



**CONVENTION ON  
MIGRATORY  
SPECIES**

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12<sup>th</sup> MEETING OF THE CONFERENCE OF THE PARTIES  
Manila, Philippines, 23 - 28 October 2017  
Agenda Item 10.1

**DRAFT REPORT OF THE 45<sup>th</sup> MEETING OF THE CMS STANDING COMMITTEE**

*(Bonn, Germany, 9 – 10 November 2016)*

**45<sup>th</sup> Meeting of the Standing Committee**  
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## Draft Report

### Opening of the Meeting and Organizational Matters

#### 1. Opening Remarks and Introductions

1. The Chair, Øystein Størkersen (Norway), welcomed participants to the 45<sup>th</sup> meeting of the CMS Standing Committee, its last intersessional gathering before the 12<sup>th</sup> session of the Conference of the Parties (COP12) to be held in Manila in October 2017.

2. The recent report published by the Worldwide Fund for Nature (WWF) indicated that populations of birds and mammals had fallen by two-thirds since the 1970s, showing that the Convention was needed more than ever. It was essential to turn the tide, and to achieve this, politicians had to be persuaded to give greater priority to conservation. There were many people across the world determined to promote the cause of conservation, not least in China which the Executive Secretary had recently visited.

3. At the Strategic Plan Working Group (SPWG) over last two days, means of making CMS more relevant to governments had been discussed. One such means was cooperation through other UN agencies. CMS could not effectively tackle everything by itself and should seek to cooperate with civil society and NGOs too. It was also necessary to influence the business sector, as they could also affect policy and politicians.

4. Many factors were having a harmful effect on the environment including overfishing and illegal killing of wildlife. There was no better time than the present to tackle these problems. CMS, under the leadership of Bradnee Chambers, was moving in the right direction, but needed to refine its messages and be innovative; it could not adopt a “business as usual” attitude.

5. The Chair expressed his thanks to all those who had extended their sympathy following the tragic death of his son.

6. The Executive Secretary commended the Chair for his dedication to the Convention, applauding his continued commitment despite recent sad events.

7. The present meeting was an important one as it was the last opportunity for the Standing Committee to discuss matters face-to-face before COP12 in Manila. CMS and the other biodiversity-related conventions could make a difference and should strive towards achieving their aims of designating 17 per cent of terrestrial sites and 10 per cent of coastal habitats as protected areas, of reducing acidification, halting climate change and phasing out perverse subsidies for unsustainable fisheries and fossil fuel use.

8. The situation was not hopeless and there was positive momentum. More attention was being paid by decision-makers to the wildlife crisis and the recent IUCN World Conservation Congress in Hawaii, USA had seen new alliances forged and some encouraging outcomes. CITES had also just held its largest and arguably best Conference ever and had achieved great progress on many species, including several that were also listed under CMS. CMS COP12 could build on these advances. CMS was having a busy week as immediately before the Standing Committee, the SPWG had met and done further work on the elaboration of the Companion Volume which would contain concrete guidance on how to implement the Strategic Plan for Migratory Species (SPMS) adopted at COP11 and ensure that the conservation of migratory species was integrated into mainstream policies. Good progress had similarly been made on developing options for a possible review mechanism for the Convention

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

### **2.1 Provisional Agenda and Documents**

9. The Executive Secretary gave notice that two ceremonies would take place concerning the signing of Partnership Agreements with two NGOs (see agenda item 22). Two further information documents ([UNEP/CMS/StC45/Inf.2](#) and [Inf.3](#)) had also been submitted, the former relating to the recent CITES Conference of the Parties (COP17) and the latter by Uganda on the African lion (*Panthera leo*).

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

10. The Chair pointed out that the schedule being followed was contained in document [UNEP/CMS/StC45/Doc 2.2 Rev.1](#).

11. Subject to the changes referred to above, both the agenda and schedule were adopted as presented.

## **3. Rules of Procedure**

12. The Chair advised the meeting that the [Rules of Procedure](#) (ROP) adopted at the previous meeting would remain in operation unless there were any calls for changes.

13. Nopasika Malta Qwathekana (South Africa) said that South Africa had several amendments to propose including provisions concerning the voting rights of the country chairing the Committee. In the interests of allowing the meeting to proceed with its agenda, she did not intend to pursue the changes at the present time but would raise them again on a future occasion.

14. François Lamarque (France) speaking on behalf of all francophone countries pointed out that some documents had only become available in French very late and this made internal consultation more difficult.

15. The Chair noted the comments from South Africa and France. Any changes proposed to the ROP by South Africa would be considered when they were submitted.

16. The Executive Secretary apologized for the late availability of some documents. The Secretariat strove to ensure that documents were ready on time in all three languages. Some delays had occurred this time in respect of the translation of three of the longer submissions.

17. As no changes had been sought, the ROP used at the previous meeting would continue to apply.

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

### **4.1 44<sup>th</sup> Meeting of the Standing Committee**

18. The draft report had been circulated after the meeting and any comments received incorporated into the final draft. There being no further amendments proposed, the [draft report](#) was adopted.

## **Reports**

## **5. Depositary**

19. Introducing document [UNEP/CMS/StC45/Doc 5](#), Gerhard Adams (Germany) gave the report on behalf of the Depositary, announcing that since the previous meeting of the Standing Committee, two further countries had become Party to the Convention, namely the United Arab Emirates and Iraq, bringing the total to 124. He noted with pleasure that the United Arab Emirates was attending the meeting as an observer.

20. Germany continued to try to recruit new members through the Federal Foreign Office and Embassies abroad, and would welcome assistance from other Parties. The Executive Secretary's recent promotional visit to China was also a positive move.

21. The Depositary's report was noted.

## **6. Standing Committee**

### **6.1 Standing Committee Members**

22. The Chair noted that reports had been received from all regions. He called upon the regional representatives in turn to bring any highlights or additional information to the attention of the meeting.

23. Gina Cuza Jones (Costa Rica) for Central America mentioned that the second Meeting of the Signatories to the Sharks MOU had been held in San José in February 2016. Costa Rica was the only signatory from the Central American Region at the moment, but it was understood that Panama would sign shortly. Portugal had signed the MOU as had seven partner organizations at a ceremony during the Meeting of Signatories.

24. Governments in the region were supportive and were encouraging monitoring and capacity-building activities to supplement the efforts of NGOs. Civil society was perhaps not so well developed in the region but constructive cooperation was possible and should be stimulated further. There were also examples of strategic, cross-border initiatives involving Costa Rica, Panama and Honduras. Legislation and institutional infrastructure were being improved. Most countries in the region were parties to the Ramsar Convention and CITES and the underpinning legislation implementing these instruments also helped CMS-listed species.

25. The Chair thanked Costa Rica for hosting the successful Meeting of Signatories to the Sharks MOS.

26. Mr Lamarque (France) pointed out that consultations within the region were made more difficult because the email addresses in the list of National Focal Points were no longer valid in many cases. The feedback received varied greatly in quantity and quality, making compilation of the regional report more challenging. He questioned how useful the regional reports were and suggested that they might be improved if a template were provided indicating what information should be included.

27. The Executive Secretary said that France had reminded Parties of their duty to inform the Secretariat of changes of personnel and contact details, so that records could be updated. He added that the regional reports were for presentation to the Standing Committee but were not a formal requirement.

28. Mr Lamarque added that one recent development worth noting was the European platform on the management of geese under the auspices of AEWA. The declaration issued at the end of the related inter-governmental meeting held 11-12 May 2016 in Paris can be read [here](#).

29. Volodymyr Domashlinets (Ukraine) said that the CITES COP17 had taken some decisions relevant to CMS-listed dolphin species and to initiatives taken under ACCOBAMS on captive breeding. More details could be found on the [CITES website](#).

30. Narelle Montgomery (Australia) reporting on behalf of Oceania said that Australia and New Zealand had both attended the Advisory Committee of the Agreement on the Conservation of Albatrosses and Petrels in Chile in May 2016. New Zealand had agreed to host the next meeting. The Pacific Regional Environment Programme (SPREP) had declared 2016-17 to be the Pacific Year of the Whale and an exhibition of related art would open in March 2017.

31. Several signatories from the Oceania Region had attended the Sharks MOS in Costa Rica and Australia had provided a voluntary contribution towards the cost of the meeting.

32. Australia's strategy for threatened species continued to help several taxa, and Aus\$26 million had been allocated to various programmes for the benefit of migratory bird conservation, including many Central Pacific seabirds not covered elsewhere.

33. A project on marine turtles in Kiribati and the Solomon Islands had been funded by New Zealand following Cyclone Winston.

34. New Australian legislation had been passed to increase the penalties for disturbing and harming turtles and dugongs, with even greater fines applying around the Great Barrier Reef.

35. A wildlife conservation plan for migratory shorebirds affected many species listed under CMS or subject to bilateral agreements with Japan, the Republic of Korea and China. Australia had hosted a consultative meeting with these three countries in Cairns in October 2016 and a number of reports from the meeting were already available.

36. The (Far) Eastern Curlew (*Numenius madagascariensis*) had been added to Appendix I and the list of Concerted Action Species, so Australia had taken the lead in developing a Single Species Action Plan (SSAP), to the implementation of which a voluntary contribution from Australia had been assigned. Australia would be submitting a draft to the Sessional Committee of the Scientific Council in 2017, with the expectation that the SSAP might then be adopted at COP12.

37. Miguel Angel Molina Argandoña (Plurinational State of Bolivia) had also encountered problems with email addresses on the National Focal Point list being invalid. Also some of the meeting documents had not been available in Spanish until quite late.

38. The first Meeting of Signatories of the MOU for Andean Flamingos had taken place in Peru with a large number of participants. A Plan of Action had been agreed. Work was also continuing for other taxa including turtles and sharks.

39. Ms Qwathekana (South Africa) said that she too had experienced problems in trying to communicate with other countries in the region. However, she had been informed of developments in the GEF project for dugongs and seagrass which was being implemented in Mozambique and Madagascar as well as in several Asian countries adjoining the Indian Ocean. A project aiming to enhance the conservation of threatened marine turtles in north-west Madagascar was being funded by the US Fish and Wildlife Service. In Kenya efforts were being made in implementing the CMS and AEWA guidelines on the installation of powerlines. The annual count of waterbirds had been delayed because of financial problems. Uganda was increasing its efforts to conserve the Grey Crowned Crane (*Balearica regulorum*), its national bird, which was suffering as a result of habitat loss. Uganda, Rwanda and the Democratic Republic of the Congo were increasing their cooperation in the Greater Virunga Region.

40. Humbulani Mafumo (South Africa) reported that South Africa was a Party to two CMS Agreements and MOUs. Several of the SSAPs adopted under AEWA applied to South Africa, and South Africa had chaired one of the related working groups. One emerging issue was disease outbreaks, with an occurrence in March 2016 which had affected bird species listed under both CMS and AEWA. Poisoning remained a problem at both national and regional levels, but the government was engaging stakeholders on the issue of eliminating lead shot. Research was being conducted into the White-winged Flufftail (*Sarothrura ayresii*) and Grey Crowned Crane. The minister and the CEO of a major energy company had participated in one of the events organized to celebrate World Migratory Bird Day (WMBD) and a festival concerning the White-winged Flufftail had also been held. South Africa had attended the second Meeting of Signatories to the Raptors MOU and had participated in the regional workshop developing the Multi-species Action Plan for Vultures held in Dakar in October 2016. The South African expert, André Botha had been appointed as the coordinator. South Africa had also attended the CMS-CITES workshop in Entebbe, Uganda in May concerning proposals to list the African Lion (*Panthera leo*) on the CMS Appendices and up list the species under CITES. The revision of national conservation legislation meant that more migratory species were covered.

41. Ariuntuya Dorjsuren (Mongolia) said that progress was being made on the Species Action Plan for the Argali Mountain Sheep (*Ovis ammon*), and a concept was being developed for the

reintroduction of the Goitered Gazelle (*Gazella subgutturosa*) from Kazakhstan to Kyrgyzstan. Work and research were being conducted on the Snow Leopard (*Uncia uncia*). There had been several changes of Mongolian National Focal Point recently, but it was now hoped that the appointment would be more permanent. Mongolia had signed the London Declaration on wildlife crime and was planning to designate more protected areas and Ramsar Sites.

## 6.2 Observers

42. The Chair invited the representatives of the secretariats of instruments of CMS Agreements to make reports.

43. Rüdiger Stempel (Common Wadden Sea Secretariat - CWSS) [reported](#) on progress under the Wadden Sea Seals Agreement. The Agreement continued to be a success with the seal populations growing. The management plan was under revision and would be published in 2017. The CWSS was also working on waterbirds and was accordingly cooperating closely with AEWA.

44. For ASCOBANS, Heidrun Frisch-Nwakanma (ASCOBANS Coordinator) introduced document [UNEP/CMS/StC45/Doc.6.2.2](#). As ASCOBANS and CMS had a joint secretariat, there were many instances of cooperation.

45. Ms Frisch-Nwakanma had participated in the workshop on bycatch for secretariats which had taken place immediately after the first meeting of the Sessional Committee of the Scientific Council.

46. ASCOBANS was involved in the elaboration of the CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities.

47. The 8<sup>th</sup> Meeting of the Parties to ASCOBANS had been held in Helsinki, 31 August-2 September, and valuable assistance had been given by the Joint Communications Team in promoting some of the topics on the website. A number of Resolutions had been adopted as well as a revised recovery plan for the Baltic Harbour Porpoise (Jastarnia Plan).

48. Jacques Trouvilliez (AEWA) said that the 6<sup>th</sup> Meeting of the Parties to AEWA had taken place in November 2015, the year which saw the 20<sup>th</sup> anniversary of the Agreement being concluded. The MOP had adopted 21 Resolutions, some directly relevant to CMS, including one on [renewable energies](#) committing the Secretariat to continue involvement in the related Task Force. Six SSAPs had been approved or renewed.

49. As mentioned by France, the European platform on geese management had been established, with the first formal meeting scheduled to take place shortly in Sweden.

50. Synergies were being sought between CMS and AEWA, the prime example being the Joint Communications Team, the continuation of which had been approved by the AEWA Standing Committee.

51. AEWA was also reviewing its Strategic Plan 2019-2027 which was aligned to the Aichi Targets and the SPMS.

52. World Migratory Bird Day (WMBD) had been celebrated again in 2016. It had again been a great success and had benefitted from a generous voluntary contribution provided by the German Government.

53. Andreas Streit (EUROBATS) referred to the written report which had been published as document [UNEP/CMS/StC45/Doc.6.2.4](#). He thanked Germany, Luxembourg and Switzerland for their voluntary contributions which had enabled the Small Grants Programme to support conservation projects, typically five to seven each year. The next EUROBATS Meeting of Parties was due in 2018 and in the intersessional period 16 working groups were in operation, dealing with topics such as mitigating the effects of building insulation measures. Revised guidelines on wind turbines and wind farms had been prepared and were being translated. Progress was being made with synergies within the CMS Family with regular meetings of the executive secretaries.

## 7. Chair of the Scientific Council

54. Fernando Spina, the Chair of the Scientific Council, presented his report, document [UNEP/CMS/StC45/Doc7.Rev.1](#) covering the period since the 44<sup>th</sup> Meeting of the Standing Committee. His report was accompanied by slides.

55. Health problems had restricted Mr Spina's activities on behalf of the Convention, but he was now again able to dedicate more time within the constraints of his obligations to his employers.

56. One significant task had been the establishment of the Sessional Committee of the Scientific Council, taking the Convention into uncharted waters. Significant progress had been made and the Committee had held its first meeting in April 2016, and the Secretariat would soon publish the report. The Council needed the active involvement of its members and it had to be recognized that the Councillors were all extremely busy. Members of the Sessional Committee would have to be able to rely on support from other councillors from their regions. Revised Rules of Procedure for the Scientific Council were being developed taking account of the new structure.

57. Related to work on the illegal killing of birds and the Mediterranean Task Force, Mr Spina had attended a Bern Convention meeting in Tirana. He had also attended a workshop in Italy in June with the participation of regional governments and hunters and the 3<sup>rd</sup> African Congress for Conservation Biology in Morocco in September 2016.

58. For the fourth consecutive year, Mr Spina and the Bologna operatic choir, Lirica San Rocco, had given a benefit concert as part of the activities organized to celebrate WMBD. This year the proceeds were being donated to the campaign against the illegal killing of birds.

59. A workshop on connectivity had been held in Albarella, Italy the previous year and another one was being planned in March 2017 at which a draft resolution for submission to COP12 would be elaborated. The Po Delta National Park had already committed €30,000 towards the conference.

60. Animal culture was an area where CMS had a unique role as the only forum where it was being raised. Mr Spina served on the board of a National Park, which had promised to make a contribution of €25,000 towards the organization of a workshop.

61. The former prison on the island of Santo Stefano was being redeveloped and converted to other uses. This island was used for conducting bird censuses, and the construction of a new centre there could provide a platform for CMS to flag issues of concern.

62. The Chair commended Mr Spina for the commitment and enthusiasm that he was showing to CMS in the exercise of his role as Chair of the Scientific Council.

## 8. UNEP

63. Jiří Hlaváček (UNEP) presented the report of the United Nations Environment Programme (UNEP) contained in document [UNEP/CMS/StC45/Doc.8](#), which provided a snapshot of the most significant areas of collaboration between UNEP and the Convention since the previous meeting of the Standing Committee.

64. The first section of the report provided updates on programmatic collaboration in support of the implementation of the SPMS and decisions taken at COP11. The second section contained information on the administrative and financial management support provided to CMS.

65. The second session of the United Nations Environment Assembly (UNEA2) had passed several resolutions relevant to CMS and the SPMS, notably: [Resolution 2/5](#) on delivering on the 2030 Agenda for Sustainable Development, [Resolution 2/6](#) on supporting the Paris Agreement, [Resolution 2/7](#) on sound management of chemicals and waste, [Resolution 2/10](#) on oceans and seas, [Resolution 2/11](#) on marine plastic litter and micro-plastics, [Resolution 2/12](#) on sustainable coral reef management, [Resolution 2/14](#) on illegal trade in wildlife and wildlife products, [Resolution](#)

[2/16](#) on mainstreaming of biodiversity for well-being, [Resolution 2/17](#) on enhancing the work of UNEP in facilitating cooperation, collaboration and synergies among biodiversity-related conventions, [Resolution 2/18](#) on the relationship between UNEP and the Multilateral Environmental Agreements for which it provided the secretariats, [Resolution 2/19](#) on the midterm review of the fourth Programme for the Development and Periodic Review of Environmental Law (Montevideo Programme IV) and [Resolution 2/20](#) on the Medium-term Strategy for 2018–2021 and programme of work and budget for 2018–2019.

66. The Medium-term Strategy and Programme of Work and the sub-programmes on “Healthy and productive ecosystems”, “Environmental governance” and “Environment under review” provided a platform for collaboration with CMS and took into account the implementation of the Agenda 2030 for Sustainable Development and Sustainable Development Goals.

67. At UNEA2, the publication “[Role of Multilateral Environmental Agreements \(MEAs\) in achieving the Sustainable Development Goals \(SDGs\)](#)” was launched, providing an overview of the linkages between the current strategic plans, targets and indicators of various biodiversity-related MEAs and the SDGs.

68. Environmental crime was considered to be the fourth largest crime sector, with environmental, economic and social impacts. In [Resolution 2/14](#), on illegal trade in wildlife, UNEA2 had stressed its commitment to implementing [UN General Assembly Resolution 69/314](#) on tackling illicit trafficking in wildlife. In [Resolution 11.16](#), on the prevention of illegal killing, taking and trade of migratory birds, the CMS COP had invited UNEP to support the work of the Convention in that area.

69. In response, the Executive Director of UNEP had prepared an analysis of the environmental impacts of illegal trade in wildlife. Strongly evidence-based, the analysis enhanced the knowledge base for further development of tools to support policy-making. UNEP was also assisting with reviews and development of national legislation and capacity-building.

70. CMS had been one of the peer reviewers of the UNEP Report “[Marine plastic debris and micro-plastics: Global lessons and research to inspire action and guide policy change](#)”. The report was a contribution to the implementation of CMS [Resolution 11.30](#) on the management of marine debris. UNEP had also developed the first mass open online course on marine litter, which when it ended in January 2016 had had 6,500 registered students. A revised course for 2017 was being planned within the framework of the Global Partnership on Marine Litter, for which UNEP served as secretariat. As part of the Global Partnership on Marine Litter, the Food and Agriculture Organization of the United Nations (FAO) and UNEP had co-published the study “[Abandoned, lost and discarded gillnets and trammel nets. Methods to estimate ghost fishing mortality rates and levels and status of regional monitoring and management](#)”.

71. On the International Day for Biodiversity in May 2016, UNEP and the UNEP-World Conservation Monitoring Centre, in collaboration with the secretariat of the Convention on Biological Diversity, had launched a major series of regional reports, one each for [Africa](#), [Asia & the Pacific](#), [West Asia](#) and [Latin America & the Caribbean](#), entitled “The State of Biodiversity: a mid-term review of progress towards the Aichi Biodiversity Targets”.

72. CMS [Resolution 11.10](#) on synergies and partnerships called on the Secretariat to enhance implementation of the Convention through the process by which National Biodiversity Strategies and Action Plans (NBSAPs) were being revised (only 42 per cent of NBSAPs of CMS Parties specifically mentioned migratory species) and through cooperation with the UNEP regional offices and the secretariats of other biodiversity-related MEAs. A South-South experiencing-sharing workshop had been held in March aimed to highlight the role of NBSAPs in promoting synergies among biodiversity-related MEAs.

73. The European Union, Switzerland and Finland had funded a project on improving the effectiveness of and cooperation among MEAs, one output of which was the options paper “[Elaboration of options for enhancing synergies among biodiversity-related conventions](#)”. This paper set out 28 recommendations and 88 action points for consideration by the governing and

advisory bodies of CMS and the other members of the liaison group of the biodiversity-related conventions (BLG), including linkages to the 2030 Agenda for Sustainable Development.

74. UNEP continued to facilitate the MEA Information and Knowledge Management Initiative, which aimed to assist Parties in implementing their obligations under over twenty conventions through interoperable information systems that adhere to global standards and open-source technology. The CMS Secretariat was a member of the initiative and actively participated in its steering committee.

75. The [InforMEA web portal](#) provided access to decisions of the COPs of MEAs and news about events, Party membership, National Focal Points (NFPs), national reports and implementation plans. An evaluation survey showed that 73 per cent of NFPs and government officials surveyed indicated that the InforMEA portal facilitated their work.

76. The Great Apes Survival Partnership (GRASP) combined field projects and a policy agenda based on legislation, education and communication. The Apes Seizure Database had been launched at CITES COP17 in response to the Secretary-General's call for a coherent UN response to the illegal trade in wildlife. The database tracked illegal trafficking of great apes and therefore supported implementation of the CMS Gorilla Agreement.

77. The Executive Director's report on the administrative effectiveness of the arrangements and programme support provided by UNEP to the secretariats of MEAs had been submitted to UNEA2. The resolution based on the recommendations contained in that report called on the Executive Director to develop a flexible template for providing secretariat support to MEAs. The independence of MEAs would be recognized as well as the role of the Executive Director in ensuring accountability and adherence to UN rules. The Umoja accounting system had been in place for some time and was now moving from the initial adoption to the stabilization phase of implementation.

78. Mr Adams (Germany) welcomed the report showing the extent of the support offered by UNEP to CMS and how the UNEP would take the targets of MEAs into account in its own POW. He also welcomed the news that Umoja was working better, as problems had arisen for a number of MEAs in the initial stages. Regarding GRASP, he expressed the hope that UNEP would continue to support this initiative which was so important for gorillas. He also asked whether voluntary contributions provided to support the attendance of delegates from developing countries to COPs and MOPs could be exempted from the 13 per cent Programme Support Costs (PSC), allowing the funds to cover more participants.

79. Mr Lamarque (France) said that during a recent conference call regarding GRASP, some problems had been discussed. Key staff members had left or were about to leave, and France sought assurances that UNEP would continue to provide financial support.

80. Mr Hlaváček said that UNEP was seeking to ensure that the goals of CMS were incorporated into wider UNEP programmes as this would present opportunities for accessing funding. Regarding GRASP, the coordinator was indeed about to leave his post, and UNEP was considering the best options for the future management of the initiative. The Executive Director had shown great personal interest in great apes agenda. UNEP in cooperation with partners was working on creating the most favourable conditions for operations of GRASP office.

81. Didier Salzmann (UNEP) responded to the question concerning waiving the 13 per cent PSC on voluntary contributions for funding delegates. UNEP had to abide by the UNEA resolutions and other UN Rules which prohibited subsidizing one programme from another. UNEP in this context would consider the request.

## **9. Secretariat**

82. The Executive Secretary gave an overview of the activities of the Secretariat. Further issues would be covered in greater detail under agenda item 16 on the Programme of Work.

83. The Executive Secretary said that the Convention was becoming stronger both internally and externally. The Secretariat had undergone restructuring with the creation of teams responsible for species and cross-cutting support. COP11 had agreed to a more streamlined and efficient structure to the Scientific Council with the creation of the Sessional Committee, which ensured that the Convention still received high quality technical advice.

84. The CMS Family continued to work together in implementing the COP Resolution on synergies concerning common services endorsed by the AEWA Standing Committee of AEWA and overseen by the two executive secretaries. The Joint Communications Team had been established and its performance was exceeding expectations.

85. Following the successful experience of the staff retreat in 2015, during which a session on bycatch had been held, it was hoped that another similar event including the wider CMS Family would be held. Immediately after the Sessional Committee meeting in April 2016, a workshop for CMS Family Secretariats had been held on the subject of bycatch.

86. The Convention was also being strengthened with more countries joining and several non-Parties showing an active interest in the Convention's work. The funds provided by the European Commission (EC) for recruitment were bearing fruit, as membership grew, with eight new members in the last four years including the United Arab Emirates. The UAE had been involved with CMS prior to becoming a Party and had hosted and generously funded the CMS Abu Dhabi Office for several years. Accessions that might be expected in the near future included those of Brunei, Cambodia, the Dominican Republic, Malaysia and Vietnam. Contacts were being fostered with China, from where the Executive Secretary had just returned having participated in an accession workshop involving all the key ministries and agencies.

87. In May 2016 the Executive Secretaries of CMS and AEWA had both attended the 21<sup>st</sup> Meeting of the Canada/Mexico/USA Trilateral Committee for Wildlife and Ecosystem Conservation and Management in Ottawa. Unprecedented access to the Canadian Minister had been granted to both Executive Secretaries. It was recognized that CMS could provide a means of engaging other countries in the Caribbean and Central and South America. The CMS Executive Secretary also addressed the Brazilian Senate, as part of a follow-up visit to that country after its accession to CMS in 2015.

88. CMS continued to work with other MEAs both bilaterally and through the Liaison Group for Biodiversity-related Conventions (BLG). The BLG had met in Bonn for first time in eight years in August 2016, where ways of improving the coordination of GEF funding were discussed (see also agenda item 20).

## **Administrative and Budgetary Matters**

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

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

89. Bert Lenten (Deputy Executive Secretary) outlined the structure of the Secretariat following the reorganization, which had led to the creation of three species teams (for avian, terrestrial and aquatic species), supported by a Science Advisor and teams responsible for common services and communications. The Administration and Fund Management Unit provided by UNEP and funded through the 13 per cent PSC supported CMS, AEWA, ASCOBANS, EUROBATS and the outstations in Abu Dhabi and Bangkok.

90. The German Government funded the posts of a Junior Professional Officer in the avian team, the CMS/CITES Programme Officer and the Associate Programme Officer for the Sharks MOU.

91. The staff complement for CMS was the equivalent of 22.5 full time posts, with several staff working part-time.

92. The post of Coordinator of the Indian Ocean South-East Asia Marine Turtle MOU was largely funded through voluntary contributions from the signatories. This post was currently being advertised as the long-standing incumbent, the former Deputy Executive Secretary of CMS, Douglas Hykle, had recently retired.

93. The posts in CMS Office - Abu Dhabi, which provided the secretariats for the Raptors and Dugong MOUs, were funded through the generous support of the Environment Agency - Abu Dhabi on behalf of the Government of the United Arab Emirates.

94. There was a vacancy for the post of Capacity-Building Officer as the previous incumbent had moved to a new job at UNEP in Nairobi. The post was covered by a temporary staff member until the position could be formally filled.

95. The Associate Programme Officer for terrestrial species had left on maternity leave and would return to the Secretariat in February 2017, her place being temporarily taken by a consultant.

96. The post of coordinator of the Central Asian Mammal Initiative would be filled shortly, having been covered by a consultant in the interim.

97. The part-time post responsible for IT and the web had proved difficult to fill. It too was being covered temporarily by a consultant who was being engaged until the end of January 2018.

98. The G6 Finance Assistant had left CMS to work at IBPES. An existing G5 staff member had been promoted to fill the gap, leaving a vacancy at the lower grade.

99. The Administration and Fund Management Officer (AFMO) had applied for one year's unpaid leave of absence starting from February 2017. A temporary vacancy announcement had been issued to find a replacement.

100. Two members of staff, the Deputy Executive Secretary and the Registry Clerk, would reach retirement age in the course of 2017 and would therefore also be leaving the Secretariat.

## **10.2 CMS Trust Fund**

101. Mr Espinoza Herrera (Ecuador), the Chair of the Budget and Finance Sub-Committee, thanked his predecessor, Australia for having chaired the Sub-Committee up to 2015, and the other members and the Secretariat for their support.

102. Sandra Rücker (AFMO) presented document [UNEP/CMS/StC45/Doc.10.2](#), explaining first that 57 Parties had paid their 2016 subscriptions, meaning that arrears for 2016 and previous years amounted to €1,143,118. The contributions received from Parties that had acceded since COP11 had been allocated to priority actions in POW and to COP12. She pointed out that most of the core budget covered staff costs, with activities funded by voluntary contributions, so the level of arrears was high and alarming as it could lead to cash-flow problems. However, the projected end-of-year balance of the Trust Fund Reserve was US\$772,619 (the minimum required was US\$500,000).

103. In preparing budgets for COP12, a new format compatible with the Umoja accounting system was being used with some of the previous categories merged. An annex would be attached containing a separate staffing table.

104. Following CITES, ASCOBANS and AEWA, CMS would adopt new UN standard staffing costs. These were not based on the incumbent staff members but on average costs of staff of the various grades taking local circumstances and the new mobility rules into account. The net effect of the change including the customary two per cent inflation-proofing was a seven per cent increase in the Secretariat's salary costs. This increase had given rise to concerns for several members of the Finance Sub-Committee. In preparing budget options for consideration at COP12, the Sub-Committee requested three variants including one with zero growth. The Parties' contributions to the next budget would also be based on the new UN scale of assessment due to be published in December 2016.

105. The Sub-Committee had also approved a proposal to withdraw US\$84,737 from the Trust Fund. The Standing Committee endorsed this suggestion.

106. Mr Adams (Germany) agreed with the proposal to draw on the Trust Fund. With regard to the adoption of standard salary costs, he was alarmed at the resultant seven per cent increase given that rises agreed at recent COPs had been close to zero in real terms. However, the Secretariat could not be exposed to the threat of not being able to pay its staff's salaries. Some reassurance could be taken from the fact that the budget in previous years had produced underspends, so surpluses on some lines could be used to offset deficits elsewhere or be carried over into subsequent years.

107. The Executive Secretary assured the meeting that everything possible had been done to minimize the impact. There was no standard cost calculation for Bonn, so Nairobi and other high cost stations had been used as a model. It did not make sense to budget on the basis of the incumbent officers, as family circumstances changed and individual staff members moved and had to be replaced. The prudent course was to adopt the new standards with the caveat that any underspends would be recycled, securing the Secretariat's finances and not penalizing Parties should the budget set prove to be overcautious.

108. George Owoyesigire (Uganda) raised the issue of arrears and understood that reminders had been sent to Parties that had not paid their contributions. He wondered how strongly worded the reminders were, since many Parties had still not paid. He also suggested that the projected seven per cent increase in salary costs could in part be offset by the additional subscriptions of new Parties.

109. The Executive Secretary reemphasized the point made by the AFMO that the Convention had little leeway in adjusting its finances as the bulk of the core budget was taken up with covering salary costs.

110. Mr Lenten said that the United Nations Office in Nairobi issued the initial invoices to Parties and the Secretariat in Bonn sent reminders when payment was not received. CMS had a policy of excluding Parties with arrears greater than three years from holding office under the Convention or receiving sponsorship to attend meetings. It would not be possible to indicate what Parties would be asked to pay until the new UN Scale was published. If more countries joined the Convention, the financial burden would also be spread wider.

111. Mr Lamarque (France) asked whether the Secretariat had ever considered introducing a minimum contribution as was the case with AEWA.

112. Mr Lenten replied that a proposal for a minimum contribution had been considered at COP10 but had been rejected. While it was true that very small contributions cost more to administer than they were worth, non-payment of such small contributions did not affect the Convention's finances. If several Parties did not pay a minimum of say €1,000 or €2,000, the effect would be more tangible.

113. Mr Trouvilliez (AEWA Secretariat) said that AEWA had a minimum annual contribution of €2,000. It had not been a straight-forward decision. On one hand, it reduced the administrative burden of managing small transactions, but on the other the Secretariat did have to monitor payments and chase National Focal Points as the arrears did have more impact.

114. Mr Streit (EUROBATS Secretariat) said that his Agreement also had a minimum contribution (€1,000 per annum) and was considering increasing it to the same level as AEWA; there was no suggestion that it should be abolished. So far, the experience for EUROBATS had been positive. The smaller contributors also tended to be countries eligible for financial support, so remained net recipients even with the minimum contribution set at €1,000.

115. The Chair asked that regional representatives on the Standing Committee assist the Secretariat in chasing Parties in arrears. He also confirmed that the Secretariat's request to

withdraw money from the Trust Fund endorsed by the Sub-Committee had been approved by the Standing Committee.

### **10.3 Resource Mobilization**

116. Laura Cerasi (Associate Fundraising and Partnerships Officer) explained that in excess of €630,000 had been received from the Governments of Australia, Finland, Germany, Monaco and Switzerland by way of voluntary contributions to fund CMS activities. She highlighted that a number of the contributions received the previous year were to cover activities to be implemented during the course of the triennium 2015-2017. Words of thanks went all these donors as well as those that provided Indirect financial and in-kind contributions. Details are included in [Doc 10.3](#). This was in addition to the US\$8.1 million pledged from the United Arab Emirates to fund the CMS Office in Abu Dhabi (an error in the document [UNEP/CMS/StC45/Doc 10.3](#) would be corrected) and funds provided for the Sharks and Indian Ocean and South-East Asia Marine Turtle MOUs. Further voluntary contributions were, however, needed if more of the Programme of Work were to be implemented.

117. The Secretariat was cooperating with UNEP to identify further sources of funding as well as with the EC under its Global Public Goods and Challenges Programme. Confirmation was pending on whether CMS would participate in an EU project in Southern, Eastern and the Horn of Africa as part of a programme involving the Regional Economic Communities. Under this project, in partnership with CITES and UNODC, CMS would be the lead implementing partner, responsible for the establishment of Transfrontier Conservation Areas in the regions with a budget of over €2 million. Two large applications had been submitted to the German Federal Environment Ministry's International Climate Initiative – one concerning the Dugong and sea grass and another on Asian mammals. Confirmation on their acceptance was pending.

118. A number of Notifications had been issued to Parties drawing their attention to various funding opportunities and offering the Secretariat's support in the form of letters of endorsement.

119. With COP12 looming, Ms Cerasi drew the meeting's attention to the need for offers to provide funds to sponsor the participation of eligible delegates.

### **Strategic and Institutional Matters**

#### **11. Preparation for COP12**

120. Ms Virtue (CMS Secretariat) explained that the new Rules of Procedure (ROP) required that draft Resolutions and Decisions with a scientific element needed to be submitted to the Secretariat 150 days in advance of the COP so that they could be referred to the Scientific Council. The deadline for non-scientific Resolutions and Decisions was 90 days before the start of the COP. The reference in the ROP to the Standing Committee was open to interpretation. The timetable for submissions contained in [UNEP/CMS/StC45/Doc.11](#) indicated that the Scientific Council would consider drafts during its Second Sessional Committee meeting in the week of 10-14 July 2017. The deadline for publishing all documents on the web was 23 August. The open question was how the Standing Committee was meant to respond to any comments from the Scientific Council within this tight time frame.

121. The Chair proposed publishing the comments of the Scientific Council in a standalone document and asking the Standing Committee members to send their reactions to him. He also remarked that August fell in the summer holiday season in the northern hemisphere, so some delays might be expected.

122. Mr Lamarque (France) hoped that documents would not all be submitted on the deadline, and that those received before could be transmitted to the Standing Committee without delay.

123. Ms Montgomery (Australia) felt that only ten days for regional consultation was insufficient. She requested that the Standing Committee be informed of draft resolutions with scientific elements as soon as they were received.

124. Mr Adams (Germany) having read the appropriate rule in the ROP felt that the Standing Committee's mandate was quite narrow, being confined to ensuring consistency with the Convention and its procedures, and there was no need for it to try to second-guess the views of the COP. He was, however, content to accept the Secretariat's interpretation of the rule, and if changes were necessary, they could be made in the light of experience.

125. The Chair proposed referring the procedure for clearing documents to the COP for clarification.

#### COP Agenda

126. The Executive Secretary explained that the agenda was adapted from the model used at COP11. Agenda items and document numbers were aligned. Those items where it was expected that a Resolution or Decision were expected were marked with an asterisk.

127. Mr Lamarque (France) pointed out that some of the translations into French seem strange, citing the example of "aquatic bushmeat" under item 23.2.3 for instance which had been rendered as "gibier d'eau".

128. Ms Crockford (BirdLife International) suggested some additional topics for the COP agenda. Progress had been made on the issue of the prevention of poisoning and the second meeting of the CMS Preventing Poisoning Working Group would have taken place by the time of the COP. This topic might merit a further resolution. Given the location of the COP, a species of importance to the East Asian-Australasian Flyway might be highlighted, such as Baer's Pochard (*Aythya baeri*). BirdLife International could also suggest an appropriate keynote speaker for the opening ceremony.

#### Hosts of COP12

129. Theresa Mundita Lim (Philippines) gave a presentation reporting on progress being made with regard to preparations for COP12. The Conference would take place in Manila on Luzon Island in the north of the country. The lead agency was Ms Lim's Department of Environment and Natural Resources in conjunction with the Departments of Foreign Affairs and of Tourism. The budget for the COP had been agreed and would cover the COP, High Level Segment, sponsored delegates and the Secretariat's costs. Countries from the Association of South-East Asian Nations in particular would be invited as a means of promoting CMS in the region.

130. Ms Qwathekana (South Africa) said that the COP presented great opportunities to showcase the Convention and increase its profile, and CMS should seek to emulate CBD, which was attracting several ministers to its COP. The High Level Segment (HLS) could be used to encourage Parties to participate and publicise their achievements. The event should be substantial with lasting impact and should not be forgotten the next day. She suggested establishing a working group to assist the Host Government in developing the theme for the HLS.

131. Ms Lim said that three versions of the draft logo were being considered. The design process would be completed shortly. A promotional video was also being prepared by an outside production company and the Meeting was given the opportunity of seeing the current version; the film would be edited further before completion.

132. The ASEAN Centre for Biodiversity would also take advantage of the COP being held in the Philippines and would help to boost the Convention's profile in the region. Non-Parties that had expressed an interest in the Convention should be pursued.

133. The HLS was scheduled to take place in the afternoon of 22 October and would last three hours. Any ensuing declaration could be used as a basis for a possible resolution to be submitted to UNEA. The theme would relate to sustainable development and the Sustainable Development Goals with a focus on migratory species. The BBC World News presenter, Rico Hizon, was being approached to act as master of ceremonies. The HLS would be followed by a reception.

134. The venue was the Philippines International Convention Centre, which was in Manila near Manila Bay and close to several hotels. The Standing Committee was shown a video describing the facilities, which members of the Secretariat would be able to see at first hand on a site visit in January. There was ample choice of destinations for sight-seeing after the COP within easy reach of Manila.

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

135. The Chair of the Strategic Plan Working Group, Ines Verleye (Belgium), gave an account of the fourth meeting of the Strategic Plan Working Group (SPWG) which had taken place on the two days preceding the meeting of the Standing Committee.

136. At COP11 Parties had adopted the Strategic Plan for Migratory Species (SPMS), which had been drafted by the SPWG with the support of the Standing Committee. The SPMS was, however, primarily a policy document, and the COP had decided that more concrete documents were needed. Consequently, the COP extended the mandate of the SPWG to develop indicators – either new or based on existing ones – and a Companion Volume providing guidance to Parties on implementation. In order to ensure that the indicators and Companion Volume were ready for the COP, a timetable had to be adhered to.

137. “Indicator Factsheets” had been drafted and circulated. That week’s meeting of the SPWG had further examined the indicators, defining the targets and elaborating the explanatory narrative. Existing indicators were to be used as far as possible to avoid overburdening the Parties; these indicators might have to be slightly adjusted for relevance to CMS and CMS-listed species. There might be consequences for the format of the National Report, but every effort would be made to avoid making it more complicated, with the aim being for it to be more focussed.

138. To maximize synergies, the processes in other forums had been examined. It was also hoped that the SPMS would address the lack of attention paid to CMS by Parties, in comparison to other MEAs such as CITES. A combination of success stories and bad news, highlighting the urgency of the conservation status of migratory species, might bring much needed attention,

139. Consideration had to be given to use made of the data being collected. One question concerned the actions that the COP was expected to take in the light of the information received. The SPMS was meant to be an enabling instrument, and it was necessary to ensure that it was seen as relevant. This could be achieved by linking the targets to the Convention Family’s work and by highlighting best practice, which showed that Parties were already doing good work. The SPWS would serve to contextualize existing efforts in a wider framework.

140. Ms Verleye said that a draft resolution for submission to the COP would be prepared.

141. The Companion Volume set out the measures that Parties might adopt to deliver implementation of the SPMS. A mapping exercise had been conducted which had identified existing CMS Family instruments and tools relevant to the implementation of the Strategic Plan, as well as some gaps. It had also been agreed that the Companion Volume would be published online rather than being printed. Pilot chapters of the zero draft had been prepared by the Secretariat. For each target, existing guidance from across the CMS Family was being collated, so the NFPs of the various instruments could therefore support and learn from each other. An executive summary would provide further guidance and contain practical examples of how the SPMS provided a framework for the implementation of the Convention, to tackle the apparent problem that the linkage between the SPMS and practical conservation work to implement the Convention was not understood. The Companion Volume and the indicators should facilitate the transitions between CMS policy and practical implementation on the ground.

142. The quality and detail of some of the guidance varied, with some Resolutions being very precise and other sources rather vague. There were also calls for the guidance to be made available in offline formats and the question of how often guidance would be updated had to be addressed. An issue to be resolved was the language versions of the guidance to be prepared. The originals were being prepared in English but consideration had to be given to French, Spanish and possibly other language versions.

143. It had proven to be a challenge for the working group members to engage with the other Parties in their regions. Efforts were made to use other meetings to maximize contact and the Standing Committee was asked to assist in spreading the message.

144. The Chair commended Ms Verleye and the SPWG for making such good progress on what appeared at the outset to be a daunting task. He also thanked James Williams of the United Kingdom for his helpful inputs on indicators. The wider consultation process extending beyond the SPWG and the Standing Committee would soon begin allowing all Parties to have their say.

145. Mr Adams (Germany) also noted that a great deal of progress had been made on the Factsheets, the indicators and the Companion Volume. His first impression of the current drafts was that these were rather complex documents and some of the concepts were difficult to understand. It was important to establish interlinkages with other processes (CMS with its species focus dealt in greater detail with the same issues that CBD approached more broadly). The first Fact Sheet on awareness-raising needed clear targets and indicators, without which progress in implementation could not be measured. The Companion Volume, a draft of which had just been issued, needed to be a useful tool and not too cumbersome to handle. Germany would continue to participate in the process, which appeared to have been rather time-consuming, to ensure the best possible outputs.

146. Ms Qwathekana (South Africa), who was the Vice-Chair of the SPWG, stressed that the process would only succeed if Parties gave feedback, and so far feedback had been sparse. The level of response had to improve in the next stage of developing the indicators and Companion Volume.

147. Mr Espinoza Herrera (Ecuador) agreed saying that input was required from Parties beyond those serving on the SPWG. The SPMS was ambitious and all people present were aware of the shortcomings of other processes. CMS Parties had the opportunity of ensuring that the SPMS could be really effective. Parties had several months to comment before documents had to be finalized for the COP.

148. Günther Mitlacher (WWF) agreed with Germany that it was necessary to look at the specific remit of CMS and adapt the Aichi Targets under CBD accordingly. So far the analysis of how implementation of the CBD targets was quite negative but more account should be taken of the contributions of other MEAs.

149. Ms Verleye said that she agreed with the comments made and would try to ensure that there were no new burdens on Parties and the focus would be concentrated on the specifics of CMS, and to this end the Aichi Targets had been adapted. She accepted that the Companion Volume was a large document but it was meant as a reference work and not to be read from cover to cover. She looked forward to receiving further feedback from other Parties in the course of the consultation period.

150. David Pritchard (Consultant) confirmed that at the outset it had been decided to use the Aichi Targets as the basis for the SPMS, with appropriate adjustments to ensure their relevance to migratory species. Regarding the end use of the results from the indicators, the general biodiversity constituency was identified as the target audience, ensuring synergies, through developing new national report formats in parallel. The SPWG had been forever mindful of the need not to increase burdens on Parties and to minimize them wherever possible.

151. The timetable for the remainder of the process was projected on screen and noted by the meeting.

### 13. Future Structure and Strategies of CMS and CMS Family

#### 13.1 Scientific Council Organizational Changes

152. The Executive Secretary explained that the changes made arose from the recommendations of the Future Shape process. Reforming the Scientific Council had been one of the last issues arising from the Future Shape to be addressed.

153. Marco Barbieri (Scientific Advisor) introduced document [UNEP/CMS/StC45/Doc.13.1](#) explaining that the COP had set up the Sessional Committee, made up of 15 regional representatives (three Party-appointed Scientific Councillors from each of the five CMS regions) plus the nine COP appointees. The Standing Committee had been asked to consider some procedural options regarding the nomination and appointment of members of the Sessional Committee. Presented with a choice of members nominating themselves or being chosen through regional consultation, the Standing Committee had expressed a clear preference from the second. It had also been agreed that the Standing Committee should indicate which candidates presented to the COP for appointment to the Sessional Committee were recommended for appointment.

154. The Resolution foresaw that members of the Sessional Committee would be appointed for a minimum term of two triennia with the exception that half of the original membership would serve just one triennium in order to allow for the process of rotation to be staggered. The fact that there was an odd number of regional members presented a difficulty, insofar as it would not be possible to replace half of the membership. The Resolution, however, did not contain provisions for replacing members that resigned before the expiration of their term or for alternates to deputize in the event of a member being unable to attend a meeting.

155. A decision was needed with regard to which regions would be required to replace two of their members and which only one. The Secretariat had made enquiries of the current members to ascertain who was willing and able to continue to serve. Of the existing regional representatives, only Professor Sinsin of Benin had not expressed the wish to continue. It was also pointed out that two regions (Asia and South & Central America & the Caribbean) currently only had two members. This being the case, the Secretariat's suggestion was that Asia and the Americas should be the two regions required to choose two members for rotation at COP12. It would be for the regions to decide which of their representatives had to be subject to rotation. This suggestion was agreed by the Standing Committee.

156. The Chair explained the principle of rotation and the provision of the resolution allocating three places on the Sessional Committee to each of the five regions. He raised the question of whether regional representatives could stand for re-election or were limited to a single term.

157. Ms Montgomery (Australia) while recognizing that the Resolution stipulated that half of the members should be renewed at COP12 felt that it was unfortunate that the Sessional Committee faced the prospect of losing experienced members just as it was beginning to make strides.

158. Mr Barbieri returned to the issue of alternate members, who could either act as substitutes when full members were unable to attend or as permanent replacements for members that resigned (cf the procedure used in the CITES Animals Committee). Having identified alternates that were kept informed of the Sessional Committee's business would facilitate their integration into the Committee should they have to take over as full members.

159. Mr Lamarque (France) asked whether each member would have an alternate or would each region nominate just one.

160. Ms Montgomery said that it had been difficult for Oceania to find three full representatives, so urged that nominating alternates should be recommended but not obligatory.

161. Ms Qwathekana (South Africa) said that her understanding was that the regional members of the Sessional Committee were drawn from the wider pool of nationally appointed Scientific Councillors. She therefore asked what would happen if a regional representative was replaced as national appointee. She also assumed therefore that the alternate members would also be chosen

from nationally appointed Scientific Councillors. A further consideration would be the expertise of the individuals concerned; an alternate specializing in fish, for example, would not be best placed to replace an expert in terrestrial mammals, as the overall balance of the Sessional Committee would be affected.

162. Mr Barbieri confirmed that members of the Sessional Committee should be Scientific Councillors. Parties were at liberty to change their nominees at any time, and individual councillors' circumstances changed. It was assumed that before accepting nomination to serve on the Sessional Committee, councillors would obtain permission from their employers and the authorities of the Party that appointed them. In choosing their representatives, the regions should also take account of their candidates' areas of expertise, but with regions limited to three members, covering all taxa would be difficult.

163. Ms Qwathekana asked that these considerations be taken into account when the Rules of Procedure for the Scientific Council were revised following the restructuring and the formation of the Sessional Committee.

164. The reference in Resolution 11.4, the provision about renewing half of the members seemed also to apply to the COP-appointed Councillors. There had been eight such Councillors until the creation of a ninth post at COP10 concerning climate change, and since COP12, the post for avian species had been covered by two experts. The Secretariat was therefore seeking guidance on the question of whether the COP-appointed councillors should also be subject to rotation.

165. Ms Qwathekana pointed out that the COP-appointees all had distinct areas of expertise and therefore could not properly represent each other. It did not seem to make sense to exclude four or five of them from the Committee.

166. Ms Montgomery endorsed South Africa's view, saying that the COP-appointees were renowned experts in their fields and it seemed counterproductive to sacrifice their expertise to the principle of rotation.

167. The Chair said that the Standing Committee had therefore agreed that the COP-appointed councillors were exempt from the rotation provisions.

#### **14. Revision of the Template for National Reports**

168. The Chair invited Mr Barbieri (Secretariat) to make some introductory remarks before the consultant, David Pritchard gave a detailed presentation.

169. Mr Barbieri said that through [Resolution 11.2](#) the Parties had asked the Secretariat to consider amendments to the format for National Reports in respect of assessing implementation of the Strategic Plan, while aiming to streamline reporting processes to reduce reporting burdens, and to submit any proposed amendments to the Standing Committee for its consideration and transmission to COP12. Work on amendments of the template for national reports had been done in parallel with the elaboration of the SPMS indicators and had been made possible by a voluntary contribution from the Government of Germany. Support had also been received from the UNEP/World Conservation Monitoring Centre (UNEP/WCMC). While [Resolution 11.2](#) requested that proposed changes be submitted to COP12 for consideration, the Secretariat and the SPWG were of the opinion that some changes arising notably from the work on SPMS indicators could be anticipated to allow the collection of data on SPMS implementation already from the reporting cycle to COP12. A further and more comprehensive revision would be submitted to COP12 for consideration, with a view to its use for the COP13 reporting cycle and beyond. This meant that the first batch of changes would apply for the reports to be submitted to COP12 with the rest coming into force in time for COP13.

170. Mr Pritchard said that the SPWG would continue its work on indicators, but would not be able to finalize them before the deadline for submission of National Reports for COP12.

171. The first stage of the revision to the template would deliver most of the required changes, and could anticipate the indicators, which existed in draft form, and take account of some of the recommendations made by UNEP/WCMC to improve the national report format on the basis of the analysis of the reports submitted to COP11. The draft indicators would require some qualitative and narrative reports, but there would be as many tick box and scoring options as possible. For most targets, the draft questions contained on document [UNEP/CMS/StC45/Doc.14](#) drew on questions from the existing format with some modifications. Effort was made to streamline the report format.

172. The Standing Committee was requested to agree to two things: the proposed two-stage approach for the revision of the format and the questions relevant to SPMS targets proposed in document [UNEP/CMS/StC45/Doc.14](#).

173. Document [UNEP/CMS/StC45/Inf.5](#) aimed at outlining some principles and a general approach for pursuing further work on the national report format between the 45<sup>th</sup> meeting of the Standing Committee and COP12. It set out the main features, including “pop-up” supplementary questions which only appeared when the main question was answered, drop-down boxes, and use of online species lists that were automatically updated. Resolutions were proposed to be listed under topic area to avoid a single long list and repetitive questions had to be eliminated.

174. Mr Lamarque (France) made some remarks of a procedural and substantial nature. From a procedural standpoint, he wondered whether the Standing Committee could approve a revision of the format. Concerning the substance, he questioned whether it made sense to amend the template in two stages suggesting that it might be better to await the finalization of the indicators. He also noted that the template included questions requiring subjective responses (e.g. Do you think that this activity will achieve results?). He also suggested that the reports should be pre-filled with existing data. His preference was to adopt one revised template when all the work was completed.

175. Mr Adams (Germany) agreed with France. Further refinements to the SPMS indicators were needed and therefore it was too early to change the template. Discussions were still going on, and the first consultation had produced little feedback, so more changes might be expected as Parties provided input. Some questions were too general and not targeted enough on actions for migratory species. He too suggested waiting for the outcome of the COP discussions on the indicators before finalizing the national report format.

176. Ms Montgomery (Australia) supported both France and Germany. The responses that she had received from other Parties in the Oceania region indicated that the questions were too vague and would require long, narrative answers. She was wary of the burdens on the small countries in her region. She also had doubts about the two-stage approach and asked whether the questions added at stage one be subject to further amended in stage two. She also questioned the wisdom of anticipating the indicators which were not yet finally decided.

177. Mr Espinoza Herrera (Ecuador) agreed that the indicators needed to be settled, but thought that it was important to start adjusting the reporting format straight away. The final product should be a tool that was used nationally, regionally and internationally.

178. Mr Barbieri addressed the procedural point regarding whether the Standing Committee could agree to changes without reference to the COP. He thought that such a decision was within the normal remit of the Committee, and there were precedents in that regard. On the question of whether adopting the first batch of changes was premature, the Secretariat and the SPWG had decided to propose the changes with a view to start gathering information relevant to the SPMS implementation already as of COP12, so that the final assessment to be undertaken by COP14 could benefit of information and data collected over a longer period.

179. Mr Pritchard stressed that many of the proposed questions were actually modifications of existing ones. With regard to the 16 targets, for four of them there were new questions, in two cases the questions were slightly longer, in two they were more or less the same and in seven cases the questions were shorter and simpler. One question had been deleted completely.

Although the indicators were still not finalized, the targets had been adopted, and the questions had been framed accordingly.

180. The Chair suggested that the options were to establish a sessional working group at COP12 to consider the template and address the concerns raised or to retain the existing format.

181. Mr Espinosa Herrera (Ecuador) did not want to cause delays but stressed that with respect to the SPMS and its draft indicators, Parties would be required to provide certain data in their national reports.

182. The Chair, having consulted the Executive Secretary, confirmed that as Parties had expressed concerns the old format would be retained for reports to be submitted to COP12, with limited adjustments to take into account listing of species and new resolutions adopted by COP11. He urged the regional representatives to help encourage a better response rate (at COP11 approximately half of the Parties had submitted their reports). There would be a sessional working group at the COP dedicated to discussing the format, where the merits of flexibility, clarity and subjective text could be examined.

## **15. Enhancing Synergies and Common Services among CMS Family Instruments**

183. The Executive Secretary reported on progress in implementing [Resolution 11.3](#) since the previous meeting of the Standing Committee.

184. The AEWA MOP6 had considered the independent analysis which had been submitted to the 44<sup>th</sup> meeting of the Standing Committee, and a decision had been made to continue with the pilot scheme involving the Communications Team. Progress would be reviewed and a recommendation made to AEWA MOP7.

185. With the endorsement of the governing bodies of both CMS and AEWA, the executive secretaries would elaborate further the structures, management modalities and joint work programmes of the Joint Communications Team, which had proved to be effective since its inception in 2014 and was continuing to improve. The pilot scheme covering communications, information management and outreach would be further consolidated before moving on to other common services or extending joint services to EUROBATS.

186. A report had been submitted to UNEP and the executive secretaries of CMS, AEWA and EUROBATS had held discussions with the former UNEP Executive Director. The three executive secretaries were meeting monthly to discuss administrative and financial issues and would also start looking at enhanced collaboration around programmatic issues (such as renewable energy).

187. Mr Trouvilliez (AEWA) said that the Executive Secretary's report illustrated what had been achieved since the CMS COP and AEWA MOP. He concurred with the Executive Secretary of CMS that both Secretariats were benefitting from close collaboration. They were working on a formula for sharing costs and the services of the Joint Communications Team and would report back to Parties when the detail had been agreed. He agreed that the Joint Communications Team was working well, and could form a model for extending collaboration to other areas, including programme work, where CMS and AEWA were already working together.

188. Mr Streit (EUROBATS) said that the regular meetings of the executive secretaries were constructive and useful and he looked forward to further developments.

189. The Chair welcomed the constructive collaboration and the benefits that it brought to CMS and AEWA and noted that a further report would be submitted to COP12, possibly with proposals to extend the synergies to programme areas as well as administration and common services.

## Interpretation and Implementation of the Convention

### 16. Programme of Work

#### 16.1 Implementation of the Programme of Work 2015-2017

190. The Executive Secretary said that the report ([UNEP/CMS/StC45/Doc16.1](#)) was a summary of the highlights of the Secretariat's activities since the previous meeting of the Standing Committee. He acknowledged the support of Parties, such as Germany, without which it would be impossible for the Secretariat to proceed with activities, as a large proportion of the budget was assigned to staff. The full cost of all the activities in the POW amounted to US\$17 million, and most of the work areas and associated working groups depended on voluntary contributions. In summary, the Executive Secretary said that the Convention was on track and substantial progress had been made in the two years since COP11.

#### Avian Species

191. The Task Force for the Americas had been convened, and the possibility of organizing a meeting in Mexico back to back with the next Trilateral Committee meeting in 2017 was being considered. In parallel, Ecuador was working on a flyway-wide Action Plan.

192. In conjunction with AEWA, CMS was working on the prevention of poisoning of birds, and a workshop had been held in Cape Town with funding from the EC. Effort would focus on ensuring that the guidelines, which had been endorsed at the IUCN World Conservation Congress in Hawaii, USA were implemented.

193. The Task Force on illegal killing, taking and trade, which was funded by the EC, had met in July in Cairo, where it had adopted its [POW for the period 2016-2020](#). The "[Cairo Declaration](#)" had been adopted confirming zero tolerance of illegal killing, taking and trade.

194. Under the African Eurasian Migratory Landbird initiative, a workshop was being convened in Abuja from 24 to 26 November 2016. Thanks were owed to the Swiss Government which had provided funding for the meeting and to BirdLife International for promoting it and ensuring maximum participation.

195. CMS had attended a recent workshop in China organized by BirdLife International on the Yellow-breasted Bunting (*Emberiza aureola*) where an Action Plan for the species had been agreed.

196. The first meeting of the Signatories to the Andean Flamingo MOU had been held in Cusco, Peru in April 2016. An Action Plan had been adopted, agreement reached on establishing a site network and a coordination mechanism approved. The meeting had been funded by the Government of Peru and the EC.

197. Progress was being made with regard to drafting the Multi-species Action Plan to tackle the current crisis facing vulture species in the African-Eurasian region. BirdLife International was also involved and the sub-regional coordinators had been appointed. A Steering Group with 20 members had been set up.

#### Aquatic Species

198. The CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities were being elaborated, having been funded by the Government of Monaco through the CMS Champion Programme. A consultation exercise had been conducted in April-July 2016, but Parties needed more time to consider the draft, and the deadline for comments had been extended to February 2017, after which the document would be referred to the Scientific Council before submission to the COP.

199. Related to the [Resolution 11.22](#) on Live Captives of Cetaceans from the Wild for Commercial Purposes, a questionnaire had been sent out to Parties and the follow-up work had been made possible thanks to a voluntary contribution from the Government of Monaco.

200. The European Eel (*Anguilla anguilla*) had been added to the Appendices of CMS at COP11. A workshop of Range State experts had been held in Galway, Ireland in October where first steps towards a possible instrument under CMS had been discussed.

201. The second Meeting of Signatories to the Sharks MOU had taken place in San José, and had been addressed by the President of Costa Rica and chaired by the Environment Vice-Minister. The positive outcomes of the meeting had been the listing of a further 22 species and adoption of the Programme of Work. Portugal and Somalia had become signatories in the course of 2016, and at the Meeting of Signatories a number of NGOs had become cooperating partners to the MOU. The Meeting of Signatories had been preceded by the first meeting of the MOU Advisory Committee and the Conservation Working Group had recently met for the first time in Bristol, United Kingdom.

202. The next Meeting of the Signatories to the Dugong MOU would be taking place in Abu Dhabi in March 2017. An electronic resource kit was being developed.

203. Of interest to IOSEA, the CITES COP had commissioned a study into trade in turtles in the Indian Ocean-South-east Asia region. The Indian Ocean Tuna Commission was continuing its consultations on the proposed Memorandum of Understanding with CMS (and IOSEA) on bycatch.

#### Terrestrial Species

204. Good progress had been made on setting priorities for the Central Asian Mammals Initiative at a workshop held in August 2016, and the Secretariat was working closely with the German Nature Conservation Agency, the Bundesamt für Naturschutz (BfN) and the Federal Ministry for the Environment (BMUB).

205. Following the Saiga die-off in 2015, a sampling protocol had been developed for local veterinarians in case of future outbreaks.

206. An updated status report and Action Plan for Sahelo-Saharan megafauna were in preparation focussing on four key species - the Addax, the Dammah Gazelle, the Slender-horned Oryx and Scimitar-horned Oryx. The Environment Agency - Abu Dhabi and the Saharan Alliance were running a programme for releasing captive-bred Scimitar-horned Oryx. The Addax was in crisis as its population had collapsed because of human activities.

207. An Action Plan was being considered for the African Wild Ass, of which there were now only 600 left in Ethiopia and Eritrea and the species was now extinct in Somalia and Djibouti.

#### Strategic Plan for Migratory Species (SPMS)

208. The SPMS was covered in greater detail elsewhere on the agenda (see agenda item 12). Despite the lack of core funding and voluntary contributions, good progress had been made on the Companion Volume.

#### Energy Task Force

209. The first meeting of the Energy Task Force was scheduled to take place in South Africa in December. The coordinator had been appointed and it was important to start work on ensuring that the guidelines were implemented.

#### Sessional Committee of the Scientific Council

210. The first meeting had been successfully concluded and the second would take place in July 2017. More details on the Sessional Committee and the organizational changes affecting the Scientific Council can be found under agenda item 13.1.

## Conservation Report

211. CMS did not have anything available similar to the Geo-Outlook or Biodiversity Outlook and there was insufficient funding for anything more than a scoping workshop scheduled to take place in December 2016.

## Communications

212. Since the establishment of the Joint Communications Unit shared with AEWA, much more media and promotional work was being done, including web articles, social media, press and media work (in the wake of the Saiga die-off), and writing op-eds, some of which had been carried by the Guardian and the Huffington Post. The website continued to improve and online work spaces were being maintained and developed for various Committees and Working Groups.

213. The 2016 World Migratory Bird Day campaign had seen over 300 registered events in 80 countries, over 58 million tweet impressions and the website had been accessed from 181 countries.

214. The Joint Communications Unit had also supported the AEWA and ASCOBANS MOPs as well as meetings of Signatories to MOUs, and had produced materials in support of various international campaigns including World Wildlife Day.

215. A new modus operandi for the management of the team, aiming to ensure its long-term sustainability and joint management, was being put in place. The team included a number of temporary and part-time positions which ideally should be made permanent and full-time. There was currently a vacancy for a part-time IT/webmaster which was being covered by a consultant.

## Capacity-building

216. Grants had been received from the EC for accession workshops in Panama, which had been supported by the UNEP Regional Office for Latin America and the Caribbean (ROLAC), in Manila for countries in South-east Asia with the assistance of the Government of the Philippines and in Barbados with the support of CARICOM, the organization of the Caribbean Community. Missions had also been undertaken to Myanmar, China and other countries.

217. Responsibility for capacity-building was split between the Capacity-Building Officer and the Species Teams. A priority was to ensure appropriate coverage of migratory species in NBSAPs, because as the representative of UNEP had said in his report (see agenda item 8), only 42 per cent of these strategies and plans mentioned them.

218. Greater use of electronic forums would be made and the CMS NFP Manual was being made available on the InforMEA portal.

219. Lyle Glowka (Executive Coordinator, CMS Office - Abu Dhabi) reiterated the thanks expressed by the Executive Secretary to the Government of the United Arab Emirates and Environment Agency - Abu Dhabi for their generous support over recent years. He noted that the UAE was now a Party to Convention and was represented at the meeting by observers. With regard to the Raptors MOU and the Vulture Multi-species Action Plan, he announced that agreement had been reached with the Emirate of Sharjah to hold a supplementary workshop in February 2017 focussing on the Arabian Peninsula.

220. The Chair re-echoed the gratitude of the Convention to the UAE and welcomed the news about the workshop in Sharjah.

221. Mr Adams (Germany) welcomed the Executive Secretary's very detailed report and offered his congratulations on all of the achievements, in particular on issues where CMS was working closely with CITES, noting that there were further opportunities for collaboration on African terrestrial species. His one criticism, however, was the slow progress being made with regard to the Energy Task Force.

222. The Chair thanked all Parties that contributed in cash or in kind to the implementation of the Programme of Work, noting that Germany was prominent on that list of countries.

223. Ms Qwathekana (South Africa) said that in the light of decisions taken at the CITES COP, she wanted to raise the issue of African Elephants, African Wild Dogs (both CMS Concerted Action species) and other species of carnivore. At the CITES COP, the extent of the threat posed to the African Wild Dog by trade was considered to be less severe than other conservation concerns such as habitat loss and disease. It was agreed to consider these proposals in more detail under agenda item 20.2 (see below).

224. Nicolas Entrup (OceanCare) appreciated the work done and had a comment on the POW as it concerned aquatic species. OceanCare had worked on aquatic bushmeat in Scientific Council's Aquatic Mammals Working Group, but felt that regulations, capacity-building and alternative livelihoods were not enough to offset the loss of local fisheries to foreign industrial fleets. Many of the species affected were CMS-listed. As a member of the Collaborative Partnership on Sustainable Wildlife Management, CMS should raise the issue of distant water fisheries as well as palm oil plantations with CBD and FAO. Mr Entrup proposed that a working group dealing with bushmeat – both terrestrial and aquatic – should be established under the Scientific Council, although many of the issues were related to governance rather than science, and that the issue be addressed at COP12. He sought the views of the Standing Committee.

225. The Chair noted OceanCare's intervention, agreeing that the Scientific Council might be one avenue. The COP could indeed consider a policy, and given that CMS was open to working with NGOs, OceanCare could play a role.

226. Hiba Aishehhi (United Arab Emirates) said that the UAE had joined CMS in May 2016 and was keen to support international conservation efforts to complement its domestic work. The UAE was active in other MEAs and funded many activities. In 2009 CMS Office - Abu Dhabi had been established to coordinate the MOUs for raptors and dugongs. In 2014 UNEP and the Environment Agency – Abu Dhabi had examined the outcomes of the donor agreements, and finding them to be satisfactory had agreed to continue the arrangements over the period 2015-2019. In recent years, the UAE had hosted meetings of the Saker Falcon Task Force, workshops on sharks, regional meetings of IOSEA and the Technical Advisory Committee of the Raptors MOU and would host the Third Meeting of the Signatories to the Dugong MOUs in 2017. The UAE was amassing data on both endemic and migratory species to help develop strategies. The UAE was also grateful to the Secretariat for agreeing to correct some information in the document on the programme of work and in the one on resource mobilization.

227. Mr Owoyesigire (Uganda) said that regarding Resolution 11.32 on African Lions a desk study had been carried out based on the ten replies received to the CMS questionnaire sent to Range States. The CITES COP had considered but rejected a proposal to uplist the Lion to Appendix I, but consideration was still being given to listing the species under CMS. A joint Range States meeting had been held in May 2016 in Entebbe, Uganda to identify threats and assess the benefits of any listing under CITES and CMS. Thanks were due to the Governments of Germany, the Netherlands and the United Kingdom, whose funding had enabled 28 of the 32 Range States to attend. A communiqué had been issued at the end of the workshop acknowledging a possible role for trophy hunting in conservation. The pre-COP meeting organized by CITES and CBD held in Addis Ababa from 8 to 12 August elaborated a submission to CITES (see [UNEP/CMS/StC45/Inf.2](#) and the [CITES website](#) for more details).

228. Ms Crockford (BirdLife International) requested that the Secretariat widen the scope of consultation when preparing the report on implementation of the POW, to take account of the role of NGO partners, given how open the Convention was to cooperating and the role that NGOs played in its implementation. There were examples of where additional information could have been provided by BirdLife International, namely with regard to the Landbirds Working Group, Sustainable Development Goals and the forthcoming workshop in Abuja. BirdLife International had been able to fund a coordinator for the Landbirds initiative from various small contributions from partners, but all of that money had now almost been spent and more funds were desperately needed.

229. BirdLife International was delighted with the progress being made on illegal killing, taking and trade. Having conducted the review covering the Mediterranean review, it was now extending the study to Arabia, the Islamic Republic of Iran, Iraq and Europe beyond the Mediterranean. The first collation would be ready in 2017 for peer review and comments would be welcome but the project still needed £70,000 as some pledges had fallen through. The CMS workshop on bycatch was important because gillnets affected birds, cetaceans and sharks. Workshops in 2015 in the USA had made important contributions to advancing thinking on bycatch but it was time to take matters forward again.

230. In response to the Chair who had asked if a separate report on NGO activities should be commissioned or if the Secretariat could cover the NGO contributions to implementing the POW in its own report, the Executive Secretary said that CMS valued highly the support that it received from NGOs. Given the range of work being done it was difficult to include references to all the support provided by NGOs, but he could ask heads of the species teams to seek input from NGOs when the Secretariat report to the Standing Committee was being compiled.

231. Mark Jones (Born Free) said that Born Free had long been involved in conservation work across Africa. He noted that progress being achieved in implementing [Resolution 11.32](#) and welcomed the cooperation between CMS and CITES. South Africa's proposals concerning elephants and other African species should be pursued. He also welcomed the decisions made at the CITES COP, but felt that some of the subject matter was more appropriate to CMS than CITES.

232. The Chair sought comments on [UNEP/CMS/StC45/Inf.3](#) (Proposed Draft Decisions Regarding the Conservation of African Lion (*Panthera leo*)) which had been included in the documentation at Uganda's request and which concerned the possible development of an action plan by CMS, CITES and the IUCN. It would, however, be for the COP to make a final decision.

233. Ms Qwathekana (South Africa) supported Uganda's statement. South Africa had been one of the sponsors of the statement at the CITES COP.

234. Mr Lamarque (France) also supported the proposal made by Uganda, but noted that the Lion was not listed on the CMS Appendices at the moment.

235. The Chair pointed out that the Lion was subject of a CMS COP Resolution, the CITES COP had called for continued cooperation with CMS and there had been cases where CMS dealt with species not listed on its Appendices. CMS also had a staff member jointly employed by CITES through funding from the German Government.

236. Mr Adams (Germany) also supported the Ugandan proposal, which had been endorsed by the 184 Parties of CITES, which included most of the 124 Parties of CMS. He suggested that the Standing Committee express its support and request that the Secretariat include the initiative in agenda for COP12 following on from Resolution 11.32.

237. The Chair said that, if the Lion were to be considered for listing on the CMS Appendices at COP12, a Party would have to come forward with a proposal. He sought the advice of the Secretariat concerning a request from South Africa to table a new document on the question of the African Elephant and the African Wild Dog and other carnivores. The Executive Secretary suggested rather than treating the proposal as a separate item and tabling a separate document, the issue be taken up under the agenda item on Synergies (see agenda item 20).

238. Ms Montgomery (Australia) pointed out that the large time differences between Bonn and the Oceania region made consultation on late documents extremely difficult. In this instance, with the subject matter being African species, it was unlikely to be a cause of immediate concern but she did not want a precedent to be set and in other circumstances she might not be able to agree to a similar course.

## 16.2 Draft template for the Programme of Work 2018-2020

239. The Executive Secretary presented the draft template. The idea of a Programme of Work had been launched at the 41<sup>st</sup> Meeting of the Standing Committee following a request by Parties at COP10 for a reporting tool from the Secretariat and to manage the Secretariat's work. The revised template aimed at streamlining presentation based on the experience of completion of the first full triennial cycle since its inception. One new feature was factoring in the work arising from the Resolutions passed by COP as well as the work done under the auspices of MOUs and Agreements for Appendix II species. The COP would have the opportunity of assigning priorities to activities. The activities had also been rearranged into related clusters.

240. Parties had seen the draft which had been circulated in advance. There were no comments from the floor and the revised template was adopted.

## 17. Revised Format for Proposals for the Amendment of the Appendices

241. Mr Barbieri (Secretariat) introduced document [UNEP/CMS/StC45/Doc17](#) which had been produced by the Secretariat as mandated by the COP. The Secretariat had prepared a first draft template and guidelines, which it had presented to the Sessional Committee of the Scientific Council. A working group had been established which had revised the draft. The Plenary of the Sessional Committee had then endorsed it with a small number of further edits.

242. The Chair said that the Standing Committee had had the chance to review the template, and if there were no further amendments, it could be used for any proposals to amend the Appendices to be considered at COP12. If the COP felt that further changes were needed, the template could be revised again.

243. Mr Adams (Germany) welcomed the draft which he thought was an improvement on the existing version. He had some proposals for changes in section 3 of the explanatory note concerning the definition of "migratory" in the sense understood under CMS. He proposed the addition of the phrase "and in the light of existing listings" after the phrase "In the spirit of the Convention text" in the 2<sup>nd</sup> paragraph of subsection 3.2. He also proposed the deletion of the word "regular" associated to migration, as this was not contained in the Convention text when defining "migration". This addition was also more restrictive.

244. Ms Montgomery (Australia) said that "regular" had been added to complement "cyclical and predictable" (taken from the Convention text and the Resolution) in order to exclude what she termed "ad hoc, random" migration.

245. Mr Owoyesigire (Uganda) supported Germany saying that a definition would be required for "regular". He cited the example of the Mountain Gorillas living on the borders of Uganda and Rwanda, which often spent a few years in one country before moving for a few years to the other.

246. Ms Crockford (BirdLife International) said that the new format had been tested with a proposal being prepared for COP12 for listing the Steppe whimbrel (*Numenius phaeopus alboaxillaris*) which might be put forward for Appendix I. The authors had found the accompanying guidelines very helpful. The guidelines and template were also being used for a multispecies proposal for vultures. She had one suggestion, which was to increase the guidance on the value of listing on the CMS Appendices.

247. Mr Spina (Chair, CMS Scientific Council) said that the unique strength of CMS was that it dealt with the geopolitical perspective. We were facing challenging times and were witnessing the effects of climate change on the behaviour of migratory animals which were trying to adapt. CMS had adopted a pragmatic approach and accepted the Mountain Gorilla as a migratory species. Another question related to a definition of "significant proportion" in terms of a species' population. He thought that the more flexible the approach taken by CMS, the better.

248. The Chair declared that the revised template had been adopted with the changes proposed by Germany and urged all proponents to use this format as that would certainly help COP assess the proposals to amend the Appendices.

## 18. A Review Process for the Implementation of the Convention

249. The Chair explained that the working group dealing with the possible review process had met twice, most recently over the two days immediately before the Meeting of the Standing Committee.

250. Ms Montgomery (Australia) as Chair of the Working Group on the Development of a Review Process under CMS presented a progress report. The working group had first met on 19-20 September 2016, where representatives of four of the five regions had been present (Uganda (the Vice-Chair) for Africa; France, Switzerland and Norway for Europe; Argentina for South & Central America & the Caribbean; and Australia for Oceania). The working group had examined its terms of reference, identified the desired outputs without excluding the possibility of retaining the status quo (the “zero option”) and had heard presentations from eight other MEAs which already had review mechanisms in operation.

251. The Chair had prepared a document on best practices and lessons learned from other review processes (this document ([UNEP/CMS/Rev.Proc.1/Doc.01](#)) is available online on the dedicated pages of the CMS website). From this document and the presentations of the other MEAs, the successful elements of review mechanisms were identified, and the working group expressed a clear preference for a facilitative and supportive process rather than a punitive one.

252. At the second meeting, 14 Parties were present (Uganda and South Africa from Africa; Ukraine, Norway, France and Switzerland from Europe; Kyrgyzstan and Mongolia from Asia; Costa Rica, Bolivia and Argentina from South & Central America & the Caribbean; and Australia and the Philippines from Oceania). Representatives of two MEAs (AEWA and the Ramsar Convention) were also present for some of the time. The discussions had been very productive and had covered how potential cases were initiated and cases were triggered, and which body would be responsible for conducting cases. It had been agreed that two options would be presented to the COP: the status quo and a basic core process with options for adding further features.

253. The Secretariat would prepare a document on the work and the outcome of the Working Group for COP, which would be circulated to the Working Group for comment electronically. If the COP decided to adopt a review process, it was suggested that the body overseeing the process should devise its own modus operandi and set the thresholds and parameters for accepting cases.

254. The Chair thanked Australia for the report and for having led the Working Group so successfully.

## 19 Review of Decisions

255. Ms Virtue (Secretariat) presented document [UNEP/CMS/StC45/Doc19.Rev.1](#) on the review of decisions. This document and its annexes were unavoidably long as the Convention was examining 30 years’ worth of Resolutions and Recommendations.

256. Resolution 11.6 required that a list of Resolutions to be repealed in full or in part be prepared. Document [UNEP/CMS/StC45/Doc19.Rev.1](#) contained five annexes. Annex I listed the Resolutions that had already been repealed; Annex II those that could be repealed in full; Annex III the Resolutions and Recommendations that could be repealed in part (this was the most problematic category as it raised the question of how to deal with the residual provisions that were still valid, in some cases a single paragraph of a Resolution); Annex IV listed Resolutions and Recommendations that should be retained in full; Annex V was a summary of Annexes I to IV. The Standing Committee was requested to review the Annexes.

257. The paper also contained a suggestion to consolidate Resolutions. Annex VI contained a draft Resolution on Concerted Actions, which amalgamated relevant provisions from various existing Resolutions into one text, for consideration at COP12. The COP-appointed Scientific Councillor for Bycatch was in the process updating and consolidating all existing provisions on bycatch in a similar manner. This approach should become general practice. Consolidating

provisions could be done as and when new Resolutions were proposed or a comprehensive sweep-up exercise could be conducted if staff resources allowed.

258. The Secretariat was also requested, through Resolution 11.6, to maintain a register of Resolutions. At the moment, Resolutions were available on the CMS website chronologically and under each COP rather than by subject matter. Consideration was being given to devising some categories. If the comprehensive sweeping up exercise were carried out, the length of the register would be reduced. There were also the model from CITES, which listed its extant [resolutions](#) and [decisions](#) online.

259. Mr Lamarque (France) said that the consultant had produced an excellent piece of work dealing with the large catalogue of Resolutions and Recommendations. Sorting Resolutions thematically would also be helpful and would help in drafting future ones. He agreed that in repealing resolutions it was important not to delete useful provisions, and asked whether a working group should be established to examine this aspect.

260. Mr Entrup (OceanCare) requested that if France's proposal to set up a working group were accepted observers should be allowed to participate.

261. The Executive Secretary thought that the Secretariat had a clear mandate to take the proposals forward. There had been no comments on the Annexes, so these would be presented to the COP. The Secretariat would make further suggestions on the thematic register. He suggested that if it was felt necessary, a sessional working group could be established at the COP.

## **20 Synergies and Partnerships**

262. Ms Cerasi (Associate Fundraising and Partnerships Officer) presented an overview of the implementation of Resolutions 11.10 (Synergies and Partnerships) and 11.11 (Enhancing the Relationship between the CMS Family and Civil Society).

263. The CMS Family had benefitted from the support of many other organizations, both NGOs and IGOs, with tasks such as coordinating MOUs and convening working groups. Full details were contained in document [UNEP/CMS/StC45/Doc.19](#).

264. The Secretariat had fostered relationship with regional institutions and UNEP and its Offices. For instance, the Secretariat of CARICOM and UNEP regional and sub-regional offices had assisted with the organization of capacity-building workshops and pre-COP meetings. The CMS Secretariat was working closely with UNEP over the implementation of the resolutions passed at UNEA2 integrating CMS goals and activities into the UNEP Mid-term Strategy and POW..

265. The 11<sup>th</sup> meeting of the Liaison Group of Biodiversity-related Conventions (the Biodiversity Liaison Group – BLG) had been hosted by CMS in August 2016. The main items on the agenda included preparations for the CITES and CBD COPs, and outcomes of synergy-related processes among the biodiversity-related conventions. With regard to increasing access to GEF funding for other MEAs, the Secretariat informed that the Standing Committee's advice on CMS priorities had been transmitted to the CBD Secretariat. A Notification had been issued encouraging CMS NFPs to liaise with their counterparts dealing with CBD and ensure that such advice and any other provisions related to migratory species conservation would be taken into account during any related negotiations at the forthcoming CBD COP13 and in the development of the four-year framework of programme priorities for the seventh replenishment period (2018-2022) of the GEF Trust Fund. Regional members of the Standing Committee were requested to help facilitate such contacts.

266. Under CBD, an informal advisory group had been set up on the elaboration of options to enhance synergies and improve efficiency among the biodiversity-related conventions. The Secretariat contributed to the process and facilitated the nomination of CMS Parties to attend the workshop organized by CBD in Geneva 2016. Among others, representatives from the Philippines and Ukraine, who were present at the Standing Committee, participated in the workshop.

267. In connection with [Resolution 11.11](#), two Notifications had been issued and replies received from Australia and Togo among the Parties and Wild Migration in the form of a project proposal. All inputs arising from these consultations had been consolidated and translated into recommendations that addressed both the national and international levels and were contained in document [UNEP/CMS/StC45/Doc.20](#) which also drew from the report “Natural Affiliation” which had been submitted to COP11. All submissions had been included, as they were received, in the document “Inputs towards Enhancing the Relationship between the CMS Family and Civil Society” ([UNEP/CMS/StC45/Inf.1](#)) including a courtesy translation in the three official languages. The recommendations included exploring further ways to report on the activities of civil society activities (currently the Secretariat invited statements in advance of meetings of the Standing Committee and the COP); encouraging NGO involvement in CMS processes and meetings (it was pointed out that Wild Migration was listening to the current meeting remotely) developing an e-learning tool building on the Manual for NFPs; and encouraging the development of national CMS platforms at national level.

268. The guidance of the Standing Committee was sought, so that the Secretariat could refine its submission to the COP.

269. Ms Montgomery (Australia) welcomed the contributions of NGOs and Civil Society Organizations to the work on the ground that helped implement the Convention. She was wary of the amount of reporting being requested, as this inevitably increased burdens on the Secretariat. She sought clarification of the type of material that would be required for inclusion in an e-learning toolkit and questioned the idea of national CMS platforms; she was aware that some countries had gone down this path, but did not think that this should be a requirement.

270. Mr Espinoza Herrera (Ecuador) recognized the value of NGO and civil society engagement, nationally, regionally and internationally. In Ecuador, NGOs were as a matter of course invited to participate in national awareness-raising days. This approach meant that no additional costs were incurred.

271. The Executive Secretary undertook to refine the recommendations further taking into account the comments made by Australia and Ecuador.

#### **a. Cooperation between CMS and Ramsar**

272. Borja Heredia (Head of Avian Species) introduced document [UNEP/CMS/StC45/Doc 20.1](#). The draft Joint Programme of Work (JWP) had been discussed at the Ramsar Convention’s Standing Committee earlier this year, and reflected the activities being undertaken by countries. The revised redraft placed more emphasis on the efforts of the Parties.

273. Examples of the cooperation between CMS and the Ramsar Convention included the MOU on Andean Flamingos, for which the first Meeting of Signatories had taken place in Cusco, Peru in April 2016. There was also potential to do more on marine turtles and sharks.

274. Mr Espinoza Herrera (Ecuador) welcomed the JWP, especially the greater emphasis on work being done on the ground. In this regard it was important to highlight the work of NGOs.

275. Mr Lamarque (France) referred to a project which was relevant to CMS, AEWA and the Ramsar Convention and concerned the integrated management of waterbirds and wetlands in Africa (Strengthening expertise in Sub-Saharan Africa on birds and their rational use for communities and their environment – [RESSOURCE](#)). The FAO and the Fonds Français pour l’Environnement Mondial had signed the project agreement on 6 October 2016 and work would start in 2017.

276. The Chair clarified that the draft JWP before the Committee had been endorsed by the Ramsar Convention’s Standing Committee. The CMS Standing Committee did likewise.

## **b. Cooperation between CMS and CITES**

277. Ms Nobbe (CMS/CITES Programme Officer) said that there was particularly close cooperation between CMS and CITES and her post serving both Secretariats was funded by the German Government. CMS and CITES had over 500 species in common. CMS had participated in the meeting held in Addis Ababa in August in preparation of the CITES and CBD COPs. Six of the decisions adopted at the CITES COP called upon CMS to cooperate in their implementation with CITES; these decisions concerned cetaceans, sharks, the African Wild Dog, the African Lion, marine turtles, and the Saiga Antelope.

278. CMS and CITES were working on the African Lion and a workshop had been held in Entebbe with financial support from the Governments of Germany, the Netherlands and the United Kingdom, which had enabled one representative from each of the 32 Range States to be invited; two thirds of those attending had been CITES National Focal Points, and one third CMS NFPs. It was apparent that within national administrations the NFPs for the two Conventions were not engaging in much dialogue with each other. The Entebbe workshop had focussed on urgent conservation measures across Africa and against this backdrop, of the appropriateness of listing African Lion under the Conventions. Without these discussions the compromise reached at CITES COP would not have been possible. The meeting had also issued the "Entebbe Communiqué".

279. Mr Jones (Born Free) welcomed the efforts being made to identify areas of collaboration between CMS and CITES, but stressed that each Convention had a unique role. The listing criteria for the two Conventions were different under the two. Listing the Lion on Appendix II of CMS would give CMS a mandate for action quite separate from the trade issues behind the species' listing on CITES.

280. Ms Qwathekana (South Africa) referred to the African Elephant Action Plan and gave notice that a Draft Resolution would be prepared for consideration at COP12 and undertook to initiate the necessary consultations. South Africa also wanted to initiate action on the African Wild Dog and other carnivore species, in the form of a 'Carnivores Initiative'.

281. Subsequently, draft texts were presented concerning the African Elephant and the African Wild Dog. These were based on the decisions agreed at CITES COP17, such as Decision 28 of Committee 1, which were relevant to CMS and had contained minimal amendments to further add the CMS context. After some minor changes to the wording, the two decisions, the text of which appears in Annex 1, were adopted by the meeting.

## **21 Dates and Venue of the 46<sup>th</sup> Meeting of the Standing Committee**

282. Mr Lenten (Deputy Executive Secretary) confirmed that the 46<sup>th</sup> meeting of the Standing Committee would take place in Manila on the morning of 22 October 2017. The precise venue was still to be decided and Standing Committee members would be notified in due course.

## **22 Any Other Business**

### **Signing Ceremony for the Partnership Agreement with the China Biodiversity Conservation and Green Development Foundation**

283. The Executive Secretary introduced Zhou Jinfeng, the Secretary-General, of the China Biodiversity Conservation and Green Development Foundation (CBCGDF). The signing of the Partnership Agreement represented another step in strengthening the Convention's relations with China.

284. Dr. Zhou gave a brief presentation outlining some of the Foundation's work, such as CCAfa (The China Conservation Area for Something at Somewhere), which concerned migratory Species including the Great Bustard, the Relict Gull, the Snow Leopard, the White-headed duck, the Black-faced Spoonbills, the Przewalski's Gazelles and dolphins also some topics of interest to the Convention were also discussed. The Foundation was also engaged in ex situ conservation and public awareness raising and campaigned on issues such as stopping the illegal killing of birds. After implementation of the newly revised Environmental Protection Law of China in 2015, the

Foundation's legal team on behalf of the general public had filed dozens of environmental public interest litigation cases for conservation. The CBCGDF advised through draft policy proposals to the Two Sessions (National People's Congress (NPC) and the National Committee of the Chinese People's Political Consultative Conference (CPPCC) annual meeting) to have laws enacted and organized the first ever conference in China to consider the country's accession to CMS (see agenda item 9 above). It was working in East Asia with the IUCN to stimulate interest in the Convention among other countries from the region such as the Russian Federation and the Republic of Korea.

285. Following the presentation, Mr Zhou and the Executive Secretary signed the Partnership Agreement.

### **Signing Ceremony for the Partnership Agreement with OceanCare**

286. The Executive Secretary introduced Sigrid Lüber, the President of the Swiss-based NGO, OceanCare, which was conducting a great deal of work of interest to the CMS Family. OceanCare was already a recognized partner of ACCOBAMS and had joined the United Nations' EcoSoc. The organization had a deep understanding of many of the threats facing CMS-listed species.

287. Ms Lüber said that she was well acquainted with CMS as she worked with the Aquatic Mammals Working Group of the Scientific Council on subjects such as aquatic bushmeat and served as co-chair of the Joint CMS-ASCOBANS-ACCOBAMS Noise Working Group and had been involved in the development of the CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities. Other areas where the interests of CMS and OceanCare coincided included the conservation of the Polar Bear, plastic pollution and marine debris.

288. Following the presentation, Ms Lüber and the Executive Secretary signed the Partnership Agreement.

289. There was no other business raised under this agenda item.

## **23 Concluding Remarks**

290. Following the customary expressions of thanks to all who had contributed to the successful organization and execution of the meeting, including the Chair, the officers of the working groups and sub-committees, the participants, the Secretariat staff, the Host Government and the interpreters, proceedings were closed at 14:33 on 10 November 2016.

### **Decision on the Conservation of the African Elephant**

The Standing Committee recommends that **African Elephant Range States** draft a resolution on the endorsement and adoption of the African Elephant Action Plan as a steering document that CMS Parties should consider when implementing activities and initiatives aimed at the conservation of African elephants for adoption by CMS at its twelfth meeting of the Conference of Parties. This will enhance and strengthen collaboration between the CITES and CMS.

### **Decisions on the Conservation of Wild Dog (*Lycaon pictus*)**

The Standing Committee in considering CITES COP17 Committee I. 28

- a. Encourages Parties to share information about trade in the species, including levels and sources of species in trade with Burkina Faso, assisted by the CMS Secretariat and in the context of the Joint CITES – CMS Work Programme.
- b. Encourages Range States in cooperation with the CMS Secretariat, IUCN and other interested organizations, to collaborate and exchange best conservation practices regarding the preservation and restoration of African Wild Dog (*Lycaon pictus*) populations, and further invites the Range States to take actions at the national and regional level, in particular with regard to: habitat conservation; the establishment of ecological corridors to address habitat fragmentation; the management of infectious diseases; the restoration of prey-basis; human-wildlife conflicts; and trade, including trade in captive-bred specimens.
- c. Decides to consider at its 48<sup>th</sup> and 49<sup>th</sup> meetings the reports submitted by the Secretariat and the Range States and, as appropriate, recommend further actions to be taken.

The Standing Committee further recommends that the CMS Secretariat, taking into account other existing initiatives, develop a draft resolution on an Africa conservation initiative for carnivores in collaboration with CITES for the overall protection of these species, for adoption by CMS COP12.

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