



# Convention on the Conservation of Migratory Species of Wild Animals

Secretariat provided by the United Nations Environment Programme



## Report of the 44<sup>th</sup> Meeting of the CMS Standing Committee

Bonn (Germany), 14 – 15 October 2015

### 1. Opening remarks and Introductions

1. Øystein Størkersen (Norway), the Chair of the Standing Committee, in his welcoming address said that the meeting was the first opportunity for the Committee to take stock of progress since COP11 and to pave the way to COP12 in Manila.

2. Bradnee Chambers, the Executive Secretary, welcomed Committee members to the UN Campus, so generously provided by Germany, the Host Government. COP11 had made a number of decisions which needed to be implemented, including Resolutions [11.3 on synergies](#), [11.4 on the Scientific Council](#) and [11.7](#) on a possible review mechanism for the Convention. Updates would be provided on progress regarding the Central Asian Mammals Initiative (CAMI), wildlife crime and climate change.

3. The Secretariat had continued its efforts to increase the Convention's profile with the new website being constantly updated and improved and op-eds published in various papers across the world. The Convention was also growing with Afghanistan and Brazil recruited this year and more countries likely to follow as a result of regional capacity-building workshops funded by the European Commission and visits by the Executive Secretary to senior officials of Government Ministries.

4. The Second Meeting of Signatories to the Raptors MOU had recently taken place in Trondheim, Norway, where twelve further vulture species had been listed and agreement was reached on the need to develop a multi-species Action Plan for African-Eurasian vultures. The Second Meeting of the Signatories to the Sharks MOU was scheduled to take place in February 2016 hosted by Costa Rica.

5. Work on marine turtles and elephants was continuing and the Secretariat had been involved in organizing the international expert response to the mass die-off of Saiga antelopes in Kazakhstan in May. The Secretariat was also fully engaged in the Biodiversity Liaison Group (BLG) and maintained strong bilateral links with CBD, CITES and the Ramsar Convention among others.

6. The Strategic Plan for Migratory Species presented exciting opportunities for CMS to ensure that its conservation work was in the mainstream of wider environmental and development policies as a result of the conscious decision to link to the Aichi Targets adopted by CBD and to align with relevant Sustainable Development Goals.

### 2. Adoption of the Agenda and Meeting Schedule

#### 2.1 Provisional Agenda and Documents

7. The revised agenda as presented in document [UNEP/CMS/StC44/2.1.Rev 3](#) was adopted with the presentation on the ACCOBAMS Survey Initiative to be taken under Any Other Business at item 20.

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## **2.2 Annotated Agenda and Meeting Schedule**

8. Subject to some minor alterations to the proposed running order, the Meeting Schedule as set out in [UNEP/CMS/StC44/2.2.Rev 2](#) was adopted.

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

9. As no changes had been proposed, the rules of procedure from the previous meeting of the Standing Committee continued to apply.

10. The Secretariat sought endorsement of the policy that the regional reports, which previously had been presented as information documents but were now included among the main meeting documents, should not be translated but rather presented only in the language in which they were received.

11. As some Parties stressed the importance of having as many documents as possible available in all three languages, it was agreed that Parties submitting regional reports should highlight to the Secretariat any sections that they believed to be of global application, so that these could be translated.

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

12. The Secretariat presented the draft reports from the previous two meetings of the Standing Committee held immediately before and after the COP in Quito. France pointed out that the list of members of the Standing Committee had not been updated on the French pages of the website. The Secretariat undertook to rectify this as soon as possible and did so during the meeting.

### **4.1 42<sup>nd</sup> Meeting of the Standing Committee**

13. The draft report of the 42<sup>nd</sup> Meeting of the Standing Committee was adopted.

### **4.2 43<sup>rd</sup> Meeting of the Standing Committee**

14. The draft report of the 43<sup>rd</sup> Meeting of the Standing Committee was adopted.

## **5. Depositary**

15. The Depositary, Germany, reported that since the last meeting of the Standing Committee, two further Parties had acceded to the Convention, namely Afghanistan (as of 1 August 2015) and Brazil (as of 1 October 2015), bringing the total membership to 122. Germany would continue to assist with the recruitment of new Parties through its Embassies.

16. The Executive Secretary acknowledged the continuing support received from Germany regarding recruitment of new Parties, as well as recent efforts made by the Government of Ecuador in the Latin American region.

## **6. Standing Committee**

### **6.1 Standing Committee Members**

17. The Chair invited regional representatives to supplement their written reports with oral updates.

18. Australia on behalf of the Oceania region referred the meeting to the report published as document [UNEP/CMS/StC44/6.1.3](#). Highlights included voluntary contributions from Australia of Aus\$100,000 and Aus\$20,000 towards the loggerhead turtle Single Species Action. New Zealand was supporting SPREP with regard to community-based monitoring of turtle nesting beaches in Fiji, Kiribati and the Solomon Islands with a view to promoting ecotourism. The Philippines had joined the East Asian-Australasian Flyway Partnership and a project relating to migratory birds and wetlands was being conducted along the flyway. In January 2014 Australia had assumed the chair of a Working Group dedicated to the Far Eastern Curlew and a Single Species Action Plan was being developed. The Philippines had also launched the South-East Asia marine mammal stranding network and had provided training to more than 3,000 people. Samoa and New Zealand had both signed Sharks MOU, while Australia was undertaking research in to sawfish and hammerhead sharks and SPREP had advertised a post for a shark and ray officer. The Philippines and Malaysia were cooperating over the management of islands hosting the largest green turtle rookery. New Zealand had declared marine reserves in the Southern Seas including important breeding areas for marine mammals and ACAP species. As well as trilateral cooperation among Indonesia, Malaysia and the Philippines there was also an initiative covering the Coral Sea also involving Papua New Guinea, the Solomon Islands and Timor Leste.

19. Australia had adopted a Threatened Species Strategy and targets had been set to cull 2 million feral cats, to establish safe havens for wildlife and increase populations of 20 threatened species.

20. For Africa, Uganda said that a transboundary biosphere reserve was being established between Uganda and Kenya. With financial support from the Government of the Netherlands, the Democratic Republic of the Congo, Rwanda and Uganda had agreed the text of Greater Virunga Treaty and a census of mountain gorillas was being carried out. Uganda had been the venue for the Standing Committee of AEWA, the first African country to host of meeting of that body. AEWA had also organized some training for wetland managers and a pre-MOP training workshop had been held in Cape Town, South Africa. Activities had been organized in relation to both World Migratory Bird Day and World Wildlife Day.

21. South Africa said that an event celebrating World Migratory Bird Day would be held the next day marking the October migration. The event was taking place at a Ramsar site with the participation of the Minister. A proposal for a project relating to bird habitat was being submitted to GEF and preparations were well under way for the CITES COP, being held in 2016 in Johannesburg.

22. Bolivia highlighted a number of examples of regional collaboration and efforts of integrating conservation work into the activities of other sectors. Argentina was developing an Action Plan to improve fisheries and stop negative effects on birds such as albatrosses and petrels. Argentina, Bolivia, Chile and Peru were working together, with one example being promoting grasslands as tourist destinations for birdwatching. Periodic censuses were being undertaken using standardized parameters and ringing campaigns for flamingos were being conducted, with Argentina trying to overcome some of the legal hurdles affecting ringing certain species. The working group on flamingos was developing regional strategies in conjunction with the Ramsar Convention. Ecuador was working on fisheries, satellite tracking of sharks and a census of mantas, and a workshop was being organized to examine non-invasive methods of undertaking such surveys. The accession to CMS of Brazil was welcome and countries of the Amazonian region looked forward to closer collaboration on issues such as hydro-electric power. See document [UNEP/CMS/StC44/6.1.4](#) for the report from South America.

23. Costa Rica reporting on activities in Central America and the Caribbean thanked the Secretariat for its support in holding a capacity-building workshop in Panama. Holding the COP in Ecuador had boosted the profile of CMS in the region and work was being done to implement the

decisions. Turtle and sharks were among the species where most effort was concentrated (such as in developing biodiversity action plans) and governments, agencies and NGOs were cooperating well, especially in Costa Rica and Cuba in areas such as research and environmental education for communities and fishermen. Joint efforts to conserve sharks were being undertaken among Honduras, Brazil and Costa Rica, and Brazilian accession to CMS might herald more work on the hammerhead sharks. A new ministry had been created in Costa Rica with responsibility for overseeing the oceans and this included conservation of marine migratory species. See document [UNEP/CMS/StC44/6.1.1](#) for the report from Central America and the Caribbean.

24. France said that it would deal with those countries within the EU. Only ten of the countries had replied and many of the email addresses provided for focal points were no longer valid. Replies were also not consistent with some countries providing a single sentence and others pages of information in response to the same question. Belgium had hosted the 7th Meeting of Parties to EUROBATS, Finland had enacted new fisheries legislation requiring bycaught animals to be landed, Estonia had compiled a list of its avian fauna, Spain had convened a conference for fishermen and France was working on implementation plans for migratory species and collaborating with African countries.

25. For the non-EU States, Ukraine said that Norway, as well as providing the Chair to the CMS and AEWA Standing Committees, had also hosted the recent Meeting of the Signatories to the Raptors MOU in Trondheim. ACCOBAMS was launching a survey initiative in the Mediterranean and Black Sea (see agenda item 20 for more details) and 2016 would see the 6th Meeting of Parties to ACCOBAMS in Monaco. A conference attended by Bulgaria, Romania, Georgia, Turkey and Ukraine had been held in Istanbul on hunting in wetlands focussing on legislation related to birds. Ukraine had started to translate conservation guidelines especially those produced by AEWA into Ukrainian.

26. The report from the European region was submitted as document [UNEP/CMS/StC44/6.1.2.Rev 1](#).

## **6.2 CMS Family Agreements**

27. Jacques Trouvilliez, Executive Secretary of AEWA, said that the focus of attention at the moment was the Meeting of Parties to be held in Bonn in November 2015. Since COP11, Mauritania had acceded to the Agreement bringing the total number of Parties to 75 and further cooperation had been achieved with the Conservation of Arctic Flora and Fauna (CAFF) on birds migrating through the Arctic. A full report was available on the AEWA MOP6 webpage as document [UNEP/AEWA/MOP6.9](#) (Report of the Secretariat).

28. Patrick van Klaveren, representing ACCOBAMS, highlighted the main areas of activity since the CMS COP in Quito, where Resolutions of relevance to the Agreement had been passed, particularly the ones on live captures of cetaceans from the wild for commercial purposes, conservation implications of cetacean culture and sustainable boat-based wildlife watching, for which ACCOBAMS had developed a certification scheme. ACCOBAMS looked for opportunities to work with other members of the CMS Family on issues of common interest such as underwater noise. Mr van Klaveren briefly explained the Agreement's Secretariat arrangements. It was hosted by the Principality of Monaco, which funded two staff members, the Executive Secretary and an assistant, while two assistants and a part-time accountant were funded by the Parties. The report from ACCOBAMS was submitted as document [UNEP/CMS/StC44/6.2.4](#).

29. Heidrun Frisch, Coordinator of ASCOBANS, reported that since COP11 two workshops on bycatch had taken place and the 22nd Meeting of the Advisory Committee had been held in The

Hague, the Netherlands. The 8th Meeting of the Parties would be held in Helsinki in August 2016 and the subjects to be covered by the Resolutions were becoming clear. Work was being done on the national reporting format, and ASCOBANS Parties had decided to provide one comprehensive report in the four-year cycle with briefer reports in other years focusing on specific issues. Reports should include relevant information allowing assessment of the implementation of the Agreement but not be a burden to Parties. In March 2016 a workshop on cetacean conservation through synergies between different legislative frameworks would be held during the European Cetacean Society's Annual Meeting in Madeira, Portugal. The report from ASCOBANS was submitted as document [UNEP/CMS/StC44/6.2.5](#).

30. Andreas Streit, Executive Secretary of EUROBATS, reported that Israel had acceded to the Agreement, making it the 36th Party and the first to join from the extended Agreement Area. Contacts were being maintained with non-Party Range States and a voluntary contribution from Germany allowed delegates from these countries to attend EUROBATS meetings. A fully revised version of the guidelines on bats and windfarms had been produced in English, and French and German versions would follow. The EUROBATS Projects Initiative provided small grants and was proving popular and successful. As well as a small allocation in the core budget, voluntary contributions had been received from Germany, Switzerland and Luxembourg to swell the funds available. The report from EUROBATS was submitted as document [UNEP/CMS/StC44/6.2.6](#).

31. Rüdiger Stempel, Head of the Common Wadden Sea Secretariat (CWSS), responsible for the Wadden Sea Seals Agreement, referred to the written report published as [UNEP/CMS/StC44/6.2.3](#). Mr Stempel pointed out that the Wadden Sea Seals Agreement was the oldest daughter agreement concluded under CMS and was celebrating its 25th anniversary this year. The populations of Harbour Seals had recovered from two devastating outbreaks of phocine distemper and were at record levels. Grey Seals too had returned to the area. An exhibition about the work of the CWSS was on display in the lobby of the main building of the UN Campus. The CWSS was not only responsible for the Seals Agreement but also had common interests with AEWA, as the Wadden Sea was an important stopover site with between 10 million and 12 million migratory birds passing through each year. Cooperation along the East Atlantic Flyway was being promoted with strong links being forged with the Banc d'Arguin in Mauritania. The CWSS had also been pleased to welcome the CMS Executive Secretary to Wilhelmshaven on the occasion of Wadden Sea Day (27 August).

### **6.3 Observers**

32. Mark Jones of the UK-based NGO, the Born Free Foundation, gave a [presentation](#) regarding the interim assessment being undertaken by the Dutch expert, Hans Bauer, of lion conservation in Africa. He reminded the meeting of [Resolution 11.32](#) adopted at the CMS COP in Quito, and the intention of working on a renewed proposal to add the lion to CMS Appendix II at COP12.

33. The two assessments carried out by the IUCN in 2006 on the west/central and the southern/eastern populations of the African lion were essentially still valid, although more now needed to be added on trophy hunting and illegal trade in lion parts. The latest Red List assessment indicated an overall decline of 42 per cent in lion numbers over three generations, meriting a classification as Vulnerable. The lion was now present in just eight per cent of its historic range. In some parts of the range the decline was 62 per cent and the species had become locally extirpated in areas of as many as 16 Range States. It was estimated that only 404 individuals remained across West Africa, making the lion Critically Endangered in this region. In only four countries were populations stable or growing and the total wild population was probably between 20,000 and 30,000.

34. Of the Range States, five had a national plan and eleven an action plan specifically for lions. In response to the questionnaire circulated by Mr Bauer, most Range States (seven out of nine

responding) were aware of the IUCN strategies and the key elements that they contained (workshops, fundraising, capacity-building and a mechanism for periodic reviews). There was still time for Range States to return the questionnaires and those that had not yet replied were urged to do so.

35. The main problems were human-wildlife conflict, habitat loss, degradation and fragmentation, loss of prey, trophy hunting and trade in lion products.

36. Lions roamed widely rather than being migratory in the strictest sense but there were cross-boundary populations, in particular in the Kavango Zambezi Transfrontier Conservation Area (KAZA) of Angola, Botswana, Namibia, Zambia and Zimbabwe; between Kenya and the United Republic of Tanzania and on the borders of Burkina Faso, Niger and Benin.

37. Mr Jones concluded by saying that the existing strategies were still sound, but had not been properly implemented raising the question of whether lion conservation was a high enough national priority. Lions were a charismatic species but presented problems to people living in their vicinity, and tended to polarize views (e.g. regarding issues such as trophy hunting, which it was argued could contribute to conservation if managed well). An appropriate forum was needed to take forward lion conservation measures and the full report would be made available as soon as it was completed.

38. Germany reiterated its comments made during the discussion of the Programme of Work (see agenda item 9) deploring the decline in lion numbers. Trade in lions and lion products, such as trophies, needed to be regulated and it was pointed out that the EU had stricter rules on importing trophies than were required by CITES. Germany understood that Australia had gone a step further and now treated lions as though they were listed on CITES Appendix I. The issue of “canned hunting” where lions were kept in enclosures to make shooting them easier and the sale of the lions’ bones to China also had to be addressed. Germany was however pleased to be able to make a contribution to transboundary work in the KAZA where a long-term project was being supported.

39. South Africa said that it was one of the countries with a growing lion population and the national plan had received political endorsement. The issue of “canned hunting” was being examined and South Africa looked forward to seeing the final version of the Bauer report.

40. Uganda said that national consultations were still being conducted and the outcome of these would be reported to the Secretariat as soon as they were available.

41. The Meeting thanked Mr Jones for his presentation.

## **7. Chairman of the Scientific Council**

42. The Chairman of the Scientific Council, Fernando Spina, was unable to attend the meeting due to health reasons and so Marco Barbieri, the Secretariat’s Scientific Adviser, read out the report that Mr Spina had prepared.

43. At COP11, Mr Spina had been involved in the High Level Panel and had participated in various working groups and spoken in plenary on a number of issues (landbirds, poisoning, illegal killing and taking, bird taxonomy and sharks) as well as liaising with the Italian EU Presidency. Mr Spina had attended the Multidisciplinary Expert Panel (MEP) of IPBES, met CMS staff regarding arrangements for a workshop on connectivity held in Italy in September 2015 and participated in the UNEP/WCMC workshop on illegal wildlife trade. Mr Spina had also contributed to a paper on the effects of illegal killing and taking on bird populations in the Mediterranean, attended a workshop at the Milan Aquarium on cetacean culture and acted as facilitator of the joint CMS/AEWA/Raptors MOU workshop on poisoning for Southern African countries held in Cape Town, South Africa. For

the third year running, Mr Spina and the Corale San Rocco choir had sung at a benefit concert in Bonn as part of the World Migratory Bird Day campaign. Mr Spina was also serving as interim Chair of the Sharks MOU Advisory Committee. He had convened a CMS Scientific Council workshop on connectivity “A single Earth: migratory animals connect the Planet. Scientific aspects and sharing of international policies for the conservation of connectivity in migratory species. The Po delta as an international observatory.” The workshop was held in Albarella, Italy, from 26-30 September 2015. The Po Delta Veneto Regional Park covered all costs related to this meeting (€25,000). Through contacts between the Chair of the Scientific Council and the CMS Secretariat, experts from within and outside the Scientific Council were invited to attend based on expertise of taxa or issues connected to the workshop. The meeting had been productive and successful and had offered for the first time a global perspective of the state of the art on knowledge, challenges, priorities and applied use of data on individual identification, movements and connectivity for the conservation on migration systems across the various groups of taxa of relevance to CMS.

44. The Chair commented on the extraordinary amount of activities undertaken by the Chair of the Scientific Council, expressed his wish that Mr Spina should have a speedy recovery. The meeting noted the report read out by Mr Barbieri, who undertook to provide copies of the text of Mr Spina’s report.

## 8. UNEP

45. Jiri Hlavecek of UNEP introduced document [UNEP/CMS/StC44/8](#) presenting a snapshot of the major areas where UNEP was supporting the MEAs in general and CMS in particular.

46. In terms of programmatic support, UNEP was finalizing a project on cooperation between MEAs to improve synergies and effectiveness, in keeping with the aims set out in “The Future We Want” and decisions of the UNEP Governing Council and the UN Environment Assembly. Support was being given to CITES for the fight against wildlife crime through the African Elephant Fund, with efforts focusing on raising awareness of illegal wildlife trade and 30 projects were already under way. The Regional Office Focal Points for the Biodiversity MEAs had helped with synergies and partnerships and at the 9th China consultations held in Thailand the advantages of accession to CMS had been promoted. Support was being given to the CMS workshop for non-Parties in South-East Asia to be held in Manila later in the month, just as assistance had been provided at the similar event in Panama attended by the Ecuadorian Environment Minister (the Philippines confirmed that five countries had already registered for the capacity-building workshop in Manila).

47. UNEP was actively supporting CMS with implementing a number of Resolutions adopted at COP11, namely [Resolution 11.3](#) on synergies (where WCMC was working on a revised online reporting system for a number of MEAs), [Resolution 11.7](#) and the possible implementation review mechanism where WCMC had presented the analysis of the national reports submitted by Parties to COP11, [Resolution 11.10](#) on partnerships, [Resolution 11.26](#) on the programme of work on climate change and [Resolution 11.27](#) on renewable energies. UNEP was also coordinating the Information and Knowledge Management Project, had launched and was hosting the NBSAP Forum jointly with CBD, UNDP and UNEP-WCMC and had published the “Sourcebook of Opportunities for Enhancing Cooperation among the Biodiversity-related Conventions at National and Regional Levels” in May 2015. The Government of Finland had commissioned a project to compile all the available guidance relating to the Aichi Targets (“Mapping MEAs to the Aichi Biodiversity Targets”) drawing on decisions of six biodiversity-related Conventions. A series of South-South knowledge-sharing workshops had been scheduled for 2016 to strengthen biodiversity-related legislation. Through its office in Latin America, UNEP was lending support to the workshop on sharks taking place in Costa Rica in March 2016. At its second session in May 2016, the United Nations Environment Assembly

would consider an analysis of information on the environmental impact of the illegal trade in wildlife and wildlife products.

48. With regard to administrative support since June 2015 an enterprise planning resource, Umoja, had been introduced and this would have positive impacts. A competence centre had been established to deal with teething troubles and a post-implementation task force was being set up. Some changes to delegations of authority would be made. Two-thirds of the Programme Support Costs levied by UNEP on the Convention's expenditure were returned to CMS through provision of staff in the Administration and Fund Management Unit.

49. A task force on cooperation and synergies made up of senior staff from UNEP and MEA secretariats had been established, chaired by the Deputy Executive Director with Bradnee Chambers as Vice-Chair.

50. The Executive Secretary intervened saying that the MEA Task Force had made considerable progress over the last few months in considering how to enhance the relationship between UNEP and the MEAs. He hoped that the Umoja system's initial problems would soon be overcome.

## **9. Secretariat**

51. The Executive Secretary gave an overview of the Secretariat's activities since COP. The report covered also the Programme of Work (POW) adopted at COP11 for which a report had been prepared available on the website as document [UNEP/CMS/StC44/10.3.Rev.1](#). He hoped that the report was a more transparent way for the Secretariat to account for its activities to the Parties.

52. The Secretariat had been actively seeking funds in order to implement more elements of the POW. Over the past year, a total of €1,046,000 had been raised from Germany, Switzerland, Monaco, the European Union and the UNEP Regional Office for Europe for activities to be undertaken mainly in 2015 but in some cases these would continue into 2016 and 2017. This figure did not include the generous grants given by the Environment Agency – Abu Dhabi on behalf of the UAE to fund the CMS Office Abu Dhabi which administered the Raptors and Dugong MOUs nor did it include resources raised by these two instruments and the “assessed voluntary” contributions towards the implementation of the Sharks and IOSEA MOUs.

53. Turning to species conservation, the Executive Secretary explained that there were three teams in the Secretariat, one each dealing with avian, aquatic and terrestrial species.

54. The aquatic team had issued questionnaires on live captures of cetaceans for commercial purposes, and on underwater noise. CMS was collaborating with CITES and the FAO on sharks and rays and a workshop had been held in Oman. In February 2016, the first meeting of the Sharks MOU Advisory Committee and the 2nd Meeting of Signatories would take place in Costa Rica. A GEF project was being implemented for sea grass and dugongs, coordinated through the Mohamed bin Zayed Species Conservation Fund with the participation of the Dugong MOU. Ten sites had been identified for inclusion in the IOSEA marine turtle site network and a study on illegal trade in turtles and their eggs would be submitted to CITES. A workshop on marine turtle conservation had been held in Malaysia in September bringing together Federal and State officials and recommending the implementation of a comprehensive ban on egg collection across all Malaysian States.

55. For the Avian Team, the Resolutions on flyways and the action plan for the Americas Flyways Framework ([Res 11.14](#)), poisoning ([11.15](#)) and illegal killing ([11.16](#)) were the most important. A workshop had been held in Cape Town on poisoning and a Task Force was being established on illegal killing and it was hoped that a coordinator would be appointed soon. The working group on

African-Eurasian Migratory Landbirds would be meeting in November at the new UNEP sub-regional office in Abidjan, Côte d'Ivoire and a letter had been sent to the European Commissioner calling for a ban on diclofenac.

56. A Meeting of Signatories to the MOU on the Aquatic Warbler had been held in May in Lithuania and a workshop to promote cooperation between China and the Russian Federation on the conservation of the Siberian Crane had taken place in Liaoning Province in June. The Meeting of Signatories to the MOU on Andean Flamingos was scheduled for April 2016 and would take place in Peru and it was hoped that Argentina would sign. The Second Meeting of Signatories to the Raptors MOU had been held in Trondheim earlier in the month, where twelve further vulture species had been listed, Comoros had become the 53rd Signatory and the development of a multispecies Action Plan had been agreed for adoption at the next COP. Iran also announced that it was banning diclofenac.

57. Regarding the Terrestrial Species Team, the Central Asian Mammals Initiative (CAMI) was being implemented as an umbrella mechanism covering several different mandates in the region. The Range States were appointing their species focal points and support was being provided by many, including the European Commission and the German Development Agency, GIZ.

58. Action by CMS on lion conservation had been mandated by [Resolution 11.32](#) (see Mark Jones' [presentation](#) under agenda item 6.3) and with the two sub-regional reviews conducted by the IUCN work was starting on a proposal to add the species to Appendix II at COP12 and the possibility of convening a Range State meeting was being considered. Wildcru, Born Free and Oxford University had conducted a questionnaire survey (circulated to Range States by the CMS Secretariat) and the Secretariat issue a letter to Range States in April. Uganda had acceded to the Gorilla Agreement and two revised action plans had been published concerning the Cross River and Western Lowland subspecies. The recent meeting of the Executive Committee of GRASP (Great Apes Survival Partnership) had agreed to closer cooperation with the Agreement. Monaco had provided funds to help implement the West African Elephant MOU and Mali and Burkina Faso were training vigilance brigades on the ground. Saiga conservation had suffered a major set-back with mass die-off in Kazakhstan in May claiming the lives of more than 150,000 adult animals. CMS had helped coordinate an expert mission to investigate the causes. A recent aerial survey indicated that there were possibly only 30,000 antelope remaining in a population that had previously counted over 200,000. For the Bukhara Deer, Tajikistan had drafted a national action plan. Combatting forest fires had become a priority in protecting the habitat of the Andean Huemul and new species were being considered for inclusion in the updated Action Plan for Sahelo-Saharan Megafauna.

59. The Scientific Adviser was taking forward work related to [Resolution 11.27](#) on renewable energy which included the establishment of the Energy Task Force, for which Germany had provided a voluntary contribution. The Task Force's first meeting was being planned, provisionally scheduled for the first quarter of 2016. New terms of reference were being elaborated for the Scientific Council (see also agenda item 14) and a workshop on connectivity had been held in Italy in September (see also agenda item 7). Partners had also been approached with regard to starting the review of the conservation status of migratory species.

60. The Joint CMS/AEWA Communications Team continued to operate as a pilot project illustrating inter-Secretariat synergies. The Team was coordinated by the AEWA Media Officer and its main tasks included maintenance and development of the websites, media and press work, social media, campaigns and report writing (see also agenda item 15.2).

61. Work related to capacity-building involved liaison with other MEAs and focused on ensuring that revised NBSAPs took account of migratory species. The Capacity-Building Officer was also

responsible for the recruitment of new Parties and a series of regional workshops for non-Parties had been organized. Two workshops, one for Latin America had taken place in Panama City and a similar event for South-East Asia was being hosted by the Philippines in Manila at the end of October 2015. Further workshops would also be considered in 2016 for other regions such as the Caribbean and the Pacific.

62. Lyle Glowka, Executive Coordinator of the CMS Office Abu Dhabi, reported that the 2nd Meeting of Signatories to the Raptors MOU had passed successfully, despite some difficulties with Umoja. The Norwegian Government had been excellent and supportive hosts and the voluntary contributions from Germany and the Netherlands had been gratefully received. Mr Glowka explained that the Abu Dhabi Office was the largest outstation of the CMS Secretariat and was responsible for the Raptors and Dugong MOUs. The office had been established in 2009 with the support of the Environment Agency Abu Dhabi (EAD) on behalf of the Government of the United Arab Emirates (UAE). Under the initial arrangements, a total of US\$9.3 million had been provided in core funding since the office was set up. Approval had been given in principle to providing a further US\$10 million extension for the period 2015-19, and a one-year interim extension had been agreed for 2015. Consultations concluded in the Executive Council of the UAE had reached a successful conclusion, and it was now confirmed that US\$8.1 million would be made available for 2016-2019. This represented an enormous opportunity for CMS to continue to raise its profile in the Middle East/North-West Indian Ocean region. Mr Glowka expressed his gratitude to the Executive Council and to the EAD for their most generous support.

63. Germany joined Mr Glowka in thanking the UAE for its support and the new agreement which secured the future of the Abu Dhabi Office for a further period.

64. Germany said that an impressive amount of work had been done towards implementing the Programme of Work but it was evident that even more could be achieved by the Secretariat if it were given more resources. Germany would continue to make voluntary contributions in addition to the assessment contributions towards the core budget. Other Parties were urged to do the same.

65. The actions being undertaken for the Polar Bear were welcomed by Germany even though Germany was not a Range State for the species, and the intrinsic structural difficulties faced by the Sharks MOU with a budget based on voluntary contributions were recognized. The MOU was important and Germany wanted the forthcoming Meeting of Signatories in Costa Rica to be a success. Germany welcomed the support being offered by the European Commission to the task force on illegal killing of birds and the forthcoming AEWA MOP would be another forum where this issue could be addressed. The workshop on infrastructure held in Ulaanbaatar in August had received financial and logistical support from the German Government. Germany was also willing to provide support to the new Task Forces being established as a result of COP11 Resolutions, but budget rules meant that the funds would have to be spent by a specific deadline, so there was some urgency in making progress.

66. The plight of the African lion was a cause for concern, and provided opportunities to work with CITES and the question of hunting had been brought to the fore with the case of Cecil and the American dentist. Any hunting had to be sustainable.

67. The Chair also associated himself and the rest of the Standing Committee with the expressions of thanks to the UAE and also acknowledged all the support provided by Germany. He noted that the issue of wildlife crime was being addressed by the United Nations General Assembly and had attracted the attention of several world leaders including President Obama. If the Convention conveyed the right message on this issue, it could increase the resources allocated to it.

68. France welcomed the comprehensive report from the Secretariat but felt that the questionnaire on underwater noise might have been better coordinated with CBD which had undertaken a similar exercise. It had not been clear to whom the replies should have been sent. Regarding the Gorilla Agreement France hoped that the involvement of GRASP might help reinvigorate this instrument with its small number of species and limited geographic range. France would prefer to see more resources applied to projects and initiatives rather than instruments with higher administrative overheads. With regard to Sahelo-Saharan antelopes, there had been a well-run project which had attracted support from the FFEM and the European Commission and useful work had been done on the ground. Unfortunately the addax were found close to where oil was being extracted and only dead specimens were now being seen there. The addax had moved away from the oil fields but had not survived. The lesson to be learned was that it was important to work not only with the government of the country concerned (in this case Niger) but also with the countries whose companies were working there (in this case the oil company was from China).

69. In response to comments from the floor, the Executive Secretary confirmed that CMS was cooperating with CBD, ASCOBANS and ACCOBAMS over the issue of underwater noise. The progress being made in conjunction with GRASP over the Gorilla Agreement was welcome, as it raised the prospects of revitalizing an instrument that had fallen dormant. Guidance had been provided on the elements that helped make CMS instruments successful, and having a lead partner was a key factor. The Secretariat also wanted less time spent setting up administrative structures and more conservation effort following the example of the AEW African Initiative.

70. Thanking those Parties that had responded to the underwater noise questionnaire, Heidrun Frisch (CMS Marine Mammals Officer and ASCOBANS Coordinator) said that CMS was aware that CBD was working on the same issue and while the two survey processes had been coordinated to the greatest extent possible, it had not proved feasible to merge them completely. CMS and CBD had both issued notifications to their Parties and each had contained a cross-reference to the other.

71. Uganda raised the Gorilla Agreement pointing out that the Democratic Republic of the Congo, Rwanda and Uganda had a trilateral agreement covering the Greater Virunga area, and had received financial support from the Netherlands. Involvement by CMS in this transboundary cooperation would be welcome.

72. The meeting noted the Executive Secretary's report and the comments made by Germany, France and Uganda.

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

### **10.1 Secretariat Staffing and Organization**

73. The Deputy Executive Secretary, Bert Lenten, reported that staffing within the Secretariat remained relatively stable. COP11 had approved the creation of two part-time P2 posts, one for a coordinator for the CAMI and one for an Associate Information Officer; job descriptions had been prepared and sent to UNEP HQ in December 2014. It was expected that both posts would be advertised shortly. A temporary post to replace the programme assistant who was about to go on maternity leave had also been prepared and advertised. The joint P3 post shared with CITES and based at the CMS Secretariat had been filled.

74. Mr Lenten pointed out that CMS was a small secretariat, offering little opportunity for career development and staff therefore had to look to other organizations such as IPBES which was about to create a further six posts in Bonn. In 2017 a new mobility policy would be implemented in UNEP restricting staff to a maximum of seven years in one post.

75. The Chair commented that he felt that the mobility rules were not appropriate for a biodiversity-related convention where specialist knowledge was required and expressed the hope that exceptions could be made and the policy applied flexibly. The meeting noted Mr Lenten's report.

## **10.2 CMS Trust Fund**

76. The Executive Secretary presented document [UNEP/CMS/StC44/10.2 rev 1](#) explaining that the report had been examined on greater detail by the Finance Sub-Committee at its meeting on 13 October. He thanked Australia for assuming the Chair of the Sub-Committee at short notice when Ecuador was unable to attend. The principal feature of the document was the request to draw down resources from the reserve.

77. Australia acknowledged the support provided by Secretariat staff to the Finance Sub-Committee at its meetings and thanked the other Parties present, France and Germany.

78. Regarding implementation of the 2015 budget, by the end of August 60 per cent of the annual allocation had been spent, indicating that expenditure was on track with no overspends expected. At the end of July €710,000 of assessed contributions for 2015 remained unpaid (although one country had recently made its payment reducing the total arrears). The Secretariat undertook to send reminders to Parties that had still not paid their 2015 contributions.

79. Consideration was given to how to allocate the additional contributions to be paid by the two new Parties. The Secretariat was asked to look at the POW and identify priority actions, and when the funds had been received, to seek the approval of the Chair of the Standing Committee.

80. A drawdown from the reserve had been requested to allow cover for the staff member about to go on maternity leave, to increase the 50 per cent P2 communications post to full time for the period 2016-2017 and to support the Strategic Plan Working Group. The drawdown of €179,000 (US\$201,124) would leave US\$743,012 in reserve which was well in excess of the minimum level set at COP11.

81. The Finance Sub-Committee had briefly considered its *raison d'être* and it had been agreed that it was useful to have a smaller group with representation from all regions to meet just before the Standing Committee to examine the finances. The mandate for the Finance Sub-Committee had originally been set out in COP [Resolution 9.4](#).

82. The meeting noted the report and agreed to the proposed drawdown from reserves. The Chair suggested that a standard procedure be considered for dealing with additional resources arising from the recruitment of new Parties. The meeting agreed to this proposal.

## **10.3 Implementation of the Programme of Work 2015-2017**

83. see above at agenda item 9

#### **10.4 Resource Mobilization**

84. The Executive Secretary said that much of the substance had been covered earlier under the Secretariat Report (Agenda item 9). He reiterated that over €1 million had been raised in voluntary contributions and grants to help implement projects and establish processes, mentioning in particular funding from the European Commission for capacity-building work in Africa, Latin America and the Pacific. Further details were continued in document [UNEP/CMS/StC44/10.4](#).

85. The Chair commended the efforts of the Secretariat's Fundraising Officer, stressing the importance of supplementing the core budget with voluntary contributions to allow activities to be undertaken. The report was noted.

#### **11. Preparations for COP12**

86. The Philippines was delighted that its renewed offer to host the COP had been accepted in Quito, emphasizing that the country was the only CMS Party in South-East Asia.

87. A [presentation](#) was made setting out the initial preparations under way which had begun with the establishment of an Ad Hoc Working Group. The Environment Ministry was liaising with the Ministry of Foreign Affairs, which was also contributing towards the finances.

88. A possible venue had been identified in Metro Manila, namely the SMX Center in the Mall of Asia on the waterfront of Manila Bay. The venue was five kilometres from the international airport and within easy reach of many restaurants and three- and four-star hotels. Venues on some of the other 7,000 islands making up the country had been considered and might have provided a more picturesque setting but the accessibility of Manila was considered a major advantage.

89. The SMX Center had ample space for a meeting the size of the CMS COP, with the plenary halls capable of holding 1,000 participants. The centre also had a series of smaller rooms suitable for side events, working groups and regional meetings.

90. The hosts would continue to liaise with the Secretariat and would meet CMS staff during the Manila recruitment workshop at the end of the month.

91. Some details were given of possible excursions for locations within easy reach of the conference venue, including a city tour, Anilao Beach (two hours by bus), the Taal volcano, Bataan Island cruise and bird-watching at the Las Pinas Paranaque Critical Habitat.

#### **12. Strategic Plan for Migratory Species**

92. The Chair invited Ines Verleye (Belgium), the Chair of the Strategic Plan Working Group to report on the discussions that had taken place on the two days preceding the Standing Committee.

93. Ms Verleye said that the Working Group had met for the first time in this triennium with its renewed mandate given by the COP in [Resolution 11.2](#) to develop indicators and the companion volume. At the outset, the Working Group had tackled the issue of whether the Strategic Plan should be a high level political document or an implementation guide. It had been decided to draft a lean Strategic Plan and to place the detailed content and implementation road map in an accompanying document, the companion volume. The Resolution called for new or existing indicators to measure the success of implementation of the Strategic Plan. As the targets of the Strategic Plan were modelled largely on the Aichi Targets under CBD, it was hoped that most indicators could be adopted with some adaptation to the specifics of migratory species.

94. The Working Group had examined two documents prepared for the meeting by the Secretariat, one concerning indicators and another consisting of a compilation of programmes of work, action plans and other implementation support tools used within CMS and other instruments of the CMS Family.

95. Ms Verleye stressed that the Working Group was determined to meet the deadlines set by COP to prepare the indicators and the companion volume, but felt that the tasks set in the current triennium were more technical in nature than the original exercise of developing the Strategic Plan itself. The assistance of the Secretariat would be needed to turn concepts into concrete ideas.

96. Relevant work on indicators was being undertaken in a number of processes (e.g. the Sustainable Development Goals, CBD and the Aichi targets, the Ramsar Convention, the Biodiversity Indicators Partnership) but none were specifically related to migratory species. The Working Group felt that it should identify a small but representative number of activities that would paint the full picture. Monitoring a smaller number of activities would also make the exercise more manageable and affordable and this might entail identifying up to three indicators per target. It was hoped that the “zero draft” would be ready by early 2016 allowing wider consultation in mid-2016. Several members of the Working Group had expressed their concerns about how the Parties as a whole could be engaged in the process, given how important it was in setting the course for the Convention.

97. The Working Group’s second task was to devise the companion volume foreseen as a tool to provide guidance on the implementation of the Plan. The companion volume, an outline of which was included in Chapter 4 of the Plan, was expected to be based as far as possible on existing tools. As this potentially meant drawing on a large number of sources, thought was given to making the companion volume an online rather than a printed publication; this would make it easier to manage and update.

98. The Working Group needed feedback from the Parties and CMS Family Secretariats on which tools best addressed the targets. Consultations would be carried out to develop a first draft and the Secretariat had been asked to consider how best to develop the companion volume as an online tool. Some changes might be necessary to the format of the National Reports to align the questions to the indicators, as these reports would be the primary source of information regarding Parties’ implementation of the Strategic Plan. Ms Verleye stressed that while developing the indicators and the companion volume might take some time, this should not be used as a pretext of delaying implementation of the Strategic Plan.

99. The Chair thanked Ms Verleye for leading the Working Group and for the summary of the discussions undertaken on the previous two days. He thought that the proposed timetable might be ambitious.

100. There were no further questions and Ms Verleye’s oral report was noted.

### **13. Future Structure and Strategies of CMS: Update on Implementation of 2015-2017 Activities**

101. The Executive Secretary presented a progress report on implementation of [Resolution 10.9](#) adopted at Bergen (“Future Structure and Strategies of the CMS and CMS Family”) which had identified a range of activities for implementation in the short, medium and long term. A report had been given at COP11 on short-term activities and the present document [UNEP/CMS/StC44/13](#) provided updated information. Most activities were being implemented through voluntary contributions and staff time.

102. UNEP said that the dates for the 2nd Session of the United Nations Environment Assembly had now been set and it would take place in May 2016 rather than June. Thought was being given to the proposed side event to be organized jointly by the MEAs. The year 2016 would also see a series of other meetings, notably CBD COP13 in Cancun, Mexico and MOPs of the Cartagena and Nagoya Protocols and the CITES COP in Johannesburg, South Africa.

103. The Secretariat's document was noted.

#### **14. Scientific Council Organizational Change**

104. Introducing document [UNEP/CMS/StC44/14](#), Marco Barbieri (Scientific Adviser) explained that [Resolution 11.4](#) had made some changes to the structure of the Scientific Council, in particular the establishment of a Sessional Committee within the Council, and instructed the Standing Committee to oversee the implementation of the changes in the period 2015-2017.

105. There were three separate items to consider: the terms of reference for the Scientific Council; giving guidance on the process for selecting the members of the Sessional Committee, in particular the 15 Party-appointed councillors to be selected on a regional basis; and selecting the members of the Sessional Committee to serve for the period up to COP12.

106. Paragraph 11 of Resolution 11.4 requested the Secretariat to develop Terms of Reference (TOR) for the Scientific Council; no TOR had existed before and the draft submitted to the meeting (contained in Annex 2 to the document) was drawn primarily from the text of the Convention and various COP resolutions related to the Scientific Council and its role, but also TOR of comparable advisory bodies in other MEAs such as CITES and CBD. The Standing Committee was particularly asked to consider Article 14 of the TOR which dealt with the requirement that Party-appointed members of the Sessional Committee should maintain regular communication with other members from their region, as some comments had been received to the effect that this requirement might impede the councillors' impartiality.

107. Another issue for the Standing Committee's consideration was the evaluation of nationally appointed councillors, akin the process undertaken by the COP when selecting the COP-appointed councillors. It might also be prudent to emulate the CITES Animals Committee by having a provision for the appointment of alternate members, in the event of the full member being unable to attend a meeting or resigning from the Session Committee in the course of his or her term.

108. Regarding the evaluation of nationally appointed councillors, Australia felt that it could be assumed that Parties would nominate suitable candidates and that it was therefore not appropriate for further vetting to be carried out. The relative merits of councillors proposed to serve on the Sessional Committee would, however, have to be assessed. Any Scientific Councillor should be entitled to attend the Sessional Committee as an observer and in Paragraph 18 of the TOR on the scientific contribution of NGOs, the word strongly was considered unnecessary.

109. Uganda said that it should be specified that the Rules of Procedure of the Scientific Council should also apply mutandis mutatis to the Sessional Committee. The Secretariat commented that given the major alterations to the Scientific Council's modus operandi, the Rules of Procedure would need to be substantially revised.

110. France speaking on behalf of the EU stressed the need to make the operation of the Sessional Committee as straight-forward as possible given the additional complication of appointing regional members.

111. In summarizing, the Secretariat concluded that the Standing Committee was in general content with the proposed way forward and the text of the draft TOR, which could be provisionally adopted and submitted to the COP for further review and final approval.

112. Regarding the process of appointing regional members of the Sessional Committee, the Secretariat indicated that the details were set out in Paragraphs 7-9 of the document and in Annex I fulfilling the Secretariat's mandate from [Resolution 11.4](#) to conduct a consultative process on options.

113. The Resolution foresaw that the Sessional Committee would have 24 members, 9 COP-appointed councillors and 15 Party-appointed councillors (3 for each of the 5 regions identified for the Standing Committee). Members would serve a minimum of two terms, except for those standing down at COP12 where half the places would be vacated to allow a degree of rotation. The Secretariat explained various options for the process of identifying and selecting candidates, with variants being self-nomination or a regional consultation process in the first stage; an evaluation against criteria in the second stage; and the appointed at the COP, through election where there were more candidates from a given region than places available in the final stage. The election could be preceded by establishing an ad hoc committee or seeking the recommendations of regional groups (as happened with the selection of members of the Standing Committee).

114. When the discussion was opened to the floor, France said that its preference would be for self-nomination rather than regional consultations, with a view to maintaining a global overview of the process of appointment, with Parties being aware of all candidates standing. Germany said that the issue was difficult as it was necessary to have an overview of all the areas of expertise that would be represented. Germany however preferred a regional approach, as Europe would not be best qualified to decide which members should serve for Africa, for example.

115. Uganda also preferred the regional approach and could not foresee circumstances where a Party appointee would decline to serve on the Sessional Committee. The composition of the Sessional Committee set by the Resolution guaranteed reasonably balanced geographic and thematic coverage.

116. Australia said that for the initial selection process consultations had been conducted in the Oceania region. This process had generated some useful communication among the Parties and helped ensure an appropriate balance of expertise. Australia also preferred a regional approach, fearing that self-nomination might lead to imbalances of taxonomic coverage and too few or too many nominations.

117. Bolivia also felt that the regional approach was the most viable.

118. France indicated its willingness to accede to the majority view that a regional approach be adopted, but stressed that it would still be preferable for the regions to liaise to ensure a global as well as regional balance was struck. The Secretariat suggested that this could be achieved by publishing the nominations as soon as possible and at the final stage during the COP through the Ad Hoc Committee where all regions should be represented.

119. The Secretariat said it would seek further advice before preparing a revised draft of the proposal. The modalities for selecting members for regions where there were more candidates than places available also needed to be addressed. The Chair suggested that regions prepare lists with the candidates in priority order so that the global coverage could be taken into account in the final choice.

120. With regard to the second stage, the Secretariat assumed that a degree of scrutiny would already have taken place but at the COP Parties would have to first confirm that the candidates met the basic eligibility criteria.

121. Uganda felt that there might not be sufficient time at the COP to undertake a full examination and it would therefore be desirable for provisional recommendations to have been prepared in advance. Australia agreed and thought that the regional recommendations should be considered by the Standing Committee. The process at COP was likely to be too time-consuming and duplicative.

122. The Secretariat recognized a broad consensus for an option with recommended candidates being presented to the COP with the final decision being informed by the earlier stages of the process.

123. A closed session was held with the exclusion of the observers to discuss the nominations of the initial members of the Sessional Committee. The Secretariat referred to Paragraphs 3-5 of the meeting document which described the process that had been followed. A notification had been issued by the Secretariat in July 2015 to all members of the Scientific Council inviting expressions of interest in serving on the Sessional Committee together with information in support of their candidacy. Twenty-eight candidates responded, all 10 of the COP-Appointed Councillors and 18 Party-Appointed Councillors. The 18 Party-appointed Councillors included 3 each from Europe and Oceania (meeting those regions' allocation), 2 from Asia (1 too few) and 6 from Africa (3 too many) and 4 from the Americas (1 too many). A vetting group made up of the Secretariat and Chairs of Standing Committee and the Scientific Council held a telephone conference to evaluate candidates for the two oversubscribed regions.

124. In the case of the Americas, it was agreed to propose the councillors from Argentina, Costa Rica and Uruguay. As well as providing good geographical coverage of the region, the individuals concerned offered wide taxonomic and thematic expertise.

125. In the case of Africa, as one of the candidates was Nopasika Malta Qwathekana, from South Africa, the Vice-Chair of the Council, it was recommended that she be offered one of the places. After consultation, the candidate from Uganda withdrew in favour of the candidate from Kenya and it was recommended that the remaining place be offered to the councillor from Benin, who had expertise on climate change as well as helping with geographic spread as he came from West Africa.

126. With regard to the COP-Appointed Councillors, all ten individuals covering the nine posts had expressed an interest in serving. The Secretariat suggested that taking into account the posts rather than the individual, all ten Councillors should be allowed to serve, the peculiarity being that there were two Councillors sharing the post for birds. As had been stressed when the post-sharing arrangement had been agreed, no additional costs would be incurred. An explanatory note would be provided in the documents illustrating the membership of the Sessional Committee.

127. The Standing Committee endorsed the recommended members of the Sessional Committee, including the accommodation of the two councillors for Birds and asked the Secretariat to seek a third candidate from the Asian region.

## **15. Analysis of Common Services**

### **15.1 Independent Analysis on Common Services and Synergies in the CMS Family**

128. The Executive Secretary introduced document [UNEP/CMS/StC44/15.1](#), the independent evaluation that had been called for in [Resolution 11.3](#). The report had been produced by Oberthür and Roessing of the Vrije Universiteit in Brussels.

129. Professor Oberthür gave an [overview](#) of the highlights of the report, which contained an introduction, a description of the status quo, an analysis of the implications and some possible options to pursue. Interviews had been held with a number of people inside and outside the Secretariats. Further synergies between the Secretariats of the CMS Family could be achieved in two ways – formally through institutional linkage and informally; the two approaches were not mutually exclusive.

130. There were two examples of close synergies within the CMS Family, one being the integration of CMS and ASCOBANS and the other the pilot scheme of the Joint CMS/AEWA Communications Team. None of the options being put forward would require changes to the treaties themselves and the legal autonomy of each instrument would be maintained, as although memberships largely overlapped, they were not identical.

131. It had proved impossible to indicate the financial implications of the hypothetical options. The only precedent that might provide insights was the merger of the Basel, Rotterdam and Stockholm Conventions (the “chemicals cluster”) where 20 per cent of the costs of the services merged had been saved. On this basis, CMS might achieve savings up to €165,000, but these would probably take some time to work through. It was also not guaranteed that the Convention would benefit from the economies as Parties might decide to recoup the money themselves rather than reinvest it in implementation. In the longer term, benefits would accrue through economies of scale, greater specialization, more resilience and less duplicative work, which should outweigh the short-term disadvantages in the transitional period and reduced administrative autonomy where staff members were shared.

132. The report’s recommendations focused primarily on the Bonn-based instruments for the short to medium term. The three options were:

- The non-institutionalized synergies that were already taking place could continue and be increased. The additional benefits that could be achieved were however limited.
- Common services could be extended to cover more areas using a step-by-step approach, one possibility being conference services. A decision to proceed along these lines would require the approval of the governing bodies of the instruments concerned and appropriate arrangements would have to be agreed between the secretariats concerned.
- The services required by all instruments could be shared straightaway. This would involve a high risk of disruption but the teething problems would occur and be dealt with and then disruption would cease. This approach would need to be managed properly and have buy-in from the staff affected.

133. The second and third options would also require regular reporting from the Secretariat to the governing bodies. The second option had the best potential but the prerequisites were whole-hearted support from the Parties and proactive change management.

134. The Chair thanked the consultant for the clear and concise overview and opened the floor to comments from members of the Committee.

135. France said that the review was too theoretical and did not provide a detailed financial analysis of the options, but thanked the consultants for their presentation and expressed the view that the second option was the most practical. The report however provided a basis upon which to build and

it would be important to concentrate on enhanced efficiencies and avoid disrupting those instruments and services that already worked well. France would also have preferred to have had earlier sight of the draft report.

136. Germany also supported the second option which was also the choice of the Member States of the EU (see Annex 1). The study was to be welcomed as it highlighted potential of the synergies, while providing a balanced analysis of the advantages and disadvantages. He agreed that some expectations had not been fully met, but the report at least gave pointers in the areas where details were lacking. On the whole, there was a great deal of material upon which Parties could base a decision. Judging from the precedents of CMS/ASCOBANS and the chemicals cluster, closer cooperation would be beneficial for all involved. Germany also agreed that UNEP should be asked to facilitate.

137. Australia also welcomed the report and the balanced presentation of the options, but shared concerns at the lack of detail in some respects. More work would be necessary in identifying which services should next be merged, which should include producing a prioritized list with the rationale justifying merger.

138. South Africa also welcomed the report. The third option seemed to have more drawbacks while the second seemed the more cost-effective and more feasible, even if the details required more elaboration, through due process and thorough consultation.

139. Ukraine wanted more clarity on the financial implications but agreed that the second option was the best, provided that the distinct identities of the participating instruments and the good work of secretariats could carry on.

140. Uganda welcomed the report but stressed that the decision on how to proceed should only be made after full consultation and with the agreement of all parties concerned and after the benefits had been clearly demonstrated, including reduced administrative costs and no impediments to the work of the secretariats. None of the options presented gave definitive answers and Uganda's preference was for a mixture of the first and second options. The final package would need to be agreed by the Standing Committee.

141. The Chair, speaking in his capacity of the representative of Norway, expressed his support for the second option.

142. UNEP highlighted a series of activities relevant to this item pertaining to the biodiversity-related conventions. It was pointed out that the CMS COP had mandated the review and UNEP was in principle supportive of measures to enhance synergies, with decisions by the UNEP Governing Council and latterly the United Nations Environment Assembly advocating closer cooperation and instigating projects involving all biodiversity MEAs. The InforMEA Information and Knowledge Management was an initiative involving 40 different entities, and the review of NBSAPs included a call for more synergies at national level. While there were often initial costs, the benefits outweighed the short-term disruptions, and the savings could be considerable (€700,000 for the chemicals cluster). There were potential gains for all members of the CMS Family and there was no reason for the individual instruments to lose visibility.

143. Costa Rica recognized the important work that had been done in compiling the report and expressed support for the second option which had a clearer vision and the changes that it entailed seemed to be more manageable.

144. The representative of BirdLife International said that one of the greatest strengths of the CMS Family was how closely it worked with NGOs. It was surprising therefore that BirdLife International had not been consulted during the process of compiling the report. BirdLife International did not have a preference among the options on offer, but whichever was chosen should be implemented under the guiding principle that it should provide the best value in terms of staff time and financial resources for delivering assistance to Parties in conserving endangered migratory species.

145. The Chair concluded the initial round of comments by observing that there was unanimous support for the second option. He proposed to convene a drafting group to elaborate the text of a decision, drawing on the comments made by the Committee. The draft text was projected on screen and the meeting proceeded to examine it one paragraph at a time.

146. The text highlighted the mandate for the exercise contained in [Resolution 11.3](#) and the importance of maintaining the autonomy and individual identity of instruments and stressed that the aim of synergies was to strengthen the participating organizations. It also referred to the pilot Joint Communications Team for CMS and AEWA.

147. The approach to be adopted was modelled on the second option presented in the consultants' report and initially the focus would be on the secretariats based in Bonn. The next step would be for the Executive Secretaries of CMS and AEWA to identify further areas for common services and estimate the financial implications, seeking advice from UNEP where necessary. It was stressed that no additional financial resources would be required. The Chair, given his role in AEWA, would convey the message to MOP6.

148. Members of the Committee made various suggestions to add, amend and delete text and move paragraphs from the operative section to the preamble. The representative of Uganda cited the text of the COP Resolution, which delegated authority to make decisions to the Standing Committee and equivalent bodies of the instruments, and he expressed unease that the Standing Committee was sub-delegating authority to the Chair. The Standing Committee should also receive the views of the governing bodies of the other instruments concerned. Other members felt that the spirit, if not the letter, of the Resolution was being respected. Given that the CMS COP and AEWA MOP and their Standing Committee met on different cycles, seeking agreement would be very time-consuming if draft texts had to be considered by the full bodies. It was agreed that the Chair should take matters forward and consult with the members of the Standing Committee inter-sessionally. While it was recognized that the matter was not urgent, the consensus view was that there was no point in delaying unnecessarily. The Executive Secretary advised the Committee that his reading of paragraph 5 of the Resolution did not preclude the Standing Committee from taking decisions and that the way ahead being proposed was similar to the approach taken with the pilot scheme of the Joint Communications Team. A postal procedure for signing off a decision seemed appropriate.

149. Following an intervention from UNEP, in which the desirability for achieving synergies across the entire organization generally and within the CMS Family was reiterated, it was agreed to add text, making any decision subject to the decisions taken at the forthcoming AEWA MOP and the principle was accepted that the Standing Committees of CMS and AEWA would be fully consulted.

150. Andreas Streit (EUROBATS) said that the text concentrated mainly on arrangements between CMS and AEWA. He pointed out that all Bonn-based instruments could potentially be affected by future common service arrangements and their interests also needed to be taken into account.

151. A revised draft text was prepared and presented to the meeting. There was some further discussion and some minor adjustments to the wording. With assurances given that the Standing Committees would be consulted and that the Chair would facilitate the final approval through a postal

procedure, members were satisfied that the way had been found, and the decision was adopted by the meeting.

152. The text of the Standing Committee's decision was agreed and is included as Annex 2 to this report.

## **15.2 Pilot Phase of the Common Information Unit**

153. The Executive Secretary explained the background to the piloting of a common information unit serving CMS and AEWA which had its roots in [Resolution 10.9](#) Future Structure and Strategies of the CMS and CMS Family adopted in Bergen and complemented by AEWA MOP [Resolution 5.17](#) Institutional Arrangements: Standing Committee.

154. The functions covered by the Joint Team were explained and these included: maintenance and development of the websites, press work, writing articles, campaigns, social media and CEPA. The team comprised AEWA's P2 Media Officer as the coordinator, a part-time P2 Assistant Programme Officer (currently being recruited and now covered by a consultant), the CMS Senior Information Assistant, AEWA's part-time Information Assistant, a part-time Information Assistant from CMS who was a native French-speaker, and a Consultant Editor. This Team had a wider range of skills and experience and enabled costs to be shared (e.g. in web development). Some adjustment had been required as staff became accustomed to the new structure, and with the Team serving two Secretariats more planning and coordination were required at the managerial level, especially during the initial stages. Successes to date included the unprecedented media coverage achieved during COP11 and the series of articles published in international media.

155. There were no questions from the floor and the report was duly noted.

## **16. Procedural Issues**

### **16.1 A Review Process for the Convention**

156. The Executive Secretary introduced document [UNEP/CMS/StC44/16.1](#) setting out proposed terms of reference for a working group as required by [Resolution 11.7](#) which requested that options be examined for improving implementation through a review process (Annex 3). Proposals were to be elaborated for submission at COP12, drawing on examples of similar processes within the CMS Family (e.g. AEWA and ACCOBAMS) and beyond (e.g. the Ramsar Convention).

157. It was proposed that a working group of the Standing Committee should be established with one member from each region. The working group would elect its own chair and vice-chair with advice to be provided by the Executive Secretary. To save on costs, the working group should meet in the margins of the Standing Committee, although an initial meeting would be required before the 45th meeting of the Standing Committee.

158. The working group and any consultancy that might be required would not be funded from the core budget and some tentative offers of voluntary contributions had been made.

159. The Standing Committee was invited to review and adopt the draft terms of reference.

160. Germany recalled the discussion of this issue in Quito where the EU Member States had expressed some scepticism about the necessity for any such process but did not wish to prejudge the issue and supported the establishment of the working group. It was suggested that the terms of reference should charge the working group with more than conducting an exercise of comparing what

other Conventions did and a recommendation that the status quo (a “zero option”) be retained should not be precluded.

161. The terms of reference were adopted with the inclusion in paragraph 6 of the possibility of adopting a “zero option” and the Secretariat was requested to seek funding and members to serve on the working group (see Annex 3).

## **17. Communication, Information and Outreach**

### **17.1 CMS/AEWA Communications Strategy**

162. The Executive Secretary gave an update on the development of the CMS Communications Strategy, explaining that the intention was for CMS to develop a more global strategy and for AEWA to align its strategy with more specific detail relating to the Agreement. There would be certain tools and elements common to both Strategies.

163. The AEWA Strategy was in a greater stage of readiness given that there was a commitment to present a draft to the forthcoming MOP. For CMS, it was intended to present a well-developed draft at the next meeting of the Standing Committee.

## **18. Synergies and Partnerships**

164. The Executive Secretary gave a brief overview before going into greater detail on the specific points covered in the sub agenda items. CMS had worked with CBD and other biodiversity-MEAs to ensure that environmental concerns were covered in the Sustainable Development Goals. CMS remained active in the BLG and the informal advisory group established [Decision XII 6 of CBD](#) (Cooperation with other conventions, international organizations and initiatives). A planning meeting to agree arrangements for a workshop with the objective of elaborating options to enhance synergies and improve efficiency among the biodiversity-related conventions had been held in September in Geneva, and consideration was being given on how to select participants. A wide geographic coverage was thought to be desirable and in some cases the CBD Focal Point also served in the same capacity for CMS. The Secretariat would communicate with the Standing Committee to secure the requisite nominations in time for the workshop which was taking place in February 2016.

165. The BLG had met twice since COP11 once by video and once face to face. The BLG had been able to discuss the way ahead following the COPs of CMS, CBD and the Ramsar Convention, all of which had met in the course of 2014.

166. Related to [Resolution 11.11](#) the Secretariat had issued a notification in July on enhancing the relationship between the CMS Family and civil society. One reply had so far been received (from Wild Migration). The Secretariat would report on developments at the next meeting of the Standing Committee.

### **18.1 Joint Work Plan CMS and CBD**

167. In keeping with [Resolution 11.10](#) on Synergies and Partnerships, a series of joint activities between CMS and the Convention on Biological Diversity for the period 2016-2018 had been identified and were set out in Annex 2 of document [UNEP/CMS/StC44/18.1](#). This document also reported on the activities undertaken in the period 2012-2015.

168. France stressed the need to integrate the Sustainable Development Goals and the Aichi Targets and closer work on developing the online reporting system to ensure redundant questions were eliminated.

169. The Executive Secretary assured the meeting that the BLG was working towards closer alignment of the National Reports required by MEAs.

170. The draft Joint Work Plan for CMS and CBD was endorsed by the meeting.

## **18.2 MOU with the Indian Ocean Tuna Commission (IOTC)**

171. As [Resolution 10.14](#) called for cooperation with Regional Fisheries Management Organizations, the Secretariat presented a [draft memorandum of understanding](#) (MOU) with the Indian Ocean Tuna Commission (IOTC). The revised document included a number of suggested amendments proposed by Japan through IOTC.

172. France pointed out some discrepancies in the French translation and asked that a clearer reference be made to migratory species. Speaking on behalf of the EU, France was generally in support of proceeding with the MOU, but suggested that the direct reference to sharks and rays be placed in square brackets. It should also be made clearer if the goal of CMS was to conserve endangered species or to promote sustainable use. A request was made that Parties should be consulted on the drafting of such documents at the earliest opportunity and be more closely involved in the process in future.

173. Germany pointed out that sharks and rays were now higher on the conservation agenda than ever before because they were becoming endangered as a result of certain fishery practices. More shark species had been listed on the CMS Appendices and the Sharks MOU had been negotiated. It was noted that Japan had expressed its misgivings at the IOTC, but Germany felt that the CMS Parties should not soften their position and should continue to include all species of concern. Germany also did not share the concerns of some other Parties regarding communication.

174. Australia also had reservations about Japan's amendments. The proposed MOU would cover Appendix I and II species, and the suggested addition of a reference to sustainable use was problematic given that this was not a concept recognized in the CMS text. It was also not appropriate because of the Appendix I species mentioned.

175. Melanie Virtue (Aquatic Unit, CMS Secretariat) welcomed the comments, pointing out that the original intention was that the MOU would be between the IOTC and the IOSEA Marine Turtle MOU, but it had been decided to broaden its scope to cover all of CMS. While sustainable use was not a term contained in the Convention text, it was a concept recognized by some CMS instruments, including the Sharks MOU. The next Meeting of the Signatories to the Sharks MOU would take place before the next meeting of the IOTC and a decision could be taken by the Signatories whether they too wanted to enter into an MOU with the Commission. With regard to communication, the Secretariat had followed the same procedure as with the Joint Work Programmes with CBD and the Ramsar Convention, and had brought the draft to the Standing Committee rather than circulating it to all Parties.

176. An ad hoc drafting group was established which convened in the margins of the meeting. It was agreed to place the reference to sharks and rays in square brackets and await the outcome of the Meeting of Signatories to the Sharks MOU and to reject Japan's suggestion of adding a reference to sustainable use. There being no other comments, the draft was adopted as amended for onward transmission to the IOTC for their consideration.

### 18.3 Cooperation between CMS and Ramsar

177. [Resolution 11.10](#) (synergies and Partnerships) was also relevant with regard to [the Joint Work Programme](#) (JWP) with the Ramsar Convention. The existing JWP was due to expire at end of 2015 and an updated draft had been elaborated.

178. There were no comments from the floor and the revised JWP with the Ramsar Convention was duly endorsed.

### 18.4 Advice on CMS Priorities to the GEF

179. Aline Kühl-Stenzel (Secretariat) gave a presentation following on from the discussion at COP11 on the importance of gaining access to funding under the Global Environment Facility (GEF) for CMS. [Resolution 11.10](#) adopted in Quito had welcomed CBD [Decision COP12 XII/30](#) and requested to establish a process for the provision of elements of advice for the Global Environment Facility concerning the funding of the national priorities for the CMS aligned with the implementation of the Aichi Biodiversity Targets. To this end, the Secretariat had issued a notification to Parties on 17 September 2015 drawing attention to the questionnaire issued by the CBD Secretariat on funding needs for the seventh replenishment period (July 2018-June 2022). The deadline for responses to CBD was 19 October 2015; the CMS Secretariat had not at the time of the meeting received any replies directly to its notification.

180. The Secretariat circulated a draft of a communication to be sent to the CBD Secretariat for onward transmission to CBD COP13 which would then approach the authorities overseeing GEF. It identified a number of activities related to CMS that should be considered eligible for funding that were aligned to focal areas under GEF. It was noted that a small grant had been awarded to Afghanistan to revise its NBSAP, and this presented an opportunity to promote the conservation of migratory species in this new CMS Party. Issues of general concern for CMS based on COP11 mandates included ecological corridors and infrastructure, restoring and maintaining global flyways, bycatch and marine pollution (including noise, debris and unexploded ordnance).

181. The Executive Secretary said that the mandate from the Future Shape process and COP11 was for the Secretariat to engage with the GEF more, and it was agreed that the best way would be to channel CMS Parties' requests through CBD. For this reason, the draft communication had been prepared and the Standing Committee's comments were being sought.

182. Supporting the Secretariat's initiative, Germany emphasized that at the negotiations for the sixth replenishment anti-poaching measures were made eligible but it was not clear whether Range States were acting on this.

183. Australia felt that the absence of a background document from the Secretariat might be contributing factor to the lack of response from the Committee. The Executive Secretary replied saying that the Secretariat had followed up on the actions required by the COP and no document had been prepared partly because of the lack of reaction from Parties to the notification. It was also not entirely clear what information and input the CBD Secretariat was expecting as no template had been provided.

184. Resuming the discussion on the second day of the meeting, Parties were invited to comment on the draft communication to the CBD Secretariat.

185. France welcomed the draft but questioned whether the section regarding NBSAPs was in the right place. The Secretariat pointed out the importance of having the conservation of migratory species included in revised NBSAPs, as had been stressed by the Chair of the Working Group on the Strategic Plan during her presentation. It was proposed to add reference to NBSAPs in the preamble.

186. Germany fully supported the essence of the draft and pointed to the very positive experience of GEF with the Wings over Wetlands project. Cross-boundary projects now faced a disadvantage as individual countries had to submit proposals. Germany made several proposals to amend the draft text by softening some of the language. Germany also suggested leaving the section on NBSAPs where it was.

187. Bolivia welcomed the draft but agreed with Germany that the language should be softened in places. Bolivia also suggested some reordering of text and the addition of a reference to connectivity in the context of freshwater fish.

188. The Secretariat revised the text and an amended draft was prepared and projected on screen. There were no further substantive comments and the text was agreed (see Annex 4)

## **19. Dates and Venue of the 45<sup>th</sup> Meeting of the Standing Committee**

189. The Executive Secretary suggested that the 45th Meeting of the Standing Committee be held on Bonn at the UN Campus at approximately the same time of year in 2016, the exact dates to be decided after consulting the international environment calendar to avoid clashes. The Secretariat would notify Parties of the agreed dates as soon as possible.

## **20. Any Other Business**

190. Mr van Klaveren (ACCOBAMS) described the objectives of the [ACCOBAMS Survey Initiative \(ASI\)](#) which would be carried out over the period 2016-19.

191. The Agreement covered the Mediterranean and Black Sea and the adjacent Atlantic waters. The extension covering the whole Portuguese coast and northern Spain into the Bay of Biscay had been agreed but was not yet in force as Parties still had to ratify it. The Agreement Area included parts of three continents: Europe, Africa and Asia.

192. Mr van Klaveren explained the rationale behind the ASI which would seek to help implement Resolutions of ACCOBAMS, CMS, the Barcelona and Bern Convention and EU legislation and to help meet the Sustainable Development Goals. Areas covered included surveys of species abundance (akin the SCANS surveys done for the ASCOBANS area), standardization of data gathering, climate change and fundraising. Three important components were: data collection, management practices and reinforcing local capacity.

193. The Chair commented that the survey seemed ambitious and to cover important ground of relevance to the Convention, so he encouraged ACCOBAMS to liaise widely to attract as much support as possible.

## **21. Concluding Remarks**

194. After the customary expressions of thanks to all those who had contribution to the organization and smooth running of the Meeting, in particular the Chair, the Secretariat, the German Government for providing the interpretation and hosting a reception, the interpreters, members of the committee, observers and invited experts, the Chair declared proceedings closed.

## **European Union and its Members States position on the « Independent Analysis on Common Services and Synergies in CMS Family »**

### **A. Background**

At the last CMS Conference of Parties (COP), November 2014 in Quito/Ecuador, the parties adopted the resolution 11.3 “Enhancing Synergies and Common services among the CMS Family Instruments”.

This resolution requests an independent analysis and report on the legal, financial, operational, and administrative implications of actions to enhance synergies, such as through sharing services in common service areas.

### **B. Speaking Notes**

- The European Union and its Members States welcome the study “Implications of actions to enhance synergies”. It contains a theoretical analysis of the potential of synergies which can be achieved within the CMS Family. It highlights the general advantages and disadvantages of strengthened cooperation.
- The European Union and its Members States noted that some stakeholders have been interviewed and the interviews are published. This is a valuable source of information for the StC and leads to transparency.
- The study has been commissioned to report and evaluate the legal, financial, operational, and administrative implications of actions to enhance synergies, such as through sharing services in common service areas. The question on legal aspects has been answered clearly. The analyses of the CMS Family and the interviews have contributed to answer the remaining points; this first exercise has been helpful. However, due to different constraints and circumstances the study has not addressed concretely the services which could be shared and thus has not been able to give that clear and definite evaluation of all implication with regard to sharing services as Parties to CMS might have expected.
- The interviews have revealed shortcomings in a joint vision of interviewed stakeholders, the need for a mutual trust, more transparency and a common understanding of the “direction of travel”.
- Based on the experiences with the Chemical Conventions and the example of CMS/ASCOBANS cooperation the European Union and its Members States remain convinced that sharing of common services could be beneficial for each Convention/Agreement/MoU participating. The European Region wishes that this process is pursued taking into account the need for concrete cost-benefit analysis and the competences of the respective Agreements. We are ready to give a clear mandate in this regard.
- The European Union and its Members States follow the recommendation of the study to focus on Bonn-based Secretariats for the time being.

- The European Union and its Members States plead to follow the direction offered under option 2 “stepwise sharing of services”.
- The way forward and the next steps including the order of further services to be shared should be developed by the Secretariats. The StC should direct the CMS Secretariat with this aim and the competent bodies of AEWA and EUROBATS should be invited to consider directing their Secretariats accordingly.
- The European Union and its Members States would like to ask UNEP to facilitate the communication among the Secretariats.

## **Decision of the Standing Committee with regard to Enhancing Synergies and Common Services among the CMS Family Instruments**

*Mindful* of the legal autonomy of each of the CMS Family Instruments;

*Recalling* [Resolution CMS 11.3](#) “Enhancing Synergies and Common Services Among the CMS Family Instruments” and the role of the Standing Committee in moving the issue forward during the intercession of the COP including by establishing the benefits and disadvantages based on the independent analysis, to consider the outcomes of the Meetings of decision-making bodies of other CMS Family Instruments, and to take the appropriate decisions in accordance with these outcomes with a view to realizing enhanced synergies such as through sharing services in common service areas and report to COP12;

*Recalling* also the decision of the 9<sup>th</sup> Meeting of the AEWA Standing Committee that requests the Executive Secretary of AEWA and the Executive Secretary of CMS to develop further synergies between AEWA and CMS and take actions to merge common services and common areas in an effort to redirect the focus of the Secretariats towards strengthening implementation support;

*Welcomes* the independent analysis and report on the legal, financial, operational, and administrative implications of actions to enhance synergies, such as through sharing services in common service areas to the decision-making bodies of the wider CMS family;

*Notes* that the independent analysis contains important information of the potential of common services which can be achieved within the CMS Family. It highlights the general advantages and disadvantages of strengthened cooperation, while also noting that other types of synergies could be important with CMS Instruments based outside of Bonn;

*Emphasizing* that the goal of the sharing services among CMS instruments is to fill gaps, be mutually reinforcing, produce efficiencies and increase output and that sharing common services should be aimed at strengthening the implementation of the instruments involved and maximizing the effective and efficient use of resources at all levels;

*Decides* to take a stepwise approach with the Bonn-based instruments and notes that the potential common service areas which the independent analysis suggests could benefit the most from joint approaches include capacity building, cross-cutting implementation issues, conference services and fundraising;

*Convinced* that the best approach to implementing common services between the CMS and AEWA Instruments, and subject to the decision of the AEWA MOP, is through the Executive Secretaries mutually agreeing on potential services in consultation and with the advice of UNEP and proposing agreed services to the Standing Committees for approval, and regular reporting on progress, lessons learned, and financial cost savings to the Standing Committees.

*Agrees* that any proposed common services should not have any additional financial requirements on the Secretariats and should preserve their identity and improve efficiency;

*Invites* the 6<sup>th</sup> Session of the Meeting of Parties of AEWA to consider the independent analysis and this decision by the CMS Standing Committee and to consider strengthening further common services with the CMS;

*Invites* the Chair of the CMS Standing Committee, who concurrently is also the Chair of the AEWA Standing Committee, to communicate the outcomes of the CMS 44<sup>th</sup> Standing Committee on enhancing common services to the 6<sup>th</sup> Session of the Meeting of Parties of AEWA for its Parties consideration;

*Invites* other CMS Family instruments, starting with the Bonn-based Instruments to consider developing common services and synergies with the CMS Family through appropriate decisions of their respective governing bodies and to report these decisions to the Standing Committee for the development of a way forward on common services proposals.

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

*Bonn, Germany, 14-15 October 2015*

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UNEP/CMS/StC44/16.1/Rev

### **TERMS OF REFERENCE: WORKING GROUP ON THE DEVELOPMENT OF A REVIEW PROCESS UNDER THE CONVENTION ON MIGRATORY SPECIES**

#### **Background**

1. By its Resolution 11.7 (below), the Conference of Parties to the Convention on Migratory Species (CMS) decided to launch “an intersessional process to explore possibilities for strengthening implementation of the Convention through the development of a review process” (paragraph 1). Furthermore, it instructed the Secretariat “to propose terms of reference for a working group to be considered for adoption by the Standing Committee at its 44<sup>th</sup> Meeting” (paragraph 2).

#### **Objective**

2. To compare existing review mechanisms that strengthen implementation of other Multilateral Environmental Agreements (MEAs), including the agreements established under Article IV(3) of CMS; define the most appropriate, cost-efficient and effective options of a review process for CMS; and prepare a report with recommendations for consideration to the 12<sup>th</sup> Meeting of the Conference of Parties to CMS.

#### **Members of Working Group**

3. The Working Group will consist of one member of the Standing Committee from each region (or one alternate), in order to ensure a cost-effective process, while remaining open to participation by other interested Governments. It will elect a Chair and Vice-Chair, one from a developing and the other from a developed country, at its first meeting. The Executive Secretary of CMS will participate as an advisor to the Group.

#### **Terms of Reference for the Working Group**

- Discuss a comparative analysis of best practices of existing review mechanisms of MEAs, including the CMS Family agreements, taking into account their advantages, disadvantages and the cost involved;
- Discuss an assessment of the feasibility for an existing body within CMS to exercise the functions of a review process (e.g. Standing Committee);
- Prepare options for a CMS review process, including: determination of what parts of the instrument and its resolutions be part of the review process; cost analyses; and financial and institutional implications for CMS.

4. All options will be considered under the principles of cost-efficiency and effectiveness as well as practicality and practicability for the Convention. The option of retaining the status quo (‘zero option’) will also be considered.

### Working Arrangements

5. The Working Group will determine the structure of its work at its first meeting. Where at all possible, the Working Group will utilize existing meetings to conduct its work in order to reduce costs. The Secretariat will make available all expertise as required, including that of external consultants and experts if needed.

### Budgetary Implications

6. The Executive Secretary is requested to seek extra-budgetary resources, if required, in order to facilitate the participation of the developing countries that are represented on the Standing Committee in the meetings of the Working Group and for outsourcing some of the work.

### Timeline

<b>Activity</b>	<b>Timing</b>
Adoption of Terms of Reference for and establishment of Working Group	44 <sup>th</sup> Meeting of the CMS Standing Committee (14-15 October 2015)
Determination of structure of work and consideration of existing review mechanisms; Discussion of options for review mechanism and recommendations to CMS Conference of Parties	First Meeting of Working Group – stand-alone (June 2016)
Submission of review of progress	Second Meeting of Working Group back-to-back with 45 <sup>th</sup> Meeting of the CMS Standing Committee (2016)
Continuation of discussion started at First Meeting if required	If required - Third Meeting of Working Group (First half of 2017)
Submission of Report	12 <sup>th</sup> Meeting of the CMS Conference of Parties (October/November 2017)



**CMS**



# CONVENTION ON MIGRATORY SPECIES

Distribution: General

UNEP/CMS/Resolution 11.7

Original: English

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## ENHANCING THE EFFECTIVENESS OF THE CONVENTION THROUGH A PROCESS TO REVIEW IMPLEMENTATION

Adopted by the Conference of the Parties at its 11<sup>th</sup> Meeting (Quito, 4-9 November 2014)

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*Recalling* that the United Nations Environment Programme, in its *Guidelines on Compliance with and Enforcement of Multilateral Environmental Agreements* (2002), has identified “[s]trengthening of compliance with multilateral environmental agreements ... as a key issue”;

*Noting* that most major multilateral environmental agreements have established a process for facilitating implementation and providing support to those Parties experiencing difficulties with implementation;

*Aware* that two agreements within the CMS Family, the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA) and the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS), already have processes for reviewing the effectiveness of implementation measures (AEWA [Resolution 4.6](#), *Establishment of an Implementation Review Process* (2008), ACCOBAMS [Resolution 5.4](#), *ACCOBAMS Follow-up Procedure* (2013));

*Recognizing* that both compliance with the Convention’s obligations and the effectiveness of implementation measures are critical to the conservation and management of migratory species;

*Recalling* Article VII, paragraph 5, of the Convention, which provides that “the Conference of the Parties shall review the implementation of this Convention” and may, in particular, “make recommendations to the Parties for improving the effectiveness of this Convention”;

*Recalling* [Resolution 10.9](#), Activity 16, of the Future Structure and Strategies for CMS, which establishes a medium-term priority (by COP12–2017) to “improve mechanisms to measure implementation of CMS and its Family ... and identification of gaps and propose measures to close these gaps”; and

*Recalling* Article IX, paragraph 4, of the Convention, which directs the Secretariat “to invite the attention of the Conference of the Parties to any matter pertaining to the objectives of this Convention”;

*The Conference of the Parties to the  
Convention on the Conservation of Migratory Species of Wild Animals*

1. *Launches* an intersessional process to explore possibilities for strengthening implementation of the Convention through the development of a review process;
2. *Instructs* the Secretariat to propose terms of reference for a working group to be considered for adoption by the Standing Committee at its 44<sup>th</sup> Meeting;
3. *Instructs* the Standing Committee at its 45<sup>th</sup> Meeting to review any progress, if a working group is established, and report to the 12<sup>th</sup> Meeting of Conference of the Parties;
4. *Instructs* the Secretariat to support the process;
5. *Requests* UNEP, Parties and other donors to provide financial assistance to support the development of the review process; and
6. *Requests* the Secretariat, where possible, to reduce costs by convening potential meetings of the Working Group in the most cost-effective way.

**Decision of the Standing Committee with regard to developing elements of advice for the Global Environment Facility concerning the funding of the national priorities for CMS**

*Acknowledging* the potential of the Global Environment Fund (GEF) to facilitate the implementation of CMS and *concerned* that this potential is currently not realized in full;

*Recalling* [Resolution 11.10](#), which welcomes CBD COP12 [Decision XII/30](#) on the Global Environment Facility to enhance programmatic synergies among the biodiversity-related conventions and in this context requests the Standing Committee to develop elements of advice for the Global Environment Facility concerning the funding of the national priorities for the CMS;

*Further recalling* that [Resolution 10.25](#) requests the Executive Secretary to provide elements of advice as developed by the Standing Committee in time to be considered by the CBD COP13 so that they may be referred to the Global Environment Facility through the Conference of the Parties to the Convention on Biological Diversity;

*Noting* that to date the larger part of GEF allocations targets national rather than regional projects with multiple countries engaged, and that therefore the eligibility of CMS priorities as outlined in the CMS Programme of Work 2015-2017, contained in Annex V to [Resolution 11.1](#), is currently limited since the ranges of migratory species on CMS Appendices extend beyond one or more national jurisdictional boundaries and thus require regional conservation approaches;

*Further noting* that the CMS Programme of Work 2015-2017 contributes to the implementation of the Strategic Plan for Migratory Species (CMS [Resolution 11.5](#)), which is aligned to and complements the Strategic Plan for Biodiversity 2011-2020, including the Aichi Biodiversity Targets, by adding the necessary specificity for and focus on migratory species conservation;

*Further noting* the possibility of GEF funding for National Biodiversity Strategies and Action Plans (NBSAPs) in eligible countries, and *stressing* the importance for national focal points collaborating at national level to include priority actions on migratory species in the NBSAPs in line with [Resolution 11.10](#) and the CMS Guidelines on the Integration of Migratory Species into National Biodiversity Strategies and Action Plans (NBSAPs);

*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;

*Concerned* that the current Focal Areas and Themes under GEF do not adequately cover the needs of migratory species but also noting that the Aichi Targets provide full guidance for the GEF Focal Areas and Themes and that these are also the basis for the 16 targets in the Strategic Plan for Migratory Species adopted at CMS [COP11 Res 11.2](#);

*Noting* that migratory species have large ranges which extend beyond individual protected areas, and beyond national borders and that therefore conservation for these species needs to take into account entire ecological corridors and/or ranges;

*The Standing Committee:*

1. *Invites* the CBD COP13 to formally recognize the CMS Strategic Plan for Migratory Species, which directly contributes to the implementation of the Strategic Plan for Biodiversity 2011-2020, including the Aichi Biodiversity Targets, and consider it as an eligible policy tool when identifying priorities for targeted GEF funding;
2. *Encourages* Parties to submit joint applications for transboundary projects to facilitate this process in order to access a larger proportion of GEF funds for national, regional or global projects that cover migratory species;
3. *Recommends* that a larger proportion of GEF funds be made available for regional or global projects, relative to national ones;
4. *Further recommends* that the following priorities from the CMS Programme of Work 2015-2017 should be eligible to receive targeted funds under GEF:
  - 4.1 Restoring and maintaining ecological corridors for migratory mammals, as outlined in [Resolutions 11.1](#) and [11.25](#);
  - 4.2. Making infrastructure more wildlife-friendly, including roads, railways, fences, pipelines and other forms of linear infrastructure as outlined in Resolutions 11.1 and [11.24](#);
  - 4.3 Combatting wildlife crime and strengthening anti-poaching, including community-based approaches, as outlined in Resolution [11.31](#);
  - 4.4 Regional approaches for tackling the illegal killing of birds, including trapping and poisoning, as outlined in [Resolutions 11.1](#), [11.15](#) and [11.16](#);
  - 4.5 Restoring and maintaining global flyways, as outlined in the Programme of Work in [Resolution 11.14](#);
  - 4.6 Reducing marine pollution, including marine debris, noise and unexploded ordinance, as outlined in [Resolution 11.30](#) and elsewhere;
  - 4.7 Minimizing bycatch of CMS-listed marine species and reducing-post release mortality as outlined in [Resolution 10.14](#) and elsewhere;
  - 4.8 Mitigating threats to freshwater fish, such as habitat degradation, barriers to migration, bycatch and overexploitation, as outlined in [Resolution 10.12](#).
5. *Encourages* an increased effort to include the integration of national CMS implementation and mainstreaming of migratory species considerations into the National Biodiversity Strategies and Action Plans (NBSAPs), during the development and revision of these;;
6. *Invites* the Thirteenth Meeting of the Conference of the Parties to the Convention on Biological Diversity to consider the above-mentioned elements of advice in its guidance to the financial mechanism of the Convention on Biological Diversity.

**LIST OF PARTICIPANTS/LISTE DES PARTICIPANTS/LISTA DE PARTICIPANTES  
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