



# Convention on the Conservation of Migratory Species of Wild Animals

*Secretariat provided by the United Nations Environment Programme*



## Draft Report of the 37<sup>th</sup> Meeting of the CMS Standing Committee

*Bonn, 23-24 November 2010*

### **Agenda Item 1: Opening Remark and Introductions**

1. The Chair, Mr. Mohammad Saud A. Sulayem (Saudi Arabia) opened the meeting highlighting the important items of the agenda, including the Future Shape process and preparations for the Tenth Meeting of the Conference of the Parties in 2011. He welcomed all the participants, including Ms Margi Prideaux (WDCS) who was on the line from Australia, and thanked the Government of Germany for having provided the venue and interpretation. He called upon Ms Elsa Nickel to address the meeting.

2. Ms Nickel (Germany) also welcomed the participants to Bonn and highlighted a number of important developments since the Standing Committee last met. These included the “International Year of Biodiversity”; progress on establishing IPBES, which would fulfil a similar role for biodiversity as the IPCC did for climate change; the breakthroughs achieved at the CBD COP10 in Nagoya on a more equitable sharing the benefits of genetic resources; and the conclusion of the CMS MOU on the conservation of sharks in Manila in February. She also stressed the importance of the work of the inter-sessional process on the Future Shape of CMS and commended the progress made by the consultants, ERIC, and the Working Group chaired by Mr. Olivier Biber. She concluded her remarks by inviting participants to an evening reception at the premises of the Federal Ministry for the Environment.

3. Ms Elizabeth Maruma Mrema (Executive Secretary, UNEP/CMS Secretariat) mentioned developments regarding staffing in the Secretariat (see also Agenda Item 9a). She also described the outcomes of the CBD COP, where the role of CMS as lead partner on the conservation and sustainable use of migratory species had been reaffirmed. CMS would also seek to ensure that NBSAPs, revised to take into account the targets for 2020, addressed the conservation of migratory species. Progress was being made on policy areas such as global flyways and human-induced impacts on cetaceans.

4. This was likely to be the last time that the Standing Committee would be convened inter-sessionally before the COP and associated meetings in November 2011. Preparations for the COP were well in hand, and both the slogan (“networking for migratory species”) and the logo had been adopted and were reflected in the CMS diary for 2011, copies of which had been distributed. COP10 would have to decide on the future shape of the Convention and Ms Mrema confirmed that the Secretariat was ready to embrace change to provide a better service to the Parties and more effective conservation of migratory species.

### **Agenda Item 2: Adoption of the Agenda and Schedule**

5. Mr. Bert Lenten (Acting Deputy Executive Secretary, UNEP/CMS Secretariat) introduced document CMS/StC37/2, the annotated agenda and schedule. There were no proposals to amend the rules of procedure (CMS/StC37/Inf1/Rev.1) so those applying at the previous meeting automatically remained in force. Subject to minor rearrangement of the running order, the schedule was adopted. It was also agreed to seek an update on the St Petersburg Tiger Summit which would be taken under any other business (agenda item 16).

### **Agenda Item 3: Adoption of the report of the 36<sup>th</sup> CMS Standing Committee meeting**

6. The Chair introduced document CMS/StC37/5, a revised draft report which had been subject of wide consultation and review. Mr. Martin Lok (Netherlands) requested one further change, the addition of the words “for a further three years” to the end of paragraph 93, which would now read:

“93. The meeting noted Document CMS/StC36/12 rev 1 and confirmed that the merged Secretariat arrangements should continue for a further three years.”

7. Subject to this one change, the draft report was adopted.

#### **Actions and Decisions**

The Secretariat would amend the report of StC36 and post the final versions

### **Agenda Item 4: Report on the Accession of new Parties to the Convention**

8. The representative of the Depositary, Ms Nickel (Germany) reported that the Convention had 113 state Parties plus the European Union bringing the total to 114. Ethiopia and Equatorial Guinea had both acceded to CMS since the last Standing Committee. Germany supplemented the efforts of the Secretariat to recruit new Parties, and the issue of the accession of the Russian Federation to CMS and relevant instruments had been raised at the German-Russian bilateral meeting in June. The German Federal Ministry of the Environment was collaborating with the GTZ (the German technical development agency) with regard to securing the accession of Kyrgyzstan.

9. The Chair asked other Parties to make similar efforts on behalf CMS, recalling that an ambitious target of 15 new Parties in a year had been set at the previous meeting.

### **Agenda Item 5: Report of the Standing Committee Members and Observers**

#### **Standing Committee Members**

10. In addition to the two regional reports received in advance and presented as documents CMS/StC37/Inf.10.1/Rev.1 and CMS/StC37/Inf.10.2 (respectively the reports for South America and Europe), oral reports were given by Professor Alfred Oteng-Yeboah (Ghana), Ms Ndèye Sene Thiam (Senegal) and Mr. Khaled Zahzah (Tunisia) for Africa; Mr. Syed Mahmood Nasir (Pakistan) for Asia; Ms Nancy Céspedes Lagos (Chile) and Ms Ibelice Añino (Panama) for South & Central America and the Caribbean, Mr. Lok (Netherlands) for Europe; and Ms Theresa Mundita S. Lim (Philippines) for Oceania. Further written reports were promised by Pakistan, Panama and Senegal.

#### **Actions and Decisions**

Pakistan, Panama and Senegal to send written regional reports to the Secretariat

#### **Africa**

11. Professor Oteng-Yeboah (Ghana) would address the few remaining gaps in membership in Africa by trying to persuade Namibia, Botswana, Swaziland and Sudan to accede. He also said that 25 per cent of his country’s GEF allocation would be apportioned to the wildlife section of the Forestry Department. Ms Thiam (Senegal) reported on a number of regional activities concerning several species, including work on turtles led by WWF Africa in Gambia, Sierra Leone and Senegal. Mr. Zahzah (Tunisia) announced that 34 reserves covering 600,000 hectares had been declared in his country which would contribute to the conservation of Sahelo-Saharan ungulates.

12. Mr. Lenten (Secretariat) pointed out that he had just returned from a tour of African countries promoting accession to CMS and AEWA and had been warmly received. The countries concerned were: Botswana, Rwanda, Swaziland, Zambia and Zimbabwe.

### Asia

13. Mr. Nasir (Pakistan) reported that his country had been devastated by a historic flood earlier in the year and some long lost wetlands had reappeared. Pakistan was working with its neighbours on migration corridors and conservation efforts for raptors and the Houbara bustard (*Chlamydotis undulata*).

### Europe

14. Mr. Lok (Netherlands) highlighted the facts that France was supporting AEWA's Africa initiative by funding a consultancy post in the Secretariat and that AEWA had celebrated its 15<sup>th</sup> anniversary with a symposium held in The Hague. Poland had hosted the second meeting of signatories to the Aquatic Warbler MOU and the 6<sup>th</sup> Meeting of the Jastarnia Group (Working Group for the Baltic Harbour Porpoise Recovery Plan) under ASCOBANS. Germany had provided a JPO to the CMS Secretariat and Finland would do so soon. The Netherlands was currently leading the assessment of merger of the ASCOBANS Secretariat. Norway had enacted a new biodiversity law, and France and the United Kingdom were hoping to sign the Raptors MOU and the Sharks MOU respectively.

### Oceania

15. The report from Ms Lim (Philippines) included contributions from Australia and New Zealand concerning implementation of ACAP, where efforts were focussing on monitoring of breeding sites, habitat loss, invasive alien species and bycatch. She mentioned the meeting in Manila where the Sharks MOU had been concluded and added that a presidential decree had been issued strengthening protection of the Basking shark (*Cetorhinus maximus*) in Philippine waters. Numerous bi- and multilateral activities were being undertaken in the region with regard to dugongs, marine turtles and cetaceans. Australia and New Zealand were collaborating in cetacean research in the winter feeding grounds in the Antarctic. Palau was about to declare a shark sanctuary in its EEZ and had strengthened provisions protecting turtles and dugongs. New Zealand was making progress with its procedures to sign the Sharks MOU.

### South & Central America and the Caribbean

16. Ms Añino (Panama) pointed out that there were no CMS instruments specifically covering Central America. She said that the CMS/UNEP-ROLAC Workshop for decision makers held in Panama had been a success. Research was being undertaken on migratory raptors in the region, stranding networks were being established for marine mammals and action plans for marine turtles were being implemented with the support of NGOs and academic and research institutes. Interest in becoming involved in the "Year of the Bat" was also high in the region.

17. Ms Céspedes (Chile) said that her country was ready to sign the Sharks MOU. ACAP had held a regional meeting on bycatch in Buenos Aires. Under the Rio de la Plata treaty, the discarding of fish and hooks would be more stringently controlled. An international census of flamingos was being carried out and the revised action plan for the Ruddy-headed goose (*Chloephaga rubidiceps*) would be discussed at the forthcoming bilateral meeting of the environmental authorities of Chile and Argentina. These two countries were also negotiating a bilateral agreement on the huemul (*Hippocamelus bisulcus*). A technical meeting for the Grasslands Birds MOU had taken place and the first meeting of signatories was scheduled for December 2010 when the Action Plan would be adopted.

## Observers

### UNEP

18. Mr. Jacob Duer (UNEP) referred to document CMS/StC37/Inf.9, the written report from UNEP. He explained the “INFORMEA” initiative, which concerned information and knowledge management and involved several MEAs besides CMS including UNFCCC and UNCCD. It aimed to enhance harmonization and prepare the ground for a “one-stop shop” information portal. UNEP had also appointed four regional focal points responsible for liaising with and promoting MEAs. Arrangements for the delegation of authority between UNEP HQ and the CMS Secretariat were close to completion. With regard to the use of the 13 per cent overhead charges levied by UNEP, Mr. Duer reported that in 2009 93 per cent of the PSC generated by CMS had been returned to the Convention (the average was nearer 60 per cent). He concluded his report by confirming that UNEP would make US\$40,000 available to finance the taxonomic reviews authorized by CMS COP Resolution 9.2.

#### **Actions and Decisions**

The Secretariat would follow-up with UNEP on the arrangements for having the US\$40,000 transferred

### Islamic Republic of Iran

19. Mr. Sadegh Sadeghi Zadegan described Iran’s role in the Siberian Crane GEF project which had been concluded at the end of 2009 and had been discussed at the 7<sup>th</sup> Meeting of Signatories to the Siberian Crane MOU. Bilateral cooperation was taking place between Iran and the Russian Federation with regard to a captive release programme. Iran was also participating in the MOUs on marine turtles and the dugong, and had attended the “Wings over Wetlands” training course. The tool kit would be translated into Farsi. The 40<sup>th</sup> anniversary of the Ramsar Convention would be marked in the city after which it was named.

### Whale and Dolphin Conservation Society (WDCS)

20. Ms Heidrun Frisch (UNEP/ASCOBANS Coordinator/CMS Marine Mammals Officer) read a statement submitted via a Skype connection from Ms Prideaux (WDCS), which stressed the importance of CMS and highlighted the Society’s involvement in all four CMS instruments related to cetceans. A written report from WDCS appeared as document CMS/StC37/Inf.11.1.

### France

21. Ms Marianne Courouble raised the issue of the language imbalance in the Convention’s staff composition and documentation which she felt was a disadvantage for Parties in francophone Africa. Ms Mrema (Executive Secretary) pointed out that there were at least four native French speakers and fluent French speakers among the staff at the Secretariat, albeit with duties beyond linguistic services. She pointed out that CITES and CBD (based in Geneva and Montreal respectively) unlike CMS directly employed translators. She invited France to consider the possibility of providing a JPO seconded staff to CMS to assist specifically with activities in the Francophone countries in addition to the consultancy funded at AEWA.

#### **Actions and Decisions**

The Secretariat would follow-up with France the possibility of a JPO or secondment.

## **Agenda Item 6: Future Shape of CMS Process**

### **6.a. Second Step of the inter-sessional process regarding the future shape of CMS (Res 9.13 and addendum)**

22. The Chair asked Mr. Olivier Biber (Switzerland) as chair of the Inter-sessional Working Group to present a report. Mr. Biber outlined the aims of the three phases of the process which would culminate in the presentation of three options for COP10 to consider. The consultants, ERIC, had in agreement with the Working Group Chair produced a detailed list of activities and had grouped them in four broad options. Mr. Biber regretted that the questionnaire drafted by the UK and France had not elicited a greater response from Parties. The Standing Committee's guidance would be sought on how to proceed, but Mr. Biber strongly advised that the Working Group hold another meeting early in 2011. It was important for as many Parties to CMS, and Parties and Signatories to CMS instruments as possible to provide input.

23. Mr. Biber concluded his remarks by thanking ERIC for their hard work, the assistance of the Secretariat's support team, the commitment of the other members of the Working Group and the donor countries who had enabled the process to proceed.

24. The two representatives of the consultants, ERIC, Professor Robert Lee and Ms Lori Frater made a presentation describing what had been achieved under Phases I and II and explained that the final aim was to table three options for COP10 to consider. In Phase II a range of activities had been identified and grouped under four headings; these four headings would not necessarily form the basis of the three options to be put to the COP, as many of the individual activities could sit well in different approaches. The activities have been subjected to a scoring process which took account of their financial, legal and institutional impact and their benefits for conservation, integration and synergies. Professor Lee said that some activities received a low or even negative score because the reviews had taken a short-term view, and benefits outweighing short-term costs would not become evident for some years. This accounted for the paradox that activities that should lead to economies of scale seemed to increase costs. The consultants would need to do further modelling to ascertain when the financial benefits would be seen.

25. Ms Lim (Philippines) welcomed the report and the information it provided but felt that none of the options as presented was entirely acceptable. Some of the activities attributed to one option would fit just as well in others. She agreed that it would be desirable for the Working Group to meet again, but it would need a clear mandate and would need to take account of the outcomes of the CBD COP in Nagoya. Ms Céspedes (Chile) agreed with Ms Lim and pointed that the financial situation was far from favourable and the Convention should not plan ahead assuming a significant increase in resources. It should not embark on an expansion programme by concluding further MOUs. Mr. Lok (Netherlands) said that he found the document difficult to navigate and understand. He also agreed that the final selection of activities should not necessarily be based on the four options presented. To follow the mandate of COP9, he suggested that three distinct options each with a clear direction (he suggested centralization, regionalization and an enhanced status quo which would deal with the most obvious and easily rectified problems). He agreed that the Standing Committee needed to give the Working Group clear instructions on how to proceed and asked whether any assistance was required.

26. Mr. Biber (Switzerland) encouraged Parties to make their comments through the regional representatives on the Working Group and the Standing Committee. He hoped he could rely on the Working Group to ensure full attendance at the next meeting and on the continued assistance of the Secretariat's support team.

27. Several regional representatives offered further support and others reiterated the point that the activities should be regrouped within different options, while Mr. Øystein Størkersen (Norway) advised against radical changes when there were so many other undercurrents and

outside factors at play. He stressed the need for CMS to work with other organizations on common issues. Mr. Trevor Salmon (United Kingdom) warned against expanding the number of people involved in the process at this late stage when minds should begin to focus.

28. Mr. Biber (Switzerland) welcomed the offers of help and in turn suggested that as a priority the revised papers should be translated into the other two working languages. The final document could be reduced in size to 10-15 pages. Professor Lee (ERIC) agreed to reconfigure the activities within new options. He indicated that Phases I and II had brought considerable amount of information to light and now it was a question of presenting it in the most appropriate manner. Recognizing the difficult financial situation, he suggested a focused approach concentrating on the changes which brought most benefit for least cost.

29. Mr. Duer (UNEP) congratulated ERIC and the Working Group on having done a difficult task well. The aim of the exercise was to improve the service provided by the Secretariat for the Parties to ensure the best results for migratory species. He stressed that many reforms were being undertaken through other UN-wide processes and he urged Parties to be patient. The Chemicals MEAs had worked for a considerable period on improving synergies and now their efforts were bearing fruit. Greater efficiency was allowing resources to be redirected to implementation away from administration.

30. Ms Nickel (Germany) offered support with translations costs and said that Germany could provide a venue if there were no rooms available in the UN Campus.

#### **Actions and Decisions**

The consultation with Parties on the draft Phase II report would conclude at the end of 2010.

The Working Group would convene in early February 2011 for its third meeting (tentative dates 3-4 February).

Germany offered to provide support for the next Working Group meeting.

ERIC would revise the draft in the light of comments (e.g. regrouping the activities) and would compile a table of actions and a graph with the axes centralize/decentralize and high cost/low cost to help present the activities.

The Phase III proposals would be drafted in March and April for submission to members of the Standing Committee in May.

#### **6.b. Scientific Working Group on Global Flyways**

31. Mr. Taej Mundkur (Wetlands International and CMS Scientific Councillor for Asiatic fauna) presented the third review undertaken by the Scientific Council Working Group on Global Flyways. He stressed that the document before the Committee was an early draft. The relevant Documents were CMS/StC37/Doc 8 rev 1 (Draft review 3 on proposals for policy options for migratory bird flyways conservation and management), Inf. 6 (Report on progress made by the Scientific Council Working Group on Global Flyways) and Inf. 8 (Reviews of the Scientific Council Working Group on Global Flyways). The Working Group had looked beyond the immediate CMS Family for members and had brought in expertise from outside interests.

32. The first two reviews had dealt with existing instruments (both under CMS and other forums) concerning the conservation of birds and identifying threats and gaps in knowledge and coverage. The third review was a synthesis of first two and indicated possible future actions for CMS. Mr. Mundkur expressed his gratitude to the Government of Switzerland which had promised to provide funding towards a meeting of the Working Group in 2011, to CMS and the

German Government, and to BirdLife International and Wetlands International which had both been supporting the process.

33. The first review contained an analysis of current coverage, showing the African-Eurasian region to be the best served, no CMS-led activity in North America and gaps in most other regions, while among species there was little formal framework for seabirds (other than those listed by ACAP) or passerines. The main issues were lack of funding, non-participation by some key range states, ensuring momentum on developing actions was maintained, habitat loss and fragmentation, unsustainable use and bycatch, climate change, disease (in particular avian influenza), and invasive alien species. Passerine birds posed a particularly difficult problem because of their reliance on broader landscape features and were less likely therefore to benefit from linkages to the CBD protected areas programme.

34. In recognizing that the 2010 biodiversity targets had not been met, it was clear that the status quo was unacceptable and fresh action was needed. The question was whether CMS should concentrate its efforts on existing initiatives, taking on additional tasks only where an urgent need was identified or whether CMS should continue to expand its interests both geographically and taxonomically. The proactive development of further instruments should be coupled with a realistic assessment of what the best, most efficient and cost-effective structures were. The Working Group's clear preference was for streamlined, global coordination based on simple administrative and regional frameworks allowing comprehensive coverage to be achieved as quickly as possible. The balance between the mix of MOUs and Action Plans needed some further thought. The author of the report, Professor Colin Galbraith, had until the end of February to complete it.

35. Mr. Lok (Netherlands) expressed his concern that greater coverage and coherence would inevitably lead to requests for more money. He welcomed the idea of adopting a regional framework, but was not clear how this would address the problem of habitat loss and degradation. Mr. Mundkur explained that the framework approach addressed each threat through Action Plans. The site network approach was working successfully in the East Asian Australasian Flyway where climate change and habitat management were also addressed.

36. Ms Malta Qwathekana (South Africa) asked how the Flyways and Future Shape processes were being managed in parallel. Mr. Borja Heredia (Scientific and Technical Officer, UNEP/CMS Secretariat) replied that both working groups were covered by different Resolutions and were working to separate timetables and mandates, but the Flyways Working Group had to contribute to the Future Shape process, and the latter had to take into account the results of the former. Mr Biber (Switzerland) served on both Working Groups facilitating communication and coordination.

37. Mr. Paulo Domingos Paixão (European Commission) welcomed the progress report. The Commission was frequently reviewing its work to ensure nothing was being duplicated and the evaluation of initiatives in the European region was helpful. He also pointed out that CBD had set targets for some species with less specific habitat requirements.

38. Mr. Mundkur welcomed the positive response from members of the Committee. He said that the Working Group was planning to meet in early 2011 and further support to supplement the generous donation from Switzerland would be helpful.

<b>Actions and Decisions</b>
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The Standing Committee noted the document and asked for work on it to continue
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## **6.c. Review of taxonomic groups**

39. Ms Laura Cerasi (Associate Fundraising Officer, UNEP/CMS Secretariat) explained that Resolution 9.2 had requested that three reviews be carried out in parallel to the Future Shape process. These reviews were to focus on terrestrial mammals, birds and marine animals. Germany had committed €40,000, but the Secretariat's fund-raising efforts to secure more resources had not been successful, and the funds available were insufficient to undertake all these reviews. UNEP's offer of US\$40,000 had only just been confirmed. As the Global Flyways Working Group was conducting relevant studies on birds and the process originating from Resolution 8.22 was dealing with marine mammals, the Secretariat suggested that terrestrial mammals and marine turtles should be the focus of any new work commissioned.

40. Mr. Oliver Schall (Germany) questioned whether the work should proceed given that there was no indication that the Future Shape process was going to advocate restructuring the instruments of CMS along taxonomic lines. Mr. Biber (Switzerland) said that a taxonomy-led approach had not been rejected and, even if it would take some time for the contracts to be let, the review could still usefully contribute to the Future Shape deliberations. He did not understand why, when funding had apparently been available, the contracts had not been let. Mr Lok (Netherlands) said that the reviews even if completed later than had been hoped, could still provide useful information, even if not presented until the COP itself.

### **Actions and Decisions**

It was agreed to use available funds for reviews of terrestrial mammals (first priority) and marine turtles (second priority)

## **Agenda Item 7: CMS Strategic Plan**

### **7.a. Report on key international activities since the last Standing Committee meeting**

41. Mr. Lenten (Secretariat) made two presentations, the first focusing on the Secretariat and the second related to Future Shape.

#### Secretariat

42. The key activities undertaken since the last meeting of the Standing Committee included recruitment, where effort was focusing on Africa, Armenia, Brazil, China, Colombia, the Dominican Republic and the Russian Federation; arrangements for COP10 where the dates and venue had been agreed; Future Shape; the Sahelo-Saharan Antelopes projects where the FFEM-funded work was coming to a close and the EU-funded work in Niger had been extended to 2012 and one million hectares in the region of le Termit would be designated as a reserve; progressing implementation of the COP Resolution 8.22 on human-induced impacts on cetaceans and letting the contract for a bycatch review of gillnet fisheries; meetings of signatories of existing MOUs (Aquatic Warbler, Siberian Crane, Saiga antelopes and Grassland birds) and the successful negotiation of the Sharks MOU; and responding to the mass die-off of Saigas.

43. The marine turtle MOU for the Indian Ocean and South-East Asia now boasted 32 signatories and was in the vanguard of developing online reporting. The MOU was administered by a small team of two based in Bangkok. The Project Office in Abu Dhabi had been established in June 2009 under the leadership of Mr. Lahcen El Kabiri and it led on the implementation of the Raptors and Dugong MOUs. The First meeting of signatories to the Dugong MOU had taken place in October in Abu Dhabi.

44. ASCOBANS had had a joint Secretariat with CMS since 2007. Recent events included the 17<sup>th</sup> meeting of the Advisory Committee, the 6<sup>th</sup> meeting of the Jastarnia Group and the annual



meeting of the European Cetacean Society. The Advisory Committee had approved the Communication, Education and Public Awareness (CEPA) Plan.

45. The Gorilla Agreement had been concluded in October 2007. Its interim secretariat was provided by CMS. The six Parties had agreed annual contributions of €3,000 but none of these had yet been received, so the Agreement was entirely dependent on voluntary donations. The first meeting of the Technical Committee had provisionally been scheduled for March 2011 and the second Meeting of Parties would be held in conjunction with CMS COP10.

46. 2011 would be “Year of the Bat” with an emphasis on Europe and the following year the campaign would be global. A successful capacity building workshop had been organized in Panama in conjunction with the UNEP MEA Focal Point for Latin America and the Caribbean. The third round of the Thesis Award had been announced and a prize of €10,000 would be provided by the German airline, Lufthansa.

47. The 16<sup>th</sup> meeting of the Scientific Council had also taken place attended by over sixty councillors. The issues discussed included freshwater fish species, climate change, habitat loss and ecological corridors and networks, marine debris and flyways.

48. Ms Lim (Philippines) suggested that CMS might benefit from collaborating with initiatives in the Oceania and ASEAN region such as the Coral Triangle. Ms Mrema (Executive Secretary) said that CMS was collaborating with SPREP in Samoa and hoped to appoint a staff member there for a trial period of one year and through the CMS presence in Bangkok was working on recruitment of new Parties in the region.

49. Ms Thiam (Senegal) stressed the importance of the work being carried out under the Atlantic Turtle MOU from the office of SINEPAD in Dakar. This MOU would benefit from greater support in improving its profile.

#### **Actions and Decisions**

The Meeting noted the Secretariat’s report.

#### Future Development

50. Mr. Lenten emphasized the efforts made by the Secretariat to improve synergies, by convening back-to-back meetings where feasible, cooperating with EUROBATS over the Year of the Bat, assisting the Ramsar Bureau with advisory missions and undertaking joint recruitment campaigns, such as the recent tour of African countries.

51. Mr. Lenten pointed out that the Secretariat was relatively small and that 60 per cent of its budget was spent on salaries, with meetings (e.g. of the Standing Committee and the Scientific Council) taking a large share of the rest. There were few resources available to administer and implement the 15 MOUs managed directly by the Secretariat. Assuming that a professional officer could cope with responsibility for four MOUs and that each MOU would have seed money of €50,000 per annum, the Secretariat would need an additional €2 million a year to administer these instruments adequately. Germany and Finland had each decided to provide a JPO who would take care of the coordination of MOUs in Central Asian and Africa. While the appointment of JPOs was an excellent short-term solution, they only remained in post 2-3 years and after that the capacity built up disappeared unless these positions were replaced by a new JPO or fixed-term positions.

52. The Secretariat was considering a proposal to introduce a minimum level of contribution in line with other MEAs. Initial soundings indicated that setting the minimum at €2,000 would be acceptable and even welcome, given that small amounts cost more to administer and transfer

than they were worth (Parties at 0.001 per cent on the UN Scale had to pay just €45 in 2010). In light of the problems mentioned above the Secretariat had worked on drafting a budget proposal showing that an increase of 25 per cent would be needed to mitigate some of the difficulties.

53. CMS could draw on other sources of funds by cooperating even more with other MEAs. CBD had received a pledge of US\$5 million from Japan for capacity building. CMS would continue to work with NGOs and receive in-kind support from them (e.g. WDCS) and would forge partnerships with the private sector (e.g. RWE).

54. Consideration could be given to moving to quadrennial rather than triennial COPs, and the Scientific Council, which would be even more costly to run if all Parties nominated an expert as they were entitled to, could be organized differently (for instance by reducing it in size by having regional councillors in addition to the experts appointed by the COP).

55. Innovations were required in the way MOUs were managed, as several more such instruments were in the pipeline. The current format was no longer sustainable, and the instruments would either have to be revised or a Party found that was prepared to act as champion or main sponsor (as Abu Dhabi was for the Dugong and Raptor MOUs).

56. Mr. Lenten proceeded to outline some initial thoughts on a common website for the Convention and the Bonn-based Agreements. The Secretariats were handicapped by having no IT or web specialists and the current sites were rather outdated, using HTMLs rather than content management system. All organizations could still retain their identity and be responsible for maintaining their own parts of the site. The site would be redesigned to accommodate country profiles and online reporting portals, and the French and Spanish language elements would be enhanced. The estimated cost of re-launching the web presence was between €80,000 and €150,000.

57. Consideration was also being given to a common capacity-building and information unit for the Bonn-based members of the CMS Family. This would require a “buy-in” mechanism for the Agreements.

58. Mr. Salmon (United Kingdom) welcomed efforts to integrate the CMS Family and build a corporate identity. He cited examples of good practice displayed by ACAP and asked whether the rest of the CMS Family could learn from them. Mr Lenten (Secretariat) replied that as ACAP was neither Bonn-based nor UNEP-administered, it would probably not be directly involved. Mr Lok (Netherlands) said that web programmes were now freely available, so transferring from HTML to a content management system should not be too expensive. He expressed concerns at the Secretariat’s proposal to put forward a 25 per cent budget increase at the COP, given many national administrations were facing 30 per cent cuts. He requested that alternative options be presented as well. Mr Lenten agreed to do so, but stressed that stand-still and moderate growth options would come with a clear indication of what the Secretariat would not be able to deliver.

59. Ms Qwathekana (South Africa) suggested that COP resolutions and recommendations should contain a reference to staff and other resources required for their implementation. She was also concerned that a minimum contribution set at €2,000 might deter the very countries CMS was trying to recruit in her region. Mr Lenten said the experience in AEWA which had introduced a minimum subscription, was positive.

60. Ms Monika Lesz (Poland) suggested that dormant instruments should be suspended or repealed. Mr. Lenten felt that this proposal had merit, especially as over the passage of time circumstances and priorities changes, so it would be sensible to redeploy resources where they were most needed.

61. Mr Nasir (Pakistan) pointed out that the original NBSAPs adopted under CBD were now over ten years old and had not in all cases fully taken account of the needs of CMS. He asked whether CMS could advise on how the redrafted NBSAPs could better address CMS objectives.

62. Mr Lenten said that when the COP mandated the creation of new instruments it had to accept that resources were needed for implementation. CBD had received considerable pledges and CMS, which led to practical measures in the field and in so doing contributed directly to the conservation of biodiversity, needed adequate resources.

63. Ms Mrema (Executive Secretary) in conclusion said that thanks to the efforts of Professor Oteng-Yeboah, the CBD COP had agreed new targets requiring NBSAPs to be revisited and recognized that NBSAPs would be used as a framework for implementation of all relevant MEAs which includes CMS. A process would be starting in December 2010 in the Arabian region, and CMS would have to consider what materials and tools its national focal points would need to make the best of the opportunities available and ensure CMS benefited from the additional finances granted to CBD at Nagoya for the revision and updating of NBSAPs.

#### **Actions and Decisions**

The Secretariat would prepare draft guidance to national focal points on how NBSAPs should be drafted to take account of the conservation of migratory species relevant to CMS and its instruments

The Secretariat would produce a range of budget proposals for consideration by the COP

### **7.b. Contribution of the CMS Secretariat to the implementation of the CMS Strategic Plan 2006-2011**

64. Mr. Marco Barbieri (Agreements Officer, UNEP/CMS Secretariat) introduced Document CMS/StC37/9.Rev.1, explaining that the Secretariat regularly reported to the Standing Committee and the COP on implementation of the Strategic Plan. This report covered only activities undertaken or supported by the Secretariat. The Secretariat requested comments on the format of the report, particularly the presentation of information, and the level of detail it contained.

65. Ms Courouble (France) asked that columns be added to the table indicating a timeframe and responsibility in the Secretariat. Mr. Lok (Netherlands) commented that some activities had financial information attached to them, while others did not, and he suggested adding some colour coding to indicate the level of priority. Mr. Salmon (United Kingdom) pointed out the overlaps with the Work Plan (Inf 2) and asked whether it would be possible to merge the two documents. Mr. Lenten preferred to retain the Work Plan as a separate document as it was used as an internal management tool.

#### **Actions and Decisions**

The Secretariat would amend the format of the report as requested

### **7.c. Progress on instruments under development**

66. Mr. Barbieri (Secretariat) introduced Document CMS/StC37/4 Rev.1, reminding the Committee that, while Resolution 9.2 adopted at COP9 had decided to focus activities in the triennium on implementation and operationalization of existing instruments, it had given mandate to pursue the development of eight instruments already in the pipeline at the time of COP9. The document prepared by the Secretariat aimed to provide in a synthetic way and tabular format information on progress in the development of the various instruments, and recommendations of the Secretariat on feasible work in the short term, until COP10 and the

conclusion of the Future Shape process will provide further guidance. Progress had varied and it depended to a large extent on the amount of voluntary contributions and technical input received from Parties and other stakeholders.

67. Ms Nickel (Germany) said that she thought that the Central Asian Flyway (CAF) could be linked to AEWA and a meeting could be held back-to-back with the AEWA MOP5 in 2012. She agreed that it was a good idea to hold the next Gorilla MOP in Bergen as an associated meeting of the COP and understood that there was insufficient overlap of issues to justify merging the proposed Central African Elephant MOU with the existing one in West Africa. It might make more sense to link it to the Gorilla Agreement instead.

68. Professor Oteng-Yeboah (Ghana) welcomed the attention being given to Sahelo-Saharan ungulates, sub-Saharan bats and Central African elephants. He hoped more could be done for sub-Saharan bats before COP10 by engaging range states and stakeholders.

69. Ms Mrema (Executive Secretary) said that the Secretariat needed clear guidance as the previous COP had sought progress on developing further instruments while at the same time through establishing the Future Shape process was seeking greater streamlining. She suggested that to avoid a repeat of the problems of resources currently being experienced, all future MOUs should be developed with an in-built financial package.

70. Mr. John Mshelbwala (Chair, Scientific Council) recalled the history behind the West and Central African elephant, where originally a proposal was made at COP6 for joint action, as in comparison to Eastern and Southern Africa few measures were being taken. By the time of COP9, it had become clear that the species faced completely different problems in Western and Central Africa and that combining a Central African instrument with the existing one would not be advisable. Ms Thiam (Senegal) advocated that efforts be continued to establish an MOU for Central African elephants, drawing where necessary on the expertise of the IUCN, and expressed the hope that it could be concluded at the COP.

71. Mr. Størkersen (Norway) identified the lack of resources as the key issue and warned against the Convention taking on more work than it could reasonable manage. Developing initiatives could be progressed whether they could be implemented (such as CAF by combining it with AEWA). Single species initiatives seemed to be a luxury that CMS could not afford in current circumstances, and CMS should avoid the trap of launching initiatives with no resources to implement them, the Sharks MOU being a case in point.

72. Mr. Biber (Switzerland) said that he did not think that the Future Shape process was meant to impose a total freeze on the development of the Convention.

73. Ms Courouble (France) recalled that COP9 had explicitly requested that instruments in the advanced stages of negotiation should be brought to a conclusion. Work on the Central African elephant should similarly carry on, and potential signatories should start considering financial implications now, to avoid repeating the mistakes made with the Gorilla Agreement.

74. Ms Céspedes (Chile) agreed that preparatory work on the Central African elephant instrument should continue, saying that it was unlikely to have reached the stage where it could be agreed and enter into force before the COP.

75. Mr. Salmon (United Kingdom) agreed but pointed out that there were other forums operating in the conservation area, such as CITES, and CMS should collaborate with them.

76. Ms Lesz (Poland) agreed with Norway that all instruments that had not been finalized should be suspended until the completion of the Future Shape process.

77. Mr Lok (Netherlands) supported Norway, and suggested that the table in the Document should have an additional column setting out alternative approaches to new CMS instruments.

78. Ms Lim (Philippines) pointed out the urgency for action regarding marine turtles in the Pacific and said that CMS could benefit from working closely with the Coral Triangle Initiative just as it had through working with SPREP. The CMS Adviser for Asia in Bangkok could also play a role.

79. Professor Oteng-Yeboah (Ghana) opposed a blanket suspension of all MOU development, pointing out that earmarked voluntary contributions (such as that from Monaco for a gap analysis for the Central African elephant) had been made.

80. Mr. Størkersen (Norway) pointed out that CITES dedicated a considerable amount of time and resources (including two full-time staff members) to elephant-related issues, and, as CMS and CITES had a memorandum of cooperation, the two conventions should aim to work together and CMS should not rush into a separate MOU.

81. Mr. Barbieri (Secretariat) agreed to the suggestion of adding a column to the table on possible alternative approaches to a stand-alone CMS instrument, but sought to clarify that the Document did not in all cases assume that a new CMS instrument was the only way ahead, and foresaw for instance the possibility of attaching new instruments to existing ones. The added value to be derived and financial sustainability should be two principal considerations in the development of any new Agreement or MOU. With regard to Central African elephants, preliminary work such as the setting up of a working group and the gap analysis would continue, but the Secretariat was still far from being able to convene an international negotiation meeting. He agreed with the comments regarding CITES, and reported that work on elephants was the major part of the two Conventions' collaboration.

82. The Committee endorsed the Secretariat's paper, noting that for the most part, efforts to make substantial progress would be suspended until COP10, welcoming the conclusion of the Sharks MOU, and expecting the imminent conclusion of the Houbara Bustard Agreement, which had no financial implications for the parent Convention. The Pacific turtle instrument was awaiting feedback from SPREP. The African bat agreement was being pursued through joint workshops with FAO and there was little prospect of an intergovernmental negotiation meeting in the foreseeable future. The suggestion that future instruments should be subject to a gap analysis and closer attention paid to financial issues (e.g. secured voluntary contributions or a lead country as "champion") was accepted.

83. Mr. Biber (Switzerland) sought clarification of the Secretariat's policy on fundraising for new instruments as he did not recall having received any requests for funding. Those instruments close in an advanced state could be considered priorities for funding to bring them to a conclusion in 2011. Mr. Barbieri (Secretariat) said contributions had been sought for specific initiatives rather than issuing a general appeal for funds. Some initiatives were still in early stages where there was no need to hold meetings, which tended to be the most costly element. The Secretariat also tried to target appeals to donors likely to have an interest in the project.

#### **Actions and Decisions**

The Secretariat to progress instruments under negotiation as appropriate.

The Secretariat to revise the document as requested for presentation to the COP.

Future instruments to be tested for financial sustainability and be subject to a gap analysis, and where appropriate linked to or even merged with existing instruments.

#### **7.d. Assessment of the implementation of the Strategic Plan 2006-2011 and e. Elaboration of the new Strategic Plan**

84. These two items were introduced by Ms Mrema (Executive Secretary), who presented Document CMS/StC37/10 Rev. 1. CMS had had three Strategic Plans covering the periods 1995-2000, 2001-05 and 2006-11. The Strategic Plan 2006-2011 provided for an end-of-term assessment of its implementation to be led by the Standing Committee or, if resources allowed, undertaken by an external evaluator. COP8 had asked for an assessment which had been presented to COP9. COP9 had not however given any clear mandate for developing a new Plan for the next period (2012-17). Considering the need to link the new Strategic Plan with the outcomes of the Future Shape process, the Standing Committee had agreed at its 36<sup>th</sup> meeting that the current Plan be rolled forward with minor adjustments until 2012. This would have allowed COP10 to set in train the process for drafting a new Plan for the period 2013-17.

85. The Secretariat however was now proposing that the current Plan be extended even further (until 2014) so that an entirely revamped Plan could be tabled at COP11, taking full account of the Future Shape process. The task of elaborating the Plan could be given to an Inter-sessional Working Group established at COP10, and might benefit from the assistance of outside consultants.

86. Professor Oteng-Yeboah (Ghana) and Ms Céspedes (Chile) both supported the Secretariat's proposed approach, but Mr. Lok (Netherlands) questioned why the Committee was revising what it had decided only the previous year. The Future Shape Working Group had been examining past practice and achievements in close detail, so the work of reviewing the past Strategic Plan had already to a large extent been done. Ms Mrema (Executive Secretary) pointed out that the Strategic Plan covered a wider range of activities than the Future Shape, which had a stronger focus on the Secretariat and institutional arrangements.

87. Mr. Biber (Switzerland) added that while the Future Shape Working Group was "to take account" of the Strategic Plan, its tasks did not include undertaking a thorough review. He supported the idea of using the inter-sessional period between COP10 and COP11 when the result of the Future Shape process would be known to draft the new Plan. Goals set by the CBD COP should also be considered where they were relevant to CMS. His experience of leading the Working Group responsible for the current Strategic Plan was that the help of outside consultants was invaluable.

88. Ms Nickel (Germany) agreed that an extension of the current Plan to 2014 was a practical solution. CMS needed to retain a certain amount of flexibility in the short-term because of other factors, such as Future Shape and reforms within the UN system. She also agreed that a Working Group be established at COP10 with a clear mandate to draft the new Strategic Plan.

#### **Actions and Decisions**

The Secretariat would draft a Resolution for COP10 establishing a Working Group to draw up the Strategic Plan 2015-20 and submit it for approval to members of the Standing Committee.

The Secretariat would report back to the COP on the adjustments required to the 2006-11 Plan to enable it to run for a further three years.

The review of the current Strategic Plan (as extended) would be undertaken in the inter-sessional period between COPs 10 and 11

## **Agenda Item 8: Report on the key inter-sessional activities since December 2009 of the CMS Agreements**

89. The Chair invited the Secretariat to present reports on the activities undertaken by the Agreements under CMS. Mr. Lenten in his capacity as Executive Secretary AEWA conveyed the best wishes of Mr. Andreas Streit, the Executive Secretary of EUROBATS, who was attending a workshop in South Africa and proceeded to give an account of AEWA's recent achievements.

### AEWA

90. The US\$12 million project "Wings over Wetlands" was being wound down and was being reviewed by an independent assessor, and the initial evaluation seemed to be positive, especially regarding the training kit and the critical site network tool. One criticism was that too much of the funding became available at the end of the project. France had funded a consultancy for the coordinator of the African Initiative, and Ms Evelyn Moloko had been appointed to this post. AEWA had celebrated its 15<sup>th</sup> anniversary with a symposium held in The Hague, which had culminated in a declaration, and by publishing a book about the Agreement's history and origins.

### ASCOBANS

91. Ms Frisch (Secretariat) referred to Document CMS/StC37/Inf 12.2. The 17<sup>th</sup> Meeting of the Advisory Committee had been held in October 2010 and a number of conservation and research projects had been undertaken or approved, including the development of a joint online database with HELCOM, risk assessments for ship-strikes and inventories of cetaceans in Russia's Baltic waters. A consultant would be appointed in 2011 to coordinate the North Sea Plan for Harbour porpoises, funded by a German voluntary contribution. A Communication, Education and Public Awareness (CEPA) Plan for the Agreement had also been adopted. Several thematic working groups had been established, dealing with issues such as bycatch and underwater noise, which afforded opportunity for collaboration between CMS, ASCOBANS and others. ASCOBANS was also planning to hold a joint workshop with ACCOBAMS on pollutants and their effects on cetaceans during the European Cetacean Society's Annual Meeting in March 2011. ASCOBANS Parties were actively involved in the CMS Future Shape process and would examine the ramifications of the decision of the ACCOBAMS MOP to extend their Agreement Area into waters already covered by ASCOBANS.

### ACCOBAMS

92. Ms Mrema (Executive Secretary) presented the apologies of Ms Marie-Christine Grillo-Compulsione, the Executive Secretary of ACCOBAMS. Ms Mrema gave an account of the ACCOBAMS MOP held earlier in the month, where Parties had agreed to extend the Agreement Area to include all the waters of continental Portugal and Spain, thereby creating an overlap with ASCOBANS in the Atlantic. In terms of species coverage, ASCOBANS dealt only with small cetaceans, whereas ACCOBAMS dealt with all cetacean species occurring in its area. France was a range state and Party to both Agreements, while Spain and Portugal were range states to both but Parties only to ACCOBAMS. The desire of Spain and Portugal to be Party to a single Agreement covering all cetaceans was understandable, but the ASCOBANS Parties at their Advisory Committee in October had questioned the timing of the proposal in light of the Future Shape process and had asked in vain that consideration of the extension be deferred. France and Morocco had also both indicated that they had some misgivings. The amendment still had to be ratified by ACCOBAMS Parties and would only take effect when 16 of them had done so. The overlap had some consequences of a legal nature affecting issues of governance. ACCOBAMS Parties had however called for greater collaboration with ASCOBANS and the possibility of merging the two instruments was raised.

93. In response to a question from the floor as to the position of ASCOBANS on covering large cetaceans and the possible ramifications of such an extension, Ms Frisch (Secretariat) foresaw no problems for ASCOBANS with regard to its relations with the International Whaling Commission (IWC), if the Agreement were to extend its coverage to all cetaceans. ACCOBAMS collaborated perfectly well with the IWC. While ASCOBANS was not actively considering an extension to its species range at present, it did have an informal working group examining issues relating to large cetaceans.

#### Gorilla Agreement

94. Ms Melanie Virtue (Inter-Agency Liaison Officer, UNEP/CMS Secretariat) reported that the Agreement had six Parties and ten Range States. Unfortunately, so far none of the assessed contributions of €3,000 per Party had been received.

95. The 2009 Year of the Gorilla (YOG) had been a success, with over 200 articles in a variety of languages appearing in the press and thousands of references to it on the web. UNEP had published a report “The Last Stand of the Gorilla” funded by France as part of its contribution to YOG, which had proved to be the most popular UNEP production with 8.5 million hits on its webpage.

96. With the help of a voluntary contribution from Monaco, it was proposed to hold the first meeting of the Technical Committee in Kigali, Rwanda in March 2011. Ms Mrema (Executive Secretary) pointed out that the Gorilla was a flagship species and the range states hosting them were all developing countries, so the Agreement needed outside support. Mr Størkersen (Norway) hoped that Gorillas might benefit from the increased funding for NBSAPs under CBD and GEF funding. Mr Nasir (Pakistan) urged that CMS lobby range states to ensure Gorillas benefitted from national strategies and that captive breeding programmes be supported. Mr Salmon (United Kingdom) regretted that the Gorilla Agreement was progressing slowly and asked that lessons be drawn. He looked to the range states to take the lead and feared that reliance on third party donors might be perceived as outside interference.

97. Mr. Lenten thought that part of the problem was the lack of a dedicated staff member dealing with the Gorilla Agreement as their main task. Ms Virtue, who was overseeing the Agreement, had many other duties as the Inter-Agency Liaison Officer.

98. Professor Oteng-Yeboah (Ghana) asked the Standing Committee to mandate him and the Chair of the Scientific Council to approach Gorilla Agreement parties and range states to encourage them to pay their contributions. The Committee agreed.

#### **Actions and Decisions**

Prof. Oteng-Yeboah and Mr Mshelbwala would contact Gorilla Agreement Parties to encourage payment of their contributions

#### EUROBATS

99. In Mr. Streit’s absence, Ms Virtue (Secretariat) reported on the outcomes of the sixth Meeting of Parties to EUROBATS which had been held in Prague in September. Eighteen resolutions had been passed and the Agreement Area extended to cover North Africa and the Middle East. Observers from Israel, Jordan, Morocco and the Syrian Arab Republic had attended.

100. The “Year of the Bat” had been launched during the Meeting. The campaign would be a collaborative exercise with CMS with the focus in 2011 on Europe and a more global approach in 2012. A story about the effects of the Russian forest fires had received considerable global media attention and research had shown that European bats were one of the few success stories



of the 2010 biodiversity targets. Three eminent professors had agreed to serve as “Year of the Bat” ambassadors (Professors Tuttle, Racey and Medellín) and EUROBATS was working with FAO on a series of Workshops across Africa.

#### Abu Dhabi Project Office (Raptors and Dugong MOUs)

101. Mr. Lahcen El Kabiri (Executive Coordinator, CMS Abu Dhabi Project Office) introduced Document CMS/StC37/Inf 13, a report on his Office’s activities. He informed the meeting that the donor agreement with the authorities of Abu Dhabi had been signed and the Headquarters Agreement granting diplomatic privileges would soon follow. The budget would also soon be reviewed. The UN Agencies in Abu Dhabi (mainly UNDP) were planning a joint retreat, and staff from the CMS Project Office would participate.

102. With regard to the Raptors Agreement, the P4 post had been re-advertised after the early departure of the original incumbent. Some momentum had been lost, but Mr. El Kabiri was confident that this would be regained as soon as an appointment was made. Guidelines on how to draw up the raptor strategies required under the MOU had been distributed and 75 per cent of the strategies had now been received. It was planned to convene the first Meeting of Signatories in 2012. Before that, it was intended to hold a workshop and negotiations were under way about where this should take place.

103. Under the Dugong MOU, a series of regional workshops had been organized (in Thailand, Australia, Madagascar and Abu Dhabi). These had attracted hundreds of participants including two ministers. Five further countries had signed the MOU and progress was being achieved in implementing the work plan.

104. The Abu Dhabi Project office presented an opportunity to increase the Convention’s profile in the region and with Arab countries, and Mr. El Kabiri would be attending the Arab League meeting in Cairo to raise issues of concern to CMS.

#### **Actions and Decisions**

The Secretariat would send all national focal points the P4 vacancy announcement for the raptors post in Abu Dhabi

105. Mr. Salmon (United Kingdom) asked why there was no report on the Albatross and Petrel Agreement (ACAP). Mr Lenten (Secretariat) said that all Agreements within the CMS family were requested to submit reports. Ms Lim (Philippines) said that the Oceania regional report contained contributions from Australia and New Zealand, if not the ACAP Secretariat, describing activities undertaken under that Agreement.

#### **Agenda Item 9: Resources**

##### **9.a. Secretariat manpower and organization – recruitment of staff**

106. Mr. Lenten (Secretariat) gave an illustrated presentation of the Secretariat manpower. All posts were now filled with the exception of that of the Deputy Executive Secretary, where the recommendation of the interview panel was being considered by UNEP HQ and two part-time G4 administrative posts, where interviews had taken place.

107. Over the past year, the post of Scientific and Technical Officer had been taken by Mr. Borja Heredia, the former Scientific Councillor of Spain. The Associate Technical Officer post had been filled by Ms Aline Kühl and the post of Associate Partnerships and Fundraising Officer had been taken by Ms Laura Cerasi. Two members of staff had left, both moving to UNFCCC, namely Mr. Liam Addis (Agreements Assistant) and Mr. Ricardas Patiejunas (Finance

Assistant). Mr. Addis had been replaced by Ms Linette Eitz Lamare and her post had been split into the two part-time posts referred to above. Mr. Patiejunas had been temporarily replaced by Mr. Charles Kihunyu who had come from UNEP HQ. In all, CMS had 25 posts, five of which were part-time and five in the Administration and Finance Unit funded through the 13 per cent PSC.

108. The EU funded post dealing with the Sahelo-Saharan Antelopes project had been frozen and it was proposed to create a new temporary position in Washington D.C. in collaboration with the UNEP Regional Office for North America (RONA).

109. In compiling the Work Plan (CMS/StC37/Inf 2), it had become apparent how much unpaid overtime was being worked by the professional staff.

#### **9.b. Update on the status of the CMS Trust Fund 2009-2011**

110. Mr. Lenten introduced document CMS/StC37/11, an updated report on the status of the CMS Trust Fund. Attention was drawn to the level of unpaid contributions for the current and previous years. Annex II showed that expenditure was generally on course, with one saving arising from CMS sharing the salary expenses of Mr. Lenten with AEWA. Annex III listed voluntary contributions for projects such as the Future Shape process and the Global Flyways initiatives. The generosity of the donors was acknowledged with thanks.

#### **9.c. Finance and Budget Sub-Committee**

111. Mr. Salmon (United Kingdom, Chair, Finance and Budget Sub-Committee) circulated a provisional note of the meeting of the Sub-Committee, which had taken place on 22 November. He explained the Sub-Committee's role in monitoring expenditure, ensuring the Convention remained solvent and enhancing transparency. The Sub-Committee had focused its attention mainly on documents CMS/StC37/11 (the updated status of the CMS trust Funds 2009-10) and Inf.2 (Work Plan 2010).

112. Mr. Salmon drew the meeting's attention to the level of unpaid contributions, pointing out that some Parties had not paid for some time. There was €110,000 outstanding for 2010 and €250,000 in total. Reminder letters should be sent to countries in arrears.

113. The expenditure profile for 2010 appeared to be on course after three quarters of the year. There were some budget lines with underspends resulting from staff vacancies and the absence of matching funding for projects. Budget line 2230 (conservation projects) was underspent but the appointment of new staff members would help address this.

114. Donors of voluntary contributions were thanked for their support and the details of the payments were contained in Annex III.

115. Mr. Salmon concluded his remarks by saying that he was confident that the Convention was solvent and its resources were being managed well. He also commented that the Work Plan, designed as an internal management tool, was a useful document for the Sub-Committee.

#### **Actions and Decisions**

The members of the Finance Sub-Committee, liaising with the Secretariat, would send reminder letters to Parties that were in arrears

#### **9.d. Update on the status regarding fund-raising**

116. Ms. Cerasi (Secretariat) provided details of the financial and in-kind support received by the Secretariat from Parties, NGOs and the private sector.

117. In the past year, the Future Shape process had accounted for 26 per cent of all voluntary contributions, while MOUs took 59 per cent. The rest was spent on capacity building, conservation work and office equipment. Further voluntary contributions had been promised by Germany, Switzerland and UNEP.

118. The Secretariat undertook to continue to develop its relationships with private sponsors and would seek economies through collaboration.

119. Ms Mrema (Executive Secretary) announced that Germany had promised to support the Secretariat in the development of pertinent materials to assist national focal points to ensure incorporation of national targets for migratory species conservation issues into the revised NBSAPs process to be managed by CBD (see also Agenda item 7.a Future Development).

##### **Actions and Decisions**

The Secretariat would prepare draft guidance to national focal points on how NBSAPs should be drafted to take account of the conservation of migratory species relevant to CMS and its instruments

#### **9.e. Development of the new GEF proposals**

120. Mr. Lenten (Secretariat) spoke about the recent major replenishment of the GEF fund, and announced that the former coordinator of “Wings over Wetlands”, Mr. Camillo Ponziani, had been engaged to draw up new project proposals. These would focus on key species such as gorillas, the Saiga antelope and birds of the Central Asian Flyway. Mr. Lenten reiterated the GEF rules which required 50 per cent matching funding.

##### **Actions and Decisions**

The Secretariat would start to develop GEF project proposals

#### **9.f. Additional support from UNEP**

121. The Chair reminded the meeting of the promise made at the 36<sup>th</sup> Meeting by Mr. Bakary Kante, the head of UNEP’s Division on Environment Law and Conventions (DELIC) to provide up to US\$40,000 for the taxonomic reviews provided matching funding was secured. Further the Chair reported to the meeting that Ms Mrema, Mr Kante and himself have discussed the appliance for an additional substantial grant. This had been followed up with a grant application letter sent to the Executive Director of UNEP.

122. Mr. Duer (UNEP) announced that the Executive Director, Achim Steiner, had reaffirmed his previous commitment to make US\$200,000 available, which would also cover a number of activities including technical capacity building and associated activities. This news was greeted with warm applause from participants and the Chair expressed his gratitude to the Executive Director.

##### **Actions and Decisions**

The Secretariat would liaise with UNEP over the receipt of the funds.

## **Agenda Item 10: Terms of reference**

### **10.a. Standing Committee regional members**

123. Mr. Francisco Rilla (Information and Capacity Building Officer, UNEP/CMS Secretariat) referred the meeting to document CMS/StC37/13 which set out terms of reference for regional members of the Standing Committee, complementing the tasks and composition of the Committee contained in Resolution 9.15.

124. The Chair reminded the Meeting that the idea of terms of reference for the regional members had been raised at the previous meeting and drafts had been circulated earlier for comment.

125. Subject only to the deletion of some tasks considered more appropriate for the Secretariat (regarding the circulation of correspondence and informing Parties of the proceedings and decisions of Standing Committee meetings), the terms of reference were approved.

#### **Actions and Decisions**

Terms of Reference adopted as amended to be shared with Parties for use in the national implementation of the Convention

### **10.b. National focal points**

126. Mr. Rilla (Secretariat) presented CMS/StC37/23 which set out draft terms of reference for National Focal Points. The draft had been published in advance of the meeting and no comments had been received.

127. Mr. Lok (Netherlands) asked that National Focal Points be asked to ensure that valid email addresses were notified to the Secretariat and he had found that messages were frequently returned as undeliverable. Ms Thiam (Senegal) requested more time to consider the draft, because in the absence of interpretation at that point of the meeting, she could neither fully follow the discussion nor contribute to it.

#### **Actions and Decisions**

Members of the Committee should submit comments on the draft terms of reference within two weeks

## **Agenda Item 11: Scientific Council**

128. Mr. Mshelbwala (Chair, Scientific Council) referred to document CMS/StC37/Inf.5, the report of the 16<sup>th</sup> Meeting of the Council. He thanked the Secretariat for its support and welcomed the appointments of Borja Heredia as Scientific and Technical Officer and Aline Kühl as Associate Technical Officer. The 16<sup>th</sup> Meeting of the Council had been held in June 2010 in Bonn and had been attended by 70 councillors, experts and observers. The subjects discussed had included the future shape process; the Council's strategic plan; freshwater fish; how to respond to emergencies; barriers to migration; ecological networks and corridors; bycatch; flyways; the impacts of climate change on migratory species; animal diseases; and GEF funding.

129. A questionnaire had been circulated to ascertain the expertise contained within the Council with a view to improving the way Councillors supported the Convention.

130. Three draft Resolutions had been discussed, on the subjects of emergencies, ecological networks and marine debris (presented as documents CMS/StC37/16, 17 and 21 respectively).

Mr. Mshelbwala hoped that the Standing Committee would endorse them and facilitate finding Parties to table them (see also Agenda item 12 on COP10).

131. Mr. Mshelbwala voiced his continuing support for the Small Grants Programme and appealed to Parties to provide the necessary voluntary contributions to fund it. He was delighted to report good progress towards the preparation of the three projects that had been approved by the Scientific Council: a workshop on climate change and migratory species; a workshop on cetaceans of the western Indian Ocean; a project on satellite tracking of Ruddy-headed Goose (*Chloephaga rubidiceps*) in Argentina, but funds were still necessary to be able to make these projects a reality.

132. In his brief oral summary, Mr. Mshelbwala had not mentioned IPBES and its potential role in securing synergies among the biodiversity MEAs, but this had been covered in the written report. He had participated in the second IPBES meeting and the third (in Busan, Korea) had been attended by Ms Virtue of the Secretariat.

133. The dates of the 17<sup>th</sup> meeting of the Council were confirmed as 17-18 November 2011 in Bergen, immediately before COP10.

#### **Actions and Decisions**

Parties were urged to provide support to the three projects endorsed by the Scientific Council.

IPBES to be included in the agenda of the next meeting of the Scientific Council

### **Agenda Item 12: Preparation for the 10<sup>th</sup> meeting of the Conference of the Parties**

#### Host Country

134. Mr. Størkensen (Norway) made an illustrated presentation highlighting the venue for the next COP in Bergen. The Conference would take place in the Scandic Bergen City Hotel. The city had excellent public transport and the airport had connections to the main European hubs. Slides illustrated the conference rooms and other facilities available at the hotel. The meeting would be hosted officially by the Norwegian Ministry and technical support would be provided by the Directorate for Nature Management. It was not proposed for there to be an official excursion.

#### Funding

135. Ms Cerasi (Secretariat) gave a presentation showing the required funds for the Conference and associated meetings. The CMS Trust Fund would cover most of the organizational aspects of the meeting (e.g. translation, report writing and interpretation). Voluntary contributions would have to be sought to support the participation of delegates from eligible countries.

#### **Actions and Decisions**

The Secretariat, assisted by the Committee, would seek voluntary contributions to cover shortfalls.

#### Meeting Agenda and Structure

136. Ms Mrema (Executive Secretary) explained that the draft agenda would be subject to change as events developed. The delegates' survey conducted at the end of COP9 showed that there was some confusion about the difference between the plenary sessions and the Committee

of the Whole, given that they had virtually identical composition. While the Finance and Credentials Committee would certainly be retained and in all likelihood a Committee or in-session Working Group on Future Shape would be necessary, the views of the Meeting were sought on whether to retain the Committee of the Whole.

137. Many delegates said that they too were not entirely clear about the difference between the plenary and the Committee of the Whole, but voiced concern that having two entities ran the risk of the same discussions being repeated. It was recognized that smaller delegations, some of which might be made up of a single representative, had difficulty covering all elements of the Conference. It was explained that the purpose of the Committee of the Whole was to examine the issues in detail and resolve any problems, leaving the formal adoption of decisions to the plenary. It was agreed that plenary sessions were needed at the beginning of the Conference (to elect officers and establish in-session committees) and at the end (to adopt decisions), and possibly midway through (to assess progress).

#### **Actions and Decisions**

It was agreed to streamline the operation of the COP, keep the Plenary and the COW but reduce the number of plenary sessions (opening, midway and closing) on a trial basis.

#### Retirement of Resolutions

138. Ms Mrema (Executive Secretary) introduced document CMS/StC37/15 on the retirement of redundant Resolutions, explaining that this practice had been adopted by other MEAs such as CITES and CBD. She explained that the Annexes to the document listed all CMS COP decisions, those partly in force; those no longer in force; those still in force; and all Resolutions grouped by theme.

139. Several participants voiced their support for the idea of tidying up the catalogue of COP decisions, and Mr. Størkersen asked for a clearer explanation of the term “partly in force” as he wanted to know which provisions of the decisions in Annex II were still valid.

#### **Actions and Decisions**

The Secretariat would present a proposal to the COP for a procedure to retire decisions.

#### Draft Resolutions

140. Mr. Heredia (Secretariat) introduced document CMS/StC37/16, a draft resolution on emergency responses to events such as avian influenza and die-offs such as the ones experienced for Saigas, Monk seals and Mongolian gazelles. Further draft resolutions concerned ecological networks and marine debris. A Party was required to table the draft resolution at the COP.

141. The Chair proposed the establishment of a Working Group to consider the draft resolutions and Parties with any comments or proposed amendments should pass them to the Working Group Chair.

#### **Actions and Decisions**

A Working Group chaired by Ghana and comprising Chile, Poland, Germany, and the Philippines with the support of Iran was established to scrutinize the proposed business for the COP10, review the draft resolutions emanating from the Secretariat and pass comments to the Secretariat within 14 days to ensure that deadlines were met

### **Agenda Item 13: CMS Ambassadors and other Honorary Roles and Awards as well as CMS Species Campaigns**

142. Ms Virtue (Secretariat) introduced Documents CMS/StC37/19 and 20.

143. The previous meeting of the Standing Committee had asked that the Secretariat draw up more detailed criteria for the selection of and terms of reference for Ambassadors. The elaborated proposals were contained in CMS/StC37/19. Mr. Lenten (Secretariat) added that when the post of Ambassador was first created, the tasks had been ill defined. Since his appointment however, Stanley Johnson had attended various meetings and was currently at the tiger summit in St Petersburg. He had also co-authored the book “Survival: saving endangered migratory species”.

144. The evaluation of the “Year of the ...” campaigns was contained in CMS/StC37/20. The campaigns were considered successful and worthwhile, but the evaluation made some recommendations to improve them and suggested guidelines for their execution. A key recommendation was that range states and partners should be involved as early as possible. It was recognized that the campaigns needed thorough preparation and winding down, as this might mean that a campaigns should be held every two or three years and not annually. The Secretariat would consult the Standing Committee on the selection of future target species and Mr. Lok (Netherlands) suggested that the finance sub-committee should examine the proposed activities to help in their prioritization.

#### **Actions and Decisions**

Members of the Committee would submit comments in writing on the Secretariat’s proposals.

The Secretariat would present a report on the Activities of the CMS Ambassadors to the COP.

### **Agenda Item 14: Relevance of the CBD COP10 outcomes and decisions for CMS**

145. Ms Virtue (Secretariat) introduced document CMS/StC37/22, the annexes of which contained details of the six CBD COP decisions of relevance to CMS. The role of CMS and other biodiversity MEAs in achieving the objectives of the CBD Strategic Plan was recognized. CMS national focal points were urged to liaise with their CBD counterparts in the development of revised NBSAPs. Mr. Lok (Netherlands) said that links between CMS targets and the CBD Strategic Plan should be identified.

146. Professor Oteng-Yeboah (Ghana) explained that his country was taking a strategic view of biodiversity conservation and was consulting with all actors – users, developers and conservationists to ensure sustainable policies. He commended this model to others.

147. The Chair called for greater collaboration, internationally, nationally and between and within Ministries.

#### **Actions and Decisions**

The Meeting noted the Secretariat report.

### **Agenda Item 15: Date and venue of the 38<sup>th</sup> Meeting of the Standing Committee**

148. The Standing Committee would next meet immediately before the COP, on 19 November 2011 in Bergen, Norway.

## **Agenda Item 16: Any other business and closure**

### Any other business

#### RWE-AEWA Agreement

149. Immediately before the lunch break on the first day, a signing ceremony took place for the agreement between the German energy company, RWE Rhein-Ruhr Netzservice GmbH and AEWA. RWE was represented by managing director Mr. Peter Birkner, Ms Barbara Dierich and Mr. Michael Wahl. Mr. Birkner acknowledged the need for clean energy to be produced without damaging wildlife. He explained how his company was making its overhead power lines safer for birds. Under the agreement, RWE had undertaken to pay €120,000 towards an independent review and the development of guidelines for mitigating and avoiding the conflict between migratory birds and electricity power grids in the AEWA region.

#### St Petersburg Tiger Summit

150. Mr. Størkersen (Norway) gave a report on events at the St Petersburg Tiger Summit, the first two days of which he had attended. It was now estimated that there were just 3,200 tigers left in the wild in 13 range states, and it was feared that they had become extinct in Pakistan and Korea. India alone was spending US\$1 billion per annum, and was moving 100,000 people away from core tiger habitat paying compensation of US\$25,000 to each family affected.

151. The St Petersburg Declaration had been adopted at a session attended by Russian premier, Vladimir Putin, CBD Executive Secretary Ahmed Djoghlaif, CITES Secretary General John Scanlon and CMS Ambassador, Stanley Johnson. In his speech, Mr. Johnson had called for Russian accession to CMS, the listing of tigers on the Convention's appendices and that consideration be given for any instrument for their protection to be carried out under the auspices of CMS.

### Closure

152. After the customary expression of thanks to all those who had contributed to the preparation and successful execution of the Meeting, and especially to Germany for having hosted the reception the previous evening, the Chair closed proceedings at 18:07.



**37<sup>th</sup> Meeting of the Standing Committee***Bonn, 23-24 November 2010*

CMS/StC37/Inf.4/Rev.2

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# Convention on the Conservation of Migratory Species of Wild Animals

Secretariat provided by the United Nations Environment Programme



Annex 2

## 37<sup>th</sup> Meeting of the Standing Committee

Bonn, 23-24 November 2010

CMS/StC37/2  
Agenda Item 2

### PROVISIONAL ANNOTATED AGENDA AND SCHEDULE

**Venue** Federal Ministry of Transport, Building and Urban Development, Room 0.105, Robert-Schuman-Platz 1, 53113 Bonn

#### Tuesday, 23 November 2010

##### *Morning session 09:30 – 13:00 hr*

**1. Agenda item 1: Opening remarks and introductions**

*The Chair will open the meeting followed by welcome addresses by the Host Government and the Executive Secretary CMS*

**2. Agenda item 2: Adoption of agenda and schedule**

*The annotated agenda and schedule (doc. StC37/2) will be proposed for adoption*

**3. Agenda item 3: Adoption of the report of the 36<sup>th</sup> CMS Standing Committee meeting**

*The final draft report of the 36<sup>th</sup> CMS Standing Committee meeting (doc StC37/5) will be proposed for adoption*

**4. Agenda item 4: Report on accession of new Parties to the Convention**

*The Depositary will report on the latest developments regarding accession of new Parties to the Convention (doc StC37/6)*

**Coffee/Tea break 11.00 –11.30 hrs**

**5. Agenda item 7: CMS Strategic Plan**

**7.a Report on key international activities since the last Standing Committee meeting**

*The Secretariat will give an oral presentation on key activities since December 2009 (Power Point presentation)*

**7.b Contribution of the CMS Secretariat to the implementation of the CMS Strategic Plan 2006-2011**

*The Secretariat will report on progress made in the implementation of the Strategic Plan by the Secretariat (doc StC37/9) since December 2009*

**6. Agenda Item 8: Report on the key inter-sessional activities since December 2009 of the CMS Agreements**

*Representatives from CMS Agreements will report on key inter-sessional activities since the previous Standing Committee meeting.*

**7. Signing Ceremony**

**Cooperation Agreement between RWE (RR Netzservice GmbH), German electric power and natural gas public utility company based in Essen and CMS**

*To undertake a review of and guidelines for mitigating/avoiding the conflict between migratory birds and electricity power grids in the African-Eurasian region*

**Lunch break 13.00 – 14.30 hrs**

*Afternoon session 14.30 hrs – 18.00 hrs*

**8. Continuation of Agenda item 7**

**7.c Progress on instruments under development**

*The Secretariat will introduce doc StC37/4 and report on progress made as to the development of the CMS instruments mandated by COP9*

**7.d and e. Assessment of the implementation of the Strategic Plan 2006-2011 and elaboration of the new Strategic Plan**

*The Secretariat will introduce doc StC37/10 regarding proposals for the assessment of the implementation of the current Strategic Plan and for the elaboration of the Strategic Plan for the next six-year period*

**9. Agenda item 6: Future Shape of CMS Process**

**6.c Scientific Council Working Group on Global Flyways**

*The Chair of the Scientific Council Working Group on Global Flyways will introduce doc StC37/8. The Meeting will be requested to provide inputs to the proposals outlined in the document as further contribution to the Future Shape process*

**6.b Review on taxonomic groups**

*The Secretariat will orally inform the Meeting on the status of these Reviews*

**Coffee/Tea break 16.00 –16.30 hrs**

**6.a Second step of the Inter-sessional Process regarding the Future shape of CMS (Res. 9.13 and Addendum)**

*The Chair of the ISWGoFS and the Consultant will introduce doc StC37/7. The Meeting will be requested to give inputs to the proposals outlined in the document and further guidance on the Future Shape Process*

- ACCOBAMS extended area
- ASCOBANS merger

**18:30hrs: Dinner on the invitation of the German Federal Ministry of Environment at the Ministry of Environment (see invitation card)**

**Wednesday, 24 November 2010**

*Morning session 09.00 – 13.00 hrs*

**10. Continuation of Agenda item 6.a if necessary**

**11. Agenda item 5: Report of the Standing Committee members and observers**

*The regional Members of the Standing Committee and Observers will be invited to report on activities in their region and/ or of their organization*

**12. Agenda item 9: Resources**

**9.a Secretariat manpower and organization – recruitment of staff**

*The Secretariat will orally inform the Meeting on the Staffing situation*

**9.b Update on the status of the CMS Trust Fund 2009-11**

*The Secretariat will inform the Meeting on the status of the CMS Trust Fund 2009-11 (doc StC37/11)*

**Coffee/Tea break 10.30-11.00 hrs**

### **9.c Finance and Budget Sub-Committee**

*The Chair of the Finance and Budget Sub-Committee will orally report on the activities of the Committee since StC36*

### **9.d Update on the status regarding fundraising**

*The Secretariat will inform the Meeting on the status regarding fundraising and the impact of it on some of the activities planned for 2009-2011 (doc StC37/12)*

### **9.e Development of new GEF proposals**

*The Secretariat will orally inform the Meeting on the ideas to develop new GEF proposals to be submitted under GEF-5*

### **9.f Additional support from UNEP**

*The Secretariat and/or representative of UNEP will inform the Meeting on additional support from UNEP to CMS*

## **13. Agenda item 11: Scientific Council**

*The Chair will report on the activities of the Scientific Council since StC36, on outcome of the 16<sup>th</sup> meeting of the Scientific Council (doc Inf 37/5) and on activities planned for 2011.*

<b>Lunch break 13.00 – 15.00 hrs</b>
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*Afternoon session 15.00 hrs – 18.00 hrs*

## **14. Agenda item 12: 10<sup>th</sup> meeting of the Conference of the Parties**

*The Secretariat/Host Government will inform the Meeting on the status of the preparations for COP10. The following document will be introduced for approval by the Meeting:*

- *Provisional Agenda for COP10 (doc StC37/14)*
- *System of Retiring COP Resolutions (doc StC37/15 and Inf 37/1)*
- *COP10 Draft Resolutions*
  - *Draft Resolution on Emergency situations (doc StC37/16)*
  - *Draft Resolution on Ecological Networks (doc StC37/17)*
  - *Draft Resolution on Marine Debris (doc StC37/21)*
- *Dates/ costs and venue of COP10 (doc StC37/18)*

## **15. Agenda item 10: Terms of references**

### **10.a CMS Standing Committee regional members**

*The Secretariat will introduce doc StC37/13 regarding the Terms of Reference for CMS Standing Committee Members. The Meeting will be requested to adopt these Terms of Reference*

### **10.b CMS National Focal Points**

*The Secretariat will introduce doc StC37/23 regarding the Terms of Reference for CMS National Focal Points. The Meeting will be requested to adopt these Terms of Reference*

## **16. Agenda item 14: Relevance of the CBD COP10 outcomes and decisions for CMS**

*The Secretariat will introduce doc StC37/22 and the Meeting will be requested to provide comments and endorse the proposals made*

## **17. Agenda item 13: CMS Ambassadors and other Honorary Roles and Awards as well as CMS Species Campaigns**

*The Secretariat will introduce doc StC37/19 as well as StC37/20 and the Meeting will be requested to approve the new policy laid out in this document*

## **18. Agenda item 15: Date and venue of the 38<sup>th</sup> Meeting of the Standing Committee**

## **19. Agenda item 16: Any Other Business and closure**