

**DRAFT REPORT OF THE 13TH MEETING
OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE
CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS**

Day 1 – Monday 17 February 2020

Opening ceremony 09.30–11.00

OPENING OF THE MEETING (ITEM 1)

1. The Opening Ceremony, held on Monday 17 February 2020, comprised ceremonial, cultural and official elements.
2. Ceremonial and cultural events included:
 - A prayer accompanied by a dance performance representing the cultures of northern, southern, eastern and western India;
 - The lighting of the COP13 lamp;
 - A video performance of the COP13 Theme Song;
 - The release by the Government of India of a special COP13 stamp and commemorative cover.

WELCOMING ADDRESSES (ITEM 2)

3. Inaugural remarks and addresses were delivered by:
 - Shri Chandra Kishore Mishra, Secretary, Ministry of Environment, Forest and Climate Change, Government of India;
 - Mr Luca Parmitano, Commander of the International Space Station (via video message);
 - Ms Joyce Msuya, UN Assistant Secretary-General and Deputy Executive Director of the United Nations Environment Programme;
 - Ms Amy Fraenkel, CMS Executive Secretary;
 - Shri Babul Supriyo, Honourable Minister of State, Ministry of Environment, Forest and Climate Change, Government of India;
 - Shri Prakash Javadekar, Honourable Minister of Environment, Forest and Climate Change, Government of India; and
 - Shri Vijay Rupani, Honourable Chief Minister, Government of Gujarat.

KEYNOTE ADDRESS (ITEM 3)

4. The keynote address was delivered (via video conferencing) by Shri Narendra Modi, Honourable Prime Minister of India.
5. Mr Modi welcomed delegates to India, a country blessed with exceptional biodiversity, including several global biodiversity hotspots. Conservation of wildlife and habitats was not only part of the cultural ethos of India, but was also reflected in the Constitution and in legislation. The number of protected areas and the extent of forest cover in India had both increased significantly in recent years, and India was championing climate action, being one of the few countries compliant with the Paris Agreement. The Prime Minister highlighted specific initiatives being taken by India for the conservation of Tiger (*Panthera tigris*), Asiatic Lion (*Panthera leo persica*), Snow Leopard (*Uncia uncia*), Asian Elephant (*Elephas maximus*), Greater One-horned Rhinoceros (*Rhinoceros unicornis*) and Great Indian Bustard (*Ardeotis nigriceps*) – the last mentioned being the mascot of COP13. Whilst holding the CMS COP Presidency, India would be focusing on a range of issues, among them: conservation of migratory birds along the Central Asian Flyway, conservation of marine turtles, reduction of pollution from micro-plastic and single-use plastic, transboundary protected areas, and sustainable infrastructure development. India was honoured to be hosting COP13 and Mr Modi wished all delegates a successful meeting and enjoyable stay in the country.

6. The Vote of Thanks was proposed by the Chief Secretary of Gujarat, Mr Anil Mukim.

Plenary session 11.00–12.10

7. The opening of the plenary session was chaired on an interim basis by the Chair of the Standing Committee, Mr Øystein Størkersen (Norway), who made brief welcoming remarks.
8. An address was delivered by Mr Ramon S. Bagatsing Jr., Ambassador of the Philippines to India, in his role as representative of the COP12 host country and COP Presidency.
9. The Chair recalled with sadness the passing away of the former CMS Executive Secretary Dr. Bradnee Chambers (1966-2019) and invited three former colleagues and friends to pay tribute. The life, work and exceptional legacy of Dr Chambers, including his visionary and energetic preparation of the present COP, were recalled by:
- Mr John Scanlon, Special Envoy of African Parks and former Secretary-General of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);
 - Shri Soumitra Dasgupta, Inspector General of Forests, Ministry of Environment, Forests and Climate Change, Government of India; and
 - Ms Amy Fraenkel, Executive Secretary of the Convention on Migratory Species (CMS).

ORGANIZATIONAL MATTERS

ADOPTION OF RULES OF PROCEDURE (ITEM 4)

10. The Chair requested the Secretariat to introduce document UNEP/CMS/COP13/Doc.4/Rev.2 *Rules of Procedure for Meetings of the Conference of the Parties (COP)*. This contained revisions to the Rules of Procedure in conformity with Decision 12.1 adopted by the Conference of Parties at its 12th Meeting (COP12, Manila, 2017), and a correction to Rule 22. The document contained additional recommended amendments to Rules 5 and 6, to incorporate the role of the COP President as Chair of the Meeting. Two Addenda provided the Rules of Procedure as adopted at COP12, and a second version reflecting the proposed changes.
11. The COP adopted the Rules of Procedure contained in COP13/Doc.4/Rev.2 without further amendment.

ELECTION OF OFFICERS (ITEM 5)

12. The Chair of the Standing Committee recalled that Rule 5 of the Rules of Procedure provided for the election of the Chair of the COP, the Chair of the Committee of the Whole (COW) who would also serve as Vice-Chair of the COP, and the Vice-Chair of the COW.
13. The Conference elected the following officers by acclamation:

Conference of the Parties

Chair: Hon. Prakash Javadekar (India)

Vice-Chair: Dr Akankwasah Barirega (Uganda)

Committee of the Whole

Chair: Dr Akankwasah Barirega (Uganda)

Vice-Chair: Mr Simon Nemtsov (Israel)

14. The Chair of the Standing Committee confirmed that, in accordance with Rule 6 of the Rules of Procedure, the Bureau of the Conference was now complete and comprised all members of the Standing Committee, the Chair and Vice-Chair of the COP and the Vice-Chair of the COW. The Bureau would meet for the first time during the evening of 17 February.

ADOPTION OF AGENDA AND MEEETING SCHEDULE (ITEM 6)

Item 6.1 Provisional Agenda and Documents

Item 6.2 Provisional Annotated Agenda and Meeting Schedule

15. The Chair referred the meeting to documents UNEP/CMS/COP13/Doc.6.1/Rev.3 *Provisional Agenda and Documents* and UNEP/CMS/COP12/Doc.6.2/Rev.1 *Provisional Annotated Agenda and Meeting Schedule*.
16. There being no proposals for amendments, both documents were adopted by consensus.

ESTABLISHMENT OF CREDENTIALS COMMITTEE AND OTHER SESSIONAL COMMITTEES (ITEM 7)

17. The Chair recalled that Rule 3 of the Rules of Procedure provided for the establishment of a Credentials Committee of five members. It had been the practice at CMS COPs for those five members to be drawn from the regional groupings.
18. At the invitation of the Chair, the following nominations were made:
 - Africa:** Malawi
 - Asia:** Saudi Arabia
 - Europe:** The Netherlands
 - Latin America & the Caribbean:** Uruguay
19. There was no nomination from Oceania.
20. There being no objection, the COP confirmed by consensus the constitution of the Credentials Committee as nominated.
21. At the invitation of the Chair and in accordance with Rule 17 of the Rules of Procedure, the meeting decided to establish the Committee of the Whole (COW).
22. The Chair noted that the meeting might wish to establish further committees or working groups to discuss the draft budget and other issues. The COP decided that the establishment of these bodies would be taken up by the COW.

ADMISSION OF OBSERVERS (ITEM 8)

23. The Chair referred the meeting to document UNEP/CMS/COP13/Doc.8 *Admission of Observers* and invited the Parties to admit the Observers as listed.
24. There being no objections from the floor, the Observers listed in COP13/Doc.8 were admitted by consensus.

REPORT OF THE UNITED NATIONS ENVIRONMENT PROGRAMME (ITEM 9)

25. Mr Mamadou Kane, Head of UNEP's International Governance Unit, briefly summarized the Report of the Executive Director of the United Nations Environment Programme, as contained in document UNEP/CMS/COP13/Doc.9.

MINISTERIAL STATEMENT

26. The Chair invited the Minister of Environment, Land and Sea Protection of Italy, Mr Sergio Costa, to make a statement in his capacity as Co-President, together with the UK, of the 2020 UN Climate Change Conference (UNFCCC COP26).

27. The Minister stressed that 2020 was a year of huge importance for international environmental policy. He highlighted the importance of migratory species and of CMS in Italy, and the value of ecological connectivity as an approach to the post-2020 Global Biodiversity Framework. He underlined the impact of two issues on migratory species, namely, poisoning by agricultural pesticides, and climate change. Climate change was adversely affecting migratory species in many ways, and Italy was at the forefront of efforts to mitigate its effects, especially in its role as co-organizer, together with the UK, of UNFCCC COP26 in Glasgow in November 2020. This would be immediately preceded by events in Milan and Rome. Only a holistic approach with an effective strategy would allow the challenge of climate change to be faced, and the equilibrium between the human and the environment to be restored.

REPORTS AND RECOMMENDATIONS OF THE SUBSIDIARY BODIES OF THE CONVENTION (ITEM 10)

(a) Standing Committee (Item 10.1)

28. The Chair of the Standing Committee (StC), Mr Øystein Størkersen reported that, owing to the early scheduling of COP13, only one full meeting of the StC had taken place since COP12, namely the 48th meeting, held in Bonn in October 2018. In addition, two shorter meetings had been held:
- 47th meeting, Manila, October 2017, immediately after the close of COP12;
 - 49th meeting, Bonn, November 2019.
29. Mr Størkersen recalled that following the untimely passing away of the former Executive Secretary Dr Bradnee Chambers in January 2019, Ms Amy Fraenkel had assumed the role of Acting Executive Secretary in May 2019.
30. As well as implementing the tasks assigned to it by COP12, the StC had focused on its mandate to provide the Secretariat with advice and to monitor progress with implementation. There had been repeated discussions on budgetary issues, including the huge discrepancy between the cost of the Programme of Work 2018-2020 and the resources available for its implementation. The Convention had not yet emerged from an uncomfortable financial situation and this would doubtless be discussed in depth during the anticipated in-session Working Group on budgetary matters.
31. The 40th Anniversary of the Convention had been marked by a special event held in Berlin at the invitation of the Government of Germany. Looking to the future, CMS was closely engaged in the process to develop and agree the post-2020 Global Biodiversity Framework, and good progress had been made on the Review Mechanism and National Legislation Programme. Collaboration with other multilateral environmental agreements (MEAs) and additional bodies was more crucial than ever and though much had been achieved in this area, there was still some way to go.
32. Thanks were due to the Secretariat for its dedicated and exemplary work, alongside strong support from the wider CMS Family, the NGO community, other collaborative partners and donors.
33. COP13 marked Mr Størkersen's last COP as StC Chair, but he nevertheless hoped to attend future meetings of the COP.

(b) Scientific Council (Item 10.2)

34. The Chair of the CMS Scientific Council (ScC), Dr Fernando Spina (Italy) made a presentation summarizing the activities of the Scientific Council since COP12. Two meetings of the Sessional Committee had been held:
- 3rd meeting – May/June 2018, Bonn
 - 4th meeting – November 2019, Bonn

35. Dr Spina highlighted the key items that the sessional meetings had focused on. These covered planning the work of the ScC for the 2018-2020 triennium and, in particular, preparation and review of COP13 documentation, including proposals for amendments to CMS Appendices, review of progress of Concerted Actions and proposals for new Concerted Actions. During the intersessional period, the ScC had also participated actively in a number of important international meetings, for example the IPBES Multidisciplinary Expert Panel (MEP) in July 2019.
36. This would be Dr Spina's last COP as ScC Chair, which had afforded an amazing and unique experience to work alongside a stimulating group of committed experts. He thanked the whole CMS Family and wished his successor well.

11. STATEMENTS (ITEM 11)

(a) Report of the Depositary and Host Country (Item 11.1)

37. The Depositary and Host Country, Germany, presented document UNEP/CMS/COP13/Doc.11.1 *Report of the Depositary*, drawing particular attention to the accession of six new Parties since COP12 as follows, in chronological order: Dominican Republic (1 November 2017), Bosnia & Herzegovina (1 December 2017), Republic of Trinidad & Tobago (1 December 2018), Lebanese Republic (1 June 2019), Republic of Malawi (1 September 2019) and Republic of Maldives (1 November 2019). There were now 130 Parties, comprising 129 Member States, plus the European Union. The Central African Republic was currently making arrangements for accession. During the intersessional period, reservations relating to COP12 decisions concerning amendments to the CMS Appendices had been received from Australia, the Czech Republic, Republic of South Africa, Republic of Uganda, and Republic of Zimbabwe. However, in conformity with the Vienna Convention on the Law of Treaties, and following an objection received from the European Union, the reservation of Zimbabwe would not apply owing to its late submission.
38. Israel expressed misgivings over the increasing use of reservations in relation to COP decisions and considered that this undermined the goals of the Convention. Israel would be raising these concerns further under the relevant agenda item.

(b) COP Presidency (Item 11.2)

39. Mr Ramon S. Bagatsing Jr., Philippines Ambassador to India, briefly presented UNEP/CMS/COP13/Doc.11.2 *COP Presidency Report*. He highlighted in particular, the significant role undertaken by the Philippines in promoting CMS in the South East Asian Region since COP12, including through the Governing Board of the ASEAN Center for Biodiversity. Other key initiatives had included the strengthening of transboundary cooperation with Malaysia and Indonesia for the conservation of marine turtles and furthering the Concerted Action for the Whale Shark adopted at COP12. All of this work was underpinned by the fundamental importance of maintaining ecological connectivity and cooperation at all levels, including the designation and management of effective protected areas. As it passed on the COP Presidency to the Government of India, the Government of the Philippines expressed its deep appreciation to the Parties, partners and Secretariat of CMS and remained steadfast to its commitments to champion the conservation of migratory species.

(c) Party States (including REIOs) (Item 11.3)

(d) Non-Party States (Item 11.4)

40. The Chair advised that, in the interests of time, Parties and Non-Party States should consider providing written statements. However, the floor was open for brief oral interventions, particularly where these were made on behalf of regional groupings.
41. The European Union expressed its appreciation of the Government of India for hosting COP13, thanked the Secretariat for its work to prepare the COP and congratulated the Executive Secretary on her appointment. Referring to the global biodiversity crisis, in which a million species were threatened with extinction, among them many migratory species, there was a need to prioritize work on the drivers of loss. The post-2020 Global Biodiversity Framework needed to set out an ambitious and transformative plan in which 2030 represented a crucial milestone, since actions during the coming decade would shape the future of the planet. The EU and its Member States stood ready to work hard to make COP13 a great success.
42. The United Kingdom also expressed gratitude to the Government of India, as well as to the Chair and Secretariat, and warmly welcomed the new Executive Secretary. The global community faced many challenges and opportunities as it worked its way through 2020 – the ‘Super Year for Biodiversity’ – and it was imperative to use COP13 as a springboard for both CBD COP15 and UNFCCC COP26, the latter to be hosted in Glasgow in November 2020, in partnership with Italy. Now was the time to seize opportunities to safeguard the future of the planet, but this would need a plan of action to break down barriers between nature and poverty and climate and nature, and to scale up funding for nature.
43. Mongolia, speaking on behalf of the Asia region, added its thanks to the Government of India and to the Secretariat, and wished the COP13 Chair and chairs of Working Groups success in their work. The region was pleased to see good progress with Concerted Actions and other initiatives under CMS. Key priorities for the future included strengthening the nexus of climate change and biodiversity, but also working more closely with other environmental and sustainability frameworks, including a wider range of MEAs, not only those directly concerned with biodiversity. The region wished to see COP resolutions implemented in a holistic manner and it was important to make corresponding decisions on budgetary and financial arrangements. Asia hoped for a positive mood in the negotiations and wanted to see a strong Secretariat and effective monitoring of CMS implementation.
44. South Africa, speaking on behalf of the Africa Group, extended thanks to the Government of India for hosting COP13, to the Secretariat under the leadership of Amy Fraenkel, and to those who had provided support for the participation of delegates from developing countries. Africa was committed to stepping up efforts for implementation of the Convention. Threats to migratory species, as underlined by the IPBES Global Assessment Report on Biodiversity and Ecosystem Services and the Global Biodiversity Outlook, showed that the world was fast approaching a tipping point and that urgent action was needed. Climate change impacts were particularly evident, affecting migratory species and people alike. Wetlands were being lost faster than forests, even though wetlands were the primary source of the water needed by everyone. The 2030 Agenda for Sustainable Development already provided guidance, whilst the post-2020 Global Biodiversity Framework was currently under construction. COP13 needed to send a clear message about the importance of ecological connectivity beyond protected areas. Urgent action, transformative change and avoiding business as usual would require adequate resources for implementation and ‘walking the talk’.

(e) CMS Agreements (Item 11.5)

45. Representatives of the CMS agreements gave short presentations summarizing the reports contained in the following documents:
- UNEP/CMS/COP13/Inf.4.1 *Progress Report of the Agreement on the Conservation of Albatrosses and Petrels (ACAP)*;
 - UNEP/CMS/COP13/Inf.4.2 *Progress Report of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS)*;
 - UNEP/CMS/COP13/Inf.4.3 *Progress Report of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA)*;
 - UNEP/CMS/COP13/Inf.4.4 *Progress Report of the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS)*;
 - UNEP/CMS/COP13/Inf.4.5 *Progress Report of the Agreement on the Conservation of Populations of European Bats (EUROBATS)*; and
 - UNEP/CMS/COP13/Inf.4.6 *Progress Report on the Implementation of the Agreement on the Conservation of Gorillas and their Habitats (Gorilla Agreement)*.

(f) IGOs and NGOs (Item 11.6)

46. Statements were made by the following organizations:
- South Asia Cooperative Environment Programme (SACEP);
 - Ramsar Convention on Wetlands;
 - Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), also speaking on behalf of the Biodiversity Liaison Group, comprised of the Secretariats of the biodiversity-related conventions;
 - International Union for the Conservation of Nature (IUCN);
 - OceanCare;
 - Born Free Foundation;
 - Young Naturalist Network; and
 - Wildlife Conservation Society.

REPORT OF THE SECRETARIAT (ITEM 12)

(a) Overview of Secretariat Activities (Item 12.1)

IMPLEMENTATION OF THE PROGRAMME OF WORK 2018-2020 (ITEM 19)

47. Items 12 and 19 were taken together. The Executive Secretary made a presentation summarizing the Secretariat's activities during the 2018-2019 biennium, including the information contained in document UNEP/CMS/COP13/Doc.19 *Implementation of the Programme of Work 2018-2020*. The full Programme of Work mandated by COP12 had been very ambitious, requiring a budget of €72 million (excluding staff costs) for the triennium, whereas budget constraints meant that the actual work undertaken in the first two years of the triennium cost nearly €10 million – just 14 per cent of the total.
48. Ms Fraenkel detailed selected highlights of activities undertaken. CMS had engaged strongly with all stages of development of the post-2020 Global Biodiversity Framework to ensure it fully reflected CMS priorities. A review process for CMS and a new template for national reporting were also launched. A review of the Conservation Status of Migratory Species had started, with the preparation of a Migration Atlas of African-Eurasian Birds in collaboration with EURING, due for publication in 2021. A series of fact sheets on climate change impacts on species was being produced in collaboration with the UNFCCC with 11 completed to date.

Additional activities included work on bycatch of marine turtles and seabirds in collaboration with BirdLife International. Many other activities had been carried out and further details were available in document UNEP/CMS/COP13/Doc.19.

Committee of the Whole

49. The Chair of the Committee of the Whole (COW) Dr Akankwasah Barirega (Uganda) thanked the meeting for the trust they had placed in him. He recalled that Rule 6 of the Rules of Procedure required him to establish the Working Groups that would allow the COW to advance the business of the COP. In consultation with the Standing Committee, the following Working Groups and Chairs had been proposed:
- Budget WG, proposed to be chaired by outgoing Standing Committee Chair, Øystein Størkersen, Norway;
 - Avian Species WG, proposed to be Chaired by COP-Appointed Councillor, Prof Stephen Garnett;
 - Aquatic Species WG, proposed to be Chaired by COP-Appointed Councillor, Barry Baker
 - Terrestrial Species WG, proposed to be chaired by Mongolia.
50. Croatia, speaking on behalf of the European Union and its Member States, requested clarification about which forum would be used for discussion of cross-cutting issues.
51. The Chair replied that these would be dealt with by the COW, but that if the need arose, issue-specific Working Groups could be established.

BUDGET AND ADMINISTRATION (Item 13)

(a) Execution of CMS Budget 2018-2020 (Item 13.1)

52. Enkhtuya Sereenen (CMS Secretariat) introduced this item with a presentation summarizing document UNEP/CMS/COP13/Doc.13.1, which detailed the budget up to November 2019. Document UNEP/CMS/COP13/Doc.13.1/Add.1 provided additional information on contributions received up until February 2020. Details of the budget included:
- Contributions paid in 2018, and up to 30 November 2019, totalled €4,293,498, whilst, €712,175 remained unpaid (including payments due from prior to 2015).
 - An additional voluntary contribution to the Trust Fund of €14,856 had been received from Norway in 2019.
 - Overall, 126 Parties were expected to pay €2,559,888 for 2018, and €2,611,087 for 2019, totalling €5,170,975.
 - By the end of 2019, The Secretariat had collected €2,168,022 for 2018, and €2,125,476 for 2019.
 - €313,290 remained unpaid by 41 parties in 2018, while €398,885 remained unpaid by 55 parties in 2019.
 - The overall budget implementation for 2018-19 showed an approved budget totalling €5,170,975, and expenditure of €4,307,006, resulting in an estimated balance of €979,298. Taking account of actual receipts, the balance had been adjusted to €952,000.
53. Ms Sereenen ended with a plea to all Parties in arrears with their payments to settle their contributions without delay, and noted that 20 Parties were now in a position of owing three or more years of contributions. On the other hand, 26 Parties had already paid nearly one million euro in dues for 2020, before the deadline, and they were warmly thanked for their punctuality.