Meeting of the Standing Committee of the Bern Convention and describing valuable measures taken by Parties to reduce the adverse effects of power lines;

*Further welcoming* the “Position Statement on Birds and Power Lines: On the risks to birds from electricity transmission facilities and how to minimise any such adverse effects”, adopted in 2007 by the BirdLife International Birds and Habitats Directives Task Force, calling for appropriate technical measures to reduce the adverse effects of power lines;

*Highlighting* the need to collect data on bird distribution, population size and movements as an essential part of an Environmental Impact Assessment (EIA), prior to and/or during the planning phase of a power line, and the need to monitor regularly the mortality caused by electrocution and collision with existing power lines;

*Welcoming* the “Budapest Declaration on bird protection and power lines”, as adopted on 13 April 2011 by the Conference on “Power lines and bird mortality in Europe” which calls for, *inter alia*, an international programme consisting of groups of national experts on bird safety and power lines, wider dissemination of knowledge, and improved planning of power lines in relation to bird distribution data;

*Recalling* the African-Eurasian Migratory Waterbird Agreement’s “Guidelines on how to avoid, minimize or mitigate impact of infrastructural developments and related disturbance affecting waterbirds” (Conservation Guidelines No. 11), which contain a number of relevant recommendations;

*Recognizing* the importance for society of maintaining a stable energy supply and that electrocutions, in particular, sometimes cause outages or disruption and thus that appropriate location of power lines and mitigation measures applied to power lines provide a win-win situation for birds and stability of power provision;

*Noting* the “Review of the conflict between migratory birds and electricity power grids in the African-Eurasian region” (UNEP/CMS/Conf.10.29), and *concerned* that within the African-Eurasian region tens of millions of migratory birds are killed annually as a result of electrocution and collision, including storks, cranes, many other waterbird species, birds of prey, bustards and grouse;

*Noting* that many of the birds killed by electrocution and/or collision are internationally protected, including under CMS and the CMS instruments on African-Eurasian Migratory Waterbirds, Middle-European Great Bustard and African-Eurasian Birds of Prey;

*Concerned* that further research and monitoring on birds and power lines are urgently required, that only few studies are currently available that are sufficiently well-designed to assist in guiding policy, and that there is a serious geographical bias in research that needs to be addressed;

*Recognizing* the conclusions and recommendations concerning birds and power lines presented in document UNEP/CMS/Conf.10.29 which, *inter alia*, highlight that the number of birds killed can be substantially reduced if mitigation measures are applied during the planning and construction of power lines;

*Welcoming* the “Guidelines on how to avoid or mitigate the impact of electricity power grids on migratory birds in the African-Eurasian region” (UNEP/CMS/Conf.10.30), which provide extensive practical guidance on, *inter alia*, mitigation measures, bird surveys and monitoring and the technical design of power lines;

*Acknowledging* that a number of Range States are already applying mitigation measures, for example, during planning of the location and route of new power lines;

*Noting with satisfaction* that funding has been made available, *inter alia*, through the EU/LIFE programme, to take immediate measures to protect a number of rare species, including the Great Bustard (*Otis tarda*) and Imperial Eagle (*Aquila heliaca*), from electrocution and collision;

*Noting with satisfaction also* the UNDP/GEF 'Migratory Soaring Birds Project', which is being implemented by BirdLife International, and which aims to ensure that the conservation needs of migratory soaring birds are addressed by industry, including the energy sector, along the Red Sea/Rift Valley Flyway, and the potential this project has to promote the implementation of this resolution and the above-mentioned guidelines at national and local levels;

*Acknowledging with thanks* the generous financial support provided by RWE Rhein-Ruhr Netzservice GmbH towards the development and production of the above-mentioned review and guideline documents (UNEP/CMS/Conf.10.29 and UNEP/CMS/Conf.10.30); and

*Noting with satisfaction* the discussions at the 17<sup>th</sup> Meeting of the Scientific Council and those during the AEWA Technical Committee at its 10<sup>th</sup> meeting on the drafts of the above-mentioned review and guideline documents on power lines and birds, and *aware* of the guidance provided by these fora, which has been incorporated into both documents;

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1. *Welcomes* the “Guidelines on how to avoid or mitigate the impact of electricity power grids on migratory birds in the African-Eurasian region” (UNEP/CMS/Conf.10.30);
2. *Urges Parties and encourages* non-Parties to implement these Guidelines as applicable and to:
  - 2.1 *apply*, in the African-Eurasian region as far as possible, and as applicable elsewhere, AEWA Conservation Guidelines No. 11 on Strategic Environmental Assessment (SEA) and Environmental Impact Assessment (EIA) procedures regarding the development of power lines;
  - 2.2 *consult* regularly relevant stakeholders, including government agencies, scientific bodies, non-governmental organizations and the energy sector, in order to monitor jointly the impacts of power lines on birds and to agree on a common policy of action;
  - 2.3 *establish* a baseline of bird distribution, population sizes, migrations and movements, including those between breeding, resting and feeding areas, as early as possible in the planning of any power line project, over a period of at least one year, and with particular emphasis on those species known to be vulnerable to electrocution or collision and if such studies identify any risks, to make every effort to ensure these are avoided;
  - 2.4 *design* the location, route and direction of power lines on the basis of national zoning maps and avoid, wherever possible, construction along major migration flyways and in habitats of conservation importance, such as Important Bird Areas, protected areas, Ramsar sites, the East Asian-Australasian Flyway Site Network, the West/Central Asian Site Network for Siberian Crane and other waterbirds and other critical sites as identified by the Critical Site Network (CSN) Tool for the African-Eurasian region;

- 2.5 *identify* those sections of existing power lines that are causing relatively high levels of bird injury and/or mortality due to electrocution and/or collision, and modify these as a matter of priority by applying the techniques recommended by the Guidelines in UNEP/CMS/Conf.10.30; and
  - 2.6 *regularly* monitor and evaluate the impact of power lines on bird populations at the national scale, as well as the effectiveness of mitigation measures put in place to minimize the impact of power lines on bird populations;
3. *Urges* Parties and *invites* non-Parties, inter-governmental organizations and other relevant institutions, as appropriate, to include the measures contained in this Resolution in their National Biodiversity Strategies and Action Plans and relevant legislation, if applicable, in order to ensure that the impact of power lines on bird populations is minimized, and *calls on* Parties to report progress in implementing this Resolution to each Conference of the Parties as part of their National Reports;
  4. *Encourages* electricity companies such as RWE Rhein-Ruhr Netzservice GmbH to disseminate the Guidelines widely within their networks, including at relevant conferences;
  5. *Requests* the Scientific Council, specifically the Working Groups on birds and flyways, to monitor the implementation of this Resolution and to provide further guidance when relevant new developments on reducing the impact of power lines on birds become available, such as improved mitigation techniques;
  6. *Instructs* the Secretariat, in close cooperation with relevant CMS agreements, to consult the Secretariat of the Bern Convention in order to update the mitigation guidelines regularly, as appropriate, and to disseminate these to their respective Parties; and
  7. *Urges* Parties and *invites* UNEP and other relevant international organizations, as well as the energy sector, to support financially the implementation of this Resolution.



## CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/Resolution 10.12

Original: English

### MIGRATORY FRESHWATER FISH

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Recognizing* the obligations of the international community to conserve, protect and manage migratory freshwater fish as underpinned by, *inter alia*:

- a) CBD Decision VII/4 on the revised programme of work of biological diversity of inland water ecosystems, and in particular goal 1.3 to enhance the conservation status of inland water biological diversity through rehabilitation and restoration of degraded ecosystems and the recovery of threatened species;
- b) CITES Resolutions Conf. 10.12 (Rev) on the conservation of sturgeons, Conf. 11.13 on the introduction of a universal caviar labelling system, and Conf. 12.7 (Rev. CoP13) setting out a number of conservation management measures, including fishery management programmes, improving legislation, promoting regional agreements, development of marking systems, aquaculture and the control of illicit trade; and
- c) the FAO Code of Conduct for Responsible Fisheries, dealing mainly with good practice and policy development for freshwater and marine fisheries as outlined in its General Principles in Article 6, also giving recommendations for trans-boundary cooperation, *inter alia*, in Article 6.12 and Article 7.1.3;

*Recalling* that CMS currently includes twenty-one species of freshwater fish on Appendices I and II;

*Considering* that the CMS Strategic Plan 2006-2011 and its updated version for the period 2012-2014 foresee under Objective 1 that reviews of status and conservation actions for Appendix I and Appendix II species are to be published at regular intervals;

*Taking note* of the preliminary discussion on freshwater fish at the 16<sup>th</sup> Meeting of the Scientific Council (Bonn, 28-30 June 2010) which recognized that these species were underrepresented on the CMS Appendices and where the Council welcomed the preparation of the review to be presented to its 17<sup>th</sup> Meeting;

*Acknowledging* the review of migratory freshwater fish prepared by the COP-Appointed Scientific Councillor (UNEP/CMS/Conf.10.31 and UNEP/CMS/Inf.10.33), the work of IUCN in assessing the status of freshwater fish, including maps of their distribution, and the contributions of Paraguay during the 16<sup>th</sup> meeting of the Scientific Council to identify and prioritize threatened migratory species in the La Plata basin to be listed on the Appendices of the Convention (UNEP/CMS/ScC16/Doc.7);

*Recalling* that in line with Article II of the Convention, Range States should take action to conserve, protect and manage migratory species, and should endeavour to conclude Agreements to promote the conservation and management of migratory species;

*Aware of* the significant and continuing decline of freshwater fish populations through a wide range of threats, including overfishing, habitat destruction, invasive species, pollution and barriers to migration resulting in the loss of connectivity between critical habitats;

*Taking note* of the deficient information on the conservation status, migratory behaviour and ecology of freshwater fish and the need for further research; and

*Noting further* the importance of cooperation between Range States in furthering research, awareness raising and trans-boundary management of migratory freshwater fish, and that these activities could greatly strengthen conservation outcomes for this group of species;

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Convention on the Conservation of Migratory Species of Wild Animals*

1. *Takes note* of the review of freshwater fish contained in documents UNEP/CMS/Conf.10.31 and UNEP/CMS/Inf.10.33;
2. *Requests* Parties and *invites* non-Parties to strengthen measures to protect migratory freshwater fish species against threats, including habitat destruction, habitat fragmentation, overfishing, bycatch, invasive species, pollution and barriers to migration;
3. *Further requests* Parties to improve the monitoring of freshwater fish in order to assess the level of vulnerability of each population according to IUCN Red List criteria and to work collaboratively to improve knowledge of trans-boundary migratory fish in order better to identify species that would benefit from international cooperation;
4. *Urges* Parties to submit listing proposals for those species highlighted in the review as threatened, as well as other species that would benefit from international cooperation;
5. *Requests* the Scientific Council to review further the proposals submitted by Paraguay during the 16<sup>th</sup> Meeting of the Scientific Council for listing the species *Brycon orbignyanus*, *Salminus hilarii*, *Genidens barbatus* and *Zungaro jahu* on the Appendices of the Convention;
6. *Calls on* Parties to engage in international cooperation on migratory freshwater fish, which would focus on CMS-listed fish species, at sub-regional or regional levels, noting that this cooperation should, *inter alia*:

- a) involve governments where appropriate, intergovernmental organizations, non-governmental organizations and local communities;
  - b) identify and implement effective measures, as appropriate, to mitigate threats such as habitat degradation, barriers to migration, bycatch and overexploitation; and
  - c) identify viable and practical alternatives to uses of endangered migratory freshwater fish while recognizing the cultural and economic importance of these species for some communities, and ensuring that use is sustainable;
7. *Instructs* the Secretariat to bring this Resolution to the attention of the FAO Committee on Fisheries and the CITES Secretariat, to encourage joint action and to explore future avenues of cooperation with these organizations as well as with Range States of migratory freshwater fish with a view to enhancing protection, conservation and management of these species; and
8. *Further instructs* the Secretariat, resources permitting, to identify relevant international fora that address the conservation of migratory freshwater fish and to organize regional workshops to assess conservation status and recommend priority conservation measures.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/Resolution 10.13

Original: English

**STANDARDIZED NOMENCLATURE OF BIRDS  
LISTED ON THE CMS APPENDICES**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Recalling* that with Rec.6.1 the Conference of the Parties adopted standard references to be recognized and used as the basis on which the CMS Appendices, and amendments thereto, should be prepared;

*Noting* that biological taxonomy and nomenclature are dynamic;

*Aware* that international efforts to take coherent action to conserve and sustainably use biodiversity at the species level can be significantly hampered if there is no common understanding of which animals or plants are included under a particular species name and can present particular challenges for activities such as the implementation of conventions which have legal implications;

*Recognizing* that the 4<sup>th</sup> meeting of the Chairs of the Scientific Advisory Bodies of Biodiversity-related Conventions (CSAB, Gland, Switzerland 13 February 2011) expressed its support for the idea of moving towards harmonization of nomenclature and taxonomy in lists of species used by the biodiversity-related conventions, and praised the harmonization process undertaken by CITES and CMS;

*Acknowledging* that in order to strengthen the global effort to meet the Aichi Biodiversity Targets in order to reduce the rate of biodiversity loss by 2020, it would be sensible to try to ensure greater harmonization between biodiversity-related multilateral environmental agreements in the field of taxonomy and nomenclature;

*Further noting* that the case for such harmonization is made more compelling by the fact that of the 116 CMS Parties, only four are not also members of CITES;

*Acknowledging* that the harmonization of nomenclature can lead to a more integrated process, reduction of duplication and greater sharing of information between biodiversity-related Multilateral Environmental Agreements (MEAs);

*Recalling* that this objective was noted by the 6<sup>th</sup> Meeting of the Liaison Group of the Biodiversity-related Conventions (Bonn, May 2008), and was thereby included in the CITES/CMS List of Joint Activities adopted by the 34<sup>th</sup> Meeting of the CMS Standing Committee (Rome, November 2008); and the CMS-CITES Joint Work Programme 2012-2014 adopted at the 38<sup>th</sup> meeting of the CMS Standing Committee (Bergen, November 2011);

*Stressing* that notwithstanding the adoption, for practical reasons, of standard nomenclatural references at the species level, biological diversity at all taxonomic levels should be valued, conserved and used sustainably;

*Noting* that the taxonomy used by the Agreement on the Conservation of Albatrosses and Petrels (ACAP) takes account of the most recent taxonomic information on species of albatrosses and large petrels;

*Considering* that the adoption of a new reference may imply cases of synonymy, “lumping” and/or splitting of species, and that rules have to be agreed on how to act in such cases and their consequent reflection in the CMS Appendices, and that to date there has been no rule in effect for cases of lumping (aggregation); and

*Noting* the advice of the CMS Scientific Council at its 17<sup>th</sup> Meeting (Bergen, November 2011);

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Convention on the Conservation of Migratory Species of Wild Animals*

1. *Adopts* the taxonomy used by ACAP as the Convention’s standard nomenclatural reference for albatrosses and large petrels;
2. *Adopts* the rule set out below for aggregation cases to take account of the merged species conservation status and the status of the merged component species:

*If, as a result of a change of standard nomenclatural reference adopted by the Conference of the Parties, a taxon listed in either Appendix I or Appendix II of the Convention is merged with one or more unlisted taxa, under its name or that of one of the unlisted taxa, the entire aggregate taxon will be listed in the Appendix that included the originally listed, narrower, taxon in all cases where the unlisted entity thus added has the same conservation status as, or a worse one than, that of the previously listed taxon. In all other cases, a taxonomic or geographical restriction will be introduced, pending consideration by the Scientific Council and the Conference of the Parties of possibly adequate extended listing proposals.*

3. *Requests* the Chair of the Scientific Council to liaise with the Chairs of the Scientific Advisory Bodies of the Biodiversity-related Conventions, the Secretariats of relevant MEAs, and relevant international organizations including IUCN, BirdLife International, Wetlands International and UNEP-WCMC, with the aim of evaluating the possible adoption of a single nomenclature and taxonomy for birds, and to inform the Scientific Council at its 18<sup>th</sup> Meeting with a view to adopting an appropriate Resolution at COP11; and
4. *Instructs* the Secretariat to transmit this Resolution to the CITES Secretariat for its consideration by the scientific bodies of that Convention.



## CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/Resolution 10.14

Original: English

### BYCATCH OF CMS-LISTED SPECIES IN GILLNET FISHERIES

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Concerned* that despite the progress made so far by the Parties, bycatch remains a key threat to aquatic species, especially those listed on Appendix I and Appendix II of the Convention (including seabirds, fish, turtles and aquatic mammals) and that significant additional efforts are required to ensure that bycatch is reduced or controlled to levels that do not threaten the conservation status of these species;

*Recognizing* that Objective 2 of the CMS Strategic Plan 2006-2011 and its updated version for the period 2012-2014 is to “ensure that migratory species benefit from the best possible conservation measures”, and that migratory aquatic species in particular, due to the inherent connectivity of their dynamic habitats, can best be conserved through joint international cooperative efforts;

*Concerned* that migratory aquatic species face multiple, cumulative and often synergistic threats with possible effects over vast areas, such as bycatch of species, over-fishing, pollution, habitat destruction or degradation, marine noise impacts, hunting as well as climate change;

*Recalling* previous related decisions of the Conference of the Parties including Res.6.2, Rec.7.2, Res.8.14 and Res.9.18 on By-Catch;

*Conscious* of the work already completed or underway under the auspices of CMS daughter agreements and other relevant bodies;

*Recognizing* the important role of the FAO and where appropriate Regional Fisheries Management Organizations in reducing bycatch of CMS-listed species and *welcoming* the 2011 FAO International Guidelines on Bycatch Management and Reduction of Discards;

*Noting* that gillnets are widely used in both commercial and artisanal fisheries in all oceans of the world; and therefore *welcoming* the assessment of the impact of fisheries on CMS-listed species and the review to identify priority fisheries, regions and species and suitable mitigation measures called for in Res.9.18 and presented to the Conference in document UNEP/CMS/Inf.10.30;

*Aware* that there is a scarcity of information of the magnitude of gillnet fishing effort, bycatch incurred through this fishing method, the efficacy of mitigation measures, as well as abundance and distribution of many aquatic species listed on the CMS Appendices;

*Recognizing* that the taking of Appendix I shark species is prohibited under Article III (5) of the Convention; and

*Noting* that Section 3 paragraph 8 of the Shark MoU, to which a number of CMS Parties have acceded, provides that “sharks should be managed to allow for sustainable harvest where appropriate, through conservation and management measures based on the best available scientific information”, and that paragraph 13j of Section 4 of the Shark MoU encourages relevant bodies to set targets based on the best available science for fish quotas, fishing effort and other restrictions to help achieve sustainable use;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Notes* the conclusions of the review presented to the Conference in document UNEP/CMS/Inf.10.30;
2. *Takes note* that the species most exposed to risk from gillnet fisheries are likely to include representatives of all aquatic taxonomic groups listed on the Appendices of the Convention;
3. *Further notes and encourages* Parties to implement the best practice approach and procedures outlined in the 1999 FAO International Plan of Action for Reducing Incidental Catch of Seabirds in Longline Fisheries (IPOA-Seabirds) and its related Best Practices Technical Guidelines, the 1999 FAO International Plan of Action for the Conservation and Management of Sharks (IPOA-Sharks), the 2009 FAO Guidelines to Reduce Sea Turtle Mortality in Fishing Operations and the 2011 FAO International Guidelines on Bycatch Management and Reduction of Discards;
4. *Urges* Parties to assess the risk of bycatch arising from their gillnet fisheries, as it relates to migratory species, including by using observer programmes and/or other methods, where appropriate, to implement best practice mitigation measures and to review regularly the effectiveness of their implementation of mitigation measures with a view to refining them if required;
5. *Encourages* Parties to conduct research to identify and improve mitigation measures, including use of alternative fishing gear and methods, to avoid or reduce bycatch where feasible, and subsequently promote their use and implementation;
6. *Encourages* stakeholders to consult experts on all taxa concerned to consider the potential effects on aquatic mammals, seabirds, marine turtles and sharks when choosing mitigation measures;
7. *Further encourages* all stakeholders to make full use of CMS agreements related to aquatic species and the particular expertise available within them related to bycatch of the taxonomic groups they deal with;

8. *Further encourages* Parties and *invites* other governments, fisheries and fisheries-related organizations and the private sector to facilitate collection of species-specific bycatch data and to share such data wherever possible;
9. *Requests* Parties to provide available information, including the results of bycatch risk assessments or mitigation research, to the Scientific Council to allow the Scientific Council, upon request from one or several Parties, to identify and provide advice to them on best-practice mitigation techniques for each particular circumstance;
10. *Requests* the Secretariat, the Scientific Council and Parties to continue and increase efforts to collaborate with other relevant international fora and where appropriate the Regional Fisheries Management Organizations (RFMOs), with a view to avoiding duplication, increasing synergies and raising the profile of CMS and CMS agreements related to aquatic species in these fora;
11. *Calls upon* Parties to support the participation of representatives of the Secretariat and Scientific Council in relevant international fora through voluntary contributions;
12. *Further instructs* the Scientific Council to develop terms of reference for studies identifying the degree of interaction between gillnet fisheries and CMS-listed species, as well as identifying for each particular situation the most effective mitigation techniques, which should build upon and complement existing initiatives within the fisheries sector;
13. *Calls upon* Parties and *invites* other governments, partner organizations and the private sector to provide voluntary contributions for the execution of these follow-up reviews and to finance independent research on the effectiveness and further improvement of mitigation measures; and
14. *Reaffirms* Resolutions 6.2, 8.14 and 9.18 on By-Catch and *urges* Parties, the Scientific Council and the Secretariat to address outstanding or recurring actions.



## CONVENTION ON MIGRATORY SPECIES

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### GLOBAL PROGRAMME OF WORK FOR CETACEANS

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

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*Recalling* Article 2, paragraph 1 of the Convention, where “Parties acknowledge the importance of migratory species being conserved”, and *acknowledging* that migratory cetacean species may face multiple and cumulative threats with possible effects over vast areas;

*Recognizing* that Objective 2 of the CMS Strategic Plan 2006-2011 and its updated version for the period 2012-2014 is to “ensure that migratory species benefit from the best possible conservation measures”, and that migratory marine species in particular, due to the inherent connectivity of their dynamic habitats, can best be conserved through joint international cooperative efforts;

*Recalling* previous related decisions of CMS Parties including Res.8.22 (Human Induced Impacts on Cetaceans), Res.9.2 (Priorities for CMS Agreements), Res.9.7 (Climate Change Impacts on Migratory Species), Res.9.9 (Migratory Marine Species), Res.9.18 (Bycatch), Res.9.19 (Adverse Anthropogenic Marine/Ocean Noise Impacts on Cetaceans and other Biota) and others;

*Recalling* also that 14 cetacean species or populations are listed on CMS Appendix I (some of which are listed on both Appendix I and Appendix II) and that 10 of these are identified for Concerted Action, and that a further 22 cetacean species and populations are listed on CMS Appendix II and that 12 of these are identified for Cooperative Action;

*Acknowledging* other related decisions of CMS COP10 including Resolution 10.4 (Marine Debris), Resolution 10.14 (Bycatch in Gillnet Fisheries), Resolution 10.16 (Priorities for Agreements), Resolution 10.19 (Climate Change), Resolution 10.23 (Concerted and Cooperative Actions) and Resolution 10.24 (Underwater Noise);

*Aware* that many Multilateral Environmental Agreements deal with matters directly or indirectly affecting cetacean conservation and that close collaboration with these is crucial in order to achieve the desired conservation status for cetaceans;

*Noting with satisfaction* that the extensive reviews called for in Res.8.22 and reconfirmed in Res.9.9 have been carried out and published as document UNEP/CMS/Inf.10.31, analysing what the most important threats to cetaceans are in different regions, how these are addressed by intergovernmental fora and based on a gap analysis proposing a work programme for CMS;

*Grateful* to the Whale and Dolphin Conservation Society and the Migratory Wildlife Network, who in collaboration with the Appointed Councillor for Aquatic Mammals and the Secretariat undertook these extensive reviews and, based on them, developed the work programme contained in the Annex to this resolution;

*Noting* the lack of data on the distribution and migration of some populations of cetaceans and the adverse and increasing human-induced impacts cetaceans are exposed to; and

*Recognizing* the important role that the CMS Family, IMO, CITES, FAO/COFI and IWC each has in determining the global strategies for minimizing the reviewed threats;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Adopts* the Global Programme of Work for Cetaceans contained in the Annex to this resolution;
2. *Reiterates* its urgent call on Parties and non-Parties that exercise jurisdiction over any part of the range of cetacean species listed on the appendices of CMS, or over flag vessels that are engaged outside national jurisdictional limits, to cooperate as appropriate with relevant international organizations;
3. *Urges* Parties and non-Parties to promote the integration of cetacean conservation into all relevant sectors by coordinating their national positions among various conventions, agreements and other international fora;
4. *Encourages* the participation of all relevant stakeholders in the work of cetacean-related agreements of CMS;
5. *Urges* Parties and *invites* Agreement Parties, MOU Signatories, partner organizations and the private sector to facilitate the implementation of the Global Programme of Work for Cetaceans with voluntary contributions and in-kind support;
6. *Reaffirms* Res.9.9 on Migratory Marine Species and *urges* the Scientific Council to address outstanding actions;
7. *Instructs* the Scientific Council and Secretariat, subject to availability of resources, to address the actions foreseen in the Global Programme of Work for Cetaceans;
8. *Calls upon* the Scientific Council to review the regional threats for the remaining CMS-listed aquatic mammals and prepare for CMS COP11 a robust assessment of threats and regional priorities as well as similar work programmes for these other aquatic mammal species;
9. *Reiterates* the request to the Secretariat to consider options for increasing linkages and synergies within the CMS Family by promoting joint priorities, the sharing of technical expertise and resources and holding joint meetings if appropriate;
10. *Requests* the Secretariat and Scientific Council to continue and increase efforts to collaborate with other relevant international fora, with a view to avoiding duplication, increasing synergies and raising the profile of CMS and CMS cetacean-related agreements in these fora;

11. *Requests* the Secretariat and the Scientific Council to maintain and, where appropriate, seek to enhance cooperation and collaboration with the International Whaling Commission and its Scientific and Conservation Committees;
12. *Instructs* the Scientific Council's Aquatic Mammals Working Group (AMWG), chaired by the CMS Appointed Councillor for Aquatic Mammals to work intersessionally, using electronic means where appropriate; and
13. *Encourages* participation of other appointed Councillors and relevant species focal points, the scientific or advisory bodies of all CMS aquatic mammal agreements; relevant IUCN Specialist Groups; experts from FAO/COFI, CITES and IWC; and experts from CMS Partner Organizations.

## ANNEX

### CMS GLOBAL PROGRAMME OF WORK FOR CETACEANS (2012-2024)

#### GLOBAL ACTIONS

1. Based on the review of information, global collaborative action to address entanglement and bycatch and climate change are weighted as high; ship strikes, pollution, marine noise and habitat and feeding ground degradation are lower.

#### **In the period 2012-2017 (from COP10 to COP12)**

2. The Secretariat and the Scientific Council should maintain and where appropriate seek to enhance cooperation and collaboration with:
  - 2.1. FAO/COFI in particular in respect of bycatch;
  - 2.2. CITES to support and complement the conservation activities of each convention. In particular:
    - a) develop a formal process within CMS for providing comments to CITES on proposals to amend the latter's Appendices and to seek comments from CITES on proposals to amend the CMS Appendices;
    - b) representing CMS agreements when needed, to formally contribute to the deliberations of CITES Animals Committee and other CITES processes;
3. The Aquatic Mammals Working Group (AMWG) should:
  - 3.1. develop appropriate metrics for the reporting of regional conservation progress, to ensure the CMS Global Programme of Work for Cetaceans can be regularly and consistently assessed and forecast;
  - 3.2. provide advice as requested for CMS's engagement with FAO/COFI, UNICPOLOS, CITES and IWC;
  - 3.3. host a workshop to review and provide advice on the impact of the emergent science of cetacean social complexity and culture, as it relates to regional populations and to inform forward decision about CMS conservation priorities;
  - 3.4. develop advisory positions for use in Environmental Impact Assessments at the regional level;
  - 3.5. develop regular reports on progress of the CMS Global Programme of Work for Cetaceans for COP11 and COP12;
  - 3.6. facilitate the development of thematic resolutions addressing priority threats for COP11 and COP12; and
  - 3.7. support Parties in the development of any regional cetacean-related agreements and action plans prioritized by the COP.

#### **In the period 2017-2024 (from COP12 to COP14)**

4. The AMWG should:
  - 4.1. provide advice as requested for CMS's engagement with FAO/COFI, UNICPOLOS, CITES and IWC;

- 4.2. develop advisory positions for use in Environmental Impact Assessments at the regional level;
- 4.3. establish regional priorities for conservation research;
- 4.4. develop regular reports on progress of the CMS Global Programme of Work for Cetaceans for COP13 and COP14;
- 4.5. facilitate the development of thematic resolutions addressing priority threats for COP13 and COP14;
- 4.6. support Parties in the development of any regional cetacean-related agreements and action plans prioritized by the COP; and
- 4.7. facilitate appropriate processes to forecast the next iteration of the CMS Global Programme of Work for Cetaceans.

#### NORTH EAST ATLANTIC OCEAN ACTIONS

5. In the North East Atlantic Ocean collaborative action to address entanglement and bycatch, pollution and noise pollution are weighted as high priorities; habitat and feeding ground degradation are medium; climate change and ship strikes are lower.
6. Fifteen species and populations are listed on the CMS Appendices for this region, and these are:
  - a) Atlantic white-sided dolphin (*Lagenorhynchus acutus*) Appendix II
  - b) Blue whale (*Balaenopterus musculus*) Appendix I +Concerted/Cooperative Action
  - c) Common bottlenose dolphin (*Tursiops truncatus*) Appendix II
  - d) Fin whale (*Balaenoptera physalus*) Appendix I/II +Concerted/Cooperative Action
  - e) Harbour porpoise / Common porpoise (*Phocoenaphocoena*) Appendix II
  - f) Humpback whale (*Megaptera novaeangliae*) Appendix I +Concerted/Cooperative Action
  - g) Killer whale / Orca (*Orcinus orca*) Appendix II
  - h) Long-finned pilot whale (*Globicephala melas*) Appendix II
  - i) Northern bottlenose whale (*Hyperoodon ampullatus*) Appendix II
  - j) North Atlantic right whale (*Eubalaena glacialis*) Appendix I
  - k) Risso's dolphin (*Grampus griseus*) Appendix II
  - l) Sei whale (*Balaenoptera borealis*) Appendix I/II +Concerted/Cooperative Action
  - m) Short-beaked common dolphin (*Delphinus delphis*) Appendix II
  - n) Sperm whale (*Physeter macrocephalus*) Appendix I/II +Concerted/Cooperative Action
  - o) White-beaked dolphin (*Lagenorhynchus albirostris*) Appendix II

#### **In the period 2012-2017 (from COP10 to COP12)**

7. The Secretariat and the Scientific Council should:
  - 7.1. cooperate and collaborate with ASCOBANS, ACCOBAMS and the Bern Convention;
  - 7.2. extend their cooperation and collaboration with ASCOBANS and OSPAR on the identification of and where appropriate work on the protection of habitats of harbour porpoise (*Phocoenaphocoena*) within the overlapping ASCOBANS and OSPAR areas;
  - 7.3. cooperate and collaborate with ASCOBANS and IMO. This is already a positive and important relationship; and

- 7.4. establish an active collaboration agreement with relevant RFMOs, with the objective of measurably reducing cetacean bycatch.
8. The AMWG should:
  - 8.1. provide support to ASCOBANS and ACCOBAMS, especially with assessing and defining appropriate standards for noise pollution; and
  - 8.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP11 and COP12.

#### **In the period 2017-2024 (from COP12 to COP14)**

9. The Secretariat and the Scientific Council should:
  - 9.1. if invited by ASCOBANS Parties, assist them to assess the benefits of geographically extending the ASCOBANS region to encompass the whole of the regional range of the 15 Appendix listed species and extending the mandate of ASCOBANS to cover the Appendix I listed great whales; and
  - 9.2. extend their cooperation and collaboration with ASCOBANS and OSPAR on the identification of and where appropriate work on the protection of habitats of bowhead whale (*Balaenamysticetus*), blue whale (*Balaenopterus musculus*), northern right whale (*Eubalaenaglacialis*) and harbour porpoise (*Phocoenaphocoena*) within the overlapping ASCOBANS and OSPAR areas.
10. The AMWG should:
  - 10.1. provide support to ASCOBANS, especially with assessing and defining appropriate standards for noise pollution; and
  - 10.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP13 and COP14.

#### **MEDITERRANEAN AND BLACK SEAS ACTIONS**

11. In the Mediterranean and Black Seas collaborative action to address entanglement and bycatch (including driftnet fisheries), pollution and habitat and feeding ground degradation are weighted as high priorities; ship strikes, marine noise and climate change as medium; other impediments to migration are lower.
12. Eight species and populations are listed on the CMS Appendices for this region, and these are:
  - a) Common bottlenose dolphin (*Tursiops truncatus ponticus*) Appendix I +Concerted/Cooperative Action
  - b) Fin whale (*Balaenoptera physalus*) Appendix I/II +Concerted/Cooperative Action
  - c) Harbour porpoise / Common porpoise (*Phocoenaphocoena*) Appendix II
  - d) Killer whale / Orca (*Orcinus orca*) Appendix II
  - e) Risso's dolphin (*Grampus griseus*) Appendix II
  - f) Short-beaked common dolphin (*Delphinus delphis*) Appendix I (Mediterranean population) / II

- g) Sperm whale (*Physeter macrocephalus*) Appendix I/II +Concerted/Cooperative Action
- h) Striped dolphin (*Stenella coeruleoalba*) Appendix II

### **In the period 2012-2017 (from COP10 to COP12)**

#### 13. The Secretariat and the Scientific Council should:

- 13.1. establish greater cooperation and collaboration between CMS, ACCOBAMS, the Bern Convention, the Barcelona Convention and the Bucharest Convention;
- 13.2. extend their cooperation and collaboration with ACCOBAMS and OSPAR on the identification of and where appropriate work on the protection of habitats of bowhead whale (*Balaenamysticetus*), blue whale (*Balaenoptera musculus*) and North Atlantic right whale (*Eubalaena glacialis*) within the overlapping ACCOBAMS and OSPAR areas;
- 13.3. increase the collaboration between CMS, ACCOBAMS and IMO. This is already a positive and important relationship; and
- 13.4. establish an active collaboration agreement with relevant RFMOs, with the objective of measurably reducing cetacean bycatch.

#### 14. The AMWG should:

- 14.1. provide support to ACCOBAMS, especially with assessing and defining appropriate standards for noise pollution; and
- 14.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP11 and COP12.

### **In the period 2017-2024 (from COP12 to COP14)**

#### 15. The AMWG should:

- 15.1. provide support to ACCOBAMS, especially with assessing and defining appropriate standards for noise pollution; and
- 15.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP13 and COP14.

### **CENTRAL AND SOUTH EAST ATLANTIC OCEAN (WESTERN AFRICA) ACTIONS**

16. In the Central and South East Atlantic Ocean collaborative action to address entanglement and bycatch and marine bushmeat are weighted as high priorities; pollution, marine noise and habitat and feeding ground degradation are weighted as medium; climate change and ship strikes are lower.

17. Ten species and populations are listed on the CMS Appendices for this region, and these are:

- a) Atlantic humpback dolphin (*Sousa teuszii*) Appendix I/II
- b) Blue whale (*Balaenoptera musculus*) Appendix I +Concerted/Cooperative Action
- c) Bryde's whale (*Balaenoptera aedeni*) Appendix II
- d) Clymene dolphin (*Stenella clymene*) Appendix II

- e) Fin whale (*Balaenoptera physalus*) Appendix I/II +Concerted/Cooperative Action
- f) Harbour porpoise / Common porpoise (*Phocoenaphocoena*) Appendix II
- g) Humpback whale (*Megapteranovaeangliae*) Appendix I +Concerted/Cooperative Action
- h) Killer whale / Orca (*Orcinus orca*) Appendix II
- i) Sei whale (*Balaenoptera borealis*) Appendix I/II +Concerted/Cooperative Action
- j) Sperm whale (*Physeter macrocephalus*) Appendix I/II +Concerted/Cooperative Action

**In the period 2012-2017 (from COP10 to COP12)**

18. The Secretariat and the Scientific Council should:

- 18.1. identify and establish greater collaboration between CMS, the UNEP Regional Seas Programme and the Abidjan Convention as appropriate;
- 18.2. develop an active collaboration agreement with relevant RFMOs, with the objective of measurably reducing cetacean bycatch; and
- 18.3. approach CITES to discuss cooperative support for addressing marine bushmeat as a regional issue.

19. The AMWG should:

- 19.1. provide support to the Western African Aquatic Mammals MOU, especially with assessing and developing mitigation measures for the region bycatch and marine bushmeat, identification of and where appropriate work on the protection of habitats and developing appropriate standards for noise pollution; and
- 19.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP11 and COP12.

**In the period 2017-2024 (from COP12 to COP14)**

20. The Secretariat and the Scientific Council should:

- 20.1. collaborate with the Western African Aquatic Mammals MOU Signatories to assess the benefits of extending the agreement area of the Western African Aquatic Mammals MOU to encompass the high seas area of this region; and
- 20.2. collaborate with the Western African Aquatic Mammals MOU Signatories to assess the benefits of extending the scope of the agreement to include the Appendix I listed great whales.

21. The AMWG should:

- 21.1. provide support to the Western African Aquatic Mammals MOU, especially with assessing and developing mitigation measures for the region bycatch and marine bushmeat, identification of and where appropriate work on the protection of habitats and developing appropriate standards for noise pollution; and
- 21.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP13 and COP14.

**NORTH WEST ATLANTIC OCEAN (ATLANTIC NORTH AMERICA AND THE CARIBBEAN) ACTIONS**

22. In the Caribbean Seas and North West Atlantic Ocean collaborative action to address entanglement and bycatch, ship strikes and marine noise are weighted as high priorities; habitat and feeding ground degradation are weighted as medium; climate change and pollution as lower.
23. Nine species and populations are listed on the CMS Appendices for this region, and these are:
- a) Blue whale (*Balaenoptera musculus*) Appendix I + Concerted/Cooperative Action
  - b) Bryde's whale (*Balaenoptera aedeni*) Appendix II
  - c) Fin whale (*Balaenoptera physalus*) Appendix I/II + Concerted/Cooperative Action
  - d) Humpback whale (*Megaptera novaeangliae*) Appendix I + Concerted/Cooperative Action
  - e) Killer whale / Orca (*Orcinus orca*) Appendix II
  - f) Northern bottlenose whale (*Hyperoodon ampullatus*) Appendix II
  - g) North Atlantic right whale (*Eubalaena glacialis*) Appendix I
  - h) Sei whale (*Balaenoptera borealis*) Appendix I/II + Concerted/Cooperative Action
  - i) Sperm whale (*Physeter macrocephalus*) Appendix I/II + Concerted/Cooperative Action

**In the period 2012-2017 (from COP10 to COP12)**

24. The Secretariat and the Scientific Council should:
- 24.1. establish greater collaboration with the UNEP Regional Seas Programme, the Western Hemisphere Migratory Species Initiative (WHMSI), the Cartagena Convention and SPAW. SPAW's established forward programme of work could be built upon to also encompass the CMS listed species, for the benefit of Caribbean CMS Parties;
  - 24.2. develop an active collaboration agreement with relevant RFMOs, including the International Commission for the Conservation of Atlantic Tunas (ICCAT) with the objective of measurably reducing cetacean bycatch; and
  - 24.3. investigate an arrangement with the Western Hemisphere Migratory Species Initiative (WHMSI) to deliver a regional Action Plan for the CMS species of North America and the Caribbean.
25. The AMWG should:
- 25.1. provide support to the region and collaborate with SPAW and WHMSI, especially with assessing and developing mitigation measures for the region's bycatch, identification of and where appropriate work on the protection of habitats and developing appropriate standards for noise pollution; and
  - 25.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP11 and COP12.

**In the period 2017-2024 (from COP12 to COP14)**

26. The AMWG should:

- 26.1. provide support to the region and collaborate with SPAW and WHMSI, especially with assessing and developing mitigation measures for the region's bycatch, identification of and where appropriate work on the protection of habitats and developing appropriate standards for noise pollution; and
- 26.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP13 and COP14.

**SOUTH WEST ATLANTIC OCEAN (ATLANTIC LATIN AMERICA) ACTIONS**

27. In the South West Atlantic Ocean collaborative action to address entanglement and bycatch are weighted as high priorities; ship strikes, pollution and habitat and feeding ground degradation as medium priorities; climate change and marine noise as lower.

28. Seventeen species and populations are listed on the CMS Appendices for this region, are these are:

- a) Amazon river dolphin / Boto (*Iniageoffrensis*) Appendix II
- b) Blue whale (*Balaenopterus musculus*) Appendix I + Concerted/Cooperative Action
- c) Bryde's whale (*Balaenoptera aedeni*) Appendix II
- d) Burmeister's porpoise (*Phocoenaspinipinnis*) Appendix II + Concerted/Cooperative Action
- e) Commerson's dolphin (*Cephalorhynchus commersonii*) Appendix II + Concerted/Cooperative Action
- f) Dusky dolphin (*Lagenorhynchus obscurus*) Appendix II + Concerted/Cooperative Action
- g) Fin whale (*Balaenoptera physalus*) Appendix I/II + Concerted/Cooperative Action
- h) Franciscana / La Plata dolphin (*Pontoporiablainvillei*) Appendix I/II + Concerted/Cooperative Action
- i) Guianadolphin (*Sotalia guianensis*) Appendix II
- j) Humpback whale (*Megapteranovaeangliae*) Appendix I + Concerted/Cooperative Action
- k) Killer whale / Orca (*Orcinus orca*) Appendix II
- l) Peale's dolphin / Black-chinned dolphin (*Lagenorhynchus australis*) Appendix II + Concerted/Cooperative Action
- m) Sei whale (*Balaenoptera borealis*) Appendix I/II + Concerted/Cooperative Action
- n) Southern right whale (*Eubalaena australis*) Appendix I + Concerted/Cooperative Action
- o) Spectacled porpoise (*Phocoenadioptrica*) Appendix II + Concerted/Cooperative Action
- p) Sperm whale (*Physeter macrocephalus*) Appendix I/II + Concerted/Cooperative Action
- q) Tucuxi (*Sotalia fluviatilis*) Appendix II

**In the period 2012-2017 (from COP10 to COP12)**

29. The Secretariat and the Scientific Council should:

- 29.1. investigate an arrangement with WHMSI to deliver a regional Action Plan for the CMS species of Latin America; and
- 29.2. develop an active collaboration with Parties with the objective of measurably reducing cetacean bycatch.

30. The AMWG should:

- 30.1. provide support to the region and collaborate with WHMSI, especially with assessing and developing mitigation measures for the region's bycatch, identification of and where appropriate work on the protection of habitat; and
- 30.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP11 and COP12.

**In the period 2017-2024 (from COP12 to COP14)**

31. The AMWG should:

- 31.1. provide support to the region and collaborate with WHMSI, especially with assessing and developing mitigation measures for the region's bycatch, identification of and where appropriate work on the protection of habitat; and
- 31.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP13 and COP14.

**CENTRAL AND NORTH EAST PACIFIC OCEAN (PACIFIC NORTH AMERICA AND EASTERN TROPICAL PACIFIC) ACTIONS**

32. In the Central and North East Pacific Ocean collaborative action to address entanglement and bycatch, marine noise and habitat and feeding ground degradation are weighted as high priorities; pollution as a medium priority; and climate change and ship strikes as lower.

33. 14 species and populations are listed on the CMS Appendices for this region, and these are:

- a) Baird's beaked whale (*Berardius bairdii*) Appendix II
- b) Blue whale (*Balaenoptera musculus*) Appendix I + Concerted/Cooperative Action
- c) Bryde's whale (*Balaenoptera aedeni*) Appendix II
- d) Dall's porpoise (*Phocoenoides dalli*) Appendix II
- e) Fin whale (*Balaenoptera physalus*) Appendix I/II + Concerted/Cooperative Action
- f) Humpback whale (*Megaptera novaeangliae*) Appendix I + Concerted/Cooperative Action
- g) Killer whale / Orca (*Orcinus orca*) Appendix II
- h) North Pacific right whale (*Eubalaena japonica*) Appendix I
- i) Pantropical spotted dolphin (*Stenella attenuata*) Appendix II + Concerted/Cooperative Action
- j) Sei whale (*Balaenoptera borealis*) Appendix I/II + Concerted/Cooperative Action

- k) Short-beaked common dolphin (*Delphinus delphis*) Appendix II
- l) Sperm whale (*Physeter macrocephalus*) Appendix I/II +Concerted/Cooperative Action
- m) Spinner dolphin (*Stenella longirostris*) Appendix II +Concerted/Cooperative Action
- n) Striped dolphin (*Stenella coeruleoalba*) Appendix II

#### **In the period 2012-2017 (from COP10 to COP12)**

34. The Secretariat and the Scientific Council should:

- 34.1. investigate an arrangement with WHMSI to deliver a regional Action Plan, or agreement for these species; and
- 34.2. develop an active collaboration agreement with relevant RFMOs, including the Inter-American Tropical Tuna Commission (IATTC) with the objective of measurably reducing cetacean bycatch.

35. The AMWG should:

- 35.1. provide support to the region and collaborate with WHMSI, especially with assessing and developing mitigation measures for the region's bycatch, identification of and where appropriate work on the protection of habitat and developing appropriate standards for noise pollution; and
- 35.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP11 and COP12.

#### **In the period 2017-2024 (from COP12 to COP14)**

36. The AMWG should:

- 36.1. provide support to the region and collaborate with WHMSI, especially with assessing and developing mitigation measures for the region's bycatch, identification of and where appropriate work on the protection of habitat and developing appropriate standards for noise pollution; and
- 36.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP13 and COP14.

#### **SOUTH EAST PACIFIC OCEAN (PACIFIC LATIN AMERICA) ACTIONS**

37. In the South East Pacific Ocean collaborative action to address entanglement and bycatch and marine bushmeat) are weighted as high priorities; climate change and ship strikes, pollution and marine noise as lower.

38. 13 species and populations are listed on the CMS Appendices for this region, are these are:

- a) Blue whale (*Balaenoptera musculus*) Appendix I +Concerted/Cooperative Action
- b) Bryde's whale (*Balaenoptera aedeni*) Appendix II
- c) Burmeister's porpoise (*Phocoena spinipinnis*) Appendix II +Concerted/Cooperative Action

- d) Chilean dolphin (*Cephalorhynchuseutropia*) Appendix II +Concerted/Cooperative Action
- e) Dusky dolphin (*Lagenorhynchusobscurus*) Appendix II +Concerted/Cooperative Action
- f) Fin whale (*Balaenoptera physalus*) Appendix I/II +Concerted/Cooperative Action
- g) Heaviside's dolphin (*Cephalorhynchusheavisidii*) Appendix II
- h) Humpback whale (*Megapteranovaeangliae*) Appendix I +Concerted/Cooperative Action
- i) Killer whale / Orca (*Orcinus orca*) Appendix II
- j) Peale's dolphin / Black-chinned dolphin (*Lagenorhynchusaustralis*) Appendix II +Concerted/Cooperative Action
- k) Sei whale (*Balaenoptera borealis*) Appendix I/II +Concerted/Cooperative Action
- l) Southern right whale (*Eubalaenaaustralis*) Appendix I +Concerted/Cooperative Action
- m) Sperm whale (*Physeter macrocephalus*) Appendix I/II +Concerted/Cooperative Action

#### **In the period 2012-2017 (from COP10 to COP12)**

39. The Secretariat and the Scientific Council should:

- 39.1. investigate an arrangement with WHMSI to deliver a regional Action Plan, or agreement for these species; and
- 39.2. develop an active collaboration agreement with relevant RFMOs, including IATTC with the objective of measurably reducing cetacean bycatch.

40. The AMWG should:

- 40.1. provide support to the region and collaborate with WHMSI, especially with assessing and developing mitigation measures for the region's bycatch and marine bushmeat issues; and
- 40.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP11 and COP12.

#### **In the period 2017-2024 (from COP12 to COP14)**

41. The AMWG should:

- 41.1. provide support to the region and collaborate with WHMSI, especially with assessing and developing mitigation measures for the region's bycatch and marine bushmeat issues; and
- 41.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP13 and COP14.

**CENTRAL AND NORTH WEST PACIFIC OCEAN (EAST AND SOUTH EAST ASIA) ACTIONS**

42. Central and North West Pacific Ocean collaborative action to address entanglement and bycatch and marine bushmeat, pollution and habitat and feeding ground degradation are weighted as high priorities; ship strikes and marine noise as medium priorities; climate change as lower.
43. Nineteen species and populations are listed on the CMS Appendices for this region, and these are
- a) Australian snubfin dolphin (*Orcaellaheinsohni*) Appendix II
  - b) Baird's beaked whale (*Berardiusbairdii*) Appendix II
  - c) Blue whale (*Balaenopterusmusculus*) Appendix I +Concerted/Cooperative Action
  - d) Bryde's whale (*Balaenopteraedeni*) Appendix II
  - e) Dall's porpoise (*Phocoenoidesdalli*) Appendix II
  - f) Fin whale (*Balaenopteraphysalus*) Appendix I/II +Concerted/Cooperative Action
  - g) Finless porpoise (*Neophocaenaphocaenoides*) Appendix II +Concerted/Cooperative Action
  - h) Fraser's dolphin (*Lagenodelphishosei*) Appendix II+Concerted/Cooperative
  - i) Humpback whale (*Megapteranovaeangliae*) Appendix I +Concerted/Cooperative Action
  - j) Indo-Pacific bottlenose dolphin (*Tursiopsaduncus*) Appendix II +Concerted/Cooperative
  - k) Indo-Pacific humpback dolphin (*Sousa chinensis*) Appendix II +Concerted/Cooperative Action
  - l) Irrawaddy dolphin (*Orcaellabrevirostris*) Appendix I/II +Concerted/Cooperative Action
  - m) Killer whale / Orca (*Orcinus orca*) Appendix II
  - n) North Pacific right whale (*Eubalaena japonica*) Appendix I
  - o) Omura's whale (*Balaenopteraomurai*) Appendix II
  - p) Pantropical spotted dolphin (*Stenellaattenuata*) Appendix II +Concerted/Cooperative Action
  - q) Sei whale (*Balaenoptera borealis*) Appendix I/II +Concerted/Cooperative Action
  - r) Sperm whale (*Physetermacrocephalus*) Appendix I/II +Concerted/Cooperative Action
  - s) Spinner dolphin (*Stenellalongirostris*) Appendix II +Concerted/Cooperative Action

**In the period 2012-2017 (from COP10 to COP12)**

44. The Secretariat and the Scientific Council should:
- 44.1. develop greater cooperation and collaboration with an appropriate body within ASEAN (Association of Southeast Asian Nations);
  - 44.2. negotiate a regional agreement for cetaceans in South East Asia; and
  - 44.3. develop an active collaboration agreement with relevant RFMOs, including the Western and Central Pacific Fisheries Commission (WCPFC) with the objective of measurably reducing cetacean bycatch.

45. The AMWG should:
- 45.1. provide support to the region, especially with assessing and developing mitigation measures for the region's bycatch, identification of and where appropriate work on the protection of habitat and developing appropriate standards for noise pollution; and
  - 45.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP11 and COP12.

**In the period 2017-2024 (from COP12 to COP14)**

46. The AMWG should:
- 46.1. provide support to the region, especially with assessing and developing mitigation measures for the region's bycatch, identification of and where appropriate work on the protection of habitat and developing appropriate standards for noise pollution; and
  - 46.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP13 and COP14.

**PACIFIC ISLANDS REGION ACTIONS**

47. In the Pacific Islands Region collaborative action to address entanglement and bycatch and habitat and feeding ground degradation are weighted as high priorities; climate change, pollution as medium priorities; ship strikes and marine noise as lower.
48. Twelve species and populations are listed on the CMS Appendices for this region, and these are:
- a) Australian snubfin dolphin (*Orcaella heinsohni*) Appendix II
  - b) Blue whale (*Balaenopterus musculus*) Appendix I + Concerted/Cooperative Action
  - c) Bryde's whale (*Balaenoptera aedeni*) Appendix II
  - d) Dusky dolphin (*Lagenorhynchus obscurus*) Appendix II + Concerted/Cooperative Action
  - e) Fin whale (*Balaenoptera physalus*) Appendix I/II + Concerted/Cooperative Action
  - f) Humpback whale (*Megaptera novaeangliae*) Appendix I + Concerted/Cooperative Action
  - g) Indo-Pacific humpback dolphin (*Sousa chinensis*) Appendix II + Concerted/Cooperative Action
  - h) Killer whale / Orca (*Orcinus orca*) Appendix II
  - i) Omura's whale (*Balaenoptera omurai*) Appendix II
  - j) Pantropical spotted dolphin (*Stenella attenuata*) Appendix II + Concerted/Cooperative Action
  - k) Sei whale (*Balaenoptera borealis*) Appendix I/II + Concerted/Cooperative Action
  - l) Sperm whale (*Physeter macrocephalus*) Appendix I/II + Concerted/Cooperative Action

**In the period 2012-2017 (from COP10 to COP12)**

49. The Secretariat and the Scientific Council should:

- 49.1. develop an active collaboration agreement with relevant RFMOs, including IATTC, the Commission for the Conservation of Southern Bluefin Tuna (CCSBT) and WCPFC with the objective of measurably reducing cetacean bycatch.

50. The AMWG should:

- 50.1. provide support to the Pacific Cetaceans MOU, especially with assessing and developing mitigation measures for the region bycatch, identification of and where appropriate work on the protection of habitat; and
- 50.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP11 and COP12.

**In the period 2017-2024 (from COP12 to COP14)**

51. The AMWG should:

- 51.1. provide support to the Pacific Cetaceans MOU, especially with assessing and developing mitigation measures for the region bycatch and marine bushmeat, identification of and where appropriate work on the protection of habitat; and
- 51.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP13 and COP14.

**INDIAN OCEAN ACTIONS**

52. In the Indian Ocean (including the Red Sea) collaborative action to address entanglement and bycatch, pollution, marine bushmeat habitat and feeding ground degradation are weighted as high priorities; climate change is weighted as a medium priority; ship strikes and marine noise as lower.

53. Fourteen species and populations are listed on the CMS Appendices for this region, and these are:

- a) Blue whale (*Balaenopterus musculus*) Appendix I +Concerted/Cooperative Action
- b) Bryde's whale (*Balaenoptera aedeni*) Appendix II
- c) Dusky dolphin (*Lagenorhynchus obscurus*) Appendix II  
+Concerted/Cooperative Action
- d) Fin whale (*Balaenoptera physalus*) Appendix I/II +Concerted/Cooperative Action
- e) Finless porpoise (*Neophocaena phocaenoides*) Appendix II  
+Concerted/Cooperative Action
- f) Ganges River dolphin / Susu (*Platanista gangetica gangetica*) Appendix I/II  
+Concerted/Cooperative Action
- g) Humpback whale (*Megaptera novaeangliae*) Appendix I  
+Concerted/Cooperative Action

- h) Indo-Pacific humpback dolphin (*Sousa chinensis*) Appendix II +Concerted/Cooperative Action
- i) Irrawaddy dolphin (*Orcaellabrevirostris*) Appendix I/II +Concerted/Cooperative Action
- j) Killer whale / Orca (*Orcinus orca*) Appendix II
- k) Omura's whale (*Balaenoptera omurai*) Appendix II
- l) Sei whale (*Balaenoptera borealis*) Appendix I/II +Concerted/Cooperative Action
- m) Southern right whale (*Eubalaena australis*) Appendix I +Concerted/Cooperative Action
- n) Sperm whale (*Physeter macrocephalus*) Appendix I/II +Concerted/Cooperative Action

#### **In the period 2012-2017 (from COP10 to COP12)**

54. The Secretariat and the Scientific Council should:

- 54.1. facilitate a regional meeting between CMS, the Nairobi Convention, ROMPE and PERSGA to develop a forward strategy for the conservation of cetaceans in the Indian Ocean; and
- 54.2. develop an active collaboration agreement with relevant RFMOs, PERSGA and the Indian Ocean Tuna Commission (IOTC) with the objective of measurably reducing cetacean bycatch.

55. The AMWG should:

- 55.1. provide support to the region, especially with assessing and developing mitigation measures for the region bycatch and marine bushmeat, identification of and where appropriate work on the protection of habitat; and
- 55.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP11 and COP12.

#### **In the period 2017-2024 (from COP12 to COP14)**

56. The AMWG should:

- 56.1. provide support to the region, especially with assessing and developing mitigation measures for the region bycatch and marine bushmeat, identification of and where appropriate work on the protection of habitat; and
- 56.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP13 and COP14.

### **ARCTIC SEAS ACTIONS**

57. In the Arctic Seas climate change, habitat and feeding ground degradation and marine noise are weighted as high priorities; entanglement and bycatch and pollution as medium priorities; ship strikes as lower.

58. Five species and populations are listed on the CMS Appendices for this region, and these are:

- a) Beluga / White whale (*Delphinapterus leucas*) Appendix II
- b) Bowhead whale (*Balaenamysticetus*) Appendix I
- c) Killer whale / Orca (*Orcinus orca*) Appendix II
- d) Narwhal (*Monodon monoceros*) Appendix II
- e) Northern bottlenose whale (*Hyperoodon ampullatus*) Appendix II

**In the period 2012-2017 (from COP10 to COP12)**

59. The AMWG should:

- 59.1. where requested by a Party in the region, provide support, especially scientific and technical advice to assist the requesting CMS Party introduce adaptation measures to counteract the effects on migratory species of climate change, as well as identification of and where appropriate work on the protection of habitat and developing appropriate standards for noise pollution; and
- 59.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP11 and COP12.

**In the period 2017-2024 (from COP12 to COP14)**

60. The AMWG should:

- 60.1. where requested by a Party in the region, provide support, especially scientific and technical advice to assist the requesting CMS Party introduce adaptation measures to counteract the effects on migratory species of climate change, as well as identification of and where appropriate work on the protection of habitat and developing appropriate standards for noise pollution; and
- 60.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP13 and COP14.

**SOUTHERN OCEAN ACTIONS**

61. In the Southern Ocean climate change, habitat and feeding ground degradation are weighted as high priorities; entanglement and bycatch, pollution as medium priorities; ship strikes and marine noise as lower.

62. Nine species and populations are listed on the CMS Appendices for this region, and these are:

- a) Antarctic minke whale (*Balaenoptera bonaerensis*) Appendix II
- b) Blue whale (*Balaenoptera musculus*) Appendix I +Concerted/Cooperative Action
- c) Humpback whale (*Megaptera novaeangliae*) Appendix I +Concerted/Cooperative Action
- d) Killer whale / Orca (*Orcinus orca*) Appendix II
- e) Pygmy right whale (*Caperea marginata*) Appendix II
- f) Sei whale (*Balaenoptera borealis*) Appendix I/II +Concerted/Cooperative Action
- g) Southern right whale (*Eubalaena australis*) Appendix I +Concerted/Cooperative Action

- h) Spectacled porpoise (*Phocoenadioptrica*) Appendix II +Concerted/Cooperative Action
- i) Sperm whale (*Physeter macrocephalus*) Appendix I/II +Concerted/Cooperative Action

**In the period 2012-2017 (from COP10 to COP12)**

63. The Secretariat and the Scientific Council should:

- 63.1. develop an active collaboration agreement with Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR).

64. The AMWG should:

- 64.1. provide support to the region, especially scientific and technical advice to assist CMS Parties introduce adaptation measures to counteract the effects on migratory species of climate change and identification of and where appropriate work on the protection of habitat; and
- 64.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP11 and COP12.

**In the period 2017-2024 (from COP12 to COP14)**

65. The AMWG should:

- 65.1. provide support to the region, especially scientific and technical advice to assist CMS Parties introduce adaptation measures to counteract the effects on migratory species of climate change, and identification of and where appropriate work on the protection of habitat; and
- 65.2. develop comprehensive reports on regional progress of the CMS Global Programme of Work for Cetaceans for COP13 and COP14.



## CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/Resolution 10.16

Original: English

### PRIORITIES FOR CMS AGREEMENTS

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Concerned* that the 3<sup>rd</sup> Global Biodiversity Outlook, published in 2010, confirmed the existence of continuing global trends of loss of biodiversity including migratory species, intensifying threats to migratory species from exploitation, habitat loss and fragmentation in particular, and consequent negative implications for human well-being;

*Reaffirming* that migratory species are best conserved through international cooperation, with national efforts coordinated across the range of each species;

*Recalling* that Article IV of the Convention provides for the conclusion of agreements for migratory species and for AGREEMENTS for species listed in Appendix II of the Convention, in particular for those in an unfavourable conservation status;

*Further recalling* that Res.2.6 recommends the use of non-binding instruments such as Resolutions of the Conference of the Parties and Memoranda of Understanding as potential first steps towards the conclusion of AGREEMENTS under the Convention;

*Noting* that colloquially, and in this Resolution, the term “agreements” is used to refer in a generic sense to AGREEMENTS, agreements and Memoranda of Understanding as the context may require;

*Further recalling* that paragraph 43 of the CMS Strategic Plan 2006-2011 (now paragraph 41 in the updated version of the Plan for the period 2012-2014) recommends a number of measures for ensuring that agreements use similar systems for planning and reporting their work, in order to ensure that they are strategically aligned with the Convention;

*Having regard to* Res.9.2, in which the Parties decided that the focus for the triennium 2009-2011 should be on the implementation and operationalization of existing CMS agreements and that the development of additional agreements should be linked to the outcome of the work initiated by Res.9.13 on the Future Shape of CMS, *but noting also* that the same Res.9.2 acknowledged the importance of maintaining momentum with regard to the proposed new instruments that were already under development at that time;

*Expressing appreciation* for the work of the Working Group on Global Bird Flyways established by Res.9.2, which has informed the recommendations on the role of CMS agreements in relation to flyways contained in Resolution 10.10 on global flyway conservation and options for policy arrangements;

*Thanking* UNEP-WCMC for the reports it has produced at the request of the Secretariat pursuant to Res.9.2 to review CMS existing instruments and projects on marine turtles and on terrestrial mammals including bats, which discuss options for more effective implementation of CMS existing instruments and priorities for development, and have been presented to this Conference as documents UNEP/CMS/Inf.10.15 and UNEP/CMS/Inf.10.16, with Executive Summaries in documents UNEP/CMS/Conf.10.44 and UNEP/CMS/Conf.10.45;

*Thanking also* the Environment and Development Group, working together with the Migratory Wildlife Network, for the report it has produced at the request of the Secretariat and with funding from France and the Principality of Monaco to analyse gaps and options for enhancing elephant conservation in Central Africa, and which has been presented to this Conference in document UNEP/CMS/Inf.10.27, with an Executive Summary in document UNEP/CMS/Conf.10.46;

*Taking note of* the report provided by the Secretariat in document UNEP/CMS/Conf.10.9 on progress in the implementation of agreements already concluded and in the development of new agreements, including strategic considerations concerning the development and servicing of agreements; and

*Recognizing* that the development and servicing of agreements are subject to the availability of resources, *welcoming* the Secretariat's sustained efforts pursuant to Resolutions 7.7, 8.5 and 9.2 to foster partnerships with governments and relevant organizations to support the operation of agreements under the Convention, and *further welcoming* with gratitude the generous support of this kind provided to date by numerous governments and organizations, including the financial and in-kind contributions noted in documents UNEP/CMS/Conf.10.19 and UNEP/CMS/Conf.10.28;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Urges* all Range States of existing agreements under the Convention that have not yet done so to sign, ratify or accede as appropriate to those agreements and to take an active part in their implementation;
2. *Encourages* the Secretariat to continue its efforts to seek partnerships with governments and relevant organizations to support and enhance the effective operation of agreements under the Convention;
3. *Invites* Parties, other governments and interested organizations to provide voluntary financial and other support where possible for the effective operation of existing agreements and the conclusion of those agreements currently in development;

4. *Welcomes* the conclusion and entry into effect during the past triennium of the:
  - a. Memorandum of Understanding on the Conservation of High Andean Flamingos and their Habitats;
  - b. Memorandum of Understanding on the Conservation of the Southern Huemul; and
  - c. Memorandum of Understanding on the Conservation of Migratory Sharks;
  
5. *Instructs* the Secretariat to develop for consideration and adoption at COP11 a policy approach to the development, resourcing and servicing of agreements in the context of Resolution 10.9 on Future structure and strategies of the CMS and the CMS Family;
  
6. *Decides* that the following considerations must be addressed when making any new proposals in the meantime:
  - (a) substantiation of the case for a new instrument, based on an analysis of needs and gaps in current conservation provisions;
  - (b) whether the proposal helps to deliver a specific existing CMS COP mandate or other existing CMS initiative;
  - (c) the financial implications of the proposal, and what plan for financing the instrument is in view;
  - (d) the extent to which the financing plan is sustainable in the long term;
  - (e) whether a new instrument is the only option, or whether alternative options exist, such as extending an existing instrument;
  - (f) whether a CMS instrument is the only option, or whether the same outcomes could be achieved by delivery through one or more partner organizations, or by other means;
  - (g) what other synergies and efficient ways of working can be foreseen; and
  - (h) whether an organization or (preferably) a country has committed to leading the development process; and
  
7. *Decides* that if no such clear expression of interest or offer to lead on an instrument materializes after two intersessional periods, the instrument concerned will no longer be considered as an instrument under development.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/Resolution 10.18

Original: English

**GUIDELINES ON THE INTEGRATION OF MIGRATORY SPECIES  
INTO NATIONAL BIODIVERSITY STRATEGIES AND ACTION PLANS (NBSAPs)  
AND OTHER OUTCOMES FROM CBD COP10**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Bearing in mind* the importance of collaboration and synergies with related Conventions, bodies, and organizations at all levels;

*Noting* that CMS is a member of the Liaison Group of the Biodiversity-related Conventions, which acts as a central coordinating mechanism among the participating Conventions, including CBD;

*Aware of* the long-standing institutional collaboration of CMS and CBD, formalized through their Memorandum of Cooperation in 1996, and *appreciating* the value and achievements of this collaboration;

*Also aware* that Res.7.9 invites the CMS and CBD Secretariats to work together on draft guidance for the integration of migratory species provisions into National Biodiversity Strategies and Action Plans (NBSAPs);

*Recalling* Res.8.11 which invited “Parties to facilitate cooperation among international organizations, and to promote the integration of migratory species into all relevant sectors by coordinating their national positions among different conventions and other international fora”;

*Also recalling* Res.8.18 which requested CMS national focal points to liaise with their CBD counterparts with a view to ensuring coordination in the implementation of both conventions and requested the CMS Secretariat to develop guidelines to integrate migratory species issues into NBSAPs and to continue to co-operate with CBD in the framework of a revised Joint Work Programme;

*Further recalling* Res.9.6 which requested “the Parties concerned to pursue the implementation of CMS Res.8.11 and Res.8.18”;

*Noting* Decision X/2 adopted at CBD COP10 (Nagoya 2010) which calls upon Parties “to consider appropriate contributions to the collaborative implementation of the Strategic Plan for

Biodiversity 2011-2020 and its Aichi Targets” at the ”forthcoming meetings of the decision-making bodies of [...] biodiversity-related conventions”;

*Also noting* the agreed joint effort of all biodiversity-related conventions to support the implementation of the Strategic Plan for Biodiversity through cooperation and coordination;

*Further noting* CBD Decision X/2, which urged Parties to “review, and as appropriate update and revise, their NBSAPs, in line with the Strategic Plan”, with the purpose of using “the revised and updated national biodiversity strategies and action plans as effective instruments for the integration of biodiversity targets into national [...] policies and strategies”;

*Recalling* that CBD Decision X/2 also called for the necessary resources for the implementation of the Strategic Plan for Biodiversity for the period 2011-2020 and its Aichi Biodiversity Targets to be made available;

*Noting with deep concern* the conclusion reached by the third Global Biodiversity Outlook, that none of the twenty-one sub targets of the 2010 biodiversity target “to significantly reduce the rate of biodiversity loss by 2010” has yet been globally achieved; but

*Appreciating* that the third Global Biodiversity Outlook noticed a general increase in conservation efforts, and that CBD Decision X/5 stated that substantial progress had been made by Parties towards the development of NBSAPs, the engagement of stakeholders, and the widespread recognition of the 2010 biodiversity target; and

*Recalling* that, upon the invitation of the CBD through Decision X/8, the United Nations General Assembly (UNGA) declared 2011 to 2020 as the United Nations Decade on Biodiversity with a view to contributing to the implementation of the Strategic Plan for Biodiversity 2011-2020 and highlighting the importance of biodiversity for the achievement of the Millennium Development Goals;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1 *Invites* CMS Parties to review relevant CBD COP10 decisions and to acknowledge the obligations which apply to all CMS Parties, since they are also CBD Parties, and to increase their national cooperation as appropriate to support fulfilling these obligations;

2 *Welcomes* the Strategic Plan for Biodiversity 2011-2020, adopted by CBD COP10, as a framework relevant to all biodiversity-related conventions;

3 *Urges* the CMS National Focal Points as well as Standing Committee members, in their capacity as regional representatives, to work closely with national focal points in their regions dealing with biodiversity-related MEAs, including CBD and CITES, to ensure they play a proactive role and liaise with their counterparts for further consideration on the integration of measures to conserve migratory species into national biodiversity strategies and action plans (NBSAPs) and national implementation of national biodiversity targets and plans;

- 4 *Recommends* that CMS Parties make use of the guidelines included in Document UNEP/CMS/Conf.10.27;
- 5 *Instructs* the Secretariat to continue collaborating with the CBD Secretariat through the Joint Work Programme 2012-2014 and to report progress on its implementation at future meetings of the Standing Committee and at the next meeting of the Conference of the Parties;
- 6 *Requests* the Intersessional Working Group established by Resolution 10.5 to take into account relevant CBD COP10 decisions while drafting the Strategic Plan 2015-2023 for consideration at the 11<sup>th</sup> Meeting of the Conference of the Parties;
- 7 *Urges* Parties to cooperate with developing states that are members of the Convention and support them with adequate resources to improve and implement elements of their national strategies, priorities, targets and actions on issues related to the conservation of migratory species; and
- 8 *Encourages* Parties to celebrate the Decade on Biodiversity 2011-2020 and contribute to the related global strategy prepared by the CBD Secretariat.



# CONVENTION ON MIGRATORY SPECIES

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UNEP/CMS/Resolution 10.19

Original: English

## MIGRATORY SPECIES CONSERVATION IN THE LIGHT OF CLIMATE CHANGE

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Recognizing* that climate change is already having an adverse impact on migratory species and the phenomenon of animal migration (UNEP/CMS/ScC17/Inf.12);

*Acknowledging* that changes in human activities as a result of climate change, including adaptation and mitigation measures, may have the most immediate negative impact on migratory species;

*Recalling* CMS Rec.5.5, CMS Res.8.13 and Res.9.7, Res.4.14 of the African-Eurasian Migratory Waterbird Agreement (AEWA), and Res.4.14 of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS) on climate change and migratory species, and *conscious* that their implementation requires urgent attention;

*Acknowledging* the report “Climate Change Vulnerability of Migratory Species” by the Zoological Society of London (ZSL) and the report of the CMS Working Group on Climate Change, which were presented at the 16<sup>th</sup> Meeting of the Scientific Council;

*Noting with satisfaction* the outcomes of the UNEP/CMS Technical Workshop on the impact of climate change on migratory species (Tour du Valat, France, 6-8 June 2011), *thanking* the Government of Germany for financially supporting the Workshop, and *recalling* the recommendations submitted to the Workshop by members of the Scientific Council (UNEP/CMS/ScC17/Inf.12);

*Recognizing* that mitigation measures, such as renewable, low carbon and “clean” energy development, may significantly affect migratory species and their habitats depending on how the installations are sited and operated, and that further research and impact assessments, especially for new technologies, are required;

*Recalling* Res.7.5 on wind turbines and migratory species, which, *inter alia*, calls for the application of strategic environmental impact assessment procedures to identify appropriate construction sites, and instructs the Scientific Council to develop guidelines for the construction of offshore wind farms aimed at minimizing the negative impacts on migratory species;

*Noting* CDB Decision X.33 on biodiversity and climate change which calls for, *inter alia*, specific measures for species that are vulnerable to climate change, including migratory species, and *recognizing* the important role of traditional knowledge and the full involvement of indigenous and local communities in planning and implementing effective activities to mitigate and adapt to climate change, as well as the need to develop appropriate assessments of ecosystem and species vulnerability;

*Also noting* Ramsar Convention Resolution X.24 on climate change and wetlands;

*Further noting* the Cancun Agreement (1/CP.16 paragraph 4) which recognizes that deep cuts in global greenhouse gas emissions are required in order to contain the increase in global average temperature below 2°C above pre-industrial levels, and *recalling* the need to consider strengthening this long-term global goal on the basis of the best available scientific knowledge, including in relation to a global average temperature rise of 1.5°C;

*Conscious* of the relevance of the research undertaken by IUCN to assess the susceptibility of IUCN Red List species to climate change; and

*Welcoming* the outcomes of the three climate change workshops conducted under the auspices of the International Whaling Commission (IWC) to date (Hawaii, USA, March 1996; Siena, Italy, February 2009; Vienna, Austria, November/December 2010);

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Urges* Parties and Signatories to CMS instruments and *encourages* Non-Parties exercising jurisdiction over areas that a migratory species inhabits or is expected to inhabit in the near future due to climate change, to participate in CMS and relevant CMS instruments, in order to promote timely conservation measures where migration patterns have changed due to climate change;
2. *Further urges* Parties and Signatories to CMS instruments to enable and support the full participation in CMS of those states, where migratory species are expected to occur, in the near future due to climate change;
3. *Encourages* Parties to develop guidelines on measures needed to assist migratory species adapt to climate change;

*Management and monitoring of species populations*

4. *Urges* Parties to employ adaptive management measures and the ecosystem-based approach in addressing climate change impacts, and to monitor the effectiveness of their conservation actions in order to guide ongoing efforts;
5. *Requests* Parties and the Scientific Council, and *encourages* the scientific community, IUCN and other relevant organizations to:
  - a) identify and promote a standardized methodology for evaluating the susceptibility of species to climate change;

- b) identify those Appendix I and II listed species, as well as other migratory species on the IUCN Red List, that are most susceptible to climate change, such as the polar bear, and subsequently consider whether these should be listed or uplisted on the CMS Appendices, as appropriate; and
  - c) prepare single species action plans for those species listed on Appendix I considered to be most vulnerable to climate change;
6. *Urges* Parties and the Scientific Council, and *encourages* conservation stakeholders and relevant organizations to:
- a) improve the resilience of migratory species and their habitats to climate change, *inter alia* by reducing other threats in order to maintain or increase population size and genetic diversity; and
  - b) consider *ex situ* measures and assisted colonization, including translocation, as appropriate for those migratory species most severely threatened by climate change;
7. *Urges* Parties and Signatories to CMS instruments to develop and implement monitoring regimes that are adequate for distinguishing true declines in populations from transboundary range shifts and for analyzing the impact of climate change on migratory species, *inter alia* through the following measures:
- a) identifying and carrying out research on the interactions of climate change and migratory species, including the impact on habitats and local communities dependent on the ecosystem services provided by these species;
  - b) ensuring that monitoring is maintained in the long term, using comparative methodologies;
  - c) communicating and sharing monitoring results regularly with neighbouring and other range states; and
  - d) continuing to identify indicator species as a proxy for wider migratory species assemblages, habitats and ecosystems, following on from preliminary work presented at COP9 (UNEP/CMS/Inf.9.22), with particular emphasis on finding indicators for species that are data deficient or otherwise difficult to monitor;

#### *Critical sites and ecological networks*

8. *Urges* Parties, when implementing Resolution 10.3 on ecological networks and related instruments, to improve the resilience of migratory species and their habitats to climate change in order to achieve the following objectives:
- a) to ensure that individual sites are sufficiently large, holding a variety of habitats and topography;

- b) to strengthen the physical and ecological connectivity between sites, aiding species dispersal and colonization when distributions shift; and
- c) to consider the designation of seasonal protected areas in areas where migratory species occur at critical stages in their lifecycle and would benefit from extra protection;

*Climate change mitigation and adaptation, and land use planning*

9. *Encourages* Parties and relevant organizations to evaluate and reduce the additional impacts on migratory species resulting from changes in human behaviour due to climate change (the so-called “tertiary effects”), such as increased shipping and exploitation in the Arctic ocean areas, which are made possible by retreating ice;

10. *Urges* Parties and *encourages* multilateral development banks and the energy sector to ensure that any climate change mitigation and adaptation action, such as bio-energy production or flood protection, has appropriate environmental safeguards in place and that any project is subject to strategic and environmental impact assessment requirements and takes into account CMS-listed species;

11. *Further urges* Parties to develop environmental sensitivity and zoning maps that include critical sites for migratory species, as an essential tool for selecting sites for climate change mitigation and adaptation projects;

12. *Calls on* Parties and the energy sector to make the post-construction monitoring of environmental impacts, including those on migratory species, a standard requirement for climate change mitigation and adaptation projects, especially wind power, and to ensure that such monitoring continues for the duration of plant operation;

13. *Requests* Parties and *encourages* the energy sector to ensure that where impacts on migratory species are significant, renewable energy and other climate change mitigation or adaptation structures are operated in ways that minimize the mortality of migratory species, such as short-term shutdowns or higher turbine cut-in speeds, with regard to wind farms;

*Capacity building*

14. *Instructs* the Secretariat, subject to available resources, to pursue capacity building initiatives on the issue of climate change and migratory species;

15. *Encourages* Parties and relevant stakeholders to make use of available funding mechanisms, such as REDD+, to support the maintenance of ecosystem services, with the close involvement of local communities, in order to improve the conservation status of migratory species;

16. *Calls on* universities and other scientific institutions to publish periodic scientific reviews on the following topics and *urges* Parties to support their production, as far as possible, with a view to ensuring that Parties have access to the best available scientific information on which to base decisions:

- a) the impacts of climate change on migratory species;
- b) the potential for conservation management to increase the resistance and resilience of animal populations to climate change; and
- c) the impacts of anthropogenic climate change adaptation and mitigation on migratory species;

#### *Cooperation and implementation*

17. *Establishes* the position of a COP Appointed Councillor for Climate Change who should prepare a programme of work on climate change, and convene an intersessional climate change working group and *instructs* the Secretariat to explore funding opportunities in support of this;
18. *Requests* CMS Focal Points and Scientific Councillors to work closely with and provide national UNFCCC Focal Points with expert guidance and support on how migratory species can be affected by adaptation and mitigation activities, such as renewable energy and bio-energy development, and to collaborate closely in order to develop joint solutions aimed at reducing negative impacts on migratory species;
19. *Requests* the Secretariat to strengthen synergies with the Secretariats of the CBD, UNFCCC, UNCCD, the Ramsar Convention, the Bern Convention, the IWC and other international instruments, in order to address more effectively the threats that climate change pose to biodiversity, whilst recognizing the distinct mandates and independent legal status of each treaty and the need to avoid duplication and to promote cost savings;
20. *Invites* the CBD, UNFCCC, UNCCD, Ramsar Convention, Bern Convention, IWC and other international instruments such as the Inter-American Convention (IAC) for the Protection and Conservation of Sea Turtles and the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES) to engage in and support CMS work related to climate change;
21. *Urges* Parties and *encourages* non-Parties to include the measures contained in this Resolution in their national climate change strategies, National Biodiversity Strategies and Action Plans (NBSAPs) and other relevant policy processes, ensuring that mitigation or adaptation activities do not result in a deterioration of the conservation status of CMS-listed species;
22. *Requests* the Secretariat and the Scientific Council to examine whether provisions of the Convention, including the terms “range” and “historic coverage” in Article I, might benefit from interpretations that take account of the requirements of species in response to climate change, in view of the fact that climate change was not explicitly considered when the Convention text was signed in 1979; and
23. *Urges* Parties and *encourages* UNEP, multilateral development banks and other national and international donors to provide financial resources for the implementation of this Resolution.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/Resolution 10.20

Original: English

**ARRANGEMENTS FOR HOSTING THE TENTH & ELEVENTH MEETINGS  
OF THE CONFERENCE OF THE PARTIES**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Acknowledging* with gratitude the offer which the Government of Norway made to host the Tenth Meeting of the Conference of Parties in Bergen in November 2011 as well as the 17<sup>th</sup> Meeting of the Scientific Council and the 38<sup>th</sup> and 39<sup>th</sup> Meetings of the Standing Committee;

*Recalling* Article VII, paragraph 3, of the Convention, which states that the Secretariat shall "convene ordinary meetings of the Conference of the Parties at intervals of not more than three years, unless the Conference decides otherwise";

*Desirous* of receiving an offer from a Government to host the 11<sup>th</sup> Meeting of the Conference of the Parties (COP11) and the associated meetings of the Scientific Council and the Standing Committee; and

*Noting* that an initial invitation to submit offers to host COP11 was issued by the CMS Secretariat in September 2011;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Commends* the Government of the Norway for having taken the initiative to host the Tenth Meeting of the Conference of the Parties and expresses its deep gratitude for the significant resources which contributed to the organization of the meetings including those of the Scientific Council and the Standing Committee;
2. *Invites* Parties as well as non-Parties that may have an interest in hosting the 11<sup>th</sup> Meeting of the Conference of the Parties (and the associated meetings of the Scientific Council and Standing Committee), to inform the Secretariat no later than 31 December 2011; and
3. *Instructs* the Standing Committee at its first meeting following the 31 December deadline to review the offers received and, subject to receipt of sufficient information, to decide upon the most suitable venue(s).



## CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/Resolution 10.21

Original: English

### SYNERGIES AND PARTNERSHIPS

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Reiterating* the importance of cooperation and synergies with other bodies, including relevant MEA Secretariats, other inter-governmental bodies, non-governmental organizations and the private sector;

*Stressing* the importance of cooperation among relevant MEAs at national, regional and global level as well as between institutions;

*Recalling* Res.9.6 on “Cooperation with Other Bodies”, Res.8.11 on “Cooperation with other Conventions”, and Res.7.9 on “Cooperation with Other Bodies and Processes”;

*Having considered* document UNEP/CMS/Conf.10.28, “Report on Synergies and Partnerships”, which highlights the current state of development of initiatives and activities undertaken with partners within and without formal arrangements;

*Noting* that CMS is a member of the Liaison Group of the Biodiversity-related Conventions (Biodiversity Liaison Group) and that at its meeting in September 2011, the Group reviewed its *Modus Operandi* to reinforce cooperation in the implementation of the Strategic Plan for Biodiversity 2011-2020 and the Aichi Biodiversity Targets;

*Welcoming* progress made on cooperation with CITES, both with its Secretariat and its committees on numerous issues including on the harmonization of species nomenclature as outlined in UNEP/CMS/Conf.10.32;

*Recognizing* the instrumental role played by partners in the implementation of CMS and its related instruments and initiatives;

*Appreciating* that partnerships reach a wider audience and raise public awareness of CMS and the importance of conserving migratory species on a global scale;

*Noting* with satisfaction the comments received from the CITES Standing Committee at its 61<sup>st</sup> Meeting (Geneva, August 2011) and the endorsement by the CMS Standing Committee at its 38<sup>th</sup> Meeting (Bergen, November 2011) of the joint work plan for 2012-14 (CMS/StC38/Doc.3 and UNEP/CMS/Inf.10.35);

*Welcoming* the joint work plans for 2012-14 between the CMS Secretariat and the CBD and Ramsar Secretariats, and *appreciating* continued cooperation with both Secretariats and their respective bodies (CMS/StC38/Doc.4 and UNEP/CMS/Inf.10.36 for CBD; CMS/StC38/Doc.5 and UNEP/CMS/Inf.10.37 for Ramsar);

*Noting*, in relation to the role of CMS as lead partner for CBD on migratory species (CBD Decision VI/20), that there is no equivalent instrument for animal species conservation under the CBD to that established through CBD Decision VI/9 for plant species in the Global Strategy for Plant Conservation;

*Aware* of the ongoing discussions with the Food and Agriculture Organization of the United Nations (FAO) concerning the formalization of a Memorandum of Cooperation, and *appreciating* the important efforts made by CMS to enhance relationships with organizations that have different mandates or goals, such as FAO, which provide multidisciplinary solutions aimed at concurrently achieving food security, biodiversity conservation, and wildlife and ecosystem health;

*Taking note* of the activities aimed at developing synergies and strengthening cooperation with existing partners and *reiterating* its gratitude to the many partners that have assisted in promoting CMS and its mandate;

*Acknowledging* the development of a CMS Code of Conduct for Partnerships with the Private Sector as adopted by the Standing Committee at its 36<sup>th</sup> Meeting, and *noting* efforts made by the Secretariat to establish contacts and reach out to the private sector;

*Noting with appreciation* all the individuals and organizations which contributed to the achievements of the “Year of the Gorilla” campaign (2009) and the on-going “Year of the Bat” campaign (2011/12); and *noting* the CMS Secretariat’s participation in the International Year of Biodiversity 2010, which was coordinated through CBD;

*Noting with appreciation* the support received from UNEP through the appointment of regional focal points for Multilateral Environmental Agreements (MEAs) for biodiversity and ecosystems responsible for liaising with and promoting MEAs and their implantation in the UNEP regions and *acknowledging* their cooperation with the Secretariat;

*Aware* of the tasks to be undertaken before CBD COP11 on increasing cooperation and synergies among MEAs at the national level as indicated in CBD Decision X/20; and

*Underlining* the important role of the Liaison Group of Biodiversity-related Conventions in exploring options for enhancing synergies, avoiding duplication of efforts and improving the coherent implementation of biodiversity-related conventions;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Requests* the Secretariat to continue developing effective and practical cooperation with relevant stakeholders including other biodiversity instruments and international organizations;

2. *Welcomes* the new Memoranda of Understanding developed in the current triennium with:
  - (a) the Secretariat of the Convention on the Conservation of European Wildlife and Natural Habitats (the Bern Convention Secretariat);
  - (b) the Migratory Wildlife Network; and
  - (c) the “Friends of CMS” as well as the progress made on developing project proposals and sponsoring activities;
3. *Further welcomes* the adoption of revised Memoranda of Understanding with the Ramsar Secretariat and the IUCN Environmental Law Centre;
4. *Instructs* the Secretariat to focus on consolidating and strengthening its existing partnerships for the triennium 2012-2014;
5. *Requests* the Secretariat to formalize such cooperation with renewable joint work plans with targets and clear timetables and closely aligned with the CMS Strategic Plan, to report on progress in a joint or consolidated manner and to assess effectiveness of results regularly;
6. *Further requests* the Secretariat to continue to streamline activities within the CMS Family Secretariats, whenever feasible and relevant and within the mandates given by their Parties/Signatories, in order to enhance the effective delivery of conservation action and awareness-raising;
7. *Further requests* the Secretariat, its daughter Agreements within the mandates given by their Parties/Signatories and the Scientific Council to enhance their engagement with expert committees and processes initiated by partners, as appropriate;
8. *Further requests* the Secretariat to facilitate non-formalized collaborations with partners such as the FAO, as referred to above, who can help to extend the multidisciplinary and transdisciplinary scope of approaches to collaboration;
9. *Urges* partner organizations to continue to promote and publicize the benefits to them, to CMS and to conservation arising from effective collaboration;
10. *Instructs* the Secretariat to pursue strengthened partnerships with the private sector in accordance with the CMS Code of Conduct;
11. *Requests* the Executive Secretary to continue to report to the Standing Committee on progress made including on results of joint activities as discussed and agreed in the Biodiversity Liaison Group;
12. *Requests* the Secretariat to identify potential strategic partners and engage with them when developing campaigns and other outreach activities and *encourages* all relevant stakeholders to contribute to these initiatives;
13. *Further requests* the Secretariat and *invites* the Secretariats of other conventions to continue liaising with the UNEP regional MEA focal points for biodiversity and ecosystems and make best use of their role in assisting the implementation of the biodiversity-related MEAs;

14. *Requests* the CMS Secretariat and *invites* the Secretariat of the Convention on Biological Diversity and the Secretariats of other relevant MEAs to consider and advise on ways and means of more coherently addressing the conservation and sustainable use of animal species in CBD processes, including in relation to the implementation by biodiversity-related conventions of the Strategic Plan for Biodiversity 2011-2020 and its Aichi Targets adopted by CBD COP10 (Decision X/2); and *further requests* the Secretariat to report on progress to the Scientific Council and COP11;
15. *Urges* Parties to establish close collaboration at the national level between the focal point of the CMS and the focal points of other relevant conventions in order for Governments to develop coherent and synergistic approaches across the conventions and increase effectiveness of national efforts, for example by developing national biodiversity working groups to coordinate the work of focal points of relevant MEAs and other stakeholders *inter alia* through relevant measures in NBSAPs, harmonized national reporting and adoption of coherent national positions in respect of each MEA; and *encourages* CMS National Focal Points to participate actively in the national preparations for the discussions during the 4<sup>th</sup> Meeting of the Working Group on Review of Implementation of the CBD (May 2012) to determine the form and content of a process to enhance coordination, coherence and national level synergies among the biodiversity conventions;
16. *Further urges* Parties to facilitate cooperation among international organizations, and to promote the integration of biodiversity concerns related to migratory species into all relevant sectors by coordinating their national positions among the various conventions and other international fora in which they are involved, as appropriate;
17. *Requests* Parties to ensure that adequate resources are provided to the Secretariat to allow partnerships to be developed and strengthened; and
18. *Requests* the Secretariat as far as possible to avoid duplication of work on the same issues between MEAs dedicated to nature protection issues, and *invites* the Liaison Group of Biodiversity-related Conventions to address at its future meetings options for enhanced cooperation with regard to work on cross-cutting issues, such as climate change, bushmeat and invasive alien species, including through exploring the possibility of identifying lead MEAs in a manner consistent with their mandates, governance arrangements and agreed programmes.



## **CONVENTION ON MIGRATORY SPECIES**

Distr: General

UNEP/CMS/Resolution 10.22

Original: English

### **WILDLIFE DISEASE AND MIGRATORY SPECIES**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Acknowledging* that wildlife health, livestock health, human health, and ecosystem health are interdependent and influenced by multiple factors, *inter alia*, socio-economics, sustainability of agriculture, demographics, climate and landscape changes;

*Understanding* the role that wildlife can play in emerging infectious diseases (EIDs) serving as either a reservoir host, temporary or periodic transmitter, or spillover/dead-end host;

*Recognizing* that wildlife can be a victim of diseases and there is an increase in emergence or re-emergence of diseases negatively affecting wildlife including highly pathogenic avian influenza H5N1 which causes continued mortality, and more recently (since COP9) the spread of white-nose syndrome in bats, and the high mortalities affecting Saiga antelope (*Saiga spp.*) and Mongolian gazelle (*Procapra gutturosa*); and *highlighting* the need to understand the causes and epidemiology of these diseases and to coordinate effective and rapid responses to such events;

*Welcoming* the significant work of the Working Group on Wildlife Diseases of the World Organization for Animal Health (OIE) since its creation in 1994 and the recommendations and scientific publications derived from the Working Group on the surveillance and control of the most important specific wildlife diseases;

*Welcoming* the international conference organized in Lyon, France, 22-27 July 2012 by the Wildlife Disease Association (WDA) and the European Wildlife Disease Association (EWDA) on Convergence in Wildlife Health;

*Acknowledging* the importance of the global disease information systems WAHIS and WAHIS-Wild developed by the OIE as well as its web interface WAHID, the FAO/OIE/WHO joint mechanism Global Early Warning and Response System for Major Animal Diseases (GLEWS) and existing information systems developed by organizations such as the IUCN Wildlife Health Specialist Group, the European Union, AU-IBAR in Africa, ASEAN in Asia, SPC in the Pacific Islands and OIRSA in Central America;

*Welcoming* the large scope of consensus on appropriate approaches and responses to wildlife diseases which has developed among UN agencies, multilateral environmental

agreements and other international organizations including the World Organization for Animal Health (OIE), reflected for example in decisions and resolutions of the Ramsar Convention, the African-Eurasian Migratory Waterbird Agreement (AEWA), CMS and in standards of the OIE;

*Recognizing* that the direct effects of disease on wildlife are particularly important for small or geographically isolated populations, and that there are numerous indirect effects including lethal approaches to managing wildlife disease and their negative influence on public perception of wildlife;

*Recognizing* the high risk of transmission of wildlife diseases from livestock and/or humans to wildlife and vice versa in areas of growing conflicts over land and increasing habitat loss, especially in developing countries;

*Acknowledging* the substantial impacts of wildlife trade, both legal and illegal, on threatened and endangered species worldwide and the loss of biodiversity and food security that can result from the spread of pathogens through regional and international movements of animals and animal products;

*Further acknowledging* the substantial risks for wildlife, livestock and people of the wildlife trade, both legal and illegal, which can result in the spread of pathogens to previously unexposed populations through regional and international movements of animals and animal products;

*Noting* that existing methods of communication between management authorities, health professionals, biologists, veterinarians and natural resource professionals could be improved in some jurisdictions and are currently inadequate to respond to the complex issues surrounding human, animal and ecosystem health;

*Recalling* Res.9.8 which called on the Secretariat and the FAO Animal Health Service to co-convene the Scientific Task Force on Wildlife Disease to develop guidance on responding to wildlife diseases of importance to people, domestic animals and wildlife;

*Welcoming* the body of work being undertaken by the Ramsar Scientific and Technical Review Panel on wetlands and health and promotion of an ecosystem approach to dealing with health, in particular the Ramsar Disease Manual on Guidelines for Assessment, Monitoring and Management of Animal Disease in Wetlands which is aimed at practical disease guidance for wetland managers and policy makers;

*Further welcoming* the significant work in the area of wildlife health by the IUCN Wildlife Health Specialist Group, the Working Group on Wildlife Diseases of the World Organization for Animal Health (OIE) and non-governmental agencies and organizations;

*Further recalling* Res.9.8 that requested the Secretariat and the FAO Animal Health Service to determine the relationship between the existing Scientific Task Force on Avian Influenza and Wild Birds and the Scientific Task Force on Wildlife Disease;

*Taking note* of the report from the inaugural workshop of the Scientific Task Force on Wildlife Disease, which took place in Beijing, China, on 27-28 June 2011, as well as the Terms of Reference and Work Plan of the Task Force included in document UNEP/CMS/ScC.17/Inf.13;

*Acknowledging* the proposed *Modus Operandi* for Conservation Emergencies (UNEP/CMS/Conf.10.38 and Resolution 10.2), which is envisaged to improve the rapid response to disease-related and other conservation emergencies;

*Noting also* that the new Task Force agreed to enhance research on diseases that have an impact on both domestic and migratory wildlife, and that are of greatest concern with regard to food security, sustainable livelihoods and conservation;

*Further noting* that the Task Force agreed on a mechanism to be created for CMS Parties and FAO Member States to respond to the threat of trans-boundary animal health crises by reporting wildlife morbidity and mortality events;

*Acknowledging* the importance of existing global disease information systems coordinated between the OIE, FAO and WHO related to wildlife diseases, and the need to assure good communication and avoid unnecessary overlap in global reporting requirements;

*Acknowledging* that the One Health approach is increasingly gaining ground as a multidisciplinary way of addressing emerging infectious diseases, and that the concept has been endorsed by several international organizations including FAO, OIE, WHO, UNICEF and the World Bank; and

*Further acknowledging* the need to maintain and build upon the global momentum created in response to successful eradication of rinderpest virus from animals including wild populations, and progress on control of highly pathogenic avian influenza H5N1;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Welcomes* the proposal of the Scientific Task Force on Wildlife Disease at its inaugural workshop to change the current name of the Task Force to the new name of “Scientific Task Force on Wildlife and Ecosystem Health”, which reflects more comprehensively the One Health approach to integrating wildlife, livestock, human and ecosystem health issues;
2. *Requests* the Scientific Task Force on Wildlife and Ecosystem Health to liaise with the OIE Headquarters and the OIE Working Group on Wildlife Diseases, and with the IUCN Wildlife Health Specialist Group, so that the work and recommendations of the OIE Working Group and the IUCN Wildlife Health Specialist Group can be taken into account in the activity plan of the Scientific Task Force, and to invite representatives from the OIE Headquarters and from the OIE Working Group on Wildlife Diseases, and the IUCN Wildlife Health Specialist Group, to actively participate in the Scientific Task Force particularly in the field of global wildlife disease early detection, notification and management mechanisms, and *vice versa*;
3. *Also welcomes* the recommendation of the Scientific Task Force on Wildlife and Ecosystem Health to incorporate the Scientific Task Force on Avian Influenza and Wild Birds as a thematic working group, ensuring it maintains its identity and mode of working, responding as appropriate to developments concerning highly pathogenic avian influenza H5N1;

4. *Further welcomes* the proposal for a *Modus Operandi* for Conservation Emergencies as a mechanism to improve the rapid response to mass mortality events affecting migratory species and other conservation emergencies as outlined in Resolution 10.2;
5. *Encourages* the Scientific Task Force on Wildlife and Ecosystem Health to liaise with the OIE Working Group on Wildlife Diseases and other related programmes so that the work recommendations and ongoing global initiatives are well coordinated, particularly in the field of global wildlife disease surveillance, early detection, including of outbreaks of domestic livestock disease with the potential to affect wildlife, and notification;
6. *Encourages* the Task Force to incorporate key relevant civil society organizations into the governance structure of the Task Force, at the Core Affiliate level, such that the work of the Task Force will be able to support the consensus of both governmental and non-governmental agencies and organizations focused on wildlife and ecosystem health;
7. *Invites* Parties to contribute voluntarily to the Wildlife Health Event Reporter (WHER) as an unofficial rapid reporting system for wildlife morbidity and mortality events in collaboration with OIE national delegates and wildlife focal points, taking fully into account the OIE WAHIS, FAO/OIE/WHO GLEWs mechanisms and existing regional information systems, and the need to complement existing communication channels, specifically OIE disease reporting and ProMed-mail;
8. *Calls on* Parties to collaborate with and share simultaneously information with OIE national delegates and wildlife focal points, OIE WAHIS, the IUCN Wildlife Health Specialist Group, FAO/OIE/WHO GLEWS mechanisms and existing regional information systems;
9. *Also calls on* Parties to use and promote the Ramsar Disease Manual together with guidance produced by the Task Force for managing diseases of migratory animals and in cooperation with Veterinary Authorities following global standards adopted by the OIE;
10. *Requests* the Secretariat, in collaboration with other relevant organizations, to help in dissemination and promotion of Task Force products;
11. *Requests* the Secretariat in collaboration with, *inter alia*, Parties, other governments, IGOs and NGOs, subject to the availability of resources, to review existing initiatives to enhance cooperation and collaboration among different conventions through national focal points;
12. *Requests* the Secretariat in collaboration with, *inter alia*, Parties, other governments, IGOs NGOs, subject to the availability of resources, to facilitate workshops to enhance cooperation and collaboration among different conventions through national focal points;
13. *Urges* Parties and *invites* other governments and donors such as the GEF to provide adequate financial support for such workshops;
14. *Further urges* Parties and international donor organizations to support the activities of the Scientific Task Force on Wildlife and Ecosystem Health, through both financial and in-kind support, and in particular for the organization of annual meetings of the Task Force during the intersessional period 2012- 2014;

15. *Calls on* Parties and international donor organizations to provide technical and financial support to assist developing countries in establishing appropriate systems of surveillance and control of wildlife diseases;
16. *Requests* the Scientific Task Force on Wildlife and Ecosystem Health, subject to available funding, to work with the OIE Working Group on Wildlife Diseases on the development of an agreed approach to wildlife event reporting, and to communicate regularly on their combined approach to wildlife animal health issues;
17. *Encourages* Parties to engage in Task Force activities including serving as National Associates, linking their organization's websites, and serving as a conduit for information-sharing; and
18. *Requests* the Secretariat to report progress on the implementation of this Resolution to the 11<sup>th</sup> Meeting of the Conference of the Parties (COP11).



## **CONVENTION ON MIGRATORY SPECIES**

Distr: General

UNEP/CMS/Resolution 10.23

Original: English

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### **CONCERTED AND COOPERATIVE ACTIONS**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

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*Recalling* the Convention preamble which refers to the Parties' conviction that conservation and management of migratory species require the concerted action of all range states;

*Further recalling* Res.3.2 which instructed the Secretariat and the Scientific Council to encourage and assist Parties to take concerted actions to implement the provisions of the Convention, and which initiated a process for each meeting of the Conference of Parties to recommend initiatives to benefit a selected number of species listed in Appendix I;

*Further recalling* Rec.5.2 which introduced the concept of "cooperative action" as a rapid mechanism to assist the conservation of species listed in Appendix II and to act as a precursor or alternative to the conclusion for any of those species of an agreement under Article IV;

*Conscious* that the implementation of conservation action and the development of agreements as mandated under the Convention may take many years and that prioritization and targeted additional conservation measures can be important in order to address the deterioration of the conservation status of particularly threatened species;

*Aware* of the complex evolution of what have come to be referred to as concerted and cooperative actions for selected species listed in Appendix I and II respectively, and the need for clear guidelines for the application of these mechanisms as summarized in document UNEP/CMS/Conf.10.36;

*Welcoming* the conservation activities undertaken by Parties and other organizations for Appendix I species designated for concerted action as summarized in documents UNEP/CMS/Inf.10.28 and UNEP/CMS/Conf.10.12, as well as the activities undertaken to improve the conservation status of Appendix II species designated for cooperative action;

*Welcoming* the fact that the format for national reporting may be updated during the 2012-2014 triennium, *inter alia* to make it more suitable for measuring the effectiveness of the implementation of concerted and cooperative actions;

*Noting* that the list of species designated for concerted and cooperative actions has grown cumulatively from each meeting of the Conference of the Parties to the next, with the exception only of COP8 where some species were removed as a result of their incorporation into an agreement, and *further noting* the priorities for CMS agreements set out in Resolution 10.16;

*Conscious* that it is not currently possible to evaluate systematically the effectiveness of concerted and cooperative actions, and that there is no standardized reporting format available to assist in doing so;

*Recalling* that Res.3.2, as updated by Resolutions 4.2, 5.1, 6.1, 7.1, 8.29 and 9.1, and Rec.6.2, as updated by Recommendations 7.1, 8.28, and Res.9.1, advise the Secretariat and the Scientific Council to encourage and assist Parties to take concerted and cooperative actions to implement the provisions of the Convention and to improve the conservation status of certain listed migratory species; and

*Noting* the recommendations of the 16<sup>th</sup> and 17<sup>th</sup> Meetings of the Scientific Council to the Tenth Meeting of the Conference of the Parties to consider the following Appendix I species for concerted action: *Numenius tahitiensis*, as well as Appendix II species for cooperative action: *Ammotragus lervia*, *Monodon monoceros*, *Orcinus orca* and *Ovis ammon*;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Adopts* the lists of species designated for concerted and cooperative actions in Annexes 1 and 2 of this Resolution, and *encourages* Parties and other organizations to take steps to improve the conservation status of listed species, including the preparation of species action plans, and to support the development of agreements in accordance with the outcome of the Future Shape process, as appropriate, during the 2012-2014 triennium;
2. *Urges* Parties to provide the in-kind and financial means required to support targeted conservation measures aimed at implementing concerted and cooperative actions for the species listed in Annexes 1 and 2 to this Resolution;
3. *Encourages* Parties to ensure that all initiatives to undertake concerted or cooperative actions pursuant to this Resolution must include a specification of the conservation and institutional outcomes expected and the timeframes within which these outcomes should be achieved;
4. *Endorses* the recommendations for enhancing the effectiveness of the concerted and cooperative actions process summarised in Annex 3 to the present Resolution, and *requests* the Secretariat, subject to available resources, to implement the actions recommended, and to prepare a report and recommendations on their implementation to the Scientific Council, the Standing Committee and the 11<sup>th</sup> Meeting of the Conference of Parties;
5. *Urges* Parties to review and amend the format of the national report system produced by the Secretariat in order to measure the effectiveness of the implementation of concerted and cooperative actions by the 11<sup>th</sup> Meeting of the Conference of the Parties;

6. *Requests* the Scientific Council to:
  - a. nominate, by the end of the 18<sup>th</sup> Meeting of the Scientific Council, for each species and/or taxonomic group listed for concerted or cooperative action, a member of the Council or a designated alternative expert to be responsible for providing a concise written report to each meeting of the Council on progress in the implementation of actions for the species or taxonomic group concerned; and
  - b. confirm at each subsequent meeting of the Scientific Council that these nominations remain valid or agree alternative nominations as necessary; and
  
7. *Requests* the relevant appointed Scientific Councillors to liaise with relevant experts including those nominated as focal points for concerted and cooperative actions to produce a concise written report providing a global synthesis of issues for each taxonomic group to each meeting of the Scientific Council.

## Annex 1: SPECIES DESIGNATED FOR CONCERTED ACTIONS DURING 2012-2014

Species (scientific name)	Species (common name)	CMS instrument or process	Is the entire range mandated for protection under CMS covered by a CMS instrument? (Y/N) <sup>1,2</sup>	Year of adoption
<b>(CLASS) AVES</b>				
<b>(ORDER) SPHENISCIFORMES</b>				
<i>(Family) Spheniscidae</i>				
<i>Spheniscus humboldti</i>	Humboldt Penguin	-	No	COP6 (1999)
<b>PROCELLARIIFORMES</b>				
<i>Procellariidae</i>				
<i>Puffinus mauretanicus</i>	Balearic Shearwater	Proposed for ACAP listing in 2012 (endorsed by sixth Meeting of the ACAP Advisory Committee)	No	COP8 (2005)
<b>PELECANIFORMES</b>				
<i>Pelecanidae</i>				
<i>Pelecanus crispus</i>	Dalmatian Pelican	African-Eurasian Waterbird Agreement (in force since 1999)	No	COP9 (2008)
<b>ANSERIFORMES</b>				
<i>Anatidae</i>				
<i>Anser cygnoides</i>	Swan goose	-	No	COP9 (2008)
<i>Anser erythropus</i>	Lesser White-fronted Goose	Action Plan (adopted in 2008) under African-Eurasian Waterbird Agreement (in force since 1999)	No	COP5 (1997)
<i>Marmaronetta angustirostris</i>	Marbled Duck	African-Eurasian Waterbird Agreement (in force since 1999); Central Asian Flyway	Yes	COP9 (2008)
<i>Aythya nyroca</i>	Ferruginous Duck	Action Plan (adopted in 2005) under African-Eurasian Waterbird Agreement (in 1999); Central Asian Flyway	Yes	COP6 (1999)
<i>Oxyura leucocephala</i>	White-headed Duck	African-Eurasian Waterbird Agreement (in force since 1999); Central Asian Flyway	Yes	COP4 (1994)

Species (scientific name)	Species (common name)	CMS instrument or process	Is the entire range mandated for protection under CMS covered by a CMS instrument? (Y/N) <sup>1,2</sup>	Year of adoption
<b>FALCONIFORMES</b>				
<i>Falconidae</i>				
<i>Falco cherrug</i>	Saker Falcon	Raptors MoU (in force since 2008)	No	COP10 (2011)
<b>GRUIFORMES</b>				
<i>Otididae</i>				
<i>Chlamydotis undulata</i> (only Northwest African populations)	Houbara Bustard	-	No	COP3 (1991)
<b>CHARADRIIFORMES</b>				
<i>Scolopacidae</i>				
<i>Calidris canutus rufa</i>	Red Knot	-	No	COP8 (2005)
<i>Numenius tahitiensis</i>	Bristle-thighed Curlew	-	No	COP10 (2011)
<b>PASSERIFORMES</b>				
<i>Hirundinidae</i>				
<i>Hirundo atrocaerulea</i>	Blue Swallow	-	No	COP6 (1999)
<b>MAMMALIA (MARINE)</b>				
<b>CETACEA</b>				
<i>Physeteridae</i>				
<i>Physeter macrocephalus</i>	Sperm Whale	ACCOBAMS (in force since 2001); Pacific Cetaceans MoU (in force since 2006)	No	COP7 (2002)
<i>Platanistidae</i>				
<i>Platanista gangetica gangetica</i>	Ganges River Dolphin	-	No	COP9 (2008)
<i>Pontoporiidae</i>				
<i>Pontoporia blainvillei</i>	La Plata Dolphin, Franciscana	-	No	COP5 (1997)
<i>Balaenopteridae</i>				
<i>Balaenoptera borealis</i>	Sei Whale	ACCOBAMS (in force since 2001); Pacific Cetaceans MoU (in force since 2006)	No	COP7 (2002)

Species (scientific name)	Species (common name)	CMS instrument or process	Is the entire range mandated for protection under CMS covered by a CMS instrument? (Y/N) <sup>1,2</sup>	Year of adoption
<i>Balaenoptera physalus</i>	Fin Whale	ACCOBAMS (in force since 2001); Pacific Cetaceans MoU (in force since 2006)	No	COP7 (2002)
<i>Balaenoptera musculus</i>	Blue Whale	ACCOBAMS (in force since 2001); Pacific Cetaceans MoU (in force since 2006)	No	COP7 (2002)
<i>Megaptera novaeangliae</i>	Humpback Whale	ACCOBAMS (in force since 2001); Pacific Cetaceans MoU (in force since 2006)	No	COP7 (2002)
<i>Balaenidae</i>				
<i>Eubalaena australis</i>	Southern Right Whale	Pacific Cetaceans MoU (in force since 2006)	No	COP7 (2002)
<b>CARNIVORA</b>				
<i>Mustelidae</i>				
<i>Lontra felina</i>	Southern Marine Otter	-	No	COP6 (1999)
<i>Lontra provocax</i>	Southern River Otter	-	No	COP6 (1999)
<i>Phocidae</i>				
<i>Monachus monachus</i>	Mediterranean Monk Seal	MoU (in force since 2007; but only covering Eastern Atlantic populations)	No	COP4 (1994)
<b>MAMMALIA (TERRESTRIAL)</b>				
<b>CARNIVORA</b>				
<i>Felidae</i>				
<i>Uncia uncia</i>	Snow Leopard	-	No	COP7 (2002)
<i>Acinonyx jubatus</i> (excluding populations in Botswana, Namibia & Zimbabwe)	Cheetah	-	No	COP9 (2008)
<b>ARTIODACTYLA</b>				
<i>Camelidae</i>				
<i>Camelus bactrianus</i>	Bactrian Camel	-	No	COP8 (2005)

Species (scientific name)	Species (common name)	CMS instrument or process	Is the entire range mandated for protection under CMS covered by a CMS instrument? (Y/N) <sup>1,2</sup>	Year of adoption
<i>Bovidae</i>				
<i>Bos grunniens</i>	Wild Yak	-	No	COP8 (2005)
<i>Addax nasomaculatus</i>	Addax	Action Plan	Yes	COP3 (1991)
<i>Nanger dama</i> Formerly listed as <i>Gazella dama</i>	Dama Gazelle	Action Plan	Yes	COP4 (1994)
<i>Gazella dorcas</i> (only Northwest African populations)	Dorcas Gazelle	Action Plan	Yes	COP3 (1991)
<i>Gazella leptoceros</i>	Slender-horned Gazelle	Action Plan	Yes	COP3 (1991)
<i>Oryx dammah</i>	Scimitar-horned Oryx	Action Plan	Yes	COP4 (1994)
<b>REPTILIA (MARINE TURTLES)</b>				
-----	Marine Turtles	IOSEA MoU (in force since 2001 covering Indian Ocean and South-East Asia) and Atlantic Coast of Africa MOU (in force since 1999 covering West Africa)	No	COP3 (1991)

<sup>1</sup> Species' global geographic range obtained from the relevant Action Plan or the IUCN Red List (2011).

<sup>2</sup> "Entire range" is defined as the native range of a species and includes areas within which the species is known to occur. Vagrant populations, individuals which occur in areas outside the range where the species is known to occur, are not considered to be part of a species' "entire range".

## Annex 2: SPECIES DESIGNATED FOR COOPERATIVE ACTIONS DURING 2012-2014

Scientific name	Common name	CMS instrument or process	Is the entire range mandated for protection under CMS covered by a CMS instrument? (Y/N) <sup>1,2</sup>	Year of adoption
<b>(CLASS) AVES</b>				
<b>(ORDER) GALLIFORMES</b>				
(Family) <i>Phasianidae</i>				
<i>Coturnix coturnix</i>	Quail	-	No	COP5 (1997)
<b>GRUIFORMES</b>				
<i>Rallidae</i>				
<i>Crex crex</i>	Corncrake	Action Plan (adopted in 2005) under African-Eurasian Waterbird Agreement (in force since 1999)	No	COP5 (1997)
<b>ANSERIFORMES</b>				
<i>Anatidae</i>				
<i>Cygnus melanocoryphus</i>	Black-necked Swan	-	No	COP5 (1997)
<b>PISCES</b>				
<b>ACIPENSERIFORMES</b>				
<i>Acipenseridae</i>				
<i>Huso huso</i>	Giant Sturgeon, Beluga	-	No	COP6 (1999)
<i>Huso dauricus</i>	Kaluga Sturgeon	-	No	COP6 (1999)
<i>Acipenser baerii baicalensis</i>	Baikal Sturgeon	-	No	COP6 (1999)
<i>Acipenser gueldenstaedtii</i>	Russian Sturgeon, Ossetra	-	No	COP6 (1999)
<i>Acipenser medirostris</i>	Green Sturgeon	-	No	COP6 (1999)
<i>Acipenser mikadoi</i>	Sakhalin Sturgeon	-	No	COP6 (1999)
<i>Acipenser naccarii</i>	Adriatic Sturgeon, Italian Sturgeon	-	No	COP6 (1999)
<i>Acipenser nudiiventris</i>	Ship Sturgeon, Spiny Sturgeon	-	No	COP6 (1999)
<i>Acipenser persicus</i>	Persian Sturgeon	-	No	COP6 (1999)
<i>Acipenser ruthenus</i> (only Danube population)	Sterlet	-	No	COP6 (1999)
<i>Acipenser schrenckii</i>	Amur Sturgeon	-	No	COP6 (1999)
<i>Acipenser sinensis</i>	Chinese Sturgeon	-	No	COP6 (1999)

Scientific name	Common name	CMS instrument or process	Is the entire range mandated for protection under CMS covered by a CMS instrument? (Y/N) <sup>1,2</sup>	Year of adoption
<i>Acipenser stellatus</i>	Stella Sturgeon, Sevruga, Star Sturgeon	-	No	COP6 (1999)
<i>Acipenser sturio</i>	Common Sturgeon, Atlantic Sturgeon, Baltic Sturgeon, German Sturgeon	-	No	COP6 (1999)
<i>Pseudoscaphirhynchus kaufmanni</i>	Large Amu-Dar Shovelnose, False Shovelnose, Shovelfish	-	No	COP6 (1999)
<i>Pseudoscaphirhynchus hermanni</i>	Small Amu-Dar Shovelnose	-	No	COP6 (1999)
<i>Pseudoscaphirhynchus fedtschenkoi</i>	Syr-Dar Shovelnose	-	No	COP6 (1999)
<i>Psephurus gladius</i>	Chinese Paddlefish, Chinese Swordfish, White Sturgeon	-	No	COP6 (1999)
<b>MAMMALIA (MARINE)</b>				
CETACEA				
<i>Monodontidae</i>				
<i>Monodon monoceros</i>	Narwhal	-	No	COP10 (2011)
<i>Phocoenidae</i>				
<i>Phocoena spinipinnis</i>	Burmeister Porpoise	-	No	COP6 (1999)
<i>Phocoena dioptrica</i>	Spectacled Porpoise	-	No	COP6 (1999)
<i>Neophocaena phocaenoides</i>	Finless Porpoise	-	No	COP7 (2002)
<i>Delphinidae</i>				
<i>Sousa chinensis</i>	Indo-Pacific Humpbacked Dolphin, Chinese White Dolphin	Pacific Cetaceans MoU (in force since 2006)	No	COP7 (2002)
<i>Lagenorhynchus obscurus</i>	Dusky Dolphin	West African Aquatic Mammals (in force since 2008); Pacific Cetaceans MoU (in force since 2006)	No	COP6 (1999)
<i>Lagenorhynchus australis</i>	Peale's Dolphin, Blackchin Dolphin	-	No	COP6 (1999)
<i>Tursiops aduncus</i>	Indian or Bottlenose Dolphin	Pacific Cetaceans MoU (in force since 2006)	No	COP7 (2002)

Scientific name	Common name	CMS instrument or process	Is the entire range mandated for protection under CMS covered by a CMS instrument? (Y/N) <sup>1,2</sup>	Year of adoption
<i>Stenella attenuata</i> (only eastern tropic Pacific & Southeast Asian populations)	Pantropical Spotted Dolphin, Bridled Dolphin	West African Aquatic Mammals (in force since 2008); Pacific Cetaceans MoU (in force since 2006)	No	COP7 (2002)
<i>Stenella longirostris</i> (only eastern tropical Pacific & Southeast Asian populations)	Spinner Dolphin	West African Aquatic Mammals (in force since 2008); Pacific Cetaceans MoU (in force since 2006)	No	COP7 (2002)
<i>Lagenodelphis hosei</i> (only Southeast Asian populations)	Fraser's Dolphin	West African Aquatic Mammals (in force since 2008); Pacific Cetaceans MoU (in force since 2006)	No	COP7 (2002)
<i>Orcaella brevirostris</i>	Irrawaddy Dolphin	Pacific Cetaceans MoU (in force since 2006)	No	COP7 (2002)
<i>Cephalorhynchus commersonii</i> (only South American population)	Commerson's Dolphin	-	No	COP6 (1999)
<i>Delphinidae</i>				
<i>Cephalorhynchus eutropia</i>	Chilean Dolphin	-	No	COP6 (1999)
<i>Orcinus orca</i>	Killer Whale	ACCOBAMS (in force since 2001); ASCOBANS (in force since 1994/2008); Pacific Cetaceans MoU (in force since 2006); West African Aquatic Mammals (in force since 2008)	No.	COP10 (2011)
<b>MAMMALIA (TERRESTRIAL)</b>				
CHIROPTERA				
<i>Vespertilionidae</i>				
<i>Miniopterus schreibersii</i> (African and European populations)	Schreiber's Bent-winged Bat	EUROBATS (in force since 1994)	No	COP8 (2005)
<i>Molossidae</i>				
<i>Otomops martiensseni</i> (only African populations)	Large-eared Free-tailed Bat	-	No	COP8 (2005)

Scientific name	Common name	CMS instrument or process	Is the entire range mandated for protection under CMS covered by a CMS instrument? (Y/N) <sup>1,2</sup>	Year of adoption
<i>Otomops madagascariensis</i> Formerly included in <i>Otomops martiensseni</i>	Madagascar Free-tailed Bat	-	No	COP8 (2005)
<i>Pteropodidae</i>				
<i>Eidolon helvum</i> (only African populations)	Straw-coloured Fruit Bat	-	No	COP8 (2005)
CARNIVORA				
<i>Canidae</i>				
<i>Lycaon pictus</i>	African Wild Dog	-	No	COP9 (2008)
PROBOSCIDEA				
<i>Elephantidae</i> (Central African populations only)				
<i>Loxodonta africana</i>	African Bush Elephant	West African Elephant MoU (in force since 2005)	No	COP6 (1999)
<i>Loxodonta cyclotis</i> Formerly included in <i>Loxodonta africana</i>	African Forest Elephant	-	No	COP6 (1999)
PERISSODACTYLA				
<i>Equidae</i>				
<i>Equus hemionus</i> This includes <i>Equus onager</i>	Asiatic Wild Ass	-	No	COP8 (2005)
ARTIODACTYLA				
<i>Bovidae</i>				
<i>Gazella subgutturosa</i>	Goitered Gazelle	-	No	COP8 (2005)
<i>Procapra gutturosa</i>	Mongolian Gazelle	-	No	COP8 (2005)
<i>Ammotragus lervia</i>	Barbary Sheep	-	No	COP10 (2011)
<i>Ovis ammon</i>	Argali Sheep	-	No	COP10 (2011)

<sup>1</sup> Species global geographic range obtained from the relevant Action Plan or the IUCN Red List (2011).

<sup>2</sup> “Entire range” is defined as the native range of a species and includes areas within which the species is known to occur. Vagrant populations, individuals which occur in areas outside the range where the species is known to occur, are not considered to be part of a species’ “entire range”.

### Annex 3: RECOMMENDATIONS FOR IMPROVING THE PROCESS FOR CONCERTED AND COOPERATIVE ACTIONS UNDER CMS

The following recommendations are derived from the analysis of options for enhancing the effectiveness of measures to promote the conservation and sustainable management of Appendix II species, which was presented to COP10 in Document UNEP/CMS/Conf.10.36.

Proposed work programme for selecting species for "concerted and cooperative actions":

*Instructs* the Scientific Council to:

- i. undertake an analysis of Appendix I and II species listed for concerted and cooperative action, to indicate which species have been included in or under a CMS instrument or process, to what extent and how their needs have been addressed by those instruments or processes, and to summarize the future conservation action needs of each of those species (and their relative priority) in terms of the CMS mechanisms available;
- ii. review the case for retaining on the list of concerted and cooperative actions, any species for which the entirety of its range is covered by an existing CMS instrument;
- iii. develop an expanded rationale, criteria and guidance, as appropriate, for identifying candidate species for concerted or cooperative actions, with a view to improving scientific rigour, objectivity, consistency and transparency in their selection for concerted or cooperative action; and
- iv. submit a report and proposed recommendations on all the activities listed above, for consideration at the 18<sup>th</sup> Meeting of the Scientific Council, a subsequent meeting of the Standing Committee and possible adoption at the 11<sup>th</sup> Meeting of the Conference of the Parties.

*Requests* the Secretariat to:

- i. prepare guidance on the purpose of listing a species for concerted or cooperative action, and the outcomes sought when species are proposed for concerted or cooperative action;
- ii. prepare guidelines to assist Parties to identify options for action to take in response to concerted or cooperative action listing;
- iii. develop a process for collating information on the outcomes of previous listing decisions, including the outcomes of action taken;
- iv. commission an independent assessment of the utility and impact of the concerted and cooperative actions mechanism, with particular regard to whether the process is leading to positive conservation outcomes; and
- v. submit a report and proposed recommendations on all the activities listed above, for consideration at the 18<sup>th</sup> Meeting of the Scientific Council, a subsequent meeting of the Standing Committee and possible adoption at the 11<sup>th</sup> Meeting of the Conference of the Parties.



## CONVENTION ON MIGRATORY SPECIES

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Original: English

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### FURTHER STEPS TO ABATE UNDERWATER NOISE POLLUTION FOR THE PROTECTION OF CETACEANS AND OTHER MIGRATORY SPECIES

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

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*Recalling* that in Res.9.19 the CMS Parties expressed concern about possible “adverse anthropogenic marine/ocean noise impacts on cetaceans and other biota”;

*Recalling* that in the meantime other international fora such as the:

- International Maritime Organization (IMO)
- International Whaling Commission (IWC)
- Convention for the Protection of the Marine Environment of the North-East-Atlantic (OSPAR)
- Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS)
- Agreement on the Conservation of Cetaceans in the Black Sea, Mediterranean Sea and contiguous Atlantic Area (ACCOBAMS)

have also recognized or continued to recognize man-made noise as a potential threat to cetacean conservation and welfare;

*Recalling* that the United Nations General Assembly in paragraph 107 of its Resolution 61/222 on "Oceans and the law of the sea", adopted on 20 December 2006 "encourages further studies and consideration of the impacts of ocean noise on marine living resources, and requests the Division<sup>‡</sup> to compile the peer-reviewed scientific studies it receives from Member States and to make them available on its website";

*Noting* in this context the following resolutions and papers adopted under other international fora during the last triennium:

- (a) The Convention on Biological Diversity (CBD) COP Decision X.29 concerning marine and coastal biodiversity and in particular its paragraph 12 relating to anthropogenic underwater noise;

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<sup>‡</sup> UN Secretariat Division for Ocean Affairs and the Law of the Sea (DOALOS).

- (b) ACCOBAMS MOP Resolution 4.17 “Guidelines to address the impact of anthropogenic noise on cetaceans in the ACCOBAMS area”;
- (c) ASCOBANS MOP Resolution 6.2 “Adverse effects of underwater noise on marine mammals during offshore construction activities for renewable energy production”;
- (d) The 2009 IMO Report “Noise from commercial shipping and its adverse impacts on marine life”;
- (e) The 2008 OSPAR Guidance on environmental considerations for offshore wind farm development; and
- (f) IWC Consensus Resolution 2009-1 on Climate and other environmental changes and cetaceans; and

*Acknowledging* the ongoing activities in other fora to reduce underwater noise such as the activities of the IMO to delimit shipping noise, and activities within NATO to avoid negative effects of SONAR use;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Reaffirms* that there is a need for ongoing and further internationally coordinated research on the impact of underwater noise (including *inter alia* from offshore wind farms and associated shipping) on cetaceans and other migratory species and their migratory routes and ecological coherence in order to give adequate protection to cetaceans and other marine migratory species;
2. *Confirms* the need for international, national and regional limitation of harmful underwater noise through management (including, where necessary, regulation), and that Res.9.19 remains a key instrument in this regard;
3. *Strongly urges* Parties to prevent adverse effects on cetaceans and on other migratory marine species by restricting the emission of underwater noise, understood as keeping it to the lowest necessary level with particular priority given to situations where the impacts on cetaceans are known to be heavy; and where noise cannot be avoided, *urges* Parties to develop an appropriate regulatory framework or implement relevant measures to ensure a reduction or mitigation of man-made underwater noise;
4. *Urges* Parties to ensure that Environmental Impact Assessments take full account of the effects of activities on cetaceans and to consider potential impacts on marine biota and their migration routes and consider a more holistic ecological approach already at a strategic planning stage;
5. *Recommends* that Parties apply Best Available Techniques (BAT) and Best Environmental Practice (BEP) including, where appropriate, clean technology, in their efforts to reduce or mitigate marine noise pollution; and *further recommends* that Parties use, as appropriate, noise reduction techniques for offshore activities such as: air-filled coffer dams, bubble curtains or hydro-sound dampers, or different foundation types (such as floating platforms, gravity foundations or pile drilling instead of pile driving);

6. *Encourages* Parties to integrate the issue of anthropogenic noise into the management plans of marine protected areas (MPAs) where appropriate, in accordance with international law, including UNCLOS;
7. *Invites* the private sector to assist in developing mitigation measures and/or alternative techniques and technologies for coastal, offshore and maritime activities in order to minimize noise pollution of the marine environment to the highest extent possible; and
8. *Instructs* the Secretariat to draw this Resolution to the attention of the governing bodies of the CBD, UNCLOS, UNEP (Regional Seas Programmes, Governing Council), IMO and other relevant intergovernmental organizations, and to keep those bodies informed of progress in implementing this Resolution.



## **CONVENTION ON MIGRATORY SPECIES**

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### **ENHANCING ENGAGEMENT WITH THE GLOBAL ENVIRONMENT FACILITY**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

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*Aware* of the crucial role played by migratory species in the delivery of ecosystem services for human well-being, and the need for coordinated international responses to the trans-boundary pressures that threaten their survival;

*Noting* that the updated version of the CMS Strategic Plan for the period 2012-2014 (UNEP/CMS/Conf.10.22) identifies future financing of the Convention's programmes and the need to diversify sources of income as principal challenges for the next three years, and that resources available for CMS small grants have decreased significantly;

*Conscious* that these resourcing limitations have a proportionately greater constraining effect in developing countries, while at the same time such countries are host to some of the world's richest and most vulnerable biodiversity, including migratory species;

*Recalling* that the Conference of Parties to the Convention on Biological Diversity in its Decisions VI/20 and X/20 has recognized the CMS as its lead partner in the conservation and sustainable use of migratory species, that a Joint Work Programme has been agreed between the two Conventions, and that species-based conservation is an important element of the global Aichi Targets for biodiversity, including Target 12 which seeks the prevention by 2020 of the extinction of known threatened species and the improvement and sustaining of their conservation status;

*Concerned* that it has not been easy for the current structures, strategies, programmes, procedures and funding allocations of the Global Environment Facility (GEF) to provide support for projects and programmes aimed at the conservation and sustainable use of migratory species, both because of the strategic emphasis of decisions made within the Facility in general and because the Facility has so far not been designated as a financial mechanism for CMS;

*Welcoming* the decision by the 41<sup>st</sup> GEF Council to request the GEF Secretariat to organize a meeting of biodiversity-related conventions with the Secretariat of the Convention on Biological Diversity to facilitate the coordination of their priorities for inclusion in the GEF-6 programming strategy; and

*Having regard* to the review of past and potential future engagement with the GEF provided to the COP by the Secretariat in document UNEP/CMS/Conf.10.41;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Encourages* CMS Focal Points to seek opportunities for enhancing dialogue at national and regional levels with the Focal Points of the CBD and the GEF, with a view to focusing attention on relevant prioritization and decision making processes for GEF funding at the national and regional level to the needs of migratory species and opportunities for their conservation and sustainable use;
2. *Further encourages* interested Parties to enhance collaboration with National Focal Points for the CBD and GEF to implement the options available under the existing GEF structure, as laid out in document UNEP/CMS/Conf.10.41, and specifically to:
  - (a) develop further habitat-based projects under existing GEF strategies;
  - (b) develop further species-based projects under existing GEF strategies;
  - (c) enhance collaboration at National Focal Point level; and
  - (d) integrate relevant objectives into support for National Biodiversity Strategies and Action Plans (NBSAP)s;
3. *Further encourages* Parties to include priorities for the implementation of the CMS in their NBSAPs, in particular species-based projects and capacity-building activities, in order to benefit fully from the GEF funding available for biodiversity;
4. *Invites* the Secretariat of the GEF to participate in follow-up to the present Resolution through discussions with the CMS Secretariat, and by other appropriate means, including exploration of all opportunities to enhance GEF support to countries for activities relevant to the implementation of CMS;
5. *Requests* the Secretariat to engage with the GEF at all appropriate levels in pursuing the implementation of the present Resolution, including participation in the meeting of biodiversity-related conventions with the GEF Secretariat referred to above concerning priorities for the GEF-6 programming strategy;
6. *Requests* UNEP to provide support and input as appropriate to the implementation of the present Resolution; and
7. *Instructs* the Secretariat to report on progress in implementing the present Resolution to the 40<sup>th</sup> Meeting of the Standing Committee, and to submit proposals for further action to the 11<sup>th</sup> Meeting of the Conference of Parties.



# CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/Resolution 10.26

Original: English

## MINIMIZING THE RISK OF POISONING TO MIGRATORY BIRDS

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Recognizing* that, under Article II of the Convention, Party Range States agree to take action for the conservation of migratory species whenever possible and appropriate, paying special attention to migratory species, the conservation status of which is unfavourable, and taking individually or in cooperation appropriate and necessary steps to conserve such species and their habitats;

*Recognizing* that Article II of the Convention requires all Parties to take action to avoid any migratory species becoming endangered and, in particular, to endeavour to provide immediate protection for migratory species listed in Appendix I to the Convention;

*Recognizing* that Article III (4) (b) of the Convention requires Parties to endeavour *inter alia* to prevent, remove, compensate for or minimize, as appropriate, the adverse effects of activities or obstacles that seriously impede or prevent the migration of migratory species;

*Concerned* by the information presented in document UNEP/CMS/Inf.10.40 to the 10<sup>th</sup> Meeting of the Conference of the Parties regarding the worldwide impact of poisoning causing lethal and detrimental sub-lethal effects on wildlife, including migratory species;

*Recognizing* the actions undertaken by the AEWA Parties and AEWA Secretariat to phase out the use of lead shot for hunting in wetlands across the Agreement area;

*Noting* that a considerable number of migratory bird species that are significantly affected by poisoning through poison baits, rodenticides, heavy metals (notably lead), aquatic poisons and agrochemicals are listed in the Appendices to the Convention;

*Concerned* that such species are increasingly threatened by continuing poisoning;

*Concerned particularly* that, without action to minimize poisoning, many populations and potentially species may be severely affected; and

*Desiring* to raise awareness among the public, land users and decision-makers of the serious, widespread risk posed to birds by poisons;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Calls on* Parties to the Convention, non-Party Range States and other stakeholders, including non-governmental organizations, to engage in co-operative activities to address poisoning of migratory birds;
2. *Calls on* the Scientific Council and Secretariat to establish, under the Scientific Council, an intersessional working group to work primarily electronically to undertake a detailed assessment of:
  - 2.1 the scope and severity of poisoning for migratory bird species globally and how this varies geographically and across taxa;
  - 2.2 significant knowledge gaps, either across Range States, or in specific areas; and
  - 2.3 where sufficient evidence exists, to recommend suitable responses to address the problems, potentially including:
    - 2.3.1 areas where enhanced legislation may be required;
    - 2.3.2 features of effective regulatory regimes; and
    - 2.3.3 understanding of socio-economic drivers of poisoning;
3. *Decides* that the working group should seek to include in its scope:
  - 3.1 deliberate use of poisons;
  - 3.2 unintentional poisoning through accidental or negligent misuse;
  - 3.3 primary poisoning of migratory animals through poison baits;
  - 3.4 secondary poisoning of migratory animals; and
  - 3.5 lead, especially lead ammunition; and
4. *Requests* the working group to complete the preparation of a detailed recommendation to be brought forward for adoption at the 11<sup>th</sup> Meeting of the Conference of the Parties.

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/Resolution 10.27

Original: English

**IMPROVING THE CONSERVATION STATUS OF MIGRATORY LANDBIRDS IN  
THE AFRICAN-EURASIAN REGION**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Concerned* at the rapid decline in many African-Eurasian migratory landbird species;

*Recognizing* that Article II of the Convention requires all Parties to endeavour to conclude Agreements covering the conservation and management of migratory species listed in Appendix II of the Convention;

*Noting* that CMS Article IV encourages Parties to conclude Agreements regarding populations of migratory species;

*Aware* that five African-Eurasian migratory landbirds are listed on Appendix I of CMS, four of which are among 85 African-Eurasian migratory landbirds listed on Appendix II;

*Further aware* that the species listed in Appendix I and Appendix II include more than 13 of the common trans-Saharan migrants known to have suffered the most severe population declines, such as several species of warblers, Sylviidae, the European Pied Flycatcher *Ficedula hypoleuca*, the Spotted Flycatcher *Muscicapa striata*, the Northern Wheatear *Oenanthe oenanthe*, the Whinchat *Saxicola rubetra*, the Common Nightingale *Luscinia megarhynchos*, the European Turtle Dove *Streptopelia turtur turtur* and the European Bee-eater *Merops apiaster*;

*Further recognizing* that the five African-Eurasian landbird species listed on CMS Appendix I are all categorized as either Endangered or Vulnerable by the IUCN Red List 2010 (the Basra Reed-warbler *Acrocephalus griseldis*, the Spotted Ground-thrush *Zoothera guttata*, the Syrian Serin *Serinus syriacus*, the Blue Swallow *Hirundo atrocaerulea* and the Aquatic Warbler *Acrocephalus paludicola*) and that two Near Threatened species (the European Roller *Coracias garrulus* and the Semi-collared Flycatcher *Ficedula semitorquata*) are listed on Appendix II. In addition, not yet listed on either CMS Appendix, are one Vulnerable species (the Pale-backed Pigeon *Columba eversmanni*) and one Near Threatened species (the Cinereous Bunting *Emberiza cineracea*);

*Noting* that the Blue Swallow *Hirundo atrocaerulea* and the Aquatic Warbler *Acrocephalus paludicola* are designated for CMS Concerted Action and the Aquatic Warbler is also the subject of a CMS Memorandum of Understanding;

*Conscious* that six of the trans-Saharan migrants of greatest conservation concern due to the severity of their population declines are not yet listed on either Appendix, namely the Common Cuckoo *Cuculus canorus*, the Eurasian Wryneck *Jynx torquilla*, the Barn Swallow *Hirundo rustica*, the House Martin *Delichon urbica*, the Yellow Wagtail *Motacilla flava* and the Tree Pipit *Anthus trivialis*;

*Recognizing* the need for shared responsibility for the conservation and sustainable management of migratory landbirds in the region;

*Further recognizing* that African-Eurasian migratory landbirds include several iconic species with important cultural value (for example known for their songs or as harbingers of spring), and that many of them may also deliver significant ecosystem services (for example in consuming insect pests), and that measures to help conserve these species will, in turn, help to conserve many other species of flora and fauna;

*Conscious* that most landbirds are not covered by the existing instruments in the framework of the CMS for the conservation of African-Eurasian migratory birds, namely the African Eurasian Migratory Waterbird Agreement and the Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia, although the Memorandum of Understanding for the Aquatic Warbler helps one relevant species;

*Aware* that a number of multilateral environmental agreements seek to address threats faced by migratory landbirds in the African-Eurasian region;

*Further aware* that non-governmental organizations, inter-governmental organizations and the private sector can all play important roles in the co-operative conservation of migratory landbirds in the region;

*Conscious* of the finding of the CMS Flyways Working Group in Review 3: Policy Options for Migratory Bird Flyways (UNEP/CMS/ScC17/Inf.4.3) that “due to the severe declines in populations of many trans-Saharan migrant landbirds, consideration needs to be given to the development of an action plan or other measure to address their needs”;

*Welcoming* the activities developed for the conservation of migratory landbirds in Eurasia and Africa;

*Noting* the Declaration from the British Ornithologists’ Union Conference on *Migratory Birds: Ecology and Conservation*, held in Leicester, United Kingdom, 5-7 April 2011 which calls on CMS “a) to develop a flyway action plan for the conservation of African-Eurasian migrant landbirds for adoption at the 11<sup>th</sup> Meeting of the Conference of the Parties in 2014 and b) to commission, parallel to the production of the action plan, research to determine which international, national and local institutions influence relevant land use policy and practice in the sub-Saharan countries, on which most declining long distance land bird migrants depend during the non-breeding period”; and

*Desiring* to see a flyway action plan for African-Eurasian migratory landbirds as a matter of priority, being an important contribution to the general aims of CMS, and in particular to achieve and maintain a favourable conservation status for these species and their habitats;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Urges* Parties to the Convention and *invites* non-Party Range States and other stakeholders to engage in co-operative activities to promote the sustainable management of migratory landbirds of the African-Eurasian flyway, in particular by:
  - a. alleviating habitat degradation through the development and promotion of sustainable land management policies and practices;
  - b. eliminating unsustainable harvesting;
  - c. monitoring population trends throughout the region;
  - d. undertaking research to identify population-specific migratory routes, connectivity, wintering and staging areas and to understand the habitat requirements of, and threats to, African-Eurasian migrants during all stages of their life cycle;
  - e. raising awareness of the conservation status of African-Eurasian migrant landbirds, the threats they face and the measures needed to conserve them; and
  - f. exchanging information in order to develop and implement best-practice approaches to the conservation and sustainable management of these species;
2. *Urges* Parties and *invites* non-Party Range States and other stakeholders with the CMS Secretariat to develop an Action Plan for the conservation of African-Eurasian migrant landbirds and their habitats throughout the flyway, for adoption at the 11<sup>th</sup> Meeting of the Conference of the Parties, on the basis of which the COP can consider the need for a new instrument or using an existing instrument as a framework;
3. *Calls* on the Scientific Council and Secretariat to support this initiative, including through the establishment, under the Scientific Council, of a working group to steer the production and implementation of the action plan;
4. *Encourages* existing multilateral environmental agreements that can help eliminate or reduce the threats faced by migratory landbirds in the African-Eurasian region to improve liaison and work co-operatively; and
5. *Invites* international organizations and non-governmental organizations, having biodiversity conservation as part of their mandate, to provide appropriate assistance, including technical and financial support, for the conservation and sustainable management of migratory landbirds in the region.

## ANNEX 1

African-Eurasian Migrant Landbirds listed on CMS Appendix I: Total five (four, in bold, also listed on Appendix II)

<i>Hirundo atrocaerulea</i>	<b>Blue Swallow</b>
<i>Acrocephalus paludicola</i>	<b>Aquatic Warbler</b>
<i>Acrocephalus griseldis</i>	<b>Basra Reed-warbler</b>
<i>Zoothera guttata</i>	<b>Spotted Ground-thrush</b>
<i>Serinus syriacus</i>	Syrian Serin

African-Eurasian Migrant Landbirds listed on CMS Appendix II: Total 85

<i>Streptopelia turtur</i>	European Turtle-dove
<i>Coracias garrulus</i>	European Roller
<i>Merops apiaster</i>	European Bee-eater
<i>Hirundo atrocaerulea</i>	Blue Swallow
<i>Cettia cetti</i>	Cetti's Warbler
<i>Locustella naevia</i>	Common Grasshopper-warbler
<i>Locustella fluviatilis</i>	Eurasian River Warbler
<i>Locustella luscinioides</i>	Savi's Warbler
<i>Acrocephalus melanopogon</i>	Moustached Warbler
<i>Acrocephalus paludicola</i>	Aquatic Warbler
<i>Acrocephalus schoenobaenus</i>	Sedge Warbler
<i>Acrocephalus scirpaceus</i>	Eurasian Reed-warbler
<i>Acrocephalus palustris</i>	Marsh Warbler
<i>Acrocephalus arundinaceus</i>	Great Reed-warbler
<i>Acrocephalus griseldis</i>	Basra Reed-warbler
<i>Hippolais pallida</i>	Eastern Olivaceous Warbler
<i>Hippolais opaca</i>	Western Olivaceous Warbler
<i>Hippolais olivetorum</i>	Olive-tree Warbler
<i>Hippolais polyglotta</i>	Melodious Warbler
<i>Hippolais icterina</i>	Icterine Warbler
<i>Phylloscopus trochilus</i>	Willow Warbler
<i>Phylloscopus collybita</i>	Common Chiffchaff
<i>Phylloscopus ibericus</i>	Iberian Chiffchaff
<i>Phylloscopus bonelli</i>	Bonelli's Warbler
<i>Phylloscopus sibilatrix</i>	Wood Warbler
<i>Phylloscopus inornatus</i>	Yellow-browed Warbler
<i>Phylloscopus borealis</i>	Arctic Warbler
<i>Sylvia atricapilla</i>	Blackcap
<i>Sylvia borin</i>	Garden Warbler
<i>Sylvia communis</i>	Common Whitethroat
<i>Sylvia curruca</i>	Lesser Whitethroat
<i>Sylvia minula</i>	Small Whitethroat
<i>Sylvia nana</i>	Desert Warbler
<i>Sylvia nisoria</i>	Barred Warbler
<i>Sylvia hortensis</i>	Orphean Warbler
<i>Sylvia rueppelli</i>	Rueppell's Warbler
<i>Sylvia melanocephala</i>	Sardinian Warbler
<i>Sylvia melanothorax</i>	Cyprus Warbler
<i>Sylvia cantillans</i>	Subalpine Warbler
<i>Sylvia mystacea</i>	Menetries's Warbler

<i>Sylvia conspicillata</i>	Spectacled Warbler
<i>Sylvia deserticola</i>	Tristram's Warbler
<i>Sylvia sarda</i>	Marmora's Warbler
<i>Panurus biarmicus</i>	Bearded Parrotbill
<i>Regulus regulus</i>	Goldcrest
<i>Regulus ignicapilla</i>	Firecrest
<i>Zoothera guttata</i>	Spotted Ground-thrush
<i>Turdus torquatus</i>	Ring Ouzel
<i>Turdus merula</i>	Eurasian Blackbird
<i>Turdus pilaris</i>	Fieldfare
<i>Turdus iliacus</i>	Redwing
<i>Turdus philomelos</i>	Song Thrush
<i>Turdus viscivorus</i>	Mistle Thrush
<i>Erithacus rubecula</i>	European Robin
<i>Luscinia luscinia</i>	Thrush Nightingale
<i>Luscinia megarhynchos</i>	Common Nightingale
<i>Luscinia calliope</i>	Siberian Rubythroat
<i>Luscinia svecica</i>	Bluethroat
<i>Tarsiger cyanurus</i>	Orange-flanked Bush-robin
<i>Irania gutturalis</i>	White-throated Robin
<i>Erythropygia galactotes</i>	Rufous-tailed Scrub-robin
<i>Phoenicurus ochruros</i>	Black Redstart
<i>Phoenicurus phoenicurus</i>	Common Redstart
<i>Phoenicurus moussieri</i>	Moussier's Redstart
<i>Phoenicurus erythrogasterus</i>	White-winged Redstart
<i>Saxicola rubetra</i>	Whinchat
<i>Saxicola torquatus</i>	Common Stonechat
<i>Oenanthe leucopyga</i>	White-tailed Wheatear
<i>Oenanthe oenanthe</i>	Northern Wheatear
<i>Oenanthe finschii</i>	Finsch's Wheatear
<i>Oenanthe hispanica</i>	Black-eared Wheatear
<i>Oenanthe pleschanka</i>	Pied Wheatear
<i>Oenanthe cypriaca</i>	Cyprus Wheatear
<i>Oenanthe xanthopygma</i>	Kurdish Wheatear
<i>Oenanthe chrysopygia</i>	Red-tailed Wheatear
<i>Oenanthe deserti</i>	Desert Wheatear
<i>Oenanthe isabellina</i>	Isabelline Wheatear
<i>Monticola saxatilis</i>	Rufous-tailed Rock-thrush
<i>Monticola solitarius</i>	Blue Rock-thrush
<i>Muscicapa striata</i>	Spotted Flycatcher
<i>Stenostira scita</i>	Fairy Warbler
<i>Ficedula hypoleuca</i>	European Pied Flycatcher
<i>Ficedula albicollis</i>	Collared Flycatcher
<i>Ficedula semitorquata</i>	Semi-collared Flycatcher
<i>Ficedula parva</i>	Red-breasted Flycatcher

**CONVENTION ON  
MIGRATORY  
SPECIES**

Distr: General

UNEP/CMS/Resolution 10.28

Original: English

**SAKER FALCON (*Falco cherrug*)**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Noting* that CMS COP10 created a Working Group to consider the proposal made by the European Union and its Member States to list the Saker Falcon *Falco cherrug* in CMS Appendix I, excluding the population of Mongolia;

*Noting* that, although some Parties are not, at this point in time, fully convinced that Appendix I listing is the best means of achieving improvements in the conservation status of the Saker Falcon and believe that parties should take actions consistent with other international instruments, stressing the need for conservation actions to be supported by all, Parties are ready to join a consensus;

*Recognizing* that the proposal to list the Saker Falcon in CMS Appendix I excludes the population in Mongolia, in recognition of their Saker conservation and management programme, which has been carried out in collaboration with the Environment Agency - Abu Dhabi, on behalf of the Government of the United Arab Emirates;

*Further recognizing* that the conservation of the Saker Falcon should be a partnership involving a wide range of parties, and noting in particular the contributions made to date by the Environment Agency - Abu Dhabi on behalf of the Government of the United Arab Emirates and by the Saudi Wildlife Authority on behalf of the Government of the Kingdom of Saudi Arabia; and

*Also recognizing* the need for CMS to work with a range of Multilateral Environmental Agreements in the conservation and restoration of Saker Falcon populations, including in particular CITES;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Agrees* to list the Saker Falcon in CMS Appendix I, excluding the population in Mongolia, and *decides* to establish an immediate Concerted Action supported by all parties;

2. *Decides*, as part of the Concerted Action, on the establishment of a Task Force under the auspices of the Interim Coordinating Unit of the UNEP/CMS Memorandum of Understanding on the Conservation of Migratory Birds of Prey in Africa and Eurasia (Raptors MoU), to bring together Range States, Partners and interested parties, to develop a coordinated Global Action Plan, including a management and monitoring system, to conserve the Saker Falcon;
3. *Decides* to provide financial and other resources for the operation of the Task Force and for the implementation of the Concerted Action in cooperation with the Signatories of the Raptors MoU, Range States and other interested parties;
4. *Decides* that improvements in the conservation status of the Saker Falcon in any Range State may allow sustainable taking from the wild in that Range State under a management system. In such cases a Party or Parties may request an exclusion from Appendix I listing to apply in that Range State. The Task Force will endeavour to facilitate this process through the Scientific Council inter-sessionally and through the Conference of the Parties;
5. *Instructs* the Task Force to meet in the first quarter of 2012 to identify priority actions and to begin implementation immediately;
6. *Recommends* that the timeline for the monitoring activities and reporting of the Task Force would be as follows:
  - Report to the 1<sup>st</sup> Meeting of the Signatories of the UNEP/CMS Raptors MoU, envisaged for the last quarter of 2012;
  - Report to the intersessional 18<sup>th</sup> Meeting of the Scientific Council; and
  - Report to COP11, and consideration given to downlisting the Saker Falcon at that time; and
7. *Instructs* the CMS Secretariat to convey this Resolution to the Multilateral Environmental Agreements, in particular to the CITES Secretariat, and to request them to contribute to the efforts of the Saker Falcon Task Force.

**CONVENTION ON  
MIGRATORY  
SPECIES**

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UNEP/CMS/Resolution 10.29

Original: English

**RECRUITMENT PROCEDURES FOR THE CMS EXECUTIVE SECRETARY**

Adopted by the Conference of the Parties at its Tenth Meeting (Bergen, 20-25 November 2011)

*Expressing* its sincere appreciation to Ms. Elizabeth Maruma Mrema for her work as CMS Executive Secretary during the period 2009-2011; and following her decision to resign that post;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Stresses* the need for the recruitment of the next Executive Secretary to be carried out in a transparent way that involves the Parties to the Convention;
2. *Emphasizes* the desire of the Parties to the Convention to be consulted in respect of the recruitment of the next Executive Secretary in a full and timely manner;
3. *Requests* the UNEP Executive Director to arrange for the recruitment of a new Executive Secretary who will be selected and appointed as a UNEP staff member by the Executive Director of UNEP in accordance with the United Nations staff rules and regulations and following the procedure set out in the Annex to this Resolution; and
4. *Further requests* the UNEP Executive Director to ensure continuity in the work of the Secretariat by the timely appointment of a suitably qualified person on a temporary basis between the departure of the current Executive Secretary and the appointment of the new Executive Secretary.

**ANNEX**

1. The Executive Director will consult the Standing Committee through its Chair, or such other member of the Standing Committee as it may appoint for that purpose, on the recruitment, selection and appointment of the new CMS Executive Secretary and will make every effort to recommend an Executive Secretary who is acceptable to the Standing Committee, while recognizing that the United Nations personnel rules will govern the recruitment, selection and appointment.
2. The Executive Director will invite the Standing Committee, through its appointed representative:
  - to review and consider the Committee's comments on candidates for the post, including the short-listing of anonymized candidates for the post and comments on the selection of final candidates from any such short-list; and
  - to join the assessment panel established by the Executive Director for the identification and recommendation of suitably qualified candidates for the position of Executive Secretary.
3. To the extent possible within his powers and in accordance with UN rules, the Executive Director will consult with the Standing Committee through its appointed representative at all stages of these processes.
4. Contracting Parties to the Convention on the Conservation of Migratory Species of Wild Animals shall be consulted by their regional representatives at all stages of these processes.





# CONVENTION ON MIGRATORY SPECIES

Distr: General

UNEP/CMS/COP10/REPORT  
ANNEX XIII

Original: English

CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING  
Bergen, Norway, 20-25 November 2011

## Proceedings of the Tenth Meeting of the Conference of the Parties Part I

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<sup>1</sup> The alphabetic order follows the order of English country short names / L'ordre alphabétique suit l'ordre des noms abrégés des pays en anglais / El orden alfabético sigue el orden de las abreviaturas de los nombres de países en Inglés.

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**CONVENTION ON  
MIGRATORY  
SPECIES**

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UNEP/CMS/COP10/REPORT  
Speeches and Statements

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CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE  
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS  
TENTH MEETING  
Bergen, Norway, 20-25 November 2011

**Proceedings of the Tenth Meeting of the Conference of the Parties  
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**Chairman of the Board**

**Saudi Wildlife Authority**

**Saudi Arabia**

**Speech at the Opening Ceremony of the 10th CMS Conference of  
the Parties (COP10)**

**Bergen Norway**

**Sunday, 20 November, 2011**

بِسْمِ اللَّهِ وَالْحَمْدُ لِلَّهِ وَاصْلَاةً وَسَلَامًا عَلَى رَسُولِ اللَّهِ

**Your Excellency Mr. Erik Solheim, Minister of the Environment and International Development in Norway.**

**Your Excellencies**

**Distinguished delegates**

**Ladies and Gentlemen**

I am pleased to open the 10<sup>th</sup> Conference of Parties to the Convention on Migratory Species (CMS) also known as the Bonn Convention.

It is my pleasure to welcome all the Parties to the Convention as well as Parties to Agreements and Memoranda of Understanding and our special guests: the Deputy Executive Director of UNEP and heads of other Conventions.

It is also my pleasure to welcome the CMS Partners, Non-parties and Observers.

**Distinguished Delegates,**

**Ladies and Gentlemen**

The 10<sup>th</sup> Conference of Parties will be a milestone event that will determine the future of CMS and set a course for actions to safeguard migratory species.

I congratulate the Working Group on the Future Shape of CMS for their efforts and I urge all Parties to agree on an option that will provide CMS with much needed institutional support and adequate resources to fulfill the objectives of the convention.

**Ladies and Gentlemen,**

The CMS family is growing. This growth is an indication of the increasing challenges we face in conserving migratory species. More and more transboundary species are threatened with extinction. The key is effective cooperation and partnerships extending beyond boundaries and economic sectors.

The Kingdom of Saudi Arabia is committed to implementing CMS within its boundaries as well as in cooperating with range states of migratory species.

The core strength of CMS is the support it receives from its Parties and I hope this will expand in the coming years. I therefore invite non- Party States to accede to the Convention as a matter of urgency and join relevant agreements and MoUs.

**Ladies and Gentlemen,**

CMS is not only a species specific Convention. It is closely interlinked with global environmental problems such as the loss of biodiversity, climate change and desertification. Therefore I wish to stress the significant role of the Biodiversity Liaison Group in enhancing the implementation and coordination of biodiversity-related Conventions in the run-up to Rio + 20.

I also urge Parties, Governments and Regional Economic Integration Organizations to implement the guidelines for integrating migratory species into their National Biodiversity Strategies and Action Plans, as a step towards achieving the Aichi Biodiversity Targets for 2020.

Before I close, I would like to express my deepest gratitude to the people and Government of Norway and to the beautiful city of Bergen for the wonderful hospitality.

I would also like to congratulate and thank the CMS Executive Secretary Mrs. Elizabeth Mrema and her team for the high-quality preparations and excellent organization of the 10<sup>th</sup> Conference of Parties.

Lastly, I wish to thank everyone attending and supporting this important conference.

I wish you all constructive deliberations and fruitful outcomes.

والسلام عليكم ورحمة الله وبركاته

May peace and blessings be with you.



**SPEECH OF H.E. MR ERIK SOLHEIM  
MINISTER OF THE ENVIRONMENT AND DEVELOPMENT  
COOPERATION, NORWAY**

**Erik Solheim, Minister of the Environment and Development Cooperation, Norway**

Thank you so much, your Royal Highness. Most welcome to each and everyone, Excellencies, people, friends to Bergen.

Let me start by telling you that there is absolutely no coincidence that this Conference is being hosted by the City of Bergen, because Bergen is the most international place in Norway. At the port in Bergen in historic times, German was the language, not Norwegian and this conference is about connecting people, making international networks – how to bring the international community together. That was what happened in the port here – the cod from northern Norway was sold by the fishermen to the business people coming from Lübeck and other German cities. They brought grain and the Norwegians brought their cod and together they created one of the great trade streams of Europe in the Middle Ages. Until 1850 this was the biggest city in Norway and still the people in Bergen tend to believe that they are far superior to the rest of us Norwegians. They take great pride in this.

Let me also add that it may not be a coincidence either that the location for this conference is a hall owned by the Norwegian Christian Missionary Movement, because that was also one of the great connections between Norway and the World. And it still is, but it was for good and bad. Many Norwegians took this very much to heart. I still recall my best friend – he was in his very young days and he was summoned by one of his aunts and she told him: “God has spoken to me”. And God had told her that there was an enormously great destiny for my friend. That was not like becoming something less important like the president of the United States of America, or a Prince of Saudi Arabia, let alone a Norwegian Minister. No, it was something much, MUCH more important, because God had told her that my friend would ultimately become a bishop of Madagascar. And greater than that no human being could really achieve in these parts of Norway. I have to add that my friend ended up disappointing everyone as a well-known TV reporter in Norway. But that cannot be compared with being a bishop of Madagascar.

Norway is basically built on migratory species. Why did the Norwegians come here in the first place? When the ice receded from Scandinavia 10,000 years ago, a migratory species came here – and that was the reindeer. The Norwegians in those days spent their time in what is now France and they decided to follow the reindeer up here for hunting. We of course blame these Norwegians; why would they do such a thing? Leaving the mild climate of southern France for this harsh nature, leaving their sweet wine and some would even claim the more beautiful women of France to come up here. (I, of course, disagree with that one!). But why would they come here? Well, there was one reason: the reindeer. That was why they came. And now we are trying to make that connection with other French compatriots. But when they came here, of course, they discovered another very important migratory species, that is the salmon. Norwegian rivers were abundant with salmon. Salmon of course are born in Norwegian – and Scottish, British, Finnish and other countries’ - rivers. They are born and grow up in these rivers and then they cross the Atlantic, over to Greenland and North America to Canada and the USA and through this they become much fatter and they come back to the rivers – great big and fat for breeding. They were so big and so fat that if you go back to the Middle Ages, Norwegian farmers and peasants begged their lords to help them have one salmon-free meal per week because salmon should not be on the menu for more than six days-a-week. Now salmon besides gas is one of our most important export products to the world.

So this society is built on migratory species. Let me add to this: the most important, well known children's song in Norway is called "All the Birds". Every Norwegian child knows it. My children know it. They learn it at a very young age, and "All the Birds" is about the jubilant feeling when all the birds come back around April. They have been - in our understanding - going abroad. They are really truly Norwegian birds and that is how we see them. For a while they spend some time in Africa or maybe in Italy or Spain, but they come back "home" where they have their natural habitat and they are all very, very happy. April and May is the time when Norwegian society really forgets about winter - we are never as happy as in those days. We have many more babies born in January than in any other month of the year - I myself was born in January; my wife was born in January; my mother was born in January. I could go on. And this is all to do with this jubilant feeling. The birds are the symbol of that feeling.

Now we know that these birds are the true internationalists - having a home in Norway, in Spain and in Africa. So they are the true internationalists, not the Norwegians going abroad. But it points of course to one of the main topics at this conference: how do we make habitats available for migratory species in many different societies, because if one of these societies in reality is not welcoming for a migratory species, it may go extinct. There is no easy way for it to survive in the rest of its habitats if one habitat is missing. One of the affected habitats is that of the White-fronted Goose, for which we are making considerable efforts from the Norwegian side to try to conserve - the White-fronted Goose spends some of time in Norway, some in Russia and Kazakhstan and some time in Greece, so it really travels enormous distances. At one point, there were so few of them, that the scientists knew all of them by name. So there was much joy when recently 67 ring-marked geese were recorded in Greece. But this is a small group of birds and the only way of protecting it is to make certain that their habitats in all these places - in Norway, Kazakhstan, Russia and Greece - are secure. So it calls for global efforts. One remedy we have taken in Norway is to pay farmers to start their sowing season later in the Spring to make their plots of land available for birds on this leg of their migration in the early part of spring. So migratory species coming from southern Europe or Africa can then rest on this land in southern Norway for a time and then continue to Spitzbergen and northern Norway very close to the North Pole. But again it calls for international cooperation to make certain that all these elements are in place. A number of different threats to migratory species have already been mentioned. The Executive Secretary of the Convention spoke about Tanzania, her homeland, where a road proposal in the Serengeti caused a lot of international concern last year. There were a lot of talks with the Tanzanian government and the road has been put on hold. But one road could possibly have enormous negative impact on the Wildebeest passing through the Serengeti. In Norway, we are focusing on electrocution - we have built our prosperity on hydroelectric power and as a result we have an enormous amount of transmission lines up in the air and they keep killing hundreds of thousands of birds - and something should be done to reduce that impact, so we are now insulating some of these transmission lines in the areas where the effects on birds are the highest. Many other examples could be brought forward. Marine litter was covered by a conference in Bergen last year. The stomach of a seagull was opened up and this revealed an enormous amount of litter from different sources - from the fishing fleet, from individuals throwing plastic into the ocean, from transatlantic cruise liners or whatever else - there was a mixture of all these sources, but we cannot continue to use the oceans as a litter bin with this impact on seagulls and many other sea birds.

So moving on from describing the problem to what we can do. A lot has also been mentioned. The need for different habitats to be put into networks is one such remedy. The

need to use all the international conventions is obvious. The Nagoya Conference where the Prince and I and many others participated last year was another very important milestone in this area. The work done by Mr Sukhdev on the International Panel on Ecosystem Services has resulted in a lot of activities, and many activities nationally: in Norway two years ago we passed a Nature Diversity Act, which we believe is the most important piece of environmental legislation in Norway probably ever. But of course the implementation is just starting, but we are nonetheless very proud of that Act.

A number of other remedies could be mentioned but let me focus on the more political areas, because I could not agree more with what was said here: that there is a need to get out to the people. To be frank, there are certainly fewer than 100 people in Norway who understand the abbreviation “CMS COP10” – maybe 50 at most and they are all employed by me. All of them!

And the problem is not these abbreviations. I made a rule in the Ministry of Foreign Affairs as well as in the Ministry of Environment that I would only tolerate two abbreviations: the UN for the United Nations, and EU for the European Union – and sometimes I might allow USA for the United States of America, but there I draw the line. Because the problem is that if we use all these abbreviations and acronyms when we speak to each other, it is hard to switch to a different language when we speak to the people out there. And there are many more of those people out there than there are of us. They are the voters, the people who really decide the framework for environmental legislation. We must reach out and we must speak pure and simple English or Arabic or Norwegian or Chinese or whatever language it is you speak so that people can understand you. What people want to hear about is the law for nature, the beauty of nature, the importance of nature, the importance of plants and animals and not about all the abbreviations. Then we can connect with real people – not that you are not real people – but there are more real people out there.

Let me also underline a point which was made by my great friend, Peter Schei. He said we must connect with those who are not within our own “tribe” – maybe most importantly with business. All sections of the State must be brought into this, but we must also bring business into it. Let me show one example of how that can be done. One month ago I was in Djakarta, Indonesia discussing the conservation and sustainable use of rain forests. President Yudhoyono had called a huge meeting of Indonesians. They were all there – half his own cabinet; all the environmentalist groups, civil society but also all the key companies of the palm oil business – all those who are destroying the rain forest - they were all there. They were brought together and then there was a very good conversation with the palm oil business. Palm oil is a completely fine product – there is nothing essentially wrong with it; the only thing wrong with it is when the rain forest and environmentally important habitats are destroyed for its production. Except for that, palm oil is as acceptable as wheat, maize, barley or rice. There is nothing wrong with it. So we had discussions with the palm oil industry to encourage it to change its habits and I think it was done in an excellent way. All the representatives of the palm oil business want to avoid the situation where their business is seen as part of Hell, at least by European consumers. They want their industry to have a good name rather than a bad one. They are more than ready to start using all the already degraded land if that can be done in an efficient manner. Indonesia has an enormous amount of degraded land that can be used for the palm oil industry so there is no reason whatsoever to destroy wetlands or the forest. But there must be a dialogue about the practicalities for transforming that industry, because that industry employs an enormous number of people and it makes a substantial contribution to the budget and income of Indonesia, so it cannot be

wished away. Dialogue is the only way forward. And this example should be followed in other areas. Let's not speak just within our own "tribe" but to all other "tribes" and it is frankly very surprising how tribal we are. Because I am both the Minister of the Environment and of International Development and I see it even between these two, which are so closely linked. There is not one person in this room who believes we can protect the Environment while keeping people in poverty. We must uplift the one billion people living in absolute poverty, while at the same time conserve and protect the environment. So they must be brought together but these are still separated on the world scene. In some fora there is just the environment tribe and in others it is just the development tribe. Even within the environment tribe, as was hinted earlier, there seems to be a great divide between those concerned with biodiversity and those most concerned with climate change. I do not know how many people will get to Durban for the Climate Change Conference in three weeks' time, but most certainly there is a huge need to bring together the different tribes of the environment, with the tribe of development, with business, otherwise we cannot succeed. I know that it is much easier to say this than to do it, but it must be done, and some place it must start and this is one place where it can start.

Let me address this: what are the arguments the people out there will understand regarding the case for protecting the species. I think that there are three arguments: firstly, the one that I would consider to be the religious or philosophical argument. It is within Islam, Christianity, Hinduism, Judaism, Sikhism - whatever religion - that man is dependent on nature, and to conserve and protect nature is of enormous importance. If you take the Bible, which is our Holy book, it starts in the first chapter which is about the beauty of nature when God created this planet and it ends up with nature again when John is sitting in Cyprus or Crete and fantasises about the great river. So the Bible starts and ends with nature. Conserving and using nature in a sustainable manner is really at the core of every great philosophy or religious system. That is the argument that we humans cannot take it upon ourselves to be the one species destroying all the others. We should have a modest approach to nature. That argument is well understood, but the case has to be made over and over again. The second argument is the ecosystem argument, that the species are enormously interconnected and there are so many examples where if you remove one species or if you destroy one species it has enormous effect on the others within the ecosystem. People know that from their local environments and of course they know it from global examples, such as introducing the rabbit to Australia, to cite just one very well known example. And the third argument is the economic value argument, and that is not to say that this is the most important. The most important is the beauty and importance of nature by itself, but the economic argument is also very important, because there are so many examples of species having enormous economic potential - tourism as was said here, but in many other industries, that is also why the Nagoya Conference was so important, so that we could make certain that if a species can be of economic value to someone, then that should be respected and not just companies from the developed world using them - the land of origin should also have a part of the profit. But if we can make these three arguments - the philosophical/religious argument, the ecosystem argument and the economic argument then most certainly we can connect with an enormous number of people.

The Conference in Durban in three weeks' time on climate change is one such occasion. I think it is important that a message from here is taken to Durban and that message is very clear and the impact of climate change on migratory species is one such important issue. The urgency of climate change is the problem of the moment. Everyone globally agrees - there is

no important world leader who disagrees that it is an important problem, but the urgency that we have to act now and not in ten or twenty years' time. That is the most pressing problem.

Let me say finally that the area where Norway has over the past years played an important role in the conservation of the environment has probably been reducing emissions, forest degradation and deforestation. We have worked very closely with Brazil, with Indonesia as I mentioned, and with some other governments in this area. But I think we should acknowledge what enormous progress has been made. Brazil has reduced the deforestation rate in the Amazon by close to 70 per cent in eight years. If the prince had gone there eight years ago and told the Brazilians that this could be done, I think frankly, you would have been kicked out. You would have been seen as some kind of environmentalist "Rambo" with no understanding of the economics. But the Brazilians under President Lula's leadership and now Dilma's have proved to the world that it can be done and with no negative effect on the Brazilian economy. Brazil has enormous economic growth, bringing a huge number of people out of poverty, and they are conserving the forest at the same time, and, yes, there are other environmental problems in Brazil, but it proves that you can combine environment and development to a large extent and we should celebrate that. We want to take this cooperation a little further – one topic on the agenda here is the gorillas – the rain forests of Africa are up to now less threatened than those of the Amazon and South-East Asia, but that is mainly because of the lack of development and insecurity in the biggest forest nation, the Democratic Republic of the Congo, but there is a need to combine the focus on climate change with the focus on species that live in the forest - and the gorilla is the most well known. We are providing assistance to the Convention to do that during this Conference and I am happy that we put this so high on the agenda.

Let me at the end just say that we are now embarking upon a very important year for the biodiversity and global environmental issues in general. In three weeks' time we are meeting in Durban, in half a year's time we are meeting in Rio. The agenda for the Rio Conference is, I think, still very open. It is not clear what we will achieve there, so we must combine our forces to make the agenda for Rio. Colombia has taken it upon itself to put the issue of sustainability on the global agenda as an addition to the Millennium Development Goals. I think that that is a very important idea which should be explored and it deserves support, and if Colombia and Brazil can take the lead on that matter, that would be a very important process. Then we should focus on the Brazilian success on rainforests and how that can be learned from by other nations. We should focus on energy in Rio, which the Secretary General has made his great call for the Conference, but we should bring all the issues of natural capital into that conference and these are biodiversity issues.

We are now entering into a year of hard work, so I will greet you and thank you for coming to Bergen and this Conference will be a very important step towards Durban and towards Rio. And we have great work to be done together.

Thank you.

**Ms. Lizbeth Iversen, Commissioner for Climate and Environment Affairs and Urban Development of the Municipality of Bergen**

*This speech was accompanied by slides*

Thank you very much.

Your Royal Highness, Your Excellency, Minister, all professionals, dear guests and I hope I can say dear friends.

Welcome to the historic city of Bergen. This is a great honour that you have come to our city with such a very important conference and such important debates that will take place over the coming days.

This is the tenth Conference of the Parties to the Bonn Convention and it is a pleasure to welcome you to this historic city with a long urban tradition in Norway. It was founded in 1070 and I hope that you will have the possibility to see some of the historic centre while you are here.

The city is sheltered by the natural port of Bergen and we have the mountains around the port, and because of this we have had to open our arms and hearts to Europe and the rest of the world, because the sea and what was happening on the oceans was a highway to collaborate with other people and cities.

International influences on the city can be seen today in the city's structure and street network and despite having been ravaged by fire many times, almost once a century, Bergen has never totally been re-regulated and the city still has its old structure. You can read our history in our street, created by people from all over the world.

I will show you our city, as you can see it is far to the north, but we have quite mild weather, but we have noticed over recent years we have seen more uncertain weather conditions occurring and as one of our researchers said: the only certain thing in the future is that something uncertain will happen. So we have to live with uncertainty and acquire the knowledge so that we can deal with it.

Bergen is the second largest city in Norway and you find lushness that is rare for this latitude because of the mountains and the gulfstream. The city centre is set against the backdrop of green and fertile mountains, which surround the important areas where people live and work. I would like to show you a picture because it used to be a car park and that was another aspect of sustainable development. People were afraid to take away the car park, but what happened was that people came to buy things from the shops. No-one buys anything from cars.

And not so far away from the centre you can go up – if you have time – to visit the beautiful mountain area, close to where people live and both in summer and winter it is very important for the health of the people, but also for understanding what we have inherited – the species that live here – the weather conditions. Everything that is part of everyday lives – and this is something that we have to take care of and as you see we have a lot of birds in the city and I think especially what is important is to be aware of what we have. We have to search out knowledge so we know what we have in our city and you know what you have in yours. Things that might disappear and the wonderful thing about birds and other species is that they

know no borders, no frontiers. They do not ask for any passports; they belong to all of us and we belong to them. And that is very important to realise.

We have tried to introduce sustainable management in the City for our biological diversity and we are working hard to stay on the right track. We have good collaboration with the University of Bergen, NGOs, people living in the different parts of the city, children and schools. We try to register and map our biodiversity in the city to ensure that it is included in area plans and urban development, so we know the consequences of what we are doing.

I would like to stress this: we are grown ups – different ages and different nationalities. We have to act now but we also have to know that we must take the future generation with us. We work with school children as they will be the next decision makers. They will have open minds for new information. And it has to be stressed, that here in Bergen we work with the university, and the children and schools have adopted our lakes and water courses. The children take samples and give them to the researchers and they tell the city what is going on and let officials know whether they are happy or not. And so our children are important.

Also in other fields, we work with children. Here you see an oak tree and the special thing about this tree is the number of different species that live in and depend on it. Our children know all about this now. I did not know about it – I do now – so knowledge is the key to all.

This is a picture of an area around a water course; an area we want to develop as a park – a knowledge park for children where they can experience things and learn.

Here you see a picture of a local park close to the city centre, not far from here. You can find migratory gull species there, for those of you interested in such things.

So we all have a responsibility to conserve the species that migrate within our borders and we are pleased and honoured that CMS decided to come to Bergen.

We hope to learn from you and hope that you can learn something from us. I hope that you have come here to do nothing less than change the world.

I think knowledge is good, but it is not enough if you do not combine it with warm and open hearts and ready to shake hands and agree to decide to do things together.

Good luck to you with your Conference.

I look forward to hearing about the outcomes.

I am sure our Minister will take care of what we have to do in Norway and make sure that we collaborate with you from other countries.

**Dr. Fernando Spina**

Thank you very much. Your Highness, Honourable Minister, Excellencies, distinguished delegates, dear colleagues and friends.

The future of the planet is in the hands of Man. We humans and surely all of us sitting in this room, distinguished delegates, share the moral duty of acknowledging this enormous responsibility. We all fully respect the diversity and complexity of nature per se, but also because this complexity is the driving force behind the functionality of ecosystems. Functional ecosystems are key for our wellbeing and for the possibility of sustainable use of components of these ecosystems. The diversity of nature is a unique and irreplaceable capital which we therefore have to preserve and to ensure it is available in the future for generations to come.

Migratory species are the leading evidence that the Earth is a single ecosystem. Huge distances to cover or risky ecological barriers to overcome are not a limit to the distribution of migratory species on terrestrial habitats as well as across skies and oceans.

Conservation is challenging to accomplish. Distinct philosophical, religious, cultural and social perspectives may result in drastically different approaches in the relationships between Man and nature, particularly where animals are concerned. If this is difficult in the case of conservation efforts for species with geographically limited distribution ranges, it becomes even more challenging when we think of migratory species. The attitude of Man towards the same migratory individual animals can be radically different cross countries distributed along the routes these animals follow. As a matter of fact, conserving long-distance migratory species is the most difficult challenge for conservation, implying the need for the same or at least a very similar approach towards animals visiting different countries along their annual cycle.

A sound scientific basis for large-scale and long-term conservation strategies is crucial to make our efforts as may be necessitated also through politics effective on the ground. Within this complex context of migratory species conservation, CMS offers a unique example of a great commitment and dream – a scientifically based legal instrument which can be used globally to help all migratory animals. No other legal instrument offers this huge potential to the conservation of a most important component of biodiversity which moves in time and space across the planet and hence falls under the responsibility of the whole international community.

Having the unique chance to work on migratory species, we, as members of the CMS Family, also share the fortune of all being connected to one another through migratory animals. By definition, conserving migratory species implies cooperation and common goals. During over 30 years, through its amazing community of government institutions, scientific experts and NGOs, CMS has offered the vital contribution to the conservation of the most diverse migratory animals. CMS Agreements represent a milestone example for having introduced and put into practice the need for a flyway approach to the conservation of migratory species.

Three years ago we all met in Rome, after the Italian Government offered to host COP9. Now we are in Bergen along the stunning coast of Norway. During the COP in Rome we presented the first volume of the Italian Migration Atlas which has in the meantime been completed and is now available on the web. If we browsed the Atlas maps we would find a good reason for the handover of the COP presidency between Italy and Norway. Ospreys and merlins, cuckoos and robins would tell us that these two countries are functional components of the same flyway. While we are meeting here today, Norwegian robins will be hopping in the olive groves of Tuscany, reed-buntings will be enjoying the protected reed

beds of southern Sardinia. From the perspective of CMS functioning, the connectivity between the last COP and the one starting tomorrow is offered by the Resolutions passed in Rome and the intense inter-sessional work which has ensured that we now have the opportunity to take strategic decisions, such as those on the future shape of CMS which can be of historic importance for the development of CMS and hence for the future of migratory animals, and which I hope will be taken in the coming week.

During the next few days, when we will be confronted with choices to be made and decisions to be taken, let's not forget that at exactly the same time we will be considering whether or not to take certain decisions, there are majestic gorillas unaware of crossing borders while patrolling their shady forests; small migratory birds flying at night while we will be trying to recover from the demanding COP working days; silent sea turtles travelling across the oceans confident they will find the lonely beach they remember to return to and lay their eggs; gigantic whales following their mysterious watery pathways; herds of gazelles leaving their tracks on the hot sands of intact desert dunes, while dugongs slowly swimming along shorelines they share with humans. Magnificent albatrosses riding the waves and extreme ocean winds while heading back to the same small island on which they were born. Let's not forget we have the good luck to be able to contribute to the future of all these animals. Let's do all we can in order for this COP to be as productive as possible in taking decisions, which will allow generations to come to feel the same fascination that we do about animal migration.

Hosting a COP offers the host country the chance to raise the profile of CMS as the key tool for migratory species conservation. As was the case of COP9, in Rome this will also be mirrored tomorrow when the Italian Ambassador in Norway will join us for the signature of two important MOUs on raptors and sharks. Italy being a natural bridge across the Mediterranean for migratory birds, COP9 was also seminal for the institution of the global flyway working group for the definition of a proposal for an Action Plan devoted to the increasingly threatened African-Eurasian land-bird migrants.

It is therefore my pleasure to ideally handover from COP9 in Rome to COP10 in Bergen, which, I am sure, will be a full success. Thanks also to the crucial commitment of the Host Norwegian Government back-to-back with the efficient and dedicated CMS Secretariat and the key presence and contribution of you all distinguished delegates to this conference.

Thank you.

**Speech of the Deputy Executive Director of UNEP  
to the 10<sup>th</sup> Conference of the parties to the Convention on Migratory Species  
Bergen, Norway 20-25 November 2011**

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**Your Highness, Honourable Ministers, Distinguished Delegates, Ladies and Gentlemen,**

It is a great pleasure to be here in Bergen on the occasion of the 10<sup>th</sup> Meeting of the Conference of the Parties to the CMS. As you are all aware, this is my first attendance of the CMS COP as the Deputy Executive Director of UNEP.

I wish to extend to you, your Excellency, Your Government and the people of Norway, our deep thanks for the warm welcome and generous hospitality accorded us since our arrival in this beautiful city of Bergen, and for the excellent arrangements made for our deliberations here.

I would also like to take this opportunity to congratulate the Executive Secretary, Ms. Elizabeth Mrema and all the staff of CMS for timely and excellent presentation of all the COP documentation.

**Your Excellency, Distinguished Delegates, Ladies and Gentlemen,**

The theme for the CMS COP-10 “Networking for Migratory Species” could not have been chosen at a better time. It encompasses not only ecological connectivity and networks, but also exhibits the way in which biodiversity multilateral environmental agreements work together to ensure species conservation and sustainable use.

For UNEP the overarching objective is to achieve synergies among biodiversity-related Conventions and I would like to recognize the efforts that have been made to this end by CMS, Ramsar, CITES, the International Treaty and of course CBD.

Just to take one example, the theme for this COP links to CBD’s programme of work on protected areas, as well as having a linkage to the network of protected areas under the Ramsar Convention, to mention just a few.

As we all know, biodiversity is the product of millions of years of biological evolution. It has always provided mankind with food, fibre, shelter, medicines and socio-cultural enrichment. Yet by our inaction and inertia, we are allowing vast numbers of valuable species to be lost and genetic diversity to be eroded and destroyed, thus compromising the resilience and integrity of vital terrestrial and aquatic habitats and ecosystems at a time when human dependence on genetic resources and ecosystem services is increasing rapidly.

To help avert this negative tendency, the United Nations General Assembly (UNGA) declared 2011-2010 as the UN Decade on Biodiversity. The UN Secretary General Ban Ki-moon said in a message read at the official closing ceremony of the International Year of Biodiversity in Kanazawa, Japan 2010 that all countries worldwide should draw on energy generated in the previous year and keep up with the good work throughout the United Nations Decade on Biodiversity 2011-2020 by protecting biodiversity and ensuring that life on Earth would persist in all its diversity and complexity, for the benefit of present and future generations.

Over the next ten years, from 2011-2020, countries all over the world are expected to take action to help save the variety of life on Earth so that we can live more in harmony with nature.

Just to illustrate the degree of biodiversity loss we are facing, I would like to take you through one scientific analysis:

- The rapid loss of species we are seeing today is estimated by experts to be between 1,000 and 10,000 times higher than the natural extinction rate.
- These experts calculate that between 0.01% and 0.1% of all species will become extinct each year.

### **Biodiversity and Poverty Alleviation**

Let us also remain fully aware that another great challenge the global community faces today is that of poverty.

It is evident from the documentation and theme of this conference that one of the most practical ways of addressing this issue is by effectively promoting awareness of the importance of investment in conservation and sustainable use of biological diversity and most importantly, by ensuring that the benefits derived from such conservation and sustainable use are shared in an equitable manner without undermining the integrity of the environment, and ecosystems and habitats thereof.

These twin problems of poverty and inequity must be concurrently addressed with diligent consistency among key actors including local communities.

As you are all aware, poverty, inequity and loss of biological diversity are intrinsically major issues in environmental degradation. UNEP's response has been towards publicizing the economic case, since it is evident that natural capital still remains all too invisible in national and international economic decision-making.

UNEP's Green Economy, including "The Economics of Ecosystems and Biodiversity" (TEEB) which UNEP hosts, aims to catalyze a transition towards a low-carbon, resource-efficient, employment generating economic path by providing the evidence that such a transition is the only sustainable option on a planet of seven billion people, rising to over nine billion by 2050.

Close to 30 countries are now requesting green economy advisory services, aimed at tailoring a transition to individual countries' needs, covering clean energy to better management of eco-systems and biodiversity.

### **Distinguished ladies and gentlemen,**

It is true that nature should never be appreciated merely for its economic value but in a world of competing demands and limited resources economic considerations can help tip decisions in favour of conservation rather than degradation

Take for example the tiny Pacific Island nation of Palau - and I hope there are representatives of that island nation here today. Many shark species are now at high risk owing to growing consumption of their fins which are widely believed to have extraordinary health benefits.

Palau is helping to reverse that trend. Two years ago Palau became the first country to declare its coastal waters a shark sanctuary. Scientists today estimate that shark diving tours generate around 8% of the country's GDP and that a single shark generates revenues of US\$2.6 million over its life time

Now that is a good reason to conserve sharks.

UNEP is keen to explore with the CMS Executive Secretary, synergies between the Green Economy and the TEEB work and that of the Convention, in particular at the national level.

**Your Excellency, Distinguished Delegates, Ladies and Gentlemen,**

In celebrating the 20<sup>th</sup> anniversary of the Rio Earth Summit held in 1992, governments, supported by the UN system will convene in June 2012 in Rio de Janeiro for the United Nations Conference on Sustainable Development, also referred to as “The Rio +20 Conference”, to reflect on the achievements and shortcomings of international action in the area of sustainable development over the last 20 years.

As you are aware, two themes have been singled out for specific focus: “the green economy in the context of poverty eradication”; and “the institutional framework for sustainable development”. For these processes, UNEP is contributing its experiences and lessons learned to the preparatory process, and has also availed its expertise.

**Ladies and Gentlemen,**

As the COP of CMS meets this week, I wish to reiterate and strongly urge Parties to seriously consider UNGA’s call for wider participation in the UN Decade on Biodiversity, and to fully implement the Convention on Biological Diversity’s Aichi biodiversity targets in a comprehensive and coherent manner.

In this regard, Parties need to examine fully how and to what extent these targets can be best translated into practical, achievable and measurable activities. As your scientific bodies have often recommended, it is imperative that any actions taken must be backed up by strong science and effective governance mechanisms. We must not fail to achieve these targets, as was the case with the 2010 targets. There is therefore need for all countries, institutions and organizations – indeed all stakeholders in the global biodiversity agenda, to demonstrate and disseminate measurable success attained in the course of the decade, so that political commitment becomes evident and public confidence and interest in the biodiversity arena enhanced.

**Strengthening that policy-science interface**

**Ladies and Gentlemen,**

Today, it is inevitable that a Convention such as CMS should work in synergy with other MEAs. For example, CMS must identify, understand and address the many complex inter-linkages among environmental issues such as climate change, biodiversity loss and desertification under various scenarios. In all these scenarios, there is a need for greater investment in policy-relevant science and in strengthening the capacity of institutions in the public and private sectors to act coherently and in partnership at all levels.

Accordingly, and in response to General Assembly Resolution 65/162 of 20 December 2010, UNEP organized a plenary meeting for determining modalities and institutional arrangements for an intergovernmental platform on biodiversity and ecosystem services.

It is my pleasure to inform you that this first meeting of the platform was held in October 2011 in Nairobi made progress on further refining the detailed functions of the

platform's plenary, on the process for selecting the hosting arrangements, and was an opportunity for initial discussions on the work programme.

UNEP has worked to support the full engagement of multilateral environment agreements' scientific subsidiary bodies in these meetings, including by engaging with the Chair of the Scientific Council of the Convention. Many multilateral environmental agreements have initiated discussions on how they might interface with the platform once it is fully operational, and UNEP encourages the Convention to do likewise to ensure that its needs can be taken onboard in the further design and operationalization of the platform.

### **Issues of Funding**

#### **Ladies and Gentlemen,**

As you will recall, COP-9 adopted a decision to facilitate and review "the Future Shape of CMS". To this end, UNEP is pleased to note that impressive work on the Future Shape of CMS with substantive input from the Secretariat. It is now time to elaborate and/or implement some proposals coming out of the process.

Also, as is evident from our deliberations this week, we need to acknowledge the important role the CMS Secretariat is playing to not only assist parties, but to ensure continued conservation of our terrestrial, marine and avian migratory species throughout their ranges, and ensuring conservation of wildlife and habitats globally. Unlike other similar secretariats, the CMS Secretariat is small but charged with a huge responsibility which it continues to shoulder impressively. However, lack of resources is threatening this good work. To this end, I wish to bring to your attention the issue of securing sound funding for the Convention.

I fully understand the consequences of inadequate funding. This means that developing country Parties, who are the Range States of most of the CMS Species, cannot be assisted in a meaningful way to implement the Convention.

It is my sincere wish that Parties will take that into account during this difficult financial period to agree with a certain increase of the budget to enable the Secretariat to continue its work, particularly in Africa and Central Asia.

#### **Ladies and Gentlemen,**

Once again I reiterate that UNEP stands ready to support the work of this Convention. I wish you every success and fruitful outcomes from your deliberations during COP10.

## **COP10**

### **OPENING STATEMENT BY ELIZABETH MARUMA MREMA**

Tenth Meeting of the CMS Conference of the Parties

*Monday 21 November 2011, 0900hrs; Bergen, Norway*

#### ***Greetings***

His Highness Prince Bandar Al-Saud,

Ms. Amina Mohamed,

Distinguished delegates,

Colleagues and Friends,

Ladies and Gentlemen.

#### ***Thanks***

In addition to yesterday's addresses, it is a great honour and a pleasure for me to welcome you here today to the Tenth Meeting of the CMS Conference of the Parties.

I would like to thank, once again, our Host Government Norway for making it possible for us to meet today, for the COP itself and other associated meetings.

It is a huge contribution for which we are extremely grateful.

Secondly, I would like to thank the Standing Committee, which under the able leadership of The Kingdom of Saudi Arabia, has guided the Secretariat through the intersessional phase including the Future Shape process.

Thanks also to the Standing Committee Working Group for screening all the documents prepared by the Secretariat prior to this Conference.

Thanks to Germany, our Secretariat host government and Depositary of our Convention. Your stalwart support is much appreciated and never taken for granted.

Warm welcome to the new Parties. We are delighted to have you on board.

We also welcome those prospective Parties with us today and wish to let you know, we look forward to your joining the CMS Family in the very new future.

Last but not least, I would like to thank you all for travelling from different parts of the world to be here with all of us.

#### ***Ecological Networks***

This COP is another step towards improving species conservation in the more than 30-year history of the Convention.

COP10's motto, "Networking for migratory species", implies a two-fold approach.

**First**, ecological networks and critical sites are crucial for migratory species conservation.

Migratory species depend on a well preserved network of ecosystems, such as stopover sites, and feeding and breeding areas.

Habitat loss is among the primary threats to migratory animals.

The conservation of habitats and the maintenance of connecting corridors are indispensable for their survival.

**The second approach** targets stronger collaboration with governments, other UN organizations, intergovernmental organizations and NGOs as well as the corporate sector.

Networking for animals on the move and who know no borders is a promising way of rallying support to conserve endangered species.

In this regard, a new report on ecological networks as a tool for migratory species conservation, titled "Living Planet, Connected Planet: Preventing the End of the World's Wildlife Migrations through Ecological Networks", is the core publication of the COP.

Each one of you has, or will receive, a copy. Let it guide all of us in our efforts to better conserve our migratory species through established or enhanced ecological networks.

Parties are asked to consider broadening the Convention's species-based approach, and in cooperation with existing ecological networks initiatives, to work towards establishing protected migration routes and identifying gaps for migrating species in existing protected area systems.

### **Staffing**

With the appointment of Bert Lenten as the new Deputy Executive Secretary, the Secretariat's complement of post is now filled, for which we are thankful.

We have had a number of vacancies over the years, and are just starting to reap the benefits of the full house.

We will still be unable to *fully* implement *all* of the daughter agreements and MOUs.

However, by forming alliances with Parties and our many partners, we are optimistic that we can achieve much more in the next triennium.

We also thank the Governments of Germany and Finland for providing us with three Junior Professional Officers for two-year terms, two of whom have come on board just a few months ago.

Albeit Junior Professional Officer positions are short term, these young staff (the next generation) provide crucial capacity to the Secretariat especially for our specific regional programmes, such as, one JPO for Africa and one for Central Asia.

We are a small Secretariat, in terms of staff numbers and budget, smaller than some Parties realize.

It is through the dedication and long hours of our committed staff that we are able to produce the level of output that we have done for this COP.

There is also a constant juggling of resources and priorities in terms of the on-going substantive work of the Convention to implement species agreements.

Our work with our many partner Conventions and organizations is one of the main ingredients for our success.

### **Budget**

The agenda we are about to consider has a number of challenging items; the CMS Budget for 2012-2014 being one of them.

It is a challenge to get the necessary resources for the Convention and we know well that the current global economic crisis does not help.

Many thanks to a number of Parties who have contributed, beyond the call of duty, to the Convention's work.

Both financial and in-kind contributions have enabled us to make some significant gains.

Numerous on-the-ground conservation activities have been funded as well as many of the activities and initiatives requested by the current Strategic Plan. Other in-kind support has also been significant.

I take this opportunity to also thank our many partner Conventions and NGOs, whose assistance and support over the last triennium has been invaluable for the implementation of the Convention.

Times are hard, but we depend on the support of everyone.

Due to inflation correction and cost increases, the actual amount for implementing the Convention will decrease even if contributions are retained at their current level.

We are counting on Parties, where they can, to provide a modest increase.

I ask Parties to remember that the original purpose of the Future Shape process was to try to address the under-resourcing of the Secretariat.

We also look forward to seeing you all on Tuesday evening at the Donors' meeting, which is to be followed by a reception offered by the Government of Germany.

Any kind of contribution, either financial or in-kind, will be highly appreciated.

### **Future Shape**

We are at the end of the Future Shape process which was launched at COP9 in 2008.

You will shortly be briefed on the completion of Phase III and the outcome of the entire process arising therefrom.

The Secretariat is ready to embrace whatever shape will be decided for the future of CMS and its Family.

We will be guided by your advice and decisions, to further strengthen and streamline our work.

I must stress the significant amount of time the Secretariat has invested in the process to date.

We are keen to leave the analysis stage behind.

It is time to get on with making improvements to the way we undertake the real work of conserving migratory species, which are having a harder time than ever.

**Already** much has been happening and changing at CMS to increase our efficiency.

We have enhanced our operations and are making better use of the available financial and human resources all the time.

With the rest of the CMS Family, we have worked hard to increase the unity and enhance synergies on a number of aspects including fundraising, recruitment of Parties, and representation at meetings and workshops, to mention but a few.

**Also**, elements of the proposals which were developed within the Future Shape process have already been implemented.

We have worked on the proposal for a new website for the Family which will be presented later in the week.

However, additional resources may be required to revamp our existing website which currently used obsolete technology, to updated technology and thus creating a common website/platform for the CMS Family in the Convention's three languages.

Suggestions about the development of new instruments under the CMS umbrella have also been taken into account.

An analysis has, for instance, been undertaken to identify needs and gaps for the conservation of Central African elephants.

This analysis will help all of us to determine whether or not a new instrument is needed or whether the same can be achieved through other existing mechanisms. Details of this will be presented in the next days.

We hope the same gap analysis methodology will also be the basis for future proposals for new instruments.

Progress has also been made towards the coordination of a number of MOUs.

Thanks to the provision of junior professional staff (JPOs), we have been able to substantively coordinate and monitor implementation of activities for MOUs and Agreements in Africa and Central Asia.

### **Conclusion**

We have a tremendous amount of work to get through during the next few days.

Before I wrap up, I would just like to make special mention of the three-day Regional Preparatory Negotiation Workshop for Africa, which took place in October in Uganda.

This Workshop was undertaken in preparation for the CMS COP and upcoming AEWA Meeting of Parties.

It targeted CMS national focal points as well as a number of national focal points from AEWA in the Africa region.

It was jointly organized by UNEP, the CMS and AEWA Secretariats, with financial support from the Governments of Sweden, Switzerland and Germany and a partner, BirdLife International.

I look forward to seeing the national focal points' reinforced negotiation skills and techniques in action at this COP!

And, hopefully, we can make such regional preparatory or coordination meetings a regular feature for all regions before COP11 and all future COPs.

But I am getting ahead of myself.

With further ado, let us swim and get started with COP10!



## CMS COP10

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\* The alphabetic order follows the order of English country short names. / L'ordre alphabétique suit l'ordre des noms abrégés des pays en anglais. / El orden alfabético sigue el orden de las abreviaturas de los nombres de países en Inglés.



Ministerio de Relaciones Exteriores  
Comercio Internacional y Culto

La Delegación Argentina ante la Décima Conferencia de las Partes de la Convención sobre la Conservación de especies Migratorias de Animales Silvestres (CMS) presenta sus atentos saludos a dicha Conferencia y en relación a los documentos UNEP/CMS/Conf. 10.11 Annex 1, UNEP/CMS/Inf. 10.18.6, UNEP/CMS/Inf. 10.28 y UNEP/CMS/Inf. 10.5, la República Argentina recuerda que las Islas Malvinas, Georgias del Sur y Sándwich del Sur y los espacios marítimos circundantes son parte integrante del territorio nacional argentino y que, estando ilegítimamente ocupadas por el Reino Unido de Gran Bretaña e Irlanda del Norte, las mismas son objeto de una disputa de soberanía entre ambos países, que ha sido reconocida por las Naciones Unidas.

La Asamblea General de las Naciones Unidas ha adoptado las Resoluciones 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19, 43/25, en las que reconoce la existencia de una disputa de soberanía y pide a los Gobiernos de la República Argentina y del Reino Unido de Gran Bretaña e Irlanda del Norte que entablen negociaciones con miras a encontrar a la mayor brevedad posible una solución justa, pacífica y definitiva a la controversia.

Del mismo modo se han manifestado la Organización de Estados Americanos, la UNASUR, el MERCOSUR y Estados Asociados, las cumbres de América del Sur y África, América del Sur y Países Árabes, las Cumbres Iberoamericanas, la Cumbre de la Unidad América Latina y Caribe, el Grupo de Río, así como también el G77 y China.

La República Argentina reitera los términos de la declaración que formulara en su instrumento de adhesión a la Convención sobre la Conservación de especies Migratorias de Animales Silvestres (CMS) del 23 de junio de 1979, remitido al depositario de la Convención mediante nota verbal fechada 4 de octubre de 1991, en virtud de la cual la Argentina rechaza la extensión de aplicación de dicha Convención, por parte del Reino Unido, a las Islas Malvinas, Georgias del Sur y Sándwich del Sur, y los espacios marítimos circundantes, que son parte integrante del territorio nacional.

Atento a lo expuesto precedentemente y de conformidad con lo solicitado por el Gobierno argentino a la Secretaría de la CMS mediante una nota circulada en ocasión de la Octava Conferencia de las Partes con símbolo UNEP/CMS/Inf.8.28 fechada 31 de octubre de 2005, la República Argentina solicita a la Secretaría de la CMS que todos los documentos circulados en el ámbito de la Décima Conferencia de las Partes en que se mencione a las Islas Malvinas, Georgias del Sur y Sándwich del Sur, y los espacios marítimos circundantes:

- 1) Se haga uso de la doble nomenclatura en los siguientes términos:
  - a) En los textos en inglés: "Falkland Islands (Islas Malvinas)"; "South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sándwich del Sur)".
  - b) En los textos en español: "Islas Malvinas (Falkland Islands)"; "Islas Georgias del Sur e Islas Sándwich del Sur (South Georgia and the South Sandwich Islands)".
  - c) En los textos en francés: "Îles Falkland (Falkland Islands/Islas Malvinas)"; "Îles Géorgie du Sud et Îles Sandwich du Sud (South Georgia and the South Sandwich Islands/Islas Georgias del Sur e Islas Sándwich del Sur)".
- 2) Se incorpore una llamada con una nota al pie de página, con la siguiente leyenda:

a) En los textos en inglés: “A dispute exists between the Governments of Argentina and the United Kingdom of Great Britain and Northern Ireland concerning sovereignty over the Falkland Islands (Islas Malvinas), South Georgia and the South Sandwich Islands (Islas Georgias del Sur e Islas Sandwich del Sur) and the surrounding maritime areas”.

b) En los textos en español: “Existe una disputa entre el Gobierno de la República Argentina y el Gobierno del Reino Unido de Gran Bretaña e Irlanda del Norte en relación a la soberanía de las Islas Malvinas (Falkland Islands)”; “Islas Georgias del Sur e Islas Sándwich del Sur (South Georgia and the South Sandwich Islands) y los espacios marítimos circundantes”.

c) En los textos en francés: “Il existe un différend entre les gouvernements de l’Argentine et du Royaume-Uni de Grande-Bretagne et d’Irlande du Nord concernant la souveraineté des Îles Falkland (Falkland Islands/Islas Malvinas), de la Géorgie du Sud et Îles Sandwich du Sud (South Georgia and the South Sandwich Islands/Islas Georgias del Sur e Islas Sándwich del Sur) et des zones marines environnantes”.

El Gobierno argentino apreciará que dicha terminología, en particular, a los documentos UNEP/CMS/Conf. 10.11 Annex 1, UNEP/CMS/Inf 10.18.6, UNEP/CMS/Inf 10.28 y UNEP/CMS/Inf 10.5, y que la presente nota sea circulada como documento oficial de la Décima Conferencia de la Partes de CMS.

La República Argentina reafirma sus derechos de soberanía sobre las Islas Malvinas, Georgias del Sur y Sándwich del Sur, y los espacios marítimos circundantes.

La Delegación Argentina ante la Décima Conferencia de la Partes de la Convención sobre la Conservación de Especies Migratorias de Animales Silvestres (CMS) reitera a dicha Conferencia las expresiones de su consideración más distinguida.

Bergen, 21 de noviembre de 2001

Delegación Argentina ante la  
Décima Conferencia de las Partes de la CMS

Ministerio de Relaciones Exteriores  
Comercio Internacional y Culto

La Delegación Argentina ante la Décima Conferencia de las Partes de la Convención sobre la Conservación de especies Migratorias de Animales Silvestres (CMS) presenta sus atentos saludos a dicha Conferencia y en relación a los documentos en los cuales el Reino Unido presenta su informe nacional sobre la implementación de la Convención (UNEP/CMS/Inf.10.12.48 y relacionados), la Argentina recuerda los términos de la declaración que formulara en su instrumento de adhesión a la Convención sobre la Conservación de Especies Migratorias de Animales Silvestres (CMS) del 23 de junio de 1979, remitido al depositario de la Convención mediante nota verbal fechada 4 de octubre de 1991, en virtud de la cual la Argentina rechaza la extensión de aplicación de dicha Convención, por parte del Reino Unido de Gran Bretaña e Irlanda del Norte, a las Islas Malvinas, Georgias del Sur y Sándwich del Sur, y los espacios marítimos circundantes, que son parte integrante del territorio nacional.

El Gobierno argentino rechaza las referencias a pretendidas autoridades de las Islas Malvinas, Georgias del Sur y Sándwich del Sur y que se presente a los mencionados archipiélagos detentando un status internacional que no poseen.

La presencia británica en dichos archipiélagos y los espacios marítimos circundantes constituye una ocupación ilegítima y es rechazada por la República Argentina, al igual que cualquier acto unilateral emanado de aquélla.

La República Argentina reafirma sus derechos de soberanía sobre las Islas Malvinas, Georgias del Sur y Sándwich del Sur, y los espacios marítimos circundantes, que son parte del territorio nacional argentino y que, estando ilegítimamente ocupados por el Reino Unido, son objeto de una disputa de soberanía entre ambos países, que ha sido reconocida por las Naciones Unidas.

La Delegación Argentina ante la Décima Conferencia de las Partes de la Convención sobre la Conservación de Especies Migratorias de Animales Silvestres (CMS) reitera a dicha Conferencia las expresiones de su consideración más distinguida.

Bergen, 21 de noviembre de 2001

Delegación Argentina ante la  
Décima Conferencia de las Partes de la CMS



## STATEMENT

### ON BEHALF OF THE REPUBLIC OF ARMENIA

Dear Chairman,

Dear COP10 participants,

On behalf of the Government of the Republic of Armenia I welcome this COP10 representative meeting. I am glad to inform you that in 2010 our country ratified the Convention on the Conservation of Migratory Species of Wild Animals, which came into force in Armenia on 1<sup>st</sup> of March of 2011.

Armenia as part of the Caucasus Eco-region, which is characterized by high representation of biological diversity, highlights the importance of regional and international cooperation and in that context all the meetings and events, which contribute to increased efficiency of the environmental protection and biodiversity conservation including migratory species of wild.

By this statement I confirm the willingness and interest of the Republic of Armenia to support the conservation of migratory species of wild animals on national, regional and international levels as well as to participate in all relevant initiated events.

On behalf of the Government of my country I would like to welcome this important meeting one more time and wish fruitful work not only to this but also to the other further events to be organized in the framework of the Convention on Migratory Species.

Representative of the republic of Armenia

Convention Focal Point in Armenia

M. Nalbandyan

Norway, Bergen  
20 November 2012



10ª REUNION DE LA CONFERENCIA DE LAS PARTES DE LA CONVENCION SOBRE LA CONSERVACION DE LAS ESPECIES MIGRATORIAS DE ANIMALES SILVESTRES (CMS)

Bergen, Noruega, 20-25 noviembre de 2011

Sr. Presidente, Sres. Delegados, Señoras y Señores,

Es para mí un honor presidir la delegación de Chile que participa en esta Décima versión de la Conferencia de las Partes de la CMS, cuyo lema “Construyendo redes para las especies migratorias”, lleva implícito la necesidad de alcanzar un desarrollo sostenible que garantice los intereses de conservación de las especies migratorias de nuestro Planeta.

La Convención de las Especies Migratorias es un mecanismo multilateral que representa el reconocimiento del esfuerzo de los países de llevar adelante los objetivos que la inspiran y que en esta ocasión aborda temas relevantes como la Futura Estructura de la CMS; la tarea de asegurar que las especies migratorias se beneficien de las mejores medidas de conservación, mediante el establecimiento de redes ecológicas, así como la implementación de directrices estratégicas viables y oportunas.

En cumplimiento con el accionar de la Convención, me complace informar que Chile suscribió este año, en Bonn, el Memorandum de Entendimiento sobre Tiburones Migratorios. En este contexto, cabe señalar que el Estado de Chile aprobó este año, una normativa legal que prohíbe el aleteo de tiburones, estableciendo medidas para su aprovechamiento integral. Esta iniciativa es coherente con el citado Memorandum de Entendimiento y con el Plan de Acción Nacional para la conservación de tiburones, aprobado en 2006.

Este año 2011, nuestro país ha sido muy activo en la realización de talleres y reuniones relacionados con otros Memorandum de Entendimiento suscritos en el marco de la CMS, como el Simposio Internacional sobre flamencos “Flamencos sin Fronteras”, que tuvo lugar en la ciudad de Arica, en septiembre recién pasado, y que convocó a especialistas de Argentina, Bolivia, Perú y Chile.

Asimismo, se realizaron dos reuniones sobre el Huemul del Sur:

Un Taller Técnico Binacional Chile-Argentina, en la ciudad de Valdivia, los días 26 y 27 de septiembre y, posterior a esta reunión se realizó la VI Reunión Binacional Chile-Argentina sobre el Huemul, con el lema “Desafíos para su conservación: Necesidades locales y compromisos internacionales”. En esta reunión participaron las autoridades de los servicios gubernamentales a cargo de la conservación de la especie.

En tanto, a principios del mes de noviembre en curso, en nuestra austral ciudad de Coyhaique, se efectuó la Primera Reunión Binacional Chile-Argentina, en el marco del Memorandum de Entendimiento para la Conservación del Huemul del Sur, acordando ambos países la elaboración de un Plan de Acción Binacional sobre esta especie. Se logró el compromiso de las autoridades políticas para avanzar rápidamente en el plan.

Asimismo, la primera semana de diciembre próximo, en la nortina ciudad de Antofagasta, se llevará a efecto el Primer Taller sobre el Gaviotín chico (*Sterna lorata*); especie que se encuentra en uno de los apéndices de la CMS. Este taller cuenta con el patrocinio de la CMS.

Finalmente, cabe mencionar que Chile cuenta con una nueva institucionalidad ambiental, el Ministerio del Medio Ambiente que tiene como una de sus ocupaciones fundamentales la protección y conservación de la diversidad biológica y de los recursos naturales renovables e hídricos de Chile.

Termino mis palabras, reiterando el decidido compromiso de mi país con esta importante Convención y agradeciendo al Gobierno de Noruega su hospitalidad y la oportunidad que nos brinda de conocer esta bella ciudad de Bergen.

Muchas gracias,

Bergen, Noruega, noviembre 21 de 2011

## MADAGASCAR

Zarasoa

Je voudrais joindre ma voix aux déclarations faites par les autres délégations pour féliciter et remercier vivement le peuple et le gouvernement de Norvège pour l'accueil chaleureux qui nous a réservé.

Je voudrais aussi remercier Monsieur le Secrétaire exécutif de l'AEWA sur sa présentation très claire concernant le budget nécessaire pour le fonctionnement de la CMS.

Par rapport à la situation actuelle de la CMS concernant le budget, je suggère de développer un mécanisme de financement en parallèle avec le développement du Plan stratégique de la CMS.



**Intervention par le Mali**

Le Mali saisit l'opportunité pour remercier la présentatrice pour la qualité de sa présentation très fournie, ce qui suppose une forte recherche pour nous exposer ces bons résultats.

Le Mali ne revient pas sur les interventions des précédents, toute fois voudrait emboîter le pas de l'Égypte pour un certain nombre de points notamment la présentation et la soumission des rapports nationaux.

Au stade actuel il y a une similitude dans les plans de rédaction de la CMS et de l'AEWA. Mais il y a actuellement un problème d'exploitation du site Web pour 130laborer. Besoin en est aujourd'hui de faciliter la tâche aux points focaux pour rédiger sans difficulté les rapports. Aussi, le mali constate que les recommandations de la COP9 pour les rapports n'ont pas évoluées, toutes choses qui méritent d'être retenues.

Le Mali profite de l'occasion pour remercier le pays hôte. La Norvège. Pour l'hospitalité légendaire. Le Mali salue la nomination de Madame Elizabeth Mrema au poste de Secrétaire Exécutive et Bert Lenten comme Adjoint. Au président toute notre félicitation pour sa désignation.

Le délégué de Mali: Bourama NIAGATE

**Wildlife Disease****Intervention par le Mali**

Mon pays remercie et félicite la présentatrice pour la qualité de son exposé. Le Mali a une préoccupation par rapport au projet de Résolution recommandant un nouveau système d'information sanitaire pour les maladies de la faune sauvage.

M. le Président. Mon pays attire votre attention sur les inconvénients que représenterait l'adoption en l'état de cette Résolution. Le système proposé par le PNUE pourrait conduire à une « duplication » avec le système WAHIS de l'OIE, avec le système GLEWS géré conjointement par l'OMS, l'OIE et la FAO et avec les systèmes régionaux d'information existant (UE, UA-BIRA, OIRSA, CPS, ASEAN etc.). Ce nouveau système d'information sur les maladies animales et le mécanisme qu'il va créer sur le suivi des foyers de maladie ne sera pas efficace et dynamique comme le système actuel de l'OIE qui travaille avec les services techniques vétérinaires, de la faune et des eaux et forêts dans nos pays africains. Cette Résolution va de nouveau alourdir les tâches tout en créant un double travail.

Bourama NIAGATE, délégué du Mali  
23 novembre 2011

## **STATEMENT FROM NORWAY**

Norway would like to give some initial remarks after all the kind words to Norway being a host for this COP, this morning.

We are pleased and honoured by all the kind words this morning. We can assure you, the pleasure is on our side, having you here.

To the issue of Ms. Mrema leaving the CMS as an Executive Secretary. I have got to know Ms. Mrema the last few days. We regret but we understand her choice. We appreciate UNEP's words about full transparency in election of a new Executive Secretary.

And as was pointed out by Ms. Mrema several times; the main work lies in front of us. We in Norway hope that you do not forget why we are here, and focus the discussions.

To be able to succeed and agree on resolutions on Friday we have to rely on efficient work in different working groups.

On Thursday I therefore hope to report to the Norwegian Minister Mr. Erik Solheim and the Secretary of State Ms. Heidi Sørensen that we have produced some good results. So that when Ms. Sørensen is going to wrap up and close the session – have the impression that this COP has produced results for the future.



### **Statement by the United Kingdom of Great Britain and Northern Ireland in response to Argentinean intervention**

- The Delegation of the United Kingdom deeply regrets the need to make an intervention following the representations made by the distinguished delegate of the Argentine Republic.
- The UK delegation does not believe that this is the appropriate forum to raise sovereignty issues of any kind, which are outside the scope and purpose of the Convention on the Conservation of Migratory Species of Wild Animals.
- The United Kingdom has no doubt about its sovereignty over the Falkland Islands, and South Georgia and South Sandwich Islands and the surrounding maritime areas.
- The Principle and right of self-determination, enshrined in Article 1.2 of the Charter of the United Nations and Article 1 of the International Covenant on Civil and Political Rights, underlies our position on the sovereignty of the Falkland Islands. There can be no negotiation on the sovereignty of the Falkland Islands unless and until such time as the Falkland Islanders so wish. The Islanders regularly make it clear that they wish the Falkland Islands to remain under British sovereignty.
- The United Kingdom notes that no United Nations dual nomenclature or recognition of a sovereignty dispute over South Georgia and South Sandwich Islands exists, and that the use of any dual nomenclature or references to a dispute within CMS meetings or documents is neither recognised nor supported by any United Nations language or documents. The United Kingdom rejects dual nomenclature and reference to a sovereignty dispute in relation to South Georgia and South Sandwich Islands.
- The United Kingdom frequently repeats its position on the Falkland Islands within the International Community, including at the United Nations.
- I would like to request that the content of this statement is included as an annex to the report of the meeting.



## Swaziland: Statement on Accession to CMS

The Kingdom of Swaziland is in the final stages of the process of ratifying the CMS. With the support of the Secretariat we have completed all the necessary steps (including the raising of awareness and seeking for support among all the key stakeholders, in particular Parliamentarians and Advisory Councils). The only outstanding constitutional requirement to be met is a parliamentary resolution of both Houses of Parliament.

**Based on the principle that the conservation and sustainable use of migratory species cannot be successfully addressed by one country alone**, Swaziland is committed to protect the migratory species of wild animals that live within and pass through her national jurisdictional boundaries, in cooperation with other States.

Swaziland has diverse landscape and microclimate which offer suitable habitats to numerous species of fauna and flora.

As such we are convinced that Swaziland that though the size of our country is relatively small, measuring some 17,400 km<sup>2</sup> our State has a major role to play in promoting the objective of conserving various species that traverse the borders of nations and continents to complete their life cycle.

Some of the Agreements and MOUs that have been concluded under CMS, of which the African-Eurasian Migratory Waterbird Agreement (AEWA) and the MOU on the conservation of Migratory Birds of Prey in Africa and Eurasia are prime examples, are relevant for the Kingdom of Swaziland.

The Vulnerable African Elephant and Endangered African Wild Dog are examples of migratory mammal species which occur in Swaziland and are listed under Appendix II of CMS, along with many species of birds of prey and waterbirds.

Appendix I of CMS includes three bird species found in Swaziland (the Lesser Kestrel, Blue Swallow and Maccua Duck) and Appendix II of CMS further includes 54 bird species found in Swaziland.

The Corncrake for example has its breeding range in large parts of Eurasia, most of which are very susceptible to habitat loss due mostly to agricultural intensification. From August onwards, the Corncrakes migrate through Northern Africa (in September and October) and arrive at their wintering grounds in South-Eastern Africa from November onwards. Swaziland is one of the core wintering areas for the Corncrake between November and March.

Between March and April, they again migrate back to their breeding grounds in Eurasia. Swaziland is therefore internationally important for the conservation of the Corncrake as well as the many other flyway species whose conservation depends on international cooperation.



### **Communication from Council of Europe (Bern Convention)**

The Council of Europe and the Secretariat of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention) is very pleased to welcome this 10 COP of CMS and note the considerable progress in activities, issues and plans from the previous COP and their significance for migratory species. We are certainly very keen to recognise the excellent conservation work and forward-looking strategy of CMS, a convention which the Council of Europe values very highly. Following many years of fruitful cooperation with our organisation, a Memorandum of Cooperation between the Secretariat of the Bern Convention and the CMS Secretariat was signed in November 2009, a year in which both sister conventions were celebrating their 30<sup>th</sup> anniversary.

We appreciate CMS involvement and contribution in a number of issues of importance for the Council of Europe and the conservation community, on adaptation of biodiversity to climate change, on the fight against the introduction and spread of invasive alien species that threaten biological diversity, on the threats to migratory birds from windfarms, on the respect and implementation of legislation protecting migratory birds and, of course on the work of CMS on a number of species or groups of species protected under the Bern Convention, including marine turtles, marine mammals, sturgeons, migratory waterfowl, European bats and other species.

We welcome also new fields of action of CMS, particularly on the role of protected areas and ecological networks for migratory species, where we think that the joint work of a number of International MEAs through improved synergies can deliver better results for threatened migratory species. In this context we are pleased to inform COP10 of CMS that the Emerald Network of Areas of Special Conservation Interest of the Bern Convention is advancing very fast and we are ready to team with CMS for exploring its positive influence in the conservation of threatened migratory fauna.

Finally we welcome the ambitious and comprehensive CMS Strategic Plan 2006-2014, an ambitious and coherent list of actions and a sensible approach to achieve the goals of the Convention. From the Council of Europe we reaffirm our commitment to work in partnership with CMS so that we all support governments in a coordinated way in the noble task of achieving the Aichi targets decided last year at the COP of the Convention of Biological Diversity and which also form the backbone and guideline of the Bern Convention for the next years.





## Joint Statement by CIC, FACE and IAF to the 10<sup>th</sup> Convention on Migratory Species Conference of the Parties

*The Convention on the Conservation of Migratory Species of Wild Animals (CMS also known as Bonn Convention) aims to conserve migratory species and their habitats on a global scale. At the 10<sup>th</sup> Conference of Parties of the Convention in Bergen, Norway from 20-25 November 2011 several important decisions will be made and many recommendations are to be given. To stress the importance of sustainable use of wildlife as a tool in conservation of migratory species the International Council for Game and Wildlife Conservation (CIC), the Federation of Associations for Hunting and Conservation of the EU (FACE) and the International Association for Falconry and Conservation of Birds of Prey (IAF) raise the following issues in the agenda of the forthcoming CoP10.*

**Saker falcon (*Falco cherrug*)** is in a need of serious protection measures and conservation programmes based on the principle of sustainable use, especially through its Asiatic range countries. There is an immediate need for a global assessment of the Saker population through a thoughtful, well developed field research plan, resulting in a worldwide conference on the Saker falcon status and the development of a conservation programme for this species. Eventual decision on uplisting Saker to Appendix I of CMS (UNEP/CMS/Conf.10.15/I/1.Rev.1) should be postponed until the results of the proposed research programme are available. We would be pleased to assist in the proposed actions for Saker study and conservation.

We hope that the proposed listing of the **Argali sheep (*Ovis ammon*)** to Appendix II (UNEP/CMS/Conf.10.15/II/1) under the CMS, will foster further cooperation amongst the range states in the management for the benefit of local people and the conservation of the species and its habitats. The best practice example of the species' conservation comes from Tajikistan where big part of the significant revenue from the small scaled hunting tourism is reinvested into conservation, rural development and anti-poaching efforts of the hunting concessionaires. As a result, the argali numbers have been stabilized leading to population growth.

We will particularly welcome the work of the **Flyways Working Group** and in further support the Resolution providing **Guidance on Global Flyway Conservation** (UNEP/CMS/Res.10.10) and options for policy arrangements, call upon all parties to work with the hunting community in developing long term sustainable transboundary harvest regimes that meet the needs of people and conservation.

Recognizing the seriousness of the issue of **poisoning to a wide array of wildlife** (UNEP/CMS/Res.10.26) and acknowledging the roles of harvesting, conflict and poaching amongst other motivations for poisoning, we consider that the hunting community has a particular role to play. Notwithstanding the impacts of lead in ammunition (such as the impacts of leadshot on waterfowl) we do not believe that this topic should be considered within the broad framework of this resolution. We consider that the issue of lead in ammunition should be dealt with as a separate subject and are willing to support this and the work on poisoning. It is important to keep in mind that many countries have already established bans for using lead ammunition in wetlands.

We join other NGO's and IGO's in calling for a continued role for civil society organisations and wish to point out that the many millions of hunters, including falconers, that we represent have a strong and vested interest in the conservation of migratory species. Whilst we certainly recognise the need for protection and strict protection in certain circumstances, the greater part of our global conservation needs require that we understand and implement proper sustainable use strategies, especially involving local communities into conservation.

In this regard and because wildlife knows no national borders, more regional and cross-boundary efforts are needed to achieve sustainability in the management of populations of migratory species. In order to reach this goal, collaboration between the international organizations and convention secretariats with a programme or keen interest in wildlife management is needed. By sharing know-how and experiences, such partners can produce added value and new benefits for their respective constituencies and provide reliable data to decision makers. Referring to the **Resolution on synergies and partnerships** (UNEP/CMS/Res.10.21) we clearly see the CMS having a role in the emerging "Collaborative Partnership on Wildlife Management" – which is in the process of bringing together a community of professionals and decision makers advocating sustainable wildlife management for the benefit of people and nature conservation.

*Signed on the 18<sup>th</sup> November 2011 by,*

*International Council for Game and Wildlife Conservation, CIC ([www.cic-wildlife.org](http://www.cic-wildlife.org))*

*Federation of Associations for Hunting and Conservation of the EU, FACE ([www.face.eu](http://www.face.eu))*

*International Association for Falconry and Conservation of Birds of Prey, IAF ([www.iaf.org](http://www.iaf.org))*

## **Food and Agriculture Organization of the United Nations**

CMS Secretariat, distinguished CMS partners, colleagues, guests and friends,

FAO would first like to thank the host country of Norway for the excellent hospitality, and acknowledge the significant accomplishments of the CMS in bringing us together for the 10<sup>th</sup> CMS COP.

For the Food and Agriculture Organization of the United Nations, the key challenge today is to balance the needs of people, domestic animals, wildlife & natural ecosystems in the face of limited natural resources, an increasing global population, and the need to provide food security. Sustainable natural resource management and food security can be difficult to achieve concurrently, but in moving forward, FAO encourages a close partnership with CMS to enable a balanced approach both at an intellectual level, and on the ground.

From the animal health perspective and included in the FAO One Health action plan, FAO aims to establish robust, global animal health systems that effectively manage major health risks that arise from, and affect animals, paying particular attention to the human-animal-ecosystem interface using the One Health approach. The One Health approach places disease dynamics into the broader context of sustainable agriculture, socio-economic development, environmental protection and sustainability. Although considerable in-house expertise exists in multiple disciplines including animal and wildlife health, natural resources management, forestry and fisheries, FAO recognizes the importance of external collaboration with partners such as CMS to ensure that complex issues are addressed properly and through multidisciplinary approaches. Collaborations with CMS and CMS instruments including Year of the Bat and AEWA have included co-convening the Scientific Task Force on Avian Influenza and Wild Birds and the newly established Task Force on Wildlife Diseases, One Health capacity development in Africa, collaborations on migration and disease ecology through flyway partnerships, wildlife mortality outbreak response, and the development of a manual, Investigating the Role of Bats in Zoonoses: Balancing Ecology, Conservation, and Public Health Interests.

FAO would like to recognize and compliment CMS for the extensive collaborative efforts made with like-minded partners, but further appreciates the efforts made by CMS to enhance relationships with organizations that have different mandates or goals, such as FAO.

Striking a balance between biodiversity conservation and global food security will require further collaborations and coordination at an international level, and at the national level between Ministries of Forestry, Environment, and Agriculture. Ensuring the health of wildlife, livestock, people and ecosystems requires further collaboration with the Ministry of Health. While these relationships may be more challenging to negotiate due to differences in mandates and goals, ultimately, these relationships will provide some of the most fruitful solutions aimed at achieving concurrent food security, biodiversity conservation, wildlife and ecosystem health. The past collaborative accomplishments of FAO and CMS highlight this point and we look forward to formalization of the relationship between CMS and FAO that further outlines our commitment work collaboratively on complex issues through a multidisciplinary, One Health approach.





**HUMANE SOCIETY  
INTERNATIONAL**

### **Humane Society International**

#### **Position Statement to the Convention of Migratory Species' 10<sup>th</sup> Conference of Parties (CoP10), Bergen, Norway 20-25 November 2011**

1. Humane Society International (HSI) is one of the world's largest animal protection organisations, with 11 million supporters worldwide. HSI supports programs around the world, and maintains offices in Australia, Canada, Costa Rica, India, the United Kingdom and the United States. HSI's CMS work is led by our Australian and U.S. offices.
2. Humane Society International has a long-standing interest in the conservation of migratory species, and has attended previous CMS meetings of the Conference of the Parties. In addition, HSI has played an active role in the development of agreements under CMS, including the Agreement on the Conservation of Albatrosses and Petrels (ACAP), the Agreement on the Conservation of Gorillas and their Habitats (Gorillas), the Memorandum of Understanding on the Conservation of Migratory Sharks (Migratory Sharks MoU), the Indian Ocean-South East Asian Marine Turtles Memorandum of Understanding (IOSEA Marine Turtle MoU), and the Memorandum of Understanding for the Conservation of Cetaceans and their Habitats in the Pacific Islands Region (Pacific Cetaceans MoU). HSI has made significant investments in these agreements and, as such, we are committed to their development and implementation, as well as to the objectives of other Agreements and MoUs dedicated to species conservation within the CMS framework.
3. HSI will be focussing on a number of key issues at CMS CoP10, including species listings and resolutions, the 'Future Shape' process, CMS Agreements and Memoranda of Understanding, and potential species listing proposals for CoP11.

#### ***Species listings and resolutions***

4. HSI urges Parties to **adopt the proposal to list the manta ray (*Manta birostris*)** on Appendices I and II (*Proposal I/5*).
5. CMS CoP10 will be considering a number of important resolutions.
  - i. ***Marine debris (UNEP/CMS/Resolution 10.4)*** – HSI commends the government of Australia for submitting this resolution and urges Parties to adopt it. Marine debris threatens the conservation status of many migratory species that may ingest debris or become entangled in it.
  - ii. ***Bycatch of CMS-listed species in Gillnet Fisheries (UNEP/CMS/Resolution 10.14)*** – the conservation status of many migratory marine species is threatened by gillnet fisheries. HSI therefore urges Parties to adopt this draft resolution. It urges Parties to adopt appropriate mitigation measures to reduce bycatch including the adoption of more selective gear and the use of seasonal or area closures and to improve the collection of data on bycatch, including the use of observer schemes. It recommends that Parties should also work nationally to determine those species most at risk and the most appropriate



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mitigation measures to put in place for gillnet fisheries within their waters. We request that Parties reflect this decision in all their Regional Fishery Management Organisation (RFMO) activities and commit sufficient funding to both CMS and the domestic process to ensure mitigation measures are implemented.

- iii. ***Migratory species conservation in the light of climate change*** (UNEP/CMS/Resolution 10.19) – HSI believes it is important to consider the effects of climate change on conservation issues affecting migratory species. We welcome the introduction of the resolution on this subject, and urge its adoption. HSI recommends that Parties evaluate the susceptibility of migratory species to climate change impacts, and prepare a plan to address which impacts should be a priority for the most vulnerable species. We urge Parties to ensure that the resolution also allows for the protection of areas where CMS-listed species - avian, terrestrial and marine - are predicted to be able to find secure and suitable refuges as the climate changes and to project forward to ensure the protection of species whose habitat areas are predicted to become more restricted making them more vulnerable to other impacts.
- iv. ***The role of ecological networks in the conservation of migratory species*** (UNEP/CMS/Resolution 10.3) – HSI encourages Parties to adopt this resolution. It is essential that critical habitat sites (feeding, breeding and migratory routes) for CMS-listed species are identified and included in protected-area networks, and that these networks extend to high seas for many of the listed marine species. Doing so will allow the taking of broad-scale cooperative actions to mitigate the predicted impacts of threats including climate change. However, HSI urges Parties to broaden the scope of this resolution to overtly include marine areas in domestic jurisdictions and on the high seas and to revise the resolution text accordingly.
- v. ***Global programme of work for cetaceans*** (UNEP/CMS/Resolution 10.15) – HSI urges Parties to adopt this resolution in total. HSI also encourages CMS Parties that are also members of the IWC to encourage closer cooperation and collaboration between the IWC and CMS Secretariats on conservation of all CMS-listed cetaceans.
- vi. ***Noise reduction*** (UNEP/CMS/Resolution 10.24) - HSI welcomes the resolution “*to abate underwater noise pollution for the protection of cetaceans and other biota*”, but encourages Parties to improve language within the resolution by focusing on the need for the development of national, regional and international regulations; including the mitigation and elimination of emissions of underwater noise.

### ***‘Future Shape’ process***

- 6. HSI has watched with interest the discussions and developments within the *Intersessional Working Group on the Future Shape of CMS*. HSI believes that any review or changes proposed to the structure and function of the CMS and its Secretariat must ensure that greater conservation outcomes result.
- 7. HSI is aware that there is a drive to find more efficient and collaborative, and less bureaucratic, ways of working. We are concerned, however, that the Future Shape process



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has been undertaken without adequate consideration of the minimal level of financial resources that have been committed to the ongoing development and progress of agreements once they come into force. Many agreements to date have had insufficient resources applied to their maintenance and growth. We do not believe that such agreements should be characterized as non-performing or clustered with other agreements simply to save costs. In some cases, they have had limited time or opportunity to come fully into force and prove their worthiness. Furthermore, HSI notes that Parties are required to implement conservation measures, action plans and decisions agreed to by the Parties at CoPs. Therefore, we urge Parties to ensure that any conclusions agreed to as part of the Future Shape Process prioritize agreed actions for improving conservation.

8. HSI encourages Parties to increase the CMS triennium budget to counter the lack of funds available within the CMS Secretariat; to ensure the performance of agreements and MoUs by securing crucial conservation funds both for agreements and the Scientific Council's Small Grants Programme which will ensure that the CMS priority areas are taken forward.
9. HSI urges Parties to reject proposals for 'taxonomic or geographic clustering' of any of the MoUs while they are still in their infancy. Until adequate budgets have been allocated to each MoU, none should be shelved or retired until an appropriate period of properly funded performance has been set and gauged.
10. HSI urges Parties to come to an agreement at this meeting on the 'Future Shape' process in order to ensure that budgets can be set and adequate funding and staffing provided to CMS Agreements and MoUs. Failure to come to an agreement at CoP10 will lead to further uncertainty for the CMS forward work programme and importantly the future of many MoUs, and this will have significant implications on their ability to contribute to conservation efforts.

### ***CMS Agreements and Memoranda of Understanding***

11. HSI is of the strong opinion that CMS agreements and MoUs are vital to ensure the conservation success of the Convention, as it is primarily through these agreements that the conservation work of CMS takes place.
12. As mentioned in paragraph 7 above, HSI has significant concerns regarding the lack of resources available for these agreements to progress conservation. It is vital that each agreement and MoU is adequately resourced by Parties to the CMS so as to implement conservation actions on the ground. HSI is especially concerned about the lack of funding from Parties for the Migratory Sharks MoU, the IOSEA Marine Turtle MoU, the Pacific Cetaceans MoU and the Gorilla Agreement. We commend Australia for its ongoing financial support of the ACAP agreement and urge other Parties to contribute towards increasing that Agreement's core budget.
13. HSI also has specific concerns regarding the lack of momentum in the Migratory Sharks MoU since it came into effect on 1 March 2010. HSI has been a supporter and active participant in all meetings and consultations on this MoU to date. We urge all CMS Parties to support the Migratory Sharks MoU and to ensure that it is provided with adequate funding to enable a first Meeting of Parties as a matter of urgency. HSI also



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encourages Parties to finalise and enact the Conservation Plan under the MoU at the earliest possible opportunity.

### *Future listings*

14. HSI considers that there are many more species of shark that could benefit from listing under the Appendices of CMS. We encourage Parties to discuss the species identified in the Review of the Migratory Chondrichthyan Fishes (CMS/ScC14/Doc.14) as potentially benefiting from a CMS listing, and to consider additional proposals for listing these species for CoP11. Any shark species listed on the Appendices in future must also be added to the Migratory Shark MoU to ensure full conservation benefit can be afforded as a result of any listing on the CMS Appendices.
15. HSI encourages Parties to commend the work of the Scientific Council (SC) and to instruct the SC to give special attention to the potential development of new listing proposals for Arctic species, such as the walrus (*Odobenus rosmarus*) and narwal (*Monodon monoceros*) in preparation for CoP11. We also encourage the SC to review the potential listing of beaked whales, in particular the Cuvier's beaked whale (*Ziphius cavirostris*) for CoP11.
16. HSI also urges Parties to consider listing populations of North Pacific killer whale (*Orcinus orca*) on Appendix I at CoP11.



## **Tenth meeting of the Conference of the Parties (CoP10) to the Convention on Migratory Species**

### **IFAW opening statement**

**20 November 2011**

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The Convention on Migratory Species (CMS) and its Secretariat excel in bringing range states, IGOs and NGOs together to create agreements which actively protect wildlife and habitats. As an international NGO active in the conservation of migratory species, IFAW is a partner organisation to the CMS. IFAW's long-standing commitment is to support core functions of the Secretariat and advance the development and implementation of CMS Agreements and MoUs by providing technical expertise and capacity. In particular, IFAW supports CMS Agreements and MoUs (i.e. ACCOBAMS, ASCOBANS, IOSEA, Conservation, Restoration and Sustainable Use of Saiga Antelope, and Conservation Measures for the West African Populations of the African Elephant) and since CoP8, we have helped to develop, conclude and begin the implementation of MoUs concerning: Cetaceans and their Habitats in the Pacific Islands Region; Dugongs; Manatee and Small Cetaceans of Western Africa and Macaronesia, Sharks and Mediterranean Monk Seal.

IFAW regards the CMS as one of the key global biodiversity conservation treaties and the key mechanism for instigating coordinated, range-wide action for migratory species. We note the success and growth of the CMS family, both in terms of the number of parties and agreements, but also acknowledge the capacity constraints and the challenges this poses. IFAW recognises that both additional core funds and resources for agreements are needed if the CMS and its family of agreements are to continue to achieve their objectives. We call on Parties to formally commit to providing financial contributions to support the implementation of the Cetaceans and their Habitats in the Pacific Islands Region, and Manatee and Small Cetaceans of Western Africa and Macaronesia.

IFAW supports Resolution 9.13 on the 'Future Shape' of the CMS. The significant growth in the CMS, combined with challenges such as climate change, make such a process timely. While we encourage the development of an efficient 'Future Shape' we are mindful that the protection of migratory species should remain as the underlying priority. We note that limited resources are often a root cause of underachievement and not necessarily the structure of the CMS. We recognise that this is a difficult process but would welcome resolution at CoP10 if possible. Regarding resources, we welcome the increased dialogue amongst MEAs to share capacity and urge all governing bodies to encourage better resourced institutions, like CBD and GEF, to support the CMS in recognition of its tremendous contribution to achieving its priority objectives and targets.

Within the 'Future Shape' process IFAW notes discussion of the ACCOBAMS and ASCOBANS areas. It is paramount that the outcome incorporates the highest available standards of marine species protection.

As a member of the working group on CMS listing criteria, IFAW supports increased clarity and consistency in the system and supports the use of IUCN listing criteria. Nevertheless, the IUCN red list is not always up-to-date and even a no threat, data-deficiency or no-



evaluation category in IUCN may not be a guarantee that a species does not require a CMS listing. Therefore, if indications suggest a serious threat or problem for a species or migratory species population the precautionary approach must be applied. The lack of full scientific certainty is no excuse for postponing conservation action. In this regard, we trust that the CoP will incorporate a mechanism to maintain the precautionary approach as part of the listing criteria.

IFAW welcomes the initiative taken at CoP9 to assess the need for CMS involvement in tiger conservation and the communication between the CMS and other stakeholders since then. At the time of the last CoP the Global Tiger Initiative had just been formed. However, there was no high level commitment amongst all tiger range states to address priority threats to tigers adequately nor had the GTF (Global Tiger Forum - the regional governmental body to coordinate action on tiger conservation amongst all range states) adequate capacity or support. Now we have a rare opportunity, where the Parties to the CMS can congratulate the Tiger Range States first and foremost, but also all stakeholders in the Global Tiger Initiative and the Global Tiger Forum, for the new dynamic to save the tigers throughout their range in Asia. This CoP should send a signal of encouragement to ensure that the commitments made are fully implemented. The CMS itself may not need to take any further action now except to maintain good communications with the GTF.

We also welcome the recent development of the shark MoU and the connected development of the conservation plan for sharks, however we suggest the inclusion of all shark species in the threatened categories of IUCN to be included in the CMS annexes. We encourage member states to sign the MoU.

IFAW has been supportive of the Elephant Range States and welcomes the creation of instruments to cover elephant populations in Western Africa. We encourage all signatories to the MoU to put an emphasis on potential synergies with the African Elephant Action Plan (AEAP) and to adopt the priorities already agreed in the AEAP as the regional priorities under the CMS MoU.

With similar eagerness, IFAW encourages an agreement on Central African elephants and looks forward to seeing the range states taking a lead role in this process. As a partner in elephant welfare and conservation to many range states, IFAW is interested in becoming a signatory to any such CMS elephant agreement.

IFAW believes that climate change may have a devastating effect on some migratory species in the near future. This new challenge makes it imperative to eliminate all avoidable threats like hunting. In this regard, we note that polar bears or hooded seals, for example, are currently on the IUCN red list but not on any CMS appendix and we note that other species, like the harp seals, are not listed on the IUCN red list, but will face serious threats very soon due climate change. We look forward to discussing how the convention can responsibly address the impact of climate change on migratory species.

IFAW strongly commends the Programme of Work on Cetaceans and would be further encouraged if additional resources for this work could be identified. In this context, underwater noise needs regulating. It should be restricted or eliminated rather than avoided and where possible, eliminated from marine protected areas. We also believe that responsibility for mitigation measures should be a government rather than private sector responsibility.



Marine debris is becoming a growing concern for migratory species and we welcome consideration of its impact and we look forward to the speedy development of a CMS response to this threat to marine species.

We would also like to encourage the continued support, evaluation and existence of the instruments on Marine turtles.

Finally, IFAW is pleased to be a participant in CoP10 and acknowledges the proactive role that the CMS encourages NGOs to have in what is a crucial inter governmental fora on conservation.



## IUCN Statement to CMS COP10

IUCN engagement in CMS work first started with the drafting of the text of the Convention, and the collaboration has continued ever since. In 2003, a Memorandum of Cooperation was signed between IUCN and CMS which covers all parts of the IUCN family (Global Programmes, Regional Programmes and Commissions). IUCN aims at providing the best possible scientific advice to Multilateral Environmental Agreements and, mainly through the expert network of the Species Survival Commission working in collaboration with the Global Species Programme and the Environment Law Programme in the IUCN Secretariat, it intends to continue in this role with CMS.

As indicated by the number of documents and topics to be discussed at this meeting, CMS is very active and much progress has been achieved in areas where it is uniquely positioned to have an impact. More work has been done on freshwater fishes, birds, bycatch, cetaceans, saiga, marine debris and noise, and wind turbines, to name but a few. The work of CMS has never been more important. Even a cursory examination of the data reveals that we are entering uncharted and disturbing territory regarding migratory species, with serious declines being recorded in many migratory bird species in the Western Hemisphere and in the African-Eurasian flyways, in shorebirds in the Asia-Pacific flyway, and in diadromous fishes worldwide, as epitomized by anguillid eels. There is a severe risk that by the time of the 11<sup>th</sup> CMS COP, the Spoon-billed Sandpiper will already be extinct.

At the last COPs IUCN called on CMS to focus on truly migratory species and still believes that this is where CMS should concentrate its efforts. We were concerned at the multiplication of the number of agreements which were not supported by adequate resources; we welcome the fact that feasibility studies are undertaken before starting the establishment of a new agreement. Consolidation and implementation of previously agreed actions should be given priority. We remain concerned that some of the new agreements under discussion still seem to focus on species that are not truly migratory.

Last week we updated the IUCN Red List of Threatened Species which now includes almost 20,000 threatened species. We are delighted to see that this work is being consulted to guide future listings on CMS. In this regard, we note with concern that, for example, there has been limited progress of the listing of shark species on CMS, all 1,083 of which have been assessed for the Red List. A total of 5,719 freshwater fish species have now been assessed by IUCN and these results could be of benefit to CMS. At least 51 migratory fish species are threatened.

IUCN has been active in supporting the convention mainly through its Species Survival Commission (SSC). Many of the SSC Specialist Groups are contributing actively to CMS work: Antelopes, African Elephant, Cetaceans, Marine Turtles, Sharks, Freshwater Fish and Wildlife Health. A few others should be encouraged to contribute. In addition to the Red List of Threatened Species, IUCN is doing work of potential interest to CMS: impact of climate change on biodiversity; implementation of the Aichi biodiversity targets; and synergies between international agreements. We shall be pleased to share information and provide comments on the various documents tabled at this meeting in due course.

IUCN is also involved in wildlife diseases. As demonstrated in the case of the Avian Influenza outbreak, CMS has a clear niche in combating diseases impacting migratory species. However, we believe that CMS's efforts should focus on migratory species and should avoid duplication with existing mechanisms in other institutions and processes. We shall provide more comments and advice when discussing the recently established CMS/FAO Scientific Task Force on Wildlife Disease.

Finally, and noting that the relationship with the GEF will be discussed, we would like to mention that IUCN, in partnership with the World Bank and the GEF has created SOS - Save Our Species, a fund to support species conservation. Migratory species are of course eligible for support. The objective is to attract new sources of funding in particular from the private sector or governments. Nokia and the French Government through the French GEF have already joined. We believe the objectives of the SOS Fund are shared with those of CMS.

Thank you Mr. Chair

19<sup>th</sup> November 2011

## Migratory Wildlife Network: Statement to CMS CoP10

The Migratory Wildlife Network is honoured to be attending this 10<sup>th</sup> Conference of the Parties to the Convention on Migratory Species of Wild Animals (CMS CoP10).

The Network is a focused group of conservation professionals dedicated to supporting wildlife Non-Governmental Organisations (NGOs), wildlife scientists and wildlife policy experts who seek to coordinate and progress migratory wildlife conservation, in particular through the Convention on Migratory Species (CMS). The Network's Membership now spans over 400 individual wildlife experts working in more than 50 countries.

We look forward to contributing to the dialogue and decisions of this CMS CoP10, and through this statement, we offer our preliminary positions on a number of the important conservation priorities before the meeting as well as the budget implications inherent in the decisions that will be taken. On behalf of our Membership, we urge you to ensure that strengthening of the CMS conservation agenda is a priority.

### Civil Society Participation

Civil society has historically contributed substantially to CMS through voluntary and monetary contributions and strong programmes of work supporting, promoting and implementing on-ground CMS conservation activities. We also speak to and educate our supporter constituencies about the progress of this conservation work.

We wish for this to continue long into the future, but as the convention changes so too does the nature of our relationship with it. We urge CMS Parties to explore ways of integrating our contributions further into the formal work of the convention, including support of specific agreements.

### The Future Shape of CMS

We commend the Intersessional Working Group on the Future Shape (IWGoFS) on bringing forward such a depth of information on the way forward for CMS. We are fully supportive of taking strategic decisions that will support the growth of CMS's conservation agenda. The Migratory Wildlife Network urges CMS Parties to:

1. ensure that civil society has full and transparent access to all Future Shape discussions during CMS CoP10, and any ongoing processes agreed in the coming triennium – specifically the intersessional work on the elaboration of the next Strategic Plan 2015-2020 described in Resolution 10.5
2. reject proposals for 'taxonomic or geographic clustering' of any agreements while they are in their infancy unless a solid species conservation benefit can be demonstrated;
3. reject proposals to shelve or retire any CMS existing or proposed agreements as 'non-performing' until adequate budgets have been allocated to each, and an appropriate period of performance gauged;
4. actively champion a substantial increase in the CMS budget to enable appropriate agreement growth, provide for regular funding to ensure agreement progress; increase capacity within the Scientific Council to the convention and sufficient resources to ensure the tangible reporting of conservation successes to CMS CoP11; and to
5. commence a dialogue with CMS Partner NGOs about potential Partner support of specific agreements.

CMS must have sufficient budget to progress the conservation priorities determined by CMS CoP10. It is also critical that all CMS agreements have sufficient budget allocation



to enable them to progress with their conservation work. We strongly urge CMS Parties agree to a significant increase in CMS budget to enable appropriate agreement growth, provide for regular funding to ensure agreement progress, sufficient resources to ensure the triennium progress on conservation work and to enable tangible reporting of conservation activities to CMS CoP11 and beyond.

None of the work of the convention can be progressed without a strong programme of scientific support. The CMS Scientific Council underpins the work of the entire organisation and we feel that we should at this time be building its competency. We also believe that the small grants programme has been a life-blood for the organisation, providing vital support and encouragement across the whole range of CMS activities. These projects have underpinned and contributed significantly to the development of most of the agreements and action plans that are now part of the CMS suite of tools.

### CMS Strategic Plan

We commend the Secretariat for achieving solid progress in the three year period of the Strategic Plan 2006-2011. We note that there was a heavy reliance on voluntary contributions, which we believe is not a sustainable way forward for the next Strategic Plan. We urge Parties to recognise that certain areas such as agreement meetings were not achieved simply because no funding was available, and not because there was limited conservation merit of these activities.

We welcome the draft Strategic Plan for 2012-2014 and look forward to engaging with the proposed activities in the coming triennium. The Migratory Wildlife Network wishes to register our interest to be included in the intersessional work on the elaboration of the next Strategic Plan 2015-2020 described in Resolution 10.5.

### The conservation agenda of the convention

The Migratory Wildlife Network wishes to commend Norway's leadership in bringing forward a draft "Message to Durban" from CMS CoP10. As one of the Arctic ring Countries it is particularly pertinent that we are in Norway at this time considering the impact of climate change on migratory species, and especially those of the Arctic.

Res 10.19 on climate change is a solid forward step, calling for adaptive management; a standardized methodology for evaluating the susceptibility of species to climate change; and the identification of CMS Appendix listed species vulnerable to climate change. We welcome the appropriate cross over to Res 10.3 on ecological networks seeking to ensure that individual sites are sufficiently large and heterogeneous in terms of species composition, habitat and topography and to strengthen the physical and ecological connectivity between sites, as well as seasonal protection measures to protection critical aspects of species lifecycles. The Migratory Wildlife Network urges CMS Parties to accept and agree to fund the recommendations from the Scientific Council aimed at strengthening this important resolution, and providing the critical scientific capacity that the convention will need to take this programme of work forward.

In addition to the narwhal identified by the CMS Scientific Council, we urge CMS Parties to commit to progressing at CMS CoP11 a proposal to list polar bear on the CMS Appendices in recognition of their extreme vulnerability to habitat loss as a result of climate change. Through this listing, CMS could complement the important work already being carried out by Range States, in particular through the Polar Bear Agreement and the Arctic Council Circumpolar Biodiversity Monitoring Programme, by facilitating an international discussion about the shared-responsibility of CMS Parties beyond the Arctic to mitigate the impact of climate change on these important Arctic species.

Conf 10.39 and Res 10.3 on critical sites and ecological networks is also welcomed, although there is a notable absence of oceanic habitats and in particular high seas. The Migratory Wildlife Network urges CMS Parties to accept the recommendations from the Scientific Council that strengthen this Resolution.

During CMS CoP9 Parties effectively froze the development of new agreements until the Future Shape process had been concluded, while allowing the Secretariat to maintain the momentum of agreements already being developed. In this context, the work of the Secretariat in fundraising for and progressing work on the High Andean flamingos, the Southern huemul, migratory sharks, Sahelo-Saharan antelopes and Eurasian aridland mammals is to be commended, however, the effectiveness of the new agreements, as well as some of the other under-resourced agreements should not be assessed, as there was not a sufficient growth to allow these process to fully form. Significant priorities have still not been progressed, and the Migratory Wildlife Network urges CMS Parties to commit to:



1. finalising and funding the agreement for the Asian houbara bustard;
2. providing long-term funding for Central Eurasian aridland mammals;
3. moving forward on an agreement for Sahelo-Saharan megafauna
4. providing long-term funding for the migratory sharks Memorandum of Understanding

In addition, we urge the Range States for Central African elephants, the Central Asian Flyway, Pacific marine turtles, Subsaharan African bats, cetaceans in the Indian Ocean and cetaceans in South-East Asia to meet as appropriate Range State groups in the margins of CMS CoP10, to identify lead Parties to take each process forward and to communicate these decisions clearly to CMS CoP10.

The assessment of bycatch in gillnet fisheries (Inf 10.30) is an important and welcomed document for this CMS CoP10 identifying the forty CMS Appendix listed species most exposed to risk from gillnet fishing, including:

seabirds – african penguin, Peruvian diving-petrel, Japanese murrelet, dark-rumped petrel, waved albatross, socotra cormorant, humboldt penguin, balearic shearwater, pink-footed shearwater, Audouin's gull, short-tailed albatross.

cetaceans & sirenians – finless porpoise, Irrawaddy dolphin, dugong, North Pacific right whale, Atlantic hump-backed dolphin, northern right whale, bottlenose dolphin, Heaviside's dolphin, fin whale, sei whale, Indo-Pacific hump-backed dolphin, blue whale, Burmeister porpoise, Baird's beaked whale, Omura whale.

seals and sea otters – Mediterranean monk seal, marine otter, southern river otter.

sea turtles – hawksbill turtle, Kemp's ridley turtle, leatherback turtle, loggerhead turtle, green turtle, olive ridley turtle.

sharks – basking shark, longfin mako shark, porbeagle shark, whale shark, great white shark.

Both Conf 10.33 and Res 10.14 speak to the need for bycatch data to be made more readily available. In addition, CMS's engagement with Regional Fisheries Management Organisations needs to increase dramatically, and reducing this significant impact to the CMS Appendix listed species should be considered a high priority for all CMS Parties.

In 2005, Res 8.22: Adverse Human Induced Impacts on Cetaceans called for CMS to review of the progress and intent of CMS and its agreements to date and how the CMS Family could be more effective through strong collaboration with the International Maritime Organization, the International Whaling Commission and its Scientific Committee and Conservation Committee, the Convention for the Protection of the Marine Environment of the North-East Atlantic, the United Nations Informal Consultation on Protection of the Oceans and the Law of the Sea, the Cartagena Convention, European Union Habitats and Species Directive, the Bern Convention and the United Nations Environment Programme Regional Seas Programme. The review also required the consideration of entanglement and bycatch; climate change; ship strikes; pollution; habitat and feeding ground degradation and marine noise as threats, and to develop a Global CMS Programme of Work for Cetaceans. The programme of work proposed draws upon CMS's own priorities as determined through past resolutions and recommendations. To support this programme of work, an expanded strategic role for the Scientific Council's Aquatic Mammals Working Group is proposed to provide specific advice and reporting to support the Global Programme of Work for Cetaceans. The Migratory Wildlife Network urges CMS Parties to accept the recommendations that have come forward from the Aquatic Mammals Working Group of the Scientific Council.

Res 10.24 on underwater noise is another important forward step, and the Network urges CMS Parties to ensure that strong regulation of noise pollution is part of the final resolution text.

There are a great many other important conservation issues to be discussed during CMS CoP10, including Res 10.4 on marine debris, Res.10.11 on power lines and migratory species, Res.10.12 on freshwater fish, Res.10.22 on wildlife disease, Res.10.26 on poisoning to migratory birds and Res.10.27 on landbirds in the African Eurasian region for which the Network urges CMS Parties to accept the recommendations of the Scientific Council.

Finally, we strongly urge CMS Parties to adopt the Appendix I listing proposals for Saker Falcon, Red-footed Falcon, Far Eastern Curlew and Bristle-thighed Curlew; the Appendix I and II listing proposal for Giant manta ray; and the Appendix II listing proposals for Argali and the Bobolink.



# Secure the Future of CMS

## Open NGO Statement to the 10<sup>th</sup> Convention on Migratory Species Conference of the Parties

*The Convention on Migratory Species (CMS), the Convention on International Trade in Endangered Species (CITES), Ramsar and the Convention on Biological Diversity (CBD) are important international conventions that together provide the combination of strict protection for endangered migratory species and habitat, facilitation and coordination of species and transboundary research, restriction of trade, targeted conservation activities for species migrating across national boundaries, as well as the organization and conclusion of multilateral agreements for species with an unfavourable conservation status. This complete package is crucial for migratory species conservation.*

**As you begin your deliberations for this 10<sup>th</sup> CMS Conference of the Parties (CMS CoP10), including your discussions on the Future Shape of CMS - as you work towards your decisions about the important conservation priorities before you and the budget implications inherent in these decisions - we ask you to ensure that strengthening of the CMS conservation agenda is secured.**

CMS uniquely provides a flexible platform to develop measures tailored to particular conservation needs. The convention has important mechanisms to implement on-ground conservation activities, attributes that offer a great potential for multiple threat mitigation and the protection of endangered species. It cannot be overstated how important it is that the work of this convention is supported and encouraged to grow.

The undersigned non-governmental organisations wish to draw your attention, in particular, to a number of important matters.

### Keep the CMS conservation agenda alive

CMS must have sufficient budget to progress the conservation priorities determined by CMS CoP10. It is also critical that all CMS agreements have sufficient budget allocation to enable them to progress with their conservation work. We strongly urge you agree to a significant increase in CMS budget to enable appropriate agreement growth, provide for regular funding to ensure agreement progress, sufficient resources to ensure the triennium progress on conservation work and to enable tangible reporting of conservation activities to CMS CoP11 and beyond.

### Build capacity into the Scientific Council and the Small Grants Programme

None of the work of the convention can be progressed without a strong programme of scientific support. The CMS Scientific Council underpins the work of the entire organisation and we feel that we should at this time be building its competency.

In particular we believe that the small grants programme has been a life-blood for the organisation, providing vital support and encouragement across the whole range of CMS activities. These projects have underpinned and contributed significantly to the development of most of the agreements and action plans that are now part of the CMS suite of tools. These projects have also assisted States, particularly developing countries, by helping to address and raise the profile of a range of threats to migratory species. Furthermore there is a considerable leveraging mechanism in these small grants and other project money made available by the convention. We urge you to provide funding for these important areas of CMS's work.

### Remember that we are stakeholders

We are stakeholders in this process. Civil society contributes substantially to this convention, through voluntary and monetary contributions and through strong programmes of work supporting and promoting and implementing on-ground CMS conservation activities. We also speak to and educate our supporter constituencies about the progress of this conservation work. The combined value of this support amounts to millions of Euro per annum.

**We appreciate the difficulties and constraints involved in budgeting for the many complex and interrelated aspects of the work of CMS, but we urge you not to handicap the convention at this point in its evolution. The position of CMS in the global conservation effort is vital, and it is imperative that we sufficiently support CMS in order to drive forward an agenda that is of the greatest importance to us all.**

Signed on the 18<sup>th</sup> November 2011 by:

Animal Welfare Institute  
Association for the Conservation of Biodiversity of Kazakhstan  
Australian Marine Conservation Society  
Birdlife International  
Born Free  
Centre for Marine Mammal Research - Leviathan  
Cetacean Society International  
Conservacion de Mamiferos Marinos de Mexico  
Defenders of Wildlife

Eastern Caribbean Coalition for Environmental Awareness  
Endangered Wildlife Trust  
Friends of CMS  
Humane Society International  
International Crane Foundation  
International Fund for Animal Welfare  
Large Herbivore Network  
Max-Planck-Institut für Ornithologie  
Migratory Wildlife Network  
Nature and Biodiversity Conservation Union International

Oceana  
OceanCare  
ProWildlife  
Shark Advocates International  
Tethys Research Institute  
Whale and Dolphin Conservation Society  
Whales Alive  
World Animal Net  
World Society for the Protection of Animals  
World Wide Fund for Nature



## Opening Statement

### World Association of Zoos and Aquariums (WAZA)

WAZA wishes to congratulate CMS for the work on the world's threatened migratory species and is happy to support the work of the convention through the Partnership Agreement which was signed during the 9<sup>th</sup> Conference of the Parties of CMS in Rome, December 2008.

The partnership between CMS and WAZA began to flourish immediately and the well received and effective campaigns on gorillas and bats supported the conservation of the mentioned species and raised their public perception.

It was a great honour to have the CMS Executive Secretary, Mrs. Elizabeth Maruma Mrema, as keynote speaker at WAZA's 65<sup>th</sup> Annual Conference, which was held in Cologne, 2008. She said: "WAZA, needless to say, is a leading forum and umbrella organisation for quality zoos and aquariums throughout the world. Through its many member zoos and aquariums, WAZA has the potential to reach and educate millions of visitors and influence their position towards animals and conservation. We all know well how fundraising and implementing in situ conservation is an essential part of everyday work in any good zoo and it is our hope that WAZA is well supported to accomplish this noble task.

In late 2008, WAZA and CMS signed a Partnership Agreement. As most of you will know, this agreement was then immediately filled with life as WAZA and CMS, together with the UNEP Great Ape Survival Partnership, worked together closely during the 2009 Year of the Gorilla (YoG) campaign. WAZA, through direct action and through the engagement of its numerous members, played an important role in making this campaign truly global. It reached out to the public through educational displays, talks and tours, and the over 100 participating WAZA zoos were crucial for delivering the message of YoG to a broad and multifaceted audience, from the enthusiastic naturalist to the chance visitor. Fundraising activities for a variety of gorilla conservation projects and activities were a further key contribution that WAZA was well positioned to make."

WAZA remains committed to support the work on migratory species with a focus on conservation, education and public awareness. WAZA is also a partner of the UN Decade on Biodiversity and will try to address the conservation needs of migratory species within this framework.

WAZA also wishes CMS that the ongoing "Future Shape" process will lead to an improved and effective –possibly less beaurocratic- approach to the conservation of migratory species.

### WAZA statement on gorillas

WAZA, the World Association of Zoos and Aquariums, welcomes the focus on gorilla conservation in support of the gorilla agreement, which was implemented in 2009. Right after the signing of the MoU between WAZA and CMS over 100 members of WAZA started to support the campaign. Main activities were focused on education, public awareness, special events and fundraising for projects. The activities took place around the globe, from the Americas, to Europe and the Middle East, from Africa to Asia and Australia. Over 500 recorded events took place in favour of gorillas and additional projects in the dimension of nearly 50,000 € were reported. WAZA has published a specially dedicated magazine for gorilla conservation as well as an educational manual and numerous news via the web. WAZA and its members remain committed to gorilla conservation and the support of CMS in this respect. A detailed activity report has been published and a summarizing presentation is attached to this statement.

### WAZA statement on bats

After having signed the MoU between WAZA and CMS, it is with great pleasure to note that the Year of the bat in 2011 has again gained great support of the world's zoo community. WAZA has published several articles in promotion of that year's focus and has placed information on the WAZA website. WAZA members have been very active in raising public awareness and putting the image of bats right. Playful engagement with bats, organizing censuses and making nest boxes have been organized from the USA to Latin America, Europe, Africa, South East Asia to Australia. The zoo community is committed to species conservation and to help migratory species, as the attached presentation illustrates.

**Gerald Dick, PhD, MAS**  
Executive Director

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## WDCS Position Statement and Report to CMS CoP10

1. WDCS, Whale and Dolphin Conservation Society, is an international non-governmental organization with cetacean conservation and protection activities spanning more than 25 countries around the world. WDCS expertise crosses the spectrum from conservation science and field research, to the development of habitat protection models and policy implementation.
2. WDCS and CMS have been working closely together since 2002. A formal Partnership Agreement was signed between WDCS and CMS CoP8 in November 2005 and a three-year Joint Programme of Work designed to directly support CMS's own Strategic Plan (as directed by the Governments that are Parties to CMS in 1999, 2002 and again in 2005) was agreed in January 2006.
3. WDCS takes note of the work conducted by the CMS Secretariat since the last CoP and thanks and congratulates the Secretariat staff for their work to further cetacean conservation around the world.
4. WDCS remains committed to working closely with CMS through both the daughter agreements of ACCOBAMS, ASCOBANS and the Pacific Cetaceans MoU, attending the agreement meetings and providing technical and advisory support to the Secretariats, Signatories and Parties and the regional conservation communities, as well as facilitating and conducting on-ground research programmes that support each of the agreements action plans.
5. We are also currently considering how we can best assist with capacity building to underpin the West African Aquatic Mammals MoU and to regional discussions in South East Asia and the Indian Ocean on the development of future instruments for cetacean conservation.

### Agenda Item 16 (a) Development of new and future Agreements

6. WDCS notes that Asian river dolphins – both the Ganges River dolphin and the Irrawaddy dolphin – are on CMS Appendix I but that there are no concerted actions in place yet for them. These species are at high risk due to gillnet fishing and other threats. Their habitats are restricted in terms of both distribution and range, and they are always in very close proximity to human populations, which further exacerbates their plight. Both species require a dramatic increase in effective action to protect them from further declines and slipping towards extinction. Many other cetacean populations in the India Ocean and South East Asia are facing significant threats.
7. We urge Range State Parties of South East Asia and the Indian Ocean to demonstrate preparedness to commence negotiations for two separate cetacean related agreements by identifying a lead Party for each agreement and a timetable for commencement. We strongly urge against the retirement of these two agreement proposals.

### Agenda Item 13: Process regarding the Future Shape of CMS

8. WDCS believes that CMS is at an important point in its growth concerning cetaceans, and without doubt is becoming more central to the politics that surround these unique, much loved and in many instances increasingly threatened species. We believe that it is important that CMS continues to develop its work in this area, both protecting the integrity and focus of the convention and also building mechanisms to bind the cetacean related agreements together by establishing a formalized linkage between CMS, ACCOBAMS, ASCOBANS, the Pacific Cetaceans MoU, the Western African Aquatic Mammals MoU, and any future cetacean related instruments by establishing a strong marine mammal focused policy and science programme. We also believe that CMS's primary strength is in its regionally focused mechanisms, and we hope that these will be retained.
9. We urge CMS Parties to:
  - a) Ensure that civil society has full and transparent access to all Future Shape discussions during CMS CoP10, and any on-going processes agreed in the coming triennium – specifically the intercessional work on the elaboration of the next Strategic Plan 2015-2020 described in Resolution 10.5
  - b) Reject proposals for 'taxonomic or geographic clustering' of any agreements while they are in their infancy, unless a solid species conservation benefit can be demonstrated;
  - c) Reject proposals to shelve or retire any CMS agreements as 'non-performing' until adequate budgets have been allocated to each, and an appropriate period of performance gauged;
  - d) Actively champion an increase in CMS budget to enable appropriate agreement growth, provide

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for regular funding to ensure agreement progress; and sufficient resources to ensure the tangible reporting of conservation successes to CMS CoP11;

- e) Range States for all outstanding agreements should meet in the margin of CoP10 to identify and agree on a process and lead country/s for moving forward with the negotiation of these agreements in the coming triennium, and to report these discussions to the plenary; and to
- f) Commence a dialogue with CMS Partner NGOs about potential Partners support of specific agreements.

#### Agenda Item 19 Conservation Issues

##### **Resolution 10.3: Critical Sites and Ecological Networks**

10. WDCS commends CMS for taking this important area forward, and we urge Parties to support the tenor of the draft Resolutions. Given the extra legal/jurisdiction complications with designing and declaring protected areas beyond the State, we believe it is important that to CoP10 makes explicit mention of including oceanic habitats and in particular high seas within the Resolution

##### **Resolution 10.19: Climate change and migratory species**

11. Resolution 10.19 is a solid forward step, calling for adaptive management; a standardized methodology for evaluating the susceptibility of species to climate change; and CMS lists of Appendix listed species vulnerable to climate change.

##### **Resolution 10.14: Assessment of Bycatch in Gill Net Fisheries**

12. Noting that cetaceans are the most represented taxon of the forty listed species identified as most exposed to risk from gillnet fishing, WDCS strongly urges CMS to support this work area. CMS's engagement with RFMOs needs to increase dramatically, and this area of the CMS work programme requires significant additional human and financial resources to enable CMS's involvement in RFMO meetings where the fisheries activities can be modified. We believe that the Parties identified in the areas of greatest exposure should also provide mitigation reports to CMS CoP11, including their active involvement in existing and new agreements that can highlight and mitigate this threat. We believe that this review, as well as the Programme of Work for Cetaceans (Res 10.15), makes a strong case that the proposed cetacean agreements for the Indian Ocean and South-East Asia should be a priority.

##### **Resolution 10.15: Programme of Work for Cetaceans**

13. WDCS strongly supports this Resolution, and we commend the CMS Secretariat for its support in facilitating the completion of this work. We believe there should be a formalised linkage between CMS, ACCOBAMS, ASCOBANS, the Pacific Cetaceans MoU, the Western African Aquatic Mammals MoU, and any future cetacean-related instruments by strengthening the Aquatic Mammals Working Group in the Scientific Council and ensuring that this body is able to support and collaborate with the Technical bodies of each of the cetacean agreements. Noting Resolution 10.14 on gillnet fisheries we suggest there is strong merit in adding two key points to Resolution 10.15, including:

- a) That specific linkages be made with the gillnet review and amending the section on key regions to name species RFMOs for CMS to actively collaborate with
- b) That the CMS Secretariat should be directed to communicate with these RFMOs, bringing Res 10.15 to their attention and requesting an early meeting with each to develop a joint programme of work that can reduce the impact to the listed species for each region

14. We urge that the CMS Scientific Council receives approval to conduct a review on social complexity and culture in migratory species that:

- a) establishes a specialist working group to oversee the review and continue provision of advice to the CMS CoP in the coming decade;
- b) develops a draft definition of culture in non-human societies for consideration by CMS CoP11; and
- c) develops draft advice on how the removal of individuals from a population where cultural transmission plays an important biological role may be integrated into the longer-term conservation activities of CMS.

##### **Resolution 10.24: Underwater Noise**

15. We commend the European Union for bringing forward this important Resolution on noise pollution. We suggest the following amendments, which will serve to toughen and focus the Resolutions further:

- a) operative paragraph 1 should reaffirm the need for regulations of underwater noise instead of research to determine if limitations should be applied;
- b) operative paragraph 2 should put in place measures to restrict and/or eliminate noise, rather than avoiding noise; and seasonally and geographically protecting cetacean habitat from noise;
- c) a new operative paragraph 5 should encourage the integration of anthropogenic noise in management plans for marine protected areas; and avoiding or minimizing producing noise in marine protected areas, as well as in particular in areas containing critical habitat of cetaceans likely to be affected by man-made sound; and

- d) Within the existing operative paragraph 5, 'mitigation measures' should be removed from private sector influence in. Mitigation measures should be developed by appropriate governmental management authorities.

***Resolution 10.4: Marine debris***

16. We commend the Government of Australia for bringing forward this solid and important first step for CMS in addressing this growing issue and we urge Parties to adopt the Resolution.

***Agenda Item 21: Budget and administration***

17. We appreciate the difficulties and constraints involved in budgeting for the many complex and interrelated aspects of the work of the CMS, but we urge you not to handicap the convention at this point in its evolution. Its position in the global conservation effort is vital, and it is imperative that we sufficiently support the CMS in order to drive an agenda that is of the greatest importance to us all.

18. All Partners to CMS are stakeholders in the conservation agenda of CMS. As civil society, we contribute substantially to this convention, through voluntary and financial contributions and strong programmes of work supporting and promoting and implementing on-ground conservation activities that are decided during CMS CoPs. On this basis, we request that CMS Partners be invited, as participating observers, to the Budget Working Group that will convene during the CMS CoP10

***Small Grants Programme***

19. We believe that the small grants programme is the lifeblood of the CMS, providing vital support and encouragement across the whole range of CMS activities. In the past, these projects have underpinned and contributed significantly to the development of most of the agreements and action plans that are now part of the CMS suite of tools. These projects have assisted developing countries, by helping to address and raise the profile of a range of threats to migratory species. Furthermore there is a considerable leveraging mechanism in these small grants and other project money made available by the Convention.

***Scientific Council***

20. None of the work of CMS can be progressed without a strong programme of scientific support. WDCS believes that the CMS Scientific Council underpins the work of the entire organisation and we feel that we should at this time be building its competency. An increased budget is required to enable the Scientific Council to commission reviews and reports, to convene key workshops and ensure that the work programme it is set can move forward.

***Financial sustainability of existing and future agreements***

21. Finally, WDCS believes that the regional agreements are primarily where the conservation work of CMS takes place. The Secretariat is to be commended for their strong performance in negotiating agreements over the past triennium under difficult budget circumstances. However, agreements must have resource to progress. As a Collaborating Organisation, WDCS has already committed substantive resource to the Pacific Cetaceans MoU and will continue with our long-term commitments to all the cetacean-related agreements. But it is vital that the more recent cetacean/aquatic mammal MoUs (e.g. - Pacific and West African) and any newly developed agreements (e.g. - South-East Asia and Indian Ocean) receive core budget funds from the CoP if they are to thrive and meet the ambitious but important conservation goals that have been set.