



# CONVENTION ON MIGRATORY SPECIES

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13<sup>th</sup> MEETING OF THE CONFERENCE OF THE PARTIES  
Gandhinagar, India, 17 - 22 February 2020

## REPORT OF THE 13<sup>TH</sup> MEETING OF THE CONFERENCE OF THE PARTIES TO THE CONVENTION ON THE CONSERVATION OF MIGRATORY SPECIES OF WILD ANIMALS

### INTRODUCTION

1. At the invitation of the Government of India, the 13<sup>th</sup> Meeting of the Conference of the Parties to the Convention on the Conservation of Migratory Species of Wild Animals (CMS COP13) was held in the Mahatma Mandir Convention and Exhibition Centre, Gandhinagar, India from 17 to 22 February 2020. "*Migratory species connect the planet and together we welcome them home*" was the slogan of the Conference, underlining the importance of international cooperation and ecological connectivity in the conservation of migratory species.
2. On the eve of the Conference, a High Level Segment event was held, an open event in which ministers and other senior officials of governments and executives of international organizations engaged in a special dialogue on CMS priorities for the post-2020 Global Biodiversity Framework. The day concluded with the *Champion Night*, an event dedicated to recognizing governments, and other organizations and individuals that have made long-term financial commitments to specific initiatives aimed at benefitting migratory species.
3. The Conference was attended by representatives of the following 82 Parties and 6 non-Parties.  
**Parties:** Angola, Argentina, Armenia, Australia, Bangladesh, Belarus, Belgium, Bolivia, Brazil, Bulgaria, Burundi, Cabo Verde, Cook Islands, Costa Rica, Cote d'Ivoire, Croatia, Czech Republic, Denmark, Ecuador, Egypt, Eritrea, Estonia, Eswatini, Ethiopia, the European Union, Finland, France, Gambia, Germany, Ghana, Hungary, India, Iraq, Ireland, Israel, Italy, Kyrgyzstan, Latvia, Liberia, Luxembourg, Madagascar, Malawi, Maldives, Malta, Mauritius, Moldova, Mongolia, Morocco, Mozambique, Netherlands, New Zealand, Nigeria, North Macedonia, Norway, Palau, Panama, Paraguay, Peru, the Philippines, Poland, Portugal, Rwanda, Saudi Arabia, Senegal, Seychelles, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Tajikistan, Togo, Trinidad and Tobago, Uganda, the United Arab Emirates, United Kingdom, United Republic of Tanzania, Uruguay, Uzbekistan and Zimbabwe.  
**Non-Parties:** Bahrain, Bhutan, Cambodia, Oman, Qatar and the United States of America
4. Observers from governmental and non-governmental bodies or agencies were also represented. The complete list of participants appears as an Annex to the present report.

## I. OPENING OF THE MEETING AND ORGANIZATIONAL MATTERS (17 February 2020)

### ITEM 1. OPENING OF THE MEETING

5. The Opening Ceremony, held on Monday 17 February 2020, comprised ceremonial, cultural and official elements.
6. Ceremonial and cultural events included
  - A prayer accompanied by a dance performance representing the cultures of northern, southern, eastern and western India;
  - The lighting of the COP13 lamp;
  - A video performance of a song specially written for COP13;
  - The release by the Government of India of a COP13 stamp and commemorative cover.

### ITEM 2. WELCOMING ADDRESSES

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

### ITEM 3. KEYNOTE ADDRESS

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

## OPENING OF THE PLENARY SESSION

11. The opening of the plenary session was chaired on an interim basis by the Chair of the Standing Committee, Mr. Øystein Størkersen (Norway), who made brief welcoming remarks.
12. An address was delivered by Mr. Ramon S. Bagatsing Jr., Ambassador of the Philippines to India, in his role as representative of the COP12 host country and COP Presidency. He recalled with sadness the passing away of the former CMS Executive Secretary Bradnee Chambers (1966-2019) and invited three former colleagues and friends to pay tribute. The life, work and exceptional legacy of Mr. Chambers, including his vision for COP13, were recalled by:
  - Mr. John Scanlon, Special Envoy of African Parks and former Secretary-General of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES);
  - Shri Soumitra Dasgupta, Inspector General of Forests, Ministry of Environment, Forests and Climate Change, Government of India; and
  - Ms. Amy Fraenkel, Executive Secretary of the Convention on Migratory Species (CMS).

### ITEM 4. ADOPTION OF RULES OF PROCEDURE

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

### ITEM 5. ELECTION OF OFFICERS

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

**Conference of the Parties**  
 Chair: Hon. Prakash Javadekar (India)  
 Vice-Chair: Mr. Akankwasah Barirega (Uganda)

**Committee of the Whole**  
 Chair: Mr. Akankwasah Barirega (Uganda)  
 Vice-Chair: Mr. Simon Nemptsov (Israel)
17. The Chair of the Standing Committee, acting as temporary chair of the COP, confirmed that, in accordance with Rule 6 of the Rules of Procedure, the Bureau of the Conference was now complete and comprised all members of the Standing Committee, the Chair and Vice-Chair of the COP and the Vice-Chair of the COW. The Bureau would meet for the first time during the evening of 17 February.
18. Mr. Størkersen thanked the Plenary and left the podium. The Honorable Minister, Mr. Prakash Javadekar, took over the chairing of the Plenary.

## **ITEM 6. ADOPTION OF AGENDA AND MEETING SCHEDULE**

### **Item 6.1 Provisional Agenda and Documents**

### **Item 6.2 Provisional Annotated Agenda and Meeting Schedule**

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

## **ITEM 7. ESTABLISHMENT OF CREDENTIALS COMMITTEE AND OTHER SESSIONAL COMMITTEES**

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

## **ITEM 8. ADMISSION OF OBSERVERS**

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

## **II. REPORTS**

### **ITEM 9. REPORT OF THE UNITED NATIONS ENVIRONMENT PROGRAMME**

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

## ITEM 10. REPORTS AND RECOMMENDATIONS OF THE SUBSIDIARY BODIES OF THE CONVENTION

### Item 10.1. Standing Committee

30. The Chair of the Standing Committee (StC), Mr. Øystein Størkersen reported that, owing to the early scheduling of COP13, only one full meeting of the StC had taken place since COP12, namely the 48<sup>th</sup> meeting, held in Bonn in October 2018. In addition, three shorter meetings had been held:
- 47<sup>th</sup> meeting, Manila, October 2017, immediately after the close of COP12;
  - 49<sup>th</sup> meeting, Bonn, November 2019;
  - 50<sup>th</sup> meeting, Gandhinagar, February 2020.
31. Mr. Størkersen recalled that following the untimely passing away of the former Executive Secretary, Bradnee Chambers in January 2019, Ms. Amy Fraenkel had assumed the role of Acting Executive Secretary in May 2019.
32. As well as implementing the tasks assigned to it by COP12, the StC had focused on its mandate to provide the Secretariat with advice and to monitor progress with implementation. There had been repeated discussions on budgetary issues, including with respect to arrears of some Party contributions, as well as the significant discrepancy between the costed Programme of Work (POW) 2018-2020 and the resources available for its implementation.
33. Mr. Størkersen further noted that the 40<sup>th</sup> Anniversary of the Convention had been marked by a special event held in Berlin at the invitation of the Government of Germany. Looking to the future, CMS was closely engaged in the process to develop the post-2020 Global Biodiversity Framework, and good progress had been made on the Review Mechanism and National Legislation Programme. Collaboration with other multilateral environmental agreements (MEAs) and additional bodies was more crucial than ever and though much had been achieved in this area, there was still more that could be done.
34. Thanks were due to the Secretariat for its dedicated and exemplary work, alongside strong support from the wider CMS Family, the NGO community, other collaborative partners and donors.
35. COP13 marked Mr. Størkersen's last COP as StC Chair, but he nevertheless hoped to attend future meetings of the COP.

### Item 10.2. Scientific Council

36. The Chair of the CMS Scientific Council (ScC), Mr. Fernando Spina (Italy) made a presentation summarizing the activities of the Scientific Council since COP12. Two meetings of the Sessional Committee had been held:
- 3<sup>rd</sup> meeting – May/June 2018, Bonn
  - 4<sup>th</sup> meeting – November 2019, Bonn
37. Mr. Spina highlighted the key items that the sessional meetings had focused on. These covered planning the work of the ScC for the 2018-2020 triennium and, in particular, preparation and review of COP13 documentation, including proposals for amendments to CMS Appendices, review of progress of Concerted Actions and proposals for new Concerted Actions. During the intersessional period, the ScC had also participated actively in a number of important international meetings, for example the Multidisciplinary Expert Panel (MEP) of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) in July 2019.
38. This would be Dr Spina's last COP as ScC Chair, which had afforded an amazing and unique experience to work alongside a stimulating group of committed experts. He thanked the whole CMS Family and wished his successor well.

## ITEM 11. STATEMENTS

39. The COP Chair invited the Minister of Environment, Land and Sea Protection of Italy, Mr. Sergio Costa, to make a statement in his capacity as Co-President, together with the United Kingdom (UK), of the 2020 UN Climate Change Conference (UNFCCC COP26).
40. The Minister stressed that 2020 was a year of huge importance for international environmental policy. He highlighted the importance of migratory species and of CMS in Italy, and the value of ecological connectivity as an approach to the post-2020 Global Biodiversity Framework. He underlined the impact of two issues on migratory species, namely, poisoning by agricultural pesticides, and climate change. Climate change was adversely affecting migratory species in many ways, and Italy was at the forefront of efforts to mitigate its effects, especially in its role as co-organizer, together with the UK, of UNFCCC COP26 in Glasgow in November 2020. This would be immediately preceded by events in Milan and Rome. Only a holistic approach with an effective strategy would allow the challenge of climate change to be faced, and the equilibrium between mankind and the environment to be restored.

### Item 11.1. Report of the Depositary and Host Country

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

### Item 11.2. COP Presidency

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

### Item 11.3. Party States (including REIOs), and

### Item 11.4. Non-Party States

45. The COP Chair advised that, in the interests of saving time, Parties and Non-Party States should consider providing written statements. However, the floor was open for brief oral interventions, particularly where these were made on behalf of regional groupings.

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

#### **Item 11.5. CMS Agreements**

50. Representatives of the CMS agreements gave short presentations summarizing the reports contained in the following documents:
- UNEP/CMS/COP13/Inf.4.1 *Progress Report of the Agreement on the Conservation of Albatrosses and Petrels (ACAP)*;
  - UNEP/CMS/COP13/Inf.4.2 *Progress Report of the Agreement on the Conservation of Cetaceans of the Black Sea, Mediterranean Sea and Contiguous Atlantic Area (ACCOBAMS)*;
  - UNEP/CMS/COP13/Inf.4.3 *Progress Report of the Agreement on the Conservation of African-Eurasian Migratory Waterbirds (AEWA)*;

- UNEP/CMS/COP13/Inf.4.4 *Progress Report of the Agreement on the Conservation of Small Cetaceans of the Baltic, North East Atlantic, Irish and North Seas (ASCOBANS)*;
- UNEP/CMS/COP13/Inf.4.5 *Progress Report of the Agreement on the Conservation of Populations of European Bats (EUROBATS)*; and
- UNEP/CMS/COP13/Inf.4.6 *Progress Report on the Implementation of the Agreement on the Conservation of Gorillas and their Habitats (Gorilla Agreement)*.

#### **Item 11.6. IGOs and NGOs**

51. Statements were made by the following organizations:

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

### **ITEM 12. REPORT OF THE SECRETARIAT**

#### **Item 12.1. Overview of Secretariat Activities, and**

#### **ITEM 19. IMPLEMENTATION OF THE PROGRAMME OF WORK 2018-2020**

52. Items 12 and 19 were taken together. The Executive Secretary made a presentation summarizing the Secretariat's activities during the 2018-2019 biennium, including the information contained in document UNEP/CMS/COP13/Doc.19 *Implementation of the Programme of Work 2018-2020*. The full Programme of Work (POW) mandated by COP12 had been very ambitious, requiring a budget of €72 million (excluding staff costs and other costs covered by the CMS core budget). Of this, approximately €45 million was estimated for the full implementation of the Joint CMS-CITES African Carnivores Initiative.
53. The financial support generated up to November 2019 for the implementation of the POW amounted to almost €10 million, representing just 14 per cent of the total required. Despite the significant financial gap and the reduced time for implementation, many activities had been completed and/or had been progressed with fewer resources than estimated and with the Secretariat's in-house capacity.
54. The Executive Secretary detailed selected highlights of activities undertaken by the CMS Secretariat and Parties.
55. The COP Chair thanked the meeting for the work done and adjourned the Plenary.

#### **ORGANIZATION OF WORK OF THE COMMITTEE OF THE WHOLE (COW)**

56. The COW Chair, Mr. Akankwasah Barirega (Uganda), opened the first session of the COW and thanked the meeting for the trust they had placed in him. He recalled that Rule 6 of the Rules of Procedure required him to establish the Working Groups (WGs) that would allow the COW to advance the business of the COP. In consultation with the Standing Committee, the following Working Groups and Chairs had been proposed:

- Budget WG, proposed to be chaired by outgoing Standing Committee Chair, Øystein Størkersen (Norway);
  - Avian Species WG, proposed to be Chaired by COP-Appointed Councillor, Prof Stephen Garnett;
  - Aquatic Species WG, proposed to be Chaired by COP-Appointed Councillor, Barry Baker
  - Terrestrial Species WG, proposed to be chaired by Ariuntuya Dorjsuren (Mongolia).
57. Croatia, speaking on behalf of the European Union and its Member States, requested clarification about which forum would be used for discussion of cross-cutting issues.
58. The Chair replied that these would be dealt with by the COW, but that if the need arose, issue-specific Working Groups could be established.

### III. ADMINISTRATIVE AND BUDGETARY MATTERS

#### ITEM 13 BUDGET AND ADMINISTRATION

##### Item 13.1. Execution of CMS Budget 2018-2020

##### Committee of the Whole (17 February)

59. The Secretariat introduced this item with a presentation summarizing document UNEP/CMS/COP13/Doc.13.1, which detailed the contributions paid up to November 2019. document UNEP/CMS/COP13/Doc.13.1/Add.1 provided additional information on contributions received up until 14 February 2020. Details of the execution of the budget included:
- Contributions paid in 2018, and up to 14 February 2020, totalled €4,458,800, whilst, €712,175 remained unpaid for 2018 and 2019.
  - An additional voluntary contribution to the Trust Fund of €14,856 had been received from Norway in 2019.
  - Overall, 126 Parties were expected to pay €2,559,888 for 2018, and €2,611,087 for 2019, totaling €5,170,975. By the end of November 2019, the Secretariat had collected €2,168,022 for 2018, and €2,125,476 for 2019. Since November 2019, the Trust Fund had received further contributions of € 78,576 for 2018 and € 86,726 for 2019.
  - €313,290 remained unpaid by 41 parties for 2018, while €398,885 remained unpaid by 55 parties for 2019.
  - The overall budget implementation for 2018-19 showed an approved budget totalling €5,170,975 in addition to the redeployment of €115,329 from the 2020 budget, and expenditure of €4,307,006, resulting in an estimated balance of €979,298. Taking account of actual contributions paid by the Parties after November 2019, the status of the Trust Fund balance had been adjusted to €952,684, excluding a working capital reserve of US\$500,000.
60. The Secretariat urged all those Parties in arrears settle their contributions without delay and noted that 20 Parties were now in a position of owing three or more years of contributions. On the other hand, 26 Parties had already paid nearly one million euro in dues for 2020, before the deadline, and they were warmly thanked for their punctuality.

##### Final plenary session (22 February)

61. The COP noted document UNEP/CMS/COP13/Doc.13.1.

**Item 13.2. Budget 2021-2023 and Programme of Work for the intersessional period between COP13 and COP14**

Committee of the Whole (18 February)

62. The Executive Secretary introduced document UNEP/CMS/COP13/Doc.13.2. She recalled that the Prime Minister of India, Narendra Modi, had considered migratory species conservation sufficiently important to have supported it through a live address during the opening ceremony of COP13. CMS found itself in a year of very high expectations, but with a budget deficit and levels of arrears in Trust Fund contributions at historically high levels.
63. Four budget scenarios for 2021-2023 were proposed:
- Scenario 1 Zero nominal growth scenario – maintaining the current position and maintaining UN salaries including the statutory 2 per cent salary increase. This scenario would require cuts to servicing COP14.
  - Scenario 2 Zero real growth scenario – also keeping on a par with the 2018-2020 budget but including a consideration of inflation at 2 per cent on costs beyond salaries, with an additional €10,000 per year for staff training.
  - Scenario 3 Strengthening the Secretariat scenario – addressing some staffing needs. Considerable restraint had recently been exercised in this area and this scenario would add one new P post and one GS post, while extending some part-time posts. This scenario would add 12.7 per cent to the cost of scenario 2.
  - Scenario 4 Scenario 3 plus additional items central to the work of the Secretariat, namely: analysis of national reports, with an estimated budget of €30,000; development a ‘State of the World’s Migratory Species’ report with an estimated €150,000 budget; and additional outreach activities at an estimated cost of €60,000. This scenario would add 2.82 per cent to the cost of scenario 3.
64. The document also referred to the possibility of increasing the minimum contribution of Parties to €1,000 or €2,000 per annum, as mandated by the 48<sup>th</sup> meeting of the Standing Committee in October 2018. This approach was already in use by EUROBATS and AEWA
65. The proposed Programme of Work (POW) for the intersessional period between COP13 and COP14 was detailed in Annex 6 of document UNEP/CMS/COP13/Doc.13.2. It contained all direct mandates of the Secretariat and/or those requiring its support, including those proposed for revision by COP13 as well as ongoing activities carried over from the current POW. It indicated financial resources from core budget and voluntary contributions, thus providing the basis for resource mobilization.
66. Uganda expressed deep concern about the proposal for minimum contributions. The UN scale of assessment provided a fair and agreed method of establishing contribution rates according to ability to pay. The proposal seemed likely to increase the level of arrears and to damage the work of CMS. Uganda implored delegates to retain the existing scale of contributions.
67. The United Kingdom said that the high quality of the budget documents and scenarios placed Parties in a strong position for the discussions ahead. It was only right that Parties should have high ambitions, but these needed funding to become a reality. It was, first of all, crucial that CMS was able to function efficiently. After that, it was up to Parties to decide the scale of ambition.
68. Brazil especially appreciated the specific activities identified in Scenario 4 and expressed great concern that only 14 per cent of the budget for the 2018-2020 POW had been funded. Brazil was also concerned by paragraph 11 of the Draft Resolution, where one substantial and worrying change had not been presented or highlighted. This change, under which Parties three or more years in arrears with their contributions would not be permitted to submit documents to the Secretariat, would affect many countries. Brazil expressed its strong

opposition to this provision and considered it not to have been presented in a transparent manner.

69. Switzerland considered it essential to aim for what was necessary in the budget to achieve the required outcomes. Biodiversity was in crisis, and immediate, effective action was needed. Switzerland called on Parties to be ambitious in setting targets, and also when setting the budget.
70. Argentina, Costa Rica and Peru supported Brazil's objection to Paragraph 11 of the Draft Resolution. Argentina also pointed out that some essential text was missing from the Spanish translation of paragraph 11 of the Draft Resolution.
71. Zimbabwe added that some countries were in arrears because the payment method was not flexible or user friendly.
72. Mongolia supported an ambitious POW and a strong Secretariat and considered the 'State of the World's Migratory Species' report to be essential. Mongolia would actively join the Budget Working Group.
73. Israel supported the proposal of the Secretariat for an increase in the budget. The scenarios presented were realistic and achievable. Considering the very poor state of the budget, Israel supported the proposal in paragraph 11 of the Draft Resolution and considered it reasonable. Late payment of contributions was a major challenge for the Convention and a compliance mechanism to encourage payment was needed.
74. Australia and New Zealand agreed with Israel, Australia adding that it seemed logical that countries that were preventing implementation of the POW should not be allowed to make additions to it by submitting more documents.
75. The Seychelles considered it essential to reduce the level of arrears in contributions and appealed to all Parties to consider ways forward.
76. Bangladesh stressed the importance of outreach activities and was pleased to see the increase in this area proposed in Scenario 4.
77. The Executive Secretary provided clarification of Paragraph 11 of the Draft Resolution. She pointed out that the idea had been proposed by the Finance and Budget Subcommittee, during the 49<sup>th</sup> meeting of the Standing Committee, as a way of encouraging Parties to pay their contributions. Any lack of transparency in presenting the budget had been unintentional, and she acknowledged that explanation of this point would have been useful. If this approach was objectionable to the COP, other creative ways of tackling the issue should be proposed.
78. BirdLife International urged Parties to opt for Scenario 4. The reduction in staffing in the Avian Species Team at the Secretariat had resulted in negligible progress on a number of important programmatic initiatives. There was a need for a coordinator for landbirds, as well as for development of fundraising capacity. Environment ministries often had low budgets and there was scope for the involvement of industry, and particularly the energy sector, in fundraising.
79. The Chair referred further discussion to the in-session Working Group on Budget, which met regularly during COP13.

#### Committee of the Whole (22 February)

80. The Chair referred the meeting to document UNEP/CMS/COP13/CRP13.2 *Budget 2021-2023 and Programme of Work for the intersessional period between COP13 and COP14* and invited the Chair of the Working Group on Budget to report.

81. France, supported by the Czech Republic, Germany and the UK proposed adding specific text in Paragraph 17 of the Draft Resolution referring to the creation of a new P2 Associate Programme Officer in the Avian Unit, with 26 per cent of the funding for this position to come from re-allocation of funds that could be made available by reclassifying the P5 Deputy Executive Secretary position as P4.
82. Norway, supported by Australia and Mongolia, preferred to give the Executive Secretary the flexibility to decide these matters, and to retain the existing wording of the draft Resolution.
83. The Chair established a small Contact Group, to be chaired by Norway, and with the participation of interested Parties, with the aim of reaching consensus on the issues raised.
84. Norway subsequently reported that consensus had been achieved and introduced amendments to paragraph 17 of document UNEP/CMS/COP13/CRP13.2, which was then read in full, in its amended version, by the Executive Secretary.
85. The COW endorsed document UNEP/CMS/COP13/CRP13.2 and its Annexes, as amended, for consideration by the COP plenary.

Final plenary session (22 February)

86. The COP adopted document UNEP/CMS/COP13/CRP13.2/Rev.1 and its six Annexes.

**Item 13.3. Resource Mobilization**

Committee of the Whole (18 February)

87. The Secretariat introduced document UNEP/CMS/COP13/Doc.13.3/Rev.1. Voluntary and in-kind contributions raised in 2018 and 2019 from nine countries and the European Union amounted to nearly €4.9 million. Additional funding was obtained by some of the larger CMS Memoranda of Understanding. New contributions had been celebrated at the Champion Night. Among these, was the generous grant by Environment Agency – Abu Dhabi (EAD) on behalf of the Government of the United Arab Emirates. Numerous governments and organizations also provided in-kind contributions through the provision of personnel or services and hosting of meetings.

Final plenary session (22 February)

88. The COP noted document UNEP/CMS/COP13/Doc.13.3/Rev.1.

## IV STRATEGIC AND INSTITUTIONAL MATTERS

### ITEM 14. STRATEGIC PLAN

**Item 14.1. Progress in the Implementation of the Strategic Plan for Migratory Species 2015-2023**

Committee of the Whole (18 February)

89. A representative from UNEP-WCMC presented document UNEP/CMS/COP13/Doc.14.1, which provided an interim assessment of progress towards the achievement of the 16 targets in the Strategic Plan for Migratory Species (SPMS), based on the indicators identified in the plan itself. The document included a draft decision concerning the final assessment of the implementation of the SPMS 2015-2023 to be submitted to COP14 for consideration.
90. The EU and its Member States took note of the assessment of progress, and acknowledged the positive progress in some areas, but expressed deep concern about the lack of progress in mitigating unsustainable use. They supported the adoption of the draft decision with the inclusion of a minor amendment which would be submitted in writing.

91. South Africa appreciated the report, including the options offered for follow-up of the present SPMS, and called for consideration to be given to extending the mandate, terms of reference and composition of the existing Strategic Plan Working Group, subject to the availability of resources, to allow for continuity of expertise and ensure a party-driven process.

Final plenary session (22 February)

92. The COP adopted document UNEP/CMS/COP13/Doc.14.1 and the draft Decisions contained therein, as amended in document UNEP/CMS/COP13/CRP 14.1.

**Item 14.2. Options for a follow-up to the Strategic Plan for Migratory Species 2015-2023**

Committee of the Whole (18 February)

93. The Executive Secretary introduced document UNEP/CMS/COP13/Doc.14.2. It was essential that development of a revised Strategic Plan for CMS should complement the post-2020 Global Biodiversity Framework, to be finalized in October 2020 at COP15 of the Convention on Biological Diversity (CBD). Since the current SPMS extended to 2023, a revised version would need to be developed intersessionally with a view to adoption at COP14. A draft COP13 decision contained in COP13/Doc.14.2 requested the Secretariat to analyse the final text of the post-2020 Global Biodiversity Framework and to make recommendations to the Standing Committee, which would then further consider options and next steps.
94. The EU and its Member States supported the adoption of the draft decision but proposed minor amendments which would be provided in writing.
95. The United Kingdom considered it crucial that migratory species were appropriately reflected in the post-2020 Global Biodiversity Framework, supported the draft decision, and welcomed a cross-cutting approach to developing a Strategic Plan. There was a need for CMS to identify how it could most effectively contribute to the post-2020 Framework and to learn lessons from other MEAs.
96. The CBD Secretariat welcomed the recommendations contained in COP13/Doc.14.1 and COP13/Doc.14.2, underlining the importance of taking account of ongoing international processes, and noting that 28 countries shared the same National Focal Points for both CBD and CMS.
97. The Chair noted that the document seemed to be generally supported by Parties. Delegations that wished to propose amendments were asked to submit these in writing to the Secretariat.

Final plenary session (22 February)

98. The COP adopted document UNEP/CMS/COP13/Doc.14.2 and the draft Decision contained therein, as amended in document UNEP/CMS/COP13/CRP 14.2/Rev.2.

**ITEM 15. SCIENTIFIC COUNCIL**

**Item 15.1. COP-Appointed Councillor Subject Areas – Analysis, Review and Recommendations**

Committee of the Whole (18 February)

99. Australia introduced document UNEP/CMS/COP13/Doc.15.1, which reported on the activities of the Sessional Committee of the Scientific Council in reviewing this issue. In order to better understand areas where expert advice would be valuable to the work of the Convention, relevant outcomes of the last three COPs had been identified, and additional resources such as the National Reports, the CMS Strategic Plan, as well as, for example, the Aichi Targets and the Sustainable Development Goals had been used.
100. A second activity had been the establishment of a continuing review process for these subject areas. This process was summarized in Annex 2 of document UNEP/CMS/COP13/Doc.15.1.

101. The review had resulted in the identification of the following subject areas for COP-Appointed Councillors: Birds, Terrestrial Mammals, Aquatic Mammals, Marine Fish, Climate Change, Connectivity/Networks, Marine Pollution, Bycatch, and Invasive Species. Nominations for each position were listed in document UNEP/CMS/COP13/Doc.15.1/Add.1/Rev1.
102. The EU and its Member States, supported by Peru – speaking on behalf of South and Central America and the Caribbean, took note of the recommendations of the Sessional Committee of the Scientific Council. They agreed in principle with the selected subject areas but considered some additional subject areas also to be a priority, particularly insects, animal culture, and freshwater fish.
103. Wildlife Conservation Society (WCS) pointed out that IPBES recognized the over-exploitation of species as one of the five main drivers of biodiversity loss. This was considered to be a major gap in the subject areas identified. It was suggested that illegal taking and trade in species should be included as a future subject area for a COP-Appointed Councillor.
104. The Chair requested Argentina, Australia, the EU, New Zealand, Peru and the United Kingdom, to constitute a Friends of the Chair group, chaired by Australia, to engage in further discussions on this topic, and to advise the Chair of the COW on how best to move forward.

#### Committee of the Whole (22 February)

105. Following advice from the Friends of the Chair group established on 18 February, the COW recommended reappointment of the existing COP-Appointed Councillors for Birds, Aquatic Mammals, Climate Change and Bycatch. It also proposed to entrust the Sessional Committee with additional consultations concerning the positions of COP-appointed Councillors for Invasive Species early in the intersessional period, and to delegate to the Standing Committee the authority for the final decision on the appointment, based on a recommendation from the Scientific Council Sessional Committee.

#### Final plenary session (22 February)

106. At the invitation of the Chair, the plenary appointed the following COP-appointed Councillors:

|                        |   |
|------------------------|---|
| Terrestrial Mammals:   | Prof. Rodrigo Antonio Medellín Legorreta                          |
|                        | Prof. Alfred Apau Oteng-Yeboah                                    |
| Fish:                  | Dr. Rima Jabado (marine)  |
|                        | Dr. Zeb Hogan (freshwater)  |
| Connectivity/Networks: | Dr. Fernando Spina  |
| Marine Pollution:      | Dr. Mark Simmonds   |
| Invasive Species       | Dr. Holly Jones / Dr. Tatiani Elisa Chapla (pending finalization) |
107. The plenary also approved the recommendation of the COW to entrust the Standing Committee with the appointment of the Councillor for Invasive Species early in the intersessional period, in consultation with the Sessional Committee.

#### **Item 15.2. Appointment of Members of the Sessional Committee of the Scientific Council** Committee of the Whole (18 February)

108. The Secretariat presented document UNEP/CMS/COP13/Doc.15.2/Rev.1, which provided information to assist the Parties in the appointment of the regional membership of the Sessional Committee. Resolution 12.4 outlined the composition of the Sessional Committee of the Scientific Council and the process for nomination of members and alternate members of the Sessional Committee for election during the closing plenary of the COP.

Committee of the Whole (22 February)

109. At the invitation of the Chair, nominations (from among Party-Appointed Scientific Councillors) for Regional Membership of the Sessional Committee of the Scientific Council were made as follows:

Africa

Members: Mr. Djibril Diouck (Senegal), Mr. Stephen Okiror (Uganda), Mr. Edson Gandiwa (Zimbabwe);

Alternates: Mr. Andrews Agyekumhene (Ghana), Mr. Kahsay Gebretensae Asgedom (Ethiopia), Mr. Selby Remie (Seychelles).

Asia

Members: Mr. Hani Tatwany (Saudi Arabia), Mr. Daniel Fernando (Sri Lanka), Mr. Askar Davletbakov (Kyrgyzstan).

Central and South America and the Caribbean

Members: Mr. Carlos Mario Orrego Vásquez (Costa Rica), Ms. Patricia Pereira Serafini (Brazil) and Mr. Héctor Samuel Vera Alcaraz (Paraguay).

Europe

Members: Mr. Ruben Moreno-Opo (Spain), Mr. João José de Bastos Loureiro (Portugal); Ms. Daliborka Stankovic (Serbia);

Alternates: Mr. Jean-Philippe Siblet (France), Mr. James M. Williams (UK).

Oceania

Members: Ms. Narelle Montgomery (Australia) and Mr. Graeme Taylor (New Zealand). The name of a third Member would be provided as soon as possible after the COP.

Final plenary session (22 February)

110. At the invitation of the Chair, the COP endorsed the Regional Membership of the Sessional Committee of the Scientific Council, as recommended by the COW.

**ITEM 16. ELECTION OF PARTIES TO THE STANDING COMMITTEE**Committee of the Whole (18 February)

111. The Secretariat introduced document UNEP/CMS/COP13/Doc.16 *Election of Parties to the Standing Committee*. Parties were recommended to consult within regional groups and to determine which Parties would be nominated as regional or alternate members of the Standing Committee. The formal election of Parties to the Standing Committee, in accordance with Resolution 9.15, would take place on the closing day of the COP.
112. The Chair urged regional groupings to conclude their deliberations as soon as possible and to communicate their proposed nominations to the Secretariat by the evening of 19 February for review by the Bureau and confirmation by the COP on 22 February.

Final plenary session (22 February)

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

Africa

Members: Algeria, Kenya, Mali;

Alternates: Seychelles, Uganda, Zimbabwe

Asia

Members: Saudi Arabia, Uzbekistan;  
Alternates: Bangladesh, Pakistan

Central and South America and the Caribbean

Members: Panama, Uruguay;  
Alternates: Costa Rica, Peru

Europe

Members: Georgia, Italy, Monaco;  
Alternates: Croatia, France, Switzerland

Oceania

Member: New Zealand;  
Alternate: Palau

114. The Chair confirmed that the Chair and Vice Chair of the new Standing Committee would be elected during the 51<sup>st</sup> meeting of the Committee that would take place immediately after the close of the COP.
115. The COP endorsed the composition of the Standing Committee for the 2020-2023 triennium.

**ITEM 17. CMS CONTRIBUTION TO THE POST-2020 BIODIVERSITY FRAMEWORK**

Committee of the Whole (18 February)

116. The Executive Secretary introduced documents UNEP/CMS/COP13/Doc.17 *CMS Contribution to the Post-2020 Biodiversity Framework*; UNEP/CMS/COP13/Doc.17/Add.1 *Scientific Council Comments*; and UNEP/CMS/COP13/Doc.17/Add.2 *CMS Priorities for the Post-2020 Global Biodiversity Framework and Preliminary Views on Zero Draft and Indicators*. document UNEP/CMS/COP13/Doc.17 proposed draft Decisions (Annex), and the deletion of Decision 12.105e.
117. A video message was delivered by the Co-Chairs of the Convention on Biological Diversity's Open-ended Working Group on the Post-2020 Global Biodiversity Framework. This briefly outlined the timeline of the process, the overarching theory of change, the structure of the Zero Draft (including five measurable goals and implementing actions), and the potential contributions of CMS.
118. There was no draft COP Resolution on this item, which would instead be taken forward through the proposed Gandhinagar Declaration, at the initiative of the Government of India in its capacity as host country of COP13.
119. India recalled the process to date for development of the Gandhinagar Declaration, including the incorporation of key messages arising from the COP13 High-Level Segment convened on 16 February. A revised draft of the Declaration would be communicated to Parties in due course.
120. Interventions – all broadly supportive of the efforts made by CMS to engage in the process for the development of the Post-2020 Global Biodiversity Framework, as well as the development of the Gandhinagar Declaration – were made by Brazil, the EU and its Member States, Seychelles, and Togo, as well as by the observers from the SACEP, Born Free Foundation and the Wildlife Conservation Society (WCS).
121. The Chair asked those delegations that wished to propose specific text for potential inclusion in the Gandhinagar Declaration to do so in writing as soon as possible, using the dedicated COP13 email address. Once a revised draft of the Declaration had been received from the Government of India, the meeting might wish to consider establishment of a Contact Group.

Committee of the Whole (20 February)

122. The COW endorsed the draft Decisions contained in document UNEP/CMS/COP13/CRP17 *CMS contribution to the post-2020 Global Biodiversity Framework* for consideration by the COP.

Committee of the Whole (22 February)

123. India presented document UNEP/CMS/COP13/CRP1/Rev.1 *Gandhinagar Declaration*.
124. Brazil proposed a minor change in preambular paragraph 5, preferring the term 'climate change action' to 'climate change mitigation'.
125. The EU and its Member States accepted the amendment but wished to record that they considered biodiversity to be important for both mitigation and adaptation.
126. The COW endorsed the document, as amended, for consideration by plenary.

Final plenary session (22 February)

127. The COP adopted the draft Decisions and deleted decision contained in document UNEP/CMS/COP13/CRP 17 *Migratory Species in the Post-2020 Global Biodiversity Framework*.
128. The COP adopted the draft Resolution contained in document UNEP/CMS/COP13/CRP1/Rev.1, as amended by the COW.

**ITEM 18. SYNERGIES AND PARTNERSHIPS**

Committee of the Whole (18 February)

129. The Secretariat presented document UNEP/CMS/COP13/Doc.18 *Synergies and Partnerships*, including the amendments to Resolution 11.10 (Rev.COP12) contained in Annex 1 and the draft decision on NGO participation in CMS processes contained in Annex 2. An executive summary of this review '*Conservation Collaboration: Strengthening the relationship between CMS and its NGO partners when the world needs us most*'. was contained in Annex 3, whilst the full text could be found in document UNEP/CMS/COP13/Inf.33.
130. The WCS, speaking also on behalf of BirdLife International, International Crane Foundation, Born Free Foundation, OceanCare and International Fund for Animal Welfare (IFAW), highlighted key findings of the review and encouraged the COP to adopt the proposed amendments to the Resolution and the new Decision.
131. Switzerland supported the proposed draft amendments to Resolution 11.10 (Rev. COP12) and emphasized the importance of focusing on synergies between the biodiversity-related MEAs wherever possible, including with regard to knowledge management. Switzerland was therefore tabling an amendment to Annex 1 of COP13/Doc.18, highlighting the importance of knowledge management at national level and making reference to the Data Reporting Tool (DaRT) for MEAs.
132. Australia and New Zealand broadly welcomed the work done on synergies and partnerships, but, referring to the draft decision contained in Annex 2 to COP13/Doc.18, considered that the tasks proposed for assignment to the Standing Committee should in fact be the subject of decisions taken by the Parties at COP14.
133. The European Union and its Member States acknowledged the very important role NGO partners had in implementing the Convention and support the further work as proposed in draft decision. It considered the proposed recommendations in Annex 3 to be a starting point for further deliberations, including the explorations of options for the engagement with indigenous peoples, youth groups and local communities. The EU suggested some changes to the text as

drafted, before supporting the adoption of the proposed amendments in Resolution 11.10 (Rev. COP12) contained in Annex 1 and draft Decisions contained in Annex 2.

134. Brazil tabled an amendment to Annex 1 to document UNEP/CMS/COP13/Doc.18 to underline that CMS was supporting the development and implementation of the post-2020 Global Biodiversity Framework.
135. Brief interventions were made by the observers from OceanCare and Young Naturalist Network.
136. The Chair subsequently reported that the Secretariat had engaged in consultations with Parties that had raised concerns with regard to the proposed amendments to Resolution 11.10 (Rev.COP12) contained in Annex 1 to document UNEP/CMS/COP13/Doc.18.
137. The Secretariat provided clarifications for two paragraphs of Annex 1 and, with regard to the concerns raised by Australia and New Zealand, and confirmed that informal consultations suggested that giving decision-making authority to COP14 would be the best approach. An amendment to this effect was possible without the need to establish a Contact Group.
138. Australia, New Zealand, and the European Union indicated their acceptance of this proposed way forward. New Zealand confirmed it would submit drafting suggestions to the Secretariat.
139. The Chair asked that these be communicated to the Secretariat as soon as possible to facilitate preparation of a final draft for further consideration by the COW.

#### Committee of the Whole (20 February)

140. The COW endorsed document UNEP/CMS/COP13/CRP18 *Synergies and Partnerships* for the consideration of the COP plenary session.

#### Final plenary session (22 February)

141. The COP adopted the amendments to Resolution 11.10 and the draft Decisions contained in document UNEP/CMS/COP13/CRP18.

### **Item 18.1. Cooperation with IPBES**

#### Committee of the Whole (18 February)

142. The Secretariat presented document UNEP/CMS/COP13/Doc.18.1, including the proposed amendments to Resolution 10.8 (Rev.COP12) contained in Annex 1 and the draft COP13 Decisions contained in Annex 2. document UNEP/CMS/COP13/Doc.18.1/Add.1 contained comments from the Scientific Council.
143. The EU and its Member States supported the adoption of both Annex 1 and Annex 2, subject to the incorporation of minor amendments to both; these were presented orally and would be submitted in writing.
144. Mongolia welcomed the document and supported the amendments tabled by the EU.
145. Israel requested the EU to reconsider its proposal to delete paragraph 2bis of Annex 1.
146. The EU agreed that the paragraph in question could remain.
147. The Chair requested the Secretariat to revise the document taking into account the amendments received in writing and to present an updated in-session draft for further consideration by the COW.

Committee of the Whole (20 February)

148. The COW endorsed document UNEP/CMS/COP13/CRP 18.1 *Cooperation between the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES)* for the consideration of the COP plenary session.

Final plenary session (22 February)

149. The COP adopted the amendments to Resolution 10.8 (Rev.COP12), the deletion of Decisions 12.13 and 12.14, and the draft Decisions contained in document UNEP/CMS/COP13/CRP 18.1/Rev.1.

**Item 18.2. World Migratory Bird Day**

Committee of the Whole (18 February)

150. The Secretariat introduced document UNEP/CMS/COP13/Doc.18.2 *World Migratory Bird Day*, including proposed amendments to Resolution 11.9 contained in Annex 1.
151. Statements of general support for the text of Annex 1 were made by Ecuador, Madagascar, Mauritius, Nigeria, Senegal, South Africa, and East Asian-Australasian Flyway Partnership (EAAFP).
152. The EU and its Member States also supported the proposed amendments contained in Annex 1, subject to minor editorial amendments that would be submitted in writing.
153. Saudi Arabia supported the proposed amendments contained in Annex 1 but sought clarification of the process for selecting the theme of each World Migratory Bird Day (WMBD).
154. Uganda suggested that consideration be given to broadening the scope of WMBD to cover other groups of migratory animals.
155. BirdLife International strongly supported the proposed amendments contained in Annex 1 but tabled a proposed amendment concerning consultation with stakeholders about the theme of WMBDs.
156. Saudi Arabia confirmed that the amendment tabled by BirdLife International would address the point it had raised earlier.
157. The Chair observed that there was general support for the draft Decision and that the meeting took note of the advice received. The Secretariat was requested to prepare a revised in-session document for further consideration by the COW, incorporating the amendments tabled.

Committee of the Whole (20 February)

158. The COW endorsed document UNEP/CMS/COP13/CRP18.2 *World Migratory Bird Day* for the consideration of the COP plenary session.

Final plenary session (22 February)

159. The COP adopted the proposed amendments to Resolution 11.9 contained in document UNEP/CMS/COP13/CRP18.2.

**Note for clarification:** Item 19, *Implementation of the Programme of Work 2018-2020*, was taken together with Agenda Item 12.1, *Overview of Secretariat Activities*.

## V INTERPRETATION AND IMPLEMENTATION OF THE CONVENTION

### ITEM 20. NATIONAL REPORTS

#### Committee of the Whole (19 February)

160. The Secretariat introduced document UNEP/CMS/COP13/Doc.20, including the draft COP13 decisions contained in Annex 1 and the Analysis of CMS National Reports to COP13 contained in Annex 2. A representative from UNEP-WCMC gave a presentation focusing on the successful analyses permitted by the data, as well as threats to migratory species, and difficulties reported by Parties in implementing CMS.
161. Brazil supported the inclusion of analysis of National Reports in the budget, as presented by the Executive Secretary under budget Scenario 4 on 18 February. Brazil also supported the recommended actions and draft decisions in Annex 1 and outlined proposed amendments to decision 13.AA.
162. The EU and its Member States supported deletion of Decisions 12.4 and 12.5 and supported the draft decisions in Annex 1, subject to amendments, which it would be submitting in writing.
163. The Chair requested the Secretariat to revise the document, taking into account the amendments received in writing, and to present an updated in-session draft for further consideration by the COW.

#### Committee of the Whole (22 February)

164. The COW endorsed document UNEP/CMS/COP13/CRP20 *National Reports* for the consideration of the COP plenary session.

#### Final plenary session (22 February)

165. The COP took note of the Analysis of National Reports, deleted Decisions 12.4 and 12.5, and adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP20.

### ITEM 21. APPLICATION OF ARTICLE III OF THE CONVENTION

#### Committee of the Whole (19 February)

166. The Secretariat introduced document UNEP/CMS/COP13/Doc.21, including the draft Resolution contained in Annex 1 and the draft COP13 Decisions contained in Annex 2. Comments from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.21/Add.1. and document UNEP/CMS/COP13/Inf.37 *CMS Appendix I-Listed Species in International Trade – an Analysis of CITES Trade Data 2015-2018* provided a preliminary analysis of the nature and magnitude of the issue.
167. The EU and its Member States considered the document a good starting point and felt able to mandate further analysis for consideration at COP14. However, they were disinclined to support the draft Resolution and draft Decisions. There was a particular need for comparison of the species listed in the CMS and CITES Appendices.
168. Australia, New Zealand, Norway, South Africa and the United Kingdom also recommended further review, followed by consideration of this issue at COP14, as the best way forward.
169. Israel, Peru, Senegal and Zimbabwe considered this to be an important issue which would benefit from consideration and decision at COP13, rather than deferral to COP14.
170. CITES appreciated the strong cooperation between CMS and CITES, but noted a number of differences in approaches, definitions and goals.

171. Wildlife Conservation Society, speaking also on behalf of Natural Resources Defense Council (NRDC), International Environmental Law Project, and Defenders of Wildlife, supported the draft Resolution and urged Parties to adopt it.
172. The Chair established an Open-ended Contact Group, to be chaired by New Zealand, and requested the group to conclude discussions on this item and to update the document as necessary for the further consideration of the COW.

Committee of the Whole (22 February)

173. The COW endorsed document UNEP/CMS/COP13/CRP21 *Application of Article III of the Convention regarding international trade in Appendix-I listed species*, which contained amended draft Decisions, as proposed by the Open-ended Contact Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

174. The COP adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP21.

**ITEM 22. REVIEW MECHANISM AND NATIONAL LEGISLATION PROGRAMME**

Committee of the Whole (19 February)

175. The Secretariat introduced document UNEP/CMS/COP13/Doc.22, including the template for the communication of a possible implementation matter (Annex 1), legislative guidance materials relating to implementation of Article III.5 (Annex 2), the model law for the implementation of Article III.5 of CMS (Annex 3) and the draft COP13 Decisions contained in Annex 4.
176. Australia supported the document and tabled an amendment to Annex 2.
177. The EU and its Member States agreed with the deletion of Decisions 12.6 to 12.9 and supported the adoption of the draft decisions with inclusion of some amendments that had been submitted in writing.
178. The Chair requested the Secretariat to revise the document, taking into account the amendments received in writing, and to present an updated in-session draft for further consideration by the COW.

Committee of the Whole (22 February)

179. The COW endorsed document UNEP/CMS/COP13/CRP22 *Review Mechanism and National Legislation Programme*, which incorporated amendments submitted to the Secretariat, for the consideration of the COP plenary session.

Final plenary session (22 February)

180. The COP noted document UNEP/CMS/COP13/Doc.22 (including the template for communication of possible implementation matters, Legislative Guidance Material, and a Model Law for implementing Article III), deleted Decisions 12.6 to 12.9, and adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP 22.

**ITEM 23. REVIEW OF DECISIONS AND RESOLUTIONS**

**Item 23.1. Review of Decisions**

Committee of the Whole (19 February)

181. The Secretariat introduced document UNEP/CMS/COP13/Doc.23.1, including the 'List of Decisions' to be renewed or deleted that were not addressed in other COP13 documents contained in the document. This proposed the deletion of 6 Decisions and the renewal of 9 Decisions. The Secretariat further recommended the deletion of Decisions 12.1 and 12.42.

182. Norway congratulated the Secretariat for following up on COP12 and reviewing all of the decisions taken. This was an important task to undertake after every COP.
183. The COW endorsed proposals for deletions and renewal of decisions and confirmed that it could be forwarded to plenary for final adoption.

Final plenary session (22 February)

184. At its final plenary session on 22 February, the COP adopted document UNEP/CMS/COP13/Doc.23.1 and the renewal of nine decisions and the deletion of six other decisions contained therein (and further deletion of Decisions 12.1 and 12.42 recommended by the Secretariat).

**Item 23.2. Review of Resolutions: Decisions 12.11 and 12.12**

Committee of the Whole (19 February)

185. The Secretariat introduced document UNEP/CMS/COP13/Doc.23.2. The COP was recommended to repeal Resolution 7.18 (Rev.COP12) and Resolution 6.3 (Rev.COP12); and to delete Decisions 12.11 and 12.12.
186. There being no interventions from the floor, the COW endorsed the recommendations contained in the document to be forwarded to plenary for final adoption.

Final plenary session (22 February)

187. The COP repealed Resolution 7.18 (Rev.COP12) and Resolution 6.3 (Rev.COP12) and deleted Decisions 12.11 and 12.12, as recommended in document UNEP/CMS/COP13/Doc.23.2.

**ITEM 24. REVIEW OF THE CONSERVATION STATUS OF MIGRATORY SPECIES**

Committee of the Whole (19 February)

188. The Secretariat introduced document UNEP/CMS/COP13/Doc.24/Rev.1, including the draft Decisions contained in Annex 1 and the supporting technical information contained in Annexes 2 to 5.
189. The EU and its Member States welcomed the document and supported the adoption of the draft decisions, subject to minor editorial amendments that would be submitted in writing.
190. Australia stressed that the credibility of the CMS Appendices was crucial and considered it especially important to assess species that had been listed prior to the development of the current listing guidelines.
191. South Africa noted and appreciated the work done so far. However, as this was a preliminary report, and for the purposes of consistency, South Africa recommended that geographical populations or regional assessments be considered in the Review of the Conservation Status of Migratory Species. This would provide a clearer picture of the conservation effort on the ground, especially with regard to mammals.
192. The IUCN welcomed the draft decisions and supported their adoption. The IUCN was working with the Zoological Society of London and others on a report on impacts of human exploitation of species, which was highly relevant and would be published in mid-2020.
193. UNEP-WCMC supported the draft decisions, highlighting the importance of this work to the overarching goals of CMS.
194. IFAW, also representing BirdLife International, Born Free Foundation, Humane Society International, NRDC, OceanCare, and the World Wide Fund for Nature (WWF), supported the adoption of the draft decisions and recommended the extension of the approach to Appendix II species.

195. Brazil supported the textual change proposed by IFAW and requested its inclusion in the final draft.
196. The Chair requested the Secretariat to revise the document, taking into account the amendments received in writing, and to present an updated in-session draft for further consideration by the COW.

Committee of the Whole (22 February)

197. The COW endorsed document UNEP/CMS/COP13/CRP24 *Review of the Conservation Status of Migratory Species*, which incorporated amendments submitted to the Secretariat, for the consideration of the COP plenary session.

Final plenary session (22 February)

198. The COP noted the report contained in document UNEP/CMS/COP13/Doc.24/Rev.1 and adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP24.

**ITEM 25. PROGRESS TOWARDS THE DEVELOPMENT OF AN ATLAS ON ANIMAL MIGRATION**

Committee of the Whole (19 February)

199. The Secretariat introduced document UNEP/CMS/COP13/Doc.25. Comments from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.25/Add.1. The COP was requested to take note of the report and to support the further development and use of the Atlas modules already realized.
200. India wholeheartedly supported the Atlas initiative and briefly outlined relevant work being conducted in relation to the Central Asian Flyway (CAF). India urged the Scientific Council to consider supporting preparation of a Bird Migration Atlas for the CAF, or incorporation of such information within the developing global Migration Atlas.
201. The EU and its Member States took note of the report, welcomed the migration atlas for migratory mammals in the Central Asian region developed under the Central Asian Mammals Initiative, and also welcomed progress made in developing an atlas of bird migration in the African-Eurasian region and look forward to its finalization in 2021.
202. The EU supported further development and use of the modules being realized, including to ensure inter-operability with other digital databases, and wished to encourage further voluntary contributions to elaborate the Atlas of Animal Migration.
203. There being no further requests for the floor, the COW took note of document UNEP/CMS/COP13/Doc.25, including Add.1 and forwarded it to plenary for further consideration.

Final plenary session (22 February)

204. The COP took note of document UNEP/CMS/COP13/Doc.25, including UNEP/CMS/COP13/Doc.25/Add.1.

**ITEM 26. CONSERVATION ISSUES**

**ITEM 26.1 AVIAN SPECIES**

Committee of the Whole (18 February)

205. The Chair recalled that the Avian Species Working Group would be treating this item in depth; delegates were therefore invited to keep their interventions in the present session of the COW as brief as possible.

### **Item 26.1.1. The Prevention of Illegal Killing, Taking and Trade of Migratory Birds**

#### Committee of the Whole (18 February)

206. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.1.1, including the proposed amendments to Resolution 11.6 (Rev.COP12) contained in Annex 1, as well as draft COP13 Decisions contained in Annex 2. The comments of the Scientific Council, including a number of additional amendments to Annexes 1 and 2, were contained in document UNEP/CMS/COP13/Doc.26.1.1/Add.1.
207. Statements of support were made by Australia and Israel.
208. The EU and its Member States supported the amendments contained in Annex 1 and the draft Decisions contained in Annex 2 in principle but would be submitting proposed amendments in writing.
209. The Chair noted general support for the document and invited all those with proposed amendments to submit these in writing to the Secretariat, for consideration by the Avian Working Group alongside the proposals of the Scientific Council. The Working Group would bring forward an integrated in-session document for further consideration by the COW.

#### Committee of the Whole (22 February)

210. The COW endorsed document UNEP/CMS/COP13/CRP26.1.1 *The Prevention of Illegal Killing, Taking and Trade of Migratory Birds*, which incorporated the recommendations of the Avian Species Working Group, for the consideration of the COP plenary session.

#### Final plenary session (22 February)

211. The COP adopted the draft amendments to Resolution 11.6 (Rev.COP12) and the draft Decisions amending Decisions 12.26 to 12.30, as contained in document UNEP/CMS/COP13/CRP26.1.1.

### **Item 26.1.2. Action Plan for Migratory Landbirds in the African-Eurasian Region**

#### Committee of the Whole (18 February)

212. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.1.2 including the proposed amendments to Resolution 11.17 (Rev.COP12) contained in Annex 1, the draft COP13 Decisions contained in Annex 2, and the Action Plan contained in Annex 3. The comments of the Scientific Council were contained in document UNEP/CMS/COP13/Doc.26.1.2/Add.1.
213. The EU and its Member States supported the amendments contained in Annex 1, and – subject to incorporation of minor amendments – the adoption of the draft Decisions contained in Annex 2 and the Action Plan contained in Annex 3.
214. BirdLife International strongly supported the Action Plan, which had immense strategic importance for CMS. BirdLife International nevertheless wished to table several minor amendments to strengthen Annex 2.
215. The Chair requested that proposed amendments be submitted in writing for further consideration by the Avian Species Working Group, alongside the comments from the Scientific Council. The Working Group would prepare an integrated in-session document for further consideration by the COW.

#### Committee of the Whole (22 February)

216. The COW endorsed document UNEP/CMS/COP13/CRP26.1.2 *Action Plan for Migratory Landbirds in the African-Eurasian Region (AEMLAP)*, including document UNEP/CMS/COP13/CRP26.1.2/Annex 3, which incorporated the recommendations of the Avian Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

217. The COP adopted the draft amendments to Resolution 11.17 (Rev.COP12), the draft Decisions amending Decisions 12.22 to 12.25, (including deletion of paragraph c) of Decision 12.22), and the draft additional Decision, all of which were contained in document UNEP/CMS/COP13/CRP26.1.2. The COP also noted the changes made to the AEMLAP contained in document UNEP/CMS/COP13/CRP26.1.2/Annex 3.

**Item 26.1.3. Preventing Poisoning of Migratory Birds**Committee of the Whole (18 February)

218. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.1.3, including proposed amendments to Resolution 11.15 (Rev.COP12) in Annex 1 and draft COP13 Decisions contained in Annex 2. The comments of the Scientific Council were contained in document UNEP/CMS/COP13/Doc.26.1.3/Add.1.
219. The EU and its Member States generally supported the draft amendments and decisions contained in Annex 1 and Annex 2. However, a number of proposed amendments would be submitted in writing and the EU and its Member States were unable to accept the text relating to the REACH regulation in Annex 2.
220. Norway supported the suggestions made by the EU and proposed a further amendment concerning the phasing-out of lead ammunition and fishing weights.
221. The Chair asked the Avian Species Working Group to review the amendments submitted by Parties alongside the proposals from the Scientific Council and to prepare an integrated in-session document for further consideration by the COW.

Committee of the Whole (22 February)

222. The COW endorsed document UNEP/CMS/COP13/CRP26.1.3 *Preventing Poisoning of Migratory Birds*, which incorporated the recommendations of the Avian Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

223. The COP adopted the draft amendments to Resolution 11.15 (Rev.COP12), the draft Decisions amending Decisions 12.18 and 12.19, and the draft additional Decision, as set out in document UNEP/CMS/COP13/CRP26.1.3.

**Item 26.1.4. Flyways**Committee of the Whole (18 February)

224. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.1.4, including proposed amendments to Resolution 12.11 contained in Annex 1, and draft COP13 Decisions contained in Annex 2. Comments and proposals from the Scientific Council were contained in document UNEP/CMS/COP13/Doc.26.1.4/Add.1.
225. India indicated its readiness to continue and strengthen its leadership role with regard to the Central Asian Flyway (CAF), as highlighted in the keynote address by the Honourable Prime Minister of India during the COP13 opening ceremony. There was a particular need for an independent institutional mechanism and for technical support within the region. India stood ready to assist and would be tabling corresponding amendments to Annex 1 and Annex 2.
226. Saudi Arabia welcomed the statement of India and stressed the importance of having clear timelines for the proposed reinvigoration of work on CAF.
227. New Zealand pointed out that some avian migration routes did not fit into the conventional model of north-south flyways; that of the Antipodean Albatross (*Diomedea antipodensis*) being

just one such example. New Zealand would table proposed amendments to Annex 1 in this regard.

228. Statements of general support for the document were made by the East Asian-Australasian Flyway Partnership (EAAFP) and by Mongolia. Mongolia particularly welcomed the intervention of India with regard to the CAF.

229. The Chair asked the Avian Species Working Group to review the amendments submitted by Parties alongside the proposals from the Scientific Council and to prepare an integrated in-session document for further consideration by the COW.

Committee of the Whole (22 February)

230. The COW endorsed document UNEP/CMS/COP13/CRP26.1.4/Rev.1 *Flyways*, which incorporated the recommendations of the Avian Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

231. The COP adopted the draft amendments to Resolution 12.11 (Rev.COP12), the draft Decisions amending Decisions 12.31 to 12.35, and the new draft Decisions, as contained in document UNEP/CMS/COP13/CRP26.1.4/Rev.1.

**Item 26.1.5. Action Plans for Birds**

Committee of the Whole (18 February)

232. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.1.5, including proposed amendments to Resolution 12.12 contained in Annex 1 and draft COP13 decisions contained in Annex 2. Comments from the Scientific Council were contained in document UNEP/CMS/COP13/Doc.26.1.5/Add.1.

233. The Secretariat reported that the document had been discussed by the Avian Species Working Group during the evening of 17 February. The Working Group had cleared all of the proposed amendments to Annex 1 and Annex 2 and had recommended a further amendment to Annex 2 with regard to *Emberiza* buntings.

234. India tabled a number of additional amendments to both Annex 1 and Annex 2 with regard to Indian Skimmer (*Rynchops albicollis*).

235. The Chair invited India to submit its proposed amendments in writing to the Secretariat so that the Avian Species Working Group could finalize a revised version of the document for consideration by the COW.

Committee of the Whole (20 February)

236. The COW endorsed document UNEP/CMS/COP13/CRP26.1.5 *Action Plans for Birds*, which incorporated the recommendations of the Avian Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

237. The COP adopted the draft amendments to Resolution 12.12, draft Decisions amending Decisions 12.20 and 12.21 and new draft Decisions, as contained in document UNEP/CMS/COP13/CRP26.1.5.

## ITEM 26.2 AQUATIC SPECIES

### Committee of the Whole (18 February)

238. The Chair recalled that the Aquatic Species Working Group would be treating this item in depth; delegates were therefore invited to keep their interventions in the present session of the COW as brief as possible.

### **Item 26.2.1. Conservation Measures Relevant for CMS-listed Species evident from the Identification of Important Marine Mammal Areas**

#### Committee of the Whole (18 February)

239. The COP-Appointed Councillor for Aquatic Mammals, Mr. Giuseppe Notarbartolo di Sciarra, introduced document UNEP/CMS/COP13/Doc.26.2.1/Rev.1, including the draft COP13 Decisions contained in Annex 2.
240. India, Seychelles, OceanCare, and Young Naturalist Network supported the adoption of Annex 2, notably with regard to the potential inclusion of regional populations of Dugong (*Dugong dugon*) in CMS Appendix 1.
241. The EU and its Member States also supported the draft decisions, subject to inclusion of one amendment.
242. The Chair asked the Aquatic Species Working Group to review the amendments submitted by Parties alongside the proposals from the Scientific Council and to prepare an integrated in-session document for further consideration by the COW.

#### Committee of the Whole (20 February)

243. The COW endorsed document UNEP/CMS/COP13/CRP26.2.1/Rev.1 *Conservation Measures Relevant for CMS-Listed Species Evident from the Identification of Important Marine Mammal Areas (IMMAs)*, which incorporated the recommendations of the Aquatic Species Working Group, for the consideration of the COP plenary session.

#### Final plenary session (22 February)

244. The COP agreed to delete Decisions 12.40 and 12.41, and adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP26.2.1/Rev.1.

### **Item 26.2.2. Marine Noise**

#### Committee of the Whole (18 February)

245. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.2.2/Rev.1, as well as related information documents, Inf.8 *Advisory Note: Further Guidance on Independent, Scientific Modelling of Noise Propagation* and Inf.9 *Best Available Technology and Best Environmental Practice for Three Noise Sources: Shipping, Seismic Airgun Surveys and Pile Driving*. The Annex to COP13/Doc.26.2.2/Rev.1 contained draft COP13 Decisions.
246. Argentina, India and Peru, as well as the International Whaling Commission (IWC), supported the document. WWF noted that it had communicated a number of proposed amendments to the Aquatic Species Working Group. The Chair asked the Aquatic Species Working Group to prepare an updated in-session document for further consideration by the COW.

#### Committee of the Whole (22 February)

247. The COW endorsed document UNEP/CMS/COP13/CRP26.2.2 *Marine Noise*, which incorporated the recommendations of the Aquatic Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

248. The COP adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP26.2.2.1/Rev.1.

**Item 26.2.3. Bycatch**

Committee of the Whole (18 February)

249. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.2.3, including draft COP13 Decisions contained in the Annex, and referred to supporting information documents (Inf docs 11-13). Comments and proposed amendments to the draft Decisions from the Scientific Council were contained in UNEP/CMS/COP13/Doc.26.2.3/Add.1.
250. India and Senegal supported the document, and briefly outlined relevant national and regional issues, respectively, related to bycatch.
251. The EU and its Member States welcomed the initiative but outlined its proposals for a number of small amendments to provide technical clarifications. These would be submitted in writing.
252. New Zealand summarized a number of proposed amendments that were similar in nature to those made by the EU and which had already been communicated to the Secretariat in writing.
253. The United Kingdom welcomed in principle the draft decisions contained in the Annex and particularly commended the close working relationship between CMS and the International Whaling Commission (IWC). Capitalizing on this would help to avoid duplication and thereby make cost efficiencies.
254. The IWC also welcomed the collaboration with CMS and underlined the importance of avoiding redundant work, but also the need to work with Regional Fisheries Management Organizations (RFMOs) and other bodies that directly regulated fishing.
255. The Chair asked the Aquatic Species Working Group to review the amendments submitted by Parties alongside the proposals from the Scientific Council, and to prepare an integrated in-session document for further consideration by the COW.

Committee of the Whole (22 February)

256. The COW endorsed document UNEP/CMS/COP13/CRP26.2.3 *Bycatch*, which incorporated the recommendations of the Aquatic Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

257. The COP adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP26.2.3.

**Item 26.2.4. Aquatic Wild Meat**

Committee of the Whole (18 February)

258. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.2.4/Rev.1, including draft COP13 Decisions contained in Annex 1, as well as the associated documents UNEP/CMS/COP13/Doc.26.2.4/Rev.1/Annex 2 *The Harvest of CMS Appendix I-listed Sharks and Rays as Aquatic Wild Meat* and UNEP/CMS/COP13/Doc.26.2.4/Rev.1/Annex 3 *Determining the Extent of Interplay between Bycatch and Aquatic Wildmeat Harvest*.
259. Argentina and Ecuador supported the document, including the draft decisions in Annex 1. Ecuador emphasized the importance of reliable data to support conservation measures.
260. OceanCare, supported by the IWC, underlined the huge challenges associated with the lack of enforcement measures to control use and trade, thereby exacerbating threats to the aquatic species covered by this agenda item.

261. There being no proposals for amendments, and at the invitation of the Chair, the COW endorsed the draft Decision contained in Annex 1 for submission to the COP plenary for final approval.

Final Plenary Session (22 February)

262. The COP noted the four reports, agreed to delete Decisions 12.44, to 12.46, and adopted the draft Decisions contained in document UNEP/CMS/COP13/Doc.26.2.4/Rev.1.

**Item 26.2.5. Marine Wildlife Watching**

Committee of the Whole (18 February)

263. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.2.5 *Marine Wildlife Watching*, including draft COP13 Decisions contained in Annex 1. The Scientific Council had recommended adoption of the document, as confirmed in document UNEP/CMS/COP13/Doc.26.2.5/Add.1.
264. Statements of general support for the draft Decisions contained in Annex 1 were made by Argentina, Brazil, Ecuador, Madagascar, Peru and Uruguay.
265. Brazil confirmed that it would be submitting proposals for two small amendments to Annex 1.
266. The Chair asked the Aquatic Species Working Group to consider the amendments being submitted by Brazil and to prepare an updated in-session document for further consideration by the COW.

Committee of the Whole (20 February)

267. The COW endorsed document UNEP/CMS/COP13/CRP26.2.5 *Marine Wildlife Watching*, which incorporated the recommendations of the Aquatic Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

268. The COP agreed to delete Decisions 12.50 to 12.52 and 12.78 to 12.80, as proposed in Document UNEP/CMS/COP13/Doc.26.2.5, and adopted the new Decisions contained in document UNEP/CMS/COP13/CRP26.2.5.

**Item 26.2.6. Marine Turtles**

Committee of the Whole (18 February)

269. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.2.6/Rev.2, including the draft COP13 Decision contained in the Annex, and drew attention to a suggestion contained in document COP13/Doc.26.4.11 that consideration of infrastructure-related impacts on beaches and nearby habitats might be incorporated into the present document.
270. Brazil, Costa Rica and Peru supported the draft Decision contained in the Annex in its present form.
271. The EU and its Member States also supported the draft Decision contained in the Annex, subject to the inclusion of minor changes to one sub-paragraph.
272. Senegal supported the draft Decision contained in the Annex, as amended by the EU, and suggested inclusion of an additional paragraph on the importance of identifying any remaining unknown turtle nesting beaches.
273. Australia noted that a later agenda item would deal with the light pollution guidelines prepared by Australia. In addition, development of a Single Species Action Plan for Hawksbill Turtles (*Eretmochelys imbricata*) should await the completion of ongoing international initiatives for

this species under CITES and the IOSEA Marine Turtle MOU, thereby ensuring the availability of key information.

274. WWF nevertheless considered that the SSAP for Hawksbill Turtles could be ready for adoption by COP14, and that the possibility of deferral to COP15, as permitted by the current wording of the Annex, should be excluded.
275. The CITES Secretariat noted that the document did not yet reflect the substantial outcomes of CITES COP18 with regard to marine turtles. It was hoped that these would be taken into consideration in the final version.
276. The Chair asked the Aquatic Species Working Group to consider proposed amendments and to prepare an updated in-session document for further consideration by the COW.

Committee of the Whole (20 February)

277. The COW endorsed document UNEP/CMS/COP13/CRP26.2.6 *Marine Turtles*, which incorporated the recommendations of the Aquatic Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

278. The COP adopted the revisions to Decision 12.17 contained in document UNEP/CMS/COP13/CRP26.2.6.

**Item 26.2.7. Chondrichthyan Species (Sharks, Rays, Skates and Chimaeras)**

Committee of the Whole (18 February)

279. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.2.7, including the draft Consolidated Resolution contained in Annex 2 and the detailed explanation of proposed amendments contained in Annex 1, as well as the draft COP13 Decisions contained in Annex 3.
280. The EU and its Member States were broadly supportive of the Draft Consolidated Resolution but would submit a few proposed editorial amendments to improve clarity in Annex 2.
281. Madagascar, Peru, the United Arab Emirates, and the WCS – speaking also on behalf of WWF, IFAW, Shark Advocates International, OceanCare, Humane Society International, Humane Society Australia, Blue Resources Trust, and Save our Seas Foundation – supported the draft Consolidated Resolution and Decisions contained in Annexes 2 and 3.
282. The Chair requested the Aquatic Species Working Group to review proposed amendments and to prepare a revised in-session document for further consideration by the COW.

Committee of the Whole (22 February)

283. The COW endorsed document UNEP/CMS/COP13/CRP26.2.7 *Chondrichthyan Species (Sharks, Rays, Skates and Chimaeras)*, which incorporated the recommendations of the Aquatic Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

284. The COP adopted the draft Resolution and draft Decisions contained in document UNEP/CMS/COP13/CRP26.2.7.

**Item 26.2.8. Live Capture of Cetaceans from the Wild for Commercial Purposes**

Committee of the Whole (18 February)

285. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.2.8, including the proposed deletion of Decisions 12.47 to 12.49 and draft COP13 Decisions contained in the Annex. The

Scientific Council had recommended adoption of the draft Decisions, as confirmed in document UNEP/CMS/COP13/Doc.26.2.8/Add.1.

286. The EU and its Member States supported the draft Decisions contained in the Annex but proposed inclusion of one minor amendment.
287. Australia supported the draft Decisions contained in the Annex, including the amendment proposed by the EU.
288. Argentina, Ecuador and Peru all supported the draft Decisions contained in the Annex, as did Whale and Dolphin Conservation, which highlighted the ongoing live capture of cetaceans in some parts of the world.
289. The Chair requested the Aquatic Species Working Group to review proposed amendments and to prepare a revised in-session document for further consideration by the COW.

Committee of the Whole (20 February)

290. The COW endorsed document UNEP/CMS/COP13/CRP26.2.8 *Live Capture of Cetaceans from the Wild for Commercial Purposes*, which incorporated the recommendations of the Aquatic Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

291. The COP agreed to delete Decisions 12.47 to 12.49, as proposed in document UNEP/CMS/COP13/Doc.26.2.8, and adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP26.2.8.

**Item 26.2.9. European Eel**

Committee of the Whole (18 February)

292. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.2.9 submitted in connection with the Concerted Action for the European Eel (*Anguilla anguilla*), including the draft COP13 Decisions contained in Annex 3. The Scientific Council had recommended adoption of the draft Decisions, as confirmed in UNEP/CMS/COP13/Doc.26.2.9/Add.1.
293. Belarus referred to the ban on exports of European Eel from the EU to third countries and stated that this had caused serious difficulties for eel conservation work in Belarus. This should be reflected in an amendment to Annex 2 of COP13/Doc.26.2.9, identifying the export ban as an additional threat to European Eel.
294. The EU and its Member States stated their commitment to protection of the European Eel and referred to the many actions taken at EU level. Both export and import to/from third countries had been banned since 2010. This was an important measure for stock recovery. The EU had imposed eel fishery closures since 2018. CMS had the potential to contribute to enhanced international cooperation for improving the conservation status of the European Eel. In this context, the EU and its Member States welcomed the development of a non-binding Action Plan for European Eel. The EU and its Member States proposed inclusion in the Action Plan of provisions to strengthen international cooperation between Range States and other States with regard to the Sargasso Sea area, the common spawning ground of the European and American Eel. Such an inclusion would link conservation activities in Europe, North Africa and around the Sargasso Sea, and enhance efforts in protection of the spawning area in the Sargasso Sea. The EU and its Member States suggested ensuring close cooperation with the Sargasso Sea Commission and the Western Central Atlantic Fishery Commission (WECAFC) in developing such provisions under the Action Plan. Discussion at COP13 should focus on the structure and scope of the proposed Action Plan. The EU and its Member States had some technical clarifications and other amendments to suggest and these would be submitted in writing. With regard to financial support, the EU and its Member States needed to consider whether this was feasible in view of current financial constraints. However, the EU could

consider hosting the next meeting of eel Range States and supported consultations with all Range States, non-Range States and other stakeholders.

295. The CITES Secretariat recalled that CITES COP18 had paid considerable attention to this species. Parties had adopted further relevant decisions and CITES was grateful for the good cooperation with CMS. The Action Plan proposed in the present document would also be very helpful.
296. The Chair requested the Aquatic Species Working Group to review proposed amendments and to prepare a revised in-session document for further consideration by the COW.

Committee of the Whole (20 February)

297. The COW endorsed document UNEP/CMS/COP13/CRP26.2.9 *European Eel*, which incorporated the guidance and recommendations of the Aquatic Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

298. The COP adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP26.2.9.

**Item 26.2.10. Global Programme of Work for Cetaceans**

Committee of the Whole (18 February)

299. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.2.10/Rev.2, including the draft Decisions contained in Annex 2.
300. The Secretariat also drew attention to a suggestion contained in document COP13/Doc.26.4.11 that consideration of infrastructure-related impacts on beaches and nearby habitats might be incorporated into the present document.
301. Argentina and Peru expressed their support of the draft Decisions contained in Annex 2.
302. Brazil, and Whale and Dolphin Conservation also supported the draft Decisions contained in Annex 2 but would be submitting proposals for minor amendments.
303. The Chair requested the Aquatic Species Working Group to review proposed amendments and to prepare a revised in-session document for further consideration by the COW.

Committee of the Whole (20 February)

304. The COW endorsed document UNEP/CMS/COP13/CRP26.2.10 *Global Programme of Work for Cetaceans*, which incorporated the recommendations of the Aquatic Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

305. The COP took note of issues raised in document UNEP/CMS/COP13/Doc.26.2.10/Rev.2 Annex 1, agreed to delete Decision 12.16, and adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP26.2.10. The COP also noted that Decision 12.51 had already been deleted under agenda item 26.2.5 (Marine Wildlife Watching).

**ITEM 26.3. TERRESTRIAL SPECIES**

**Item 26.3.1. Joint CITES-CMS African Carnivores Initiative**

Committee of the Whole (19 February)

306. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.3.1/Rev.1, including the draft Resolution contained in Annex 1 and the draft Decisions contained in Annex 2. Comments and proposals from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.26.3.1/Add.1. The Secretariat further noted that COP was also

recommended to delete Decisions 12.55 to 12.70. This recommendation had inadvertently been omitted from the document.

307. The EU and its Member States, the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the International Union for the Conservation of Nature (IUCN), Born Free Foundation and Cheetah Conservation Fund made statements supportive of the document, including the draft Resolution and draft Decisions it contained.
308. Nigeria and Senegal referred to the Seville workshop mentioned in paragraph 31 of COP13/Doc.26.3.1/Rev.1, and raised concerns about representativeness of participation and lack of consensus on the outcomes of the meeting.
309. The Chair noted that the relevant paragraph comprised part of the background document and was not included in the draft Resolution or draft Decisions. The concerns of Nigeria and Senegal would be reflected in the meeting report.
310. The Born Free Foundation welcomed the document but concurred with the concerns expressed by Nigeria and Senegal.
311. Conservation Force welcomed the document and its annexes but suggested that the African Carnivores Initiative (ACI) should be opened up to all interested stakeholders and experts. With regard to the concerns of Nigeria and Senegal, CITES had endorsed the conclusions of the Seville workshop and as the ACI was a common initiative of CMS and CITES, Conservation Force believed there should be a reciprocal endorsement by CMS.
312. The Chair invited the meeting to indicate any objection to the adoption of Annexes 1 to 4. There being no such objections and in the absence of proposals for amendments to the Annexes, the COW endorsed forwarding them to plenary for further consideration but. proposed amendments were subsequently drawn to the attention of the Terrestrial Species Working.

#### Committee of the Whole (22 February)

313. The COW endorsed document UNEP/CMS/COP13/CRP26.3.1 *Joint CITES-CMS African Carnivores Initiative*, which incorporated the recommendations of the Terrestrial Species Working Group, for the consideration of the COP plenary session.

#### Final plenary session (22 February)

314. The COP agreed to delete Decisions 12.55 to 12.70 and adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP26.3.1. The COP also took note of the 'Executive Summary of the Guidelines on the Conservation of Lions in Africa' and the 'Roadmap for the Conservation of Leopard in Africa' contained in Annexes 3 and 4 of document UNEP/CMS/COP13/Doc.26.3.1/Rev.1.

### **Item 26.3.2. Conservation of the African Wild Ass**

#### Committee of the Whole (19 February)

315. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.3.2, including the proposed amendments to Resolution 12.18 contained in Annex 1 and the proposed amendments to Decision 12.71 contained in Annex 2. The Scientific Council had recommended adoption of these proposals, as confirmed in document UNEP/CMS/COP13/Doc.26.3.2/Add.1.
316. Ethiopia and Senegal strongly supported the document.
317. There being no further requests for floor and no opposition, the COW endorsed the proposed amendments to Resolution 12.18 and renewal of Decision 12.71 and recommended their forwarding for consideration by plenary, subject to advice from The Terrestrial Species Working Group.

Committee of the Whole (22 February)

318. The COW endorsed document UNEP/CMS/COP13/CRP26.3.2 *Conservation of the African Wild Ass (Equus africanus)*, which incorporated the recommendations of the Terrestrial Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

319. The COP adopted the amendments to Resolution 12.18 and Decision 12.71 as contained in document UNEP/CMS/COP13/CRP26.3.2.

**Item 26.3.3. African Elephant Action Plan**

Committee of the Whole (19 February)

320. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.3.3, including the draft Decisions contained in the Annex. Comments from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.26.3.3/Add.1.
321. UNEP provided additional information on the African Elephant Action Plan and African Elephant Fund.
322. Senegal and Togo referred to the Memorandum of Understanding concerning Conservation Measures for the West African Populations of the African Elephant and expressed disappointment at the lack of progress made and the absence of financial resources for implementation.
323. UNEP clarified that the African Elephant Fund provided a funding mechanism for the conservation of the African Elephant across the African Elephant Range States.
324. Togo undertook to provide a proposed addition to the draft decisions in order to make a clearer link between the West African Elephant MOU and the African Elephant Fund.
325. The Chair requested Togo to submit its proposal in writing to the Secretariat as soon as possible and referred the document to the Terrestrial Species Working Group for further discussion and finalization.

Committee of the Whole (22 February)

326. The COW endorsed document UNEP/CMS/COP13/CRP26.3.3 *African Elephant Action Plan*, which incorporated the recommendations of the Terrestrial Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

327. The COP adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP26.3.3.

**Item 26.3.4. Sahelo-Saharan Megafauna**

Committee of the Whole (19 February)

328. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.3.4, including the proposed amendments to Resolution 9.21(Rev.COP12) contained in Annex 1 and the draft Decision contained in Annex 2. Comments and proposals from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.26.3.4/Add.1.
329. The Secretariat also introduced the related document UNEP/CMS/COP13/Doc.28.2.4 *Proposal for the Continuation of the Concerted Action for Sahelo-Saharan Megafauna: Scimitar-Horned Oryx (Oryx dammah), Addax (Addax nasomaculatus), Dama Gazelle (Nanger dama), Slender-Horned Gazelle (Gazella leptoceros), Cuvier's Gazelle (Gazella cuvieri), Dorcas Gazelle (Gazella dorcas), Red-Fronted Gazelle (Eurdorcas rufifrons), and Barbary Sheep (Ammotragus lervia) listed on the Appendices of the Convention*. Comments and proposals from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.28.2.4/Add.1.

330. The EU and its Member States supported the adoption of the proposed amendments to Resolution 9.21(Rev.COP12) subject to a further minor amendment to the preamble. Minor proposed amendments to the draft Decisions in Annex 2 would also be submitted. The EU welcomed and supported continuation of the Concerted Action but would submit in writing minor additions to document UNEP/CMS/COP13/Doc.28.2.4.
331. The United Arab Emirates indicated that it would submit brief comments on document UNEP/CMS/COP13/Doc.28.2.4.
332. Senegal strongly supported both documents, including continuation of the Concerted Action.
333. The COW referred both documents to the Terrestrial Species Working Group for further discussion and finalization.

Committee of the Whole (22 February)

334. The COW endorsed document UNEP/CMS/COP13/CRP26.3.4 *Sahelo-Saharan Megafauna*, which incorporated the recommendations of the Terrestrial Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

335. The COP adopted the revision of Resolution 9.21 (Rev.COP12) and the draft Decision, as contained in document UNEP/CMS/COP13/CRP26.3.4.

**Item 26.3.5. Central Asian Mammals Initiative**

Committee of the Whole (19 February)

336. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.3.5, including the proposed amendments to Resolution 11.24 contained in Annex 1 and the Programme of Work (POW) for the Central Asian Mammals Initiative (2021-2026) contained in Annex 2. Comments and proposals from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.26.3.5/Add.1.
337. Mongolia recalled that it had hosted the 2<sup>nd</sup> meeting of the Central Asian Mammals Initiative (CAMI) Range States in September 2019. On behalf of the Government of Mongolia the delegation expressed appreciation to the Government of Germany, the Government of the United Kingdom, WCS and WWF for their support. Mongolia supported the two documents under consideration.
338. The EU and its Member States supported adoption of the proposed amendments to Resolution 11.24 with certain minor changes and also supported the adoption of the CAMI POW (2021-2026). The POW would nevertheless benefit from inclusion of an estimated cost for each of the actions identified
339. The United Kingdom supported Annex 1 and welcomed the POW contained in Annex 2. CAMI was a clear demonstration of regional commitment to transboundary cooperation for conservation. The UK noted the generous financial support to CAMI from the Governments of Germany and Switzerland and concurred that it would be useful to have estimated costings included in the POW as well as indications of where in-kind resources might be provided to support implementation.
340. Switzerland supported the proposed amendments to Resolution 11.24 and hoped that the COP would support the proposed POW.
341. Uzbekistan considered that CAMI provided an excellent example of transboundary collaboration and thanked the Governments of Germany and Switzerland for providing support to enable progress with implementation. Uzbekistan supported the amended resolution and proposed Programme of Work.

342. The WCS observed that CAMI was highly successful and great model that could hopefully be extended to other regions. The WCS encouraged Parties to adopt the amended Resolution and the proposed POW, which, in line with Scientific Council comments, would benefit from prioritization.
343. Young Naturalist Network supported the document.
344. The COW referred this item to the Terrestrial Species Working Group for further discussion and finalization, notably with regard to the amendments tabled by the EU.

Committee of the Whole (22 February)

345. The COW endorsed document UNEP/CMS/COP13/CRP26.3.5 *Central Asian Mammals Initiative*, which incorporated the recommendations of the Terrestrial Species Working Group, for the consideration of the COP plenary session.

Final plenary session (22 February)

346. The COP adopted the revision of Resolution 11.24 contained in UNEP/CMS/COP13/CRP26.3.5, as well as the CAMI POW contained in Annex 2 to document UNEP/CMS/COP13/Doc.26.3.5.

## **ITEM 26.4. CROSSCUTTING CONSERVATION ISSUES**

### **Item 26.4.1. Conservation Implications of Animal Culture and Social Complexity**

Committee of the Whole (19 February)

347. Mr. Giuseppe Notarbartolo di Sciara, COP-appointed Councillor for Aquatic Mammals, introduced document UNEP/CMS/COP13/Doc.26.4.1/Rev.1. The COP was recommended to adopt the draft Decisions contained in Annex 3, and to delete Decisions 12.75 to 12.77.
348. The United Kingdom considered that this was an important emerging area of conservation research. However, it was also important to understand how the work done so far could be applied in terms of practical management advice for the conservation of migratory species.
349. Argentina confirmed its support for the document but concurred with the remarks made by the UK.
350. The Born Free Foundation, speaking also on behalf of Humane Society International, IFAW, OceanCare, and Whale and Dolphin Conservation (WDC), recalled the view of the late Bradnee Chambers that CMS was breaking new ground with this pioneering work, which could have fundamental repercussions for approaches to conservation. Parties were urged to support continued work by the Expert Working Group and to adopt the draft Decisions. The wider CMS Family and partners were urged to highlight this area of work when engaging with wider forums, including the post-2020 Global Biodiversity Framework process.
351. Peru added its support for the document but underlined the need for effective involvement of countries and national-level experts.
352. Senegal supported adoption of the draft decisions, which were very timely.
353. Conservation Force considered that there should be a comprehensive discussion on human livelihoods and culture to complement the work on animal culture.
354. There being no further interventions and no opposition, or proposals for amendments, the COW endorsed the draft decisions contained in Annex 3 of the document and recommended them for adoption by plenary.

Final plenary session (22 February)

355. The COP agreed to delete Decisions 12.75 to 12.77, and adopted the new draft Decisions contained in document UNEP/CMS/COP13/Doc.26.4.1/Rev.1 *Conservation Implications of Animal Culture and Social Complexity*.

**Item 26.4.2. Energy and Migratory Species****Item 26.4.2.1. Renewable Energy and Migratory Species**Committee of the Whole (19 February)

356. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.4.2.1. Comments and proposals from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.26.4.2.1/Add.1. The COP was recommended to adopt the draft Resolution contained in Annex 1 of this document, based on the proposed amendments to Resolution 11.27 (Rev.COP12); and to adopt the draft Decisions contained in Annex 2.
357. The EU and its Member States thanked the Secretariat and the Energy Task Force for the work done since COP12. In general, the EU supported the draft Resolution and draft Decisions, subject to a few minor additions and modifications. The EU considered the work of the Task Force to be of major importance, given the rapid growth of renewable energy across a considerable part of the world. However, there was an urgent need to secure additional funding. The EU generally supported the amendments proposed by the Scientific Council but had minor changes to suggest. These would be submitted in writing.
358. Brazil and Senegal strongly supported the work undertaken.
359. The Chair noted that no opposition had been expressed. An in-session document would be prepared by the Secretariat, integrating proposed amendments received in writing, including those from the EU and the Scientific Council. This would be submitted to the COW for further consideration.

Committee of the Whole (22 February)

360. The COW endorsed document UNEP/CMS/COP13/CRP26.4.2.1 *Renewable Energy and Migratory Species*, for the consideration of the COP plenary session.

Final plenary session (22 February)

361. The COP adopted the draft Resolution and draft Decisions contained in document UNEP/CMS/COP13/CRP26.4.2.1.

**Item 26.4.2.2. Power Lines and Migratory Birds**Committee of the Whole (19 February)

362. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.4.2.2. Comments and proposals of the Scientific Council were provided as UNEP/CMS/COP13/Doc.26.4.2.2/Add.1. The COP was recommended to adopt the draft amendments to Resolution 10.11 contained in the Annex to the document.
363. India was generally in agreement but noted that environmental impact assessments were not required for electricity transmission projects in India. India supported the Scientific Council proposal to replace “new” with “large scale” in the eleventh preambular paragraph of the amended Resolution 10.11.
364. The EU and its Member States generally supported the proposed amendments to Resolution 10.11 but wished to propose some additional amendments. The EU also supported amendments proposed by the Sessional Committee of the Scientific Council.
365. Peru also supported the proposed amendments to Resolution 10.11 and briefly reported on the status of relevant actions at national level.

366. The Chair noted that no opposition had been expressed. An in-session document would be prepared by the Secretariat, integrating proposed amendments, including those recommended by the Scientific Council. This would be submitted to the COW for further consideration.

Committee of the Whole (22 February)

367. Saudi Arabia stressed the importance of mitigating the impacts of infrastructure on migratory species through methods such as sensitivity mapping, and called for more scientific considerations and guidelines. The mutual impacts of airstrikes on aircraft and migratory species were of particular interest.
368. The COW endorsed document UNEP/CMS/COP13/CRP26.4.2.2 *Power Lines and Migratory Birds*, for the consideration of the COP plenary session.

Final plenary session (22 February)

369. The COP adopted the revision of Resolution 10.11 as contained in document UNEP/CMS/COP13/CRP26.4.2.2.

**Item 26.4.3. Addressing Unsustainable Use of Terrestrial and Avian Wild Meat of Migratory Species of Wild Animals**

Committee of the Whole (19 February)

370. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.4.3. Comments and proposals of the Scientific Council were provided as UNEP/CMS/COP13/Doc.26.4.3/Add.1. The COP was recommended to delete Decisions 12.86 and 12.87, and to review and adopt the renewed Decisions contained in the Annex to the document.
371. The EU and its Member States confirmed its support for the renewed decisions contained in the Annex but tabled a number of amendments, confirming that written proposals would be submitted to the Secretariat. The EU supported deletion of Decisions 12.86 and 12.87.
372. The Chair noted that no opposition had been expressed. An in-session document would be prepared by the Secretariat, integrating proposals submitted by the EU, as well by the Scientific Council. The revised text would be submitted to the COW for further consideration.

Committee of the Whole (22 February)

373. The COW endorsed document UNEP/CMS/COP13/CRP26.4.3/Rev.1 *Addressing Unsustainable Use of Terrestrial and Avian Wild Meat of Migratory Species of Wild Animals* for the consideration of the COP plenary session.

Final plenary session (22 February)

374. The COP agreed to delete Decisions 12.86 and 12.87, as proposed in document UNEP/CMS/COP13/Doc.26.4.3, and adopted the draft Decisions, amending Decisions 12.83 to 12.85 and 12.88, contained in document UNEP/CMS/COP13/CRP26.4.3/Rev.1.

**Item 26.4.4. Improving Ways of Addressing Connectivity in the Conservation of Migratory Species**

Committee of the Whole (19 February)

375. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.4.4. Comments and proposals of the Scientific Council were provided as document UNEP/CMS/COP13/Doc.26.4.4/Add.1. The COP was recommended to adopt the proposed amendments to Resolution 12.26 contained in Annex 1, and to adopt the draft Decisions contained in Annex 2.
376. The EU and its Member States thanked the Secretariat for promoting and sharing information on connectivity. The EU noted that implementation of Decisions 12.93 c) and d) had been

hampered by a lack of Secretariat capacity and recognized that sharing and review of information on connectivity required continuous efforts. The EU supported reflecting this in a Resolution rather than in a Decision. The EU was generally supportive of Annex 1 but had proposals for modest amendments that would be submitted to the Secretariat in writing.

377. Brazil supported the document in general and recognized the importance of enhancing and promoting connectivity. Brazil nevertheless suggested deletion of three paragraphs in Annex 1.
378. The IUCN welcomed the document but tabled further improvements to Annex 1, including through reference to the definition of connectivity proposed by the Working Group on the CMS Family contributions to the Post-2020 Global Biodiversity Framework, as set out in COP13/Doc.17/Add.2/Annex 1. The IUCN also briefly updated the meeting on work of the Connectivity Conservation Specialist Group of the World Commission on Protected Areas (WCPA).
379. The Chair invited the delegations of Brazil and the EU to engage with each other with a view to reaching consensus on amendments to Annex 1.
380. The Chair asked if there were any objections to the proposal tabled by the IUCN to include the above-mentioned definition of connectivity. No objections were raised.
381. The Chair confirmed that an in-session document would be prepared by the Secretariat, integrating amendments received from delegates. The revised text would be submitted to the COW for further consideration.

Committee of the Whole (22 February)

382. The COW endorsed document UNEP/CMS/COP13/CRP26.4.4 *Improving Ways of Addressing Connectivity in the Conservation of Migratory Species* for the consideration of the COP plenary session.

Final plenary session (22 February)

383. The COP adopted the amendments to Resolution 12.26, as well as the draft Decisions amending Decisions 12.91 and 12.93 and renewing Decision 12.92, contained in document UNEP/CMS/COP13/CRP26.4.4.
384. France announced a voluntary contribution to the CMS Programme of Work for the analysis of linkages between connectivity and ecosystem resilience.

**Item 26.4.5. Transfrontier Conservation Areas for Migratory Species**

Committee of the Whole (19 February)

385. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.4.5, including proposed amendments to Resolution 12.7 in Annex 1, and amendments to Decisions 12.94 – 12.96 in Annex 2. Comments from the Scientific Council were contained in document UNEP/CMS/COP13/Doc.26.4.5/Add.1.
386. India expressed its strong support for Transfrontier Conservation Areas and supported the amendments to both the Resolution and the Decisions. India added that it would welcome assistance and support from the Secretariat on this issue, and that it was submitting a written statement in this regard.
387. The EU and its Member States supported the proposed amendments to Resolution 12.7 and to Decisions 12.94 to 12.96, subject to the inclusion of further amendments in the interest of clarity. These would be submitted in writing.

388. Brazil, Peru and the United Kingdom also supported the amended Resolution and Decisions but indicated that they would submit further written amendments.
389. The Chair requested the Secretariat to revise the document, taking into account the amendments received in writing, and to present an updated in-session draft for further consideration by the COW.

Committee of the Whole (22 February)

390. The COW endorsed document UNEP/CMS/COP13/CRP26.4.5 *Transfrontier Conservation Areas for Migratory Species* for the consideration of the COP plenary session.

Final plenary session (22 February)

391. The COP adopted the amendments to Resolution 12.7 and renewal of Decisions 12.94 to 12.96 contained in document UNEP/CMS/COP13/CRP26.4.5.

**Item 26.4.6. Community Participation and Livelihoods**

Committee of the Whole (19 February)

392. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.4.6, including amendments to Decisions 12.98 to 12.100 contained in Annex 1. Document UNEP/CMS/COP13/Doc.26.4.6/Add.1 contained comments from the Scientific Council.
393. The EU and its Member States supported the amendments to Decisions 12.98 to 12.100 subject to the inclusion of minor textual amendments which would be submitted in writing.
394. Mongolia, Bangladesh, India, Malawi, Senegal and Togo, welcomed the report and supported the amendments to the COP12 Decisions.
395. The IUCN supported the document and suggested a few minor amendments to the Annex, including addition of the words “along migratory pathways” in paragraph 13AA b) of the draft Decisions. The IUCN and its Sustainable Use and Livelihoods Specialist Group were ready to cooperate on activities. The IUCN suggested that the concept of community connectivity, which considered linkages between communities, could powerfully complement site connectivity.
396. The Secretariat of the Convention on Biological Diversity (CBD) stressed the value of cooperation with indigenous peoples and local communities (IPLCs) and noted that areas of high ecological diversity in traditionally managed areas occupied by indigenous people covered large areas of the world. CBD had found participatory mechanisms for indigenous people to be a very successful approach to supporting conservation over the past 20 years. By including the full and effective participation of IPLCs and establishing a formal mechanism for them to contribute to the decision-making processes, the work of CMS on a number of issues would be enhanced.
397. The Chair requested the Secretariat to revise the document, taking into account the amendments received in writing, and to present an updated in-session document for further consideration by the COW.

Committee of the Whole (22 February)

398. The COW endorsed document UNEP/CMS/COP13/CRP26.4.6 *Community Participation and Livelihoods* for the consideration of the COP plenary session.

Final plenary session (22 February)

399. The COP agreed to delete Decision 12.99, and adopted the amendments to Decisions 12.98 and 12.100, as well as the draft new Decisions contained in document UNEP/CMS/COP13/CRP26.4.6.

**Item 26.4.7. Impacts of Plastic Pollution on Aquatic, Terrestrial and Avian Species**

Committee of the Whole (19 February)

400. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.4.7, including draft COP13 Decisions contained in the Annex. Document UNEP/CMS/COP13/Doc.26.4.7/Add.1 contained comments from the Scientific Council.
401. The EU and its Member States supported adoption of the draft Decisions with minor additions that it would submit in writing. The EU considered it important to give increased attention to this issue, and to avoid duplication of effort through strong cooperation and synergies among all interested organizations.
402. Argentina, Ecuador, India, Mongolia, Peru, Rwanda, and Senegal fully supported the document, including the draft Decisions. All of these Parties reported on measures adopted at national level to reduce the use of single-use plastic, and some proposed international measures such as an international instrument to combat plastic pollution.
403. The Seychelles proposed strengthening cooperation with the United Nations Environment Programme to ensure that the process established under UNEA Resolution 4/6 would contribute to the efforts under CMS Resolution 12.20, and also proposed amendments to the draft Decisions contained in UNEP/CMS/COP13/Doc.26.4.7.
404. The Chair noted that other Parties and observers were asking for the floor, but in the interests of time he encouraged them to submit their comments in writing.
405. UNEP reported that the 4<sup>th</sup> session of the United Nations Environment Assembly (UNEA) had adopted a Resolution (UNEP/EA/RES.6: Marine Plastic, Litter and Microplastics), which called for strengthening cooperation among stakeholders in taking immediate action against plastic in the oceans. An ad hoc open-ended expert group on marine litter and microplastics established under UNEA would have two meetings in 2020 and 2021. The expert group would take stock, identify technical and financial resources and encourage partnerships, and UNEP looked forward to the active participation of CMS in deliberations at these meetings.
406. The Chair requested the Secretariat to make revisions, taking into account the amendments received in writing, and to present an updated in-session document for further consideration by the COW.

Committee of the Whole (22 February)

407. The COW endorsed document UNEP/CMS/COP13/CRP26.4.7 *Impacts of Plastic Pollution on Aquatic, Terrestrial and Avian Species* for the consideration of the COP plenary session.

Final plenary session (22 February)

408. The COP adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP26.4.7.

**Item 26.4.8. Climate Change and Migratory Species**

Committee of the Whole (19 February)

409. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.4.8. Comments from the Scientific Council were provided as document UNEP/CMS/COP13/Doc.26.4.8/Add.1. The COP was recommended to take note of the document, to delete Decision 12.73, to adopt the draft Decisions contained in the Annex to the document, amending Decisions 12.72 and 12.74, and to consider the comments from the ScC.
410. Mr. Colin Galbraith, the COP-Appointed Councillor for Climate Change, gave a presentation providing details of some of the activities proposed for inclusion in the Programme of Work.

411. Brazil recognized the great importance of this issue but opposed the creation of an additional reporting burden through the use of ad hoc questionnaires. Brazil supported the draft Decisions, subject to an amendment to one paragraph, and also supported deletion of Decision 12.73.
412. The EU and its Member States also supported deletion of Decision 12.73, and supported the draft Decisions, subject to the inclusion of amendments that would be submitted in writing.
413. The Secretariat of the Ramsar Convention on Wetlands considered it important to increase and enhance cooperation on climate change, and emphasized the important role played by carbon-rich wetlands.
414. Humane Society International referred to the nexus of migratory species and climate change, underling that protection of biodiversity made a significant contribution to climate change mitigation and adaptation – for example, the role played by the recovering populations of great whales as carbon sinks and environmental engineers.
415. The Chair requested the Secretariat to make revisions, taking into account the amendments received in writing, and to present an updated in-session draft for further consideration by the COW.

Committee of the Whole (22 February)

416. The COW endorsed document UNEP/CMS/COP13/CRP26.4.8 *Climate Change and Migratory Species* for the consideration of the COP plenary session.

Final plenary session (22 February)

417. The COP agreed to delete Decision 12.73, and adopted the revision of Decisions 12.72 and 12.74, as well as the adoption of the draft new Decision, as contained in document UNEP/CMS/COP13/CRP26.4.8.

**Item 26.4.9. Light pollution**

**Item 26.4.9.1. Light Pollution Guidelines for Wildlife including Marine Turtles, Seabirds and Migratory Shorebirds**

**Item 26.4.9.2. Light Pollution and Migratory Species**

Committee of the Whole (19 February)

418. Australia introduced document UNEP/CMS/COP13/Doc.26.4.9.1/Rev.1, which contained a draft Resolution in Annex 1 and Australia's *National Light Pollution Guidelines for Wildlife* in Annex 2. Document UNEP/CMS/COP13/Doc.26.4.9.1/Add.1 contained comments from the Scientific Council. Australia supported the EU document under item 26.4.9.2, and suggested that light pollution would provide a good theme for the next World Migratory Bird Day.
419. The EU and its Member States briefly introduced document UNEP/CMS/COP13/Doc.26.4.9.2, including a draft Resolution in Annex 1 and draft Decisions in Annex 2. Document UNEP/CMS/COP13/Doc.26.4.9.2/Add.1 contained comments from the Scientific Council.
420. The Chair proposed merging documents UNEP/CMS/COP13/Doc.26.4.9.1/Rev.1, and UNEP/CMS/COP13/Doc.26.4.9.2 and discussing them together. This proposal was welcomed by Australia and the EU.
421. New Zealand thanked Australia for the Annex 2 *Guidelines* and noted that these had already proved useful with regard to light-pollution impacts on seabirds in New Zealand. In addition, New Zealand would provide information to CMS on the results of research currently underway on this topic.

422. The Chair requested the Secretariat, in conjunction with Australia and the EU, to merge the two documents, and to present a revised in-session draft for further consideration by the COW.

Committee of the Whole (22 February)

423. The COW endorsed the merged document, UNEP/CMS/COP13/CRP26.4.9 *Light Pollution Guidelines for Wildlife*, for the consideration of the COP plenary session.

Final plenary session (22 February)

424. The COP adopted the draft Resolution and draft Decisions contained in document UNEP/CMS/COP13/CRP26.4.9.

**Item 26.4.10. Insect Decline and its Threat to Migratory Insectivorous Animal Populations**

Committee of the Whole (19 February)

425. The EU and its Member States introduced document UNEP/CMS/COP13/Doc.26.4.10, including the draft Resolution contained in Annex 1 and the draft Decision contained in Annex 2. The comments and proposals of the ScC were provided in UNEP/CMS/COP13/Doc.26.4.10/Add.1. The EU supported the incorporation of many of the Scientific Council's proposals, with some minor changes. The COP was recommended to adopt Annex 1 and Annex 2.

426. Senegal supported the document, including the Scientific Council's comments.

427. Australia and Brazil supported the draft Resolution contained in Annex 1 and the draft Decision contained in Annex 2, subject to inclusion of amendments that would be submitted in writing.

428. WWF, also representing BirdLife International and IFAW, welcomed the document and the comments of the Scientific Council, and called on Parties to adopt the draft Resolution and draft Decision.

429. Young Naturalist Network also supported the draft Resolution and draft Decision.

430. The Chair requested the Secretariat to make revisions, taking into account the amendments received in writing, and to present an updated in-session draft for further consideration by the COW.

Committee of the Whole (22 February)

431. The COW considered document UNEP/CMS/COP13/CRP26.4.10.

432. Brazil considered that the CRP did not reflect the discussion in the COW, or the comments submitted to the CMS Secretariat, and called for the establishment of a Contact Group.

433. The EU, also on behalf of its Member States, and supported by Costa Rica, Israel, Peru, Senegal, Switzerland, the UK, and the Chair of the Scientific Council, highlighted that there was broad consensus among the scientific community on the urgency of tackling pesticide use, due to its contribution to declines of insects and biodiversity at large. The EU recalled the Scientific Council's support for the proposed document. Israel cautioned against any weakening of language and called for the adoption of the text as it stood. The UK considered the wording of the CRP to be accurate.

434. In disagreement with the UK, Brazil remarked that the CRP document was not accurate, because changes recommended by one Party had been introduced without being discussed. On the contrary, comments presented by Brazil were not reflected in the document. Brazil denounced a lack of transparency, also reflected in the document being uploaded late the previous night.

435. The Chair established a Contact Group, comprising Brazil, the EU, and other interested Parties, with the aim of reaching consensus on a way forward.
436. The EU and its Member States, updating the COW on the deliberations of the Contact Group, reported that there had been further intensive debate, but that it had not been possible to reach consensus on every point.
437. Argentina and Brazil reiterated their view that it was not within the mandate of CMS to have any involvement in issues concerning agriculture and commerce and the text proposed in the CRP did not correspond to the major global environmental agreements, such as the Rio Conventions. Instead, the text reflected the unilateral perspective of a very limited number of Parties. Whilst maintaining their objection to both document UNEP/CMS/COP13/Doc.26.4.10 and Conference Room Paper UNEP/CMS/COP13/CRP26.4.10, Argentina and Brazil did not wish to break consensus and so would not seek a vote on this matter.
438. The EU and its Member States presented further amendments to UNEP/CMS/COP13/CRP26.4.10, which, it was hoped, would go some way to meeting the concerns raised. These amendments were projected (in English) in the plenary hall.
439. Brazil considered that the amendments did not resolve the fundamental objections raised by Argentina and Brazil.
440. Israel suggested removing the word “primary” in paragraph 1 c) of the draft Resolution.
441. There being no objection, the Chair ruled that the COW had accepted the amendment tabled by Israel.
442. Noting the views expressed by Argentina and Brazil, the COW endorsed forwarding UNEP/CMS/COP13/CRP26.4.10, as amended by the EU and its Member States and by Israel, for further consideration by the COP plenary.

Final plenary session (22 February)

443. The Chair invited the meeting to adopt document UNEP/CMS/COP13/CRP26.4.10 *Insect Decline and its Threat to Migratory Insectivorous Animal Populations*, as amended by the COW during its final session on 22 February.
444. Brazil and Argentina indicated that they would not break consensus, but wished the record to show their understanding that the provisions of this document did not affect the rights of Parties deriving from any other international agreement.
445. Peru and Uruguay stated that although they had supported the original document, they joined Brazil and Argentina in expressing dissatisfaction with the manner in which changes had been made to the CRP.
446. The COP adopted the draft Resolution and draft Decision contained in document UNEP/CMS/COP13/CRP26.4.10, as amended by the COW during its final session on 22 February.

**Item 26.4.11. Infrastructure Development and Migratory Species**

Committee of the Whole (19 February)

447. The Secretariat introduced document UNEP/CMS/COP13/Doc.26.4.11 and the draft Decisions contained in the Annex.
448. The EU and its Member States, supported by Brazil, welcomed the initiative and supported adoption of the draft Decisions, subject to amendment.

449. India reported that it had formulated guidelines on infrastructure development and migratory species.
450. Mongolia supported the report and the draft Decisions and recalled that UNEA4 had adopted a Resolution calling for actions to strengthen environmental impact assessments and promote existing best practices. Mongolia considered this Resolution to be important and proposed including reference to it in the present document.
451. The Chair requested the Secretariat to make revisions, taking into account the amendments received in writing, and to present an updated in-session document for further consideration by the COW.

Committee of the Whole (22 February)

452. The COW endorsed document, UNEP/CMS/COP13/CRP26.4.11 *Infrastructure Development and Migratory Species*, for the consideration of the COP plenary session.

Final plenary session (22 February)

453. The COP adopted the draft Decisions contained in document UNEP/CMS/COP13/CRP26.4.11.

**ITEM 27. AMENDMENT OF CMS APPENDICES**

**Item 27.1. Proposals for Amendment of Appendices I and II of the Convention**

**Item 27.1.1. Proposal for the Inclusion of the Mainland Asian Elephant/Indian Elephant (*Elephas maximus indicus*) in Appendix I of the Convention**

Committee of the Whole (20 February)

454. The proponent, India, introduced the listing proposal contained in document UNEP/CMS/COP13/Doc.27.1.1, drawing attention also to the proposal under Agenda Item 28 for a Concerted Action for this species. Comments from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.27.1.1/Add.1.
455. Bangladesh supported the proposal, together with the EU and its Member States and Sri Lanka.
456. IFAW, also speaking on behalf of the Born Free Foundation, Wildlife Conservation Society, and WWF supported the listing proposal, which provided a framework that would catalyse conservation actions. IFAW drew attention to the emerging issue of use of elephant skins and urged all Parties to support the proposal.
457. Humane Society India and Humane Society International, together with Young Naturalist Network, fully supported the listing proposal, and drew attention to the potential benefits for elephants in India that would otherwise be caught and held in captivity.
458. CMS Ambassador Ian Redmond pointed out that the population of the Asian Elephant occurring on the island of Borneo migrated between Sabah in Malaysia and Kalimantan in Indonesia. These countries were not yet Parties to the Convention, but if and when they joined, this population would also be eligible for listing on Appendix I.
459. There being no further requests for the floor, the Chair concluded that the COW had endorsed inclusion of Mainland Asian Elephant/Indian Elephant in Appendix I of the Convention, and that it would be forwarded to plenary for adoption.

Final plenary session (22 February)

460. The COP adopted the proposal to include the Mainland Asian Elephant/Indian Elephant (*Elephas maximus indicus*) in Appendix I of the Convention.

**Item 27.1.2. Proposal for the Inclusion of the Jaguar (*Panthera onca*) in Appendix I and II of the Convention**

Committee of the Whole (20 February)

461. Costa Rica, speaking on behalf of the proponents (Costa Rica, Argentina, Bolivia (the Plurinational State of), Paraguay, Peru and Uruguay) introduced the listing proposal contained in document UNEP/CMS/COP13/Doc.27.1.2. Comments from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.27.1.2/Add.1. Additional comments submitted by Costa Rica were contained in document UNEP/CMS/COP13/Doc.27.1.2/Add.2.
462. Switzerland supported the proposal, drawing attention to the fragmented nature of the population and the need for transboundary corridors to permit connectivity.
463. Australia, Eswatini, the EU and its Member States, India, Nigeria, Panama (speaking also on behalf of Brazil and Ecuador), Senegal, and the UK also supported the proposal, before the Chair requested that in the interests of saving time, any further supporting statements from Parties should be submitted in writing to the Secretariat.
464. Australia and the UK commended the robust justification in support of the proposal that had been provided by Costa Rica in response to the comments of the Scientific Council.
465. The WCS greatly appreciated the proposal and strongly supported the listing, drawing attention to the vital role played by the Jaguar in indigenous culture in the region, and a recent increase in poaching.
466. The International Council for Game and Wildlife Conservation (CIC) did not support the proposal for an Appendix I listing, saying that the Red List status of Jaguar globally was Near Threatened, and that the population in the Amazon basin did not meet the listing criteria. Furthermore, a number of Range States were not Parties to CMS. Listing on Appendix II was warranted because of the existence of transboundary populations. CIC recommended that the IUCN should undertake a Red List status review of the Jaguar during the forthcoming intersessional period.
467. IFAW, speaking also on behalf of the Born Free Foundation, Defenders of Wildlife, Humane Society International, Natural Resources Defense Council, and WWF, congratulated the proponents on their proposal, and on their response to the comments of the Scientific Council. The proposal was an exemplary regional effort that deserved support. There was a particular need to conserve the 26 fragmented and isolated transboundary populations.
468. Young Naturalist Network supported the proposal.
469. The Chair observed that there had been no dissenting views or opposition from any Party.
470. The COW endorsed the inclusion of the Jaguar in Appendix I and II of the Convention and recommended the proposed listing for adoption by plenary.

Final plenary session (22 February)

471. The COP adopted the proposal to include the Jaguar (*Panthera onca*) in Appendices I and II of the Convention.

**Item 27.1.3. Proposal for the Inclusion of the Urial (*Ovis vignei*) in Appendix II of the Convention**

Committee of the Whole (20 February)

472. Tajikistan, speaking on behalf of the proponents –Tajikistan, the Islamic Republic of Iran, and Uzbekistan, introduced the listing proposal contained in document UNEP/CMS/COP13/Doc.27.1.3. Comments from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.27.1.3/Add.1.

473. The EU and its Member States supported the listing proposal and consequently the potential inclusion of Urial in the Central Asian Mammals Initiative. The EU emphasized the importance of ensuring consistency and coherence of CMS and CITES taxonomy with regard to this species.
474. India supported the listing proposal.
475. There being no dissenting views, or objections from Parties, the COW endorsed the inclusion of Urial in Appendix II of the Convention and recommended the proposed listing for adoption by plenary.

Final plenary session (22 February)

476. The COP adopted the proposal to include Urial (*Ovis vignei*) in Appendix II of the Convention.

**Item 27.1.4. Proposal for the Inclusion of the Great Indian Bustard (*Ardeotis nigriceps*) in Appendix I of the Convention**

Committee of the Whole (20 February)

477. The proponent, India, introduced the listing proposal contained in document UNEP/CMS/COP13/Doc.27.1.4, drawing attention also to the proposal under agenda item 28 for a Concerted Action for this species. Comments from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.27.1.4/Add.1
478. The Plurinational State of Bolivia (speaking on behalf of the South and Central America and the Caribbean region), Ecuador, the EU and its Member States, Mauritius, Peru, Saudi Arabia, Senegal, and Somalia, as well as the WCS, the Corbett Foundation and Young Naturalist Network, supported the listing proposal.
479. There being no dissenting views, or objections from Parties, the COW endorsed the inclusion of Great Indian Bustard in Appendix I of the Convention and recommended the proposed listing for adoption by plenary.

Final plenary session (22 February)

480. The COP adopted the proposal to include the Great Indian Bustard (*Ardeotis nigriceps*) in Appendix I of the Convention.

**Item 27.1.5. Proposal for the Inclusion of the Bengal Florican (*Houbaropsis bengalensis bengalensis*) in Appendix I of the Convention**

Committee of the Whole (20 February)

481. The proponent, India, introduced the listing proposal contained in document UNEP/CMS/COP13/Doc.27.1.5, drawing attention also to the proposal under agenda item 28 for a Concerted Action for this species. Comments from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.27.1.5/Add.1.
482. Bangladesh, Costa Rica, the EU and its Member States, as well as the Bombay Natural History Society strongly supported the proposal.
483. The International Council for Game and Wildlife Preservation (CIC) stated that it could only tentatively support the listing proposal. The species was already included in CITES Appendix I, but the status of transboundary movements was unclear and needed further research.
484. There being no objections from Parties, the COW endorsed the inclusion of Bengal Florican in Appendix I of the Convention and recommended the proposed listing for adoption by plenary.

Final plenary session (22 February)

485. The COP adopted the proposal to include Bengal Florican (*Houbaropsis bengalensis bengalensis*) in Appendix I of the Convention.

**Item 27.1.6. Proposal for the Inclusion of the Little Bustard (*Tetrax tetrax*) in Appendix I and II of the Convention**

Committee of the Whole (20 February)

486. The EU and its Member States, speaking as proponent of the listing proposal, introduced document UNEP/CMS/COP13/Doc.27.1.6. Comments from the Scientific Council, including the recommendation to adopt the proposal, were provided in document UNEP/CMS/COP13/Doc.27.1.6/Add.1.
487. Costa Rica, Iraq, Mongolia (speaking also on behalf of Kyrgyzstan, Tajikistan and Uzbekistan), and Peru, as well as Young Naturalist Network, supported the listing proposal.
488. There being no dissenting views, or objections from Parties, the COW endorsed the inclusion of Little Bustard in Appendices I and II of the Convention and recommended the proposed listing for adoption by plenary.

Final plenary session (22 February)

489. The COP adopted the proposal to include Little Bustard (*Tetrax tetrax*) in Appendices I and II of the Convention.

**Item 27.1.7. Proposal for the Inclusion of the Antipodean Albatross (*Diomedea antipodensis*) in Appendix I of the Convention**

Committee of the Whole (20 February)

490. New Zealand, speaking on behalf of the proponents – New Zealand, Australia, and Chile – introduced document UNEP/CMS/COP13/Doc.27.1.7, highlighting in particular the threats associated with long-line fishing in the South Pacific, and drawing attention also to the proposal under Agenda item 28 for a Concerted Action on this species. Comments from the Scientific Council, including the recommendation to adopt the proposal, were provided in document UNEP/CMS/COP13/Doc.27.1.7/Add.1.
491. Australia, the EU and its Member States, India, and Uruguay (speaking on behalf of the South and Central America and the Caribbean region), as well as the Secretariat of the Agreement on the Conservation of Albatrosses and Petrels (ACAP), and Young Naturalist Network, supported the listing proposal.
492. There being no dissenting views, or objections from Parties, the COW endorsed the inclusion of Antipodean Albatross in Appendix I of the Convention and recommended the proposed listing for adoption by plenary.

Final plenary session (22 February)

493. The COP adopted the proposal to include Antipodean Albatross (*Diomedea antipodensis*) in Appendix I of the Convention.

**Item 27.1.8. Proposal for the Inclusion of the Oceanic White-tip Shark (*Carcharhinus longimanus*) in Appendix I of the Convention**

Committee of the Whole (20 February)

494. The proponent, Brazil, introduced the listing proposal contained in document UNEP/CMS/COP13/Doc.27.1.8/Rev.2. Comments from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.27.1.8/Add.1.

495. Costa Rica, the EU and its Member States, India, Israel, New Zealand, Senegal and Sri Lanka supported the listing proposal.
496. There being no dissenting views, or objections from Parties, the COW endorsed the inclusion of the Oceanic White-tip Shark in Appendix I of the Convention and recommended the proposed listing for adoption by plenary.

Final plenary session (22 February)

497. The COP adopted the proposal to include Oceanic White-tip Shark (*Carcharhinus longimanus*) in Appendix I of the Convention.

**Item 27.1.9. (a). Proposal for the Inclusion of the Smooth Hammerhead Shark (*Sphyrna zygaena*) in Appendix II of the Convention**

Committee of the Whole (20 February)

498. The proponent, Brazil, introduced the listing proposal contained in document UNEP/CMS/COP13/Doc.27.1.9(a), which referred to the regional population shared by Argentina, Brazil and Uruguay. Comments from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.27.1.9(a)/Add.1.
499. Brazil noted that it also supported the EU proposal for inclusion of the global population of Smooth Hammerhead Shark covered by agenda item 27.1.9 (b).
500. The Chair invited the EU to present its proposal under item 27.1.9 (b), given that the global scope of the latter proposal fully embraced the regional listing proposal submitted by Brazil.
501. The proposal of Brazil to add the regional population of Smooth Hammerhead Shark occurring along the coast of Brazil, Uruguay and Argentina to Appendix II of the Convention would not be forwarded to the COP for adoption because this population was covered by the proposal of the EU and its Member States to add the global population of this species to Appendix II (Item 27.1.9.(b)).

**Item 27.1.9. (b). Proposal for the Inclusion of the Smooth Hammerhead Shark (*Sphyrna zygaena*) in Appendix II of the Convention**

Committee of the Whole (20 February)

502. The EU and its Member States, as proponents of the listing proposal, introduced document UNEP/CMS/COP13/Doc.27.1.9(b). Accompanying documents comprised UNEP/CMS/COP13/Doc.27.1.9(a and b)/Add.1 *Scientific Council Comments* and UNEP/CMS/COP13/Doc.27.1.9(b)/Add.2 *Additional Comments* (submitted by the EU).
503. The Chair invited comments from Parties, requesting those intervening to state clearly their preferred proposal text: the global proposal from the EU, or the regional proposal from Brazil.
504. Ecuador, Gambia, India and Senegal supported the global listing proposal.
505. Australia, speaking as one of the Range States for Smooth Hammerhead Shark, was disappointed that it had not been consulted on the global listing proposal prior to its submission. The Scientific Council had reviewed the science and recommended that the Australian population of Smooth Hammerhead be excluded as it did not meet the definition of migratory under the Convention. Australia noted that many scientific papers and scientists will use the term “migratory”, and in many instances that term is being used interchangeably for wide-ranging movements or dispersal. The term is usually not used in the correct context of the CMS definition of migratory which is that a species must make predictable and cyclical movements across jurisdictional boundaries.
506. Australia noted that it is a very large island continent. In relation to Smooth Hammerhead, latitudinal movements (north – south) of the distances recorded elsewhere in the world, when

applied to Australia, would rarely take animals outside of Australian waters. It was also noted that longitudinal movements (in-shore to off-shore) could possibly place animals outside Australian waters, but distance movements have not been demonstrated to be great enough to move animals from Australian waters through the high seas and into another country's jurisdiction.

507. Furthermore, when dealing with a geographically isolated population, such as Smooth Hammerheads within Australian waters, it was unclear from the EU's submissions which other jurisdiction Australia should be cooperating with under the Convention to conserve Australia's Smooth Hammerhead population. The Convention was predicated on international cooperation to conserve truly migratory species. The continued lack of consultation by some Parties, and the unwillingness to take other Parties' perspectives into account undermined the spirit of the Convention. The continued inclusion of species on the CMS Appendices that were not eligible, also undermined the credibility of the Convention. Australia stated that it was resolutely opposed to the inclusion of the Australian population of Smooth Hammerhead Shark on CMS Appendix II and requested that the global listing proposal be varied so as to exclude the Australian population from an Appendix II listing for this species, consistent with the Scientific Council's advice.
508. Israel noted that the Rules of Procedure provided for any proposal to be amended. Australia had provided strong justification of its position and Israel therefore supported the EU listing proposal as amended by Australia.
509. Norway and Saudi Arabia also supported the EU listing proposal with the amendment proposed by Australia.
510. Bangladesh, Côte d'Ivoire, Nigeria, and Senegal supported the global proposal as originally submitted by the EU.
511. The EU and its Member States confirmed that it could not accept the proposed amendment from Australia. The EU follows the advice of the IUCN Shark Specialist Group and the Advisory Committee of the Sharks MOU. These two main expert bodies both support the listing proposal and conclude, that this species meets the criteria for "migratory". Scientific evidence and the advice of the two bodies are contained in Document 27.1/Add.2. Scientific research shows that the genetic composition of this shark is the same in Australian and New Zealand waters substantiating the fact that the species undertakes regular migrations across jurisdictional boundaries.
512. The Chair called for a vote on the amendment proposed by Australia, noting that under the Rules of Procedure a two-thirds majority was required for an amendment to a proposal to be passed.
513. The Secretariat confirmed that the credentials of 63 Parties had so far been approved by the Credentials Committee. None of these Parties was in arrears with payment of dues, and all 63 were eligible to vote under this agenda item.
514. The EU advised that it would exercise 28 votes, comprising those of the 27 EU Member States, plus the United Kingdom under the terms of the Withdrawal Agreement concluded by the UK and the EU.
515. The Chair explained the voting procedure to be followed and opened three rounds of voting to support, oppose or abstain from the amendment proposed by Australia to reduce the scope of the EU's global listing proposal for Smooth Hammerhead Shark by excluding the Australian population.

516. The results of the votes were as follows:
- Nine eligible Parties voted to support the amendment proposed by Australia.
  - Forty-seven eligible Parties voted to oppose the amendment.
  - Five eligible Parties abstained.
517. The Chair confirmed that the amendment from Australia had failed to obtain the two-thirds majority required under the Rules of Procedure and that the COW would therefore move to a vote on the original EU proposal.
518. In response to a Point of Order raised by Israel, the Chair confirmed that it was in order to vote on the EU proposal ahead of the proposal from Brazil. Both had been received on the same date and the scope of the Brazilian proposal was wholly within the scope of the EU proposal. If the EU proposal was approved, there would be no need to vote on the proposal from Brazil.
519. The Chair opened three rounds of voting to support, oppose or abstain from the original proposal of the EU to list the global population of Smooth Hammerhead Shark in Appendix II of the Convention. The results of the votes were as follows:
- Fifty-nine eligible Parties voted to support the proposal
  - One eligible Party voted to oppose the proposal.
  - Three eligible Parties abstained.
520. The Chair confirmed that the original EU listing proposal had been endorsed by the COW with a large majority, in excess of that required under the Rules of Procedure, and that it would be recommended to plenary for adoption.

Final plenary session (22 February)

521. The COP adopted the proposal to include the global population of Smooth Hammerhead Shark (*Sphyrna zygaena*) in Appendix II of the Convention.

**Item 27.1.10. Proposal for the Inclusion of the Tope Shark (*Galeorhinus galeus*) in Appendix II of the Convention**

Committee of the Whole (20 February)

522. The European Union, speaking as proponent of the listing proposal, introduced document UNEP/CMS/COP13/Doc.27.1.10. Comments from the Scientific Council were provided in document UNEP/CMS/COP13/Doc.27.1.10/Add.1, whilst additional comments submitted by the EU were provided in document UNEP/CMS/COP13/Doc.27.1.10/Add.2.
523. Australia, as with the proposed listing of the Smooth Hammerhead Shark, expressed its disappointment, as a major Range State for Tope (or School) Shark, that it had not been consulted about the proposed listing. There was extensive expertise on the species in Australia and detailed comments on the proposal had been submitted in good time, but disregarded by the proponents, who had also not taken up the recommendations of the Scientific Council. Australia considered the movements of animals between Australia and New Zealand to represent dispersal, not migration, and a high proportion of the population appeared not to undertake any movements. Australia cited multiple, contemporary papers that supported Australia's view and hadn't been addressed by either the listing proposal or the Addendum submitted by the EU. Australia highlighted that the EU Addendum quoted a study showing as much as "19 per cent of the New Zealand tagged sharks moving to Australia". Australia explained that this had been taken out of context from the original study, and by looking at the complete study, it showed that over a 17-year study period, out of 287 recaptures, 24 (or 8.4 per cent) were recaptured in Australian waters. Australia considered that this does not represent a significant proportion of the population. The study explicitly states that the data should not be considered robust for movement interpretations.

524. Australia considered the lack of consultation to have been against the spirit of the Convention, and there was a risk that the adoption of this proposal would reduce the credibility and value of the CMS Appendices. Australia was resolutely opposed to the inclusion of the Australian population of school shark on Appendix II, and requested that the Australian and New Zealand population should be excluded, in line with the recommendations of the Scientific Council.
525. The Chair pointed out that Australia's request for exclusion of the Australian and New Zealand population from the listing proposal constituted an amendment to the proposal. He opened the floor to discussion of the amendment.
526. Senegal opposed the amendment and preferred to adopt the full proposal, which was supported by both the IUCN Shark Specialist Group, and the Advisory Committee of the CMS Sharks MOU. Most migrant animals appeared to be gravid females, and this was the most important portion of the population to conserve.
527. New Zealand echoed Australia's concerns, saying that scientific assessment indicated that the population in Australian and New Zealand waters did not meet the criteria for listing. The New Zealand population did not have an unfavourable conservation status and the population would not benefit from international conservation measures. New Zealand was disappointed that the proponent had not amended the proposal in the light of scientific evidence.
528. Norway supported the amendment proposed by Australia.
529. The EU and its Member States did not accept the Australian amendment, as recent stock assessments for tope off southern Australia indicate the stock is both depleted and overfished. The MOU Sharks AC report states that genetic studies indicate that the species moves across national boundaries such as between Australian and New Zealand waters. This is shown by intensive tagging efforts, with studies indicating as much as 19% of recaptured females found in adjacent jurisdiction. To quote from New Zealand's 2019 fisheries summary for School (i.e. tope) shark: "a significant proportion" of School sharks tagged in New Zealand "eventually moved to Australia". The individuals undertaking these movements mainly consist of pregnant females, showing that this migratory behaviour is an important part of their reproductive cycle. As for the Smooth Hammerhead Shark, the IUCN Sharks Specialist group, which brings together the top shark scientists at the global level, supports the inclusion of the global population of Tope in Appendix II of CMS.
530. The Brazil Humpback Whale Institute, also representing Divers for Sharks, noted that long migrations by this species had been recorded, as well as globally relevant declines, resulting in all but one of the populations appearing on the IUCN Red List. All Parties were urged to adopt the proposal as submitted by the EU.
531. Save our Seas, also on behalf of Blue Resources Trust, Humane Society International, IFAW, OceanCare, WCS and WWF reported high quality research from Australia showing that females of the species were migratory, and that the Australian population would not survive without replenishment from New Zealand. Females were believed to return every two years to give birth in the nurseries where they were born.
532. The Chair called for a vote on the amendment proposed by Australia, noting that as before, a two-thirds majority was required for an amendment to a proposal to be passed. Sixty-three Parties were eligible to vote under this agenda item, and the EU would exercise 28 votes.
533. The Chair reiterated the voting procedure and then proceeded to three rounds of voting to support, oppose or abstain from the amendment tabled by Australia to reduce the scope of the EU's global listing proposal for Tope Shark by excluding the Australian and New Zealand population.

534. The results of the votes were as follows:
- Seven eligible Parties voted to support the amendment tabled by Australia.
  - Forty eligible Parties voted to oppose the amendment.
  - Ten eligible Parties abstained.
535. The Chair confirmed that the amendment from Australia had failed to obtain the two-thirds majority required under the Rules of Procedure and that the COW would therefore move to a vote on the original EU proposal.
536. In the interests of time, Australia indicated that it would not oppose the global listing proposal.
537. The Chair thanked Australia for the spirit of this statement and enquired if there was any objection from Parties to approving the global listing proposal made by the EU.
538. There being no such objection from any Party, the COW endorsed the proposal for inclusion of Tope Shark in Appendix II of the Convention and recommended its adoption by plenary.

Final plenary session (22 February)

539. The COP adopted the proposal to include the global population of Tope Shark (*Galeorhinus galeus*) in Appendix II of the Convention.

**Item 27.2. Guidelines for Preparing and Assessing Proposals for the Amendment of CMS Appendices**

Committee of the Whole (20 February)

540. The Chair of the Scientific Council, Fernando Spina, introduced document UNEP/CMS/COP13/Doc.27.2. The COP was recommended to adopt the proposal for consolidation of Resolutions 3.1 (Rev.COP12) and 11.33 (Rev.COP12) as contained in Annex 1 and Annex 2 of the document; to adopt the draft Decision contained in Annex 3; to note the report of the Scientific Council on the effectiveness of the guidelines to assess listing proposals to list migratory species in Appendices I and II; to delete Decisions 12.10 and 12.101; and to repeal Resolutions 3.1 (Rev.COP12) and 11.33 (Rev.COP12).
541. New Zealand expressed two concerns about the listing process; firstly, that some species proposed for listing did not have an IUCN Red List status consistent with the criteria for listing, and secondly, that the importance of consulting with Range States was not acknowledged. New Zealand, supported by Australia and Israel, proposed adding an operative paragraph to the draft Resolution stressing the importance of consultation with Range States when proposing species for listing on CMS Appendices.
542. Israel considered this to be important work but expressed doubts about the validity of redefining in a guidance document terms that were already defined in the Convention text, namely 'endangered' and 'Range State' and changing the meaning of these words. Israel proposed amendments to the draft Resolution to address these concerns.
543. The EU and its Member States supported the adoption of the draft Decision and repeal and consolidation of Resolutions 3.1 and 11.33, subject to inclusion of some amendments, which would be provided in writing.
544. Australia reminded Israel that Resolutions were the primary mechanism for updating and refining terms and definitions. Many of the Convention texts were 40 years old, and in need of updating and redefining. Parties relied on the threat categories ascribed by IUCN, and it was appropriate to retain the definition of 'Endangered' under paragraph 5.3.
545. The Chair observed that some of the issues raised related to interpretation of the Convention. This warranted the establishment of a Contact Group, open to all Parties, and chaired by Israel, to consider these matters further with the aim of reaching consensus on a way forward.

Committee of the Whole (22 February)

546. Israel reported that the Contact Group had reached agreement and finalized the amended text.
547. The COW endorsed document UNEP/CMS/COP13/CRP27.2 *Guidelines for Preparing and Assessing Proposals for the Amendment of CMS Appendices* for the consideration of the COP plenary session.

Final plenary session (22 February)

548. The COP agreed to delete Decisions 12.10 and 12.101, as proposed in document UNEP/CMS/COP13/Doc.27.2, and adopted the draft Resolution and draft Decision contained in document UNEP/CMS/COP13/CRP27.2, including the 'Guidelines for Assessment of Appendix I and II Listing Proposals' contained in Annex 1, and the 'Format for Proposals to Amend CMS Appendices' contained in Annex 2.

**Item 27.3. Disaggregation of Bird Families and Genera listed under Appendix II**

Committee of the Whole (19 February)

549. Mr. Stephen Garnett, COP-appointed Councillor for Birds, introduced document UNEP/CMS/COP13/Doc.27.3. The COP was recommended to take note of this document, including Annex 1 *Methods used to characterise migratory movements of birds for the purpose of disaggregating families under Appendix II of the Convention on Migratory Species*, Annex 2 *List of bird species that belong to the Families and Genera currently aggregated under Appendix II, meet the CMS Criteria and have an Unfavourable Conservation Status*; and Annex 3, which contained a spreadsheet providing details of the assessments for individual species. The COP was further invited to consider the offer of the Scientific Council to work during the intersessional period and to provide advice to COP14 on the advantages and disadvantages of the various ways of treating the species currently aggregated under families or genera under CMS Appendix II.
550. New Zealand welcomed the work being done to simplify the lists of bird taxa and believed that this would help a focus on species that were actually migratory, of conservation concern, and that needed international cooperation to support their populations.
551. The EU and its Member States thanked the COP-appointed Councillor for Birds and the Scientific Council for the preparation of the report. The EU recognized that disaggregation of bird families and genera had different implications at species level. The migratory status (following the CMS definition) was insufficiently known for some species and the threat status of some subspecies or populations might be higher than indicated by the IUCN threat status. It was important to note that, according to the Convention text, Appendix II shall list migratory species that have a conservation status which would significantly benefit from international cooperation. The benefit of international cooperation was recognized through CMS instruments such as AEWAs, the Raptors MOU, Action Plan for Migratory Landbirds in the African-Eurasian Region (AEMLAP), Action Plans on American Flyways, the Central Asian Flyway, the East Asian-Australasian Flyway Partnership (EAAFP) and others, which listed all relevant migratory species or populations, regardless of their conservation status. The EU and its Member States therefore supported further analysis of the advantages and disadvantages of the various approaches suggested in the report and proposed focusing primarily on migratory status.
552. There being no further requests for the floor, the COW took note of document UNEP/CMS/COP13/Doc.27.3 and welcomed the offer of the Scientific Council to continue working on this topic during the intersessional period.

Final plenary session (22 February)

553. The COP took note of document UNEP/CMS/COP13/Doc.27.3 *Disaggregation of Bird Families and Genera listed under Appendix II*.

## **Item 27.4. Reservations with respect to Amendments to Appendices I and II of the Convention**

### Committee of the Whole (19 February)

554. Germany, speaking on behalf of the EU and its Member States, and in its role as Depositary of the Convention, introduced document UNEP/CMS/COP13/Doc.27.4, including the draft COP13 Decisions contained in the Annex.
555. Israel considered that the increasing use of reservations undermined the goals of the Convention and reduced its effectiveness. Israel would prefer to see specific text included in the preamble to the draft Decisions, urging Parties to avoid using reservations and emphasizing that this was not necessarily a good approach.
556. Brazil observed that reservations were also a measure of flexibility within the Convention and enabled adaptation to each country's needs. They were not commonly used but were nevertheless a valid resource.
557. Conservation Force echoed the comments of Brazil and stressed that reservations were a sovereign right of Parties, and that further advice from the United Nations Legal Office should be sought on this matter.
558. The Chair requested Brazil, the EU and Israel to constitute a small Friends of the Chair group, under the leadership of the EU, and to make a submission to the Secretariat for further consideration by the COW.

### Committee of the Whole (22 February)

559. The COW endorsed document, UNEP/CMS/COP13/CRP27.4 *Reservations with respect to Amendments to Appendices I and II of the Convention*, for the consideration of the COP plenary session.

### Final plenary session (22 February)

560. The COP adopted the draft Resolution contained in document UNEP/CMS/COP13/CRP27.4.

## **ITEM 28. IMPLEMENTATION OF THE CONCERTED ACTIONS PROCESS**

### **Item 28.1. Progress in Implementation of Concerted Actions**

#### Committee of the Whole (20 February)

561. The Secretariat introduced document UNEP/CMS/COP13/Doc.28.1 *Progress in Implementation of Concerted Actions*. The COP was recommended to:
- endorse the approach proposed by the Sessional Committee of the Scientific Council to address its mandate included in Decision 12.103;
  - delete Decision 12.103, as its purpose of completing the consolidation of the Concerted and Cooperative Actions processes was now achieved;
  - adopt the proposed amendment of the format of Annex 3 of Resolution 12.28 included in Annex 2 to the present document;
  - take note of the template for reporting on progress in the implementation of Concerted Actions included in Annex 1 to the present document;
  - delete Decision 12.104 as completed;
  - review progress in the implementation of Concerted Actions as reported in documents UNEP/CMS/COP13/Doc.28.1.1 to Doc.28.1.8; and
  - take a decision concerning the continuation of Concerted Actions still to be completed.
562. The Chair enquired if there was any objection from Parties to endorsing the recommended actions. There being no such objections the COW endorsed the recommendations for final confirmation by plenary.

Final plenary session (22 February)

563. The COP endorsed the approach for reviewing Concerted Actions proposed by the Sessional Committee, including the direction to the Secretariat to revise the table in Annex 3 of Resolution 12.28, which listed the species subject to Concerted Actions. The COP further adopted an amendment to the format for listing species designated for Concerted Actions.
564. The COP also considered reports on the implementation of Concerted Actions for eight different species or groups of species. The COP agreed to note these reports, which were found in documents UNEP/CMS/COP13/28.1.1 through UNEP/CMS/COP13/21.1.8. The COP also agreed to extend all the Concerted Actions during the forthcoming intersessional period, with the exception of the Concerted Action for the European Eel, which was considered complete. Proposed amendments to the Concerted Actions were also agreed.
565. The COP adopted the other recommendations contained in document UNEP/CMS/COP13/Doc.28.1.

**Item 28.1.1. Report on the Implementation of the Concerted Action for the European Eel (*Anguilla anguilla*)**

Committee of the Whole (20 February)

566. On behalf of the Principality of Monaco, the Secretariat introduced document UNEP/CMS/COP13/Doc.28.1.1. Comments by the Scientific Council were included in document UNEP/CMS/COP13/Doc.28.1.1/Add.1. The Concerted Action had been completed and was therefore not recommended for continuation. However, further work on European Eel was proposed in CMS/COP13/Doc.26.2.9.
567. Belarus observed that some of the potential of the Concerted Action had not been realised, for reasons that Belarus had stated under agenda item 26, including insufficient involvement of non-EU Range States.
568. The COW took note of the report.

Final plenary session (22 February)

569. The COP formally noted the report contained in document UNEP/CMS/COP13/Doc.28.1.1.

**Item 28.1.2. Report on the Implementation of the Concerted Action for the Sperm Whales (*Physeter macrocephalus*) of the Eastern Tropical Pacific**

Committee of the Whole (20 February)

570. The COP-Appointed Councillor for Aquatic Species introduced document UNEP/CMS/COP13/Doc.28.1.2. The Scientific Council's recommendation for continuation of the Concerted Action and other comments were contained in document UNEP/CMS/COP13/Doc.28.1.2/Add.1.
571. The COW took note of the report and endorsed the recommendation for continuation of the Concerted Action.

Final plenary session (22 February)

572. The COP formally noted the report contained in document UNEP/CMS/COP13/Doc.28.1.2 and approved the continuation of this Concerted Action.

**Item 28.1.3. Report on the Implementation of the Concerted Action for the Atlantic Humpback Dolphin (*Sousa teuszii*)**

Committee of the Whole (20 February)

573. Sea Shepherd Legal introduced document UNEP/CMS/COP13/Doc.28.1.3. The Scientific Council's recommendation for continuation of the Concerted Action and other comments were

contained in document UNEP/CMS/COP13/Doc.28.1.3/Add.1. The COP was strongly encouraged to extend the Concerted Action for a further triennium.

574. The COP-Appointed Councillor for Aquatic Species introduced document UNEP/CMS/COP13/Doc.28.1.3/Add.2 *Concerted Action for the Atlantic Humpback Dolphin (Sousa teuszii) Proposed Activities for 2020-2023*. He urged the international community to learn lessons from the looming extinction of the Vaquita (*Phocoena sinus*) and urged action to avoid a similar fate for the Atlantic Humpback Dolphin.
575. Gambia and Senegal supported the proposed extension of the Concerted Action, but urged that it be assigned as High, rather than Medium, Priority.
576. Whale and Dolphin Conservation, speaking also on behalf of Humane Society International, the Born Free Foundation, OceanCare, WWF, the WCS and IFAW, strongly supported the extension of the Concerted Action and called for urgent implementation to prevent the extinction of a unique species; there would be no second chance.
577. Argentina and Peru also supported extension of the Concerted Action.
578. There were no opposing views and the COW took note of the report and endorsed the recommendation for extension of the Concerted Action.

Final plenary session (22 February)

579. The COP formally noted the report contained in document UNEP/CMS/COP13/Doc.28.1.3 and approved the extension of this Concerted Action.

**Item 28.1.4. Report on the Implementation of the Concerted Action for Humpback Whales (*Megaptera novaeangliae*) of the Arabian Sea**

Committee of the Whole (20 February)

580. The COP-Appointed Councillor for Aquatic Species introduced document UNEP/CMS/COP13/Doc.28.1.4. and its two addenda: UNEP/CMS/COP13/Doc.28.1.4/Add.1 *Scientific Council comments* and UNEP/CMS/COP13/Doc.28.1.4/Add.2 *Proposal for the Extension of the CMS Concerted Action for Arabian Sea Humpback Whales (Megaptera novaeangliae)*. The COP was requested to take note of the report.
581. India welcomed and supported the Concerted Action but requested efforts to involve the Sultanate of Oman in its implementation as an important Range State for the species.
582. There were no opposing views and the COW took note of the report and endorsed the recommendation for continuation of the Concerted Action.

Final plenary session (22 February)

583. The COP formally noted the report contained in document UNEP/CMS/COP13/Doc.28.1.4 and approved the continuation of this Concerted Action.

**Item 28.1.5. Report on the Implementation of the Concerted Action for the Angelshark (*Squatina squatina*)**

Committee of the Whole (20 February)

584. The Secretariat, speaking on behalf of the proponent, the Principality of Monaco, introduced document UNEP/CMS/COP13/Doc.28.1.5. The Scientific Council's recommendation for continuation of the Concerted Action and other comments were contained in document UNEP/CMS/COP13/Doc.28.1.5/Add.1. It was recommended that the Concerted Action should be renewed and extended for the following triennium.

585. In the interests of time, the Chair encouraged delegates that wished to support the proposal to do so in writing. He enquired whether there were any opposing views among Parties.
586. There were no opposing views and the COW took note of the report and endorsed the recommendation for renewal and extension of the Concerted Action.

Final plenary session (22 February)

587. The COP formally noted the report contained in document UNEP/CMS/COP13/Doc.28.1.5 and approved the extension of this Concerted Action.

**Item 28.1.6. Report on the Implementation of the Concerted Action for the Mobulid Rays (*Mobulidae*)**

Committee of the Whole (20 February)

588. The WCS, speaking also on behalf of the other co-proponent Manta Trust, introduced document UNEP/CMS/COP13/Doc.28.1.6. The Scientific Council's recommendation for continuation of the Concerted Action and other comments were contained in document UNEP/CMS/COP13/Doc.28.1.6/Add.1.
589. Ecuador supported the document and reported briefly on a number of relevant actions taken at national level.
590. In the interests of time, the Chair encouraged delegates that wished to support the proposal to do so in writing. He enquired whether there were any opposing views among Parties.
591. There were no opposing views and the COW took note of the report and endorsed the recommendation for continuation of the Concerted Action.

Final plenary session (22 February)

592. The COP formally noted the report contained in document UNEP/CMS/COP13/Doc.28.1.6 and approved the continuation of this Concerted Action.

**Item 28.1.7. (a) and (b): Complementary Reports on the Implementation of the Concerted Action for the Whale Shark (*Rhincodon typus*)**

Committee of the Whole (20 February)

593. Two complementary reports on Implementation of the Concerted Action for Whale Shark had been submitted to COP13. These were contained in document UNEP/CMS/COP13/Doc.28.1.7a – submitted by Sea Shepherd Legal; and document UNEP/CMS/COP13/Doc.28.1.7b – submitted by Large Marine Vertebrates Research Institute Philippines. The Scientific Council's recommendation for continuation of the Concerted Action and other comments were contained in document UNEP/CMS/COP13/Doc.28.1.7(a and b)/Add.1, whilst a Draft Revised Concerted Action was contained in UNEP/CMS/COP13/Doc.28.1.7(a and b)/Add.2.
594. In the interests of time, the Chair encouraged delegates that wished to support the proposal to do so in writing. He enquired whether there were any opposing views among Parties.
595. There were no opposing views and the COW took note of the report and endorsed the recommendation for continuation of the Concerted Action.

Final plenary session (22 February)

596. The COP formally noted the report contained in documents UNEP/CMS/COP13/Doc.28.1.7a and UNEP/CMS/COP13/Doc.28.1.7b and approved the continuation of this Concerted Action.

**Item 28.1.8. Report on the Implementation of the Concerted Action for the Asian Population of the Great Bustard (*Otis tarda*)**

Committee of the Whole (20 February)

597. Mongolia introduced document UNEP/CMS/COP13/Doc.28.1.8. The Scientific Council's recommendation for continuation of the Concerted Action and other comments were contained in document UNEP/CMS/COP13/Doc.28.1.8/Add.1.
598. In the interests of time, the Chair encouraged delegates that wished to support the proposal to do so in writing. He enquired whether there were any opposing views among Parties.
599. There were no opposing views and the COW took note of the report and endorsed the recommendation for continuation of the Concerted Action.

Final plenary session (22 February)

600. The COP formally noted the report contained in document UNEP/CMS/COP13/Doc.28.1.8 and approved the continuation of this Concerted Action.

**Item 28.2. New Proposals for Concerted Actions for the Triennium 2021-2023**

Committee of the Whole (20 February)

601. The Secretariat noted that document UNEP/CMS/COP13/Doc.28.2 was simply a summary list of the proposals received. The COW considered each of the proposals in turn.

**Item 28.2.1. Proposal for a Concerted Action for the Nut-Cracking Chimpanzees of West Africa (*Pan troglodytes*), already listed on Appendices I and II of the Convention**

Committee of the Whole (20 February)

602. CMS Ambassador Ian Redmond, speaking also on behalf of the Expert Working Group on Culture and Social Complexity, the co-proponent, presented the Concerted Action proposal contained in document UNEP/CMS/COP13/Doc.28.2.1/Rev.1. Additional comments, submitted by members of the Expert Working Group, in collaboration with the authors and editor of the IUCN Action Plan for the Conservation of Western Chimpanzees 2019-2029, were contained in document UNEP/CMS/COP13/Doc.28.2.1/Rev.1/Add.1.
603. Liberia supported the proposal.
604. The Chair encouraged other delegates that wished to support the proposal to do so in writing. He enquired whether there were any opposing views among Parties.
605. There were no opposing views and the COW endorsed the proposed new Concerted Action, which was formally approved by the COP at its final plenary session on 22 February.

**Item 28.2.2. Proposal for a Concerted Action for the Asian Elephant (*Elephas maximus*), proposed for inclusion on Appendix I of the Convention**

Committee of the Whole (20 February)

606. The proponent, India, introduced the Concerted Action proposal contained in document UNEP/CMS/COP13/Doc.28.2.2/Rev.1. The Scientific Council's recommendation for adoption of the Concerted Action and other comments were contained in document UNEP/CMS/COP13/Doc.28.2.2/Add.1.
607. The Chair encouraged delegates that wished to support the proposal to do so in writing. He enquired whether there were any opposing views among Parties.
608. There were no opposing views and the COW endorsed the proposed new Concerted Action, which was formally approved by the COP at its final plenary session on 22 February (when Appendix I listing of this species was also confirmed).

**Item 28.2.3. Proposal for a Concerted Action for the Giraffe (*Giraffa camelopardalis*) already listed on Appendix II of the Convention**

Committee of the Whole (20 February)

609. The United Republic of Tanzania, speaking on behalf of the proponents (Cameroon, Chad, Ethiopia, Kenya, Niger, the United Republic of Tanzania, and Zimbabwe) introduced the Concerted Action proposal contained in document UNEP/CMS/COP13/Doc.28.2.3. The Scientific Council's recommendation for adoption of the Concerted Action and other comments were contained in document UNEP/CMS/COP13/Doc.28.2.3/Add.1.
610. There were no opposing views and the COW endorsed the proposed new Concerted Action, which was formally approved by the COP at its final plenary session on 22 February.

Note for clarification: Item 28.2.4 *Proposal for the Continuation of the Concerted Action for Sahelo-Saharan Megafauna*, had already been dealt with under agenda item 26.3.4 *Sahelo-Saharan Megafauna* on 19 February as these agenda items were complementary.

**Item 28.2.5. Proposal for a Concerted Action for the Irrawaddy Dolphin (*Orcaella brevirostris*) already listed on Appendix I and II of the Convention**

Committee of the Whole (20 February)

611. The proponent, India, introduced the Concerted Action proposal contained in document UNEP/CMS/COP13/Doc.28.2.5. The Scientific Council's recommendation for adoption of the Concerted Action and other comments were contained in document UNEP/CMS/COP13/Doc.28.2.5/Add.1.
612. Bangladesh, as well as Whale and Dolphin Conservation, Humane Society International, WWF and OceanCare, supported the proposal.
613. The Chair encouraged other delegates who wished to support the proposal to do so in writing. He enquired whether there were any opposing views among Parties.
614. There were no opposing views and the COW endorsed the proposed new Concerted Action, which was formally approved by the COP at its final plenary session on 22 February.

**Item 28.2.6. Proposal for a Concerted Action for the South Asian River Dolphin (*Platanista gangetica*) already listed on Appendix I and II of the Convention**

Committee of the Whole (20 February)

615. The proponent, India, introduced the Concerted Action proposal contained in document UNEP/CMS/COP13/Doc.28.2.6/Rev.2 *Proposal for a Concerted Action for the Ganges River Dolphin (Platanista gangetica gangetica) already listed on Appendix I and II of the Convention*. The Scientific Council's recommendation for adoption of the Concerted Action (with the scope revised to cover Ganges River Dolphin *Platanista gangetica gangetica* only) were provided in document UNEP/CMS/COP13/Doc.28.2.6/Add.1.
616. The Chair encouraged other delegates that wished to support the proposal to do so in writing. He enquired whether there were any opposing views among Parties.
617. There were no opposing views and the COW endorsed the proposed new Concerted Action, which was formally approved by the COP at its final plenary session on 22 February.

**Item 28.2.7. Proposal for a Concerted Action for the Harbour Porpoise (*Phocoena phocoena*) in the Baltic and Iberian Peninsula, already listed in Appendix II of the Convention**

Committee of the Whole (20 February)

618. Humane Society International, on behalf of the proponents (Coalition Clean Baltic, Whale and Dolphin Conservation, Humane Society International and ORCA) introduced the Concerted

Action proposal contained in document UNEP/CMS/COP13/Doc.28.2.7/Rev.1 *Proposal for a Concerted Action for the Harbour Porpoise* (*Phocoena phocoena*) already listed on Appendix II of the Convention. The Scientific Council's recommendation for adoption of the Concerted Action and other comments were contained in document UNEP/CMS/COP13/Doc.28.2.7/Add.1.

619. The Chair encouraged other delegates that wished to support the proposal to do so in writing. He enquired whether there were any opposing views among Parties.
620. The International Whaling Commission welcomed the proposed Concerted Action and briefly identified a number of potential opportunities for support and collaboration.
621. Whale and Dolphin Conservation emphasized that, largely as a direct result of entanglement in fishing gear, the two populations covered by the proposal were in deep trouble, with one on the brink of extinction.
622. There were no opposing views and the COW endorsed the proposed new Concerted Action, which was formally approved by the COP at its final plenary session on 22 February.

**Item 28.2.8. Proposal for a Concerted Action for the Common Guitarfish (*Rhinobatos rhinobatos*), already listed on Appendix II of the Convention, the Largetooth Sawfish (*Pristis pristis*), already listed on Appendix I and II of the Convention and the Smalltooth Sawfish (*Pristis pectinata*), listed on Appendix I and II of the Convention**

Committee of the Whole (20 February)

623. Senegal, on behalf of the proponent, Gabon, introduced the Concerted Action proposal contained in document UNEP/CMS/COP13/Doc.28.2.8. The Scientific Council's recommendation for adoption of the proposed Concerted Action and other comments were contained in document UNEP/CMS/COP13/Doc.28.2.8/Add.1.
624. Sea Shepherd Legal supported the proposal and outlined the dire conservation status of the three species.
625. The Chair encouraged other delegates that wished to support the proposal to do so in writing. He enquired whether there were any opposing views among Parties.
626. The EU and its Member States were generally supportive but had a small question with regard to the reference in the document to eDNA. In addition, the EU had noted that the proposed Concerted Action applied to only one Range State and enquired whether, as a result, this initiative could still be considered as a Concerted Action.
627. The Secretariat responded that there was nothing that formally excluded it, although it was perhaps not in the general spirit of a Concerted Action.
628. The EU requested that the meeting report should indicate that endorsement of this proposed Concerted Action did not set a precedent for the future and that Concerted Actions in principle should be for more than one country.
629. There were no opposing views and the COW endorsed the proposed new Concerted Action, which was formally approved by the COP at its final plenary session on 22 February.

**Item 28.2.9. Proposal for a Concerted Action for the Common Guitarfish (*Rhinobatos rhinobatos*) and the Bottlenose Wedgefish (*Rhynchobatus australiae*) already listed on Appendix II of the Convention, and the Families Rhinobatidae and Glaucostegidae**

Committee of the Whole (20 February)

630. The proponent, IUCN Shark Specialist Group, introduced the Concerted Action proposal contained in document UNEP/CMS/COP13/Doc.28.2.9. The Scientific Council's

recommendation for adoption of the proposed Concerted Action and other comments were contained in document UNEP/CMS/COP13/Doc.28.2.9/Add.1.

631. The WCS strongly supported the proposal and underlined its commitment to support implementation.
632. There were no opposing views and the COW endorsed the proposed new Concerted Action, which was formally approved by the COP at its final plenary session on 22 February.

**Item 28.2.10. Proposal for a Concerted Action for the Great Indian Bustard (*Ardeotis nigriceps*), proposed for inclusion in CMS Appendix I**

Committee of the Whole (20 February)

633. The proponent, India, introduced the Concerted Action proposal contained in document UNEP/CMS/COP13/Doc.28.2.10. The Scientific Council's recommendation for adoption of the proposed Concerted Action and other comments were contained in document UNEP/CMS/COP13/Doc.28.2.10/Add.1.
634. There were no opposing views and the COW endorsed the proposed new Concerted Action, which was formally approved by the COP at its final plenary session on 22 February (when Appendix I listing of this species was also confirmed).

**Item 28.2.11. Proposal for a Concerted Action for the Bengal Florican (*Houbaropsis bengalensis bengalensis*), proposed for inclusion in CMS Appendix I**

Committee of the Whole (20 February)

635. The proponent, India, introduced the Concerted Action proposal contained in document UNEP/CMS/COP13/Doc.28.2.11/Rev.1. The Scientific Council's recommendation for adoption of the proposed Concerted Action and other comments were contained in document UNEP/CMS/COP13/Doc.28.2.11/Add.1.
636. There were no opposing views and the COW endorsed the proposed new Concerted Action, which was formally approved by the COP at its final plenary session on 22 February (when Appendix I listing of this species was also confirmed).

**Item 28.2.12. Proposal for a Concerted Action for the Antipodean Albatross (*Diomedea antipodensis*)**

Committee of the Whole (20 February)

637. New Zealand, speaking on behalf of the proponents (Australia, Chile and New Zealand) introduced the Concerted Action proposal contained in document UNEP/CMS/COP13/Doc.28.2.12. The Scientific Council's recommendation for adoption of the proposal was contained in document UNEP/CMS/COP13/Doc.28.2.12/Add.1.
638. There were no opposing views and the COW endorsed the proposed new Concerted Action, which was formally approved by the COP at its final plenary session on 22 February (when Appendix I listing of this species was also confirmed).

## VI FORMAL AND CONCLUDING BUSINESS

### ITEM 29. INTERIM AND FINAL REPORTS OF THE CREDENTIALS COMMITTEE

639. During the concluding Plenary session, held on 22 February 2020, the Chair of the Credentials Committee (Saudi Arabia) reported that the credentials of 63 Parties had been found to be in order. He had been informed by the Secretariat that 82 Parties had taken part in COP13 meaning that 77 per cent of Parties had presented credentials found to be in order. This was an excellent achievement, but it was important to encourage further progress towards 100 per cent at future COPs. Thanks were due to the Secretariat for its diligent work with Parties, both before and during the COP, as well as to Saudi Arabia's fellow members of the Credentials Committee: Malawi, the Netherlands and Uruguay.
640. The COP approved the Final Report of the Credentials Committee.

### ITEM 30. REPORTS OF SESSIONAL COMMITTEES

641. During the course of its deliberations from 17 to 22 February 2020, the COW received progress reports from the Chairs of the Budget Committee, and the Avian, Aquatic and Terrestrial Working Groups.
642. Ad Hoc Working Groups on the Strategic Plan for Migratory Species, the Gandhinagar Declaration, COP-appointed Councillors, and Guidelines for Proposals for Amendment of Appendices also each delivered final reports to the final session of the COW.
643. The COP-appointed Councillor for Bycatch, who had chaired the Aquatic Species Working Groups of four COPs, thanked and acknowledged the contributions made by Mr. Colin Limpus, COP-appointed Councillor for Marine Turtles, and Mr. Taej Mundkur, COP-appointed Councillor for Asiatic Fauna, both of whom were retiring from their positions after COP13.

### ITEM 31. ADOPTION OF RESOLUTIONS, DECISIONS AMENDMENTS TO THE APPENDICES AND CONCERTED ACTIONS

644. At the invitation of the Chair, the COP adopted during its closing session the Amendments to the Appendices of the Convention, as endorsed by the COW, through inclusion of taxa in the Appendix (or Appendices) indicated in the list presented in Annex 1 and detailed under the report of Agenda Item 27.1.
645. At the invitation of the Chair, the COP adopted during its closing session the Resolutions, Decisions, Concerted Actions and other documents listed in Annex 2 and detailed under the reports of corresponding Agenda Items, all of which had been endorsed by the COW, following review and amendment, as appropriate, by COP Working Groups. A few documents had been further amended by the COW itself, and all other texts adopted were the versions endorsed by the COW. The documents are listed in Annex 2 in the sequence of their adoption by the COP (which followed Agenda item order).

### ITEM 32. DATE AND VENUE OF 14<sup>th</sup> MEETING OF THE COP

646. The Executive Secretary informed the COP during its closing session that no formal expressions of interest in hosting COP14 had been received. In accordance with Resolution 11.1, she invited Parties to inform the Secretariat of their interest in hosting the COP no more than 180 days after the conclusion of COP13.

### **ITEM 33. ADOPTION OF THE REPORT**

647. At the invitation of the Chair, the Plenary adopted the Draft Report of the Meeting (Days 1 to 4), noting that corrections and other proposed amendments could be submitted to the Secretariat within a period of one month. The Secretariat was accordingly entrusted with finalizing the Report.

648. Togo noted that there were inaccuracies in the French translation of the Draft Report.

### **ITEM 34. ANY OTHER BUSINESS**

649. WCS, on behalf of OceanCare, IFAW, the Born Free Foundation, BirdLife International, WWF, Humane Society International, Whale and Dolphin Conservation and Defenders of Wildlife, stressed the importance of the post-2020 Global Biodiversity Framework as a once-in-a-decade opportunity to have high ambition to truly take action to address the biodiversity crisis. They drew attention to the importance of ecosystem integrity and ecological connectivity, considering it crucial to include indicators relating to migratory species and their habitats. Finally, they committed to catalyze strong action to promote the Gandhinagar Declaration.

650. BirdLife International, representing the BirdLife Partner organizations, and also Wetlands International and the International Crane Foundation, stressed that migratory species connected the planet. BirdLife International was pleased with the importance given to ecological connectivity by the COP. Better cooperation between all Parties in securing corridors, flyways, swimways and stepping stones was essential. BirdLife International recommended two actions that CMS could take to promote connectivity. Firstly, it strongly supported the intervention of Saudi Arabia regarding guidance on airstrikes around airports and the use of sensitivity mapping. Another very important point was the use of Environmental Impact Assessments, and the guidelines prepared by CBD were useful in this regard. BirdLife International urged CMS to prepare guidelines that would complement those of CBD to help Parties avoid damaging developments such as the proposed airport in the Tagus Estuary, a Ramsar Site and EU Special Protection Area, close to Lisbon, which posed a potentially grave threat to important populations of migratory bird species shared with many other Parties.

651. Portugal responded that the proposed airport in the Tagus Estuary had been planned using environmental impact assessments that met all available criteria at both national and international levels.

#### **Closing statements of Parties and non-Parties**

652. Closing statements were made by New Zealand on behalf of Oceania, South Africa on behalf of the Africa region, the EU and its Member States on behalf of Europe, and Costa Rica on behalf of Central and South America and the Caribbean. All regional groups expressed thanks and appreciation to the government of India for the excellent organization of a highly successful COP. Recurring themes in the statements included the importance of implementation of CMS, the importance of strengthening institutional processes, ensuring adherence to agreed procedures and guidelines, and collaboration with Range States when proposing species for listing in the CMS Appendices. Parties in arrears with their dues were urged to clear these promptly, and South Africa proposed simplification of the system of paying dues to reduce levels of arrears from the Africa region.

653. The Global Youth Biodiversity Network made a statement stressing the importance of intergenerational equity, and of enhancing coherence between the different UN instruments.

654. The CITES Secretariat listed the joint CMS/CITES initiatives that would benefit from the outcomes of CMS COP13 and CITES COP18, that were reflected in their Work Plans for the coming years.

655. The Secretariat of the Ramsar Convention on Wetlands and Young Naturalist Network also made closing statements.

### **ITEM 35. CLOSURE OF THE MEETING**

656. The Chair thanked everybody who had contributed to a successful COP, especially Shri Soumitra Dasgupta, Inspector General of Forests, Ministry of Environment, Forests and Climate Change, Government of India. He said that the Government of India would champion the Gandhinagar Declaration, especially its promotion of the importance of ecological connectivity and the post-2020 Global Biodiversity Framework. Key topics during India's Presidency of the COP from 2020-2023 would include transboundary cooperation, marine conservation and the Central Asian Flyway.

657. The Executive Secretary made her closing remarks, thanking the many organizations and individuals that had made the COP such a success. The COP had exceeded expectations and broken new ground in terms of the number of registered participants, and the high level of participation, including opening addresses by the Head of State, Shri Narendra Modi, and an astronaut with a message from the International Space Station. The many achievements of COP13 had included addition of ten species to the Appendices of the Convention, new and extended Concerted Actions, and agreement to address specific threats and new areas of enquiry with Resolutions on insect decline and light pollution, for example. It had been the idea of her predecessor, the late Bradnee Chambers, to hold COP13 in India, and he would have been proud to see the outcomes of the meeting.

658. Mr. D.K. Sharma, Gujarat Forest Department, expressed the pride and elation he felt on behalf of his Department, the Government of India and the Government of Gujarat. He expressed sincere and deep thanks to Prime Minister Narendra Modi for addressing the opening ceremony, as well as to Shri Babul Supriyo, Minister of State, Ministry of Environment, Forest and Climate Change, Government of India. He hoped all delegates had benefitted from the Indian mantra "guests are our gods", and concluded with a quote from Prime Minister Modi "If you protect nature, nature will protect you".

659. With that, the Chair declared CMS COP13 closed.