

**4<sup>th</sup> Meeting of the Sessional Committee of the  
CMS Scientific Council (ScC-SC4)**

*Bonn, Germany, 12-15 November 2019*

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**REPORT OF THE THIRD MEETING OF THE SESSIONAL COMMITTEE OF  
THE CMS SCIENTIFIC COUNCIL (ScC-SC3)**

## **3<sup>rd</sup> Meeting of the Sessional Committee of the CMS Scientific Council (ScC-SC3)**

*Bonn, Germany, 29 May – 1 June 2018*

UNEP/CMS/ScC-SC3/Report

### **REPORT OF THE MEETING**

#### **I. Opening of the Meeting and Organizational Matters**

##### **1. Opening of the Meeting**

1. The Chair, Mr. Spina (ScC-SC member for the European Region) welcomed participants to the 3<sup>rd</sup> Meeting of the CMS Scientific Council Sessional Committee and thanked the Secretariat for having organized it and the Government of Germany for its continuing support to the Convention and especially for providing interpretation. The Chair noted that the level of attendance of Sessional Committee members was high, complemented by representatives of Party Observers and NGOs.
2. The Executive Secretary, Mr. Chambers, also noted the high level of attendance and echoed the thanks to the Government of Germany. It was an important meeting, being the first gathering of the Sessional Committee after the 12<sup>th</sup> Meeting of the Conference of the Parties (COP12), which had been highly successful, not only because of the record number of participants, but also because of media coverage and the important resolutions passed. The Convention had momentum, and preparations would start soon for COP13.
3. CMS COP13 would take place in India in February 2020. The dates had been chosen to avoid clashes with other meetings such as the COP of the Convention on Biological Diversity (CBD) in Beijing, the IUCN World Conservation Congress (WCC) and a possible summit on biodiversity at the UN General Assembly in New York. CMS COP13 could make valuable contributions to these other processes, which would formulate the post-2020 agenda, but these contributions had to be properly prepared.
4. The Chair said that CMS relied on sound scientific advice and noted that the proposed dates for COP13 meant that the intersessional period would be shorter than normal, necessitating greater focus and prioritization. He invited the Chair of the CMS Standing Committee, Mr. Størkersen, to make some opening remarks.
5. Mr. Størkersen said that the coming months would be an interesting period for CMS, CBD, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and the Bern Convention. CMS would have to consider how to proceed in the wider context of biodiversity conservation and how to face the challenges and make the most of the opportunities. There was talk of a new accord for biodiversity and more resources, from which CMS should seek to benefit. The IPBES assessments showed that the Aichi Targets were not likely to be met and new impetus and more resources were necessary. Funding was essential for initiatives to take off. CMS should seek synergies with Parties, other MEAs and other sectors, and learn from the experiences of others.

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

### **2.1 Provisional agenda and documents**

6. Mr. Barbieri (Secretariat) introduced the provisional agenda contained in document UNEP/CMS/ScC-SC3/Doc.2.1/Rev.1. He asked whether there were any requests for additions and, in particular, for items to be taken under “Any Other Business” (Agenda Item 9). Colleagues from the Secretariat of CBD had indicated that they wanted to discuss the Bio-Bridge Initiative, which would be taken on the final day of the meeting (1 June). The issue of collaboration with IPBES would recur throughout the discussions of the Sessional Committee’s POW. As there were no proposals for amendment, the agenda was adopted.

### **2.2 Provisional annotated agenda and Meeting Schedule**

7. Mr. Barbieri introduced the schedule ([UNEP/CMS/ScC-SC3/Doc.2.2](#)), explaining that the first day would be spent in plenary discussing the Sessional Committee’s POW, the Scientific Council’s Rules of Procedure (ROP), the review of the areas of expertise of the COP-appointed Councillors, collaboration with IPBES and Concerted Actions. Working Groups would be established, which would take up their work, notably on the development of specific sections of the POW, on the second day after a short plenary session. Working Groups would possibly continue to operate at the start of the third day, after which cross-cutting issues in relation to the development of the POW would be discussed. Reports from the Working Groups and the closing items of business would be taken on the fourth and final day. Other in-session Working Groups, such as the foreseen one on the revision of the ROP, would be timetabled taking account of the rest of the schedule of the meeting. One error had to be corrected, with the reference to “vultures” in the Aquatic Species section to be replaced by “wild meat”. The schedule was adopted with the noted correction.

## **II. Strategic and Institutional Matters**

### **3. Scientific Council Organizational Changes**

#### **3.1 Revision of the Rules of Procedures of the Scientific Council**

8. Mr. Barbieri gave a presentation drawing the Committee’s attention to document [UNEP/CMS/ScC-SC3/Doc 3.1](#), Decisions 12.2 and 12.3 and Resolution 12.4. The current ROP of the Scientific Council were contained in document [UNEP/CMS/ScC-SC3/Inf.1](#).
9. The Sessional Committee had been established by COP11 and its creation had led to the need to review the ROP. The task had been included in the Programme of Work for the Sessional Committee for 2016-2017, under the responsibility of the Working Group on Institutional and Legal Matters. The proposals for the revision of the ROP included in Doc.3.1 were submitted to the Sessional Committee by the Working Group. An invitation to provide comments in writing before the meeting had been extended to all members of the Scientific Council after the document had been posted on the meeting webpage. Comments had been received from Mr. Baigún (ScC member appointed by Argentina), Mr. Mundkur (COP-appointed Councillor for Asiatic Fauna), and Ms. MacDonald (National Focal Point, New Zealand).
10. Mr. Barbieri presented the main proposed changes to the ROP, and then invited members of the Working Group to complement or correct his summary of the proposals.
11. Mr. Biber (African-Eurasian Migratory Landbirds Working Group - AEML) said that he had made some comments, which did not appear to have been taken into account. He was also concerned that a strict application of the proposed rules would lead to difficulties where the full members of the Committee lacked the capacity to take work forward and were dependent on support from colleagues from civil society. Mr. Barbieri said that it had not been possible to

incorporate all changes and confirmed that the drafting process was still open, and further changes could be made.

12. Ms. Qwathekana (ScC-SC member for the African Region) saw more scope for eliminating overlaps between the terms of reference (TOR) and the ROP. She agreed that internal elections were a procedural issue and should be covered by the ROP.
13. Mr. Siblet (ScC-SC member of the European Region) commented that the decision limiting the number of observers attending meetings should be taken on scientific grounds and it would be more appropriate for the Committee to determine participation rather than the Secretariat.
14. Mr. Notarbartolo di Sciara (COP-appointed Councillor for Aquatic Mammals) was also concerned about the amendments' implications for the Aquatic Working Group. This Working Group had a comprehensive programme of work set out by Resolution 10.15, and it could only be delivered with extensive NGO input. Close cooperation with NGOs was a hallmark of CMS.
15. Ms. Montgomery (ScC-SC member for the Oceania Region) raised the issues of the role of alternate members, timing of the notification of meetings and composition of Working Groups, where a balance needed to be struck between the weight of Parties and inclusiveness towards NGOs. A distinction might usefully be made between Working Groups meeting in session and those operating intersessionally.
16. Ms. MacDonald (Party Observer - New Zealand) said that she had submitted some comments aimed at improving clarity and precision. She outlined the substance of these comments and said that she would address them in detail in the Working Group. She pointed out inconsistencies in the treatment of alternates and highlighted the need for deadlines for submission of papers to take account of translation and posting.
17. Ms. Lieberman (Wildlife Conservation Society - WCS) said that CMS might learn from the experience of CITES, which did not require long-standing NGO observers to reapply for the right to attend. She added that constructive NGO participation should be welcomed and pointed out that the final decisions rested with the Parties, so she doubted whether there was really a problem. The draft text presented was the result of compromises on all sides and she had accepted assurances that the term *should* indicated a suggestion not an obligation.
18. Mr. Mundkur had also submitted comments. He pointed out that the Working Group on Flyways had benefitted from contributions from non-members and its ambitious POW required cooperation with partners beyond the Parties.
19. Ms. Prideaux (Wild Migration) focussed on the distinction between the operation of in-session and intersessional Working Groups. The latter could call upon a wide range of expertise to produce sound advice. Final decisions, however, should be taken by the Sessional Committee, the Scientific Council or the COP as appropriate.
20. Mr. Entrup (OceanCare) recalled the track record and history of CMS, which had always been held up as a good operating example of the Aarhus principles of openness. Consequently, civil society was willing to engage with CMS.
21. Mr. Limpus (COP-appointed Councillor for Marine Turtles) in principle supported the aims of the recommendations but noted that most Parties had only one representative on the Scientific Council and most were experts on birds or mammals, so participation in the Marine Turtle Working Group had always been low. As the ideas discussed by the Working Group had to be endorsed by the Scientific Council/Sessional Committee, he did not think that the balance of members between Councillors and observers was a problem. He was also dealing with the Single-species Action Plan for Hawksbill Turtles (*Eretmochelys imbricata*); many Range States were not CMS Parties and they would have to be included in its development.

22. Mr. Simmonds (Humane Society International - HSI) commented that CMS had long been the Multilateral Environment Agreement (MEA) most open to civil society, and others such as the International Whaling Commission (IWC) were slowly following CMS's lead. At ASCOBANS longstanding observers were not required to reapply to attend meetings once accepted. He also asked whether NGO representatives on Working Groups would be asked to step down if a Councillor was unable to attend changing the balance of membership.
23. Mr. Williams (ScC-SC alternate member for the European Region) highlighted the difficulties arising from the transition from operating the full Scientific Council to the smaller representative Sessional Committee. Clear ROP were vital to help deal with the Sessional Committee's workload. He added that clarity was needed on the role of the Alternate Members and advised that there was a widely held perception among Parties that CMS, an MEA signed by sovereign States, was driven by NGOs. It was recognized that NGOs and academia had an important role but the outputs had to be owned by the Parties.
24. Mr. Størkersen (CMS Standing Committee) concurred with Mr. Williams and said that the ROP needed to adjust to changing circumstances as CMS grew and developed. He suggested that Party observers could be counted with the Councillors in determining the balance of Working Group membership and that Chairs of Working Groups should be allowed a degree of discretion in deciding whether there was an imbalance especially where Working Groups met virtually.
25. At the request of the Chair, work on the revision of the ROP continued in a Working Group chaired by Mr. Oteng-Yeboah (COP-appointed Councillor for African Fauna). The group met twice in the evenings of the first and second day of the meeting. On the third day, after the revised text had been circulated and published as a Conference Room Paper, Mr. Oteng-Yeboah presented the main proposals to the Plenary. The new text contained eight sections with a total of 26 rules.
26. Mr. Notarbartolo di Sciara suggested that representatives of intergovernmental organizations (IGOs) be grouped with Councillors and Party representatives when calculating the balance of membership on Working Groups. Ms. Montgomery said that this option had been discussed but it was agreed that IGOs be included under the observers when considering the composition of in-session Working Groups.
27. Mr. Dasgupta (Party Observer - India) questioned the wording of Rule 7 which stated that the Vice-Chair was expected to assist. Mr. Oteng-Yeboah explained the rationale behind this terminology.
28. Mr. Limpus asked whether the ROP of the Scientific Council and the Sessional Committee applied to the Working Groups, and in particular to inter-sessional Working Groups, where a large number of non-Party Range States might be expected to participate. Mr. Williams said that there was no provision in the ROP that would stop non-Party Range States from participating in intersessional meetings. For in-session Working Groups, non-Party Range States would be counted among the observers.
29. Mr. Jones (Born Free Foundation) observed that not all participants that volunteered to attend Working Group actually attended, so it was important to determine when the number and proportion of observers was calculated. Mr. Williams said that this issue too had been discussed at length. The aim was to achieve a reasonable balance between Parties and Observers and the 50-50 division was a guideline rather than a provision to be strictly adhered to. Working Group Chairs should be mindful of the need for balance and the Sessional Committee could learn from experience.
30. Mr. Entrup commented that with several Working Groups operating in parallel, attendance fluctuated and often reached low levels where small numbers could affect the balance.

31. Mr. Sonntag (International Fund for Animal Welfare) asked whether observers would be asked to leave the room or more Party representatives would be summoned if the appropriate balance in numbers was not achieved.
32. Mr. Hogan (COP-appointed Councillor for Fish) said that as the Chair of a Working Group, he would appreciate some guidance regarding the desired balance and what to do if it was not being achieved.
33. Ms. Prideaux suggested qualifying *should* with *wherever possible*. Ms. Montgomery explained that this option too had been discussed but rejected. She added that it was hoped that this rule might be taken into account when the schedule of Working Groups was decided to minimize the number of concurrent sessions.
34. Mr. Taylor had experienced a scheduling clash having wanted to participate in both the Avian and Aquatic Working Groups. It would therefore be helpful to know when specific agenda points would be discussed in the various sessions.
35. Ms. Crockford (BirdLife International - BLI) asked whether Rule 19e applied to intersessional Working Groups and whether the Sessional Committee could amend the findings of such a Working Group. Then workload of the Sessional Committee would increase greatly if it had to approve every last detail of the reports it received. Mr. Williams said that recommendations from a Working Group needed to be endorsed by the Sessional Committee.
36. Ms. Prideaux found that requiring observers to apply to attend meetings 45 days in advance was excessive. Mr. Williams said that for reasons of management and logistics, the Secretariat needed advance notice of attendance. Mr. Simmonds pointed out that there was no provision for advising applicants for observer status whether they had been accepted. There was a risk that an observer would travel to the meeting only to be turned away. Mr. Williams said that the wording used was standard text, and that at COP all observers were usually accepted en bloc at the start of the meeting. He was unaware of any occasion when an observer had been turned away. Mr. Barbieri said that the Secretariat routinely enquired of National Focal Points whether observers from their country were suitable candidates.
37. The Chair commented that the Sessional Committee was a fraction of the size of the full Scientific Council and more Scientific Councillors should be persuaded to become involved.
38. Ms. Montgomery recalled the practice in CITES, where observers were asked to choose among themselves which of them should attend Working Groups. An added benefit of this was that it encouraged cooperation among NGOs. Ms. Lieberman agreed that this arrangement worked well in CITES and stressed that there the balance between Parties and observers was determined when the Working Groups were set up and not when they met and the balance was not regarded as a quorum.
39. Mr. Fernando (ScC-SC member for the Asia Region) agreed that the arrangements under CITES worked well. He added that as all observers were invited and had been re-approved, minor imbalances should not prove a problem.
40. ScC-SC members Baker, Baramjev, Medellín, Montgomery, Notarbartolo di Sciara and Pereira Serafini all expressed support for the draft. In the absence of voices against the proposal, the Chair declared that the text as presented had been approved. The final version is attached to this report as Annex 2.

### **3.2 Review of COP-appointed Councillor Subject Areas**

41. The Chair introduced document UNEP/CMS/ScC-SC3/Doc.3.2 saying that some flexibility was needed in relation to addressing changing circumstances. He invited Ms. Montgomery to expound further.

42. Ms. Montgomery said that COP-appointed Councillors were a unique and useful creation, which had started in 1985. There had been some ad hoc recasting of the portfolios, with the only substantive additions being the bycatch, fish and climate change posts.
43. The subject areas of the COP-appointees were relevant at the time of the posts' creation but circumstances changed and no fundamental, formal review had taken place in 30 years. Such a review was overdue and following informal discussions at COP12, Australia was proposing the establishment of a Sessional Committee Working Group with representatives from each CMS region. The COP-appointed Councillors and observers would be welcome to contribute. Draft TOR for the Working Group were set out in the annex to the document and it was expected that recommendations could be presented to COP13 in 2020.
44. Mr. Taylor and Mr. Williams fully supported the review as new themes had emerged. The review was timely and was consistent with the spirit of Resolution 11.4.
45. Ms. Lieberman asked how observers and COP-appointed Councillors would be able to make their contributions. Ms. Montgomery undertook to circulate the Working Group's paper and called for expressions of interest to be included on the mailing list. She proposed that the Working Group hold a short preliminary meeting to elect Officers and sketch out a road map.
46. The following Councillors volunteered to serve on the Working Group: Diouck (Africa), Fernando (Asia), Montgomery (Oceania), Pereira Serafini (Central & South America and the Caribbean), Qwathekana (Africa), Sibley (Europe), Taylor (Oceania) and Williams (Europe).
47. At the opening plenary session on the third day, Ms. Pereira Serafini reported that the Working Group had met. The discussions had been fruitful and it had been agreed that Ms. Montgomery would serve as Chair and Ms. Pereira as Vice-Chair. Some changes were made to the Working Group's TOR. The revised TOR are attached to this report as Annex 3.
48. On the final day, Ms. Montgomery explained that the review process would be conducted iteratively, and inputs would be welcomed from all interested parties. The next step would be the drafting of a background paper which she expected would be completed within three months.

#### **4. Programme of Work for the Sessional Committee of the Scientific Council**

49. The Sessional Committee considered in plenary the following work areas from the Programme of Work: Institutional and Legal Matters; Strategic Issues and Cross-Cutting Conservation Issues. Conservation issues relating to aquatic, terrestrial and avian species were considered by the relevant taxonomic working group. The Working Groups reported on their deliberations to the Plenary. The summaries of their reports and relevant discussions are included under Item 7.

##### **4.1 Implementation of the Programme of Work for the Sessional Committee of the Scientific Council for 2016-2017**

##### **4.2 Development of the Programme of Work for the Sessional Committee of the Scientific Council for 2018-2020**

50. Mr. Barbieri introduced documents [UNEP/CMS/ScC-SC3/Doc.4.1](#) and [UNEP/CMS/ScC-SC3/Doc.4.2](#), dealing respectively with the implementation of the Sessional Committee's POW 2016-2017 and the Sessional Committee's POW for the period 2018-2020. The main purpose of the 3<sup>rd</sup> Meeting of the Sessional Committee was planning activities for the triennium and the main output would be a POW for the period 2018-2020. In this respect, it was considered helpful to review progress in the implementation of the POW for the period 2016-2017 and decide which activities that were either incomplete or had not started should be carried over.

The POW 2016-2017 had been developed at the first meeting of the Sessional Committee and reviewed at the second meeting, which had however primarily concerned itself with preparations for COP12. Annex 1 to document 4.1 provided an update on the previous report and addressed where appropriate the issue of how to deal with current, uncompleted workstreams.

51. To support the development of the POW for the period 2018-2020, the Secretariat had proposed a template for the POW, which was to be used throughout the meeting and it was similar to the one used for the previous triennium. Sections covered the thematic work areas used by the Secretariat: institutional and legal, strategic, aquatic, terrestrial, avian and crosscutting. The template had been partly completed by the Secretariat. The columns covered the mandate, funding, timeframe, lead contributors and the priority level.
52. Mr. Barbieri noted that the process of reviewing Resolutions had led to a number of mandates resurfacing that had been forgotten and many mandates were not time-bound.
53. The Sessional Committee was requested to review and finalize the template, identify membership of the Working Groups and adopt the POW at the end of the meeting. Working Groups were foreseen for each thematic work area and these Working Groups were responsible for implementing the activities.
54. Mr. Williams commented that the POW contained some very worthy areas of work and much had not been completed for lack of funding, a sentiment shared by other speakers. Given that COP13 would be happening in early 2020 reducing the duration of the intersessional period, the Sessional Committee should identify its priorities being realistic about what could be carried over into the next triennium given limited capacity.
55. Ms. Montgomery assumed that unfinished work from one POW would automatically be carried over but agreed that the Sessional Committee needed a realistic POW. She noted that many activities were annotated "subject to resources" and no voluntary contributions had been provided. She suggested that these activities should be placed in a separate table or annex.
56. Mr. Størkersen said that the number of activities with no allocation in the core budget meant that greater efforts were needed to persuade Parties to provide voluntary contributions. He also asked whether it was necessary to engage Parties and Councillors in the Working Groups to make them more effective. Ms. Qwathekana suggested that innovative approaches to fundraising were needed. The Raptors MOU used the UN scale to elicit voluntary contributions and issued invoices. A Party should be identified to champion an activity, agreement or project. The Chair said that the Champions evening at COP12 showed that Secretariat was promoting the Convention's donors.
57. Mr. Mundkur said that the POW on flyways identified a number of actions that had neither been programmed nor had funding allocated. The in-session Working Group would have to decide what the level of required funding was and identify potential donors. Several actions had been held over from the last triennium and many were directly relevant to the Aichi Targets.
58. Ms. Qwathekana pointed out that the run-up to 2020 was under way and CMS and the Sessional Committee needed to be ready to make their inputs into the wider processes. The mechanisms for measuring the success of the Aichi Targets took account of all MEAs but the common complaint was that there was insufficient information to make a sound assessment of progress.
59. The Executive Secretary said that much thought had been given to how CMS, the COP, the Scientific Council and the Sessional Committee should contribute to the wider process. Deadlines were looming and action was urgently needed. He and the Chair had been identifying opportunities for CMS to contribute through addressing themes such as connectivity, animal culture and protected areas.

60. The Chair commented that CMS was good at being innovative and tackling new issues, and agreed that those could be part of its contribution it had to respond to wider themes.
61. Mr. Oteng-Yeboah said that the new template of the POW provided a clear overview of activities but could be enhanced by the inclusion of an indication of level of implementation. The Chair commented that such an amendment would entail regular updates of the POW.
62. Mr. Williams said that reporting requirements were arduous but necessary, as they provided information on whether projects were on track. With regard to some of the historic mandates that had re-emerged, he suggested that obsolete ones should be discarded. Events had overtaken certain tasks that now fell more appropriately to daughter agreements (e.g. shark conservation to the Sharks MOU).
63. Mr. Barbieri pointed out that the table annexed to doc.4.1 included a column for reporting progress. A column for progress could be added to the template when implementation of the POW was being assessed, and a traffic light colour-coding system as proposed by Mr. Siblet could be devised to provide an immediate perception of progress. The Chair concluded that the format of the template was approved.
64. The following paragraphs report on the discussions of the thematic areas in the POW held in Plenary.

### **Institutional and Legal Matters**

65. This thematic area included five activities from mandates related to the Scientific Council and the process of listing species. The review of the ROP foreseen in Decision 12.2 was expected to be completed at the current meeting except for the need to report to the Standing Committee.
66. The Sessional Committee had been asked to develop model proposals in parallel with designing a template for amendments to the Appendices. This had probably been overtaken by events and the Sessional Committee could instead identify good examples among the proposals received before COP12 using the new template.
67. Decision 12.10 indicated that COP13 would expect advice from the Sessional Committee on streamlining Resolutions 3.1 *Listing of Species in the Appendices of the Convention* and 11.33 *Revision of the Template and Guidelines for the Drafting of Proposals for the Amendments of the Appendices*. Mr. Williams said some redrafting was needed and this could be done inter-sessionally and a text would be submitted to the 4<sup>th</sup> Meeting of the Sessional Committee.
68. Decision 12.101 requested the Scientific Council to trial the use of guidelines for assessing listing proposals and report back to COP13. This had already been done for COP12 and it was proposed to add this topic to the agenda of the 4<sup>th</sup> Meeting of the Sessional Committee to formulate advice to be given to COP13.

### **Strategic Issues**

#### **Conservation status of CMS species**

69. Mr. Barbieri said that with regard to the report on conservation status of CMS species, a scoping paper had been prepared in the previous triennium. No funding was available for the full report and the activity had been carried over into the new triennium, and further fundraising efforts were already being attempted.
70. Ms. Montgomery said that this project was a prime candidate for the table that she had proposed for important activities with no funding. The Chair expressed the fear that the table would become a shelf upon which projects gathered dust and were forgotten. Mr. Williams,

however, said that the table might help draw attention to the need for funding and help secure it.

71. Ms. Lieberman said that this was a high priority project and could represent a major contribution from CMS of value to both the CBD COP and the IUCN WCC, as well as to CMS COP13. The estimated cost seemed a low price to pay for work of such value.
72. Mr. Hogan agreed that this was an important activity and should not be lost. The Convention was losing its ability to monitor its species and ran the risk that some of the fish species would become extinct.
73. Mr. Mundkur agreed that this task was a high priority given the forthcoming IUCN WCC and the CBD COP, when CMS would have the chance to highlight how migratory species were faring in the context of the Aichi Targets. IPBES had issued a call for project proposals and this appeared to be a suitable candidate. The Chair reiterated that CMS had actively engaged with IPBES since the intergovernmental platform was set up.

### **Migration Atlas**

74. Mr. Barbieri said that the development of the migration atlas had been included in the POW for the previous period and would be carried forward. The Italian Government was providing the funds to implement the African-Eurasian bird component and contracts were being negotiated with partners such as EURING. The Sessional Committee would have a role in overseeing the project and might have a place on the steering committee. The project was expected to last three years, during which time the Sessional Committee could make its input, with some intermediate outputs likely to be ready sooner. Products would include maps, data and fact sheets. The species coverage had not yet been fixed and the initial analysis was still awaited but it was expected that hunted species would be treated as a fast track based on a specific request by the donor. With the atlas being produced in modular form, lessons would be learned from the production of the first sections to be produced such as the one on African-Eurasian birds.
75. Mr. Sibley, suggested that the Sessional Committee could advise on methodology but would need to have a clear idea of the proposed structure of the atlas. It was necessary to know which species would feature on the maps, whether all species or just representative samples would be included and what scale the maps would be. The atlas could be helpful in identifying sites in sub-Saharan and Northern Africa that should be protected. The maps published by National Geographic could be a model, and a collaborative project between CMS and National Geographic could be considered. The Italian Government's support for the first phase was welcome but more donors and sponsors were needed for other taxonomic groups.
76. The Chair said that much of the data for the African-Eurasian bird atlas would be based on ringing programmes, which had produced millions of records covering a large number of species. Some data were based on new technology and the tracking of individual animals. Web-based tools will make the outcomes of the atlas available to the public. More emphasis was being placed on web-based products which could be updated rather than on printed material.
77. Mr. Hogan proposed reaching out to potential partners, such as the World Fish Migration Foundation, which was also aiming to produce an atlas for 2020.
78. Ms. Crockford announced that, along with University of Montpellier, ISPA in Portugal, the Royal Society for the Protection of Birds and the British Trust for Ornithology, BLI was involved in the supervision of a PhD (student about to be recruited) to look at Afro-Palaeartic migrant declines, mobilizing and analysing tracking data (EU Horizon 2020 funding). Synergies with the atlas project could be explored once the student was on board. It fed directly into Decision

12.23b on landbird research and links with the African-Eurasian Migratory Landbird Action Plan would be important.

79. Mr. Panigada (ACCOBAMS) said that a survey in the Mediterranean was about to be conducted involving eight aeroplanes and five ships. The survey would cover cetaceans and seabirds and the results would be available at the end of the summer and could be shared.
80. Mr. Williams offered to share trend analysis techniques used in the UK for rarer species.
81. Mr. Mundkur said that AEWA, Wetlands International and BirdLife International were updating the Critical Site Network Tool for the African-Eurasian region which had been developed under the Wings over Wetlands project. The revised version took account of the impacts of climate change and changes to species' ranges. It would be presented at the AEWA MOP in December 2018.
82. Mr. Limpus was the curator of a database for marine turtles and stressed that it was critical to have dialogue between the IT experts and the biologists as species' requirements differed across taxa. The structure of the database had to suit all taxa.
83. Mr. Notarbartolo di Sciara said that the IUCN Marine Mammal Protected Areas Task Force and Duke University were addressing the problem of including marine mammal migratory information in the IMMA effort, starting from marine regions in the Southern Hemisphere in a project funded by the Government of Germany. Highly migratory marine mammals cross the High Seas as well as areas under national jurisdiction. The activity had started and was open ended.
84. Mr. Medellin (COP-appointed Councillor for Neo-Tropical Fauna) saw potential for the project to bring CMS to the next level. He expressed the wish that the atlas should not be confined to species listed on the CMS Appendices.
85. Mr. Barbieri undertook to prepare a list of possible tasks for the Sessional Committee in relation to the atlas. These roles included membership of the steering group, peer reviewing outputs, and helping with the development of the global concept.

### **IPBES**

86. There was a discussion of Resolution 10.8 (Rev.COP12), which reaffirmed a mandate for cooperation between CMS and IPBES. CMS National Focal Points and Scientific Councillors were urged to liaise with IPBES focal points in their respective countries to ensure suitable coverage of CMS issues. A further discussion of the potential role of the Sessional Committee in making inputs into the work of IPBES is reported under Agenda Item 5 below. The outcomes of this discussion were reflected in the revised POW.
87. Mr. Barbieri said that one action point involved CMS engaging with IPBES in liaison with other MEAs. Mr. Koetz had said that CMS input in the development of the IPBES POW was being sought. The Scientific Council should seize this opportunity and provide its advice input quickly. This task would be added to the POW. The Scientific Council could also contribute members to participate in IPBES Working Groups responsible for the assessments.

### **Post-2020 Biodiversity Framework**

88. Ms. Cerasi (Secretariat) speaking on behalf of the Executive Secretary said that two meetings of a small informal group had been held in the margins of the Sessional Committee, to consider ways of promoting migratory species conservation post-2020. There was general support for including the key activities in the POW under Strategic Issues. These asking the Sessional Committee to:

- engage in the post-2020 debate,
  - establish an intersessional working group based on the informal group supplemented with further members of the Sessional Committee. Members of the Standing Committee would be invited as to promote the science-policy interface;
  - prepare a scoping paper, for which a meeting might be necessary before or back-to-back the forthcoming Standing Committee meeting;
  - prepare a timeline of events setting out the milestones in the run-up to 2020 with the aim of building momentum and attracting political interest.
89. Mr. Mundkur said momentum should be made after the recent Global Flyways Summit held in Abu Dhabi and volunteered to be part of the Working Group. Ms. Crockford also volunteered to be part of the Working Group.
90. Mr. Williams looked forward to further stimulating discussions and agreed that it was important for CMS to make its presence felt in the post-2020 debate.
91. Mr. Demeter (Party Observer, European Union) said that the European Union was eager to take part in the discussion. He also announced that two major policy developments were about to be launched concerning the Common Agricultural Policy and an initiative on pollinators.

#### **Crosscutting Items (4.1 and 4.2)**

##### **Animal Culture and Social Complexity**

92. The Chair said that this topic was a new field in science and CMS was very much in the vanguard. A workshop had been held in London in 2014 concentrating on cetaceans, with a second workshop hosted by the Appennino Tosco-Emiliano National Park, with support from the Fondazione Monteparma and the Principality of Monaco through the CMS Champion Programme, which had taken place in Parma, Italy 12-14 April 2018.
93. Mr. Notarbartolo di Sciara said there had been 20 participants in addition to the organizers, which had represented a wide range of expertise. The workshop had been chaired jointly by the co-chairs of the Culture Expert Group, Mr. Notarbartolo di Sciara and Ms. Philippa Brakes. The Workshop Report had just been published as an information document for the Sessional Committee meeting. It had been a successful workshop with positive engagement from the participants. Four subgroups had been formed dealing with: human-wildlife conflict and anthropo-dependence; conserving valuable cultural diversity in wildlife; social learning, range recovery and migration; and specialization versus ecological resilience. The workshop had focused on determining key factors for identifying priority species and populations listed under CMS where social learning may influence their conservation. Some general recommendations emerged from the plenary together with more specific ones from the sub-groups; these would be considered by the Culture Expert Group in its further work. The Culture Expert Group would report to the 4<sup>th</sup> Meeting of the Sessional Committee with a view to possibly submitting proposals for endorsement by COP13. He also noted that it appeared that some of the invited experts had been unfamiliar with CMS, so the workshop had broadened the Convention's contacts with the scientific community. All workshop participants had been invited to join the Expert Working Group.
94. Mr. Simmonds, who had been a facilitator at the workshop, agreed that the workshop had been very positive and said that a series of case studies would be worked up further.
95. Mr. Williams had attended the workshop and had found the discussions to have been of high quality. He would be interested in further collaboration given the exciting possibilities for science. Thought should be given to how the results could be used by CMS, given the challenges of presenting this topic to policy makers, who would expect clear practical suggestions.

96. The Chair said that the importance of culture to these species gave a new perspective to conservation, which was not only about overall numbers and highlighted the crucial role of individual animals.
97. Mr. Redmond (CMS Ambassador) said that he had studied two species with cultural traditions, namely gorillas and elephants, and stressed the importance of culture in outlying populations, which survived on the fringe of the species' range because of their culture. How these minority populations survived might indicate how the rest of the species could be helped in the face of climate change.
98. Ms. Frisch-Nwakanma (Secretariat) said that the Expert Working Group would continue to work virtually to fulfil its mandate to provide recommendations to the fourth meeting of the Sessional Committee.
99. The Terrestrial Working Group considered the request of the African Elephant Fund Steering Committee that the Sessional Committee should provide input into the project "Elephant Culture: Melding Science and Traditional Knowledge about Elephant Culture and Social Complexity to Increase Positive Conservation Outcomes for Elephants in West Africa". Councillors with comments on the project should forward them to the Secretariat.

#### **Resolution 9.9 (Rev COP12) Marine Migratory Species**

100. Ms. Virtue (Secretariat) said that this Resolution had emerged from the review of decisions process with only two operative paragraphs. All the actions were in hand, such as the development of the Hawksbill Turtle SSAP, and the appropriate taxonomic working groups were progressing the tasks. COP13 could probably repeal the Resolution.
101. Mr. Hogan said that no discussion of fish other sharks, rays and other marine species had taken place in CMS or the Scientific Council over the past 10 years. Such a discussion was overdue.

#### **Resolution 11.29 Boat-based Wildlife Watching**

102. The Resolution had been revised at COP12 and the new guidelines had been endorsed. The Sessional Committee was asked whether there were any specific suggestions for follow-up action. It was recognized that the COP-mandated work on in-water interactions with aquatic mammals was linked but were subject to separate Resolutions. The Aquatic Species Working Group recommended addressing these issues jointly.
103. Ms. Frisch-Nwakanma gave a demonstration of the joint IWC/CMS Online Whale Watching Handbook. While IWC had taken the substantive lead, with review opportunities having been offered to the Council, CMS was providing translations into French and Spanish using a grant from the Principality of Monaco under the Migratory Species Champion Programme. The English version was to be ready in time for the IWC meeting in September 2018 and would be accessible to the public shortly thereafter.
104. Several participants welcomed the handbook saying it was a good example of cooperation between CMS and IWC and would have tangible conservation benefits.

#### **Climate Change**

105. In the absence of Mr. Galbraith (COP-appointed Councillor for Climate Change), Mr. Barbieri introduced this item. All the elements of the POW relating to climate change had been retained in the composite Resolution adopted at COP12 (Resolution 12.21).

106. The Climate Change Working Group had met in February 2017 and a report had been submitted to the Second Meeting of the Sessional Committee and a number of initiatives had been started. Resolution 12.21 paragraph 5 sought to address gaps in the dataset, for which cooperation with other actors might be an answer, such as a joint approach with the Energy Task. This task was assigned medium priority with the Climate Change Working Group in the lead.
107. Mr. Limpus said that over 50 years three tagging datasets had been developed and these would contain useful information to help predict how marine turtle populations would behave in response to climate change. Mr. Barbieri suggested that a concept note be prepared for use with partners and donors.
108. Mr. Mundkur said that the critical site network (CSN) tool developed by AEWA, Wetlands International and BirdLife International could help predict what would happen to sites in the future with climate change and changing availability of water. The revised CSN Tool would be launched at the 7<sup>th</sup> Meeting of the Parties to AEWA (MOP7) in December 2018 and could be adapted for use in the East Asian-Australasian Flyway. Funding through Germany's International Climate Protection Initiative (IKI), which was supporting other projects in the region, was possible.
109. The next mandate was the continuation of the Climate Change Working Group and broadening its membership geographically. The possibility of convening another meeting should be considered but funding would have to be secured.
110. Mr. Williams said that it was important that all regions contributed experts to the Working Group as the effects of climate change varied widely across the globe. He was not sure that convening a meeting was necessary in this respect.
111. Mr. Simmonds, who had been involved in CMS work on climate change since the outset, supported the continuation of the Working Group.
112. Decision 12.72 requested reports on the implementation of the Climate Change POW. Information could be compiled from the National Reports. The National Report template might be amended to elicit more consistent replies leading to more effective analysis.
113. Decision 12.74 requested an interpretation of the term *favourable conservation status in the light of climate change* in paragraph 9 of Resolution 12.21. A definition had been provided, but more advice was sought on how this could be turned into good practice. This had implications for consideration of listing proposals and species' historic and future range and was relevant to a wider circle than just the Climate Change Working Group. The Secretariat undertook to liaise with Mr. Galbraith over establishing a sub-group.
114. The Climate Change Working Group had decided to draft a series of articles on key species and ecosystems indicating the effects of climate change on them. The articles would be posted online and a pro forma had been devised for the structure of the articles. A representative sample of species had been identified and drafting was under way. Mr. Simmonds said that the aim was to draw attention to the real effects on species and habitats. The drafts had yet to be reviewed, so had not been circulated widely.

### **Energy and Migratory Species**

115. Mr. Heredia (Secretariat) said that energy and migratory species and climate change were related issues and drew attention to a publication from 2017 by the British Trust for Ornithology, a global vulnerability assessment on collision mortality of birds and bats at windfarms. This was a global evaluation of the effects of windfarms on birds and bats, covering approximately 10,000 birds and 1,000 bat species.

116. The Energy Task Force (ETF) had been established under CMS with the support of the German Government confirmed up to 2020. A coordinator had been appointed based at the BLI offices in Cambridge, UK. Two meetings of the ETF had taken place in Bonn and South Africa, and a third was planned in parallel with the CBD COP14 in Egypt in November 2018.
117. Power lines had a considerable impact on migratory birds, through electrocution and collisions. Wind farms also had an impact on birds and bats, as well as on wildlife habitat in general in the surrounding area. It was also important to take account of the cumulative effects of wind farms and not just the impact of a single turbine or installation.
118. Mr. Diouck (ScC-SC member for the African Region) said that wind power was part of the energy mix in a growing number of countries. Insufficient regard was paid to the impacts on wildlife.
119. The Chair acknowledged the contribution renewable energy could make to combatting climate change, but poor environment impact assessments were leading to avoidable animal deaths.

### **Connectivity**

120. The Chair introduced this subject, where CMS had recently taken some interest. COP12 had passed a Resolution and two workshops had taken place in Italy. CMS could claim to be the “Connectivity Convention” and other MEAs were becoming more aware of the issue.
121. The Chair reported that a series of actions were being taken to implement Decision 12.92 to review existing databases, reporting on the linkages between migratory species’ connectivity and ecosystem resilience. The revised mandates were included in the POW.

### **Marine Debris**

122. Ms. Frisch-Nwakanma referred to Resolution 12.20 which contained the consolidated mandate concerning marine debris, noting in particular paragraph 8 promoting the prioritization of research into the effects of plastic.
123. Ms. Pereira Serafini said that the Agreement on the Conservation of Albatrosses and Petrels (ACAP) had already prepared a response regarding plastic in albatrosses and petrels. Documents were available on the ACAP website and there were substantial reads across to other CMS species.
124. Mr. Oteng-Yeboah added that marine debris was considered by CBD, and the CMS Working Group should also follow parallel processes closely.
125. Mr. Simmonds said that another work stream was under the IWC and there were suggestions that a workshop should be organized, possibly in the margins of the joint Society for Marine Mammology/European Cetacean Society meeting in Barcelona, Spain in December 2019. As marine debris affected taxa other than cetaceans, the involvement of ACAP was welcome. He agreed with Ms. Pereira Serafini that marine debris could be the subject area of a new COP-appointed Councillor.
126. Mr. Taylor said that the World Seabird Union also had a working group on marine debris, and Mr. Jehlen (Conseil International de la Chasse et de la Conservation du Gibier) said that the Food and Agriculture Organization of the UN (FAO) was dealing with “ghost nets”. Mr. Panigada said that ACCOBAMS was involved in a number of projects related macro- and micro-plastics through contacts with the University of Siena. The major population survey to be carried out in the Mediterranean would also look for macro-plastics.

127. There was a potential role for the Scientific Council in taking forward work on marine debris. COP had decided that rather than set up a dedicated working group, marine debris should be considered by the existing avian and aquatic taxonomic groups. Further, options for close collaboration with other biodiversity-related Conventions should be explored.
128. Mr. Baker pointed out that the Scientific Council lacked specific expertise on marine debris and suggested that the idea of establishing a dedicated working group should be re-examined at COP13. It was possible that the Scientific Council would have to buy in the required expertise, and there were organizations operating in the field that could assist. Mr. Limpus said that the University of Exeter in the UK was engaged in a study of the effects of plastics on marine turtles.
129. Mr. Diouck said that some areas of Senegal were particularly badly affected and local people ran clean-up campaigns on the beaches to remove plastic and ghost nets.

### **Bycatch**

130. Mr. Baker had added some detail from the old POW to the mandates arising from Resolution 12.22. A new issue in the CMS Technical Series had just been published providing a [Review of Methods Used to Reduce Risks of Cetacean Bycatch and Entanglements](#), and he was collaborating with a PhD student on a review of mitigation measures for all marine mammal bycatch. It was noted that fisheries relocated their operations when circumstances changed, therefore, there was an ongoing need to review literature on the overlap of problem fisheries and migratory species. He said that BirdLife International did excellent work monitoring fisheries mainly in relation to seabirds, while other organizations covered pinnipeds and cetaceans.
131. Regarding collaboration with other forums, especially Regional Fisheries Management Organizations (RFMO), this too was routinely undertaken by and in collaboration with the daughter agreements. Mr. Baker's role was to advise on engagement strategies, as simply attending meetings was insufficient; the agendas had to be examined and specific goals set. RFMOs typically met 4-5 times a year, and it was important to choose the most appropriate meetings to attend.
132. Mr. Simmonds informed the meeting that the IWC had appointed a fulltime bycatch mitigation officer, whose role was to support the Bycatch Mitigation Initiative, which would be reviewed in September 2018. It was estimated that 300,000 cetaceans were falling victim to bycatch each year. Mr. Baker had been appointed to the IWC Expert Panel on Bycatch.
133. Ms. Virtue said that CMS and BLI were about to implement one part of a larger project of five years' duration on the bycatch of marine turtles and seabirds in seven West African countries.
134. Mr. Taylor said that New Zealand was implementing electronic monitoring of vessels. Trials combined electronic monitoring with human observers on board. The full roll-out of the project would start if the technology proved to be effective. Many fleets operated beyond Exclusive Economic Zones in the high seas and were covered by RFMOs, but there were few patrol boats and therefore limited means of monitoring fishing vessels. The rules imposed by RFMOs differed from region to region, and many migrant birds from New Zealand passed over areas where restrictions were lax.
135. Mr. Baker said that observer coverage in many RFMOs was as low as 1-2 per cent. They aspired to 10 per cent but lacked the necessary funds. There were also problems with the quality of reporting of targeted catch and interactions with non-target species. Considerable amounts of fishing were happening in Parties' waters, and despite the fact that ACAP had developed best practice guidance for fishing gear, many Governments did not follow it.

Communication between conservation and fisheries authorities with national administrations could also improve.

136. Mr. Størkersen said that a UN-sponsored meeting on the law of the sea would take place later in 2018, when the control of resources would be discussed. CMS should attend or at least follow this process.

**Concerted Actions (see also Agenda Item 6.1)**

137. Mr. Barbieri recalled the long discussion on the first day of the meeting. It was necessary to clarify a few outstanding points in relation to COP mandates concerning Concerted Actions and finalize the entries in the POW.
138. It had been agreed that the Sessional Committee would not propose its own list of species for designation for Concerted Action, its role in determining the species to be designated for Concerted Action for the triennium 2021-2023 would consist of reviewing the proposals for Concerted Actions submitted for COP13 consideration by stakeholders. The Sessional Committee was also to nominate a member of the Council or an alternative expert for each species designated for Concerted Action tasked to provide periodic reports on the implementation of the Concerted Action. For the vast majority of such species, however, there was no Concerted Action Plan against which the expert could report progress. It was agreed that it was the role of each Taxonomic Working Group to identify appropriate experts for the few species for which a Concerted Action proposal existed.
139. In relation to the request included in Decision 12.103 to advise on which species previously listed for Cooperative Action should be retained in the Concerted Action list, it was agreed that the POW will reflect the approach agreed under Agenda Item 6.1. The report of the Chair of the Scientific Council to the Standing Committee could fulfil the request to report on progress to the 48<sup>th</sup> and 49<sup>th</sup> Meetings of the Standing Committee.

**Terrestrial and Avian Wild Meat (see also agenda Item 7.2.1)**

140. With regard to Decisions 12.83 (directing the Secretariat to prepare an analysis on the direct and indirect impacts of wild meat taking, trade and consumption and work with the Collaborative Partnership on Sustainable Wildlife Management (CPW) and 12.84 (asking Parties to assist the Secretariat by providing data, promoting discussion and developing governance of a sustainable wild meat sector) for which the Secretariat had no funding, Ms. Lieberman said that work was being done under the CPW. She had concerns that insufficient progress would be made before COP13, so she suggested setting up a small Working Group to maintain some momentum. Within CMS, some progress had been made on marine aspects, but not avian and terrestrial species.
141. Several participants spoke in favour of retaining a separate Working Group on aquatic wild meat, pointing out that little had changed since the decisions taken at COP12 where it had been recognized that aquatic wild meat was an emerging issue with different drivers to terrestrial wild meat. Others pointed out that CMS was not the only forum where wild meat was on the agenda, and that there were cross-over species which did not fall clearly into the aquatic or terrestrial categories (including the Sooty Shearwater (*Ardenna grisea*), of which chicks were harvested on land and which were taken at sea as adults).
142. It was agreed that those working on aquatic and terrestrial aspects should liaise closely and a formal mechanism should be considered using the Secretariat as a hub. Those Councillors and observers willing to be part of a liaison group were asked to submit expressions of interest to the Secretariat which was immediately done by BLI, WCS and Wild Migration.

143. Mr. Redmond said that the Ape Alliance had done work on terrestrial species. More details could be found on the [Ape Alliance's website](#) and he recommended the report, 'The Ape Alliance 'Recipes for Survival: controlling the Bushmeat trade' report – 2006'.

### **Sustainable Tourism**

144. No progress had been made with Decision 12.90 for which external input and funding were required.

### **Ecological Networks**

145. In relation to the request in Resolution 12.7 to support technology developments such as the ICARUS experiment, it was announced that the Max Planck Institute's ICARUS satellite had been launched. The antenna was still to be attached to the Space Station. ICARUS would be the start of a new era in monitoring migration allowing much smaller transmitters to be used. The Scientific Council should continue to monitor progress and collaborate as appropriate. The Terrestrial Working Group suggested including the issue of dryland fencing in Africa and Central Asia under this item.

### **Coastal Wetlands**

146. Mr. Hilomen (ScC-SC member for the Oceania Region) addressed Resolution 12.25 on coastal habitats. Synergies could be sought with the Ramsar Convention which was assessing its sites and there was a proposal to establish a Global Coastal Forum. The Philippines was pushing for a similar Resolution under the Ramsar Convention and some fine details had been discussed at the Ramsar Standing Committee. It was confirmed that the draft resolution had been approved by Standing Committee for consideration at the Dubai COP.
147. The Chair called for a volunteer for a lead on the Global Coastal Forum for CMS. Mr. Hilomen agreed to serve in this capacity and would work with the Secretariat. Urgent action was needed given the timing of the Ramsar COP. Mr Mundkur also agreed to assist both as a staff member of Wetlands International and a member of the Sessional Committee.

## **5. Contribution to the development of the second work programme of IPBES**

148. Ms. Cerasi (CMS) gave an introductory presentation on cooperation with IPBES. CMS was a permanent observer to the IPBES plenary meetings and the Chair of the CMS Scientific Council was an observer of the Multidisciplinary Expert Panel. CMS had made considerable input to the process and had submitted requests for assessments. COP12 in 2017 had reaffirmed the importance of CMS working with IPBES, and CMS now had the opportunity to help shape future IPBES priorities in its second POW. Ways should be found to improve the dialogue between IPBES and MEAs, possibly by establishing a formal mechanism. Two forthcoming assessments were on values and sustainable use of wild species. A call had been made for the nomination of experts for these assessments and the deadline was, for which experts were to be identified by 1 June.
149. Mr. Koetz (IPBES) presented the process being following for the drafting of the new IPBES Work Programme covering the period ten years 2020-2030. IPBES was looking to engage with MEAs in the drafting process, the next call for assessment proposals and how the resulting reports could best be used.
150. The Secretariat was asked whether it could facilitate contacts and issue notices when opportunities to cooperate with and make input to IPBES processes arose. The Secretariat did issue Notifications alerting the CMS constituency to calls made by IPBES for project proposals. More specific communications could be targeted at members of the Sessional Committee.

151. The Executive Secretary said that the lesson learned from the first round of selecting themes for assessments was that it was essential for the Secretariat and those lobbying to have the support of their COP and subsidiary bodies. The Sessional Committee and then the Standing Committee should strongly signal their endorsement.
152. Mr. Barbieri said that IPBES had signalled its willingness to be flexible with deadlines to allow MEAs to consult and secure endorsement of proposals from their governing bodies. CMS had to agree on a process and a short exchange of ideas at this meeting would be a start, followed by a formal call from the Secretariat for ideas and culminating in a firm proposal to be submitted to the Standing Committee.
153. The IPBES process was complex, nonetheless CMS should engage even though its efforts had been unsuccessful before. Guidance was required on how to formulate proposals. The choice for the next round would be based on priorities, so a convincing case was needed explaining the importance of migratory species.
154. CMS and other MEAs especially CBD and CITES, were urged to engage with IPBES, and the inclusion of sustainable use in the IPBES programme presented an opportunity. The Biodiversity Liaison Group (BLG) should consider how best to engage with IPBES.
155. The Executive Secretary responded to comments from the floor on the new IPBES assessments. Any new proposals had to be concrete and understandable for people outside the normal CMS constituency. He was holding weekly meetings with his counterpart in IPBES, Anne Larigauderie to consider ways of improving cooperation. CMS had to provide more scientific input into IPBES. It was disappointing that none of the assessment themes promoted by CMS had been accepted, but pollination was relevant to CMS, as was sustainable use. CMS would use its position in the BLG to seek a collective mechanism to influence IPBES.
156. The slides making up Mr. Koetz's presentation can be found on the page on the CMS website dedicated to this meeting.

### **III. Interpretation and Implementation of the Convention**

#### **6. CMS Instruments**

##### **6.1 Concerted Actions**

157. Mr. Barbieri gave a presentation on Concerted Actions related to document [UNEP/CMS/ScC-SC3/Doc 6.1/Rev.1](#). The revision had been published recently differing from the original in the advice provided by the Secretariat on how to deal with elements of the COP mandate and with the addition of some elements in the Annex.
158. The Concerted Action question was a complex one and had been a recurrent item of Sessional Committee and the Scientific Council. Concerted and Cooperative Actions had been merged and were governed by composite Resolution 12.28 and an accompanying set of guidelines.
159. One question to be resolved was which species designated for Concerted Action for the triennium 2018-2020 were to be recommended for the subsequent triennium. The existing list annexed to Res.12.28 was the result of the merge of the previous separate lists of species designated for Concerted or Cooperative Actions. Neither the 2<sup>nd</sup> Meeting of the Sessional Committee nor COP12 could review the lists, and COP12 had mandated the Scientific Council to advise COP13 on those species to be retained in the list and those to be dropped, in particular for those previously designated for Cooperative Actions. It was noted that, while the guidelines adopted by COP12 required proposals to define the conservation measures to be undertaken within the Concerted Action, this was the case for only eight species on the current list.

160. Some Concerted Action species were covered by Special Species Initiatives (SSI) or were listed under CMS Family instruments. The Central Asian Mammals Initiative (CAMI) had begun as an SSI. While it was not incongruous for a Concerted Action species to be dealt with under another CMS instrument, there was the risk of redundancy. Where there was duplication, the added value of double listing should be evaluated.
161. Regarding reporting and monitoring, the COP had requested the Scientific Council to nominate, for each species and/or taxonomic group listed for Concerted Action, a member of the Council or a designated alternative expert to be responsible for providing a written report to each meeting of the Council on progress in the implementation of actions for the species or taxonomic group concerned. The Sessional Committee had to decide how to implement this mandate. The possibility to designate this role to those leading the implementation of the Concerted Actions could be evaluated.
162. The Secretariat had produced a template for the written reports provided for in Resolution 12.28 paragraph 4a and comments from the Sessional Committee would be welcome.
163. The Sessional Committee was required to: (a) agree an approach to the revision of the list of species designated for Concerted Action, the default position being that unless a plan was proposed, species would be removed; (b) provide guidance for Concerted Action species already included in an SSI or other CMS instruments; (c) define a process for designating a lead Councillor or alternative expert; and (d) provide feedback on the template.
164. A variety of positions were expressed in the subsequent debate on how to deal with the revision of the existing list and the recommendations to be made to COP13. In summarizing the debate, the Chair identified two options that he submitted to the meeting for a decision. The first of these was to review the situation of each species in the list in relation to status and implementation of action, and make recommendations on a case-by-case basis, the inconvenience for this approach being that for the great majority of species there was not a definition of the measures to be undertaken against which the Concerted Action could be evaluated. The alternative was to support a process of development and submission of proposals for Concerted Actions for any species currently in the list in line with the guidelines: only those species for which a proposal will have been developed and then endorsed by the Sessional Committee and the COP will be retained in the list.
165. Several members of the Committee expressed support for the latter option. In the absence of any explicit disagreement, the Chair considered the proposal as agreed by consensus.
166. Concerning the template for reporting on progress in the implementation of Concerted Actions, Mr. Taylor felt that section headings would help put the actions in context, that there should be a place to add key reference documents and that links to National Reports could be added.
167. Mr. Hilomen suggested adding metric indicators to the template with baselines and a measure to see how threats had been addressed and how the species had responded.

## **7. Conservation Issues**

168. The Taxonomic Working Groups of the Sessional Committee considered conservation issues relating to aquatic, terrestrial and avian species, providing input to the development of the relevant sections of the POW 2018-2020. The Working Groups reported on their deliberations to the Plenary and their findings were incorporated into the revised POW for 2018-2020.

### **7.1 Avian Species**

169. Mr. Clay (COP-appointed Councillor for Birds) reported that the Working Group had enjoyed a high level of participation with support at one stage from bat experts. The items discussed included Resolution 11.17 and the African-Eurasian Migratory Landbird Action Plan as revised

at COP12. More use of the Friends of the Landbird Action Plan (FLAP) should be made. The Action Plan was reviewed in detail. Mr. Biber pointed out that throughout the document, reference was made to “no funding needed” instead of “no funding available”.

170. Support was expressed of the Action Plans for the European Roller (*Coracias garrulus*), for which the focus was currently on Europe but might be extended to the rest of the range in Asia and Africa; for the European Turtle Dove (*Streptopelia turtur turtur*), the revised version of which would be submitted to the Standing Committee; and for the Yellow-breasted Bunting (*Emberiza aureola*).

### **Poisoning**

171. Resolution 11.15 was being implemented and the Lead Task Group was in the process of being established. There was currently a process under way within the EU on dealing with lead ammunition in wetlands. The problem existed beyond the EU, so ways of tackling it elsewhere were needed. Mr. Demeter stressed that there was yet no ban on lead in wetlands across the EU, just the analysis of a potential restriction led by the European Chemicals Agency. Poisoning also affected terrestrial and marine species, and cross-taxonomic implications would be taken up with other working groups.
172. CMS should develop a position on the specific group of pesticides called neonicotinoids because of their effects on insects, birds and bats. This could be done under the framework of the Preventing Poisoning Working Group.

### **Illegal Killing, Taking and Trade of Migratory Birds**

173. Progress was being made in the Mediterranean, and Ms. Laura Aguado had been appointed as Coordinator of the Intergovernmental Task Force on Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean (MIKT). The main objective currently under MIKT was to implement the scoreboard adopted at COP. Progress was also being made in establishing a task force for the East Asian-Australasian Flyway. There was scope for collaboration on the issue of wild meat.

### **Diseases**

174. Consideration of disease remained a watching brief until an outbreak occurred. Links with the FAO should be maintained and enhanced. The Chair commented that CMS and AEWA had worked well with the FAO in response to the avian influenza outbreaks.
175. Mr. Williams said that CMS should be in a position to enact Resolution 10.2 (*Modus Operandi for Conservation Emergencies*) and this would require some more planning so that advice could be provided promptly.
176. Mr. Mundkur had been involved in the Scientific Task Force on Avian Influenza in 2006. CMS had developed a good mechanism, and had worked well with the FAO, the World Organization for Animal Health (OIE) and the World Health Organization (WHO), which each had its own network of contacts. Diseases would re-emerge, and new strains of avian influenza were affecting domestic birds. CMS should maintain contacts with the partners in the Scientific Task Force and be prepared to provide prompt, sound, impartial advice when the need arose. Existing guidelines should be made readily accessible and held ready for dissemination in as many languages as possible. Birds were not the only taxa affected.
177. Mr. Heredia said that CMS was alert to the threats and was aware of the social as well as conservation dimensions and was dealing with this issue in parallel with other tasks such as poisoning and illegal killing. Prioritization of activities in the POW is key given the Secretariat's limited capacity. Neither the Secretariat nor the Sessional Committee had sufficient technical

expertise on wildlife disease. The Scientific Task Force on Avian Influenza and Wild Birds still existed and had issued balanced statements in response to recent outbreaks.

178. Mr. Diouck stressed that outbreaks of disease were unpredictable. Countries in West Africa cooperated with the FAO and WHO and jointly addressed new and emerging diseases. Climate change was certainly a vector for new strains of disease and old diseases were indeed coming back. Recently African Wild Dogs (*Lycaon pictus*) and gazelles had been affected. Contingency plans were in place but were hindered by the lack of a comprehensive database and were often found to be inadequate. Responses to domestic fowl had been better than responses to disease in wild animals.
179. Ms. Pereira Serafini said that avian cholera was a severe threat for the Amsterdam Albatross (*Diomedea amsterdamensis*), of which only 200 remained. Fortunately, they were not colonial nesters, and this slowed down the spread of the disease. There was expertise in ACAP which was working with the University of California, and biosecurity protocols and sampling guidelines had been developed.
180. Mr. Medellin was concerned about scare-mongering that some diseases carried by animals were dangerous to humans and this might lead to unnecessary culling of wildlife and the loss of associated ecosystem services. There was no proof that Ebola in Africa was caused or spread by bats. CMS should produce a paper to put things in proper perspective.
181. The Chair said that the hysteria surrounding avian influenza had set back conservation by years.
182. Mr. Badamjav (ScC-SC member for the Asian Region) said that among other taxa there had been large percentage losses of Saiga to disease and African swine flu was a problem.

### **Flyways**

183. Resolution 12.11 contained a request for guidelines on mechanisms for site networks to be produced
184. The Americas Flyways Framework had been adopted at COP12. The Government of Brazil was organizing a meeting in July 2018, for which proposals for the programme were required.
185. Seabird Flyways did not fit well with the normal geographical divisions used by CMS, with some birds from New Zealand migrating to the Americas.
186. The Working Group had to decide how the POW for migratory birds and flyways was to be implemented and how it fitted in with other workstreams. Consideration would be given to the need to hold a meeting and to the tasks that required fundraising.
187. Mr. Mundkur said that an ambitious POW had been adopted at COP11 and it had entered its second triennium. Negative trends and losses of birds and habitats had to be reversed if the Aichi Targets were to be met. The Scientific Council had to raise the profile of the POW if it was to be implemented fully. The open-ended working group would continue and as it had benefited from the input of non-Parties, efforts would be made to recruit more members. Five further members of the Sessional Committee had volunteered to join the Working Group. The Working Group planned to meet in late 2019 and India had tentatively offered to act as host.

### **Central Asian Flyway and India**

188. Mr. Dasgupta reported that a National Action Plan had been drafted for the Central Asian Flyway and a secretariat established in the Ministry in New Delhi. Talks were being held with the CMS and AEWA Secretariats and a meeting was planned to be held in 2019. Mr. Badamjav offered his services given the importance of Mongolia in the flyway.

## **Taxonomy**

189. The Working Group was keeping abreast of developments regarding taxonomy and changes in nomenclature.
190. With the help of one of the interns, Mr. Garnett (COP-appointed Councillor for Birds) had been trying to classify the migration status of birds in an attempt to disaggregate the family listings on the CMS Appendix II.
191. One of the species listed for Concerted Actions was the Asian Great Bustard (*Otis tarda*) and Mr. Badamjav had agreed to serve as Mongolia's National Focal Point for this species. He was grateful to the CMS COP for having endorsed the Action Plan.
192. Ms. Pereira Serafina said that Brazil would work on listing proposals for some *Sporophila* species (seedeaters) and was hosting meetings on seabirds and of Signatories to the Southern South American Grassland Birds MOU.

### **7.1.1 Report from the Saker Falcon Task Force**

### **7.1.2 Report from the Secretariat on implementation of COP12 Resolution and Decisions on the conservation of African-Eurasian Vultures**

193. These items were discussed in detail in the Avian Working Group. Mr. Nick P. Williams (Secretariat) gave presentations to the Working Group. Background information on the work of the Saker Falcon Task Force is contained in document [UNEP/CMS/ScC-SC3/Doc.7.1.1](#). Background information on the conservation of African-Eurasian vultures is contained in document [UNEP/CMS/ScC-SC3/Doc.7.1.2](#).

## **7.2 Aquatic Species**

194. Mr. Baker gave the final report of the Working Group. The Group had completed its input to the draft Programme of Work, which was displayed on the screen and had been made available on the website. Mr. Baker gave a brief overview of the additional points that had come up in the discussion of the working group.

## **Global Programme of Work for Cetaceans**

195. This item covered the implementation of the considerable program of work developed and approved at COP 10, and further endorsed at COP12. The activities outlined here related to issues such as underwater noise, cetacean bycatch and entanglement, habitat and feeding ground degradation, climate change, ship strikes, pollution and aquatic wild meat.
196. In discussions that occurred during the development of the work programme, the UK advised that in addition to the considerable amounts of information available in the literature and elsewhere, looking forward, in Europe there was also periodic reporting on Article 17 of the Habitats Directive and the Marine Strategy Framework Directive for the North-East Atlantic. This meant that in the near future, lots of additional information would potentially become available at EU / North-East Atlantic scale.

## **Live Capture of Cetaceans from the Wild for Commercial Purposes**

197. During discussions on this issue, HSI noted that ACCOBAMS was currently working on a project to help genetically identify the Black Sea Bottlenose Dolphin (*Tursiops truncatus ponticus*), an Appendix I species, in trade. It was also noted that there had been a discussion of renewed live takes of Orcas (*Orcinus orca*) from the Far East populations at the recent meeting of the IWC Scientific Committee.

**Marine Turtles**

198. Regarding Decision 12.17, which requires the Scientific Council to review information on the conservation and threats to marine turtles, such as climate change and sky glow, Australia reported that it was currently in the process of developing a guidance document to identify the risks of artificial light to marine turtles, seabirds and migratory shorebirds, and provide appropriate mitigation of impacts to affected species from artificial light. The guidelines would identify species at highest risk from light pollution, susceptible habitats and best practice management options to ameliorate the impact of light pollution on these species. It was anticipated that the guidelines would be available for the information of the 4<sup>th</sup> Meeting of the Sessional Committee.

**Important Marine Mammal Areas (IMMAs)**

199. Ms. Lieberman suggested that after IMMAs had been fully developed, it might be useful for a group to look at which might qualify as Key Biodiversity Areas (KBAs). KBAs were a concept backed by a partnership of twelve members including WCS, BLI, RSPB and the IUCN. Mr. Notarbartolo di Sciara explained that this has been already happening, with IMMAs that qualify for KBA denomination on the basis of criteria and numerical thresholds having been proposed as KBAs as well.

**Adverse Impacts of Anthropogenic Noise on Cetaceans and Other Migratory Species**

200. HSI drew attention to the fact that the IWC Scientific Committee had recently welcomed and drawn attention to the 'CMS Family Guidelines on Environmental Impact Assessments for Marine Noise-generating Activities'. There were further related comments in the Scientific Committee report available on the [IWC website](#).
201. OceanCare reported about the outcomes of a capacity building workshop which was held in November 2017 in Croatia, closely after the COP12. The workshop had been attended by 65 participants from 15 countries and addressed anthropogenic noise activities in south-eastern European waters. At the workshop, the Secretariat had presented the CMS Family Environmental Impact Assessment Guidelines, and their application was promoted to various stakeholders, including hydrocarbon agencies and nature departments within Range States.
202. The Aquatic Species Working Group had agreed that such workshops could act as a model for future capacity building initiatives by CMS instruments to promote the implementation and application of the CMS Family Guidelines.

**Recreational In-Water Interactions with Aquatic Mammals [and other aquatic species]**

203. The Aquatic Species Working Group agreed that work should focus on more than just aquatic mammals and should be combined with work on boat-based wildlife watching to the degree possible. The mandate was to develop draft guidelines for in-water interactions, and a similar process to the one used in the previous triennium for boat-based interactions was recommended.
204. Ms. Fowler (Manta Trust) noted that individual tour operators might be engaged simultaneously in boat-based and in-water operations both for cetaceans and sharks and rays, supporting the case for combining these workstreams. The Manta Trust had prepared best practice guidance for Manta Ray tourism, and there were several other examples of guidelines for Whale and Basking Shark watching, and for shark cage diving. She suggested that the proposed review should identify the gaps where adequate guidelines did not exist and might need to be developed or revised.

205. The Secretariat pointed out that even where good guidelines existed, presenting something of global application to Parties for endorsement elevated the issue to another level.
206. Decision 12.51 related to recreational in-water interactions and mammals and other taxa and applied to marine waters and rivers. Operators of boat-based tourism might also be involved in in-water activities.

### **Conservation and Management of Whales and their Habitats in the South Atlantic Region**

207. Implementation of the Action Plan was foreseen to last until 2027. It was proposed to hold a workshop in conjunction with the IWC. The Government of Brazil would seek funding.

### **Concerted Actions**

208. Seven aquatic species had received Concerted Action proposals, and these together with the Polar Bear were discussed. The Manta Trust reported that it had received a grant from the Save Our Seas Foundation to further develop its Devil Ray Conservation Strategy (which formed the basis for the Concerted Action).
209. Ms. Pereira Serafini drew the attention of the meeting to [Resolution 10.12 on Migratory Freshwater Fish](#) and gave notice that Brazil was considering making proposals for listing some South American freshwater fish species at COP13. Draft proposals would be prepared for consideration at the 4<sup>th</sup> Meeting of the Sessional Committee

#### **7.2.1 Report on the Aquatic Wild Meat Working Group**

### **Aquatic Wild Meat**

210. A Working Group on aquatic wild meat had been established and a dedicated area on the Scientific Council's Workspace was under preparation. The question of how to deal with terrestrial wild meat issues had been considered by the Aquatic Species Working Group, but a merger was not recommended at this point.
211. BLI was willing to collaborate with the Aquatic Wild Meat Working Group with regard to the avian component. BLI had undertaken reviews of illegal killing, taking and trade of wild birds for the Mediterranean, Europe, and the Middle East and were happy to share the data so collected. Equally, they were planning similar reviews for South-East Asia and potentially Africa, which could be undertaken in collaboration with any reviews of both Aquatic and Terrestrial Wild Meat. Furthermore, the AEWA MOP in December in South Africa would consider prioritizing, during the next intersessional, work on seabird harvest, which it might make sense to undertake in collaboration with the Aquatic Wild Meat Working Group.

#### **7.3 Terrestrial Species**

212. Mr. Oteng-Yeboah, as Chair of the Terrestrial Working Group, reported on its deliberations which had focussed on documents CMS/ScC-SC3/Doc. 4.1 and 4.2 (the POW 2016-2017 and 2018-2020) and 7.3.1 and 7.3.2 (Burkina Faso's report on the African Wild Dog) and 7.3.2 (possible amendments to the listing of the Cheetah on Appendix I).
213. Regarding the African Carnivores Initiative, it was noted that some key Range States were not Party to CMS and it was important to encourage them to join in processes under the Convention. The Secretariat should solicit the assistance of the IUCN Cat Specialist Group in compiling regional conservation strategies for target species in advance of any Range State meeting.

214. With regard to Sahelo-Saharan megafauna and [Resolution 9.21 \(Rev.COP12\)](#), the need to involve the Range States of the Horn of Africa was recognized and it was proposed that a meeting of the Range States of the key species be organized.
215. The Working Group considered the report on the CAMI and it was recommended that those species sharing the habitat with the species already listed on the CAMI could be included in the initiative. The species to be included with the next amendment of the Resolution 11.24 were the Gobi Bear (*Ursus arctos isabellinus*) and among the CMS-listed Asian Big Cats the Persian Leopard (*Panthera pardus tulliana*). With regard to [Resolution 9.22 \(Rev. COP12\)](#) on Tigers and Other Asian Big Cats, CMS should liaise closely with CITES which also had a related COP Resolution ([CITES Resolution 12.5 \(COP17\)](#)). Conservation activities for Asian Big Cats could be considered under the CAMI only when they took place in CAMI Range States. The Sessional Committee noted the potential need to increase the budget and fundraising for CAMI to address the conservation of the additional species accordingly. It was further recommended that CMS and Scientific Councillors from the region continue to promote CAMI widely at relevant international *fora* and at events such as the CBD COP, IUCN's WCC and others. The Sessional Committee recommended the Secretariat to explore, in collaboration with the Secretariat of CITES, the idea of an Asian Big Cat initiative, particularly, if cat species outside of CAMI Range were listed on CMS appendices in the future.

### **7.3.1 Report from Burkina Faso on implementation of Decision 12.63 concerning the African Wild Dog**

216. This item on the African Wild Dog (*Lycaon pictus*) was discussed in depth in the Working Group, taking into account the report submitted by Burkina Faso contained in document UNEP/CMS/ScC-SC3/Doc.7.3.1). Burkina Faso had communicated with the Range States including two non-Parties, Namibia and Botswana, both of which had provided information.

### **7.3.2 Recommendations concerning possible amendments to the list of Cheetah populations presently excluded from CMS Appendix I to reflect current conservation status**

217. This item was discussed in detail in the Terrestrial Working Group. Document [UNEP/CMS/ScC-SC3/Doc.7.3.2](#) set out the background. The Secretariat should contact the three countries with excluded populations (Botswana, Namibia and Zimbabwe) to involve them in discussing the possible change and the Sessional Committee would establish an intersessional working group inviting the participation of the IUCN Cat Specialist Group and Range States.

## **IV. Formal and Concluding Business**

### **8. Time and venue of the 4<sup>th</sup> Meeting of the Sessional Committee of the Scientific Council (The Scientific Council-SC4)**

218. Mr. Barbieri said that the meeting had already discussed how COP13 which was scheduled to start on 13 February 2020 would affect the timing of the other meetings. Taking the run-up to COP12 as a model, the 4<sup>th</sup> Meeting of the Sessional Committee should take place in early November 2019. The deadline for publication of COP documents would be 19 September.
219. Mr. Williams urged that the dates of COP13 be confirmed as soon as possible to facilitate the planning of the activities of Working Groups. Efforts should be made to ensure that complex documents did not all arrive precisely on the deadline. He also suggested that some preparatory work be done on planning the POW of the next triennium, as by the 4<sup>th</sup> Meeting of the Sessional Committee, there would be an indication of some of the likely outcomes of COP13.

220. Mr. Barbieri said early submission of documents would be welcome so they could be made available to the Sessional Committee as soon as possible. He agreed with the idea of a forward look for the POW of the Sessional Committee; a similar approach was being followed for the Secretariat and its POW.
221. Mr. Mundkur asked that a list of deadlines be prepared, which would help preparing the work of the Flyways Working Group. He also asked when the deadline for submission of National Reports would be and when the template would be finalized. There had been problems using the data in the past.
222. Mr. Barbieri said the deadline for submission of National Reports would be 19 August 2019. The Secretariat had to present the revision template to the 48<sup>th</sup> Meeting of the Standing Committee. A draft would be ready for testing with a subset of Parties in the summer. Concrete suggestions would be needed over the next two months and the Secretariat would issue a call for the Standing Committee to appoint representative Parties from each CMS region to participate in the trial. Ms. Montgomery volunteered to take part.

## **9. Any Other Business**

223. The Chair asked whether there were any proposals for items to be taken under Any Other Business. In addition to the presentation from Mr. Ponziani of the CBD Secretariat on the Bio-Bridge Initiative, Mr. Garnett gave a presentation on assessing progress in reducing threats.
224. The slides accompanying Mr. Ponziani's presentation and those related to Professor Garnett's can be found on the meeting webpage. Background information on the Bio-Bridge Initiative and its Action Plan 2017-2020 is contained in document [UNEP/CMS/ScC-SC3/Inf.6](#).
225. Mr. Redmond informed the meeting that the Uganda Wildlife Authority had just announced that the latest census results revealed there were 604 Mountain Gorillas (*Gorilla beringei beringei*) in the tri-national Virunga Volcanoes Conservation Area and therefore with the 400 in Bwindi Impenetrable National Park, the total population of the species was over 1,000 for the first time in decades.
226. In the margins of the meeting a signing ceremony took place formalizing the partnership agreement between CMS and the Born Free Foundation. Mr. Mark Jones signed on behalf of the Born Free Foundation and the Executive Secretary signed on behalf of CMS.
227. There were no further proposals for other items of Any Other Business.

## **10. Closure of the Meeting**

228. After the customary exchange of courtesies, the Chair declared the meeting closed at 17:00 on 1 June 2018.

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**ANNEX 2**

**RULES OF PROCEDURE  
OF THE CMS SCIENTIFIC COUNCIL AND ITS SESSIONAL COMMITTEE**

*(as finalized by ScC-SC3)*

**Purpose**Rule 1

These rules of procedure shall apply to any meeting of the Scientific Council or of its Sessional Committee, convened in accordance with Article 8 of the Convention and Resolution 12.4, and any future revision adopted by the Standing Committee or Conference of the Parties.

**Representation and Attendance**Rule 2

- a. Any Party may appoint a qualified expert as a member of the Scientific Council who will have the right to participate in meetings of the Council.
- b. The membership of the Sessional Committee of the Scientific Council shall consist of the 15 regional representatives (three from each CMS region) elected by the Conference of the Parties from members of the Scientific Council, together with COP-appointed Councillors.
- c. Regional representative Sessional Committee members will be elected for a term of two triennia. Each ordinary meeting of the Conference of the Parties will decide on the renewal of half of these members of the Sessional Committee.
- d. Regional representatives will be expected to represent their regions at meetings of the Committee.
- e. Up to three regional alternates may be appointed by the Conference of the Parties for each CMS region. All alternates must be a member of the Scientific Council, be from the same CMS region as the representative, but will not be from the same country. It will be for each CMS region to determine how alternates will replace regional representatives.
- f. It is expected that both regional representatives and alternates will attend the meetings of the Sessional Committee where possible, noting that financial support for those delegates eligible to receive such support will be prioritized to the Sessional Committee members first, so it may not be possible to also support alternates from countries that would otherwise be eligible for financial support if the appointed regional representatives are attending.
- g. The terms of office of the regional representatives and their alternates will commence at the close of the ordinary meeting at which they are elected. The term of regional representatives shall expire at the close of the second ordinary meeting thereafter. If a regional alternate is subsequently elected to the Sessional Committee, they will be eligible to serve for two triennia in their new capacity in addition to any term they may have already served as an alternate.
- h. If a regional representative is not able to attend a meeting or session, a regional alternate will be entitled to act in their place.
- i. If a regional representative resigns or is otherwise unable to complete the assigned term or the functions of a member, a regional alternate should serve as a substitute for the remaining term of office of that member, and a further alternate member should be selected by the region through the representatives of the region in the Standing Committee.

Rule 3

The Chair of the Standing Committee will have the right to participate in meetings of the Scientific Council or the Sessional Committee as an observer, but without the right to vote.

**Rule 4**

- a. Members of the Scientific Council who do not serve in the Sessional Committee, and alternates to the regional representatives of the Sessional Committee, have the right to attend meetings of the Sessional Committee as observers. Party or non-Party representatives also have the right to attend meetings of the Scientific Council or of the Sessional Committee as observers.
- b. Representatives of instruments within the 'CMS family' or of multilateral environmental agreements within the 'biodiversity cluster', have the right to attend meetings of the Scientific Council or of the Sessional Committee as observers.
- c. Any agency or body, whether national or international, inter-governmental or non-governmental, qualified in fields relating to the conservation and management of migratory species (including but not limited to those referred to within Resolution 12.4 and subsequent revisions), which has informed the Secretariat not less than 45 days before the meeting of the Scientific Council or the Sessional Committee, or both, of its wish to be represented at the meeting by observers, may do so upon the invitation of the Secretariat, unless at least one third of the members present at the meeting object. Bodies or agencies desiring to be represented at the meeting by observers should submit the names of these observers to the Convention Secretariat at least 15 days prior to the opening of the meeting.
- d. All observers may participate, but without the right to vote.
- e. The Secretariat may, in advance of the meeting, and for practical reasons such as space, limit the number of individuals, such as to a given number per observer entity.

**Officers****Rule 5**

- a. Following each regular meeting of the Conference of the Parties, the members of the Sessional Committee will elect its Chair and Vice-Chair from among themselves. The Chair and Vice-Chair of the Sessional Committee are also Chair and Vice-Chair of the Scientific Council.
- b. The members of the Sessional Committee will each have one vote for each of the Chair and Vice-Chair.
- c. The election of the Chair and Vice-Chair will be conducted by correspondence immediately following the conclusion of a Conference of the Parties.
- d. Any member of the Sessional Committee may propose another member as a candidate for the election within a time frame announced by the Secretariat. The Secretariat is required to send all proposals to the members of the Sessional Committee, who will be entitled to comment within 30 days of the communication of the proposal; any comments received by the Secretariat within this time limit must also be so communicated to the members.
- e. The election of the Chair and Vice-Chair will be carried out in accordance with Rules 8 – 10 (Elections). The first round of voting will be open for 15 working days starting from the date set by the Secretariat.
- f. The voting period for any subsequent round of voting as may be required will be specified by the Secretariat and will be no less than 10 working days.
- g. The Vice-Chair and Chair should be from different CMS regions.
- h. If the Chair resigns the Vice-Chair will become Chair for the rest of the triennium and a new Vice-Chair should be elected using the procedures in clauses 'c – g' above.
- i. Subject to the rules on rotation of Sessional Committee Members, a Chair or Vice Chair may be re-elected for a second triennium.
- j. The next Chair should not be from the same CMS Region as the previous chair.

### Rule 6

- a. The Chair will preside at meetings of the Scientific Council or of the Sessional Committee, approve for circulation the provisional agenda prepared by the Secretariat, and liaise with other committees and with the Standing Committee between meetings of the Council or of the Sessional Committee.
- b. The Chair may represent the Council and Sessional Committee as required within the limits of the Council's mandate and should carry out such other functions as may be entrusted by the Council or the Sessional Committee.

### Rule 7

The Vice-Chair is expected to assist in the execution of the Chair's functions, and to preside at meetings in the absence of the Chair.

## **Elections**

### Rule 8

- a. The Presiding Officer for elections of the Chair and Vice-Chair will be either the Executive Secretary of the Convention, or, in their absence, the senior serving official of the Secretariat.
- b. If, in an election to fill either position no candidate obtains an overall majority in the first ballot, a second ballot shall be taken, restricted to the two candidates obtaining the largest number of votes.
- c. If, in the second ballot the votes are equally divided, the Presiding Officer will decide between the candidates by drawing lots.

### Rule 9

If, in the first ballot, there is a tie amongst candidates obtaining the second largest number of votes, a ballot shall be held amongst them for reducing the number of candidates to two.

### Rule 10

- a. In the case of a tie amongst three or more candidates obtaining the largest number of votes in the first ballot, a ballot shall be held amongst them for reducing the number of candidates to two.
- b. If a tie then results amongst two or more candidates, the Presiding Officer will reduce the number to two by drawing lots, and a further ballot shall be held in accordance with Rule 8.

## **Meetings**

### Rule 11

- a. The Scientific Council or the Sessional Committee should meet at the request of the Secretariat.
- b. Meetings of the Scientific Council or Sessional Committee, shall be serviced by the Secretariat.

### Rule 12

- a. The Sessional Committee of the Scientific Council shall meet at least once per triennium, and subject to available resources, should aim to meet more frequently.
- b. The time and venue of meetings shall be determined by the Secretariat, in consultation with the Chair and Vice-Chair.

Rule 13

- a. Notice of meetings, including the date and venue, shall be sent to all Parties, Members of the Scientific Council, COP-Appointed Councillors, and Partner organisations by the Secretariat at least 120 days in advance, or, in the case of extraordinary meetings, at least 60 days in advance.
- b. Documents for a meeting shall be submitted to the Secretariat at least 60 days in advance of the meeting. The Secretariat shall post documents for the meeting on its website, which shall be translated into the three working languages of the Convention, at least 40 days before each meeting, with the exception of a Sessional Committee meeting immediately preceding the meeting of the Conference of the Parties. For such a meeting of the Sessional Committee, the Secretariat shall post documents following the Rules of Procedure of the Conference of the Parties.
- c. Information documents shall be submitted at least 15 days in advance of the meeting and shall be posted on the CMS website 10 days in advance of the meeting; such information documents may be posted in their original language only.
- d. If documents are not submitted and posted according to the deadlines set in clauses b and c they shall not be considered by the meeting except in exceptional circumstances (such as those covered by Resolution 10.02 on conservation emergencies). Late submission of documents, whether by the Secretariat, Parties, or others will not be considered exceptional circumstances.

Rule 14

- a. A quorum for a Scientific Council or Sessional Committee meeting shall consist of half of the members of the Council or Sessional Committee.
- b. Sessional Committee Members may be present either in-person or through telecommunication means to count toward the quorum.
- c. If neither the Chair nor the Vice-Chair are present at the meeting the members of the Sessional Committee may choose a Chair and Vice Chair amongst their members who are present in person.
- d. No decision shall be taken at a meeting in the absence of a quorum.
- e. The means of participating through telecommunication shall be announced by the Secretariat.

Rule 15

Decisions of the Council or the Sessional Committee will, whenever possible, be taken by consensus unless a vote is requested by the Chair or by three members. If these members are Party-appointed Councillors (in the case of the Scientific Council), or regional representatives (in the case of the Sessional Committee), they should be from at least two CMS Regions.

Rule 16

Decisions of the Council or Sessional Committee by voting (pursuant to Rule 15) shall be taken by a simple majority of the members present {either in person or by electronic means}. In the case of a tie, the motion shall be considered as rejected.

Rule 17

- a. A draft report of each meeting shall be prepared by the Secretariat as soon as possible and shall be communicated to all Party- and COP-appointed Councillors, and all attendees of the meeting.
- b. The Secretariat shall set a deadline for comments on the draft report, and will endeavour to finalise the report, with input of the Chair and Vice-Chair if necessary, as soon as possible after the deadline for the comments.

### Rule 18

- a. The Council or the Sessional Committee will decide on the working languages of its meetings from within the official languages of the Convention.
- b. Simultaneous interpretation will be provided for Plenary Sessions whenever possible, but normally not for working groups.

## **Working Groups**

### Rule 19

- a. Working groups of the Scientific Council or the Sessional Committee may be established in order to further the Council's work programme, taking into account the provisions of any relevant resolutions of the Conference of the Parties.
- b. The Secretariat should be a member of all working groups.
- c. Meetings of in-session working groups should be serviced by the Secretariat of the Convention. Servicing of intersessional working groups will depend on resources available to the Secretariat.
- d. All working groups (in-session or intersessional) should, where possible, be chaired by a member of the Sessional Committee. A Vice-Chair may also be appointed by the working group if it is considered necessary by that working group.
- e. The results of any working group must be reviewed, and if necessary amended, by a meeting of the Sessional Committee.
- f. Sessional Committee members, Scientific Council Members, or Party representatives, should constitute at least half of the membership of in-session working groups.

## **Communication Procedure**

### Rule 20

The Secretariat, or any three members of the Scientific Council or of the Sessional Committee, from at least two different CMS regions, may make a proposal to the Chair for a decision by postal procedure. The Secretariat shall communicate the proposal to the members for comments within 60 days of the date of communication; any comments received within these limits shall also be so communicated.

### Rule 21

If, by the date on which comments on a proposal were due to be communicated, the Secretariat has not received any objection from a member, the proposal shall be considered as adopted, and notice of the adoption shall be given to all members.

### Rule 22

If any member objects to a proposal within the applicable time limit, the proposal shall be referred to the next meeting of the Council or the Sessional Committee.

## **Other Functions**

### Rule 23

The Chair should submit to each ordinary meeting of the Conference of the Parties a written report on the Council's / Sessional Committee's work since the previous ordinary meeting.

### Rule 24

The Council or the Sessional Committee will receive reports from other committees established under the Convention, as necessary.

## **Final Provisions**

### Rule 25

In matters not covered by the present Rules, the Rules of Procedure as adopted by the last regular meeting of the Conference of the Parties shall be applied *mutatis mutandis*.

### Rule 26

These Rules shall be applied at the first meeting of the Council or the Sessional Committee following their approval by the Standing Committee or Conference of the Parties. The rules may only be amended by decisions of the Standing Committee or of the Conference of the Parties.

**ANNEX 3****TERMS OF REFERENCE FOR THE REVIEW OF COP-APPOINTED COUNCILLOR SUBJECT AREAS WORKING GROUP**

*(as agreed at the 3<sup>rd</sup> meeting of the Sessional Committee of the Scientific Council)*

**Objective**

The objective of the Working Group will be to undertake a review into the current COP-Appointed Councillor subject areas and consider the future needs of the Convention.

The Working Group is tasked with undertaking the following activities:

- Review the current applicability and ongoing suitability of COP-Appointed Councillor subject areas to support provision of relevant expert advice to the Convention;
- Ensure consultation with COP-Appointed Councillors and relevant observers throughout the review process, as appropriate;
- Identify appropriate COP-Appointed Councillor subject areas to serve the Convention following COP13;
- Determine a process whereby these subject areas will be subject to regular review to ensure ongoing currency;
- Through the Scientific Council, present recommendations, including suggestions for experts for newly identified COP-Appointed Councillor subject areas if required, to COP13 for consideration.

The Working Group will report on its progress, and present its recommendations, to Sessional Committee meetings.

**Composition of the Working Group**

1. The Working Group will be composed of Party-Appointed Scientific Councillors, the Chair of the Scientific Council and the Chair of the Standing Committee only.
2. Each CMS region should be represented by at least one representative.
3. Each member of the Working Group will be responsible for consulting with Party-Appointed Scientific Councillors in their region to ensure comprehensive regional input is facilitated. COP-Appointed Councillors will also be provided with opportunities to provide input throughout the review process.
4. The Chair and Vice-Chair shall be chosen among the members of the Working Group at its first meeting.
5. The activities of the Working Group will be facilitated by the CMS Secretariat.