

**DRAFT REPORT OF THE 11TH MEETING
OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS**

Note This draft report follows the sequence in which items were discussed. The final report will be restructured to follow items in numerical order.

Day 5 – Sunday 9 November 2014

Note Paragraph numbering carried over from draft report of Day 4, previously distributed.

Committee of the Whole 10.00–11.00

466. The Chair referred participants to the draft Daily Reports of the meeting that had been distributed. These would be covered under a Plenary agenda item, but editorial corrections and other minor amendments should be forwarded directly to the Secretariat.

ENDORSEMENT OF AMENDMENTS PROPOSED IN SESSION

467. At the invitation of the Chair, the COW considered the remaining Draft Resolutions and proposed amendments to the Rules of Procedure (COP11/CRP25) to go forward to Plenary for adoption. He noted that 11 Draft Resolutions, contained in documents CRP1 to CRP6, CRP8 to CRP10, and CRP12 and CRP13, respectively, had already been endorsed by earlier sessions of the COW.

- UNEP/CMS/COP11/CRP4/Rev.1 Draft Resolution *Proposal to add Panthera leo in Appendix II*

468. The representative of Kenya noted that an incomplete draft had inadvertently been distributed by the Secretariat. The Chair ruled that further consideration of this Draft Resolution should be deferred for a short while to enable the representative of Kenya to confer with the Secretariat.

- UNEP/CMS/COP11/CRP7 Rev.1 Draft Resolution *Guidelines for Assessing Listing Proposals to Appendices I and II of the Convention*

469. This Draft Resolution was endorsed by the COW without further amendment.

- UNEP/CMS/COP11/CRP11 Draft Resolution *Action Plan for Migratory Landbirds in the African-Eurasian Region*

470. This Draft Resolution was endorsed by the COW without further amendment.

- UNEP/CMS/COP11/CRP14 Draft Resolution *Management of Marine Debris*

471. This Draft Resolution was endorsed by the COW without further amendment.

- UNEP/CMS/COP11/CRP15/Rev.1 Draft Resolution *Live Captures of Cetaceans from the Wild for Commercial Purposes*

472. An earlier version of this Draft Resolution (CRP15) had been endorsed by the COW on the afternoon of 7 November, but the preamble had subsequently been amended at the request of the representative of Argentina. The revised Draft Resolution (CRP15/Rev.1) was endorsed by the COW without further amendment.

- UNEP/CMS/COP11/CRP16 Draft Resolution *Single Species Action Plan for the Loggerhead Turtle (Caretta caretta) in the South Pacific Ocean*

473. This Draft Resolution was endorsed by the COW without further amendment.

- UNEP/CMS/COP11/CRP17 Draft Resolution *The Central Asian Mammals Initiative*

474. This Draft Resolution was endorsed by the COW without further amendment.

- UNEP/CMS/COP11/CRP18 Draft Resolution *Advancing Ecological Networks to Address the Needs of Migratory Species*

475. This Draft Resolution was endorsed by the COW subject to the inclusion of a minor amendment to the preamble tabled by the representative of South Africa.

- UNEP/CMS/COP11/CRP19 Draft Resolution *Fighting Wildlife Crime and Offences within and beyond Borders*

476. This Draft Resolution was endorsed by the COW subject to the inclusion of amendments tabled by the representative of Monaco and the observer from UNEP and on the understanding that language versions would be harmonized (inconsistencies in the French and Spanish texts having been pointed by the representatives of Brazil, Chile, Monaco and Uruguay).

477. The representative of the United States of America, supported by the representative of Egypt, referred to the Resolution on the Illegal Trade in Wildlife approved by Ministers at the first United Nations Environment Assembly in June 2014. This had recognized that "*illegal trade in wildlife and its adverse impacts...undermine good governance and the rule of law and threatens national security*". The USA considered that COP11/CRP19 would have been stronger had it recognized this threat.

478. The representative of Brazil reiterated his Government's view (expressed in an earlier session of the COW) that matters of national and regional security were not within the purview of CMS.

- UNEP/CMS/COP11/CRP20 Draft Resolution *Conservation of Migratory Sharks and Rays*

479. This Draft Resolution was endorsed by the COW without further amendment.

- UNEP/CMS/COP11/CRP21 Draft Resolution *Communication, Information and Outreach Plan*
480. This Draft Resolution was endorsed by the COW without further amendment.
- UNEP/CMS/COP11/CRP22 Draft Resolution *Concerted and Cooperative Actions*
481. This Draft Resolution was endorsed by the COW without further amendment.
- UNEP/CMS/COP11/CRP23 Draft Resolution *Criteria for Assessing Proposals for New Agreements*
482. This Draft Resolution was endorsed by the COW without further amendment.
- UNEP/CMS/COP11/CRP24 Draft Resolution *Enhancing the Effectiveness of the Convention through a Process to Review Implementation*
483. This Draft Resolution was endorsed by the COW without further amendment.
- UNEP/CMS/COP11/CRP25 Draft Resolution *Amendments to the Rules of Procedure*
484. The proposed amendments to the Rules of Procedure were endorsed by the COW without further revision.
- UNEP/CMS/COP11/CRP26 Draft Resolution *World Migratory Bird Day*
485. This Draft Resolution was endorsed by the COW without further amendment.
- UNEP/CMS/COP11/CRP27 Draft Resolution *Saker Falcon (Falco cherrug) Global Action Plan (SakerGAP)*
486. This Draft Resolution was endorsed by the COW without further amendment.
- UNEP/CMS/COP11/CRP28 Draft Resolution *Enhancing Synergies and Common Services among CMS Family Instruments*
487. This Draft Resolution was endorsed by the COW without further amendment.
- UNEP/CMS/COP11/CRP29 Draft Resolution *Programme of Work on Migratory Birds and Flyways*
488. This Draft Resolution was endorsed by the COW without further amendment.
- UNEP/CMS/COP11/CRP30 Draft Resolution *The Prevention of Illegal Killing, Taking and Trade of Migratory Birds*
489. This Draft Resolution was endorsed by the COW without further amendment.

- UNEP/CMS/COP11/CRP31 Draft Resolution *Preventing Poisoning of Migratory Birds*

490. This Draft Resolution was endorsed by the COW without further amendment.

491. The observer from SEO/BirdLife International, supported by the observer from the Wildfowl & Wetlands Trust, welcomed the Draft Resolution and associated Guidelines. He thanked the Parties for reconciling diverging positions and underlined the need to work with hunting organizations on replacing the use of lead ammunition. He urged the prompt creation of a sub-group within the framework of the CMS Working Group on Poisoning, involving all stakeholders, including ammunition manufacturers, to develop transition schedules for different types of ammunition and to advise all actors on best practices.

492. The observer from the European Federation of Associations for Hunting & Conservation (FACE) made the following statement for the record:

“Thank you, Chair, for giving FACE the opportunity to express its concerns on the Guidelines to Prevent the Risk of Poisoning of Migratory Birds, specifically and limited to the delicate issue of lead.

FACE appreciates the availability of the CMS Secretariat to have an open ended discussion on the Review and Guidelines to Prevent the Risk of Poisoning of Migratory Birds by setting up a dedicated Task Group on Lead Ammunition.

We further welcome the efforts by the EU to reach a workable compromise among Parties.

FACE regrets however that the Guidelines fail to make the distinction between lead shot and bullets, which are different products specifically designed for different uses. The absence of this distinction risks jeopardising the feasibility of the proposed timeline.

FACE, representing 7 million users has the expertise to provide an informed and objective point of view on lead ammunition, including the impact that a blanket ban of lead in all ammunition will have on consumers.

FACE would like to go on the record listing the arguments for this distinction allowing Parties to make an informed decision:

- *FACE supports the ban on the use of lead shot in wetlands and would like to see this effective throughout the EU, through legal provisions and appropriate awareness measures. However we consider that a total ban on the use of lead in all ammunition would have a disproportionate negative impact on the greater majority of hunters.*
- *Through the process of phasing out lead shot in wetlands there is a long experience of using alternatives to lead shot in certain countries. The same cannot be said for lead bullets, where experience is limited,*

as alternatives do not exist for all calibers. Indeed no country has phased out the use of lead in bullets. The often quoted California ban will enter into force in 2019.

- *The dispersion of lead bullets in the environment does not warrant such a draconian measure as the absolute number of shot bullets is relatively low.*
- *The risk of poisoning endangered scavengers can easily be minimized if not reduced to zero by implementing local bans in the interested areas. A total ban on bullets is disproportionate to risks. FACE proposes to limit the use of lead bullets wherever risk assessments demonstrate the real risk of a negative impact on migratory birds' populations.*
- *Concerns related to human health in the consumption of game meat shot with lead bullets are addressed by risk management practices in treating the meat (FACE, respectfully points out that human health does not fall in the remit of CMS).*

FACE appreciates that the Guidelines will be open for improvement and that a review process is enshrined in the Resolution in the light of developing research findings and other relevant information. FACE is willing to proactively participate to this process in view of reaching workable solutions in the interest of migratory birds' conservation and the principle of sustainable use.

The success of this resolution depends on the willing cooperation of all parties. FACE truly hopes that in the course of future discussions - under the Task Group on Lead Ammunition - proportionate solutions can be found among all stakeholders."

493. The observer from the International Association for Falconry and the Conservation of Birds of Prey (IAF) called on the Secretariat and the Parties to promote the banning of rodent poisoning within the breeding range of the Saker Falcon. He also raised the issue of diclofenac and its devastating impact on vultures, as well as neonicotinoid insecticides, whose impacts were less well known. He called on the Secretariat and Parties to work with the international manufacturers to prevent production of these chemicals moving from country to country. Finally, he supported the medium-term phasing out of lead shot, especially in wetlands, while respecting the rights of all stakeholders.

494. The representative of Israel, supported by the representative of Ecuador, endorsed the Draft Resolution. He expressed the view that FACE should play a leadership role in educating hunters rather than resisting the phasing out of lead. He encouraged CMS Parties to reduce illegal hunting through both education and enforcement, as well as reduction in the use of lead ammunition.

495. Mr Borja Heredia (Secretariat) noted that the COP11 Working Group on Avian Issues had introduced a number of amendments to the original text of the Draft Resolution, adding flexibility to the implementation of the *Guidelines* at national

level. Over the coming intersessional period, the Secretariat would continue to work with all stakeholders to optimize the implementation of the *Guidelines*.

- UNEP/CMS/COP11/CRP32 Draft Resolution *Synergies and Partnerships*

496. This Draft Resolution was endorsed by the COW subject to the inclusion of a new preambular paragraph tabled by the observer from UNEP.

- UNEP/CMS/COP11/CRP33 Draft Resolution *Restructuring of the Scientific Council*

497. This Draft Resolution was endorsed by the COW without further amendment.

- UNEP/CMS/COP11/CRP34 Draft Resolution *Financial and Administrative Matters*

498. The representative of South Africa requested a short extension to facilitate final preparations for consideration of this document. The Chair of the COW ruled that, in the interests of time, discussion of this item would be deferred to the Plenary.

499. Closing the session of the COW, the Chair thanked Parties for the significant steps forward that endorsement of the Draft Resolutions represented. Subject to the final adoption of the Draft Resolutions in Plenary, he underlined the need for implementation and invited additional voluntary contributions to maximize the effectiveness of CMS.

500. Conclusion of the COW was followed by a break in proceedings prior to the reconvening of the Plenary.

Plenary session 11.30–14.30

REPORT OF UNEP (ITEM 9)

501. Expressing regret that this item came late in the Agenda, following the finalization of Draft Resolutions and other decisions, the representative of UNEP presented highlights of the UNEP's report contained in document UNEP/CMS/COP11/Document 9 *Report to the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals at its Eleventh Meeting*.

502. The Chair asked the representative of UNEP to pass on the Parties' thanks to the Executive Director of UNEP.

STATEMENTS FROM STATES (ITEM 11)

11.1 Depositary and Host Country

503. Her Excellency Lorena Tapia, Minister of Environment of Ecuador, representing the Host Country, highlighted the growing number of species worldwide under threat

of extinction. Migratory species should be seen as indicators of wider environmental health. States needed not only to protect wildlife within their national jurisdictions but also to cooperate with one another to conserve species that crossed international boundaries. This required effective governance systems and innovative approaches to development that moved beyond GDP growth alone. It was important to implement solutions that combined environmentally and economically sustainable development, incorporating, as was the case in Ecuador, the Rights of Nature.

504. The representative of Germany presented document UNEP/CMS/COP11/Document 11.1 *Report of Depositary*. Four countries (Republic of Fiji, Kyrgyz Republic, Kingdom of Swaziland, Republic of Zimbabwe, had acceded to the Convention since COP10, bringing the total number of Parties to 120 (119 States, plus the EU). Afghanistan and Brazil had indicated that they were both in advanced stages of the accession process.

11.2 Party States (including Regional Economic Integration Organizations)

11.3 Non-Party States

505. The Chair observed that Parties and Non-Party States were invited to submit statements in writing. Nevertheless, if a State wished to make a very short oral comment they were welcome to do so now. A number of Parties and Observers made statements thanking the Government of Ecuador for hosting COP11. These are summarized under item 31, *Closure of the Meeting*.

INTERIM AND FINAL REPORT OF THE CREDENTIALS COMMITTEE (ITEM 25)

506. The representative of Pakistan, Chair of the Credentials Committee, presented the Committee's final report:

“The Credentials Committee previously reported that it had met two times – on 4 and 6 November 2014 – during the course of the COP.

Since the last report, the credentials from the delegations of the following Parties were examined and found to be in order: Ecuador, Georgia and Tanzania. This brings to 56 the total number of credentials examined and found to be in order. I will refrain from reading out the names of the other 53 Parties as these have already been presented.

Madame Chair, I have been advised by the Secretariat that 59 Parties have attended the meeting. Therefore 94 per cent of the delegations attending presented credentials that were found to be in order.

I would like to congratulate the Parties that complied with the Rules of Procedure. In addition I would like to thank the Secretariat for its diligent work with Parties before and during the COP that enabled such a high level of compliance.”

507. There being no questions or comments from the floor, the Chair of the Plenary ruled that the final report of the Credentials Committee had been approved.

REPORTS OF SESSIONAL COMMITTEES (ITEM 26)

508. The Chair of the Committee of the Whole, Mr Øystein Størkersen (Norway) reported that the COW had met daily from Tuesday 4 November to Friday 7 November and again during the morning of Sunday 9th November. It had been a very fruitful week and the COW had been able to complete its work on all issues with the exception of the Draft Resolution on the budget. The COW had otherwise endorsed all Draft Resolutions and proposals for listing of species on CMS Appendices.

509. The Chair of the Budget Committee, Ms Malta Qwathekana (South Africa) reported that the Committee had met on several occasions to consider the proposed Programme of Work for 2015-2017, the proposed budget for 2015-2017 and the relevant Draft Resolution. Following lengthy discussions, agreement had now been reached.

510. The Executive Secretary confirmed that the relevant revised documents had been posted in three languages since the previous day, giving delegates adequate time for review. He recommended that any further discussion should take place under Agenda item 27, *Adoption of Resolutions and Recommendations*.

511. The Plenary Chair thanked the Chairs of the COW and the Budget Committee for the work done throughout the COP.

ELECTION AND APPOINTMENTS TO THE SCIENTIFIC COUNCIL AND THE STANDING COMMITTEE (ITEM 17.2)

512. Referring to document UNEP/CMS/COP11/Document 17.2 *Nominations for the COP-Appointed Councillors for Aquatic Mammals and Birds*, the Chair recalled that the Scientific Council at its 18th meeting unanimously nominated, for the consideration of COP, Mr Giuseppe Notarbartolo de Sciara as Appointed Councillor for Aquatic Mammals. There had been two candidates for the position of Appointed Councillor for Birds. The two nominees, Mr Rob Clay (Paraguay) and Mr Stephen Garnett (Australia) had agreed to share the position at no extra cost.

513. At the invitation of the Chair, the COP approved the appointment of:

- Dr Giuseppe Notarbartolo de Sciara as COP-Appointed Councillor for Aquatic Mammals
- Dr Rob Clay and Prof Stephen Garnett as COP-Appointed Councillors for Birds

514. The Chair read out the list of existing COP-Appointed Councillors eligible and willing to continue serving for a further triennium:

- Mr Barry Baker – COP-Appointed Councillor for By-Catch
- Prof Colin Galbraith – COP-Appointed Councillor for Climate Change
- Dr Zeb Hogan – COP-Appointed Councillor for Fish
- Dr Colin Limpus – COP-Appointed Councillor for Marine Turtles
- Dr Rodrigo Medellín – COP-Appointed Councillor for Neotropical Fauna
- Dr Taej Mundkur – COP-Appointed Councillor for Asiatic Fauna
- Prof Alfred Oteng-Yeboah – COP-Appointed Councillor for African Fauna

515. At the invitation of the Chair the COP confirmed the re-appointment of these Scientific Councillors for the 2015-2017 triennium.

Nominations for the Standing Committee

516. At the invitation of the Chair, nominations for election to the Standing Committee were made as follows:

Africa (nominated on behalf of the region by Uganda)

Representatives: Republic of Congo, South Africa, Uganda,
Alternate Representatives: Algeria, Mali, United Republic of Tanzania

Asia (nominated on behalf of the region by Pakistan)

Representatives: Kyrgyzstan, Mongolia.
Alternate Representatives: Pakistan, Tajikistan

Europe (nominated on behalf of the region by Poland)

Representatives: France, Norway, Ukraine,
Alternate Representatives: Georgia, Latvia, Switzerland

Oceania (nominated on behalf of the region by New Zealand)

Representative: Australia
Alternate Representative: Philippines

South & Central America and the Caribbean

Representatives: Bolivia, Costa Rica
Alternate Representatives: Argentina, Panama

517. The Chair confirmed that the Chair and Vice Chair of the new Standing Committee would be elected during a short meeting of the Committee that would take place immediately after the close of the COP.

518. At the invitation of the Chair, the COP approved the composition of the Standing Committee for the 2015-2017 triennium.

ADOPTION OF RESOLUTIONS AND AMENDMENTS TO THE APPENDICES (ITEM 27)

Adoption of Amendments to the Appendices

519. The Chair invited the meeting to take a bloc decision on proposals for additions of 29 species to the CMS Appendices, as recommended by the Scientific Council and endorsed by the Committee of the Whole.

520. There being no comments from the floor to the contrary, the following species, whose common and scientific names and relevant proposed Appendix listing(s) were read out individually by the Chair of the COW, were approved by the COP for listing in the Appendix or Appendices indicated:

- Cuvier's beaked whale *Ziphius cavirostris* – Appendix I
- Red-fronted Gazelle *Eudorcas rufifrons* – Appendix I
- Great Bustard *Otis tarda* – Appendix I
- Semi-palmated Sandpiper *Calidris pusilla* – Appendix I
- Great Knot *Calidris tenuirostris* – Appendix I
- European Roller *Coracias garrulus* – Appendix I
- Narrow Sawfish *Anoxypristis cuspidata* – Appendix I & Appendix II
- Dwarf Sawfish *Pristis clavata* – Appendix I & Appendix II
- Smalltooth Sawfish *Pristis pectinata* – Appendix I & Appendix II
- Green Sawfish *Pristis zijsron* – Appendix I & Appendix II
- Largetooth Sawfish *Pristis pristis* – Appendix I & Appendix II
- Reef Manta Ray *Manta alfredi* – Appendix I & Appendix II
- Giant Devil Ray *Mobula mobular* – Appendix I & Appendix II
- Spinetail Mobula *Mobula japanica* – Appendix I & Appendix II
- Bentfin Devil Ray *Mobula thurstoni* – Appendix I & Appendix II
- Box Ray *Mobula tarapacana* – Appendix I & Appendix II
- Pygmy Devil Ray *Mobula eregoodootenkee* – Appendix I & Appendix II
- Shortfin Devil Ray *Mobula kuhlii* – Appendix I & Appendix II
- Atlantic Devil Ray *Mobula hypostoma* – Appendix I & Appendix II
- Lesser Guinean Devil Ray *Mobula rochebrunei* – Appendix I & Appendix II
- Munk's Devil Ray *Mobula munkiana* – Appendix I & Appendix II
- Polar Bear *Ursus maritimus* – Appendix II
- White-eared Kob *Kobus kob leucotis* – Appendix II
- Canada Warbler *Cardellina canadensis* – Appendix II
- Great Hammerhead Shark *Sphyrna mokarran* – Appendix II
- Scalloped Hammerhead Shark *Sphyrna lewini* – Appendix II
- Bigeye Thresher *Alopias superciliosus* – Appendix II
- Common Thresher *Alopias vulpinus* – Appendix II
- Pelagic Thresher *Alopias pelagicus* – Appendix II

521. The decision to list the above-mentioned species was marked by applause from participants.

522. The Chair invited the COP to consider the following two listing proposals that had been endorsed by an overwhelming majority of the COW.

- Silky Shark *Carcharhinus falciformis* – Appendix II
- European Eel *Anguilla anguilla* – Appendix II

523. There being no objections, the Chair confirmed that these two proposals had also been adopted by the COW.

524. The Chair invited comments from Parties.

525. The representatives of Chile and Peru indicated that their countries joined the consensus regarding the decision to list Silky Shark on CMS Appendix II.

526. These statements were greeted by warm applause.

Adoption of Resolutions

527. The Chair referred the meeting to document **CRP4/Rev.1 Proposal to add Panthera leo in Appendix II** that had been deferred from the earlier session of the COW.

528. The representative of Kenya tabled amendments to the Draft Resolution to bring it into line with the version that should have been distributed to participants.

529. The Plenary adopted the Draft Resolution subject to the inclusion of the amendments detailed by Kenya.

530. The Chair invited the Plenary to consider each of the remaining Draft Resolutions and associated documents, together with the relevant recommendations of the Committee of the Whole, one by one. She noted that many of the Draft Resolutions now being tabled had been amended from their original versions to take into account discussion during the Committee of the Whole, the Drafting Group, the Budget Committee and/or specific Working Groups set up by the COW.

531. The COP decided as follows:

UNEP/CMS/COP11/CRP1 Draft Resolution *Strategic Plan for Migratory Species 2015-2023*

532. The COP adopted the Draft Resolution, including the *Strategic Plan 2015-2023* and *Terms of Reference for the Strategic Plan Implementation Working Group*, without further amendment. The COP also took note of the *Assessment of Implementation of the Strategic Plan 2006-2014* contained in document UNEP/CMS/COP11/Doc.15.1.

UNEP/CMS/COP11/CRP2 Draft Resolution *Programme of Work on Climate Change and Migratory Species*

533. The COP adopted the Draft Resolution, including the *Programme of Work* annexed to it, without further amendment.

UNEP/CMS/COP11/CRP3 Draft Resolution *Enhancing the Relationship between the CMS Family and Civil Society.*

534. The COP adopted this Draft Resolution without further amendment, although the Secretariat noted that, in conformity with the agreement reached in the Drafting Group, an editorial adjustment would be made to ensure that references within the text to “NGOs” were expanded to “NGOs and CSOs”, with CSOs referring to Civil Society Organizations.

UNEP/CMS/COP11/CRP5 Draft Resolution *Future CMS Activities Related to Invasive Alien Species*

535. The COP adopted this Draft Resolution without further amendment.

UNEP/CMS/COP11/CRP6 Draft Resolution *Review of Decisions*

536. The COP adopted this Draft Resolution without further amendment.

UNEP/CMS/COP11/CRP7/Rev.1 Draft Resolution *Guidelines for Assessing Listing Proposals to Appendices I and II of the Convention*

537. The COP adopted this Draft Resolution, including the *Guidelines* annexed to it, without further amendment.

UNEP/CMS/COP11/CRP8 Draft Resolution *Arrangements for Meetings of the Conference of the Parties*

538. The COP adopted this Draft Resolution without further amendment.

UNEP/CMS/COP11/CRP9 Draft Resolution *Sustainable Boat-Based Marine Wildlife Watching*

539. The COP adopted this Draft Resolution, including the *Recommend Elements for National Guidelines* annexed to it, without further amendment.

UNEP/CMS/COP11/CRP10 Draft Resolution *Renewable Energy and Migratory Species*

540. The COP adopted this Draft Resolution, and endorsed the associated *Guidelines*, without further amendment.

UNEP/CMS/COP11/CRP11 Draft Resolution *Action Plan for Migratory Landbirds in the African-Eurasian Region*

541. The COP adopted this Draft Resolution, including the associated *Action Plan*, without further amendment.

UNEP/CMS/COP11/CRP12 Draft Resolution *Taxonomy and Nomenclature of Birds Listed on the CMS Appendices*

542. The COP adopted this Draft Resolution without further amendment.

UNEP/CMS/COP11/CRP13 Draft Resolution *Conservation Implications of Cetacean Culture*

543. The COP adopted this Draft Resolution without further amendment.

UNEP/CMS/COP11/CRP14 Draft Resolution *Management of Marine Debris*

544. The COP adopted this Draft Resolution without further amendment. The COP also took note of the key findings set out in annexes 2, 3 and 4 to document UNEP/CMS/COP11/Doc.23.4.6 *Management of Marine Debris*.

UNEP/CMS/COP11/CRP15/Rev.1 Draft Resolution *Live Captures of Cetaceans from the Wild for Commercial Purposes*

545. The COP adopted this Draft Resolution without further amendment.

UNEP/CMS/COP11/CRP16 Draft Resolution *Single Species Action Plan for the Loggerhead Turtle (Caretta caretta) in the South Pacific Ocean*

546. The COP adopted this Draft Resolution, including the associated *Action Plan*, without further amendment.

UNEP/CMS/COP11/CRP17 Draft Resolution *The Central Asian Mammals Initiative*

547. The COP adopted this Draft Resolution, including: (a) the *Programme of Work for the Conservation of Large Mammal Migrations in Central Asia*; (b) the *Guidelines to Mitigate Impact from Mining and Infrastructure on Migratory Mammals*; and (c) the *International Single Species Action Plan for the Conservation of Argali (Ovis ammon)*, annexed to it.

UNEP/CMS/COP11/CRP18 Draft Resolution *Review of the Application of Ecological Networks to CMS*

548. The COP adopted this Draft Resolution without further amendment, but subject to the inclusion of the amendment that had been endorsed in the final session of the COW, immediately prior to the current Plenary session.

UNEP/CMS/COP11/CRP19/Rev.1 Draft Resolution *Fighting Wildlife Crime and Offences within and beyond Borders*

549. The COP adopted this Draft Resolution without further amendment, but subject to the inclusion of the amendments and language corrections that had been endorsed in the final session of the COW, immediately prior to the current Plenary session.

UNEP/CMS/COP11/CRP20 Draft Resolution *Conservation of Migratory Sharks and Rays*

550. The COP adopted this Draft Resolution without further amendment.

UNEP/CMS/COP11/CRP21 Draft Resolution *Communication, Information and Outreach Plan*

551. The COP adopted this Draft Resolution, including the associated *Plan*, without further amendment.

UNEP/CMS/COP11/CRP22 Draft Resolution *Concerted and Cooperative Actions*

552. The COP adopted this Draft Resolution, including (a) the *Lists of Species for Concerted Actions and Cooperative Actions*, and (b) the *Recommendations for Enhancing Effectiveness of the Concerted and Cooperative Actions*, annexed to it.

UNEP/CMS/COP11/CRP23 Draft Resolution *Criteria for Assessing Proposals for New Agreements*

553. The COP adopted this Draft Resolution, including the *Criteria* annexed to it, without further amendment.

UNEP/CMS/COP11/CRP24 Draft Resolution *Enhancing the Effectiveness of the Convention through a Process to Review Implementation*

554. The COP adopted this Draft Resolution without further amendment.

UNEP/CMS/COP11/CRP25 Draft Resolution *Amendments to the Rules of Procedure*

555. The Chair recalled that this document, relating to the Rules of Procedure for future meetings of the Conference of the Parties, had originated from Annex 2 to document UNEP/CMS/COP11/Doc.4. Following discussion in the Committee of the Whole, the Drafting Group of the COW had agreed amendments to the originally tabled document and the revised text was now before the Plenary for its consideration and endorsement. The COW had recommended that the amended Rules of Procedure be submitted for adoption at COP12. The COW had also recommended that the following rules should apply intersessionally:

- Rule 3 relating to credentials;
- Rule 6 relating to the composition of the Bureau;
- Rule 21 relating to the submission of proposals for amendment of the convention and appendices; and
- Rule 22 relating to the submission of resolutions and recommendations.

556. The Chair further recalled that the COP had adopted the Draft Resolution contained in document UNEP/CMS/COP11/CRP6 *Review of Decisions*, which called on the Parties and the Secretariat to use the term “Decision” instead of “Recommendation”. As a consequence, the Secretariat would be making the appropriate editorial adjustments to UNEP/CMS/COP11/CRP25.

557. There being no objections or other interventions from the floor, the COP decided to submit the Rules of Procedure contained in UNEP/CMS/COP11/CRP25 to Parties for adoption at COP12 and that, in the meantime, Rules 3, 6, 21 and 22 (as contained in CRP25) should apply intersessionally.

UNEP/CMS/COP11/CRP26 Draft Resolution *World Migratory Bird Day*

558. The COP adopted this Draft Resolution without further amendment.

UNEP/CMS/COP11/CRP27 Draft Resolution *Saker Falcon (Falco cherrug) Global Action Plan (SakerGAP)*

559. The COP adopted this Draft Resolution, including the *Action Plan* annexed to it, without further amendment.

UNEP/CMS/COP11/CRP28 Draft Resolution *Enhancing Synergies and Common Services among CMS Family Instruments*

560. The COP adopted this Draft Resolution without further amendment.

UNEP/CMS/COP11/CRP29 Draft Resolution *Programme of Work on Migratory Birds and Flyways*

561. The COP adopted this Draft Resolution, including the *Programme of Work and Americas Flyways Framework* annexed to it, without further amendment.

UNEP/CMS/COP11/CRP30 Draft Resolution *The Prevention of Illegal Killing, Taking and Trade of Migratory Birds*

562. The COP adopted this Draft Resolution, including the *Terms of Reference of the Intergovernmental Task Force to Address Illegal Killing, Taking and Trade of Migratory Birds in the Mediterranean* annexed to it, without further amendment.

UNEP/CMS/COP11/CRP31 Draft Resolution *Preventing Poisoning of Migratory Birds*

563. The COP adopted this Draft Resolution, including the associated *Guidelines*, without further amendment.

UNEP/CMS/COP11/CRP32 Draft Resolution *Synergies and Partnerships*

564. The COP adopted this Draft Resolution without further amendment, but subject to the inclusion of the amendment that had been agreed in the final session of the COW, immediately prior to the current Plenary session.

UNEP/CMS/COP11/CRP33 Draft Resolution *Restructuring of the Scientific Council*

565. The COP adopted this Draft Resolution without further amendment.

566. The representative from Brazil thanked members of the *ad hoc* ‘Friends of the Chair’ working group that had finalized the text of this Draft Resolution.

UNEP/CMS/COP11/CRP34 Draft Resolution *Financial and Administrative Matters*

567. The COP adopted this Draft Resolution without further amendment, including, as recommended by the Budget Committee: (a) the *Budget for the Triennium 2015–2017*; (b) the *Contributions of Parties to Fund the 2015–2017 Budget*; (c) the *Revised Terms of Reference of the Finance and Budget Subcommittee*, (d) the *Terms of Reference for the Administration of the Trust Fund for the Convention on the*

Conservation of Migratory Species of Wild Animals; and (e) the *Programme of Work for the Triennium 2015–2017*. All of these documents were annexed to the Draft Resolution, as adopted.

568. At the recommendation of the COW, the Plenary also took note of the following related documents:

- UNEP/CMS/COP11/Doc.14.1 *Execution of the CMS Budget during the 2012–2014 Triennium*;
- UNEP/CMS/COP11/Doc.14.4 *Resource Mobilization*;
- UNEP/CMS/COP11/Doc.16.1 *Future Structure and Strategies of CMS: Short- and Medium-Term Activities under Resolution 10.9*;
- UNEP/CMS/COP11/Doc.17.3 *Draft Global Gap Analysis of the Convention on Migratory Species*;
- UNEP/CMS/COP11/Doc.19.1 *Implementation of the Outreach and Communication Plan 2012-2014*;
- UNEP/CMS/COP11/Doc.19.3 *Analysis and Synthesis of National Reports*;
- UNEP/CMS/COP11/Doc.20.1 *Implementation of the Capacity Building Strategy 2012-2014*;
- UNEP/CMS/COP11/Doc.22.1 *Implementation of Existing CMS Instruments*; and
- UNEP/CMS/COP11/Doc.22.3 *An Assessment of MOUs and their Viability*.

569. The representatives of Chile and Egypt underlined the importance of capacity building and thanked the Capacity-Building Unit of the Secretariat for its work to date.

DATE AND VENUE OF THE 12TH MEETING OF COP (ITEM 28)

570. The Chair drew attention to UNEP/CMS/COP11/Document 28 *Arrangements for Hosting the 11th and 12th Meetings of the Conference of the Parties*.

571. At the invitation of the Chair the representative of the Philippines confirmed that his country would be privileged to host the CMS COP12 in 2017. The Philippines was a mega-diverse country and an important pathway and habitat of migratory species. He continued: “*From the highlands of Ecuador to the shores of the Philippines, at the other end of the world, this is what we call the ridge to reef approach. We hope to approximate the efficiency, hospitality and friendship of the people of Ecuador. If allowed by the COP, we would like to invite everybody to the Oceania region, and the Philippines, in particular, for COP12. As our tourism slogan goes, ‘It’s more fun in the Philippines’!*”

572. The confirmation of the Philippines’ offer to host COP12, which was followed by a short video presentation, was welcomed with applause from participants.

573. The Chair confirmed that the COP had taken note of the Philippines’ interest and stated that Ecuador stood ready to assist the next hosts.

574. Through this Agenda item the COP also endorsed UNEP/CMS/COP11/CRP35 *Arrangements for Hosting the 11th and 12th Meetings of the Conference of the Parties* commending the Government of Ecuador for hosting COP11 and instructing the Secretariat to work with the Government of the Philippines to make the necessary arrangements for COP12.

ADOPTION OF THE REPORT (ITEM 29)

575. The Chair drew attention to the draft Daily Reports that had been circulated to delegates. She confirmed that comments and corrections could be submitted to the Secretariat, provided this was done within a period of one month of closure of COP11. She nevertheless wished to give the opportunity to any Party that wished to intervene with regard to the draft Daily Reports to do so now.

576. The representatives from Canada and the United Arab Emirates confirmed that they had submitted minor amendments to the Secretariat in relation to paragraphs 295 and 102, 146 and 147.

577. There being no other comments, the Report of the Meeting was adopted subject to inclusion of the amendments tabled by Canada and UAE, and any other amendments submitted by participants within the one-month deadline.

ANY OTHER BUSINESS (ITEM 30)

578. In response to a question from the representative of South Africa, in her capacity as Chair of the Budget Committee, the Chair of the Plenary confirmed that the Draft Resolution on Financial and Administrative Matters (UNEP/CMS/COP11/CRP34) and the documents annexed to it had now been adopted by the COP. Discussion would not be reopened.

579. The Chair of the Budget Committee, supported by the representative of Switzerland, expressed concern that operative paragraph 28 of the Resolution, relating to the preparation of budget scenarios at COP12, was not very comfortable for many Parties and might prove to be a burden to the Convention.

580. The representatives of France and Belgium recalled that the substance of operative paragraph 28 had been fully discussed in the Budget Committee; many delegations had strict instructions requiring zero nominal growth as a starting point in MEA budget negotiations. Having operative paragraph 28 in place would simply save time at COP12. In any case, the relevant Draft Resolution had already been adopted by the Plenary.

581. The representative of Brazil, while acknowledging that his country was not yet a CMS Party, suggested deletion of the operative paragraph in question. Generally Parties should support environmental MEAs instead of allowing them to deteriorate. By going for zero nominal growth the COP was actually cutting funding to CMS. Parties should not continue with what was a euphemism for reducing the budget indefinitely into the future, at the same time as adding more and more tasks.

582. The representative of Germany reiterated that the text of the Resolution dealing with the Budget properly reflected what happened in the Budget Committee and had already been adopted. Germany would therefore not wish to follow the advice of Brazil. It was indeed a pity that so many Parties had such limited financial possibilities at the present time and it was to be hoped that a better situation would pertain in future. It should be stated clearly that operative paragraph 28 applied to COP12 but would of course be reviewed in relation to subsequent triennia.

583. The Chair reminded participants once more that the Resolution in question had already been adopted. She was grateful for all comments made and participants were welcome to comment further in writing within the next 30 days, but the Resolution, as adopted, was final.

584. The observer from Humane Society International, speaking on behalf of a coalition of NGOs, made the following statement:

“We leave this 11th Conference of the Parties in beautiful Ecuador with much to celebrate and I speak here on the behalf of the following organizations, the Pew Charitable Trusts, Whale and Dolphin Conservation, Born Free, IFAW, Shark Advocates International, Project Aware, the Humane Society International and BirdLife International; and others may also wish to associate.

Ground-breaking resolutions have been agreed in terms of both the integration of animal social biology and culture into the work of this Convention and also the call that has gone out to the wider world to end the live capture of cetaceans at sea for commercial purposes. These are inspiring developments and put CMS firmly into a leadership role in the international conservation community.

This has also been the most innovative COP ever for the avian agenda. Guidance, with associated working groups to promote implementation on the ground, was adopted to address key threats to migratory birds, namely illegal killing, taking and trade, poisoning and poorly planned renewable energy developments. The action adopted for African-Eurasian landbirds, with a lead from African Parties, will complement existing instruments for waterbirds and raptors and provide a framework for linking with other stakeholders to ensure sustainable land use in Africa. Parties from Latin American have taken a similar lead with respect to the newly adopted Americas Flyways Framework.

Similarly, we salute all the Parties and the Secretariat in successfully carrying forward a number of excellent and important marine initiatives, including of course the listings of sharks and rays. These listings are just the start of the further urgent work that these species need to ensure that they have a future. We congratulate you on the listing of the great ice bear. We look forward to new initiatives being developed under the auspices of CMS for this emblematic species and hope that the peoples of the region will come to see this as a friendly, appropriate and respectful attempt from the wider international community to protect this species which is revered, admired and appreciated across the whole planet. While disappointed to see the withdrawal of the

Appendix II listing for the lion, we appreciate the effort that has gone into developing a meaningful resolution and urge the CMS Family and all stakeholders to work together to ensure future generations can see these iconic animals in the wild, and not just behind bars or fences.

We highly commend CMS for taking far-reaching decisions to strengthen the Convention overall via the new Strategic Plan, the new Listing Criteria and other governance decisions. These things make COP11 a key meeting in the history of this Convention, increasing the chance for better conservation and well-being of migratory species around the world. We urge governments to take action resulting in adequate financial support for the work ahead. We encourage you all to build further on what has been agreed here on the cross-cutting threats including marine debris, poisoning, illegal trade and of course climate change.

The role of civil society is primarily to help you to help the migratory species. We deeply appreciate the openness of the dialogue that we have here. We sometimes have our differences, of course, but this is all part of a healthy process of dialogue and debate, as is the ability of a convention to appropriately review and accordingly amend and develop its work programmes. As partner and non-partner organizations, we commit to work with you all in achieving the best outcomes for all species and all threats.

Madam Chair, we thank the Secretariat for their excellent facilitation of this meeting and thank you one last time for the kind hospitality that Ecuador has shown to us.”

585. The representatives of Costa Rica, Ecuador and Uruguay paid tribute to the outstanding work undertaken by Chile, and by Ms Nancy Céspedes in particular, in its capacity as Regional Representative for South and Central America and the Caribbean during the past two triennia.

586. The representative of Chile thanked Parties from the region for their kind words.

CLOSURE OF THE MEETING (ITEM 31)

587. Closing remarks were made by the Chair as representative of the Host Country and by the Executive Secretary.

588. Speaking on behalf of their respective regional groupings, the representatives of Chile, the EU and its Member States, New Zealand and Uganda (supported by Egypt), thanked the Government and people of Ecuador for their warm hospitality in hosting the meeting; Her Excellency Lorena Tapia for Presiding over the COP; the Chairs of in-session committees and working groups; the supportive NGO community; and the Secretariat for its preparatory work. They also reflected on fruitful outcomes but highlighted the need for enhanced implementation and the additional resources this would require.

589. The observer from the Pew Charitable Trusts thanked the Government of Ecuador for hosting the meeting and showing impressive leadership on the conservation of sharks. Thanks were due to all NGOs present for working cooperatively on this issue. Pew would be leaving the COP very happy with the outcomes and looked forward to continuing to work for the protection of sharks.

590. Her Excellency Lorena Tapia, Minister of Environment of Ecuador and senior colleagues from the Ministry of Environment were presented with tokens of appreciation on behalf of delegates and the Secretariat.

591. Thanking all participants, the Chair declared COP11 closed.