

4th Meeting of the Sessional Committee of the CMS Scientific Council (ScC-SC4)

Bonn, Germany, 12-15 November 2019

UNEP/CMS/ScC-SC4/Doc.10.2.11

REVIEW OF RESOLUTIONS: DECISIONS 12.11 AND 12.12

(Prepared by the Secretariat)

Summary:

This document reports on the implementation of a task directed to the Scientific Council in Decision 12.11, that is the review of:

- Resolution 7.18 (Rev.COP12) *Range State Agreement for Dugong (Dugong dugon) Conservation*,
- Resolution 8.16 (Rev.COP12) *Migratory Sharks and*
- Resolution 6.3 (Rev.COP12) *Southern Hemisphere Albatross Conservation*.

It should be read in conjunction with Document UNEP/CMS/ScC-SC4/Doc.10.2.7 *Chondrichthyan Species (Sharks, Rays, Skates and Chimaeras)*.

The Document proposes the repeal of Resolution 7.18 (Rev.COP12) and Resolution 6.3 (Rev.COP12) and the deletion of Decisions 12.11 and 12.12.

REVIEW OF RESOLUTIONS: DECISIONS 12.11 AND 12.12

Background

1. At its 12th meeting (COP12), the Conference of the Parties undertook a significant exercise to repeal redundant Resolutions and consolidate multiple Resolutions on the same subject into one revised document.
2. As part of this exercise, Parties adopted Decisions 12.11 and 12.12 on the Review of Resolutions:

12.11. Directed to the Scientific Council

The Scientific Council shall:

a) *Review:*

- i. *UNEP/CMS/Resolution 7.18 (Rev.COP12) on the Agreement for Dugong (Dugong dugon) Conservation,*
- ii. *UNEP/CMS/Resolution 8.16 (Rev.COP12) on Migratory Sharks, and*
- iii. *UNEP/CMS/Resolution 6.3 (Rev.COP12) on Southern Hemisphere Albatross Conservation*

to determine whether they should be revised in light of new scientific information and other developments and propose amendments, if warranted.

- b) *Submit proposed amendments or a new resolution, as appropriate, to the Standing Committee for consideration at its 49th meeting.*

12.12. Directed to the Standing Committee

The Standing Committee shall review and consider the proposed amendments or new resolution of the Scientific Council referred to in Decision 12.11 (b) and submit any proposed amendments to the resolutions or a new resolution to the 13th meeting of the Conference of the Parties for its consideration and decision.

Implementation of Decision 12.11

Resolution 7.18 (Rev.COP12) Range State Agreement for Dugong (Dugong dugon) Conservation

3. Between the 3rd and 4th Meeting of the Sessional Committee of the Scientific Council (ScC-SC3 and ScC-SC4), the COP-appointed Councillors for Aquatic Mammals and for Bycatch supported by the CMS Secretariat, reviewed Resolution 7.18 (Rev.COP12). As the aim of the Resolution at the time of its adoption was to prepare the development of a dedicated agreement, the Councillors concluded that the Resolution became redundant when the "Memorandum of Understanding on the Conservation of Dugongs (*Dugong dugon*) and their Habitats throughout their Range" came into effect in 2007.
4. Given that the MOU has extensive activities including multiple large projects, with a full time Coordinator based in the CMS Office in Abu Dhabi, United Arab Emirates, any new or emerging conservation activities related to Dugongs can and should be carried out under the auspices of this MOU.
5. The Scientific Council may therefore, recommend to COP13 the repeal of Resolution 7.18 (Rev.COP12) in full.

Resolution 8.16 (Rev.COP12) Migratory Sharks

6. Between ScC-SC3 and ScC-SC4, the COP-appointed Councillors for Fish and for Bycatch, supported by the CMS Secretariat, reviewed Resolution 8.16 (Rev.COP12) and recommended consolidating Resolution 8.16 (Rev.COP12) and Resolution 11.20 on the Conservation of Sharks and Rays. In addition, the CMS Secretariat and the COP-appointed Councillor for Bycatch have proposed to add some further paragraphs to this consolidated Resolution referring to the implementation of Article III (5) of the Convention for chondrichthyan species. These actions are discussed in UNEP/CMS/ScC-SC4/Doc.10.2.7.

Resolution 6.3 (Rev.COP12) Southern Hemisphere Albatross Conservation

7. Between ScC-SC3 and ScC-SC4, the COP-appointed Councillors for Birds and for Bycatch, supported by the CMS Secretariat, reviewed Resolution 6.3 (Rev.COP12). As the aim of the Resolution at the time of its adoption was to prepare the development of a dedicated agreement, the Council concluded that the Resolution became redundant when the Agreement on the Conservation of Albatrosses and Petrels (ACAP) entered into force in 2004. In addition, the focus only on the Southern Hemisphere is outdated.
8. Given that ACAP is very active, with a stand-alone secretariat in Hobart, Australia and a significant budget, any new or emerging conservation activities related to albatrosses should be carried out under the auspices of ACAP.
9. The Scientific Council may therefore recommend to COP13 repeal of Resolution 6.3 (Rev.COP12) in full.

Implementation of Decision 12.12

10. Based on the discussion and the decision of this meeting, a document will be prepared with recommendations from the Scientific Council directed to COP13. In accordance with Decision 12.12, this document will also be included in the agenda of the 49th Meeting of the Standing Committee.

Recommended Actions:

11. The Council is recommended to:
 - a) propose to COP13 the repeal of Resolution 7.18 (Rev.COP12).and Resolution 6.3 (Rev.COP12);
 - b) propose to COP13 the deletion of Decisions 12.11 and 12.12.