



CMS



CONVENTION ON MIGRATORY SPECIES

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REPORT OF THE 18TH MEETING OF SCIENTIFIC COUNCIL OF THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

(1-3 July 2014, Bonn, Germany)



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REPORT OF THE MEETING

Agenda Item 1: Opening of the Meeting

1. The Chair, Mr. Fernando Spina (Italy), opened proceedings welcoming delegates to the 18th Meeting of the Scientific Council. Noting that it coincided with Ramadan, he addressed special thanks to participants from Muslim countries for their attendance. This was the first occasion that the meeting of the Council held at the end of the triennium had been decoupled from the meeting of the Conference of the Parties, as agreed by the Parties in Bergen at COP10. Parties would have longer to digest the advice of the Council. The Council faced three days of intense discussions and a heavy agenda.

2. CMS Executive Secretary, Mr. Bradnee Chambers welcomed participants to Bonn and the new UN building and its modern facilities, generously provided by the German Government. CMS Parties relied heavily on the expertise of the Scientific Council to allow decisions to be made taking account of the best scientific knowledge. He was confident that the great efforts made in preparing the Meeting would bear fruit.

3. The Meeting of the Scientific Council was the precursor to the COP which would meet in November with the theme “Time for Action”. It promised to be an exciting Conference, with proposals to add several fish species to the Appendices as well as some iconic species such as the Polar Bear and the Lion. Other issues on the agenda that were the subject of draft resolutions included climate change, invasive alien species, bird poisoning, ecological networks and marine debris, just to mention a few. Institutional issues to be addressed included building greater synergies, reform of the modus operandi of the Council and adoption of the Strategic Plan for migratory species, which was being developed through an extensive consultation with a wide range of stakeholders.

Report by the Chair

4. The Chair outlined activities that he had undertaken on behalf of the Scientific Council and Convention and major developments since the last meeting.

5. An online workspace based on the one pioneered by AEWA had been set up and launched in 2013. Use of the Workspace was increasing but an effort was still needed to boost the number of Councillors registered on the system and using it.

6. A series of meetings had been held in Formia, Italy, including a planning meeting attended by officers of the Scientific Council, COP-appointed Councillors and conveners of

Working Groups. Among the issues discussed were the proposals to reform the Scientific Council (see agenda item 4.4). This had been preceded by a meeting of the Chairs of Scientific Advisory Bodies of the Biodiversity-related Conventions (CSAB) and an ad hoc meeting to discuss bird taxonomy. It had been followed by the first ever seminar held in Italy on the economic value of migratory species.

7. The Chair had been closely involved in the development of the new Strategic Plan which was being modelled on the CBD Strategic Plan for Biodiversity. The intention was that the Strategic Plan should look beyond the Convention and the CMS Family. To facilitate synergies and to increase the Strategic Plan's resonance outside CMS, the Aichi Targets were being adapted.

8. The Chair had served as a member of the panel assessing the applications received under the Small Grants Programme and had helped select the contractors undertaking the renewable energy project with AEWA, IRENA and BirdLife International.

9. Cooperation between the Raptors MoU and EURING had been facilitated and the MoU Coordinating Unit had contracted EURING to undertake pilot monitoring studies of two Kite species. A larger project was under consideration concerning raptor migration. The Chair had also served on the Saker Falcon Task Force where he had advocated closer cooperation with Wetlands International.

10. The African-Eurasian Migratory Landbirds Working Group had met in Accra in August 2012 and the Preventing Bird Poisoning Working Group had met in Tunis in May 2013 (back-to-back with a Council of Europe/Bern Convention conference). The Chair had attended both of these meetings as well as the Workshop on Cetacean Culture held in London in April 2014. He had also participated in the meeting with Egyptian and Libyan officials concerning illegal trapping of birds in those countries, organised in Bonn by AEWA.

11. With regard to IPBES, the Chair had attended the plenary sessions in Panama and Bonn and had helped develop two proposals submitted by CMS. One project concerning pollination involved Mr. Rodrigo Medellín, the COP-appointed Councillor for Neotropical Fauna. The Chair also represented the Convention at the First Meeting of the IPBES Multidisciplinary Expert Panel (MEP).

12. The Chair had also presided over the First Meeting of the Signatories of the Sharks MoU. This Meeting had established an Advisory Committee and set a budget based on voluntary contributions. He had also been involved in a project with UNCCD on land degradation schemes and had attended a conference in Rome on ICARUS (International Cooperation for Animal Research Using Space).

13. In both 2013 and 2014, the Chair had brought the Bologna Operatic Choir to Bonn to perform in benefit concerts as part of the celebration of World Migratory Bird Day.

14. He concluded his remarks by thanking the Secretariat and the Vice-Chair of the Council for their support.

15. The Science Advisor, Marco Barbieri, added his thanks to the German Federal Environment Ministry which, among many other things, provided the interpreters serving the Meeting. He asked that participants complete a questionnaire regarding attendance at the

various Working Groups and requested that PowerPoint presentations be provided to the Secretariat sufficiently in advance before the presentation.

Agenda Item 2: Adoption of the Agenda and Meeting Schedule

Agenda Item 2.1: Provisional Agenda and Documents

16. Mr. Barbieri (Secretariat) presented the Provisional Agenda. It was proposed that this Agenda be adopted. As there were no comments from the floor, the Agenda was adopted as presented and is attached as Annex I to this report.

Agenda Item 2.2: Provisional Annotated Agenda and Meeting Schedule

17. The Annotated Agenda and Schedule (UNEP/CMS/ScC18/Doc.2.2) was also adopted, with the item on the Saker Falcon Task Force timetabled for the plenary session on Wednesday, 2 July 2014. It was hoped that the timing of the various Working Groups would minimize the number of clashes. In order to maximize the use of time, some presentations had been scheduled to take place during the coffee/tea breaks and lunchtimes.

18. Regarding the election of Chair and Vice-Chair of the Scientific Council for the period 2015-17, which would be dealt with under Agenda Item 14 (see below), Mr. Barbieri (Secretariat) said that nominations for both posts would be sought during the Meeting. Both incumbents, Mr. Fernando Spina (Councillor appointed by Italy), the Chair, and Ms. Nopasika Malta Qwathekana (Councillor appointed by South Africa), the Vice-Chair, had indicated their willingness to serve another term.

Agenda Item 3: Strategic Plan

Agenda Item 3.1: Strategic Plan for Migratory Species 2015-2023

19. The Chair introduced the item concerning the Strategic Plan explaining that a considerable amount of progress had been achieved intersessionally through a dedicated Working Group. Mirroring CBD's Strategic Plan for biodiversity, the draft Strategic Plan being developed by CMS would aim beyond the Convention and the CMS Family addressing migratory species as a whole.

20. The Executive Secretary referred to document UNEP/CMS/ScC18/Doc.3.1 and explained that the Working Group was being chaired by Belgium with New Zealand serving as Vice-Chair. Consultations had been undertaken outside the Convention to a wider constituency including the daughter agreements and other processes. Seven regional consultation meetings had been held.

21. As well as the Strategic Plan itself, it was foreseen that two further elements would be developed: a set of indicators and a companion volume describing how the Plan might be implemented. The consultation period for the second draft of the Plan had closed, but comments from the Council would still be welcome.

22. The Chair said that the Strategic Plan set out five main goals but most important was that it should be a working document leading to concrete measures being undertaken on the

ground. A conscious decision had been made to link the Aichi Targets of CBD, to achieve greater resonance and highlight the role of CMS in the wider biodiversity context.

23. Mr. David Morgan (CITES) welcomed the document which he described as impressive. He questioned how three concepts set out in goal 2 of the draft Plan (reducing the direct pressures on migratory species and their habitats) fitted together, namely: sustainable production and consumption, keeping the impacts of natural resource use on migratory species well within safe ecological limits; ensuring that fisheries and hunting had no significant direct or indirect adverse impacts on migratory species, their habitats or their migration routes; and that multiple anthropogenic pressures were brought to levels that were not detrimental to the conservation of migratory species.

24. Mr. Øystein Størkersen (Councillor appointed by Norway) highlighted the passages in the Plan relating to partnerships. He agreed that seeking collaborating organizations was important, as in the current financial climate, CMS was unlikely to receive a large budget increase, so finding others with similar aims to help implement conservation policies was essential.

25. Ms. Malta Qwathekana (Vice-Chair, Councillor appointed by South Africa) pointed out that other bodies in the biodiversity field were undertaking similar exercises, with the Ramsar Convention also just embarking on revising its Strategic Plan. As the Ramsar Convention was a key partner for CMS because Ramsar Sites were important habitat for many migratory species, it was essential that CMS and Ramsar cooperated. The consultant supporting the development of the Strategic Plan should liaise with the Ramsar Secretariat, as Wendy Jackson, the Vice-Chair of the Working Group and she herself had done.

26. Mr. Günter Mitlacher (WWF) pointed out that a recent report on species included on the IUCN Red List showed that many were in decline and that Aichi Target 12 was likely to be missed. He urged that resources be found to ensure that conservation policies could be properly implemented.

27. Mr. Akankwasah Barirega (Councillor appointed by Uganda) thanked the Working Group for having produced the draft Plan, but pointed out a possible anomaly concerning the definition of “conservation status” contained in the mission section of the Plan which was not consistent with the definition contained in the text of the Convention.

28. Mr. Dieudonné Ankara (Councillor appointed by Congo) stressed the seriousness of the threat to wildlife posed by disease and wanted to ensure that this issue was adequately covered in the Plan. The Chair said that disease was an issue being tackled by the Convention and a dedicated Working Group had been established.

29. The Executive Secretary thanked CITES for the comments on sustainable use and promised to consider that aspect further. With regard to seeking partners, by mirroring the Aichi Targets, the Strategic Plan opened up possibilities of securing synergies with CBD and others. The proposed companion volume would contain more details on partners and synergies. As for synergies with other MEAs, a meeting had already been held with the new Secretary-General of the Ramsar Convention, and CMS was working with CBD and the “Friends of Target 12” group.

Agenda Item 3.2: Strategic Plan Indicators

30. Mr. Dave Pritchard, the consultant supporting the development of the Strategic Plan, said that he had concentrated on identifying the headline titles of the indicators, using the equivalent Aichi Targets as a basis and building on work already undertaken by the CBD Ad-Hoc Technical Expert Group on Indicators (CBD AHTEG) and the Biodiversity Indicators Partnership (BIP). The Taxonomic Working Groups were asked to supplement the five responses so far received from the Council, by commenting on the feasibility of the indicators outlined in the second column of the table contained in the document “Indicative Strategic Plan Indicators” (UNEP/CMS/ScC18/Inf.3.2).

31. The Chair expressed his hope that the number of responses could be increased and urged the Council to take the opportunity of commenting and contributing to the development of the Plan.

32. Mr. Pierre Devillers (Councillor appointed by the European Union) said that he was slightly uneasy about discussing indicators so early in the process. The CBD targets of reversing the decline of biodiversity by 2010 had not been met and CMS should try to avoid making the same mistakes. In any case, indicators seemed superfluous in the absence of any actions being undertaken, so agreeing a concrete set of measures was the priority.

33. The Executive Secretary said that the Working Group was aware of this problem and had from the start decided that there should be a companion volume detailing the precise actions needed to implement the Plan. He also agreed with Norway that resources and synergies with other organizations dealing with conservation would be vital.

34. Mr. Pritchard also agreed with the sentiments expressed by Mr. Devillers. At this stage, he envisaged the debate concerning indicators to be about headlines rather than details. However some early thinking would be needed so that when actions were underway, Parties had some idea about how to measure their success. The situation should be avoided that Parties reached the halfway stage of the Plan’s lifespan without indicators.

35. Mr. James Williams (Councillor appointed by the UK) said that he had moderated the process for the AHTEG when preparing the UK’s report to CBD and the move from abstract to the practical had proved to be a giant leap. A road map was needed so that COP could be presented with meaningful documents. Indicators played a useful role in alerting Parties to where progress was slow and which areas needed additional resources. He advocated the creation of a Working Group to ensure that the inputs from the various Taxonomic Working Groups were compatible.

36. Mr. Jean-Philippe Sibley (Councillor appointed by France) congratulated the Working Group on its efforts and promised to respond, apologizing for not having done so because of pressure of work. He supported the comments of Mr. Devillers and Mr. Williams as did Mr. Andrew Bignell (Councillor appointed by New Zealand).

37. Mr. Colin Limpus (COP-appointed Councillor, Marine Turtles) had also not responded as he was grappling with some of the problems posed by marine turtles which had more fluid migration corridors compared with terrestrial species. In the case of marine turtles, the length of time between hatching and breeding maturity spanned many years, meaning that there was a long gap between conservation actions taking place and the results being seen. Indicators had to be specific to animal biology.

38. Ms. Qwathekana (Vice-Chair, Councillor appointed by South Africa) commented that CMS was linking itself to CBD by mirroring the Aichi Targets, but the first indications were that progress was disappointing. She hoped that momentum could be built. CMS needed a set of targets that could be achieved and that stimulated action in the right areas.

39. The Chair responded to the suggestion from Mr. Williams that a Working Group be established and asked for volunteers to serve on it.

40. Mr. Pritchard reported back to Plenary on the final day of the Council. There were different views on indicators, for instance over the timing of when they should be devised. It was agreed to retain the headline indicators as they appeared in the current draft subject to some refinements. A decision was required on where responsibility lay for taking the drafting of indicators forward after the COP.

41. Mr. Limpus reported that the Marine Turtles Working Group had considered the indicators and made some recommendations in relation to Targets 8, 9, 10 and 12 (see the report of the Marine Turtle Working Group attached as Annex 2 for details).

42. Mr. Pritchard would communicate the findings of the Working Group to the Chair of the Strategic Plan Working Group.

Agenda Item 4: Future Shape and Strategies of CMS and the CMS Family

Agenda Item 4.1: Synergies with IPBES

43. Because cooperation with IPBES was specifically mentioned in the Future Shape process, a sub-item under item 4 had been included on the Council agenda. Other synergies would be dealt with under Agenda Item 11.

44. Mr. Johannes Stahl (Secretariat) introduced document UNEP/CMS/ScC18/Doc.4.1 which gave an account of the involvement of the Secretariat and the Chair of the Scientific Council in various aspects of the work of IPBES.

45. A number of proposals had been submitted for IPBES studies. These had been considered by the IPBES Plenary and the Multidisciplinary Expert Panel (MEP) and, in modified form, some had been incorporated into IPBES Programme of Work. In response to a call for experts to serve on the MEP, Rodrigo Medellin had been nominated and accepted by IPBES. Mr. Adrián Azpiroz (Councillor appointed by Uruguay) had also been nominated and was being considered.

46. The Executive Secretary said that the Secretariat was following the IPBES process closely. The proposal for a rapid assessment of migratory species had been put into the second tier of projects but two proposals of interest to CMS had been accepted for the first tier, namely an economic assessment and a study concerning pollination. By engaging in the process at all levels, the CMS agenda could be promoted within IPBES. Further nominees could be proposed to serve on the MEP and anyone interested should approach the Secretariat.

47. Mr. Morgan (CITES) said that CITES and its subsidiary bodies were also following developments at IPBES and mentioned that the Biodiversity MEAs had liaised closely to

ensure that their voices were heard. He also stressed the importance of the Scientific Bodies of the MEAs being fully engaged.

48. The Chair said that CMS had an important contribution to make to IPBES and he himself had been involved in lobbying for migratory species at various IPBES meetings.

Agenda Item 4.2: Scientific Council Workspace

49. Ms. Heidrun Frisch (Secretariat) gave a brief demonstration of the features of the Scientific Council Workspace. After pioneering work by the AEWAs Secretariat, the system had been adapted for use by the Scientific Council. The Chair said that he felt that the system had huge potential, a great deal of which not being tapped.

50. The Quick Guide for the CMS Scientific Council Workspace had been posted as UNEP/CMS/ScC18/Inf. 4.2.

Agenda Item 4.3: Global Gap Analysis

51. The Chair referring to document UNEP/CMS/ScC18/Doc.4.3 said that undertaking a Global Gap Analysis had been requested by COP10. In the absence of any voluntary contributions with which to fund a consultancy, the work had been undertaken by the Secretariat. The Analysis considered which species were missing and which species groups were underrepresented on the CMS Appendices, as well as the threats being addressed by the Convention.

52. Mr. Barbieri (Secretariat) further explained the background and reported that the first draft of the Analysis had been presented to the Formia Meeting. Some comments had been received and the draft revised accordingly. One major change was the removal of the list of species that potentially could be added to the Appendices. This had been done to avoid confusion with, and waiting for the outcomes of the ongoing discussion of the listing criteria. The Scientific Council would be asked for advice on how to continue the development of the Analysis in the absence of funding, with one option being the establishment of an Ad Hoc Working Group.

53. The Executive Secretary said that the deadline for receiving comments would be set for two weeks after the end of the Council, so if there was insufficient time to consider the draft during the meeting, Councillors could still make their input in writing.

54. Mr. Williams (Councillor appointed by UK) felt that there were some places where direct reference to CBD should be made and it should be made clearer which organizations were in the lead where multiple partners were involved (e.g. CITES for questions relating to illegal trade). Generally though, he welcomed the document.

55. Mr. Mark Simmonds (Humane Society International) noted that the document pointed out that many aquatic species were categorized as “Data Deficient” by the IUCN and major effort would be required to address this to be able to develop management plans. Some threats ranging from marine debris and other transboundary pollutants would be best addressed through common efforts across several MEAs. He also asked how the Convention would address the relative lack of expertise on marine matters in the Scientific Council.

56. Mr. Taej Mundkur (COP-appointed Councillor for Asiatic Fauna) said that the Analysis had been a useful tool for the Flyways Working Group. Identifying which organization, be it CMS, another MEA or an academic institution, was best placed to address certain gaps was another question to be answered.

57. Mr. Simone Panigada (Chair, ACCOBAMS Scientific Committee) called for the sections dealing with data deficient species to be strengthened.

58. Mr. Størkersen (Councillor appointed by Norway) said that the document needed to be developed further, and particularly in identifying where CMS could add value. The prominence given to CBD and the Aichi Targets could give the impression that CMS was a secondary player. It was also important to move from discussion to action and implementation, which might entail seeking funding from bodies such as the World Bank.

59. Mr. Jean-Christophe Vié (IUCN) felt that the document addressed an issue that IUCN had long considered, namely identifying the precise niche that CMS should occupy.

60. The Chair called upon Councillors to make their comments over the next few days or within the two-week deadline at the latest.

Agenda Item 4.4: Restructuring of the Scientific Council and revision of its modus operandi

61. The Executive Secretary introduced document UNEP/CMS/ScC18/Doc.4.4 outlining possible options for restructuring the Scientific Council and an addendum with the comments received from Parties by the 15 June deadline. The document, produced by the Secretariat, arose from an action contained in Resolution 10.9 (Activity 7), and while it addressed reform of the Council, it did not propose any changes to the Convention text, and the Council itself would be able to adopt its own rules of procedure as was currently the case. The document would be amended in the light of comments and a revised version would be submitted to the COP. Further comments were encouraged from the Council.

62. The Chair stressed that the final decision on reforming the Council lay with the COP, but it was important for the Council to express its views. There was no suggestion that the Parties' current right to nominate a member of the Council would be changed.

63. Mr. Devillers (Councillor appointed by the EU) said that the proposal could have fundamental effects on the Council and the way it operated. As a founder member of the Council, he said that the authors of the Convention text saw the Scientific Council as a vital part of the structure of CMS, and its independence and apolitical nature were essential features. Some other MEAs had followed a different path by introducing regional representation which led to politicization and dysfunctionality. The Convention provided for two types of Councillors: those appointed by the COP primarily to fill certain thematic knowledge gaps and those appointed by Parties to ensure awareness of work on the ground; neither type was meant to represent political interests.

64. The Council had served the Convention well, proving to be a driving force for a number of successful initiatives such as the Sahelo-Saharan Antelopes project and the Saker Falcon Task Force (see agenda item 10.8).

65. Mr. Devillers said that some of the motivation behind the suggested reforms appeared to be to save money. Over the years the proportion of the Convention's budget dedicated to the Council was approximately 10 per cent; this did not seem excessive. Savings could be

made by greater use of virtual meetings and teleconferences, but he pleaded that the Council remain as it was presently constituted with a wide coverage of expertise and regional knowledge. Regional knowledge – rather than regional representation – was the key issue and moving to mandated membership would be a catastrophe as elections to choose representatives would inevitably politicize the Council.

66. Mr. Rodrigo Medellín (COP-appointed Councillor for Neotropical Fauna) agreed with the comments made by Mr. Devillers. He cautioned against making sweeping reforms and urged that the Councillors be given more freedom to bring their expertise to bear and not be straitjacketed. As a relatively new member of the Council, his impression was that it was working quite well.

67. Mr. Siblet (Councillor appointed by France) agreed with Mr. Devillers and commented that there was no option in the paper for the status quo (or one suggesting specific improvements to it). He agreed that 10 per cent of the budget meant that the Convention had received good value for money from the Council.

68. Ms. Narelle Montgomery (Councillor appointed by Australia) recognized the strains on the budget arising from the organization of full meetings of Council. She requested that full and comparable costings be prepared for all of the scenarios being proposed, such as a single full meeting prior to the COP and a smaller meeting of Officers and COP-appointed Councillors mid-session.

69. Mr. Williams (Councillor appointed by UK) said that he was also relatively new to the Council and was concerned at the lack of experts in certain areas. While the Birds Working Group was usually well attended, the same could not be said of the Taxonomic Groups for fish and turtles. He also agreed that the role of the Council was to provide impartial scientific advice and not represent political interests. It would be advantageous to have clear terms of reference for the Council and its members, and more could be done through Working Groups. Lessons could be learned from other MEAs such as Ramsar, where the programme of work for its advisory body was drafted in advance of the COP. He agreed that some reform was needed but some changes might give rise to concerns over regional and gender representation.

70. Mr. Barirega (Councillor appointed by Uganda) said that it was important to maximize efficiency but Article VIII of the Convention text made fundamental reforms difficult. Attention should therefore be focused on changing the modus operandi of the Council and models could be found in other UN Conventions such as UNFCCC and UNCCD. While the composition of the Council was defined by the Convention text, there was more room for interpretation of the term “meeting”.

71. Mr. Olivier Biber (Party Observer, Switzerland), who had served as Chair of the Future Shape process, said that reform of the Council had been foreseen to be a longer-term enterprise, so he saw no need to rush. The document produced by the Secretariat was a good start. An important test would be how any new structure of the Council facilitated conservation. He sought clarification of how the structures set out in Options A, B and C would deal with species listings and proposed additions to the species for concerted and cooperative actions.

72. Mr. Mohammad Sulayem (Party Observer, Saudi Arabia) said that the points raised by others were valid. While welcoming the document, he felt that a reduction in the numbers attending meetings from 100 to 23 at most was drastic. He echoed Australia’s request that costings of the options be presented. In his experience of the Standing Committee which had

regional representation, he had noted that regions such as Asia and Africa were not always fully represented. What the Scientific Council required was expertise and consideration should be given to how additional expertise could be brought in. He called for the establishment of a Working Group to consider terms of reference and the options for restructuring.

73. Mr. Torbjörn Ebenhard (Councillor appointed by Sweden) asked for a further clarification of the impact of reform on the work of the Council. Most of the work was currently done in smaller groups during Council meetings. He asked how intersessional Working Groups would be organized and managed, and how much they would cost. He agreed with Mr. Williams that one problem that needed to be addressed and on which the document was silent was adding to the expertise of Council of certain taxonomic groups.

74. Ms. Kathryn Howard (Party Observer, New Zealand) raised the issue of broadening the expertise beyond biological science to social sciences which were increasingly relevant to the Convention.

75. Mr. Colin Galbraith (COP-appointed Councillor for Climate Change) agreed that the Council should do some horizon scanning and consider the type of advice that it might be asked for and the Strategic Plan could give some indications. Consideration should also be given to how NGOs could continue to contribute; their presence in the fora of CMS had been invaluable.

76. Mr. Royal Gardner (Chair, Ramsar STRP) said that it was a good idea to review the arrangements for the Scientific Council. He agreed with Mr. Williams that CMS could learn from Ramsar's experience of appointing members of the STRP and he confirmed that the greatest strength of the STRP was the independence of its members, who were selected on the basis of their knowledge not their national affiliation.

77. Mr. Abdul Munaf Qiamkhani (Councillor appointed by Pakistan) welcomed the paper which dealt with an important issue. He agreed with the comments made by the Councillors appointed by the EU and Uganda and rather than restructure the Council, its working methods should be improved to make it an even more effective arm of the Convention. This could be achieved by agreeing clear criteria to the Parties for the nomination of councillors, requiring that they had national, regional and global expertise in key issues. To save costs, only those councillors with relevant expertise in issues included on the agenda of the meeting should be invited.

78. Mr. Vié (IUCN) noted that some of the options included IUCN as a permanent member of the Council. Regardless of its status - observer as at present or permanent member - IUCN would continue to engage in the processes of CMS. He pointed out that IUCN was a unique organization that did not fit into any of the categories described in paragraph 7 of the paper. CMS called upon the expertise of IUCN for advice on many diverse issues from species conservation, invasive alien species, animal disease and sustainable use. IUCN prided itself on scientific rigour and an unbiased approach. Cooperation between CMS and IUCN was based on a formal agreement between the two organizations.

79. Mr. Panigada (Chair, ACCOBAMS Scientific Committee) said that the Scientific Committee of ACCOBAMS had recently been reviewed, with proposals drafted by a Working Group and a final decision made by the last MOP in Tangiers. He pointed out that the document presented to Council still had the old structure of the Committee; the new

structure included three representatives from CIESM (the Mediterranean Science Commission), three from the IUCN and one from CMS.

80. Mr. Morgan (CITES) said that there were many models to refer to but the most important elements were gaining trust and being accountable. In the experience of CITES, there had not been any politicization as result of regional representation and its Scientific Advisory Bodies worked within their remit providing balanced advice in a transparent way.

81. Mr. Anne-Theo Seinen (European Commission) noting that separate comments had been received from the Czech Republic and Germany said that a common EU view would be provided. It was vital that the Council provided sound scientific advice.

82. The Executive Secretary responded to some of the points raised. Financial considerations were only part of the reason for reform; the full list was set out on page 8 of the document and these included the large size of the Council with 100 members, gaps in taxonomic coverage and the need to increase intersessional activities. He also confirmed that there was no intention of amending the Convention text. The difference in the cost of the present meeting and the one held immediately before COP10 in Bergen could be attributed to there being no venue rental or costs associated with interpretation, because the rooms were available to CMS as part of the UN in Bonn and the German Government had provided interpretation free of charge.

83. Mr. Devillers (Councillor appointed by the EU) said that if the fundamental structure of the Council was not being changed, then for the sake of clarity, some references to the “Scientific Council” in the document would have to be revised and a term such as “Bureau” or “Steering Committee” of the Council substituted.

84. The Chair concluded the discussion saying he was heartened that the Council appeared to be held in such high esteem.

Agenda Item 4.4.1: Subject-based Working Groups within the Scientific Council

85. The Chair introduced Document UNEP/CMS/ScC18/Doc.4.4.1 which contained parallel proposals for changing some aspects of the modus operandi of the Council. Many different taxa faced similar threats and were affected by cross-cutting issues such as connectivity, demography, monitoring, tagging, ringing and identification, active management of migratory species and the differences with the management of residents. The conservation of migratory species was complicated because of the animals’ periodic movements. The Chair therefore proposed to establish Working Groups dealing with such issues to operate alongside the taxonomic groups.

86. CMS was the only global convention dedicated to the conservation of migratory species and had a unique niche among MEAs to which it could offer its expertise.

87. The Chair had circulated a questionnaire and 20 replies had been received so far. More replies would be appreciated to enable a considered judgment to be made whether the new Working Groups would be viable. Some issues had been flagged up: connectivity, marking, demography and the importance of sites.

88. Mr. Williams (Councillor appointed by UK) found the paper good and the basic concept interesting and potentially of considerable assistance in finding strategic focus,

recalling the previous discussion of the Strategic Plan. He felt that some new Working Groups might be open-ended while others might have a finite remit.

89. Mr. Devillers (Councillor appointed by the EU) welcomed the paper which provided a concise and clear overview of cross-cutting issues. He was concerned that rather a large number of issues had been identified and he wondered, given the Councillors' limited time availability, in how much detail the issues could be examined. A question of fundamental importance to species conservation was the growth of the human population, but this was the domain of social scientists rather than CMS. It was important to identify the niche that CMS could occupy and areas which CMS should seek to exert its influence, e.g. the unsustainable use of land in producing renewable fuels. He added that another valuable asset of the Councillors were their personal networks from which they could seek advice.

90. Mr. Mohammed Ribi (Councillor appointed by Morocco) welcomed the paper and raised the issue of reintroducing species into the wild. He had personal experience of the CMS initiative for Sahelo-Saharan antelopes and the Convention should build on this success.

91. Mr. Djibril Diouck (Councillor appointed by Senegal) said that like Morocco, his country had also seen some successful reintroduction programmes.

92. Ms. Roseline Beudels (Councillor appointed by Belgium) found the document helpful and said that its vision of cross-taxa activities should be developed.

93. Mr. Mundkur (COP-appointed Councillor for Asiatic Fauna) stressed the importance of drawing in outside expertise. The practice had proved to be of great benefit for the Flyways Working Group which had intended to be global in its approach and had therefore had to cast the net wider than CMS Parties.

94. The Chair agreed with Mr. Mundkur and pointed out that the Landbirds Working Group had established relations with Mr. Franz Bairlein and the Institute of Avian Research, so others were also engaging new partners.

95. A final call for comments would be issued and a revised version of the paper would be circulated, which would include references to the good experiences of restocking wild populations. The Chair proposed to include IUCN in the process as well as other potential partners and contributors and to set up some pilot projects to start the momentum.

Agenda Item 5: Development of Regional Programmes to Implement CMS and its Instruments

Agenda Item 5.1: Central Asian Mammals Initiative

Agenda Item 5.1.1: Gap Analysis

Agenda Item 5.1.2: Programme of Work

Agenda Item 5.1.3: Argali Action Plan

96. The Chair said that Central Asia was a significant area for CMS as it hosted the last intact steppe grasslands earning it the nickname "the Serengeti of the North". Mass migration of mammals still occurred but threats were posed by infrastructure development and other factors.

97. Ms. Christiane Röttger (Secretariat) ran through the documents associated with the Central Asian Mammals Initiative (CAMI). She explained that Mongolia had raised at COP8 and COP9 the problems associated with conservation in the region, which covered a number of species included on the lists for concerted and cooperative actions affected by habitat fragmentation and barriers to migration in the form of border fences. The German Government had funded and organized a Workshop on this topic and it was possible that a follow-up meeting would be convened in 2015. It was also hoped that guidelines funded by a voluntary contribution from the Swiss Government might be ready in time for COP11.

98. CAMI was fully consistent with the aims of Future Shape as the regional presence of the Convention was being enhanced through collaborative arrangements with NGOs and other actors, building a geographic and taxonomic cluster.

99. Funding from Germany, Switzerland and the European Union through the German Development Agency, GIZ, was enabling a stakeholder meeting to be held in Bishkek, Kyrgyzstan in September 2014. A draft resolution was in preparation for submission to COP11.

100. A gap analysis for the region was set out in UNEP/CMS/ScC18/Inf.5.1.1 with an Executive Summary contained in UNEP/CMS/ScC18/Doc.5.1.1. Eleven species already included in the CMS Appendices were mentioned along with three that were not listed. Ten core countries were covered by the gap analysis. Four others are part of the CAMI but had not been included in the gap analysis because of resource constraints. Interviews had been conducted and e-questionnaires circulated and encouraging response rates had been achieved. Five national stakeholder meetings had been organized in those countries where GIZ had a national office.

101. Mr. Devillers (Councillor appointed by the EU) suggested that the Council should do more than “note” the document given that one of the Council’s principal tasks was to oversee concerted and cooperative actions. He felt that the Council should endorse the document.

102. Mr. Morgan (CITES) announced that three reports on wildlife crime in Central Asia had just been published. One dealt with the impacts on the new customs union set up by Belarus, Kazakhstan and the Russian Federation, and two dealt with trophy hunting, one with a specific focus on the Argali sheep. CITES wanted to work with CMS on some of these species which were of concern to both Conventions.

103. Mr. Lkhagvasuren Badamjav (Councillor appointed by Mongolia) said that such initiatives in Central Asia were most welcome. Mongolia was taking a range of measures to protect its migratory fauna and Central Asia was home to many significant species.

104. Ms. Nicola Crockford (BirdLife International) expressed her organization’s support for the draft resolution and welcomed the fact that there was a dedicated member of staff in the Secretariat responsible for the Central Asian region. The guidelines on the impact of mining were welcome and a response was required to the increase in poaching as human developments spread. The Royal Society for the Protection of Birds (BirdLife partner in the UK) worked closely with its counterparts in Uzbekistan and Kazakhstan and with the Government of Turkmenistan. BirdLife International would support CAMI and would attend the Bishkek workshop.

105. Mr. Qaimkhani (Pakistan) said that there was an action plan for biodiversity in the region and the Secretariat should therefore liaise closely and seek synergies with other actors in Central Asia.

106. Mr. Ankara (Councillor appointed by Congo) mentioned threats arising from the construction of infrastructure and the need for effective legislation requiring EIAs and social audits to be carried out.

107. Mr. Bignell (Councillor appointed by New Zealand) supported CAMI as a less resource-intensive means of achieving progress without excessive demands on budgets and by building on existing mandates. He proposed amending the fourth recommendation in the paper to strengthen the financial aspects.

108. Ms. Röttger (Secretariat) replying to the debate said that the CMS guidelines sought to make EIA and audits more relevant and effective.

Agenda Item 6: CMS Instruments

Agenda Item 6.1: Concerted and Cooperative Actions

109. Mr. Barbieri (Secretariat) explained that COP10 had made a comprehensive set of recommendations in Res.10.23 on Concerted and Cooperative Actions. Part of those recommendations were addressed in the report “Improving the Process for Concerted and Cooperative Actions” (reproduced as document UNEP/CMS/ScC18/Doc.6.1.1), prepared by Mr. Pritchard under consultancy. The report had been prepared thanks to a voluntary contribution from Germany.

110. Document UNEP/CMS/ScC18/Doc.6.1 summarized other relevant activities, and included a draft resolution on Concerted and Cooperative Actions. As it stood the draft resolution was quite simple with two empty annexes to which the species to be designated for Concerted or Cooperative Action for the period 2015-2017 could be added as recommended by the Taxonomic Working Groups of the Council.

111. Mr. Williams (Councillor appointed by UK) raised the linkage of the document to the draft resolution. He recalled that COP10 had requested more focus and that the entity to lead on a given species should also be identified and this might require more than a simple cross reference and a list of species.

112. The Taxonomic Working Groups considered the existing and proposed species for Concerted and Cooperative Actions. The relevant outcomes are summarized below. More details can be found in the reports of the working Groups annexed to this report (Annexes 2 to 6).

113. The Birds Working Group proposed that all species designated for Concerted and Cooperative Actions by COP10 be retained for the triennium 2015-2017 with the exception of the Black-necked Swan (listed for cooperative action). Species Focal Points were being sought for those species without one.

114. In addition, the Birds Working Group recommended that the Great Knot, the Red Knot and the Far-eastern Curlew be designated for concerted actions, and that the Semi-palmated Sandpiper and the Bar-tailed Godwit be designated for cooperative actions. In this

regard, the Group noted that proposals for Great Knot, Red Knot, Far-eastern Curlew and Bar-tailed Godwit had been developed using the proposed new guidance for Concerted and Cooperative Actions, and those for the Curlew and Godwit had built on conservation briefs developed by the International Wader Study Group for the avian tribe Numeniini. It recommended that COP mandate the Scientific Council to carry out a review of species currently listed for Concerted or Cooperative Action species in light of the proposed new guidance. It noted that many Concerted or Cooperative Action species did not have focal points identified. Proponents of new actions were requested to identify appropriate focal points for these species.

115. Report of the Working Group on Birds is attached as Annex 3 to the present report.

116. The Marine Turtle Working Group supported the retention of all existing species listed and the proposal for a Single Species Action Plan for the Loggerhead Turtle was endorsed.

117. The Terrestrial Mammals Working Group reviewed the implementation of Concerted and Cooperative Actions for Terrestrial Mammals. It commended the CAMI and Argali Action Plan and received updates on the Sahelo-Saharan Antelope Initiative: in March 2013, Niger had established the Termit & Tin Toumma National Nature and Cultural Reserve, which was the largest protected area in Africa and important for the last viable population of Addax and Dama gazelle, but also for the conservation of Dorcas gazelle, the Saharan cheetah and the Barbary sheep. New supporting projects had recently been approved by major funding agencies (AFD, France and the EU). A reintroduction programme for the Scimitar-horned oryx was planned for 2015 in Ouadi Rime-Ouadi Achim Reserve in Chad, with support from Sahara Conservation Fund and the Environment Agency Abu Dhabi.

118. The Working Group noted that a number of large migratory mammals from sub-Saharan Africa were listed on Resolution 10.23, as candidate species for either Concerted or Cooperative Action. A Concerted Action on Large Mammals of Sub-Saharan was suggested and a possible draft Resolution/Recommendation, similar to those that underpinned the concerted actions for the Sahara/Sahel and Central Asia should be developed, after circulation and approval by the members of the Working Group.

119. The Working Group concluded that all species currently listed should be retained on these lists for the period 2015-2017. The Working Group also recommended that, should the proposals to list the Red-fronted Gazelle *Eudorcas rufifrons* on Appendix I and the African Lion *Panthera leo* and the White-eared kob *Kobus kob leucotis* on Appendix II be retained by COP11, the same species should be designated for Concerted and Cooperative Actions.

120. Report of the Terrestrial Mammals Working Group is attached as Annex 4 to the present report.

121. The Working Group on Fish reviewed the implementation of Concerted and Cooperative Actions for fish and recommended that the designation of all sturgeon species should be maintained also for the period 2015-2017 and that a member of the Council or designated expert from outside the Council act as a focal point for each Concerted or Cooperative Action species. The Working Group was given the task of developing this list of focal points. Recognizing the important work of CITES and others, it also recommended that an analysis be carried out to determine how CMS can add value to current efforts to protect endangered sturgeon.

122. In the event that the Appendix II listing proposal for the European eel (*Anguilla anguilla*) is accepted by the COP, Monaco had agreed to lead on a Cooperative Action for that species.

123. The Aquatic Mammals Working Group concluded that all of the species currently listed for ‘Concerted Actions’ and ‘Cooperative Actions’ should be retained on these lists, noting that many species did not have the entirety of their range covered by an existing CMS instrument. The Working Group further recommended that other aquatic mammals currently included in the CMS Appendix I and II lists should be added to the list ‘Concerted Action’ or ‘Cooperative Action’ Species due to pressing conservation needs. These included:

- a) **Concerted Action’ Species:**
Sousa teuszii, Atlantic humpback dolphin
Trichechus senegalensis, West African manatee
Eubalaena glacialis, North Atlantic right whale
Eubalaena japonica, North Pacific right whale

- b) **Cooperative Action’ Species:**
Trichechus inunguis, Amazon manatee
Inia geoffrensis, Amazon river dolphin
Delphinapterus leucas, Beluga
Sotalia guianensis, Guiana dolphin
Sotalia fluviatilis, Tucuxi

124. In the event that the Appendix I listing proposal for Cuvier’s beaked whale (*Ziphius cavirostris*) (Mediterranean population) and the Appendix II proposal for polar bear (*Ursus maritimus*) were accepted by the COP, the Aquatic Mammals Working Group further recommended that those species be included in the list of species for ‘Concerted Actions’ and ‘Cooperative Actions’ respectively.

125. Mr. Baker also reported that, as requested by Resolution 10.23, the Appointed Councillor for Aquatic Mammals, William Perrin, had liaised with relevant experts and nominated focal points for 14 of the 26 aquatic mammal ‘Concerted Action’ and ‘Cooperative Action’ species. Efforts to secure Focal Points and reports for the remaining 12 ‘Concerted Action’ and ‘Cooperative Action’ species would continue in the coming months.

126. The Aquatic Mammals Working Group requested Parties to take note of the conservation priorities identified by the species focal points for Concerted and Cooperative Action species and use these to inform their further efforts as appropriate.

127. Report of the Aquatic Mammals Working Group is attached as Annex 5 to the present report.

Agenda Item 6.1.1: Rationale, Criteria and Guidance for identifying candidate species for concerted or cooperative actions and guidelines to assist Parties to identify options for action to take in response to concerted or cooperative action listing

128. Introducing the item on behalf of the Secretariat, Mr. Pritchard said that Concerted and Cooperative Actions had evolved over the years, becoming more complicated and as a result Resolution 10.23 sought to rationalize the situation.

129. Section III of ScC18/Doc.6.1.1 suggested that streamlining was desirable and feasible after the distinction between the two programmes had become less clear. Rather than analysing the legalities of the differences, he had treated them together applying a sliding scale of criteria with the aim of simplifying the logic of the systems.

130. Section IV posed a series of questions and described criteria setting out the case for action. The process followed might lead to the decision that an Agreement or MoU was the best option (similarly in the parallel process for CMS instruments, the same process might lead to the conclusion that a Concerted or Cooperative Action was preferable).

131. Mr. Devillers (Councillor appointed by the EU) drawing on his long experience of the Convention explained some of the history and background. The confusion about Concerted and Cooperative Actions was based on some enduring misunderstandings, despite many attempts at clarification.

132. Concerted and Cooperative Actions had been developed at different times but with similar aims. Cooperative Actions were targeted at Appendix II species and addressed the need for Parties to meet their legal obligations to work together in the absence of an agreement, as it was discovered that some species did not lend themselves for various reasons to this approach. Delisting was an option but Parties did not wish to grasp that particular nettle, so Cooperative Action had been devised as a compromise, with one criterion for designation being that no Agreement or MoU covered the species.

133. As the Convention developed, Parties realized that some Appendix I species would also benefit from agreements, which led to the practice of listing on both Appendices. However, it was also apparent that the Convention could not generate a limitless number of agreements and the alternative was Concerted Action, an early innovation devised by the Council, as an easier alternative for Appendix I species, allowing urgent measures to be taken, in cases such as Central Asian Aridland Mammals.

134. Mr. Williams (Councillor appointed by UK) commented that there was an inherent dishonesty of listing species on Appendix II if there was no follow-up action to establish an agreement.

135. Ms. Montgomery (Councillor appointed by Australia) thought that the 13 criteria listed could be reduced in number by streamlining.

136. Mr. Ebenhard (Councillor appointed by Sweden) said that there should be a clear process for nominating and accepting species for inclusion on the lists for Concerted and Cooperative Action.

137. Ms. Ana Agreda (Councillor appointed by Ecuador) said that her country was involved in a number of multilateral regional initiatives to agree on common conservation measures. The endorsement of CMS of these initiatives as Concerted and Cooperative Actions might facilitate associated fund-raising efforts.

138. Mr. Barbieri (Secretariat) did not think that these issues could be resolved in plenary and suggested that an ad hoc Contact Group be established to take the matter forward and report back. The Councillors from the UK, the EU, Ecuador and Sweden volunteered to serve alongside a representative of the Secretariat and the consultant.

139. Reporting on the outcomes of the Contact Group deliberations, Mr. Lenten (Secretariat) explained that the group had found both instruments to be helpful but confusion had arisen over the differences between them and therefore it was proposed to merge them and use just “Concerted Action” in future.

140. The species lists should be reviewed to determine which species should be retained. The draft resolution would include a procedure for the COP to undertake such reviews starting at COP12.

141. Mr. Pritchard would revise the documents for submission to the COP.

Agenda Item 7: Amendment of CMS Appendices

Agenda Item 7.1: Criteria for the listing of species on Appendices I and II

142. Mr. Baker (COP-appointed Councillor for Bycatch) introduced document UNEP/CMS/ScC18/Doc.7.1 which he had drafted along with Mr. Zeb Hogan, the COP-appointed Councillor for Fish. Mr. Baker had first examined the criteria for listing when serving as the Australian nominee on the Council 14 years before. Interest in the issue had been revived at COP9 and COP10 had requested that the work be taken forward. He thanked the other members of the Working Group on Criteria for their active support and constructive contributions.

143. An assessment had been made regarding whether the categories used in the IUCN Red List were appropriate for the purposes of the Convention. There might be other criteria to be taken into account when considering the removal of species from the Appendices.

144. Mr. Medellín (COP-appointed Councillor for Neotropical Fauna) thought that the document helped take the Council forward. The criteria should be concrete and easily applied. Species in the IUCN categories “Endangered” and “Critically Endangered” could be considered eligible for listing provided that they met the CMS definition of migratory. To assign the species to a given category, the IUCN had undertaken a scientific process and there seemed little point CMS duplicating it.

145. Mr. Leon Bennun (COP-appointed Councillor for Birds) said that the document was helpful and provided useful advice. More might need to be said about the third text for inclusion on Appendix II: species whose conservation status would significantly benefit from the international cooperation achieved through an agreement. He added that linkage to the risk of extinction would exclude species undergoing a long-term decline.

146. Mr. Sulayem (Party Observer, Saudi Arabia) said that the IUCN categories “Vulnerable” and “Near Threatened” did not equate to definitions contained in CMS Resolution 5.3. It was possible that the appendices would be opened up to more species but it was unlikely that corresponding action would ensue. He also asked whether, in the event of new criteria being adopted, existing listings would be reviewed and species excluded from the Appendices.

147. Mr. Devillers (Councillor appointed by the EU) said that on paper the new criteria might seem insignificant but in practice their application would have considerable consequences. He recalled that Parties had spent some time interpreting the provisions of the

Convention text and Resolution 5.3 had been the result. Strict adherence to the IUCN categories would prevent the Scientific Council from taking a different position. Resolution 5.3 had included flexibility in the wording “or by independent assessment by the Scientific Council”. This room for manoeuvre should be retained.

148. Mr. Vié (IUCN) said that the IUCN Red List was intended as a guiding tool and doubted that there could be a direct read across between IUCN criteria and those used by the Convention. The IUCN definition of “threatened” seemed to equate with the CMS definition of “endangered”. Some species categorized as “Least Concern” or “Data Deficient” might nonetheless merit attention from CMS. He also noted that the IUCN category “Vulnerable” was a qualifying criterion in one earlier draft but was not in the current version.

149. Mr. Ebenhard (Councillor appointed by Sweden) also asked whether IUCN’s “Vulnerable” category was included in the Convention’s definition of endangered and pointed out that under CMS often distinct populations were proposed for listing for which a different IUCN category might apply. It should be made clear whether just one or all three of the qualifying tests had to be satisfied. He asked whether the new criteria would be retrospectively applied to species listed at the higher taxon level, a practice that had been discontinued. As the IUCN Red List was described as a “decision support tool”, its criteria should not be strictly applied. Species categorized as “Data Deficient” should be eligible if a case could be made for listing under CMS.

150. Mr. Morgan (CITES) said his main primary interest was to seek to avoid imposing different and conflicting obligations on countries that were party to both CMS and CITES. Currently there seemed to be 20 or so cases where the Conventions were at variance and the problem would be made worse if the listing criteria diverged. CITES Parties had opted for criteria independent from IUCN. The proposals in the paper would align CMS more closely with CITES and he supported the idea of decoupling the “Vulnerable” category from CMS Appendix I.

151. Mr. Baker thanked the contributors for their remarks and promised to speak to delegates in the margins of the meeting to clarify areas of uncertainty. He stressed that the Scientific Council would retain its role in assessing all proposals to amend the Appendices and that the IUCN Red List was being suggested as a set of guidelines to assist the Council make its decision. He confirmed that as things stood the IUCN category “Vulnerable” was excluded from the definition qualifying for Appendix I listing, but the flexibility to list species not qualifying under their IUCN category would be retained. Mr. Baker said that he would revise the draft document and recirculate it during the meeting having consulted with those contributors to the discussion who had raised points.

152. Ms. Jelena Kralj (Councillor appointed by Croatia) said that the Council should agree whether the IUCN “Vulnerable” category should be a criterion for Appendix I listing and clarify how the IUCN “Threatened” category equated with the CMS definition of “endangered”.

153. Mr. Devillers (Councillor appointed by the EU) suggested that the wording contained in Resolution 5.3 concerning independent assessment by the Scientific Council be incorporated into the text.

154. Mr. Williams (Councillor appointed by UK) welcomed the fact that the criteria used by CMS and CITES would be more closely aligned. He said that CITES had clearer criteria

and greater clarity for CMS would be desirable, including the point regarding the eligibility of excluding species in the IUCN “Vulnerable” category.

155. Mr. Basile van Havre (non-Party Observer, Canada) agreed that alignment with CITES would be advantageous and commended CMS for undertaking the review of its listing criteria.

156. Mr. Simmonds (HSI) said that CMS had enjoyed a degree of flexibility and many aquatic mammals categorized as “Data Deficient” might benefit from measures arising from listing under CMS. He did not advocate abandoning the Red List as it was a useful guideline but he did support retaining “Vulnerable” within the eligibility criteria.

157. Mr. Nicolas Entrup (OceanCare) agreed saying that there were occasions when action was required quickly and a flexible approach was needed.

158. Mr. Hogan (COP-appointed Councillor for Fish) wanted to retain flexibility but felt that this could best be achieved by adding wording as suggested by Mr. Devillers rather than by extending the number of IUCN categories within the eligibility criteria for listing.

159. Mr. Williams (Councillor appointed by UK) while sympathizing with the idea expressed by Mr. Hogan felt that too much flexibility clouded decision-making and that for proposals for listing species that did not meet the criteria laid down a clear case justifying the exception had to be made.

160. Ms. Montgomery (Councillor appointed by Australia) wanted to retain flexibility but also said it should be a requirement to demonstrate that listing would lead to benefits and a high IUCN categorization should not automatically lead to listing under CMS. The CMS listing proposal template might need to be reviewed.

161. Mr. Devillers (Councillor appointed by the EU) adding to his previous intervention said that the wording of Resolution 5.3 included a reference to “best available data”. He pointed out that until repealed or superseded Resolution 5.3 was still in force so existing listings would not be affected.

162. Mr. Limpus (COP-appointed Councillor for Marine Turtles) supported the ideas contained in the paper. He thought that the IUCN Red List in general gave a clear assessment of a species’ status, but that marine turtles might be an exception, citing large regional variations. For instance, Leatherback Turtles were globally “Threatened” but populations in the Caribbean were thriving, while those in the Pacific were “Critically Endangered” and the Malaysian breeding population was almost “Extinct in the Wild”. A similarly complex situation applied to the Red Knot according to Mr Mundkur.

163. The Chair pointed out that the Convention had the flexibility to treat different populations separately.

164. Closing the discussion, Mr. Barbieri reiterated the process for finalizing the document and the accompanying draft resolution. Mr Baker would revise the document consulting the other members of the Working Group and those that had intervened with comments. He would then recirculate it, while the Secretariat would assist the Working Group with finalizing the draft resolution.

Agenda Item 7.2: Proposals for amendment to CMS Appendices

165. The Chair called upon Mr. Barbieri (Secretariat) to explain the background to document UNEP/CMS/ScC18/Doc.7.2 and the expected response from the Scientific Council. Mr. Barbieri said that all listing proposals would be examined in depth by the appropriate Taxonomic Working Group rather than in plenary and the ensuing advice would be forwarded to the COP. Some of the proposals covered a number of species, but the merits of listing each individual species should be considered separately.

166. Ms. Montgomery (Councillor appointed by Australia) appreciated the work undertaken by the proponents of the amendments but commented that it was regrettable that the Council had been scheduled so soon after the deadline, allowing only four weeks for Councillors to consult; two months would have been better. In response, Mr. Barbieri said that there had been little room for manoeuvre when choosing the date for the Council but appreciated that Councillors would have liked more time and he hoped that in future this could be arranged. The COP Rules of Procedure were being reviewed and this aspect of the new arrangements with the Council decoupled from the COP could be considered.

167. The Executive Secretary said that the Secretariat was “learning by doing” under the new arrangements. The current year was particularly busy and the options for dates for the Council had been very limited given the need to avoid clashes with UNEA and other events and to accommodate deadlines for document production in advance of the COP.

168. The Taxonomic Working Groups considered the proposals for amending the Appendices.

169. The Aquatic Mammals Working Group endorsed the listing of the Mediterranean population of Cuvier’s beaked whale on Appendix I and its inclusion on the list of Concerted Action species, noting the offer of ACCOBAMS to take the lead. The proposal to list the Polar bear on Appendix II and add it to the Cooperative Action species, to be led by Norway, was also endorsed.

170. The Birds Working Group recognized the need for its advice on specific proposals to be consistent with accepted interpretation of the meaning of ‘endangered’ for Appendix I listings.

Semi-palmated Sandpiper

171. The proposal for Appendix I listing was not supported following discussion. An alternative proposal, for Cooperative Action for this species, was endorsed by the Birds Working Group for submission to COP.

Great Knot

172. Although not currently listed by IUCN as Endangered, recent unpublished estimates predicted very rapid declines in the near future. Taking a precautionary approach, the Working Group recommended that Great Knot be listed in Appendix I. However, the scientific case for this should be strengthened with published information before COP if possible.

Great Bustard

173. While the Central European population is already listed on Appendix I, Asian populations were fragmented and declining and on the evidence presented in the proposal the Working Group recommended that these (including the Eastern subspecies *O.t. dybowskii*) should be listed in Appendix I. Western populations (which held the majority of the birds) were not recommended for listing in Appendix I; neither therefore was the species in its entirety.

European Roller

174. European populations were in decline; rather little was known about other populations, which were possibly stable. The Working Group recommended that this species might not qualify for Appendix I listing at present.

Canada Warbler

175. The Working Group recommended this species for listing on Appendix II.

176. The Working Group on Fish considered eight proposals covering 22 species, including sawfish, sharks, rays and the European eel; all of the proposals were endorsed, but it was noted that the Hammerhead shark species proposed for Appendix II by Ecuador and Costa Rica might also qualify for Appendix I. The same applied to the European eel nominated by Monaco, which had agreed to lead on a Cooperative Action for that species. The proposals to add nine species of *Mobula* rays to both Appendices were endorsed, but more information was requested regarding those species categorized as “Data Deficient” or “Near Threatened” on the IUCN Red List.

177. Report of the Working Group on Fish is attached as Annex 6 to the present report.

178. The Terrestrial Mammals Working Group endorsed the listing on Appendix I and inclusion on the list of Concerted Action species of the Red-fronted gazelle. Kenya’s proposals to list the Asian lion on Appendix I and other subspecies on Appendix II were also supported. Despite being categorized as “Least Concern” on the IUCN Red List, the White-eared kob was endorsed for listing on Appendix II because of declining populations.

Agenda Item 8: Conservation Status of Species included in CMS Appendices

179. Mr. Barbieri (Secretariat) said that no document had been prepared for this meeting, but the item was a regular feature of the Council’s agenda. The Council had long concerned itself with monitoring the conservation status of listed species, but had never produced a formal report for the COP. AEWAs on the other hand always submitted a report on the status of its species at the population level, and this was a key tool in the Agreement’s policy making process. It was therefore proposed that the production of status report would be added to the Convention’s Programme of Work for the forthcoming triennium and the Council would be assigned the task of overseeing it. Terms of reference would be drawn up accordingly.

Agenda Item 9: Standardized Nomenclature for the CMS Appendices

Agenda Item 9.1: Taxonomy and Nomenclature of Bird Species

Agenda Item 9.1.1: Standard Nomenclatural References for Birds: Status and Comparison

180. Mr. Borja Heredia (Secretariat) introduced the item explaining that CMS was still using taxonomies based on information that was decades old, and this particularly applied to birds. As more up-to-date information was available, CMS needed to adopt new references and in doing so take the opportunity of aligning itself with other related MEAs. Accordingly CMS was liaising with other Conventions through the Biodiversity Liaison Group on the question of taxonomic harmonization. The issue was also being discussed by the Chairs of Scientific Advisory Bodies of the Biodiversity Conventions (CSAB). CMS had a dual challenge of trying to harmonize with other organizations and within the CMS Family at the same time.

181. Resolution 10.13 adopted in Bergen aligned CMS with ACAP with regard to albatrosses and petrels. A meeting was held with the participation of Ramsar, IUCN and CITES in Formia (Italy), where all options on the table were discussed, including the forthcoming BirdLife International publication: *Handbook of the Birds of the World/BirdLife International Illustrated Checklist of the Birds of the World, Volume 1: Non-passerines*, which would be published in August 2014. The other possibilities were the Howard and Moore Complete Checklist of the Birds of the World, 4th Edition, edited by E. C. Dickinson and J.V. Remsen, Jr. (2013 and in press), and the International Ornithological Congress World Bird List (formerly IOC World Bird Names), edited by F. Gill and D. Donsker, and published online.

182. Whichever new reference were adopted, there would be consequences for the current CMS Appendices. The draft resolution had been prepared with gaps which could only be filled when the preferred reference had been chosen.

183. Mr. Bennun (COP-appointed Councillor for Birds) gave a presentation outlining the advantages and disadvantages of the three options. He declared an interest in the BirdLife/Lynx Editions option as a former employee of BirdLife International.

184. The IOC reference was web-based and operated as a “wiki” being dependent on volunteer effort. Howard and Moore had strengths and weaknesses; its third edition was currently used by CITES but it was not clear whether CITES would change in future. The BirdLife list was used by the IUCN for its Red List and by AEWA and the Raptors MoU. For CMS, adopting the BirdLife list would result in a number of species splitting and some “lumping”. The effect was of a different magnitude for passerines, of which relatively few were listed in the CMS Appendices, compared with non-passerines.

185. Mr. Sibley (Councillor appointed by France) commented that there needed to be a clear taxonomic reference and it did not necessarily have to be the most recent. Some references were more conservative than others, and CMS did not want to be in a position where it had to update its reference frequently. Dickinson (Howard and Moore) was more stable than the others.

186. Mr. Ebenhard (Councillor appointed by Sweden) said that either Dickinson or the BirdLife/Lynx options were acceptable to him as both were easily available and carried a date. If either of these were revised, the changes should not automatically be accepted. The

Convention needed a practical working tool and this did not necessarily have to reflect the latest thinking. He pointed out that some splits and “lumping” occurred at the family level not just at species level and although indications were that the changes to passerine taxonomy might be minor, some families had hundreds of species. The Council should consider how to approach this issue.

187. Utes Grimm (CITES) as Convention’s taxonomy specialist explained some of the basic requirements that CITES had for its taxonomy. CITES was very conservative because its permits and documentation were based on species’ names and had to remain valid for years. While there were sound scientific reasons for renewing nomenclature, changes caused practical difficulties for implementing authorities such as customs. “New” species arising from splits had to be clearly distinguishable from each other by their morphology.

188. Mr. Devillers (Councillor appointed by the EU) agreed with Mr. Ebenhard and Mr. Sibley. Taxonomy served two distinct purposes for a Convention: as part of the legal base and to aid conservation; the two could not be mixed. For CITES maximum stability was required. For conservation, as progressive a system as possible was desirable. Whatever reference or references was or were adopted, it should remain valid for years; if necessary, the date of a particular edition should be included.

189. The issue was referred to the Birds Working Group, which noted that an update to CMS’s species list using any modern taxonomic list would entail significant changes; also that stability was best achieved by CMS policy regarding frequency of update, whatever taxonomy was adopted. The Working Group recommended that CMS use the HBW/BirdLife International taxonomy (as provided in the forthcoming Illustrated Checklist of Birds of the World) as basis for avian taxonomy and nomenclature. Text in the draft resolution was needed to explain the rationale for this – there were several reasons but a chief one was that this taxonomy underpinned the IUCN Red List, which was increasingly used by CMS and its instruments.

Agenda Item 10: Conservation Issues

Agenda Item 10.1: Climate Change

190. In introducing this item, the Chair said that there was ample evidence showing that birds were changing their migration behaviour and strategies as a result of climate change. CMS had a role to play in drawing the attention of the effects of climate change on wildlife migration and had established a dedicated Working Group and the COP had appointed a Scientific Councillor.

191. Mr. Heredia (Secretariat) explained that a programme of work (POW) for climate change had been developed at a workshop held in Costa Rica earlier in the year. The workshop had been made possible thanks to voluntary contributions from Germany and Monaco.

192. Mr. Colin Galbraith (COP-appointed Councillor, Climate Change) introduced the draft resolution and the POW, explaining that the science relating to climate change and biodiversity was a relatively new field and that the main focus of work was on mitigation. There was currently a lack both of data on trends, which was in turn linked to a lack of capacity to collect and analyse data in many countries. There were also many knock-on effects with impacts on water quality and ecosystems and leading to a loss of synchrony, such

as changes to growing season and rainfall patterns. The changes could occur quickly and were often not linear. People were the root of the problem but also the source of the solution. Adaptation was required to increase the overall resilience and capacity to react.

193. The POW took a holistic approach and to be implemented would require resources. Its content was very broad and concentrated on species adaptation with elements related to capacity building. The POW had clear regional and marine dimensions and foresaw the commissioning of long-term studies and monitoring.

194. Mr. Panigada (ACCOBAMS) referred to a workshop on climate change held in June 2014 in Monaco which had been attended by 17 experts including Professor Galbraith. Case studies covered the Black Sea and the Mediterranean. ACCOBAMS also requested that it be admitted to the Climate Change Working Group.

195. Ms. Crockford (BirdLife International) recognized the crucial role that CMS could play in helping species to adapt and stressed that mitigation should not be detrimental to migratory species. Detailed comments on the POW and the draft resolution had already been submitted to the Secretariat. Important elements of the POW would be synergies with MEAs and cross-sectoral work. A list of key sites under threat should be maintained and regularly reviewed.

196. Mr. Devillers (Councillor appointed by the EU) agreed that CMS had a role. Climate change was happening and its effects would probably be worse than were being predicted. Little action was being undertaken to address the drivers of climate change, but this was not an area where CMS could intervene; it should concentrate on adaptation and address in particular habitat loss and fragmentation, by establishing networks of protected areas with buffer zones. Change was occurring far faster than at any time before.

197. Mr. Tano Sombo (Councillor appointed by Côte d'Ivoire) stressed that climate change was a major global problem which was affecting all countries. Giving the example of loss of wetlands important to migratory waterbirds, he called the Council to concentrate on providing practical advice to countries on how to address the problem.

198. Mr. Vié (IUCN) welcomed the contribution of CMS to the debate on climate change. Noting that the POW was calling for more species vulnerability assessments, he said that IUCN, in collaboration with partners, had conducted a large vulnerability assessment of 17,000 species including all species of bird, along the lines proposed in the POW. Depending on funding, IUCN was keen to expand this work to cover other species including mammals and fish. He also confirmed the interest of IUCN to become involved in the CMS Working Group again.

199. Mr. Siblet (Councillor appointed by France) expressed his thanks to Mr. Galbraith and the Working Group for their efforts. He stressed that the draft Resolution should emphasize the importance of creating networks of Protected Areas, to ensure that migratory species had wintering, breeding and stopover sites.

200. Mr. Williams (Councillor appointed by UK) said that the Programme of Work was comprehensive but he found it difficult to see what the priority actions were. Given the range of activities set out and the likelihood that resources would not be immediately available to allow all measures to be implemented, some indication of priority would be useful.

201. Mr. Sulayem (Party Observer, Saudi Arabia) said that more information was needed on the current and potential effects of climate change on countries in the Middle East in general and the Arabian peninsula in particular. Given also that the effects of climate change on different regions would not be the same, he felt that setting priorities should be done on a regional rather than on a global scale.

202. Mr. Galbraith thanked ACCOBAMS for hosting the June Workshop and welcomed their offer as well as the one from IUCN to engage in the CMS Working Group. The comments from BirdLife International on the Resolution were interesting and would be considered. Setting priorities would be one of the next steps in the process, as would consideration of the capacity building element referred to by Côte d'Ivoire.

Agenda Item 10.2: Renewable Energy Technologies Deployment and Migratory Species

203. Mr. Barbieri (Secretariat) said that this was not the first time that the Convention had dealt with renewable energy. This had been an issue on the agenda of the CMS Family for some time and the first related Resolution had been adopted at COP7. It was now appropriate for CMS to revisit the subject in a comprehensive way. Progress had been achieved as a result of voluntary contributions from Norway and Germany.

204. Renewables were seen as means to mitigate climate change and to help reduce its effect on migratory species, but there were also negative interactions. The CMS Family led by the Secretariats of CMS and AEWA had developed a relationship with the International Renewable Energy Agency (IRENA) and BirdLife International UNDP/GEF migratory soaring bird project, and was working with consultants on a study of the interaction between the deployment of renewable energy technology and migratory species, and the compilation of guidelines for sustainable deployment. The Scientific Council had been kept abreast of developments and requested to give input to it.

205. Mr. Stephen Mooney (BirdLife International) made a brief statement supporting the development of renewable energy technologies in ways that were sustainable for migratory species, and expressed the wish that the study and the guidelines being developed would be helpful and used by Parties to ensure that migratory species could be maintained in the long term.

206. Mr. Oliver Schall (Party Observer, Germany) reconfirmed the support of the Government of Germany to the project, and said that it was looking for additional resources to be one of the champions of the initiative.

207. Mr. Linus Mofor (IRENA) described the Agency's mandate and expressed his delight at working with the CMS Family and BirdLife International to develop guidelines on how to mitigate climate change in a way that was sustainable and friendly to migratory species.

208. Mr. Williams (Councillor appointed by UK) said that renewable energy was an important issue involving many stakeholders. The Council needed to be clear about the science it advocated. Sound justification was required for policies such as "shut-down on demand" as opposition could be expected from the energy providers.

209. Mr. Devillers (Councillor appointed by the EU) agreed that excellent science was needed but added that in urgent cases, prompt action was also necessary even in the absence

of complete evidence. He recalled the example of pesticides when action was delayed as evidence was gathered while the problem grew worse.

Agenda Item 10.2.1: Renewable Energy Technologies Deployment and Migratory Species: A review

210. Mr. Jan van den Winden from the consultants Bureau Waardenburg which was part of the consortium that had drawn up the review gave a presentation of the findings.

211. Mr. Simmonds (HSI) welcomed the review noting a tendency to locate more wind turbines at sea and this was having an effect on marine mammals.

212. Mr. Medellín (COP-appointed Councillor for Neotropical Fauna) said that the review was timely and felt that CMS could contribute to the debate. Renewable energy installations would have to be designed and constructed to be less harmful to migratory species. He recounted that a study had been undertaken in Latin America which found that between 600,000 and 800,000 bats were killed each year by turbines. The solution was simple: increasing the speed of the turbines reduced the number of insects in the vicinity, so fewer bats were involved in collisions. The loss of efficiency in power generation was approximately 1 per cent.

213. Mr. Devillers (Councillor appointed by the EU) said that the review was very useful and tackled a huge and complex task. The findings were perhaps just a representative sample, as the potential impact was immense if all planned or proposed wind farm development went ahead. Some mitigation measures were being implemented, and some ill-conceived projects had not been permitted. The guidelines published by EUROBATS were being followed in Belgium, so the impact on bats had been reduced. Another factor to take into account was the population dynamics of the species concerned – some species might sustain losses in the thousands; for others the death of ten individuals might be devastating. Insufficient data were available and this was probably not a case of “no news is good news”.

214. Mr. Sibley (Councillor appointed by France) made some suggestions on how to improve the document. He perceived a tendency to exclude certain aspects. It had been found that offshore installations were acting as artificial reefs creating habitat while terrestrial installations were normally on agricultural land with little wildlife present.

215. Mr. Ankara (Councillor appointed by Congo) said that hydropower was widely used in Africa but EIAs were rarely carried out, often because economic development was seen as a greater priority than conservation. Many dams had been constructed in the time before independence. When whales and cetaceans were affected, he thought that EIAs should be compulsory and provisions should be enacted to ensure that migratory species could reach their breeding and wintering grounds. He added that while legislation was probably in place, it was not being adequately enacted.

216. Mr. van Havre (non-Party Observer, Canada) alluded to a report from 2013 on mortality in wildlife arising from various causes including renewables. Renewables were not the major cause of death for birds and many variables had to be taken into account – location, terrain, position along the migration route. Canada faced different problems from the Central American isthmus. In North America, there were many trilateral arrangements through which countries learned from each other.

217. Mr. Samuel Kasiki (Councillor appointed by Kenya) found the review particularly interesting because many African countries were developing renewable energy but lacked expertise in conducting EIAs; an exchange of technical know-how would be useful.

218. The Chair said it was important to find out where the migrating species were going and how their migration route worked. This was another example of where connectivity had to be considered.

219. Mr. Barbieri (Secretariat) said that given the shortage of time, the deadline for further comments would be set for the middle of July.

Agenda Item 10.2.2: Guidelines on how to avoid or mitigate the impact of Renewable Energy Technologies Deployment on Migratory Species

220. Mr. Barbieri (Secretariat) said that a preliminary draft of the guidelines was now available. There would not be sufficient time to review the text in detail at the Council, but comments would be incorporated into a revised draft to be submitted to the COP. He requested that contributions from the floor should address general points rather than details.

221. Numerous sets of guidelines had been produced in many countries dealing with different types of renewable energy. In Europe and North America legislation was in place requiring EIAs both at the project scale and strategically. Mitigation measures included fish ladders around dams, power line adaptation to prevent birds from being electrocuted and temporary close-downs at times of high animal activity. The most effective policy was to ensure appropriate siting of installations, and SEA and EIA were also indispensable tools.

222. Mr. Limpus (COP-appointed Councillor for Marine Turtles) raised the issue of the impact of fresh water irrigation schemes on river turtles, some of which were migratory. These species had not been covered in the review, as they were not listed by CMS.

223. Mr. Barbieri presented the draft resolution which had been available for some weeks. The preamble listed previous Resolutions and referred to existing work on power lines because of proposed Task Force on energy, the remit of which would go beyond just renewables. A reference to ACCOBAMS Resolution 4.17 from 2010 would be added.

224. Mr. Devillers (Councillor appointed by the EU) felt that the debate had only just begun and some aspects of the draft resolution, in particular the provisions of operational paragraph 3, seemed too detailed at the current state of knowledge.

Agenda Item 10.3: Ecological Networks

Agenda Item 10.3.1: Strategic Review on Ecological Networks for Migratory Species

Agenda Item 10.3.2: Case studies of ecological networks for Migratory Species

225. Ms. Aline Kühl-Stenzel (Secretariat) reminded the Council that at COP10 a publication "Living Planet: Connected Planet" had been published. The progress made since the last COP was set out on the document. One major new initiative was the IOSEA site network and the associated evaluation criteria. Originally two draft resolutions had been foreseen, but now a single resolution covering the high seas and other marine areas was being put forward.

226. Mr. Pritchard (Consultant) gave a presentation on the strategic review of ecological networks and how they related to migratory species. Resolution 10.3 had called for such a review and Norway had provided the requisite funding. He outlined the practice, concepts and definition of ecological networks and had edited the case studies prepared by the Secretariat. However, no new scientific research had had undertaken.

227. Ms. Crockford (BirdLife International) broadly supported the approach outlined and the draft resolution, but would submit in writing some suggestions for changing Documents UNEP/CMS/ScC18/Doc.10.3 and Doc.10.3.1. Regarding the draft resolution she felt that direct reference could be made to IBAs in the preamble, and to marine IBAs and EBSA descriptions in operational paragraphs.

228. Ms. Dena Cator (IUCN) suggested that reference be made to Key Biodiversity Areas (KBA) be added because of the role they played in maintaining the persistence of biodiversity and CMS had been involved in the development of the methodology. She undertook to submit her suggested changes in writing.

229. Ms. Qwathekana (Vice-Chair, Councillor appointed by South Africa) said that one challenge was that the presence of migratory species was often not a criterion for listing a site. CBD was leading the debate.

230. Mr. David Johnson (Global Ocean Biodiversity Initiative), who had previously worked at OSPAR, gave a presentation on Ecologically or Biologically Significant Areas and Migratory Species, explaining the process alluded to by Ms. Qwathekana that had been undertaken by CBD. He stressed that EBSAs were not Marine Protected Areas. They were selected on the basis of seven ecological criteria. Both fixed and dynamic features were assessed and so far 68 per cent of the sea had been examined, resulting in 208 areas being found to have met the criteria. In 10 per cent of cases the presence of migratory species was the principal justification for selection as an EBSA; in 40 per cent, migratory species were a contributory factor and in half of cases they were not mentioned. Assessments of marine mammals, sea turtles and seabirds had been analysis; the process was under way for fish, accounting for the fact that sharks and rays were described as the principal species in only one EBSA. Coastal EBSAs tended to have more migratory species present than those in the open sea.

231. It was proposed to give a further presentation on EBSAs at the COP.

232. Mr. Limpus (COP-appointed Councillor, Marine Turtles) said he would need to look more into the EBSA process to assuage his doubts that the EBSAs did reflect key sites for turtles. He suspected that some key information had not been taken into account.

233. Mr. Diouck (Councillor appointed by Senegal) said that there seemed to be an imbalance in favour of the Mediterranean and the Pacific at the expense of the Atlantic in EBSA coverage.

234. Mr. Johnson said that it was recognized that there were gaps in the process and these would be addressed. A workshop had been held in Senegal regarding West Africa and he was willing to revisit the data on turtles to redress any mismatch.

Agenda Item 10.4: Marine Debris

235. Ms. Frisch (Secretariat) made a presentation on the three reviews concerning marine debris which had been requested in Res.10.4 adopted at COP10. It had been possible to

contract consultants to undertake the reviews thanks to a voluntary contribution from Australia. The reports - Report I: Migratory Species, Marine Debris and its Management; Report II: Marine Debris and Commercial Marine Vessel Best Practice and Report III: Marine Debris Public Awareness and Education Campaigns had been made available as information documents (UNEP/CMS/ScC18/Inf.10.4.1, Inf.10.4.2 and Inf.10.4.3).

236. A draft resolution had been prepared on the management of marine debris, and wide consultations had been undertaken across the entire CMS Family. The draft would be amended to incorporate a reference to the resolution adopted at the recent United Nations Environment Assembly, which made reference to CMS Resolution 10.4, and in several places square bracketed text would have to be finalized.

237. Mr. Simmonds (HSI) welcomed the reports and expressed his gratitude to Australia for having made them possible. The reports would feature in the forthcoming workshop of the IWC. CMS could use the reports to help build synergies with other forums. Important issues included the depth at which debris was now being found and the ingestion by marine species of micro-debris.

238. Mr. Williams (Councillor appointed by UK) said that several forums were addressing the problem of marine debris but it seemed strange that little or no reference was made to the International Maritime Organization, despite its role in shipping. He felt that the advocacy of fees and market-based mechanisms seemed premature. In his view, the draft resolution would have to undergo stringent revision.

239. The Executive Secretary confirmed that CMS would be represented at the IWC workshop in Hawaii and was on the steering committee. The UNEA resolution listed a number of forums where marine debris was being addressed and suitable partners and a niche for CMS would be identified.

Agenda Item 10.5: Guidance on the development of national guidelines for boat-based wildlife watching

240. Ms. Frisch (Secretariat) made a presentation pointing out that wildlife tourism was a growing industry with great potential to do both good and harm, and boat-based wildlife watching affected all marine species groups dealt with by the Convention. In 2006 CMS had produced a booklet on the subject of wildlife tourism, describing the benefits and risks arising from boat-based wildlife watching.

241. Regulations were in place but not in all countries. Guidelines existed but these were voluntarily in most cases and were not comprehensive with respect to species coverage. The draft resolution aimed to provide guidance on drafting guidelines, taking into account that the needs of target species and the situation were different in each case. Existing guidelines had a heavy bias towards cetaceans and achieving balance in species coverage was difficult.

242. Ms. Crockford (BirdLife International) said she had liaised with colleagues dealing with other taxa. She confirmed that she generally supported the proposals but pointed out that the practice of “chumming” (using food to attract birds) which would fall foul of the provisions set out in the draft caused no harm to the animals. With respect to birds, the problems caused by boat-based tourism were specific to the species and localities.

243. Mr. Williams (Councillor appointed by UK) commented that he was not convinced that legislation was necessarily the only answer, as many voluntary schemes worked perfectly well and he felt that the annex was too restrictive and should be redrafted.

244. Mr. Baker reported that the Taxonomic Working Groups on Fish and Aquatic Mammals had discussed the draft resolution in a joint session, welcomed its development and recommended it for submission to COP11.

245. The Scientific Council endorsed the Working Group's recommendations.

Agenda Item 10.6: Conservation of migratory sharks and rays

246. The agenda item was considered by the Taxonomic Working Group on Fish. Mr. Hogan (COP-appointed Councillor for Fish) reported that the Working Group reviewed the draft resolution on the Conservation of Migratory Sharks and suggested some alternate language be incorporated into the document. The Working Group recommended that the resolution be submitted to the COP.

247. The Scientific Council endorsed the Working Group's recommendations.

Agenda Item 10.7: Conservation of African Eurasian Migratory Landbirds

248. The agenda item was considered by the Taxonomic Working Group on Birds.

Agenda Item 10.7.1: Action Plan for African-Eurasian Migratory Landbirds

249. The agenda item was considered by the Taxonomic Working Group on Birds. The draft AEMLAP and associated resolution were reviewed and recommended for submission to COP. An operative paragraph was added calling for emergency action on single species issues - with immediate development of Action Plans for Yellow-breasted Bunting, Turtle Dove and European Roller

Agenda Item 10.8: Saker Falcon Global Action Plan "SakerGAP"

250. Mr. Galbraith (COP-appointed Councillor for Climate Change) said that the work of the Task Force had been challenging but inspiring and he paid tribute to Mr. Nick Williams (Raptors MoU) and Mr. Andras Kovacs the consultant for their support.

251. The Saker Falcon (*Falco cherrug*) was a widespread species whose range covered China in the East to North Africa in the West. Updating knowledge of the species' distribution and ecology was challenging.

252. CMS first addressed the conservation of the species at COP9 in Rome. Deliberations continued at COP10 where it was decided to establish a Saker Falcon Task Force, led by the Coordinating Unit of the Raptors MoU. COP10 also agreed to list the species, with the exception of the Mongolian population, on Appendix I. With funding from Saudi Arabia, the United Arab Emirates, CITES and CMS, the Task Force had held two meetings and through an open and transparent process engaging a wide range of stakeholders, considerable progress had been made on drawing up a Global Action Plan (SakerGAP).

253. The Task Force had identified electrocution as a major threat and one challenge would be to ensure that any take of the species was sustainable.

254. A series of “flagship” proposals had been devised, namely: establishing a single, authoritative data source, engaging ten falconry clinics within the Saker network, fitting 100 birds with satellite tags, erecting 1,000 artificial nesting platforms and installing or retrofitting one million falcon-friendly electricity poles.

255. The Task Force was seeking confirmation from the Scientific Council that it had carried out its mandate from Resolution 10.28 and a modified remit to continue its work as the implementation stage commenced. The draft resolution for COP11 would seek to establish the SakerGAP for a ten-year period.

256. Mr. Sulayem (Saudi Arabia) echoed the comments of the Chair and congratulated Mr. Galbraith for his handling of the issue from COP9 in Rome onwards. The Task Force operated in a very cooperative and harmonious way and while the SakerGAP was ambitious in its objectives, it was nonetheless realistic. He also highlighted the role of the CMS Office in Abu Dhabi.

257. Mr. Devillers (Councillor appointed by the EU) congratulated Mr. Galbraith on his leadership of the Task Force and all others involved. The SakerGAP was an excellent example of a Concerted Action.

258. Mr. Morgan (CITES) said that CITES had been actively engaged in the Task Force and he commended the very open approach adopted towards all the stakeholders.

259. Mr. Badamjav (Councillor appointed by Mongolia) also congratulated the Task Force on its achievements and gave a report on recent developments in his country. These included a recently imposed five-year ban on exporting Saker Falcons and the adoption of the species as the country’s national bird. Five hundred artificial nests had been set up, and 50 per cent of them had been occupied by Sakers.

260. Mr. Hamid Amini (Councillor appointed by Iran, the Islamic Republic of) expressed concern that any encouragement of sustainable use might lead to increased illegal trapping and trade. He called for the development of guidelines and for continued close international cooperation.

261. Mr. Mátyás Prommer (Party Observer, Hungary) expressed his thanks to Mr. Nick Williams and the Raptor MoU Coordination Unit for ensuring that the Task Force maintained momentum. He reassured the meeting that implementation was starting and resources were actively being sought.

262. Mr. Galbraith thanked all those who had commented; the points raised were all valid and would be taken on board, particularly the concerns expressed by Iran over the sustainability of any harvesting. The progress being achieved in Mongolia was particularly heartening.

263. The Chair confirmed that there would be further opportunities to discuss the Task Force and the SakerGAP during the Birds Taxonomic Working Group. He expressed the hope that the SakerGAP would prove so effective that consideration could be given to removing the Saker Falcon from Appendix I.

264. The Birds Working Group reviewed the SakerGAP and the draft resolution and recommended both documents for submission to COP. Text was added the draft resolution to (a) welcome initiative by International Association for Falconry and Conservation of Birds to

lead the first Saker Falcon GAP flagship project (to start an online portal) and (b) request Parties and Range States to integrate SakerGAP implementation into NBSAPs or other national or regional action plans for conservation.

265. The Scientific Council endorsed the Working Group's recommendations.

Agenda Item 10.9: Bird Poisoning

266. The agenda item was considered by the Taxonomic Working Group on Birds. The draft resolution was reviewed and recommended for submission to COP.

Agenda Item 10.9.2: Guidelines to Minimize Poisoning of Birds

267. The Working Group recommended that the long version of the guidelines (ScC18/Inf.10.9.2) should be used. Guidelines were reviewed and recommended for submission to COP with the following changes:

- (a) Summary page with key recommendations to be added
- (b) Revised text re: phasing out use of lead ammunition within three years (by COP12)
- (c) Revised text: legislation to stop use of lead fishing weights to apply only to freshwater and not marine environment
- (d) Added text re: stopping use of diclofenac
- (e) Added text re: need to keep effects of neonicotinoid pesticides under close review

Agenda Item 10.10: Flyways Programme of Work

268. The agenda item considered by the Taxonomic Working Group on Birds. Further detailed review was necessary in order to digest changes made at the Flyways Working Group meeting on 30 June 2014. The Working Group proposed that the document should remain open for comments until 15 July, then there would be a week for Scientific Council to sign off on the final revised draft. The Working Group noted that the timing of this process was uncomfortable as it did not allow for the review process to be completed in the available Working Group session. Further work was required to ensure high-level goals were consistent with goals of CMS Strategic Plan, and to define a process to improve congruence of indicators.

Agenda Item 10.11: Invasive Alien Species and Migratory Species

Agenda Item 10.11.1: Review of the Impact of IAS on species protected under CMS

269. Mr. Heredia (Secretariat) reported that COP10 had requested a study to be carried out and thanks to a voluntary contribution from the Italian Government, the expert group of the IUCN and Auckland University had been contracted to do it.

270. A third of all species listed by CMS were affected by invasive alien species, with birds suffering worst but with mammals, reptiles and fish all seeing considerable impacts. There were many opportunities to cooperate with other MEAs such as CBD and to secure funding for studies and projects from GEF.

271. Mr. Ebenhard (Councillor appointed by Sweden) suggested that paragraph 8 of the draft resolution should include a reference to CMS as well as CBD and he pointed out that the mouflon was not a CMS-listed species (*Ovis ammon* being the Argali).

272. Mr. Andreas Krüss (Councillor appointed by Germany) said that CMS and IUCN used conflicting definitions and it was not evident from the report what methodology was used to identify invasive species.

273. Ms. Crockford (BirdLife International) said that extensive comments had already been sent to the Secretariat in writing. She advocated the creation of an intersessional Working Group on invasive alien species.

274. Closing the discussion, the Chair called upon participants to submit comments to the Secretariat.

Agenda Item 10.12: Illegal Trapping and Hunting of Migratory Birds

275. The agenda item was considered by the Taxonomic Working Group on Birds. The draft resolution was reviewed and recommended for submission to COP. An operative paragraph was revised to clarify that the proposed Task Force will initially focus on the Mediterranean region.

Agenda Item 10.13: Single Species Action Plan for the Pacific Loggerhead Turtle (*Caretta caretta*)

276. The agenda item was considered by the Taxonomic Working Group on Marine Turtles. Mr. Limpus reported that the Working Group endorsed the Action Plan for consideration by COP.

Agenda Item 10.14: Conservation implications of cetacean culture

277. The agenda item was considered by the Taxonomic Working Group on Aquatic Mammals. Mr. Baker reported that the Working Group proposed the recommendations of the workshop for endorsement by the Council and recommended the development of a draft resolution on the conservation implications of animal culture, establishing an expert group to address this subject. The Working Group agreed that, as suggested by the workshop, a special focus on cetaceans should be retained, while the case for other taxa should not be excluded, inviting relevant Councillors for other taxa to review the findings of the workshop and engage in this process.

278. The Scientific Council endorsed the Working Group's recommendations.

Agenda Item 10.15: By-catch

279. The agenda item was considered by the Thematic Working Group on Bycatch. Mr. Baker reported on his activities since ScC17.

280. The Bycatch Working Group recommended that CMS and other daughter agreements continue to seek observer status at RFMOs and, in particular, the Tuna RFMOs, in order to continue to influence change in the management of fisheries and minimization of bycatch of non-target species. Greater influence could be had with RFMOs if attendees focused on the lower level meetings, particularly the working groups that dealt with ecosystem and bycatch issues, and the

Scientific Committees to which the working groups reported. It was also important that CMS and the daughter agreements provided briefing to Range States that were members of the relevant RFMOs, so that proposals for mandatory bycatch measures or other necessary management approaches were well supported when discussed at the RFMO Commission meetings.

281. The Working Group also considered a non-paper highlighting the intentional catch and incidental bycatch of CMS Appendix I listed species in shark control programmes and encouraged CMS Parties to take action to reduce the deployment of lethal shark control programmes in favour of non-lethal alternatives. The Working Group recommended an intersessional study on the impacts of shark control programmes.

282. The Scientific Council endorsed the Working Group's recommendations (see Annex 7 for details).

Agenda Item 11: Synergies and Partnerships

283. The item was not considered due to time constraints.

Agenda Item 12: Online Information Tools

Agenda Item 12.1: New CMS Family Website

284. An introduction to the New CMS Family Website was provided by Ms. Natalie Epler (Secretariat).

Agenda Item 12.2: Species +

285. Together with InforMEA, Species + was a project led by the UNEP HQ Division, DELC. Mr. Florian Keil (AEWA) reported that when CMS joined the InforMEA process, it had been one of the least developed Conventions in terms of information technology; this was no longer the case. UNEP/WCMC was developing the Species + project to which data concerning CMS listings would be added in due course.

Agenda Item 13: Progress on other matters requiring Scientific Council advice

286. No issues were raised under this agenda item.

Agenda Item 14: Election of Chair and Vice-Chair of the Scientific Councillors for the period 2015-2017 and nominations for the Appointed Councillors for Aquatic Mammals and Birds

287. The Executive Secretary said that no further nominations had been received during the meeting so he proposed that Mr. Fernando Spina and Ms. Malta Qwathkana be re-elected respectively as Chair and Vice-Chair of the Scientific Council. This proposal was unanimously and enthusiastically agreed.

288. Mr. Bennun in his report of the Birds Working Group said that two excellent candidates had been proposed to succeed him as COP-appointed Councillor for Birds and he suggested that both candidates be presented to the COP. Mr. Baker reporting from the Aquatic Mammals Working Group said that three candidates well known to the Working Group had been considered and the recommendation of the Working Group was for the name of Mr.

Giuseppe Notarbartolo di Sciara to be submitted to COP. Mr. Baker also suggested that alternate councillors might be appointed to provide cover in case the Appointed Councillor could not attend. Such an arrangement would have to be cost neutral.

Agenda Item 15: Time and venue of the 19th Meeting of the Scientific Council (ScC19)

289. Mr. Barbieri (Secretariat) said that this item had been included on the agenda as it had traditionally been discussed but on this occasion it was difficult to set a date before the COP had decided on the restructuring of the Council. The draft budget to be submitted to COP was being prepared and would include provisions for a meeting of the Council six months before the COP. Offers to host and fund the meeting would be welcome.

Agenda Item 16: Any other business

290. Mr. Williams (Councillor appointed by UK) suggested some additional wording for the COP Rules of Procedure to make clear that amendments could not increase the scope of the proposed new listings. Mr. Bignell who had chaired the Standing Committee Working Group on COP Rules of Procedure indicated his willingness to incorporate the wording suggested by the UK.

291. Other businesses were raised also within the taxonomic working Groups on Aquatic Mammals, Terrestrial Mammals and Fish.

292. In the Aquatic Mammals Working Group (AMWG), the following issues were raised:

- (a) Recommendation for CMS to join the ACCOBAMS/ASCOBANS Noise Working Group.
- (b) Environmental Impact Assessments for Offshore Petroleum Exploration Seismic Surveys: the AMWG agreed that Environmental Impact Assessment should become a regular work area of the AMWG, working in close cooperation with the Joint ASCOBANS/ACCOBAMS Noise Working Group. Once developed, guidance notes on the drafting and assessment of EIAs for marine noise would be presented to the CMS Parties for their consideration.
- (c) Live Capture of Cetaceans from the Wild for Commercial Purposes: the AMWG considered a new draft resolution on the subject and suggested that the Council should forward the draft resolution to COP, following a commenting period.

293. All recommendations were endorsed by the Council.

294. Within the Terrestrial Mammal Working Group, the Councillor from the EU drew the attention of the group on the plight of the Leopard within the range of the Eurasian Concerted Action. It was agreed by the Working Group that urgent efforts had to be made to include in Appendix I the critically endangered phylogenetic species.

295. In the Fish Working Group, the following issues were raised:

- (a) World Fish Migration Day (WFMD): the organizers of WFMD were developing a partnership to raise awareness about migratory fish issues, share knowledge and build networks around themes of fish migration and free flowing rivers. WFMD organizers requested CMS participation in this partnership.

- (b) Taxonomic Reference for Fish: the Working Group noted that the current taxonomic reference for fish species (Eschmeyer 1990) was outdated and that the printed version of this reference had been replaced by an online version which was regularly updated. The Working Group therefore recommended Parties to refer to the online version of this document at the time of listing a species and to the Secretariat to keep an excerpt of the online version every three years when COP took place.

296. More details can be found in the Working Group reports (annexes 2 to 6 to this report).

Agenda Item 17: Closure of the Meeting

297. After the customary expression of thanks to all those that had contributed to the success of the Meeting, in particular the tireless interpretation team, the Executive Secretary declared the Meeting closed and looked forward to seeing as many of the participants as possible at the COP in November. (The list of participants is attached as Annex 8 to the present report.

Annex 1 to ScC18 Report

AGENDA OF THE MEETING

Agenda Item		
Opening of the Meeting and Organizational Matters		
1.	Opening of the Meeting	
2.	Adoption of the Agenda and Meeting Schedule	
	2.1	Provisional Agenda and Documents
	2.2	Provisional Annotated Agenda and Meeting Schedule
Strategic and Institutional Matters		
3.	Strategic Plan	
	3.1	Strategic Plan for Migratory Species 2015-2023
	3.2	Strategic Plan Indicators
4.	Future Shape and Strategies of CMS and the CMS Family	
	4.1	Synergies with IPBES
	4.2	Scientific Council Workspace
	4.3	Global Gap analysis
	4.4	Restructuring of the Scientific Council and revision of its modus operandi
	4.4.1	Subject-based Working Groups within the Scientific Council
5.	Development of Regional Programmes to Implement CMS and its Instruments	
	5.1	Central Asian Mammals Initiative
	5.1.1	Gap Analysis
	5.1.2	Programme of Work
	5.1.3	Argali Action Plan
Interpretation and Implementation of the Convention		
6.	CMS Instruments	
	6.1	Concerted and Cooperative Actions
	6.1.1	Rationale, Criteria and Guidance for identifying candidate species for Concerted or Cooperative Actions, and guidelines to assist Parties to identify options for action to take in response to Concerted or Cooperative Action listing
7.	Amendment of CMS Appendices	
	7.1	Criteria for the listing of species on Appendices I and II
	7.2	Proposals for amendment to CMS Appendices
	7.2.1	Proposal for the inclusion of [species] on Appendix [I and/or II]
	7.2.x	Proposal for the inclusion of [species] on Appendix [I and/or II]
8.	Conservation status of species included in CMS Appendices	
9.	Standardized Nomenclature for the CMS Appendices	
	9.1	Taxonomy and Nomenclature of bird species
	9.1.1	Standard Nomenclatural References for Birds: Status and Comparison
10.	Conservation issues	

Agenda Item		
	10.1	Climate Change
	10.2	Renewable Energy Technologies Deployment and Migratory Species
	10.2.1	Renewable Energy Technologies Deployment and Migratory Species: A Review
	10.2.2	Guidelines on how to avoid or mitigate the impact of Renewable Energy Technologies Deployment on Migratory Species
	10.3	Ecological Networks
	10.3.1	Strategic Review on Ecological Networks for Migratory Species
	10.3.2	Case studies of Ecological Networks for Migratory Species
	10.4	Marine Debris
	10.5	Guidance on development of national guidelines for boat-based wildlife watching
	10.6	Conservation of Migratory Sharks and Rays
	10.7	Conservation of African Eurasian Migratory Landbirds
	10.7.1	Action Plan for African Eurasian Migratory Landbirds
	10.8	Saker Falcon Global Action Plan (SakerGAP)
	10.9	Bird Poisoning
	10.9.1	Review of Impacts of Bird Poisoning
	10.9.2	Guidelines to Minimize Poisoning of Birds
	10.10	Flyways Programme of Work
	10.11	Invasive Alien Species and Migratory Species
	10.11.1	Review of the Impact of Invasive Alien Species on species protected under CMS
	10.12	Illegal Trapping and Hunting of Migratory Birds
	10.13	Single Species Action Plan for the Pacific Loggerhead Turtle (<i>Caretta caretta</i>)
	10.14	Conservation implications of cetacean culture
	10.15	By-catch
11.	Synergies and Partnerships	
12.	Online Information Tools	
	12.1	New CMS Family Website
	12.2	Species +
13.	Progress on other matters requiring Scientific Council advice	
Concluding Items		
14.	Election of the Chair and Vice-Chair of the Scientific Council for the period 2015-2017 and nominations for the Appointed Councillors for Aquatic Mammals and Birds	
15.	Time and venue of the 19 th Meeting of the Scientific Council (ScC19)	
16.	Any other business	
17.	Closure of the Meeting	

Annex 2 to ScC18 Report

REPORT OF THE WORKING GROUP ON MARINE TURTLES
Bonn, 2 July 2014

Participants in the Working Group Meeting included: Chair: COP appointed Councillor for Marine Turtles; Scientific Councillors: Fiji, Madagascar, Rwanda, Senegal, South Africa; CMS Secretariat: x2; CMS Abu Dhabi; representatives of: GOBI, World Animal Protection.

Addressing the agenda items identified by the CMS Secretariat:

3.2: Strategic Plan indicators

- The following recommendations for consideration of Strategic Plan indicators are based on discussions within the working Group both within and outside the meeting:

Target 8: (*The conservation status of threatened migratory species has considerably improved throughout their range*):

There is a diversity of effective monitoring tools for monitoring population performance and trend for marine turtles. A recent study (Bjorndal *et al.* 2010) has provided a critical assessment of methodology for monitoring marine turtle populations.

Bjorndal, K. A., Bowen, B. W., Chaloupka, M., Crowder, L. B., Heppell, S. S., Jones, C. M., Lutcavage, M. E., Solow, A. R., and Witherington, B. E. (2010). Assessment of sea-turtle status and trends. Integrating demography and abundance. (The National Academies Press: Washington, D. C.)

Target 9: (*International action and cooperation between States for the conservation and effective management of migratory species fully reflects a migratory systems approach, in which all States sharing responsibility for the species concerned engage in such actions in a concerted way*):

and

Target 10: (*All key habitats and sites for migratory species are identified and included in area-based conservation measures so as to maintain their quality, integrity, resilience and functioning in accordance with the implementation of Aichi Target 11*):

There are multiple international agreements specifically directed at improving the conservation of marine turtles, only two of which have originated from CMS:

- CMS: Memorandum of Understanding Concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa.
- CMS: Memorandum of Understanding on the Conservation and Management of Marine Turtles and Their Habitats of the Indian Ocean and South-East Asia.
- The Inter American Convention for the Protection and Conservation of Sea Turtles (IAC) is the first treaty dedicated entirely to sea turtles. Within the SPAW Protocol (Special Protected Areas for Wildlife) of the Cartagena Convention, it is one of two binding international agreements for sea turtles in the Western Hemisphere.
- The Wider Caribbean Sea Turtle Conservation Network (WIDECAST) is an International coalition of experts, including 63 Country Coordinators in 43

nations and territories within the wider Caribbean in the central western Atlantic Ocean. WIDECAST is a partner organization to the U.N. Environment Programme's Caribbean Environment Programme.

- South Pacific Regional Environment Programme (SPREP) Regional Marine Turtle Conservation Programme (RMTCP) encompasses the island nations of the central and western Pacific Region.
- Memorandum of Agreement between the Government of the Republic of Philippines and the Government of Malaysia on the Establishment of the Turtle Islands Heritage Protected Area. This is a bilateral agreement established in the context of ASEAN.

Within the context of these agreements, there is no formal mechanism for addressing of the conservation issues arising from trans-oceanic migrations spanning across the Pacific Ocean between the Americas and Australasia and across the Atlantic Ocean between the Americas and Africa. This is a significant deficiency in delivering effective conservation throughout the migratory range of marine turtles.

The IOSEA MoU is structured to address trans-oceanic migration issues within the Indian Ocean.

The Working Group recommends that CMS addresses these deficiencies in delivery of effective conservation actions within the Pacific and Atlantic Oceans by formally establishing dialogue directed towards improved cooperation between these existing agreement rather than establishing new Agreements or MoUs.

Target 12: (The genetic diversity of wild populations of migratory species is safeguarded, and strategies have been developed and implemented for minimizing genetic erosion):

It is recommended that the primary marine turtle management unit with respect to assessment of conservation success should be the genetic stock within each species. Genetic stocks are identified to breeding distribution and linked to post-hatchling dispersal, immature and adult foraging areas and migratory corridors via information derived from flipper tag recoveries, satellite telemetry and genetic analysis.

A measure of success for species management could address the aggregated success across all stocks identified for a species.

6.1 Concerted and Cooperative actions

- A Single Species Action Plan for Loggerhead Turtles in the South Pacific Ocean is Proposed for concerted action during 2015-2017. See item 10.13 below.
- All species of turtle should be retained on the lists of annexes 1 and 2 to resolution 10.23 for the period 2015-2017.
- With only 7 species of marine turtles designated for concerted, the COP appointed councillor for marine turtles will remain the focal point for the species.
- Review of the implementation of Concerted and cooperative actions concerning turtles during 2012-2014 and reporting to COP11 consideration requires reporting from the existing marine turtle MoUs.

The working group expresses concern that the CMS Secretariat has been unsuccessful in reinvigorating the functioning of a secretariat of the Memorandum of

Understanding Concerning Conservation Measures for Marine Turtles of the Atlantic Coast of Africa during 2012-2014. This West African MoU is in need to structural support to enable it to facilitate the objectives of the MoU.

10.5: Guidance on development of national guidelines for boat-based wildlife watching

- The Working Group made no recommendations for amendment to the current draft guideline.

10.13: Single species Action Plan for the Pacific Loggerhead Turtle (*Caretta caretta*)

- The working Group endorsed the Single species Action Plan for the Pacific Loggerhead Turtle (*Caretta caretta*) prepared by Australia for submission to COP11.

Other issues

It was noted that a recent publication (Humber *et al.* 2014) has described the extensive global legal take of green turtles. The two major hotspots for legal green turtle take occur in the Caribbean Sea and in the Western Pacific Ocean. The largest take occurs in the western Pacific, specifically in Papua New Guinea, Australia, Palau, Federated States of Micronesia, Marshall Islands, Solomon Islands, New Caledonia and the other Pacific Island nations of the SPREP region.

Humber, F.; Godley, B. J., and Broderick, A. C. (2014). So excellent a fishe: a global overview of legal marine turtle fisheries. *Diversity and Distributions* 2014:1-12.

**REPORT OF THE WORKING GROUP ON BIRDS
Bonn, 2 July 2014 1030-1630**

Summary outcomes and recommendations

Topic	Paper	Outcome
10.7: Conservation of African Eurasian Migratory Landbirds	ScC18/Doc.10.7 ScC18/Doc.10.7	<p>Draft AEMLAP and DR reviewed and recommended for submission to COP.</p> <p>Text added to refer to Euring Atlas of Bird Migration in preamble and operative of DR.</p> <p>Added operative para calling for emergency action on single species issues – with immediate development of Action Plans for Yellow-breasted Bunting, Turtle Dove, European Roller.</p>
10.8: Saker Falcon Global Action Plan (SakerGAP)	ScC18/Doc.10.8 ScC18/Inf.10.8	<p>Draft Saker GAP and DR reviewed and recommended for submission to COP.</p> <p>Text in DR added to (a) welcome initiative by International Association for Falconry and Conservation of Birds to lead the first Saker Falcon GAP flagship project (to start an online portal) and (b) request Parties and Range States to integrate Saker GAP implementation into NBSAPs or other national or regional action plans for conservation.</p>
10.9: Bird Poisoning	ScC18/Doc.10.9 ScC18/Doc.10.9.1 ScC18/Doc.10.9.2 ScC18/Inf.10.9.1 ScC18/Inf.10.9.2	<p>Recommended that long version of guidelines (ScC18/Inf.10.9.2) should be used. Guidelines were reviewed and recommended for submission to COP with the following changes:</p> <ul style="list-style-type: none"> (f) Summary page with key recommendations to be added (g) Revised text re: phasing out use of lead ammunition within three years (by COP 12) (h) Revised text: legislation to stop use of lead fishing weights to apply only to freshwater and not marine environments (i) Added text re: stopping use of diclofenac (j) Added text re: need to keep effects of neonicotinoid pesticides under close review <p>DR: recommended to add a para that draws Parties attention to the set of key recommendations in the guidance document (including issues of diclofenac and neonicotinoids).</p>

Topic	Paper	Outcome
10.12: Illegal Trapping and Hunting of Migratory Birds	ScC18/Doc.10.12 ScC18/Inf.10.12	Draft resolution reviewed and recommended for submission to COP. Operative para revised to clarify that initial working group will focus on Mediterranean.
10.10: Flyways Programme of Work	ScC18/Doc.10.10	Draft PoW reviewed. Further detailed review was necessary in order to digest changes made at the Flyways Working Group meeting on 30 June. Proposed that the document will remain open for comment until 15 July, then will be a week for Scientific Council to sign off on the final revised draft (with no communication indicating contentment). The Bird WG noted that the timing of this process was uncomfortable as it did not allow for the review process to be completed in the available WG session. Further work is required to ensure high-level goals are congruent with goals of draft CMS Strategy, and to define a process to improve congruence of indicators.
7.2: Proposals for amendment to CMS Appendices <i>Appendix I</i> Semi-palmated Sandpiper Great Knot Great Bustard European Roller <i>Appendix II</i> Canada Warbler	ScC18/Doc.7.2.4 ScC18/Doc.7.2.5 ScC18/Doc.7.2.6 ScC18/Doc.7.2.7 ScC18/Doc.7.2.13	The Bird WG recognised the need for its advice on specific proposals to be consistent with accepted interpretation (and the formalisation of this recently discussed) of the meaning of 'endangered' for Appendix I listings. Semi-palmated Sandpiper: the proposal for Appendix I listing was withdrawn by proponents following discussion. An alternative proposal, for Cooperative Action for this species, was endorsed by the Bird WG for submission to COP. Great Knot: although not currently listed by IUCN as Endangered, recent unpublished estimates predict very rapid declines in the near future. Taking a precautionary approach, the Bird WG recommends that Great Knot be listed in Appendix I. However, the scientific case for this should be strengthened with published information before COP if possible. Great Bustard: The Central European population is already listed on Appendix I. Asian populations are fragmented and declining and on the evidence presented in the proposal the

Topic	Paper	Outcome
		<p>Bird WG recommends that these (including the Eastern subspecies <i>O.t. dybowskii</i>) should be listed in Appendix I. Western populations (which hold the majority of the birds) are not recommended for listing in Appendix I; neither therefore is the species in its entirety.</p> <p>European Roller: European populations are in decline; rather little is known about other populations, which may be stable. The Bird WG recommends that this species does not qualify for Appendix I listing at present. Noted that an Action Plan for this species has been proposed as a priority action under the AEMLAP.</p> <p><i>Appendix II</i> Canada Warbler: Bird WG recommends for listing on Appendix II.</p>
<p>9.1: Taxonomy and Nomenclature of bird species</p>	<p>ScC18/Doc. 9.1 ScC18/Doc.9.1.1 ScC18/Inf.9.1</p>	<p>Noted that an update to CMS's species list using any modern taxonomic list would entail significant changes; also that stability is best achieved by CMS policy regarding frequency of update, whatever taxonomy adopted.</p> <p>WG recommended that CMS use the HBW/BirdLife International taxonomy (as provided in the forthcoming Illustrated Checklist of Birds of the World) as basis for avian taxonomy and nomenclature.</p> <p>Text in the DR is needed to explain the rationale for this – there are several reasons but a chief one is that this taxonomy underpins the IUCN Red List, which is increasingly used by CMS and its instruments.</p>
<p>14: Nominations for the Appointed Councillors for Birds</p>	<p>ScC18/Inf.14</p>	<p>The WG endorsed both candidates, Dr Rob Clay and Prof. Stephen Garnett, as highly suitable for the position of Appointed Councillor for Birds.</p>
<p>10.5: Guidance on development of national guidelines for boat-based wildlife watching</p>	<p>ScC18/Doc.10.5</p>	<p>No additional issues raised for birds. Guidance endorsed by the WG.</p>

Topic	Paper	Outcome
6.1: Concerted and Cooperative Actions	ScC18/Doc.6.1	<p>List of concerted and cooperative action species for 2012-14 reviewed. WG recommends that all species except Black-necked Swan (listed for cooperative action) should remain on list for 2015-17.</p> <p>Additional concerted actions recommended for:</p> <p>Great Knot Red Knot Far-Eastern Curlew</p> <p>Additional cooperative actions recommended for:</p> <p>Semi-palmated Sandpiper Bar-tailed Godwit</p> <p>Noted that proposals for Great Knot, Red Knot, Far-eastern Curlew and Bar-tailed Godwit had been developed using the proposed new guidance for Concerted and Co-operative Actions, and those for the Curlew and Godwit had built on conservation briefs developed by the International Wader Study Group for the avian tribe Numeniini.</p> <p>Recommended that COP mandate the Scientific Council to carry out a review of species currently listed for Concerted or Cooperative Action species in light of the proposed new guidance.</p> <p>Noted that many Concerted or Cooperative Action species do not have focal points identified. Proponents of new actions were requested to identify appropriate focal points for these species.</p>
16: Any other business	ScC18/Inf.3.2	There was no other business. The WG discussion ended at 18:00.

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Annex 4 to ScC18 Report

**REPORT OF THE WORKING GROUP ON TERRESTRIAL MAMMALS
Bonn, 2 July 2014**

Participants:**Scientific Council members:**

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 Ebenhard, Torbjörn, Sweden
 Gurielidze, Zurab, Georgia
 Samuel Kasiki, Kenya
 Medellín, Rodrigo, COP-Appointed Councillor (Neotropical Fauna)
 Nyiramana, Aisha, Rwanda
 Ribí, Mohammed, Morocco
 Sombo, Tano, Côte d'Ivoire
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Observers:

Barsch, Frank, Wild Migration
 von Meibom, Stephanie, TRAFFIC
 Vié, Jean-Christophe, IUCN

CMS Secretariat:

Lenten, Bert, Deputy Executive Secretary
 Kühl-Stenzel, Aline, Terrestrial Species Coordinator
 Röttger, Christiane, Regional Officer for Central Asia

1. Examination of the new proposals for amendment of CMS Appendices

- ***Eudorcas rufifrons*, Red-fronted Gazelle**

Proposed for Appendix I**Proponents: Niger and Senegal (UNEP/CMS/ScC18/Doc.7.2.3/Rev)**

The Scientific Councillor from Senegal presented the proposal. After an in-depth discussion on the status of the species and of the requirement urgent need of its conservation, the Working Group (WG) decided it had enough relevant information to recommend that the Scientific Council endorse the proposal put forward by Senegal and Niger. The WG further recommends that the Red-fronted Gazelle be listed for Concerted Action, should the species be added to Appendix I. The WG also recommends that the sections of the proposal on threats (3.), national and international protection status (4.1 and 4.2) and additional protection needs (4.3) be improved by the proponents Niger and Senegal for COP11, so as to make the datasheet on the species as complete as possible.

The WG assessment of the conservation status of the populations proposed for listing in Appendix I, conducted according to the criteria of Resolution 5.3, is as follows:

The binomial *Eudorcas rufifrons* in the sense of Wilson & Reeder (2005), the current nomenclatural reference of CMS, is applied to a taxonomic entity regarded by Grubb (in Wilson & Reeder 2005: 679) as a polytypic species with five subspecies, *rufifrons*, *albonotata* (W. Rothschild, 1903), *kanuri* (Schwarz, 1914), *laevipes* (Sundevall, 1847), and *tilonura* (Heuglin, 1869). It is this entity (without subdivisions) that is encompassed by the proposal. Three phylogenetic species are included in the Wilson & Reeder concept, and thus in the proposal, *E. rufifrons* s.s. (with subspecies *rufifrons*, *kanuri* and *laevipes*) in the Sahel west of the Nile, the Eritrean Gazelle, *E. tilonura*, east of the Nile, and the Mongalla Gazelle, *E. albonotata* on the Upper Nile (Groves & Grubb, 2011). In the IUCN Red List of 2008, two of these phylogenetic species, *E. rufifrons* s.s. and *E. tilonura*, are united in one biological species, *E. rufifrons*, and assessed collectively as "Vulnerable", the third, *E. albonotata*, is listed separately and assessed as "Least Concern". The western phylogenetic species, *E. rufifrons* s.s. has not been assessed separately, and recent data and observations from the Range States indicate that its status is less favourable than the current "Vulnerable" assessment made by IUCN for *E. rufifrons* s.s. and *E. tilonura* collectively. Furthermore, these data also indicate that the status of all three phylogenetic species, including that of the Upper Nile *E. albonotata*, is rapidly degrading.

The WG feels that all the populations included in *Eudorcas rufifrons* of Wilson & Reeder may unfortunately be following the path taken earlier by the Sahelo-Saharan ungulates, that the entity thus meets the criteria for inclusion in Appendix I and would clearly benefit from inclusion in a Concerted Action. The activities to be undertaken under that concerted action are similar to those of related species in the Sahelo-Saharan Megafauna Concerted Action.

- ***Panthera leo*, Lion, with the Asiatic lion proposed for Appendix I and all other subspecies for Appendix II**
Proponent: Kenya (UNEP/CMS/ScC18/Doc.7.2.2)

The Scientific Councillor from Kenya presented the proposal, stating that the species was in rapid decline across the African continent and that the geographic range had shrunk severely. After an in depth discussion, the WG recommends that the Council endorse the proposal put forward by Kenya. It did however recommend improving the information contained in sections on national protection status (4.1), in particular with the input from those countries present at the Scientific Council meeting.

The WG assessment of the conservation status of the populations proposed for listing in Appendix II, conducted according to the criteria of Res.5.3, or I is as follows:

The binomial *Panthera leo* in the sense of Wilson & Reeder (2005), the current nomenclatural reference of CMS, is applied to a taxonomic entity regarded by Wozencraft (in Wilson & Reeder 2005) as a polytypic species with 11 subspecies.

The populations included in this entity form two major clades, one composed of Asian, North African, West African and central Sahelian populations, the other of Eastern and Southern African populations (Burger et al., 2004; Barnett et al., 2006a, 2006b; Barnett et al., 2007; Autunes et al., 2008; Barnett et al., 2009; Mazák, 2010; Bertola et al., 2011; Bruche et al., 2012; Dubach et al., 2013; Riggio et al., 2013); the first clade further divides into Asian (*P. l. persica*), North African (*P. l. leo*, extinct in the wild) and West-Central African (*P. l.*

senegalensis) clusters. The four clusters are presently isolated from each one another and are genetically diagnosable (Barnett et al., 2006a,b; Autunes et al., 2008; Bertola et al., 2011; Dubach et al., 2013; Riggio et al., 2013). Taken together, *persica* and *leo* are morphologically diagnosable against all sub-Saharan populations in skull morphology (Barnett et al., 2006a, 2006b; Barnett et al., 2007; Mazák, 2010; Bertola et al., 2011; Dubach et al., 2013). The two northern taxa are themselves diagnosable against each other on perhaps somewhat more tenuous morphological characters (Pocock, 1930; O'Brien, Joslin et al., 1987; O'Brien, Martenson et al., 1987; Haas et al., 2005; Dubach et al., 2013).

On currently available evidence, the *Panthera leo s.l.* complex is best divided into four phylogenetic species:

- 1) Asia: *Panthera [leo] persica*: monotypic, formerly distributed from south-eastern Europe, through Anatolia and the Near- and Middle-East to India, now restricted to the Gujarat peninsula.
- 2) North Africa: *Panthera [leo] leo*: monotypic, formerly distributed throughout north Africa, north of the Sahara, now extinct in the wild. It appears to be more closely related to the Asiatic rather than sub-Saharan lions. A number of animals in captivity are likely to be Barbary lions, particularly the 90 animals descended from the Moroccan Royal collection at Rabat Zoo.
- 3) West Africa: *Panthera [leo] senegalensis*: monotypic, formerly distributed widely in West Africa and the central Sahelian belt, now restricted to mostly very small populations scattered throughout the former range, from Senegal to the Central African Republic.
- 4) Eastern/Southern Africa: *Panthera [leo] melanochaita*: polytypic, with eight subspecies (*azandica*, *bleyenbeghi*, *hollisteri*, *kamptzi*, *krugeri*, *massaica*, *melanochaita*, *nyanzae*) recognized by Wozencraft (2005). One of the described subspecies, formerly occupying the Cape district (nominate *melanochaita*, syn. *capensis*) is extinct. *Panthera leo melanochaita* is likely to include several Evolutionarily Significant Units, which do not necessarily correspond to the presently recognized subspecies.

The 2008 IUCN assessment for the *P. leo* entity of Wilson & Reeder, taken as a whole, is "Vulnerable". However, separate assessments exist for three of the four phylogenetic species:

- The North African "*leo*" is extinct in the wild.
- The most recent assessment by IUCN for the Asian lion, "*persica*", is "endangered".
- A recent assessment of the West African and northern central African "*senegalensis*", made on the basis of IUCN criteria by carnivore specialists, is "critically endangered" (Henschel et al, 2014).

The WG discussed that although listing in Appendix I would seem the appropriate policy response for at least the Asian and West African lion, consultations with stakeholders in the area of distribution of the West African lion indicated that a total ban on regulated taking was considered harmful to the conservation of this taxon.

Therefore listing in Appendix II seems the best course for all African lions, at least for the time being. All measures must however be taken to ensure that no transfer of animals takes

place for hunting or other purposes, between southern or eastern Africa and the range of the critically endangered western and northern African lion, as such transfers could potentially result in genetic swamping and probable extinction of the taxon.

Should the Lion be added to the Appendices of CMS, the WG recommends for the African lions to be included in a Concerted Action. The present range of the Asian Lion, as well as its much larger recent historical range, are entirely included within the area of the Central Eurasian Aridland Mammals Concerted Action.

- ***Kobus kob leucotis*, White-eared kob**
Proposed for Appendix II
Proponent: Ethiopia (UNEP/CMS/ScC18/Doc.7.2.12)

The Chair of the WG and the Councillor from Ethiopia jointly presented the proposal, stating that the annual migration of the White-eared Kob was the second largest in Africa and thus of ecological and socio-economic considerable value. The subspecies was coming under growing pressure from conflict-related poaching and land use change and since it migrates between Ethiopia and South Sudan the key to conservation success lay in transboundary cooperation, which was envisaged to be facilitated through the listing on Appendix II.

After careful consideration of the proposal by Ethiopia to list the White-eared Kob, *Kobus kob leucotis*, in Appendix II, the WG recommends that the Scientific Council endorse the proposal. The WG however recommends to Ethiopia that further improvements be made to the technical information contained in the proposal, such as including an estimate of the current decline and further developing sections 4.1 and 4.2 on protection status and to ensure all references were included.

The trinomial *Kobus kob leucotis* in the sense of Wilson & Reeder (2005), the current nomenclatural reference of CMS, is applied to a taxonomic entity regarded by Grubb (in Wilson & Reeder 2005) as a subspecies of a widespread polytypic species *Kobus kob*. It is best regarded as a monotypic species (Groves & Grubb, 2011). It has been the object of a separate assessment by IUCN (2008) and is rated as "Least Concern", although the rate of decline may necessitate reassessment. In any case, the White-eared Kob undertakes migratory movements that are among the greatest mammal migration phenomena in the world, and as such, very much worth consideration under CMS. Ethiopia adequately demonstrated that the species would benefit from international cooperation, one of the sufficient criteria for listing in Appendix II. Furthermore, Ethiopia described actions that it already conducts, in part supported by Norway, and that it would like to extend conservation measures to the entire range of the sub-species. In addition, Ethiopia considered that accession of South Sudan to CMS would be facilitated by listing it for cooperative action.

Thus, the WG agrees that listing in Appendix II should be accompanied by listing for cooperative action.

2. Concerted and Cooperative Actions

- **Central Eurasian Aridland Mammals Concerted Action**

The focal point councillors informed the WG of progress in the implementation on the Concerted Action. The progress made in developing the Central Asian Mammals Initiative

(CAMI) and the Single Species Action Plan on Argali were presented by the Secretariat, noted and commended. The WG expressed enthusiastic support for CAMI and progress in Central Asia, as well as the associated draft Resolution, which was reviewed and several minor amendments made, in particular to clarify the role of the initiative as an essential implementation tool of the Concerted Action. The WG recommends that the Scientific Council endorse the draft Resolution in its revised form for presentation to the COP.

Participants shared relevant experiences, such as big horn sheep management in Mexico, and TRAFFIC highlighted three new reports, which had been launched at the 18th Meeting of the CMS Scientific Council because of their strong relevance to CAMI: reports on wildlife trade in the Eurasian Customs Union, on a framework for CITES non-detriment findings for hunting trophies with a focus on Argali *Ovis ammon* and on trophy hunting of CITES-listed species in Central Asia.

A number of technical implementation aspects, in particular the potential of wildlife viewing and trophy hunting to the promotion of the action, were discussed. It was noted that emphasis on taxonomic diversity, as brought about by reference to phylogenetic species (e.g. Groves & Grubb 2011), is a considerable asset in that respect. The Secretariat highlighted the relevance to CAMI of the updated CMS CITES Joint Work Programme 2015-2020 which was tabled for adoption at the next CITES and CMS Standing Committee meetings.

- **Fences:**

The Councillor from Mongolia drew the attention of the WG, once more, to the serious problems of fences and other structures forming barriers to migration. Guidelines would be produced in time for COP, as outlined by the Secretariat. These would rest in particular on work being conducted as part of the CAMI and would be available for review. Guidelines should be considered in the global context of drylands. CMS, with its specialization on both migratory mammals and dryland ecosystems, is uniquely placed to take a leading role in developing guidelines on large-scale fencing interventions in drylands, an effort to which UNCCD could be asked to contribute.

- **Sahelo-Saharan Megafauna Concerted Action**

The Chair presented an update (2011-2014) on this highly successful Concerted Action. A written report was prepared and is annexed to the present report. The Chair highlighted the main results of the last triennium, in particular the establishment, in March 2013, by Niger of the new Termit & Tin Toumma National Nature and Cultural Reserve, the largest protected area in Africa. The new protected area represents a major contribution to implementing the concerted action and is particularly important for the last viable population of Addax and for the Dama gazelle, but also for the conservation of Dorcas gazelle, the Saharan cheetah and the Barbary sheep. A management plan is now in place. New supporting projects have recently been approved by major funding agencies (AFD, France and the EU); some of the current challenges revolve around adopting mitigation measures and identifying wildlife-friendly compromises with the Chinese petroleum extractors working in the Termit region, as well as controlling associated poaching abuses.

A major challenge lies now in the development of integrated management programs of both wildlife and pastoral resources. Another highly challenging objective is to improve communication and cooperation between ministries and donors responsible for the environment, livestock and wells programmes in the Sahelo-Saharan region.

The reintroduction of the Scimitar-horned oryx in Ouadi Rime-Ouadi Achim Reserve in Chad, with support from EAD-Abu Dhabi, is planned for 2015. The Sahara Conservation Fund, a dedicated and strong partner to CMS in the SSM Concerted Action, is a key stakeholder in the development of this ambitious reintroduction project.

It was noted that the Action Plan on Sahelo-Saharan Antelopes urgently requires updating, and that financial resources for a third meeting of range states were much needed.

The WG express its appreciation of the remarkable results so far achieved by the Sahelo-Saharan Megafauna Concerted Action, and strongly recommends that COP makes all necessary provisions to ensure that the 3rd meeting of the Range States take place in the coming triennium, in order to reinforce Range States and CMS Parties commitment to the SSM Concerted Action.

- **Other species listed for concerted/cooperative action**

Bats: The COP-Appointed Councillor for the Neotropics noted that currently only one bat species from the New World was listed on CMS Appendices. He proposed that at least two additional bats should be proposed for COP12 as they would benefit from the international cooperation facilitated by CMS.

Rodrigo Medellin was appointed focal point for the bats listed for cooperative action. *Eidolon helvum*, a species listed in CMS Appendix II, was discussed as a priority species for action under CMS, noting that the threat of disease was not as high as it was generally perceived in many African countries. For example, more than 20 million straw-coloured fruit bats aggregate in swamp forest each year in Kasanka National Park in Zambia, and such site require urgent conservation attention. It was noted that EUROBATS had been extended to cover northern Africa, but the need remained to facilitate more transboundary bat conservation in central, western, eastern and southern Africa. In 2013 a meeting took place on “Bat Conservation Africa” where 20 countries came together to draft a bat strategy for Africa, which would no doubt be relevant to the CMS bat context and the species listed for cooperative action. The urgent need to design instrument to better cover the situation of migratory bats in several parts of the world was discussed. Several African delegates indicated their concern and their support for the development for an instrument similar to EUROBATS in Africa.

Wild Dogs: With regards to African Wild Dogs, the Scientific Councillor from Kenya volunteered to act as focal point for the cooperative action. In addition to a regional strategy for lions, Ethiopia had also developed action plans for cheetah and wild dogs. At ScC17/COP10, Kenya had already raised the matter of a sub-Saharan concerted action for carnivores, which gave rise to a proposal for a multi-species concerted/cooperative action (see below).

Other African terrestrial mammals:

A number of large migratory mammals from sub-Saharan Africa were listed on Resolution 10.23, as candidate species for either Concerted or Cooperative Action. Other may be added at the next COP. A **Concerted Action on Large Mammals of Sub-Saharan Africa would be more rational** than designing a growing number of separate single species separate instruments. A possible draft Resolution/Recommendation, similar to those that underpinned the concerted actions for the Sahara/Sahel and Central Asia should be developed, after circulation and approval by the members of the WG. It must be noted that for one of the

species concerned, the Cheetah, only the Sub-Saharan populations are concerned, as the North African and Asian populations of the species are already covered by the two existing aridland mammals Concerted Actions.

IUCN brought a new draft strategy for West and Central Africa to the attention of participants, which was currently being reviewed. The Secretariat would share the document with the WG to allow them to contribute to the review process. This document was foreseen for adoption at the World Parks Congress in Sydney in November 2014.

Focal points for concerted/cooperative actions

The WG reviewed the list of focal points for species listed for concerted/cooperative action as adopted by COP10 in Resolution 10.23, highlighted gaps and endeavours to fill these at the earliest convenience where this matter could not be resolved within the WG.

3. Strategic Plan Indicators

The Councillor from Sweden informed the WG on the discussions of the WG on indicators, which met on 1 July. The WG indicated its willingness to contribute to the further development of the action required, including operational output and outcome indicators. IUCN indicated that BIP (Biodiversity Indicators Partnership) might be willing to collaborate. IUCN recalled the relevance of several documents at the 15th Meeting of the Scientific Council in 2008 on indicators, notably UNEP/CMS/ScC15/Doc.14 and its annexes.

4. Progress on other matters requiring Scientific Council advice

Leopard: The Councillor from the EU drew the attention of the group on the plight of the Leopard within the range of the Eurasian Concerted Action. It was agreed by the WG that urgent efforts had to be made to include in Appendix I the critically endangered phylogenetic species endemic to the Concerted Action area (*Panthera pardus nimr* in Wilson & Reeder nomenclature, encompassing *Panthera[pardus] saxicolor* and *P.[p.] nimr*, both assessed as Critically Endangered by IUCN), and the other populations of the species in Appendix II. Although the species as a whole would clearly qualify for Appendix I, inclusion of some populations might raise difficulties linked to the perception of man-wildlife interaction that could delay the process of listing *nimr* and *saxicolor*. The WG mandated the Councillor to take the necessary first steps. The Councillor from Georgia, a Range State, assured the WG of his cooperation.

References:

The full citation to all above-mentioned references can be found in the individual species proposals submitted by Parties (UNEP/CMS/ScC18/Doc.7.2.2, UNEP/CMS/ScC18/Doc.7.2.3/Rev, and UNEP/CMS/ScC18/Doc.7.2.12).

ANNEX TO THE REPORT OF THE WORKING GROUP ON TERRESTRIAL MAMMALS SUBMITTED BY THE CHAIR

Agenda item 2: Concerted Action on the Sahelo-Saharan Megafauna (SSM): Dec 2011-June 2014

Main results/outcomes

6 March 2012: Niger creates the largest protected area in Africa

More than a decade's efforts were crowned when the Government of Niger formally decreed the establishment of the **Termit - Tin Toumma National Nature Reserve**. At 97,000 km² the reserve is the largest single protected area in Africa.

The designation is a huge step forward for the conservation of some of the world's rarest species, listed in CMS Appendices: the reserve will give much-needed protection to some of the world's most endangered species, including the Addax antelope (*Addax nasomaculatus*), the Dama Gazelle (*Nanger dama*), the Barbary Sheep (*Ammotragus lervia*) and a small population of the elusive Saharan Cheetah (*Acinonyx jubatus*). The reserve also covers a large variety of desert habitats, ranging from mountains and valleys to grassy plains, open desert and sand seas.

The Reserve is the result of a long partnership process with multiple stakeholders: the fruit of a process initiated in 2004 under the guidance of Niger's Environment Ministry and CMS, work was initiated with funds from the French Global Environment Facility (FFEM) and technical support from the Sahara Conservation Fund (SCF) and Belgium's Royal Institute for Natural Resources (IRSNB). Building on the results of a first phase of activities, a second round funded mostly by the European Union has now led to the designation of the reserve. Local stakeholders have also been heavily involved in the process, including pastoralists living within and around the reserve's boundaries. If properly managed, the protected area should represent an opportunity to preserve pastoralists' resources and cultural way of life. Public awareness campaigns are undertaken at many levels to create a collaborative framework, including with the oil industry operating on the reserve's eastern border.

There is a long road ahead: to meet its objective, the new reserve will need long term commitment and strong support from the Niger government and from the international conservation community.

Additional outcomes on the implementation of the SSM since COP10 (November 2011, Bergen, Norway):

Niger:

The two initial implementation projects largely supported by FFEM and the EU were completed in December 2012 (respectively €1.3 million and €2.3 million). These were evaluated through external audits, both on the technical and financial site. Evaluations were very positive.

A new project in support of the Termit-TinToumma Nature Reserve was approved by AFD (Agence Française de Développement) in 2013, for three years. Noé Conservation, a French conservation NGO now a full partner of the CMS SSM Concerted Action, is piloting the project, in collaboration with the Sahara Conservation Fund, a US registered NGO and long-term partner of the Concerted Action. One of the objectives of this important project is to endeavour to engage with the Chinese National Petroleum Company, currently exploiting oil along the eastern border of the protected area, and to identify mitigation measures in the benefit of the Termit TinToumma Reserve and its unique biodiversity.

Niger and Chad:

Furthermore, an additional transborder project has just been approved by the EU (2014), for an additional four years' support to contribute to the implementation of the Management Plan of the Termit-TinToumma protected area in Niger, and adjacent areas in Chad (€1.9 million).

Chad:

Reintroduction of *Oryx dammah* in Ouadi Rime-Ouadi Achim Reserve: an exceptional initiative is being conducted as a collaborative effort between the Chad Government, EAD Abu Dhabi and the support of SCF, with the view to reintroduce this emblematic species, now extinct in the wild, to some of its recent habitats in Chad. If everything goes as planned, this extraordinary reintroduction might take place in 2015.

Others:

Large amounts of data on the biodiversity of the Sahelo-Saharan region have now been gathered through the Pan Saharan Wildlife Survey, a project operated by the Sahara Conservation Fund with the support of EAD. Several reports are available online (saharaconservation.org).

Senegal: after many years of efforts on the ground, Senegal is now heading towards the development of a national strategy for the conservation of the Sahelo-Saharan megafauna.

Tunisia: after experiencing some difficulties in several protected areas designated for the reintroduction in semi-captivity of Sahelo-Saharan megafauna species, Tunisia is now pursuing its efforts towards implementation of the CMS SSM Action Plan.

Algeria: much recent positive development has taken place for the conservation of SSM species, including new potential for transborder conservation areas.

Morocco: a lot of investment has been done in Saharan wildlife restoration. Morocco is currently in a phase of consolidation of the early initiatives in different protected areas.

Saharan Cheetah:

The Chair of the Working Group on Terrestrial Mammals under the CMS Scientific Council took part in the development of the Regional Conservation Planning for the Northern and Western African Cheetah and Wild Dog, piloted by the Zoological Society of London (meeting in Niger, February 2012). Implementation of this Action Plan is underway.

Road map ahead:

Updating the CMS Action Plan for the conservation and restoration of the Sahelo-Saharan antelopes (SSA Action Plan):

The need to update the Action Plan, approved by the Parties in 1999, has been underlined on several occasions. This process is currently moving ahead, at least partially, for some of the species concerned:

Dama Gazelle: a workshop was held in 2013, and the report was largely circulated and commented by all participants. It is now available. It will serve as a very useful basis to update the Action Plan for the species. It can be consulted on: <https://sites.google.com/site/damagazellenetwork/home>

It is worth noting that, as part of this process, an interesting piece of scientific research was carried out on the genetics of *Nanger dama*. The publication in PlosOne of a paper on the genetics of dama gazelles is now available at:

[http:// www.plosone.org/article/info%3Adoi/10.1371/journal.pone.0098693](http://www.plosone.org/article/info%3Adoi/10.1371/journal.pone.0098693)

Cuvier's gazelle: Tunisia, Algeria and Morocco are working on an update of the Action Plan for this species, through an IUCN supported initiative (Malaga IUCN office). The IUCN Antelope Specialist Group is now also involved in the process.

General update: fundraising efforts are currently developed within the Working Group to support implementation of the SSA Action Plan.

Third Meeting of the Range States:

A third meeting of range states is much needed. Funds have been requested from COP many times in the past (see Rec. 9.2) and have been repeatedly called for by Range States. A third meeting of the Range States would also be a good opportunity to call for new innovative forms of protected area management, including greater emphasis on public-private models (PPP), local governance and community-based management.

Several important aspects should be taken into account in the revision of the Action Plan:

Biodiversity and Pastoralism:

Biodiversity conservation plays a valuable but largely ignored or undervalued role in sustaining pastoralism and increasing its resilience to drought, desertification and climate change. But there is now a tremendous expansion in the number of deep wells and pumping stations, leading to overgrazing and habitat destruction. New approaches to integrated wildlife-livestock management must be encouraged within large protected areas.

Annex 5 to ScC18 Report

**REPORT OF THE WORKING GROUP ON AQUATIC MAMMALS
Bonn, 1-2 July 2014**

Barry Baker (Appointed Councillor for Bycatch) chaired the Meeting of the Aquatic Mammals Working Group (AWMG) in the absence of the former Appointed Councillor for Aquatic Mammals, Bill Perrin, who had had to step down. In order to fill the gap until the appointment of his successor by COP11, extensive preparations for this meeting had also taken place through the Scientific Council Workspace, which had been used as a mechanism to gather input and advice from the many expert members of the AMWG, most of whom were unable to be present at the meetings. Special thanks were expressed to Margi Prideaux (Wild Migration), who had facilitated these discussions.

The AMWG met twice during the Council days, on the evening of Tuesday, 1 July, and in the afternoon of Wednesday, 2 July. The following people participated in one or both sessions:

Baker, Barry (Appointed Councillor for Bycatch / Chair, barry.baker@latitude42.com.au)
 Brakes, Philippa (WDC, philippa.brakes@whales.org)
 Cator, Dena (IUCN, Dena.CATOR@iucn.org)
 Descroix-Comanducci, Florence (ACCOBAMS, fdescroix@accobams.net)
 Entrup, Nicolas (OceanCare, n.entrup@shiftingvalues.com)
 Frisch, Heidrun (CMS, hfrisch@cms.int)
 Gardner, Royal (Ramsar STRP, gardner@law.stetson.edu)
 Hodgins, Nicola (WDC, nicola.hodgins@whales.org)
 Hogan, Elizabeth (WAP, elizabethhogan@worldanimalprotection.us.org)
 Howard, Kathryn (New Zealand, kahoward@doc.govt.nz)
 Limpus, Colin (Appointed Councillor for Turtles, col.limpus@derm.qld.gov.au)
 Lund, Linda (Norway, linda.lund@kld.dep.no)
 Makhado, Azwianewi (South Africa, amakhado@environment.gov.za)
 Mitlacher, Günter (WWF Germany, guenter.mitlacher@wwf.de)
 Montgomery, Narelle (Australia, Narelle.Montgomery@environment.gov.au)
 Morgan, David (CITES, david.morgan@cites.org)
 Panigada, Simone (ACCOBAMS, panigada@inwind.it)
 Prideaux, Margi (Wild Migration, margi@wildmigration.org)
 Sharma, Saras (Fiji, saras.sharma@fisheries.gov.fj, saras.sharma0205@gmail.com)
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 van Klaveren-Impagliazzo, Céline (Monaco, cevanklaveren@gouv.mc)
 Williams, James (United Kingdom, James.Williams@jncc.gov.uk)
 Wood, Alison (WDC, alison.wood@whales.org)
 Virtue, Melanie (CMS, mvirtue@cms.int)

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1. Concerted and Cooperative Action Species

(Doc 6.1.1, Inf.6.1.1, Inf.6.1.2)

1.1 Focal Points for ‘Concerted Action’ and ‘Cooperative Action’ aquatic mammal species

As requested by Resolution 10.23, the Appointed Councillor, William Perrin, liaised with relevant experts and nominated focal points for 14 of the 26 aquatic mammal ‘Concerted Action’ and ‘Cooperative Action’ species. Each focal point produced a concise written report of the species and a synthesis of these reports has been presented to the ScC (see ScC18/Inf.6.1.1)

The nominated Focal Points are:

- | | |
|---|---------------------------------|
| • <i>Balaenoptera borealis</i> , sei whale | Miguel Iñíguez |
| • <i>Cephalorhynchus commersonii</i> , Commerson’s dolphins | Miguel Iñíguez |
| • <i>Cephalorhynchus eutropia</i> , Chilean dolphin | Rodrigo Hucke-Gaete |
| • <i>Lagenorhynchus obscurus</i> , dusky dolphin | Liz Slooten |
| • <i>Lontra provocax</i> , southern river otter | Maximiliano Sepúlveda |
| • <i>Megaptera novaeangliae</i> , humpback whale | Howard Rosenbaum |
| • <i>Monachus monachus</i> , Mediterranean monk seal | Daniel Cebrian |
| • <i>Orcaella brevirostris</i> , Irrawaddy dolphin | Louella Dolar |
| • <i>Phocoena spinipinnis</i> , Burmeister’s porpoise | Jeffrey Mangel |
| • <i>Physeter macrocephalus</i> , sperm whale | Giuseppe Notarbartolo di Sciara |
| • <i>Platanista g. gangetica</i> , Ganges river dolphin | Gil Braulik |
| • <i>Sousa chinensis</i> , Indo-Pacific humpbacked dolphins | Thomas Jefferson |
| • <i>Stenella attenuata</i> , pantropical spotted dolphin | Michael Scott |
| • <i>Stenella longirostris</i> , spinner dolphin | Cara Miller |

Daniel Palacios has also agreed to serve as a Focal Point for *Balaenoptera musculus*, the blue whale, but was unable to provide a report at this time.

Securing Focal Points and reports for the remaining 12 ‘Concerted Action’ and ‘Cooperative Action’ species will continue in the coming months.

The Working Group expressed its gratitude for the efforts made by the Appointed Councillor and also the experts who served as species focal points.

1.2 Species Focal Point reviews of the implementation of Concerted and Cooperative Actions

This was the first time that a systematic effort had been made to secure such reports for all concerted and cooperative action species and the time and commitment of all involved was highly appreciated. Gratitude was also expressed to Margi Prideaux (Wild Migration), who had gathered these focal point reports on behalf of Bill Perrin.

Twenty-four experts participated in the pre-session preparations for the working group meeting through the Scientific Council Workspace. After reviewing the information provided

by the species focal points, they concluded that it seemed a fair summary that in most cases CMS Parties did not appear to have undertaken specific or deliberate ‘Concerted Actions’ and ‘Cooperative Actions’ as required by the Convention. Few of the Focal Point reports identified such actions in their reports and Parties working within the CMS agreements did not appear to have paid specific attention to progressing conservation activities focused on ‘Concerted Actions’ or ‘Cooperative Actions’. Possible exceptions were the Mediterranean monk seal (*Monachus monachus*) with increased habitat protection by signatories (Mauritania, Morocco, Portugal, and Spain) of the CMS Memorandum of Understanding concerning Conservation Measures for the Eastern Atlantic Populations of the Mediterranean Monk Seal; and Ganges river dolphins (*Platanista gangetica*) and Irrawaddy dolphins (*Orcaella brevirostris*) with the establishment of three new wildlife sanctuaries to ensure their protection in the Sundarbans mangrove forest, Bangladesh.

Party-appointed Councillors present at the meeting mentioned that it appeared that the focal points for some of the species were not fully aware of activities carried out by CMS Parties. It was suggested that national reports submitted by range states should be made accessible to focal points for the species they focused on to ensure that all this information could also be taken into account when evaluating progress and recommending further actions. The mechanisms for this would require further consideration, especially for focal points reporting on globally cosmopolitan species with many range states to consider.

The Working Group requests Parties to take note of the conservation priorities identified by the species focal points for concerted and cooperative action species and use these to inform their further efforts as appropriate.

The Working Group also considered the concept note for the development of a Single Species Action Plan (SSAP) for the blue whale (Inf.6.1.2), an Appendix I species designated for concerted action. This concept note had been developed by the Secretariat and WWF Germany, which had recently concluded a memorandum of cooperation and were in the process of identifying joint priority activities. The interest of WWF Germany in supporting the conservation of this species through a mechanism of the Convention was warmly welcomed. Views were sought on the question whether such an SSAP should be regional or global in coverage, with divergent opinions in the room. New Zealand also cautioned that if the development of this SSAP required resources, the initiative needed to be carefully evaluated against other priorities of the Convention.

It was agreed that a background document on the status of the blue whale globally and in the different regions should be developed and findings reported to Parties for further guidance regarding the development of a possible SSAP. Günter Mitlacher (WWF Germany) confirmed WWF’s intention was to present this information to Parties at COP11, possibly through a side event, and request further guidance on the way to proceed once the background document was completed.

1.3 List of Concerted and Cooperative Action Species

The Working Group agreed that all of the species currently listed for ‘Concerted Actions’ and ‘Cooperative Actions’ should be retained on these lists, noting that many species did not have the entirety of their range covered by an existing CMS instrument.

The Working Group further recommended that other aquatic mammals currently included in the CMS Appendix I and II lists should be added to the list ‘Concerted Action’ or ‘Cooperative Action’ Species due to pressing conservation needs. These included:

‘Concerted Action’ Species:

- *Sousa teuszii*, Atlantic humpback dolphin
The Atlantic Humpback Dolphin is endemic to the eastern tropical Atlantic, where it is limited to coastal and inshore waters. Little information on population size is available, as this is one of the least-known delphinids. Although there has been no assessment in most areas of their overall range, the population of Atlantic Humpback Dolphins appears fragmented, with subpopulations separated by areas of low or zero density. Incidental take in fisheries as well as increasingly directed hunts appear to be the main threat to the species, with habitat destruction, boat strikes, and environmental contamination constituting additional potential pressures.
- *Trichechus senegalensis*, West African manatee
There is evidence of declining populations of this species throughout its range spread across many west African states. These declines are mainly due to habitat loss and fragmentation, as well as some hunting.
- *Eubalaena glacialis*, North Atlantic right whale
- *Eubalaena japonica*, North Pacific right whale
When first added to the CMS Appendices and identified as Concerted Action species, all right whales were considered one species. Subsequently, the taxonomy was adjusted and three separate species identified, *Eubalaena glacialis* (North Atlantic right whale), *Eubalaena japonica* (North Pacific right whale) and *Eubalaena australis* (Southern right whale). In line with advice from the now retired Appointed Councillor for Aquatic Mammals and considering the endangered status of the two northern species, the Working Group concluded that designating only *Eubalaena australis* for Concerted Actions had been a mistake. It therefore recommends that all three right whale species be placed on the Concerted Action list.

‘Cooperative Action’ Species:

- *Trichechus inunguis*, Amazon manatee
Amazonian manatees are patchily distributed throughout the Amazon Basin of South America. The species is listed by IUCN as Vulnerable based on a suspected population decline of at least 30 per cent within the next three generations (assuming a generation length of 20 years, based on what is known for *T. manatus*) due primarily to current levels of hunting, sometimes involving new and sophisticated techniques, coupled with increasing incidental calf mortality, climate change and habitat loss and degradation. Regional cooperation is required to coordinate all efforts to stop widespread and illegal hunting for human consumption and address other threats such as bycatch and habitat degradation.
- *Inia geoffrensis*, Amazon river dolphin
The species, also known as boto or bufeo, requires urgent action to design effective and coordinated conservation measures, especially in the light of the relatively new (since 2000) and expanding threat posed by hunting for fish bait which is responsible for measurable population declines in some areas. Botos are listed by IUCN as Data Deficient due to the limited amount of current information available on threats, ecology, and population numbers and trends.

- *Delphinapterus leucas*, Beluga
Belugas have been heavily exploited over past decades, hunted for food and captured for display. Hunting for human consumption is the biggest known threat to belugas across certain portions of their range and according to the IWC, the most immediate concerns relate to continuing harvests from small and depleted subpopulations. Additional anthropogenic threats also currently include oil and gas exploration and extraction, hydro-electrical developments, pollution, prey depletion, bycatch, vessel disturbance and climate change. The IUCN currently lists the species' status as Near Threatened (2008) however across the global range of beluga, subpopulations are subject to differing levels of threat and warrant individual assessment. Some populations clearly qualify for Endangered status. However, to date, only the population of approximately 300 individuals in the Cook Inlet in Alaska has been assessed and is listed as Critically Endangered. IUCN note that the beluga is unquestionably a conservation-dependent species.
- *Sotalia guianensis*, Guiana dolphin
- *Sotalia fluviatilis*, Tucuxi
The taxonomy of the *Sotalia* genus has recently been clarified and two historical "populations" have been formally recognized as separate species; *S. fluviatilis*, otherwise known as the tucuxi, is a freshwater species, whilst *S. guianensis* is a marine species, and now known as the Guiana dolphin. For conservation and management purposes, preliminarily suggestions have been made to recognize eight populations of the Guiana dolphin throughout its range however further research is needed in order to establish the distribution limits of both *Sotalia* species. Threats to this species include direct kills, pollution, incidental bycatch and entanglement in fishing gear, human disturbance and habitat degradation. Comprehensive population estimates are not available and the IUCN lists both species as Data Deficient (2008).

2. Proposals for amendments to the CMS Appendices

(Doc.7.2.1 and 7.2.11)

2.1 *Ziphius cavirostris*, Cuvier's beaked whale

The Working Group considered that the proposal clearly demonstrated that Cuvier's beaked whales (*Ziphius cavirostris*) are highly vulnerable to loud noise, in particular that coming from naval exercises and seismic surveys which may result in mass strandings. Other human-induced effects, such as noise-generating marine industries, bycatch and ship strikes may also be having an impact on the species. Habitat reduction in the Mediterranean region is a concern. Local populations of Cuvier's beaked whales are small and this makes them potentially vulnerable to repeated anthropogenic impacts.

Listing Cuvier's beaked whales had been a previous recommendation of the Aquatic Mammals Working Group, and the ACCOBAMS Parties as well as the ACCOBAMS Scientific Committee supported this listing proposal.

The Councillor from Monaco noted that Monaco was missing on the list of range states and requested this to be corrected.

The Working Group agreed that the Mediterranean population of Cuvier's beaked whales met the criteria for an Appendix I listing and that the proposal submitted was scientifically sound

and convincing. Even though the species was classified as vulnerable rather than endangered on the IUCN Red List, its limited abundance, specific habitat needs and particular sensitivity to underwater noise in the face of intense and increasing anthropogenic noise-producing activities in the Mediterranean Sea meant that it required high protection. The Working Group therefore supports the proposal to list the Mediterranean population of Cuvier's beaked whales on CMS Appendix I.

In the event that this proposal is accepted by the COP, the WG further recommends that Cuvier's beaked whale (Mediterranean population) be added for the list of species for 'Concerted Actions', noting that ACCOBAMS has offered to take the lead for such a concerted action.

2.2 *Ursus maritimus*, polar bear

The Councillor from Norway, Øystein Størkersen, introduced the proposal to list the polar bear (*Ursus maritimus*) on CMS Appendix II. Fragmentation and loss of sea-ice were the most critical current conservation concerns for the species. Some studies predicted that two-thirds of polar bears would be gone by the middle of the century. The decrease in polar bear habitat exacerbated all other potential threats, putting additional physiological demands on animals. Individuals might be put at increased risk of disease and epizootics. Ultimately, these interrelated factors might have cumulative or synergistic impacts resulting in range-wide subpopulation declines. Some experts had concluded that many polar bear subpopulations would not survive in the long term due to the complete loss of summer sea-ice.

AMWG members had previously commented on the draft listing proposal to include polar bears on CMS Appendix I and II and found the proposal to be sound. The Working Group also noted that the IUCN Polar Bear Specialist Group had provided comments on the draft proposal and found similarly that the information was accurate and balanced.

The two polar bear range states present, Norway and Canada, confirmed that there was a need for focused, international attention on the impacts of the global community on polar bear habitat. This was something in which CMS could and should have a role, helping to ensure that seasonal polar bear migrations were as un-impeded by human activities, including those involving non-Arctic States, as possible. Such activities included oil and natural gas exploration and extraction and commercial shipping which was expected to increase dramatically with emerging shipping lanes becoming available as a result of increasing sea-ice melt.

The Working Group concluded that the proposal made a strong case for the need for the global community to take urgent action for the protection of the polar bear. The Working Group therefore supported the proposal to list polar bears on CMS Appendix II, welcoming Norway's presentation and commitment to facilitate cooperation.

Expert members, both in the consultations through the workspace and at the meeting, as well as detailed comments of external polar bear scientists, confirmed the strength of the science that the species is now endangered and would qualify for listing on both Appendix I and II of the Convention. After discussion, the Working Group recognized that the decision was with the proponent country, which received their full support. The Working Group suggested that the case for listing on Appendix I be reviewed in future, when it would be possible to find the necessary political support, and taking into account the expected decision about revised listing criteria.

In the event that the this proposal is accepted by the COP, the WG further recommends that the Polar bear (*Ursus maritimus*) is added as a species for Cooperative Actions, noting that Norway has offered to be the leading Party for this.

3. Development of national guidelines for boat-based wildlife watching (Doc 10.5)

In a joint session with the Taxonomic Working Group on Fish, the Aquatic Mammals Working Group discussed the draft resolution in front of them. Being aware that wildlife watching activities in coastal and marine environments are growing fast and that boat-based wildlife watching presents a risk, as well as conservation opportunities, for marine wildlife, the initiative taken by the Secretariat to develop this draft resolution was welcomed.

Councillors from Australia, New Zealand and the United Kingdom all announced that they had comments on the draft resolution, which should be less prescriptive, taking into account the widely diverging situations around the world and the differing needs of the different species subject to boat-based wildlife watching. Since not all Parties had their comments ready for submission, it was suggested that in order to finalize this resolution for submission to COP11, the Council should avail itself of the offer for a two-week commenting period, within which the text would be agreed.

4. Conservation implications of cetacean culture (Doc 10.14, Inf.10.14)

The Secretariat reported that as instructed in Resolution 10.15, the AMWG had hosted an expert workshop to *'review and provide advice on the impact of the emergent science of cetacean social complexity and culture, as it relates to regional populations and to inform forward decision about CMS conservation priorities'*. The workshop brought together scientists from around the world working on social complexity in cetaceans and other species.

The workshop recommended that:

- (i) anthropogenic threats to socially complex mammalian species such as, but not necessarily restricted to cetaceans, great apes and elephants should be assessed on the basis of their interactions with social structures;
- (ii) culturally transmitted behaviours should be taken into consideration when determining conservation measures;
- (iii) CMS should consider that the impact of removal of individuals from socially complex species may have consequences beyond simply a reduction in absolute numbers; and
- (iv) for those populations for which the influence of culture and social complexity may be a conservation issue, but for which there are presently insufficient data, a precautionary approach to their conservation management should be applied; and the acquisition of necessary data should be prioritized.

The workshop further recommended that additional attention be applied to this area in the coming triennium, including that an expert group focusing on the conservation implications of culture and social complexity is established under the auspices of the ScC to undertake this work and to report to CMS CoP12.

The recommendations coming from the workshop were proposed for endorsement. Views were also sought on the suggestion that a draft resolution be developed based on these recommendations for consideration by COP11.

The report and recommendations of the workshop were welcomed as highly interesting by members of the Working Group, who welcomed the progress that had been made on this subject. It was agreed that the report provided strong evidence for the importance of taking culture and social complexity into account in conservation efforts for socially complex mammals, and the practical implications of this were debated. It was clear that this work area should be pursued further in the coming triennium.

The Working Group therefore proposes the recommendations of the workshop for endorsement by the Council and recommends the development of a draft resolution on the conservation implications of animal culture, establishing an expert group to address this subject. It was agreed that, as suggested by the workshop, a special focus on cetaceans should be retained, while the case for other taxa should not be excluded, inviting relevant Councillors for other taxa to review the findings of the workshop and engage in this process.

5. Nominations for the Appointed Councillor for Aquatic Mammals

(Inf.14)

The Working Group reviewed the three nominations that had been received. Three excellent candidates had been put forward, each of whom would be able to contribute significantly to the work of the Convention. While this made the choice difficult, it also demonstrated the high calibre of the external experts associated with this working group, as all three had actively served on the Working Group over the last few months. It was hoped that while only one candidate would be appointed, all three would remain actively involved in the AMWG's intersessional work.

Based on his deep knowledge of the CMS Family and his outstanding level of scientific and policy experience, the Working Group unanimously decided to propose Giuseppe Notarbartolo di Sciara for appointment as Councillor for Aquatic Mammals.

The members of the Aquatic Mammals Working Group, including both those that participated in discussions on the workspace and those present at this meeting, commended the long-serving Appointed Councillor for Aquatic Mammals, Dr. William Perrin, for his leadership and wisdom in advising the CMS Family over a great many years.

The 24 external experts that contributed to the preparatory discussions for the ScC 18 meeting and provided reports as species focal points expressed the hope that the CMS Parties will recognize that the time invested in the expert member consultation reflected the immensity of the contribution provided by Dr. Perrin who had served as a mentor to them all.

Dr Perrin's legacy is that his work will be carried forward by the new Appointed Councillor for Aquatic Mammals, supported by a committed group of aquatic mammal experts that share Dr Perrin's vision of a secure future for aquatic mammals in healthy rivers, lakes and seas.

During the discussion on the selection of the new Appointed Councillor for Aquatic Mammals, the Working Group also recommended that consideration should be given to the

appointment of “Alternate Councillors”. Whilst this needed to be done on cost-neutral basis, an Alternate Councillor could act in place of the Councillor when he/she was unable to fulfil his/her functions, for example, attending a meeting. The Alternate could also help by advising the Councillor, and this role could also potentially be seen as training for future Appointed Councillors.

6. Other business

Several items had been brought forward through discussions in preparation of this meeting on the online workspace.

6.1 Opportunity for CMS to join the ACCOBAMS/ASCOBANS Noise Working Group

The Secretariat drew attention to the terms of reference for the joint working group on underwater noise operated by ACCOBAMS and ASCOBANS. After originally working on the issue separately, the two Agreements had recently joined forces in addressing this threat and had together been able to unite leading experts in this field in the working group. Given that CMS also had a mandate to work on this issue, stemming from a number of resolutions, the Parties to the Agreements had agreed to extending an invitation to the Scientific Council to join this initiative as a full partner. The terms of reference had been drafted and adopted in a way that allowed this, taking full account of the existing and possible future mandates of the Convention that the working group should help to address.

Due to the need for adoption in all treaties, no comments were sought on the terms of reference themselves; rather, the views of the AMWG on the opportunity to join the ACCOBAMS/ASCOBANS Noise Working Group were sought. There was unanimous support for accepting the offer of the ACCOBAMS and ASCOBANS Parties, and the initiative for proposing this collaboration was commended.

6.2 Environmental Impact Assessments for Offshore Petroleum Exploration Seismic Surveys

The Working Group discussed the instructions from Resolution 10.15 and Resolution 10.24 that about the development of guidance for detailed and transparent Environmental Impact Assessments (EIAs). One contribution had been provided for a model EIA for Offshore Petroleum Exploration Seismic Surveys and this had been under discussion within the AMWG online workspace. The model EIA suggested that for such activities, a clear indication of the sound propagation features out to a radius of a thousand nautical miles should be provided. They should also provide details on the species present, necessary exclusion zones where animals occur in particularly high densities and descriptions of how noise propagation into these zones will be minimised. The EIAs should be considered as a science-based tool for decision-makers to better understand the consequences of their decisions, to evaluate alternatives and to mitigate impacts. During the Fourth Meeting of the ACCOBAMS Parties (9-12 November 2010, Monaco), Resolution 4.17 (Guidelines to address the impact of anthropogenic noise on Cetaceans in the ACCOBAMS area) was adopted. Best practices to be employed in the ACCOBAMS area were established for each noise-producing human activity at sea and annexed to the Resolution. The Resolution encouraged the use of these Guidelines for noise producing human activities and invited the Parties to integrate the issue of anthropogenic noise in marine environmental management (EIAs, marine protected areas, offshore platforms, etc.). A number of national examples were also discussed.

The Working Group agreed that there was a distinction between industry guidelines for activities and the need for guidance on the development and subsequent assessment of EIAs.

The Working Group decided that Environmental Impact Assessment should become a regular work area of the AMWG, working in close cooperation with the Joint ASCOBANS/ACCOBAMS Noise Working Group. Once developed, guidance notes on the drafting and assessment of EIAs for marine noise will be presented to the CMS Parties for their consideration.

6.3 Live Capture of Cetaceans from the Wild for Commercial Purposes

The AMWG discussed a non-paper on live capture of cetaceans made available shortly before the Scientific Council meeting on the Scientific Council Workspace, together with a draft resolution on this topic. Related conservation issues and coherence with CITES and IWC were discussed, and comments collated on a potential draft resolution. Subsequently, comments not made during the AMWG meeting (by a WG member who was present) were made by email. These would have the effect of substantially changing the potential draft resolution, but there has not been an opportunity for the AMWG to discuss the comments and achieve any consensus on whether they should be incorporated or not. Accordingly both versions of the potential draft resolution were made available on the CMS website as in-session documents.

The Working Group suggested that the version incorporating comments raised during the AMWG should be the basis for work undertaken by the Secretariat to resolve a draft resolution on this subject.

**REPORT OF THE WORKING GROUP ON FISH
Bonn, 2 July 2014**

Hogan, Zeb	CMS Scientific Appointed Councillor for Fish
Agreda, Ana	Ecuador
Baker, Barry	CMS Appointed Councillor for Bycatch
Bello, Maximiliano	PEW Charitable Trusts
Carlson, John	Chair, Advisory Committee of CMS Shark MoU
Cator, Dena	IUCN
Gollock, Matthew	IUCN Anguillid Specialist, Sub-Group
Gray, James	Pew Charitable Trusts
Howard, Kathryn	New Zealand
Kruess, Andreas	Germany
Lund, Linda.	Norway
Mitlacher, Günter	WWF Germany
Montgomery, Narelle	Australia
Morgan, David	CITES Secretariat
Seinen, Anne Theo	European Commission
Sharma, Saras	Fiji
Simmonds, Mark P.	Humane Society International
Sonntag, Ralf	IFAW
Størkersen, Øystein	Norway
Van Klaveren-Impagliazzo, Céline	Monaco
Von Meibon, Stephanie	TRAFFIC
Warwick, Luke	Pew Charitable Trusts
Williams, James	United Kingdom
Virtue, Melanie	CMS Secretariat

The CMS Scientific Council Taxonomic Working Group on Fish held its meeting on 2 July 2014. The Meeting was chaired by Zeb Hogan, the Scientific Councillor for Fish, and co-chaired by Barry Baker, Scientific Councillor for Bycatch, with support from Dr. John Carlson, the Chair of the Advisory Committee of the CMS Sharks MoU, and the CMS secretariat. The Chair wishes to thank the councillors and NGO observers who were able to participate in the Meeting.

The activity for the Taxonomic Working Group on Fish included discussion of agenda items:

- 06.1: Concerted and Cooperative Actions
- 07.2: Proposals for Amendment to the CMS Appendices
- 10.5: Guidance of Development of National Guidelines for Boat-based Wildlife Watching
- 10.6: Conservation of Migratory Sharks and Rays
- 16.0: Any Other Business

Agenda Item 6.1: Concerted and Cooperative Actions

The Working Group was asked to review the implementation of concerted and cooperative actions concerning fish, consider a review process ensuring a regular update on the status of Appendix II species, especially Appendix II species for which agreements are not anticipated during the forthcoming triennium and recommend species to be designated for concerted and cooperative actions for the period 2015-2017.

The Working Group, noting that all of the sturgeon species listed on Appendix II of CMS had been designated for Cooperative Actions for the period 2012-2014, recommended that the designation be maintained also for the period 2015-2017. Recognizing the important work of CITES and others, it also recommended that an analysis be carried out to determine how CMS can add value to current efforts to protect endangered sturgeon.

The Working Group also recommended that a member of the Council or designated expert act as a focal point for each Concerted or Cooperative Action species. It was the feeling of the Working Group that it may be necessary to look outside of the Scientific Council to find this expertise. The CMS Appointed Councillor for Fish, working in conjunction with members of the working group, is tasked with developing this list of focal points.

Agenda Item 7.2: Proposals for Amendment to the CMS Appendices

The Working Group considered eight listing proposals encompassing twenty two species of migratory fish including five species of sawfishes, one species of manta ray, two species of hammerhead shark, three species of thresher shark, the silky shark, the European eel, and eight species of mobulid / devil ray.

- The Working Group recommended five species of sawfish for listing in Appendix I and II as proposed by the government of Kenya, namely:
 - *Anoxypristis cuspidate*
 - *Pristis clavata*
 - *Pristis pectinata*
 - *Pristis zijsron*
 - *Pristis pristis*
- The Working Group also recommended the reef manta ray (*Manta alfredi*) for listing in Appendix I as proposed by the government of Fiji. Furthermore, the proponent was asked to add further information on the benefits of listing.
- With regard to the scalloped hammerhead (*Sphyrna lewini*) and the great hammerhead (*Sphyrna mokarran*), the working group recommended the listing in CMS Appendix II as proposed by the governments of Ecuador and Costa Rica and noted that both species would also meet the criteria for listing in Appendix I. Parties were asked to consider amending the proposal in this regard.
- With regard to the three species of Thresher sharks (*Alopias vulpinus*, *A. superciliosus* and *A. pelagicus*) the working group recommended a listing in Appendix II as proposed by the EU.

- The Working Group recommended the European eel (*Anguilla anguilla*) for listing in App. II as proposed by the government of Monaco. It further requested Monaco to work with members of the Working Group on details of potential Cooperative action. Parties may consider listing the species on Appendix I, since it would meet the criteria.
- The silky shark (*Carcharhinus falciformis*) was recommended for listing on Appendix II as proposed by the government of Egypt. Furthermore the proponent was encouraged to provide a description of how the species would benefit from cooperative action and to include the most recent information from IUCN on conservation status in the proposal.
- Finally, the Working Group recommended that all nine species of Mobula rays as proposed by the government of Fiji, would qualify for listing in Appendix I and II of CMS. These are:
 - *M. mobular*
 - *M. japanica*
 - *M. thurstoni*
 - *M. taracapana*
 - *M. eregoodootenkee*
 - *M. kuhlii*
 - *M. hypostoma*
 - *M. rochebrunei*
 - *M. munkiana*

The Working Group recommended that the proponent provides more detailed evidence at the species level in order to justify a listing in Appendix I. It was noted by the Working Group that some of the proposed species were data deficient or near threatened accordance to IUCN, but that the last assessment was done 7-10 years ago. The Working Group assumed that the conservation status had likely changed in recent years, due to the high demand for gill plates which has rapidly increased. It is therefore recommended that Fiji provide further information on the current conservation status. Should this information not be available, other argument why those species should be listed should be provided such as the need to apply the precautionary approach, as discussed in the Working Group.

Agenda Item 10.5: Guidance of Development of National Guidelines for Boat-based Wildlife Watching

The Working Group on Fish and the Working Group on Aquatic Mammals jointly reviewed the draft resolution on Development of National Guidelines for Boat-based Wildlife Watching and the Guidelines themselves and recommended substantial changes to this document.

Agenda Item 10.6: Conservation of Migratory Sharks and Rays

The Working Group reviewed the draft resolution on the Conservation of Migratory Sharks and suggested some alternate language be incorporated into the document. The Working Group recommended the resolution be submitted to the COP.

The Working Group also considered a report on the development of a rapid risk assessment method for sharks and requested an assessment of the shark species currently being considered for CMS listing using the technique.

Agenda Item 16: Any Other Business

World Fish Migration Day:

World Fish Migration Day - World Fish Migration Day (WFMD) is a one day global event to raise awareness about the importance of free flowing rivers and migratory fish. The first WFMD was celebrated on the 24 May 2014 at over 270 locations around the world. The organizers of WFMD are now developing the WFMD partnership to raise awareness about migratory fish issues, share knowledge, build networks around themes of fish migration and free flowing rivers. WFMD organizers request CMS participation in this partnership.

Taxonomic Reference for Fish:

The Working Group noted that the current taxonomic reference for fish species (Eschmeyer 1990) is outdated and that the printed version of this reference has been replaced by an online version which is regularly updated. The Working Group therefore recommended Parties to refer to the respective online version of this document at the time of listing a species and to the Secretariat to keep an excerpt of the online version every three years when COP takes place.

**REPORT OF THE WORKING GROUP ON BYCATCH
Bonn, 2 July 2014**

1. Summary

Since ScC17 work by CMS and the Scientific Councillor on Bycatch has focused on:

- completion of the review of the gillnet study report (ScC18/Inf.10.15.1);
- implementation of Resolution 10.14, on Gillnets;
- funding an Australasian Net Solutions Workshop to identify new operational or technical measures for reducing the risk to seabirds from gill and trawl nets; and
- development of bycatch mitigation devices to reduce the impact fishing gear on non-target migratory animals.

2. Progress on Bycatch Councillor Work Programme

As previously noted in reports of the BWG to the Scientific Council (ScC) there is a high workload associated with addressing the bycatch issue, and the complexities associated with this threat. The Bycatch Councillor needs strong support from others if significant progress is to be made, and fortunately he receives this. The Work Programme remains ambitious and progress is hampered due largely to resource issues (primarily needed to attend the myriad of meetings now held across the world that deal with fisheries bycatch), and the high workload of key CMS personnel working on bycatch issues. Nonetheless, significant advances continue to be made with respect to Work Programme Items, particularly through working with the daughter Agreements ACAP, ACCOBAMS and ASCOBANS. Since the last meeting of the ScC most of the Bycatch Councillor's work has focussed on seabirds and marine mammals.

Work with FAO and relevant RFMOs

FAO and RFMOs have direct management responsibility for most of the global high seas fisheries. The ScC has previously agreed that attendance at key meetings of these bodies is essential to influence adoption of mitigation strategies and implementation of independent observer programs, which are considered necessary for improving knowledge of bycatch issues.

As previously advised some of the CMS daughter agreements and cooperative arrangements actively participate in RFMO meetings where they work closely within the scientific structures of those organizations to provide advice relevant to minimizing bycatch in RFMO fisheries. This work is very valuable and has been instrumental in changing fisheries practices in some cases.

In the past the Bycatch Councillor has represented ACAP in attending meetings of the Commission for the Conservation of Antarctic Marine Living Resources (CCAMLR), and

various tuna RFMOs. However, since ScC17 this has not occurred, but members of the Working Group have been active in this area.

WCPFC

Dr. Cara Miller (Coordinator of the Technical Advisory Group of the Pacific Cetaceans MoU/WDC) attended the 9th regular session of the Scientific Committee for the Western and Central Pacific Fisheries Commission (WCPFC) in August 2013. The most relevant agenda items related to stock assessments of oceanic whitetip shark, silky shark, South Pacific blue shark, and North Pacific blue shark; as well as on ecosystem and bycatch mitigation, focusing on ecosystem effects of fishing, sharks, seabirds, sea turtles and other species and issues.

Many of the tuna RFMOs have competency for Members' fisheries where sharks are not only taken as bycatch, but are intentionally targeted. While stock assessments are routinely undertaken for tuna species, this rarely occurs for sharks.

The WCPFC's Shark Research Programme was extended for another three years. A review of the effectiveness of the implementation of effectiveness of conservation management measures related to shark species highlighted that the extremely low regional observer program coverage (<2%) in the longline fishery, which catches over ten times as many of the key shark species as the purse seine fishery, was a major obstacle to assessment. It was also found that the Commission's finning controls provided only a negligible benefit to shark survival and there was inconsistency in the recording of shark discards/releases.

Progress was made on a seabird identification guide, a summary of the benefits of electronic monitoring, and a description of overlap between WCPFC longline fishing effort and albatross distribution in the North Pacific. No papers were tabled on sea turtles and there was no discussion on this group. Relating to cetaceans, progress on an Australian Government project to mitigate depredation and bycatch of toothed whales on longlines in the South Pacific region was presented. Many of the outcomes of this study were positive and provide encouragement for ongoing research on mitigation. Some fishing companies had expressed a desire to implement the experimental gear in a commercial context, suggesting that elements of refinement and costing need to be explored and resolved before large-scale manufacture would be possible.

Dr. Miller recommended the following actions for CMS:

- Submit a summary of information on best practices for release of cetaceans in purse seine nets, longlines and troll and line fisheries to the WCPFC SC;
- Provide any update of information regarding best practice for release of whale sharks encircled in purse seine nets;
- Submit a document on best practice for shark bycatch mitigation;
- Submit a summary and overview of the CMS Shark MoU (including review of shark species listed on CMS appendices);
- Maintain contact with ACAP and BirdLife International representatives prior to each WCPFC SC meeting to review submissions and plans for the meeting relevant to

bycatch. Both were active on progressing seabird bycatch mitigation measures at the meeting. Contact with other observers such as WWF, Greenpeace and Pew would also be useful; and

- Seek guidance from the CMS Scientific Councillors for both Bycatch and Aquatic Mammals as to appropriate resources that may be useful to table at the next WCPFC SC meeting.

ICCAT and CCSBT

Andrea Pauly represented the CMS Secretariat at the 10th meeting of the Ecologically Related Species Working Group of the Commission for the Conservation of Southern Bluefin Tuna (CCSBT), held in August, 2013, in Canberra, Australia. A stock assessment on the southern hemisphere population of the porbeagle was discussed. In follow-up activities from this meeting, the CMS Secretariat was invited to comment on a paper on existing shark bycatch mitigation measures, which was prepared and submitted to the 10th Regular Session of the Scientific Committee of the Western and Central Pacific Fisheries Commission WCPFC by the Australian government. The document was published as working document EB-WP-05 under the Ecosystem and Bycatch Mitigation theme and can be accessed here: <https://wcpfc.int/node/19023>.

The Secretariat also participated in the 23rd Meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT). CMS welcomed ICCAT's ongoing efforts to prohibit the finning of sharks, and noted that requiring sharks to be landed with each fin naturally attached conformed with the provisions of the Conservation Plan for Migratory Sharks under the CMS Sharks MoU. CMS also noted that the elaboration of a Shark Research and Data Collection Programme, as proposed by the Intersessional Meeting of the ICCAT Shark Species Group in 2013, was a welcome conservation measure.

It is recommended that CMS and other daughter agreements continue to seek observer status at RFMOs and, in particular, the Tuna RFMOs, in order to continue to influence change in the management of fisheries and minimization of bycatch of non-target species. Greater influence can be had with RFMOs if attendees focus on the lower level meetings, particularly the working groups that focus on ecosystem and bycatch issues, and the Scientific Committees to which the working groups report. Also important is that CMS and the daughter agreements provide briefing to Range States that are also members of the relevant RFMOs, so that proposals for mandatory bycatch measures or other necessary management approaches are well supported when discussed at the RFMO Commission meetings.

Database of relevant scientific literature

A bibliographic database on published references to bycatch and mitigation research continues to be regularly updated to assist the work of the Bycatch Working Group and the Scientific Council. The library now contains over 5,000 references relevant to the bycatch of marine mammals, turtles, sharks and seabirds and can be made available to any member of the working group on request. I would appreciate receiving electronic copies of relevant research papers prepared or obtained by Working Group members so that the electronic library remains a current and useful resource that can contribute to the work of CMS and Working Group members.

3. Report: Impact of Gillnet Fishing on Migratory Species

The Working Group expressed its appreciation for having received a revised version of the Assessment of Bycatch in Gill Net Fisheries, which had been published as Inf.10.15.1. The study, originally carried out in 2011, had been revised based on comments of the Working Group and Parties. The report showed clearly that gill net fisheries were potentially a high risk to many species listed under CMS, with all marine species groups affected, and sought to identify geographical areas where the exposure of CMS-listed species to gill net fisheries appeared to be highest. It also provided some guidance as to which areas and species were most likely to benefit from further monitoring and management, and reviewed the merits of various mitigation methods.

Upon request of the Councillor from Australia it was agreed that the reports would remain available as information documents related to this Scientific Council Meeting, but would not be published separately (for example as a CMS Technical Series publication). This was due to concerns that the data that had been available for the analysis had deficiencies, which it had not been possible to rectify in the revision process. Australia therefore preferred that the report should not be endorsed or actively promoted.

4. Australasian Net Solutions Workshop

The Southern Seabird Solutions Trust hosted a two-day technical brainstorming workshop in Christchurch, New Zealand on 30th and 31st October 2013. The purpose of the workshop was to identify new operational or technical measures for reducing the risk to seabirds from gill and trawl nets. This workshop was supported by a CMS grant to SSST following the provision of a voluntary contribution by the Government of Australia. Eighteen people participated in the technical workshop and included individuals from gillnet and trawl fishing companies, skippers, fisheries consultants, seabird scientists, New Zealand and Australian Government officials, research companies, conservation NGOs and a fishing net manufacturer.

Participants came up with a wide range of ideas, and these were prioritized against a set of criteria. The eight ideas that participants felt held the most promise included restricting the mouth of trawl nets when gear nears the surface using a noose that can be winched tight; use of laser beams pointing towards the mouth of the trawl net to deter birds from entering the net, and the use of drones that fly over the mouth of the net to deter birds. For gillnets, suggestions included using a gillnet roller that shortens the time the gillnet is on the sea surface or in the air, experimenting with mesh size and net height, use of acoustic pingers to alert seabirds of the presence of the net, and exploring a mesh colour that is more visible to seabirds but which does not impact the catch of target species.

The workshop was organized and hosted by the Southern Seabird Solutions Trust, an alliance including representatives from the New Zealand seafood industry and Government, WWF and Te Ohu Kaimoana.

5. Briefing on Key Intersessional Activities of the CMS Family

CMS Bycatch Working Group members continue to work with other daughter agreements. In particular, Donna Kwan (Dugong MoU), Cara Miller (CMS Pacific Cetaceans MoU), Heidrun

Frisch (ASCOBANS), Andrea Pauly (CMS Sharks MoU) and Douglas Hykle (IOSEA) maintain a focus on bycatch issues.

Briefings on key intersessional activities of the CMS Family were provided by members of the Working Group that were in attendance at the meeting. A brief summary of relevant activities is provided below:

Activities of ACAP

Barry Baker

The Bycatch Councillor provided an update on ACAP activities following his attendance at the 7th Meeting of the Advisory Committee and the 5th Seabird Bycatch Working Group Workshop, both held in La Rochelle, France, in May 2013. Work by the ACAP Advisory Committee's Seabird Bycatch Working Group was a response to the need to develop and maintain a programme of work to address this threat. Over the last seven years much of the Seabird Bycatch Working Group's work has focussed on identifying best practice mitigation advice for industrial fishing gear types, principally demersal and pelagic longline, and trawl gear. Collection of fisheries bycatch data, and engagement with RFMOs, particularly the tuna RFMOs, were also priority issues.

The Bycatch Councillor continues to maintain close contact with the ACAP Secretariat and its Seabird Bycatch Working Group, which has ensured frequent contact with a range of people actively working on seabird bycatch mitigation measures. He convened ACAP's Seabird Bycatch Working Group (SBWG) until May 2013 when his term as convenor ended. During the seven years that he held this position, ACAP made significant progress in building relationships with relevant RFMOs and developing best scientific advice on technical mitigation for seabird bycatch.

Activities of ACCOBAMS

Simone Panigada

The ACCOBAMS Secretariat is developing a project in collaboration with the Secretariat of the General Fisheries Commission for the Mediterranean (GFCM) for improving the conservation of endangered marine species with respect to fishing activities in the Mediterranean.

One of the project's objectives is to provide detailed assessment of the extent of by catch in cetacean and to propose technical and management solutions to reduce adverse interactions between cetaceans and fisheries through case studies. It was decided jointly with GFCM to adopt a multi-species approach and to extend the scope of the project to other threatened species, in particular sea turtles and seabirds.

The project concept was prepared and submitted to the MAVA Foundation who agreed in principle to contribute to funding the project. The ACCOBAMS Secretariat is currently working on the preparation of the full project document. Information on activities and results of the project will be provided to CMS bodies during the implementation of the project.

Activities of ASCOBANS

Heidrun Frisch

Heidrun Frisch (CMS and ASCOBANS Secretariat) reported on key activities under the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS). Bycatch remained the most severe threat to small cetaceans in

the area, including for the harbour porpoise, for which three regional action plans had been concluded. ASCOBANS had a standing working group on bycatch which provided a report to each meeting of the Advisory Committee (available [here](#)).

The regional working groups focusing on the harbour porpoise action plans also addressed the issue. In particular the North Sea Group, which was supported by a part-time consultant, was seeking to assess the risk from fisheries to harbour porpoises. On their behalf, the ASCOBANS Secretariat was currently in correspondence with the European Commission in order to obtain for analysis fishing effort data, by ICES area, for set gillnets, trammel nets and driftnets, the gear types considered to be of highest risk to porpoises. The results of the analysis would hopefully become available in time for the next meeting of the North Sea Group in September 2014.

Activities of Dugong MoU

Lyle Glowka and Donna Kwan

Bycatch is known to be the most significant threat to dugongs in east Africa and South and South East Asia where subsistence and small scale gill net fisheries are important for subsistence and livelihoods. Lyle Glowka reported on work conducted by Dr Donna Kwan and the Dugong MoU in the Arabian Gulf on a bycatch initiative, which saw the launch in February 2012 of a Dugong, Seagrass and Coastal Communities Initiative (DSCCI) to support implementation of the Dugongs MoU. The concept for the DSCCI Gulf Collaboration Project is to coordinate throughout the Arabian Gulf region identification and protection of areas important for dugongs, outreach to local fishing communities to promote responsible behaviour, and minimise bycatch and destructive fishing practices harmful to dugongs and their seagrass habitats, as well as other air breathing migratory megafauna such as marine turtles and cetaceans. As part of the Initiative, a Standardized Catch/Incidental Catch Survey Toolbox developed to provide information on the bycatch of dugong and other marine megafauna will be used for the first time in the Arabian Gulf region. The toolbox consists of a questionnaire developed to record quantitative and spatial information on dugong sightings, seagrass, fishing and hunting (where permitted) effort; a data upload sheet which includes self-generating graphs; and a manual on the use of the questionnaire with advice on sampling protocols. Over 6,000 surveys have been conducted to date in over 20 countries.

A US\$ 6 million Global Environment Facility (GEF) Dugong and Seagrass Conservation Project for eight key dugong range states (Indonesia, Madagascar, Malaysia, Mozambique, Solomon Islands, Sri Lanka, Timor Leste and Vanuatu) has been developed, with implementation expected later in 2014. The GEF project and seed funding from Dugong MoU Secretariat (for projects in India and Thailand) will help develop and refine an innovative approach to working with fishers and coastal communities to find incentives to change destructive fisheries practices which result in bycatch of dugongs and habitat degradation and destruction of their seagrass habitats. By-catch is known to be the most significant threat to dugongs in East Africa and South and South-East Asia where subsistence and small scale gill net fisheries are important for subsistence and livelihoods. The extent to which fisheries impacts such as bycatch of dugongs and habitat degradation and destruction of seagrasses occurs in Pacific Island dugong range states (Palau, Papua New Guinea, New Caledonia, Solomon Islands and Vanuatu) is unknown.

6. Activities of Non-Governmental Organisations

Activities of BirdLife International

Nicola Crockford & Rory Crawford

BirdLife International (BLI) provided a written report on activities they have undertaken in support of CMS Resolution 10.14 on Bycatch of CMS-Listed Species in Gillnet Fisheries.

BLI strongly supports CMS Resolution 10.14 and have been working to implement it in the three years since its adoption. They reported on their assessment of the implementation of this resolution, including through BLI initiatives and their views on the priority areas for action in the coming triennium.

The resolution encourages Parties to implement the best practice approach for bycatch reduction outlined by the FAO via various action plans and guidelines. With regard to seabirds, there has been little progress in incorporating actions on gillnet fisheries into action plans. New Zealand's National Plan of Action on Seabird Bycatch is one of the few existing plans to explicitly mention the need for action on set net bycatch.

The resolution urges Parties to assess the risk of bycatch arising from their gillnet fisheries as it relates to migratory species, and to implement best practice mitigation measures. Given the lack of best practice mitigation for gillnet fisheries, the resolution also encourages Parties to conduct research to identify and improve mitigation measures. In both areas – assessment of risk and development and implementation of mitigation measures, very little progress has been made. Largely, gillnet fisheries, particularly small-scale, inshore operations remain poorly monitored, and there has been minimal national government investment in the testing, development and implementation of mitigation measures for this under-researched fishery - though the Australasian Net Solutions Workshop is a welcome exception, and more initiatives of this nature are required to match the scale of this problem. There have been further endeavours, led by NGOs and supported by private foundations, which were highlighted.

BLI strongly welcomed the progress made by CMS in commissioning, supporting and publishing the global review of bycatch in gillnet fisheries, but noted that little progress has been made, certainly from a seabird perspective, against the next steps identified by this review – which are strongly aligned with the CMS Resolution and issues noted already:

- There are strong requirements for improved observer data;
- Better records of bycaught species with a particular focus in the areas of high overlap of at-risk species and strong fishing effort; and
- Further, finer-scaled research to address bycatch issues in the areas, and for the species identified as highest risk in this analysis is warranted.

BLI considers that the major barriers to progress are lack of funding and, perhaps, a perception from Parties that the problem is not pressing. A global review of seabird gillnet bycatch co-authored by BLI, published in *Biological Conservation* in 2013, conservatively estimated that 400,000 birds are killed in gillnet fisheries each year. This toll is larger than that recorded in longline and trawl fisheries combined, and so clearly calls for the financial support and political will to find solutions urgently.

BLI's Marine Programme has been developing work on gillnet bycatch to try and address some of the key aspects of the resolution. It has received funding from the David and Lucille Packard Foundation to commission two scientific reviews:

- One will examine the physiological aspects underpinning non-target bycatch, and how differences in sensory capacities between target and non-target species might be exploited in the design of mitigation measures; and
- The other will review the common environmental, operational and technical aspects of bycatch events across taxa.

These reviews will inform a cross-taxa workshop we propose to run, in conjunction with the American Bird Conservancy, in February 2015, which will bring together species group experts, industry and bycatch technologists to identify mitigation measure testing projects.

BLI has also instigated small-scale pilot testing of modified gillnets in the Lithuanian bottom-set cod fishery to see what effects high-visibility panels in nets have on target catch and bycatch rates. They have also carried out several at-sea trips with gillnet fishers along the Humboldt Current (in partnership with other NGOs) to determine bycatch levels, and are developing proposals to test mitigation measures.

BLI proposed the following priorities for action in the next triennium:

- CMS should once again highlight the scale of gillnet bycatch globally and the pressing need for solutions to the problem;
- CMS should work with AEWA and the Conservation of Arctic Flora and Fauna's (CAFF) Seabird Expert Group (CBird) and Arctic Migratory Birds Initiative to help resource improved understanding of the scale of seabird bycatch in key areas identified by the Waugh et al review and other recent literature; and
- CMS should urge Parties once again to implement the recommendations of the gillnet bycatch resolution and the commissioned review – particularly to assess the scale of the problem, and to finance research to find solutions (in the form of mitigation measures).

7. Review of Work Programme for Bycatch Councillor and Working Group

The Work Programme was reviewed and updated, and is attached for the endorsement of the Scientific Council.

8. Approaches to Mitigation

The Bycatch Councillor reported on three mitigation projects that he has been involved with since the last meeting of the Bycatch Working Group at ScC17. These were:

- An experimental approach to test the efficacy of the Smart Tuna Hook in South Africa, a seabird and turtle mitigation device developed for pelagic longline gear. This work is being undertaken in a private capacity and through the Southern Seabirds Solutions Trust, and with funding provided by ACAP, in part, and the Australian Government;

- Development of the Kellian Line Setter, a towed device that sets demersal longline gear underwater, thus ensuring that baited hooks are not available to surface-feeding seabirds. This device is currently undergoing sea trials after design development and refinement in a flume tank, under funding from the New Zealand government; and
- A research proposal to examine the visual acuity of marine species, including fish, to determine if colour spectra exist that are detectable by non-target species but not by fish.

Ms. Elizabeth Hogan (World Animal Protection) reported on research currently in progress which is analysing pinniped entanglement in commercial plastic packing bands. The project includes analysis of colour differential in the propensity for entanglement as well as geographic hotspots according to product colour. The working group saw relevance of this research in the gillnet entanglement studies and potential to cooperative work with other studies on visual acuity of pinnipeds and developing coloured nets as a technical mitigation solution.

Dr. John Carlson (Shark MoU Advisory Committee) provided an update on recent developments on mitigation approaches for sharks. Sharks, skates and rays comprise a major bycatch species in trawl, longline and gillnet fisheries. Depending on the fishery, the catch of sharks, skates and rays may be equivalent or exceed to the catch of the target species. Due to the status of some species and public sentiment, research to reduce bycatch and subsequent mortality has increased especially in longline fisheries. Some research has focused on the incorporation of rare earth metals as part of the hook or hung as small blocks at intervals along the longline. These metals are designed to deter the shark from interacting with the longline because of the sharks' ability to sense electric fields through the ampullae of Lorenzini. However, results have been variable as some species respond negatively to the metal while others have no response. There is also the expense of the metals and the fact that many types dissolve rapidly in seawater, which makes them less likely to be accepted by the fishing industry. Circle hooks have gained recent attention as a cost-effective bycatch mitigation tool in pelagic longline fisheries. While most studies have focused on marine turtles, a growing number of studies have investigated the use of circle hooks and their effects on elasmobranchs. Overall, results suggest that using circle hooks on pelagic longlines appears to reduce at-vessel mortality compared to other hook types (e.g. J-hooks). Circle hooks should be seen as one potential tool to help reduce bycatch mortality of sharks in longline fisheries. However, there is a need for more shark-specific controlled experiments to provide more definitive results on the efficacy of circle hooks.

The Working Group again noted that development of mitigation devices and operational approaches is a complex process that involves, in simple terms, an extensive period of research and to bring an idea from an initial concept to a stage where it can be tested in a working fishery. It was essential that mitigation ideas are tested in an experimental environment, to assess their capacity to mitigate bycatch, and to maintain or improve catch of target species. Experience has shown that it is often at this stage that mitigation development seems to languish because of resource constraints. The Working Group confirmed previous advice that adoption of a mitigation device is unlikely to proceed until empirical evidence is available to demonstrate its efficacy in commercial fisheries, and there would be considerable benefit to CMS in achieving its mandate if it was able to assist developers at this stage, either through provision of funding from the Small Grants Programme, or through seeking funds from Voluntary Contributions. At this stage there are no proposals for funding, but the

Working Group will continue to review mitigation research needs and keep the Scientific Council appraised.

9. Background Document on the intentional catch and bycatch of CMS Appendix listed aquatic species by shark control programmes

A non-paper placed on the Scientific Council Workspace was presented by Mark Peter Simmonds (HSI). The paper highlighted the intentional catch and incidental bycatch of CMS Appendix I listed species in shark control programmes and encouraged CMS Parties to take action to reduce the deployment of lethal shark control programmes in favour of non-lethal alternatives. It further sought to encourage CMS Parties to work together to tackle the issue and to share current research on the latest developments and to work towards elimination of lethal control methods.

A number of Range States for migratory shark species regularly undertake shark control programmes to protect people using beaches for swimming and surfing from being bitten by large sharks. Shark control programmes do not provide a continuous barrier that prevents access to beaches by sharks – nets rarely cover the whole length of the beach, and do not extend from the surface to the seabed. Instead they aim to reduce the number of sharks that can potentially cause harm to humans through the use of demersal gillnets and/or drum-lines. These programmes result in the bycatch of a wide range of species including marine mammals, marine turtles, sharks and rays not implicated in unprovoked attacks on humans.

The Working Group acknowledged that shark netting programs posed a potential threat to CMS listed species, both through directed take and bycatch. While directed take did not fall within the remit of the Bycatch Working Group, the potential impact on species caught as bycatch warranted further investigation. Consequently this issue was added to the Work Programme for the Working Group, where intersessional work is proposed to quantify the impact of these programmes on migratory species, examine effectiveness of alternatives to lethal netting programmes, and report back to the Scientific Council at its next meeting. Humane Society International agreed to lead the study.

The Working Group recommends that the Scientific Council endorses an intersessional study on the impacts of shark control programmes.

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**DRAFT WORK PROGRAMME 2014-2017
FOR BYCATCH COUNCILLOR AND BYCATCH WORKING GROUP**

	Topic/Task	Timeframe	Detail
1	Maintain a small informal correspondence group of interested parties and technical experts to assist the Scientific Councillor	Ongoing	<p>A small working group will be maintained to ensure thorough coverage of faunal groups and access to technical expertise on mitigation techniques and application.</p> <p>Membership of the correspondence group will be expertise-based and may comprise members not directly involved with the CMS Scientific Council. The working group will assist the Scientific Councillor on Bycatch in implementing the Work Programme.</p>
2	Work closely with other international competent bodies such as FAO and relevant RFMOs	Ongoing Secretariat to request observer status at meetings of key RFMOs & FAO COFI	<p>Implementation dependent upon funding to attend meetings, & availability/willingness of Bycatch Working Group members or CMS daughter agreements to coordinate action for relevant RFMOs.</p> <p>FAO & RFMOs have direct management responsibility for global high seas fisheries. Attendance at key meetings of these bodies is essential to influence adoption of mitigation strategies and implementation of independent observer programmes, necessary for improving knowledge of bycatch issues.</p> <p>Note that RFMO engagement imposes a significant workload that cannot be effectively carried out without full time staffing resources made available for this purpose. Support of this work through collaborative arrangements with CMS daughter agreements is highly desirable.</p> <p>A priority RFMO group is the Joint Tuna RFMO Bycatch WG, established out of the 'Kobe' process. Selection of this is based on known seabird, turtle and shark bycatch issues, and the potential to influence change in fishing practices across all the tuna RFMOs.</p> <p>Adoption of mitigation strategies by RFMOs may lead to flow-on effects to EEZ fisheries of RFMO members.</p>
3	Work closely with CMS daughter agreements and other relevant conservation bodies	Ongoing	ACAP, ACCOBAMS, ASCOBANS, Marine Turtles Africa, Marine Turtles IOSEA, Pacific Islands Cetaceans, IWC Bycatch Group

	Topic/Task	Timeframe	Detail
4	Review information on mitigation measures for fishing methods known to impact migratory species.	Ongoing. Highly desirable to work with CMS daughter agreements to achieve efficiencies.	<p>Concise reviews of current knowledge on mitigation measures to reduce seabird bycatch in longline and trawl fishing have been produced by ACAP, but do not exist for other faunal groups or fishing methods.</p> <p>Work with fishery managers and RFMOs is required to comprehensively assess fishing techniques and gear used in EEZ and high seas fisheries, to identify those elements that have been shown to reduce or eliminate by-catch mortality of migratory species.</p> <p>Work should focus on gillnets to assist in the implementation of Resolution 10.14. Gillnets currently impact all marine faunal groups of interest to CMS marine mammals, seabirds, turtles and sharks. Ensure mitigation methods developed for one taxonomic group do not lead to bycatch of other taxa.</p>
5	Maintain a database of relevant scientific literature on bycatch	Ongoing	Maintain the bibliographic database on published references to bycatch and mitigation research to assist the work of the Bycatch Working Group and the Scientific Council
6	Bycatch webpage	Ongoing	Update page on the CMS website providing information on CMS activities to ameliorate the impacts of bycatch on migratory species. <u>I</u> mplementation by the Secretariat.
7	Assist in the preparation, adoption and implementation of FAO NPOA-Seabirds and FAO NPOA-Sharks	Ongoing	<p>This may include:</p> <ul style="list-style-type: none"> - encouraging adoption of best practice guidelines for IPOA-Seabirds by FAO COFI - providing assistance to Parties and Range States in the development of NPOA-Seabirds and FAO NPOA-Sharks.
8	Provide report to Scientific Council on Bycatch Councillor & Working Group activities	SC 19	Provide a report to 19 th meeting of the Scientific Council on the activities of the Bycatch Councillor during the inter-sessional period
9	Impact of Shark control programs on non-target species	SC 19	<p>Quantify the impact of these programs on migratory species, examine effectiveness of alternatives to lethal netting programmes.</p> <p><u>HSI to take lead role.</u></p>

Annex 8 to ScC18 Report



CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF
WILD ANIMALS

CONVENCIÓN SOBRE LA CONSERVACIÓN DE LAS ESPECIES
MIGRATORIAS DE ANIMALES SILVESTRES

CONVENTION SUR LA CONSERVATION DES ESPÈCES MIGRATRICES
APPARTENANT À LA FAUNE SAUVAGE



**18th Meeting of the CMS Scientific Council
Bonn (Germany), 01-03 July 2014**

**18ª reunion del Consejo Científico de la CMS
Bonn (Alemania), 01-03 de julio 2014**

**18ème réunion du Conseil scientifique de la CMS
Bonn (Allemagne), 01-03 juillet 2014**

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