



**CONVENTION ON  
MIGRATORY  
SPECIES**

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

**DRAFT REPORT OF THE 46<sup>th</sup> MEETING  
OF THE CMS STANDING COMMITTEE**  
*Manila, Philippines, 22 October 2017*

**1. Opening remarks and introductions**

1. The Chair, Øystein Størkersen (Norway), welcomed participants. He noted that this meeting of the Standing Committee would deal with important final preparations for COP12 and recorded his thanks to the Government of the Philippines for hosting the COP. He recalled that his presentation on the opening day of the COP would brief Parties on the work of the Standing Committee during the current triennium.
2. The Executive Secretary, Bradnee Chambers, extended his welcome to participants and thanked the host country for its excellent preparation of the COP. He drew attention to the Leaders' Dialogue on environmental pollution, convened jointly with UN Environment, which had been held earlier that morning, as well as the High Level Panel being held during the afternoon. The regional meetings scheduled over the coming week would be important fora for discussion of substantive issues, including nominations of Parties to serve on the Standing Committee and Finance & Budget Sub-Committee during the coming triennium. He looked forward to working closely with Standing Committee members to make COP12 CMS's most successful COP to date.

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

**2.1 Provisional Agenda and Documents**

**2.2 Provisional Annotated Agenda and Meeting Schedule**

3. The Chair referred the meeting to documents UNEP/CMS/StC46/Doc.2.1 and UNEP/CMS/StC46/Doc.2.2 and invited comments or proposals for amendment from the floor. There being no such interventions, both documents were adopted without amendment.

**3. Adoption of the Amendments to the Standing Committee Rules of Procedure**

4. At the request of the Chair, Melanie Virtue (CMS Secretariat) introduced document UNEP/CMS/StC46/Doc.3.
5. Ms Virtue recalled that the Rules of Procedure for the Standing Committee, as contained in the document, had been adopted by the 41<sup>st</sup> meeting of the Standing Committee. The only amendments proposed were to paragraph 17 concerning the process for adopting the reports of Standing Committee meetings. The revised process would enable reports to be

adopted during the months immediately after a meeting, rather than waiting until the next meeting.

6. The Chair invited comments from the floor. There being no interventions, the Rules of Procedure for the meeting, as contained in document UNEP/CMS/StC46/Doc.3, were adopted.

#### **4. Report of the 45th Meeting of the CMS Standing Committee**

##### **4.1 Adoption of the Report of the 45th Meeting**

##### **4.2 Follow up on 45th Meeting**

7. The Chair referred to UNEP/CMS/StC46/doc.4.1, recalling that the Report of the 45<sup>th</sup> Meeting of the Standing Committee had already been circulated well ahead of the present meeting. He invited comments or proposed amendments from the floor. There being no such interventions, the Report of the 45<sup>th</sup> Meeting was adopted without amendment.

#### **5. Process for the Election for the next triennium of the new Members of:**

8. The Chair invited the Secretariat to introduce each of the sub-items comprising this agenda item.

##### **5.1 Standing Committee (StC)**

##### **5.2 StC Finance and Budget Sub-Committee**

9. Melanie Virtue (CMS Secretariat referred to document UNEP/CMS/COP12/Doc.17.1, which contained Resolution 9.15 and a table outlining the current status of Members of the Standing Committee. There were two regions, Africa and Europe, where at least one member would be standing down at the end of the current triennium. Regional groupings were therefore encouraged, if they had not already done so, to engage in consultations and be ready to come forward during the closing plenary of COP12 with nominations for both Members and Alternates to serve during the next triennium. The new Standing Committee would meet immediately following the close of COP12 and would, among other matters, need to appoint a Finance and Budget Sub-Committee.

10. The Chair opened the floor to comments and questions.

11. Costa Rica confirmed on behalf of Latin America and the Caribbean, that the region had already prepared nominations for the Standing Committee, Finance & Budget Sub-Committee and Scientific Council.

12. Mongolia confirmed that discussions within the Asia region were already underway and that candidates for nomination would be received at the following day's regional meeting.

##### **5.3 Sessional Committee of the Scientific Council**

13. Marco Barbieri (CMS Secretariat) introduced document UNEP/CMS/COP12/Doc. 17.2. This summarized the work undertaken by the Secretariat, in consultation with the Standing Committee, during the 2015-2017 triennium, with regard to the Sessional Committee of the Scientific Council for the next intersessional period, as requested by Resolution 11.4. He drew the meeting's attention to the need for COP12 guidance on the need for renewal of COP-appointed membership of the Sessional Committee and the possible appointment of alternate members for the regional membership, as set out in paragraphs 12 to 15 of the document

14. The Chair urged members of the Standing Committee to ensure that the points raised by the Secretariat were discussed during regional meetings so that the COP could provide guidance and take decisions, as appropriate.
15. France confirmed that Europe strongly supported the establishment of alternate members for regional membership of the Sessional Committee of the Scientific Council and would bring forward nominations from the region accordingly.
16. Ms Virtue (CMS Secretariat) recalled that, during the opening plenary of COP12, each region would be required to nominate one Party to serve on the Credentials Committee for the COP. This issue would therefore need to be discussed in regional groupings during the morning of 23 October at the latest.

## **6. Financial and Human resources**

17. The Chair invited Enkhtuya Sereenen (CMS Secretariat) to introduce the two sub-items covered by this agenda item.

### **6.1 Report on the Implementation of the CMS Budget during the Triennium 2015-2017**

18. Ms Sereenen made a presentation summarising the information contained in document UNEP/CMS/COP12/Doc.14.1 and updating some of the key statistics to take account of the situation as at 13 October 2017. The total of paid assessed contributions for the 2015-2017 triennium had risen to €6,734,555 (90%) but €708,075 (10%) remained outstanding from 50 Parties (42% of the total number of Parties). Revised budget figures for the triennium were:

- Total approved budget €7,442,629
- Total drawdown from the Trust Fund reserve €179,000
- Total estimated expenditure as of 31 December 2017 €7,486,318
- Total estimated balance as of 31 December 2017 €135,311
- Estimated Trust Fund balance as of 31 December 2017 €282,495

19. Ms Sereenen outlined the principal challenges in implementing the 2015-2017 budget, but also drew attention to a number of successes and strengths detailed in the document.
20. The Chair opened the floor to comments, noting that the issue of arrears would be dealt with under the next sub-item.
21. There being no requests for the floor, the Chair confirmed that the Standing Committee had taken note of the document and updated presentation. These matters would be revisited during the COP itself.

### **6.2 List of Parties with contributions in arrears of three years or more to the CMS Trust Fund**

22. Ms Sereenen made a presentation summarising and updating document UNEP/CMS/COP12/Doc.4/Add.1. This included a list of 17 Parties whose contributions to the CMS Trust Fund were three or more years in arrears, as at 13 October 2017. The meeting was invited to take note of this list in the context of elections to the Standing Committee, Finance and Budget Sub-Committee and Scientific Council for the next triennium. It would be helpful if Standing Committee members could help stimulate the relevant Parties to pay their outstanding dues before end of the 2015-2017 triennium

23. France observed that for some Parties in arrears, administrative charges likely exceeded the value of the assessed contributions, making it hard to take such payments seriously. As mentioned at previous meetings, the introduction of a meaningful minimum contribution might increase the chances of payment.
24. The Chair concurred that the idea of a minimum contribution had been raised previously and that Parties in arrears had also been encouraged to contact the Secretariat to discuss the way forward. The Standing Committee had noted the document and presentation; it would now be up to the COP to determine any additional actions required.

## **7. Report of the Finance and Budget Sub-Committee**

25. Owing to another urgent engagement the Chair of the Finance and Budget Sub-Committee was not available to present her report.

## **8. Preparations for CMS COP12**

26. The Chair invited the Secretariat to brief the Standing Committee on a number of specific COP12 issues that would benefit from discussion during regional meetings.
27. Melanie Virtue (CMS Secretariat) referred the meeting to document UNEP/CMS/COP12/Doc.4/Rev.1 'Rules of Procedure for Meetings of the Conference of Parties' and drew particular attention to paragraphs 5 to 7 of the background note. The Secretariat had suggested text revisions to clarify the applicability of Rule 7 and to correct terminology in Rule 22. The document otherwise reflected the text contained in document UNEP/CMS/COP11/Report/Annex II. In addition, the Rules of Procedure adopted by COP11 had been made available for reference as document UNEP/CMS/COP12/Doc.4/Add.2.
28. Ms Virtue noted that Rule 6 in document UNEP/CMS/COP12/Doc.4/Rev 1/Annex 1 expanded the composition of the Bureau providing for participation of all members of the Standing Committee.
29. The Chair preferred that the Bureau should be a relatively small and efficient body whose main purpose was to solve problems and ensure the smooth running of the COP. It should not be a forum for continuing plenary debates. He encouraged discussion of this point within regional groupings and hoped that each region could agree to appoint a single Standing Committee member to attend Bureau meetings.
30. Germany recommended that Rule 6 in document UNEP/CMS/COP12/Doc.4/Rev 1/Annex 1 should be slightly amended, for the sake of clarity, to state (proposed amendment underlined): "The Officers listed in Rule 5 (2) together with the Chairs of the Scientific Council and the Standing Committee, and the members of the Standing Committee shall constitute...".
31. The Chair concurred that this would be a useful amendment.
32. Ms Virtue drew the meeting's attention to document UNEP/CMS/COP12/Doc.21/Rev.2 'Review of Decisions'. This concerned a major housekeeping exercise conducted during the current intersessional period in response to Resolution 11.6. At the 45<sup>th</sup> Meeting of the Standing Committee, the Secretariat had tabled document UNEP/CMS/StC45/Doc.19/Rev.1. The present document (COP12/Doc.21/Rev.2) was simply an update, reflecting the work completed by the Secretariat since StC45. She briefly introduced the five annexes to the document: Annex 1 Resolutions and Recommendations Previously Repealed; Annex 2 Resolutions and Recommendations to Repeal in Full; Annex 3 Resolutions and Recommendations to Repeal in Part; Annex 4 Resolutions and

Recommendations to Retain in Full; and Annex 5 Summary Tables and explained the corresponding advice and decisions being requested of the COP. To facilitate discussions, UNEP/CMS/COP12/Doc.6.2/Add.1 included a table cross-referencing, where relevant, between this agenda item and other substantive COP12 agenda items and documents, as well as their anticipated assignment to COP12 Working Groups. It was further hoped that the Review of Decisions would be discussed during regional meetings to maximise efficiency in sessions of the COW and Plenary.

33. The Chair invited comments from the floor.
34. Australia observed that the Secretariat and Standing Committee had undertaken a massive task. One consequence was the need for substantial revision of a large number of outdated resolutions. COP12 already had a very heavy agenda without adding anything further; the Oceania region therefore took the view that such Resolutions should be revised intersessionally and brought forward for further consideration at COP13.
35. France concurred with the points made by Australia. The European region had a few reservations about the work done to consolidate resolutions; there was still a high level of redundancy and too many recital paragraphs. There was a need to continue simplifying resolutions during the next intersessional period.
36. The Executive Secretary recalled that while the review process might appear daunting, it had been conducted with the aim of being as efficient as possible. Proposed repeals had been objectively based on self-evident redundancy. The Parties were asked to review the work of the Secretariat in this respect, but when considering partial repeals it would be essential to avoid re-opening negotiations on texts agreed as long ago as 35 years, when the context for discussion was very different. Discipline was needed to limit the scope of revision and to honour the history of discussion that arrived at the language used. The process should err on the side of caution and not re-open texts unless absolutely necessary. It would be important for these points to be communicated to Parties through the regional groupings and the Standing Committee and Bureau would have important roles to play in keeping discussions of this agenda item on track.
37. The Chair hoped that, while the COP was free to act as it saw fit, Parties would pay heed to the cautionary words of the Executive Secretary.
38. At the invitation of the Chair, the Executive Secretary outlined the anticipated structure and functioning of the COP in terms of Committees and Working Groups. These were expected to comprise: the Committee of the Whole (COW); a single Working Group operating in parallel with the COW and covering institutional matters (e.g. compliance review, national legislation, Concerted Actions, climate change, synergies, restructuring of sessional committees); and a number of Committees and Working Groups that would meet between sessions of the COW – namely the Budget Committee, Credentials Committee, a Working Group dealing with the Decision Review Process, and three Working Groups dealing with taxa, avian, aquatic and terrestrial issues respectively. The aim would be to establish all of these bodies during the opening day of the COP to provide maximum time for discussion. Informal discussions had been held with members of the Standing Committee with a view to bringing forward nominations for Chairs of the various Committees and Working Groups.
39. The Chair opened the floor for comments.
40. In response to a question raised by Australia on behalf of the Oceania region, the Executive Secretary confirmed the intention for Species Listing Proposals to be discussed as needed within the relevant Working Group from day one. They would not have to be held over until tabled during the COW.

## **9. Offer(s) received to host COP13**

41. The Executive Secretary was pleased to inform the meeting that, following discussions over the past two months, the Secretariat had received an official letter from the Government of India proposing that COP13 be held in India. No further offers had been received so far. Unless such offers emerged over the next week, consideration would be given to the offer of India in the light of the decision to be taken under agenda item 31.
42. The Chair confirmed that the Standing Committee was happy to receive the offer, had taken note of it and that it would be formally presented to the COP in due course, along with any further offers that might still be received.

## **10. Date and Venue of the 47th Meeting of the Standing Committee**

43. The Executive Secretary confirmed that the 47<sup>th</sup> Meeting of the Standing Committee would take place immediately after the close of the final COP12 Plenary Session on Saturday 28 October 2017. The meeting would be a brief one, dealing with immediate procedural matters, including the appointment of a Chair and Vice-Chair and members of the Finance and Budget Sub-Committee.

## **11. Any other business**

44. There were no items of other business.

## **12. Closure of the Meeting**

45. The Chair closed the meeting and looked forward to fruitful deliberations during the COP itself.